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

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

7 CFR Part 301

[Docket No. 01–079–2]

Citrus Canker; Quarantined Areas

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Final rule.

SUMMARY: We are amending the citrus canker regulations by removing a portion of the quarantined area in Manatee County, FL, from the list of quarantined areas. The regulations require that an area be free from citrus canker for a period of at least 2 years before it may be removed from the list of quarantined areas. Surveys have shown that a portion of the quarantined area in Manatee County, FL, has been free of citrus canker since February 1999. This action removes restrictions on the interstate movement of regulated articles from that portion of Manatee County, FL.

EFFECTIVE DATE: February 25, 2002.

FOR FURTHER INFORMATION CONTACT: Mr. Stephen Poe, Operations Officer, PPQ, APHIS, 4700 River Road Unit 134, Riverdale, MD 20737; (301) 734–8899.

SUPPLEMENTARY INFORMATION:

Background

The regulations to prevent the interstate spread of citrus canker are contained in 7 CFR 301.75–1 through 301.75–16 (referred to below as the regulations). The regulations restrict the interstate movement of regulated articles from and through areas quarantined because of citrus canker and provide for the designation of survey areas around quarantined areas. Survey areas undergo close monitoring by Animal and Plant Health Inspection Service (APHIS) and State inspectors for citrus canker and serve as buffer zones against the disease.

Under § 301.75–4(c) of the regulations, any State or portion of a State where an infestation is detected will be designated as a quarantined area and will retain that designation until the area has been free from citrus canker for 2 years. A 15-square-mile area in the northern part of the quarantined area in Manatee County, FL, has been free of citrus canker since February 1999, and has thus met the requirement for declaration of eradication.

On November 27, 2001, we published in the **Federal Register** (66 FR 59175–59176, Docket No. 01–079–1) a proposal to amend the regulations by removing that portion of the quarantined area in Manatee County, FL, from the list of quarantined areas.

We solicited comments concerning our proposal for 30 days ending December 27, 2001. We did not receive any comments. Therefore, for the reasons given in the proposed rule, we are adopting the proposed rule as a final rule, without change.

Effective Date

This is a substantive rule that relieves restrictions and, pursuant to the provisions of 5 U.S.C. 553, may be made effective less than 30 days after publication in the **Federal Register**. Immediate implementation of this rule is necessary to provide relief to those persons who are adversely affected by restrictions we no longer find warranted. Making this rule effective immediately will allow interested producers and others in the marketing chain to benefit during this year's shipping season. Therefore, the Administrator of the Animal and Plant Health Inspection Service has determined that this rule should be effective upon signature.

Executive Order 12866 and Regulatory Flexibility Act

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

We are amending the citrus canker regulations by removing a portion of the quarantined area in Manatee County, FL, from the list of quarantined areas. The regulations require that an area be free from citrus canker for a period of at least 2 years before it is removed from the list of quarantined areas. Surveys have shown that a portion of the quarantined area in Manatee County, FL, has been free of citrus canker since February 1999. This action removes restrictions on the interstate movement of regulated articles from that portion of Manatee County, FL.

The area we are removing from quarantine represents only a small portion of the total production in Manatee County. The table below shows statistics for Manatee County after trees were removed to limit the spread of citrus canker.

	Boxes of citrus produced in 1999–2000 season	Total acres January 2000	Total number of trees January 2000
All Round Oranges	8,365,000	21,236	2,631,200
All Grapefruit	422,000	1,197	111,900
Speciality Fruit	279,000	821	98,300
All Citrus	9,066,000	23,254	2,841,400

While producers in the area that is being removed from the list of quarantined areas should benefit from removal of movement restrictions, it is unlikely that the benefit will be big enough to measure statistically. This action will not impose any costs on producers or on government entities.

Most of the citrus producers in and around the quarantined area in Manatee County, FL, qualify as small entities under Small Business Administration

(SBA) guidelines. The Regulatory Flexibility Act requires that the Agency specifically consider the economic effects associated with its rules on small entities. The SBA defines a firm engaged in agriculture as ''small'' if it has less than $750,000 in annual receipts.

Citrus producers in the area that is being removed from the list of quarantined areas will have greater choice of where to market their fruit. This should benefit producers by providing them with more alternatives. It is unlikely, however, that producer income or expenses will be affected in a measurable way.

It is difficult to quantify the benefits of removing an area from quarantine. While producers will have greater choice of where to market their citrus crops, most of the trees in the quarantined area have been destroyed. It is unlikely that a reduction in the quarantined area will have any measurable effect on producers or consumers.

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

Executive Order 12372

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

Executive Order 12988

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

Paperwork Reduction Act

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

List of Subjects in 7 CFR Part 301

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

Accordingly, we are amending 7 CFR part 301 as follows:

PART 301—DOMESTIC QUARANTINE NOTICES

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

Authority: 7 U.S.C. 166, 7711, 7712, 7714, 7731, 7735, 7751, 7752, 7753, and 7754; 7 CFR 2.22, 2.80, and 371.3.

Section 301.75–15 also issued under Sec. 204, Title II, Pub. L. 106–113, 113 Stat. 1501A–293; sections 301.75–15 and 301.75–16 also issued under Sec. 203, Title II, Pub. L. 106–224, 114 Stat. 400 (7 U.S.C. 1421 note).

2. In § 301.75–4, paragraph (a), in the entry for Manatee County, the second paragraph is revised to read as follows:

§ 301.75–4 Quarantined areas.

(a) * * *

Florida

* * * * *

Manatee County. * * *

That portion of the county bounded by a line drawn as follows: Beginning at the northwest corner of sec. 24, T. 33 S., R. 17 E.; then east along the northern boundary of sec. 24, T. 33. S., R. 17 E. (Bishop Harbor Road) until it becomes SR 683 (Moccasin Wallow Road); then east on SR 683 to the northeast boundary of sec. 22, T. 33 S., R. 18 E., then south along the eastern boundary of sec. 22, T. 33 S., R. 18 E. to 69th Street East; then east on 69th Street East to Erie Road; then south on Erie Road to U.S. Highway 301; then south on U.S. Highway 301 to Interstate 75; then south on Interstate 75 to the southern boundary of sec. 24, T. 35 S., R. 18 E.; then west along the southern boundaries of secs. 24, 23, and 22 to where the southern boundary of sec. 22 meets Whitfield Avenue; then west on Whitfield Avenue to U.S. Highway 301; then north on U.S. Highway 301 to SR 70; then west on SR 70 to U.S. Highway 41; then north on U.S. Highway 41 to where it becomes 14th Street West; then north on 14th Street West to 1st Avenue West; then east on 1st Avenue West to 9th Street West; then north on 9th Street West to the north bank of the Manatee River; then west along the north bank of the Manatee River to Terra Ceia Bay; then north along the western boundaries of secs. 25 and 24 to the point of the beginning.

* * * * *

Done in Washington, DC, this 25th day of February, 2002.

W. Ron DeHaven,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 02–4911 Filed 2–28–02; 8:45 am]

BILLING CODE 3410–34–U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 2001–SW–62–AD; Amendment 39–12664; AD 2002–04–07]

RIN 2120–AA64

Airworthiness Directives; Eurocopter France Model AS350BA and B2 Helicopters

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD) for Eurocopter France (ECF) Model AS350BA and B2 helicopters modified with a Eurocopter Canada Limited (ECL) Left-side-Pilot Configuration kit in accordance with Canadian Supplemental Type Certificate (STC) SH96–32 or United States STC SR00429 NY. This action requires replacing the collective locking device with a newly-designed locking device. This amendment is prompted by a report of a locking device that engaged during flight. The actions specified in this AD are intended to prevent inadvertent engagement of a locking device, the collective pitch control locking in the full-down position, and subsequent loss of control of the helicopter.

DATES: Effective March 18, 2002.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of March 18, 2002.

Comments for inclusion in the Rules Docket must be received on or before April 30, 2002.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Office of the Regional Counsel, Southwest Region, Attention: Rules Docket No. 2001–SW–62–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.*

The service information referenced in this AD may be obtained from Eurocopter Canada Limited, 1100 Gilmore Rd., Fort Erie, Ontario L2A 5M–4005, telephone (972) 641–3460, fax (972) 641–3527. 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: Carroll Wright, Aviation Safety Engineer, FAA, Rotorcraft Directorate, Regulations Group, Fort Worth, Texas 76193–0111, telephone (817) 222–5120, fax (817) 222–5961.

SUPPLEMENTARY INFORMATION: Transport Canada, the airworthiness authority for Canada, notified the FAA that an unsafe condition may exist on ECF Model AS350BA and B2 helicopters. Transport Canada advises of an incident involving an ECF Model AS350 helicopter, equipped with an ECL Left-Side Pilot Configuration kit, Canadian STC SH96–32 or United States STC SR00429 NY, in which the collective locking device engaged during flight.

ECL has issued Service Bulletin AS 350 BA, B2, No. ECL–99–67–002, Revision 2, dated September 23, 1999, which specifies replacing the collective locking device with a locking device that eliminates inadvertent engagement. Transport Canada classified this service bulletin as mandatory and issued AD No. CF–2000–06R1, dated August 23, 2000, to ensure the continued airworthiness of these helicopters in Canada.

These helicopter models are manufactured in France and are type certificated for operation in the United States under the provisions of 14 CFR 21.29 and the applicable bilateral agreement. The Left-Side Pilot Configuration kit was installed by ECL. Pursuant to the applicable bilateral agreement, Transport Canada has kept the FAA informed of the situation described above. The FAA has examined the findings of Transport Canada, reviewed all available information, and determined that AD action is necessary for products of these type designs that are certificated for operation in the United States.

This unsafe condition is likely to exist or develop on other helicopters of the same type design registered in the United States. Therefore, this AD is being issued to prevent inadvertent engagement of a collective locking device, the collective control locking in the full-down position, and subsequent loss of control of the helicopter. The actions must be accomplished in accordance with the service bulletin described previously. The short compliance time involved is required because the previously described critical unsafe condition can adversely affect the controllability of the helicopter. Therefore, replacing the locking device with a new locking device within 50 hours time-in-service or 30 days, whichever occurs first, is required, and this AD must be issued immediately.

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.

The FAA estimates that 28 helicopters will be affected by this AD, that it will take approximately 5 work hours to install a locking device and that the average labor rate is $60 per work hour. ECL has represented to the FAA that for each Left-Side Pilot Configuration delivered with a previous version of the collective locking device, one set of applicable parts specified in the service bulletin will be made available free of charge. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be $8,400.

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 should 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 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 mailed comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: ''Comments to Docket No. 2001–SW–62–AD.'' The postcard will be date stamped and returned to the commenter.

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 a new airworthiness directive to read as follows:

2002–04–07 Eurocopter France: Amendment 39–12664. Docket No. 2001–SW–62–AD.

Applicability: Model AS350BA and B2 helicopters, certificated in any category, modified with a Eurocopter Canada Limited (ECL) Left-Side Pilot Configuration kit in accordance with Canadian Supplemental Type Certificate (STC) SH96–32 or United States STC SR00429 NY.

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 within 50 hours time-in-service or 30 days, whichever occurs first, unless accomplished previously.

To prevent inadvertent engagement of a collective control locking device, the collective pitch control locking in the full-down position, and subsequent loss of control of the helicopter, accomplish the following:

(a) Replace the collective control locking device with a redesigned locking device in accordance with the Accomplishment Instructions, paragraph 2, of ECL AS350 BA, B2 Service Bulletin No. ECL–99–67–002, Revision 2, dated September 23, 1999.

(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 14 CFR 21.197 and 21.199 to operate the helicopter to a location where the requirements of this AD can be accomplished.

(d) Replacing the collective locking device shall be done in accordance with the Accomplishment Instructions, paragraph 2, of Eurocopter Canada Limited Service Bulletin AS 350 BA, B2, No. ECL–99–67–002, Revision 2, dated September 23, 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 Eurocopter Canada Limited, 1100 Gilmore Rd., Fort Erie, Ontario L2A 5M–4005, telephone (972) 641–3460, fax (972) 641–3527. 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 March 18, 2002.

Note 3: The subject of this AD is addressed in Transport Canada (Canada) AD CF–2000–06R1, dated August 23, 2000.

Issued in Fort Worth, Texas, on February 19, 2002.

Mark R. Schilling,

Acting Manager, Rotorcraft Directorate, Aircraft Certification Service.

[FR Doc. 02–4555 Filed 2–27–02; 8:45 am]

BILLING CODE 4910–13–U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 2001–NM–252–AD; Amendment 39–12667; AD 2002–04–10]

RIN 2120–AA64

Airworthiness Directives; Airbus Model A319 Series Airplanes and A320–200 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain Airbus Model A319 series airplanes and A320–200 series airplanes, that requires repetitive inspections to detect loose or missing rivets in specified areas of the door frames of the overwing emergency exits and corrective action, if necessary. This AD also requires measurement of the grip length of all rivets in the specified areas and corrective action, if necessary, which terminates the repetitive inspections. This amendment is prompted by mandatory continuing airworthiness information from a foreign airworthiness authority. The actions specified by this AD are intended to detect and correct loose or missing rivets or discrepant rivets, which could lead to reduced structural integrity of the overwing emergency exit door frames. This action is intended to address the identified unsafe condition.

DATES: Effective April 5, 2002.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of April 5, 2002.

ADDRESSES: The service information referenced in this AD may be obtained from Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 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: Dan Rodina, Aerospace Engineer, International Branch, ANM–116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (425) 227–2125; fax (425) 227–1149.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to certain Model A319 series airplanes and A320–200 series airplanes was published in the **Federal Register** on November 23, 2001 (66 FR 58682). That action proposed to require repetitive inspections to detect loose or missing rivets in specified areas of the door frames of the overwing emergency exits and corrective action, if necessary. That action also proposed to require measurement of the grip length of all rivets in the specified areas and corrective action, if necessary, which would terminate the repetitive inspections.

Comments

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were submitted in response to the proposal or the FAA's determination of the cost to the public.

Conclusion

The FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

Cost Impact

The FAA estimates that 168 Model A319 and A320–200 series airplanes of U.S. registry will be affected by this AD, that it will take approximately 1 work hour per airplane to accomplish the required inspection, and that the average labor rate is $60 per work hour. Based on these figures, the cost impact of this AD on U.S. operators is estimated to be $10,080, 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 requirements of this AD action, and that no operator would accomplish

those actions in the future if this AD were not adopted. The cost impact figures discussed in AD rulemaking actions represent only the time necessary to perform the specific actions actually required by the AD. These figures typically do not include incidental costs, such as the time required to gain access and close up, planning time, or time necessitated by other administrative actions.

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.

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 adding the following new airworthiness directive:

2002–04–10 Airbus Industrie: Amendment 39–12667. Docket 2001–NM–252–AD.

Applicability: Model A319 series airplanes and A320–200 series airplanes, as listed in Airbus Service Bulletin A320–53–1147, dated September 22, 2000; 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 (e) 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 loose, missing, or discrepant rivets in specified areas of the door frames of the overwing emergency exits, which could lead to reduced structural integrity of the door frames, accomplish the following:

Inspection and Measurement

(a) Within 3,500 flight cycles after the effective date of this AD: Conduct a detailed visual inspection of the specified areas of the door frames of the overwing emergency exits for loose or missing rivets, in accordance with Part B of the Accomplishment Instructions and Figure 5 of Airbus Service Bulletin A320–53–1147, dated September 22, 2000. If no loose or missing rivets are found, repeat the detailed visual inspection and the measurement at intervals not to exceed 3,500 flight cycles until the requirements of paragraph (d) have been accomplished.

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.''

Corrective Action

(b) If the inspection required by paragraph (a) of this AD reveals that there are loose or missing rivets: Prior to further flight, accomplish the requirements of either paragraph (b)(1) or (b)(2) of this AD.

(1) Measure the grip length of all rivets in the specified areas in which the loose or missing rivets were detected and perform corrective action (e.g., inspecting rivet holes for cracks, opening up rivet holes, repairing cracks at rivet holes, and installing new rivets) as applicable, in accordance with Part C of the Accomplishment Instructions and Figure 5 of Airbus Service Bulletin A320–53–1147, dated September 22, 2000, except as specified in paragraph (c) of this AD. Repeat the detailed visual inspection required by paragraph (a) of this AD at intervals not to exceed 3,500 flight cycles until the requirements of paragraph (d) have been accomplished.

(2) Measure the grip length of all rivets in all specified areas and perform corrective action (e.g., inspecting rivet holes for cracks, opening up rivet holes, repairing cracks at rivet holes, and installing new rivets) as applicable, in accordance with Part C of the Accomplishment Instructions and Figure 5 of Airbus Service Bulletin A320–53–1147, dated September 22, 2000, except as specified in paragraph (c) of this AD.

(c) If Airbus Service Bulletin A320–53–1147, dated September 22, 2000, recommends contacting the manufacturer for instructions concerning certain repairs, perform those repairs in accordance with a method approved by the Manager, International Branch, ANM–116, FAA, Transport Airplane Directorate, or by the Direction Generale de l'Aviation Civile (DGAC) 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.

Terminating Action

(d) Prior to the accumulation of 24,000 total flight cycles or within 3,500 flight cycles after the effective date of this AD, whichever occurs later: Accomplish the requirements of paragraph (b)(2) of this AD. Accomplishment of paragraph (b)(2) of this AD constitutes terminating action for the purpose of this AD.

Alternative Methods of Compliance

(e) 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. 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

(f) Special flight permits may be issued in accordance with §§ 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

(g) Except as provided by paragraph (c) of this AD, the actions shall be done in accordance with Airbus Service Bulletin A320–53–1147, dated September 22, 2000. 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 Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. 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.

Note 4: The subject of this AD is addressed in French airworthiness directive 2001–241(B), dated June 27, 2001.

Effective Date

(h) This amendment becomes effective on April 5, 2002.

Issued in Renton, Washington, on February 21, 2002.

Vi L. Lipski,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 02–4719 Filed 2–28–02; 8:45 am]

BILLING CODE 4910–13–U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 2001–NM–186–AD; Amendment 39–12666; AD 2002–04–09]

RIN 2120–AA64

Airworthiness Directives; BAE Systems (Operations) Limited Model BAe 146 Series Airplanes and Model Avro 146–RJ Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain BAE Systems (Operations) Limited Model BAe 146 and Avro 146–RJ series airplanes, that requires modifying the engine start circuit. This action is necessary to prevent overheating of the soft start resistor of the engine start circuit, which could result in smoke and fumes in the cabin and consequent injury to passengers and crew. This action is intended to address the identified unsafe condition.

DATES: Effective April 5, 2002.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of April 5, 2002.

ADDRESSES: The service information referenced in this AD may be obtained from British Aerospace Regional Aircraft American Support, 13850 Mclearen Road, Herndon, Virginia 20171. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 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: Todd Thompson, Aerospace Engineer, International Branch, ANM–116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (425) 227–1175; fax (425) 227–1149.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to certain BAE Systems (Operations) Limited Model BAe 146 and Avro 146–RJ series airplanes was published in the **Federal Register** on November 28, 2001 (66 FR 59390). That action proposed to require modifying the engine start circuit.

Comments

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were submitted in response to the proposal or the FAA's determination of the cost to the public.

Conclusion

The FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

Cost Impact

The FAA estimates that 65 Model BAe 146 and Avro 146–RJ series airplanes of U.S. registry will be affected by this AD, that it will take approximately 18 work hours per airplane to accomplish the required actions, and that the average labor rate is $60 per work hour. The cost for required parts will be approximately $7,300. Based on these figures, the cost impact of this AD on U.S. operators is estimated to be $544,700, or $8,380 per airplane.

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted. The cost impact figures discussed in AD rulemaking actions represent only the time necessary to perform the specific actions actually required by the AD. These figures typically do not include incidental costs, such as the time required to gain access and close up, planning time, or time necessitated by other administrative actions.

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.

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 adding the following new airworthiness directive:

2002–04–09 BAE Systems (Operations) Limited (Formerly British Aerospace Regional Aircraft): Amendment 39–12666. Docket 2001–NM–186–AD.

Applicability: Model BAe 146 and Avro 146—RJ series airplanes, certificated in any category, that have been modified in accordance with BAE Systems Modification HCM00810A, HCM60031A, or HCM60033L.

Note 1: This AD applies to each airplane 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 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 overheating of the soft start resistor of the engine start circuit, which could result in smoke and fumes in the cabin and consequent injury to passengers and crew, accomplish the following:

Modification

(a) Within 2 years after the effective date of this AD, modify the engine start circuit (including modifying the electrical busbar; installing new relays and relay mounting assembly, terminal junction module, and change-over contactor; and installing and rerouting certain wire assemblies) as specified by paragraph (a)(1), (a)(2), or (a)(3), as applicable, of this AD.

(1) For Model BAe 146 and Avro 146–RJ series airplanes on which BAE Systems Modification HCM00810A has been incorporated: Do the modification in accordance with BAE Systems (Operations) Limited Modification Service Bulletin SB.80–18–50293A, dated January 18, 2001; or SB.80–018–50293A, Revision 1, dated July 4, 2001.

(2) For Model BAe 146 series 100 airplanes on which BAE Systems Modification HCM60031A has been incorporated: Do the modification in accordance with BAE Systems (Operations) Limited Modification Service Bulletin SB.80–019–50293B, dated July 6, 2001.

(3) For Model BAe 146 series 200 airplanes on which BAE Systems Modification HCM60033L has been incorporated: Do the modification in accordance with BAE Systems (Operations) Limited Modification Service Bulletin SB.80–020–50293C, dated July 6, 2001.

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, Transport Airplane Directorate, FAA. 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 2: 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 §§ 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) The modification shall be done in accordance with BAE Systems (Operations) Limited Modification Service Bulletin SB.80–18–50293A, dated January 18, 2001; BAE Systems (Operations) Limited Modification Service Bulletin SB.80–018–50293A, Revision 1, dated July 4, 2001; BAE Systems (Operations) Limited Modification Service Bulletin SB.80–019–50293B, dated July 6, 2001; or BAE Systems (Operations) Limited Modification Service Bulletin SB.80–020–50293C, dated July 6, 2001; as applicable. 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 British Aerospace Regional Aircraft American Support, 13850 Mclearen Road, Herndon, Virginia 20171. 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.

Note 3: The subject of this AD is addressed in British airworthiness directive 003–01–2001.

Effective Date

(e) This amendment becomes effective on April 5, 2002.

Issued in Renton, Washington, on February 21, 2002.

Vi L. Lipski,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 02–4718 Filed 2–28–02; 8:45 am]

BILLING CODE 4910–13–U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 2001–NM–37–AD; Amendment 39–12665; AD 2002–04–08]

RIN 2120–AA64

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

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain Boeing Model 737–600, –700, –700C, and –800 series airplanes, that requires a one-time inspection of certain fasteners in rudder pedal housings to determine if pan-head fasteners are installed, and replacement of existing fasteners with improved fasteners, if necessary. The actions specified by this AD are intended to prevent loss of free movement of the rudder pedals, which could result in reduced controllability of the airplane. This action is intended to address the identified unsafe condition.

DATES: Effective April 5, 2002.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of April 5, 2002.

ADDRESSES: 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 Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 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: Barbara Mudrovich, Aerospace Engineer, Systems and Equipment Branch, ANM–130S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (425) 227–2983; fax (425) 227–1181.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to certain Boeing Model 737–600, –700, –700C, and –800 series airplanes was published in the **Federal Register** on November 27, 2001 (66 FR 59183). That action proposed to require a one-time inspection of certain fasteners in rudder pedal housings to determine if pan-head fasteners are installed, and replacement of existing fasteners with improved fasteners, if necessary.

Comments

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were submitted in response to the proposal or the FAA's determination of the cost to the public.

Conclusion

The FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

Cost Impact

There are approximately 264 airplanes of the affected design in the worldwide fleet. The FAA estimates that 123 airplanes of U.S. registry will be affected by this AD, that it will take approximately 1 work hour per airplane to accomplish the required inspection, and that the average labor rate is $60 per work hour. Based on these figures, the cost impact of the AD on U.S. operators is estimated to be $7,380, or $60 per airplane.

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of

the requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted. The cost impact figures discussed in AD rulemaking actions represent only the time necessary to perform the specific actions actually required by the AD. These figures typically do not include incidental costs, such as the time required to gain access and close up, planning time, or time necessitated by other administrative actions.

Should an operator be required to accomplish the replacement of fasteners, it will take approximately 2 work hours per airplane to accomplish the repair, at an average labor rate of $60 per work hour. Required parts will be provided by the manufacturer at no cost to the operator. Based on these figures, the cost impact of any repair action is estimated to be $120 per airplane.

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.

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 adding the following new airworthiness directive:

2002–04–08 Boeing: Amendment 39–12665. Docket 2001–NM–37–AD.

Applicability: Model 737–600, –700, –700C, and –800 series airplanes; line numbers 1 through 295 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 (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 loss of free movement of the rudder pedals, which could result in reduced controllability of the airplane, accomplish the following:

Replacement of Fasteners

(a) Within 12 months after the effective date of this AD, do a one-time general visual inspection of the fasteners on the upper cover assembly of the housing for the captain's and first officer's rudder pedals to determine if pan-head fasteners are installed, according to Boeing Alert Service Bulletin 737–25A1383, Revision 1, dated December 2, 1999. Replace all pan-head fasteners on the upper cover assembly of the housing for the captain's and first officer's rudder pedals with improved (flush-head) fasteners, including countersink-drilling the fastener holes, according to the service bulletin.

Note 2: For the purposes of this AD, a general visual inspection is defined as: ''A visual examination of an interior or exterior area, installation, or assembly to detect obvious damage, failure, or irregularity. This level of inspection is made under normally available lighting conditions such as daylight, hangar lighting, flashlight, or drop-light, and may require removal or opening of access panels or doors. Stands, ladders, or platforms may be required to gain proximity to the area being checked.''

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 Aircraft Certification Office (ACO), FAA. 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 3: 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 §§ 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) The actions shall be done in accordance with Boeing Alert Service Bulletin 737–25A1383, Revision 1, dated December 2, 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.

Effective Date

(e) This amendment becomes effective on April 5, 2002.

Issued in Renton, Washington, on February 21, 2002.

Vi L. Lipski,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 02–4717 Filed 2–28–02; 8:45 am]

BILLING CODE 4910–13–U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 2001–NM–363–AD; Amendment 39–12669; AD 2002–05–01]

RIN 2120–AA64

Airworthiness Directives; Boeing Model 747–100, 747–200, 747–300, 747SP, and 747SR Series Airplanes Powered by Pratt & Whitney JT9D–3 and JT9D–7 Series Engines

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment supersedes an existing airworthiness directive (AD), applicable to certain Boeing Model 747–100, 747–200, 747–300, 747SP, and 747SR series airplanes powered by Pratt

& Whitney JT9D–3 or JT9D–7 series engines. That AD currently requires inspections of the vertical chords of the aft torque bulkhead of the outboard nacelle struts, corrective action, if necessary, and a modification of the vertical chords, which ends the inspections. This amendment will reduce the compliance time and repetitive intervals for the currently required inspections. These actions are necessary to prevent cracking of the vertical chords adjacent to the lower spar fitting, which could result in separation of the diagonal brace load path. Continued operation with a separated diagonal brace load path increases loads on the upper link, midspar fitting, and dual side links, which could result in separation of the strut and engine from the airplane. These actions are intended to address the identified unsafe condition.

DATES: Effective March 18, 2002.

The incorporation by reference of Boeing Alert Service Bulletin 747–54A2201, dated September 28, 2000, as listed in the regulations, was approved previously by the Director of the Federal Register as of December 13, 2000 (65 FR 70781, November 28, 2000).

Comments for inclusion in the Rules Docket must be received on or before April 30, 2002.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–114, Attention: Rules Docket No. 2001–NM–363–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056. Comments may be inspected at this location between 9 a.m. and 3 p.m., Monday through Friday, except Federal holidays. Comments may be submitted via fax to (425) 227–1232. Comments may also be sent via the Internet using the following address: *9-anm-iarcomment@faa.gov*. Comments sent via fax or the Internet must contain ''Docket No. 2001–NM–363–AD'' in the subject line and need not be submitted in triplicate. Comments sent via the Internet as attached electronic files must be formatted in Microsoft Word 97 for Windows or ASCII text.

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: Tamara Anderson, Aerospace Engineer, Airframe Branch, ANM–120S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (425) 227–2771; fax (425) 227–1181.

SUPPLEMENTARY INFORMATION: On June 14, 2001, the FAA issued AD 2001–12–23, amendment 39–12279 (66 FR 33459, June 22, 2001), applicable to certain Boeing Model 747–100, 747–200, 747–300, 747SP, and 747SR series airplanes powered by Pratt & Whitney JT9D–3 or JT9D–7 series engines, to require inspections of the vertical chords of the aft torque bulkhead of the outboard nacelle struts, corrective action, if necessary, and a modification of the vertical chords, which ends the inspections. That action was prompted by numerous reports of fatigue cracking of the vertical chords of the aft torque bulkhead of the outboard nacelle struts. The actions required by that AD are intended to prevent cracking of the vertical chords adjacent to the lower spar fitting, which could result in separation of the diagonal brace load path. Continued operation with a separated diagonal brace load path increases loads on the upper link, midspar fitting, and dual side links, which could result in separation of the strut and engine from the airplane.

Actions Since Issuance of Previous Rule

Since the issuance of that AD, the FAA has received new reports of cracking in the vertical chords of the aft torque bulkhead. One report describes a crack on an airplane that had accumulated 9,479 total flight cycles. Paragraph (a) of the existing AD has a compliance threshold of 14,000 total flight cycles.

Another report describes a crack that was found on an airplane that had accumulated only 1,590 flight cycles since an inspection per Boeing Service Letter 747–54–055, dated April 24, 1998. Paragraph (b) of AD 2001–12–23 allows deferral of the initial inspections in paragraph (a) of that AD for 3,000 flight cycles after accomplishment of Boeing Service Letter 747–54–055.

Based on these new reports, the FAA has determined that the existing compliance threshold and repetitive intervals for the inspections required by the existing AD may not be adequate to ensure that cracking is detected in a timely manner.

Explanation of Requirements of Rule

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of this same type design, this AD supersedes AD 2001–12–23 to continue to require inspections of the vertical chords of the aft torque bulkhead of the outboard nacelle struts, corrective action, if necessary, and a modification of the vertical chords, which ends the inspections. This AD will reduce the compliance threshold and repetitive intervals for the currently required inspections. The actions are required to be accomplished in accordance with Boeing Alert Service Bulletin 747–54A2201, dated September 28, 2000 (which is referenced in AD 2001–12–23 as the appropriate source of service information for certain actions therein), except as discussed below.

Differences Between Service Bulletin and This AD

Operators should note that the compliance thresholds and repetitive intervals for the inspections required by this AD are lower than the compliance thresholds and repetitive intervals specified in the service bulletin. As described previously, the FAA has determined that the compliance thresholds and repetitive intervals specified in the service bulletin may not be adequate to ensure timely detection of cracking.

Operators also should note that, although the service bulletin specifies that the manufacturer may be contacted for disposition of certain repair conditions, this AD requires the repair of those conditions to be accomplished in accordance with a method approved by the FAA, or in accordance with data meeting the type certification basis of the airplane approved by a Boeing Company Designated Engineering Representative who has been authorized by the FAA to make such findings.

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.

Submit comments using the following format:

- Organize comments issue-by-issue. For example, discuss a request to change the compliance time and a request to change the service bulletin reference as two separate issues.
- For each issue, state what specific change to the AD is being requested.
- Include justification (e.g., reasons or data) for each request.

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 2001–NM–363–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 removing amendment 39–12279 (66 FR 33459, June 22, 2001), and by adding a new airworthiness directive (AD), amendment 39–12669, to read as follows:

2002–05–01 Boeing: Amendment 39–12669. Docket 2001–NM–363–AD. Supersedes AD 2001–12–23, Amendment 39–12279.

Applicability: Model 747–100, 747–200, 747–300, 747SP, and 747SR series airplanes powered by Pratt & Whitney JT9D–3 or JT9D–7 series engines; as listed in Boeing Alert Service Bulletin 747–54A2201, dated September 28, 2000; 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 (h)(1) 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 cracking of the vertical chords adjacent to the lower spar fitting, which could result in separation of the diagonal brace load path and lead to separation of the strut and engine from the airplane, accomplish the following:

Restatement of Requirements of AD 2001–12–23:

Inspections

(a) Except as provided by paragraphs (b), (e), and (f) of this AD, prior to the accumulation of 14,000 total flight cycles, or within 90 days after December 13, 2000 (the effective date of AD 2000–23–25, amendment 39–11998), whichever occurs later, accomplish paragraphs (a)(1) and (a)(2) of this AD.

(1) Perform a detailed visual inspection to detect cracking of the vertical chords of the aft torque bulkhead of the outboard nacelle struts, in accordance with Part 2 of the Accomplishment Instructions of Boeing Alert Service Bulletin 747–54A2201, dated September 28, 2000. Thereafter, repeat this inspection at intervals not to exceed 600 flight cycles until paragraph (d) or (e) of this AD is accomplished.

(2) Perform surface eddy current and ultrasonic inspections to detect cracking of the vertical chords of the aft torque bulkhead of the outboard nacelle struts, in accordance with Part 3 of the Accomplishment Instructions of Boeing Alert Service Bulletin 747–54A2201, dated September 28, 2000. Thereafter, repeat these inspections at intervals not to exceed 1,200 flight cycles until paragraph (d) or (f) of this AD is accomplished.

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.''

Optional Compliance Time

(b) For airplanes on which the inspections required by paragraph (a) HAVE been accomplished prior to the effective date of this AD: If Boeing Service Letter 747–54–055, dated April 24, 1998, was accomplished on the airplane during the modification of the nacelle strut in accordance with AD 95–10–16, amendment 39–9233, accomplishment of the initial inspection in paragraph (a) of this AD may be deferred until 3,000 flight cycles after accomplishment of the service letter.

Repair

(c) If any cracking is detected during any inspection or modification required by this AD: Prior to further flight, repair in accordance with a method approved by the Manager, Seattle Aircraft Certification Office (ACO), FAA; or in accordance with data meeting the type certification basis of the airplane approved by a Boeing Company Designated Engineering Representative 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 approval letter must specifically reference this AD.

Modification (Terminating Action)

(d) Within 4 years after July 27, 2001 (the effective date of AD 2001–12–23), do the modification of the vertical chords of the aft torque bulkhead of the outboard nacelle struts according to Part 4 of Boeing Alert Service Bulletin 747–54A2201, dated September 28, 2000. After this modification, stop the repetitive inspections required by paragraph (a), (e), or (f) of this AD, as applicable.

New Requirements of this AD

Detailed Visual Inspections: New Compliance Times

Note 3: The inspection in paragraph (e) of this AD is identical to that in paragraph (a)(1) of this AD. However, the compliance threshold (for airplanes not inspected prior to the effective date of this AD) and the repetitive intervals for this inspection are reduced in paragraph (e) of this AD.

(e) Perform a detailed visual inspection to detect cracking of the vertical chords of the aft torque bulkhead of the outboard nacelle struts, in accordance with Part 2 of the Accomplishment Instructions of Boeing Alert Service Bulletin 747–54A2201, dated September 28, 2000. Do the initial inspection per this paragraph at the applicable time specified in paragraph (e)(1) or (e)(2) of this AD, and thereafter, repeat this inspection at intervals not to exceed 300 flight cycles until paragraph (d) of this AD is accomplished. Accomplishment of this paragraph constitutes terminating action for inspections in accordance with paragraph (a)(1) of this AD.

(1) For airplanes that have NOT been inspected per paragraph (a) of this AD prior to the effective date of this AD: Except as provided by paragraph (g) of this AD, inspect at the earlier of the times specified in paragraphs (e)(1)(i) and (e)(1)(ii) of this AD.

(i) Prior to the accumulation of 14,000 total flight cycles.

(ii) Prior to the accumulation of 7,000 total flight cycles or within 90 days after the effective date of this AD, whichever comes later.

(2) For airplanes that HAVE been inspected per paragraph (a) of this AD prior to the effective date of this AD: Inspect at the earlier of the times specified in paragraphs (e)(2)(i) and (e)(2)(ii) of this AD.

(i) Within 600 flight cycles since the most recent inspection per paragraph (a)(1) of this AD.

(ii) Within 300 flight cycles since the most recent inspection per paragraph (a)(1) of this AD, or within 90 days after the effective date of this AD, whichever occurs later.

Eddy Current and Ultrasonic Inspections: New Compliance Times

Note 4: The inspection in paragraph (f) of this AD is identical to that in paragraph (a)(2) of this AD. However, the compliance threshold (for airplanes not inspected prior to the effective date of this AD) and the repetitive intervals for this inspection are reduced in paragraph (f) of this AD.

(f) Perform surface eddy current and ultrasonic inspections to detect cracking of the vertical chords of the aft torque bulkhead of the outboard nacelle struts, in accordance with Part 3 of the Accomplishment Instructions of Boeing Alert Service Bulletin 747–54A2201, dated September 28, 2000. Do the initial inspection per this paragraph at the applicable time specified in paragraph (f)(1) or (f)(2) of this AD, and thereafter, repeat this inspection at intervals not to exceed 600 flight cycles until paragraph (d) of this AD is accomplished. Accomplishment of this paragraph constitutes terminating action for inspections in accordance with paragraph (a)(2) of this AD.

(1) For airplanes that have NOT been inspected per paragraph (a) of this AD prior to the effective date of this AD: Except as provided by paragraph (g) of this AD, inspect at the earlier of the times specified in paragraphs (f)(1)(i) and (f)(1)(ii) of this AD.

(i) Prior to the accumulation of 14,000 total flight cycles.

(ii) Prior to the accumulation of 7,000 total flight cycles or within 90 days after the effective date of this AD, whichever comes later.

(2) For airplanes that HAVE been inspected per paragraph (a) of this AD prior to the effective date of this AD: Inspect at the earlier of the times specified in paragraph (f)(2)(i) and (f)(2)(ii) of this AD.

(i) Within 1,200 flight cycles since the most recent inspection per paragraph (a)(2) of this AD.

(ii) Within 600 flight cycles since the most recent inspection per paragraph (a)(2) of this AD, or within 90 days after the effective date of this AD, whichever occurs later.

Optional Compliance Time (Airplanes Not Inspected Previously)

(g) For airplanes that have NOT been inspected per paragraph (a) of this AD as of the effective date of this AD: If Boeing Service Letter 747–54–055, dated April 24, 1998, was accomplished on the airplane during the modification of the nacelle strut in accordance with AD 95–10–16, amendment 39–9233, accomplishment of the initial inspections in paragraph (a) of this AD may be deferred until the earlier of the times specified in paragraphs (g)(1) and (g)(2) of this AD.

(1) Within 3,000 flight cycles after accomplishment of the service letter.

(2) Within 1,200 flight cycles after accomplishment of the service letter, or 90 days after the effective date of this AD, whichever occurs later.

Alternative Methods of Compliance

(h)(1) 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.

(2) Alternative methods of compliance, approved previously in accordance with AD 2001–12–23, amendment 39–12279, are approved as alternative methods of compliance with paragraphs (a), (b), (c), and (d) of this AD.

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

(i) Special flight permits may be issued in accordance with §§ 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

(j) Except as provided by paragraph (c) of this AD, the actions shall be done in accordance with Boeing Alert Service Bulletin 747–54A2201, dated September 28, 2000. The incorporation by reference of that document was approved previously by the Director of the Federal Register as of December 13, 2000 (65 FR 70781, November 28, 2000). 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.

Effective Date

(k) This amendment becomes effective on March 18, 2002.

Issued in Renton, Washington, on February 25, 2002.

Ali Bahrami,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 02–4888 Filed 2–28–02; 8:45 am]

BILLING CODE 4910–13–U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 01–AWP–23]

Revocation of Class E Surface Area at Lompoc, CA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Direct final rule, confirmation of effective date.

SUMMARY: This document confirms the effective date of a direct final rule that revokes the Class E Surface Area at Lompoc Airport in Lompoc, CA.

EFFECTIVE DATE: 0901 UTC February 21, 2002.

FOR FURTHER INFORMATION CONTACT: Jeri Carson, Air Traffic Division, Airspace Branch, AWP–520.11, Western-Pacific Region, Federal Aviation Administration, 15000 Aviation Boulevard, Lawndale, California 90261; telephone (310) 725–6611.

SUPPLEMENTARY INFORMATION: The FAA published this direct final rule with a

request for comments in the **Federal Register** on December 17, 2001 (66 FR 64910). The FAA uses the direct final rulemaking procedure for a non-controversial rule when FAA believes that there will be no adverse public comment. This direct final rule advised the public that adverse comments were not anticipated, and that unless written adverse comments or written notice of intent to submit such adverse comments, were received within the comment period, the regulation would become effective on February 21, 2002. No adverse comments were received. Thus, this notice confirms the direct final rule will become effective on that date.

Issued in Los Angeles, California, on January 23, 2002.

John Clancy,

Manager, Air Traffic Division, Western-Pacific Region.

[FR Doc. 02–4956 Filed 2–28–02; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 522

Implantation or Injectable Dosage Form New Animal Drugs; Flunixin Meglumine Solution

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the animal drug regulations to reflect approval of a supplemental abbreviated new animal drug application (ANADA) filed by Phoenix Scientific, Inc. The supplemental ANADA provides for use of flunixin meglumine solution by intravenous injection for control of fever and inflammation in beef cattle and nonlactating dairy cattle.

DATES: This rule is effective March 1, 2002.

FOR FURTHER INFORMATION CONTACT: Lonnie W. Luther, Center for Veterinary Medicine (HFV–102), Food and Drug Administration, 7500 Standish Pl., Rockville, MD 20855, 301–827–0209.

SUPPLEMENTARY INFORMATION: Phoenix Scientific, Inc., 3915 South 48th Street Ter., P.O. Box 6457, St. Joseph, MO 64506–0457, filed supplemental ANADA 200–124 that provides for veterinary prescription use of Flunixin Meglumine Injection by intravenous administration for control of fever and inflammation in beef cattle and nonlactating dairy cattle. The supplemental ANADA is approved as of November 1, 2001, and the regulations are amended in § 522.970 (21 CFR 522.970) to reflect the approval. The basis of approval is discussed in the freedom of information summary.

In addition, § 522.970 is being amended to add the drug labeler code (DLC) for Agri Laboratories, Ltd., which is the sponsor of approved ANADA 200–061 (62 FR 22888, April 28, 1997), but whose DLC (057561) was inadvertently omitted in a subsequent revision (63 FR 38749, July 20, 1998).

In accordance with the freedom of information provisions of 21 CFR part 20 and 514.11(e)(2)(ii), a summary of safety and effectiveness data and information submitted to support approval of this application may be seen in the Dockets Management Branch (HFA–305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852, between 9 a.m. and 4 p.m., Monday through Friday.

The agency has determined under 21 CFR 25.33(a)(1) that this action is of a type that does not individually or cumulatively have a significant effect on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

This rule does not meet the definition of ''rule'' in 5 U.S.C. 804(3)(A) because it is a rule of ''particular applicability.'' Therefore, it is not subject to the congressional review requirements in 5 U.S.C. 801–808.

List of Subjects in 21 CFR Part 522

Animal drugs.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs and redelegated to the Center for Veterinary Medicine, 21 CFR part 522 is amended as follows:

PART 522—IMPLANTATION OR INJECTABLE DOSAGE FORM NEW ANIMAL DRUGS

1. The authority citation for 21 CFR part 522 continues to read as follows:

Authority: 21 U.S.C. 360b.

2. Section 522.970 is amended by redesignating paragraph (d) as paragraph (e); by adding new paragraph (d); and by revising paragraphs (a), (b), and newly redesignated paragraphs (e)(1)(i), (e)(1)(iii), (e)(2)(i), and (e)(2)(iii) to read as follows:

§ 522.970 Flunixin meglumine solution.

(a) *Specifications.* Each milliliter of solution contains flunixin meglumine equivalent to 50 milligrams (mg) flunixin.

(b) *Sponsors.* See sponsors in § 510.600(c) of this chapter for use as in paragraph (e) of this section.

(1) See Nos. 000061 and 059130 for use as in paragraph (e) of this section.

(2) See Nos. 000856 and 057561 for use as in paragraph (e)(1) of this section.

* * * * *

(d) *Special considerations.* Federal law restricts this drug to use by or on the order of a licensed veterinarian.

(e) * * *

(1) * * *

(i) *Amount.* 0.5 mg per pound (/lb) of body weight per day, intravenously or intramuscularly, for up to 5 days.

* * * * *

(iii) *Limitations.* Not for use in horses intended for food.

(2) * * *

(i) *Amount.* 1.1 to 2.2 mg/kilogram (0.5 to 1.0 mg/lb) of body weight per day, as a single dose or divided into 2 doses administered at 12-hour intervals, intravenously, for up to 3 days.

* * * * *

(iii) *Limitations.* Do not slaughter for food use within 4 days of last treatment. Not for use in lactating or dry dairy cows. A withdrawal period has not been established for use in preruminating calves. Do not use in calves to be processed for veal.

Dated: February 8, 2002.

Claire M. Lathers,

Director, Office of New Animal Drug Evaluation, Center for Veterinary Medicine.

[FR Doc. 02–4891 Filed 2–28–02; 8:45 am]

BILLING CODE 4160–01–S

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 165

[COTP Honolulu 01–005]

RIN 2115–AA97

Security Zone; Chevron Multi-Point Mooring, Barbers Point Coast, Honolulu, HI

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a security zone in the waters adjacent to the Chevron Multi-Point Mooring (CMPM) Barbers Point Coast, Honolulu, HI. This security zone is necessary to protect the CMPM, and

all involved personnel and vessels from acts of sabotage or other subversive acts, accidents, or other causes of a similar nature at the CMPM off the Barbers Point Coast on the island of Oahu. This six-month security zone will be activated and deactivated via Broadcast Notice to Mariners as required. When the zone is activated, entry into this zone is prohibited unless authorized by the U.S. Coast Guard Captain of the Port Honolulu, HI.

DATES: This rule is effective from 6 a.m. HST September 19, 2001 to 4 p.m. HST March 19, 2002.

ADDRESSES: Public comments and supporting material will be available for inspection or copying at U.S. Coast Guard Marine Safety Office Honolulu, 433 Ala Moana Blvd, Honolulu, Hawaii 96813, between 7 a.m. and 4:30 p.m., Monday through Friday, except for Federal holidays.

FOR FURTHER INFORMATION CONTACT: LCDR R.T. Spaulding, U.S. Coast Guard Marine Safety Office Honolulu, Hawaii at (808) 522–8264.

SUPPLEMENTARY INFORMATION:

Regulatory Information

In order to protect the interests of national security the Coast Guard is establishing a temporary security zone to provide for the safety and security of vessels, persons, and facilities in the navigable waters of the United States. In accordance with 5 U.S.C. 553, good cause exists for not publishing a notice of proposed rulemaking (NPRM) and for making this rule effective in less than 30 days after publication in the **Federal Register**.

Publishing an NPRM and delaying this rule's effective date would be impracticable and contrary to the public interest since immediate action is needed to protect the Chevron Multi-Point Mooring (CMPM) Barbers Point Coast, Honolulu, HI, and all involved personnel and vessels. Under these circumstances, there is insufficient time to publish a proposed rule or to provide a delayed effective date for the rule.

Background and Purpose

The Coast Guard is establishing a security zone in the waters adjacent to the CMPM Mooring Barbers Point Coast, Honolulu, HI. The security zone will extend out 1,000 yards in all directions from the following coordinates: 21°18.3′ North, 158°06.2′ West. This security zone extends from the surface of the water to the ocean floor.

This security zone is necessary to protect the CMPM, tank vessels, and all involved personnel from acts of sabotage or other subversive acts, accidents, or other causes of a similar nature during its cargo operations at the CMPM off the Barbers Point Coast on the island of Oahu. Representatives of the Captain of the Port Honolulu will enforce this security zone. The Captain of the Port may be assisted by other federal or state agencies.

Regulatory Evaluation

This temporary final 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 U.S. Coast Guard expects the economic impact of this action to be so minimal that a full Regulatory Evaluation under paragraph 10(e) of the regulatory policies and procedures of DOT is unnecessary. This expectation is based on the short duration of the zone and the limited geographic area affected by it.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601–612), we considered whether this 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 U.S. Coast Guard certifies under 5 U.S.C. 605(b) that this regulation will not have a significant economic impact on a substantial number of small entities. No small business impacts are anticipated due to the small size of the zone and the short duration of the security zone in any one area.

Collection of Information

This rule calls for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520 *et seq.*).

Federalism

The U.S. Coast Guard has analyzed this rule under Executive Order 13132, and has determined 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 having first provided the funds to pay those unfunded mandate costs. This rule will not impose an unfunded mandate.

Indian Tribal Governments

This rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

Taking of Private Property

This rule will not affect a taking of private property or otherwise have taking implications under Executive Order 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 Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

Protection of Children

We have analyzed this rule under Executive Order 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

The U. S. Coast Guard considered the environmental impact of this action and concluded that, under figure 2–1, paragraph (34)(g) of Commandant Instruction M16475.1C, this rule is categorically excluded from further environmental documentation. As an emergency action, the environmental analysis requisite regulatory consultations, and categorical exclusion determination, will be prepared and submitted after establishment of this temporary security zone, and will be available for inspection or copying where indicated under addresses.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping

requirements, Security measures, Waterways.

Regulation

For the reasons set out in the preamble, the Coast Guard amends 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. From 6 a.m. September 19, 2001 until 4 p.m. March 19, 2002, a new temporary § 165.T14–057 is added to read as follows:

§ 165.T14–057 Security zone: Chevron Multi-Point Mooring, Barbers Point Coast, Honolulu, HI.

(a) *Location.* The following area is a security zone: All waters encompassed by a circle extending 1,000 yards in all directions around the Chevron Multi-Point Mooring from the following coordinates: 21°18.3′ North, 158°06.2′ West. This security zone extends from the surface of the water to the ocean floor.

(b) *Designated representative.* A designated representative of the Captain of the Port is any Coast Guard commissioned officer, warrant or petty officer that has been authorized by the Captain of the Port Honolulu to act on his behalf. The following officers have or will be designated by the Captain of the Port Honolulu: The senior Coast Guard boarding officer on each vessel enforcing the security zone.

(c) *Regulations.* In accordance with the general regulations in § 165.33 of this part, when this zone is activated entry into this zone is prohibited unless authorized by the Captain of the Port or his designated representatives.

(d) *Effective dates.* This section is effective from 6 a.m. HST September 19, 2001 until 4 p.m. HST March 19, 2002 unless canceled earlier by the Captain of the Port Honolulu. This six-month security zone will be activated and deactivated via Broadcast Notice to Mariners as required.

Dated: September 18, 2001.

G. J. Kanazawa,

Captain, U.S. Coast Guard, Captain of the Port, Honolulu.

[FR Doc. 02–4955 Filed 2–28–02; 8:45 am]

BILLING CODE 4910–15–U

DEPARTMENT OF VETERANS AFFAIRS

38 CFR Part 36

RIN 2900–AJ86

Loan Guaranty: Advertising and Solicitation Requirements

AGENCY: Department of Veterans Affairs.

ACTION: Final rule.

SUMMARY: This document amends the Department of Veterans Affairs (VA) loan guaranty regulations by prohibiting advertisements or solicitations from lenders that falsely state or imply that they were issued by or at the direction of VA or any other entity of the United States Government. These provisions are necessary to ensure that lenders do not provide misleading information.

DATES: *Effective Date:* March 1, 2002.

FOR FURTHER INFORMATION CONTACT: R. D. Finneran, Assistant Director for Loan Policy and Valuation (262), Loan Guaranty Service, Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420, (202) 273–7368.

SUPPLEMENTARY INFORMATION: On December 8, 2000, VA published in the **Federal Register** (65 FR 76957) proposed regulatory amendments to prohibit advertisements or solicitations from lenders that falsely state or imply that they were issued by or at the direction of VA or any other entity of the United States Government.

We solicited comments for a 60-day period ending February 6, 2001. We did not receive any comments. Based on the rationale set forth in the proposed rule, we are adopting the provision of the proposed rule as a final rule.

Paperwork Reduction Act

This document contains no provisions constituting a collection of information under the Paperwork Reduction Act (44 U.S.C. 3501–3520).

Executive Order 12866

This document has been reviewed by the Office of Management and Budget under Executive Order 12866.

Regulatory Flexibility Act

The Secretary hereby certifies that adoption of this rule will not have a significant economic impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act, 5 U.S.C. 601–612. The rule will not have more than a minuscule effect on any small entities. Therefore, pursuant to 5 U.S.C. 605(b), the final rule is exempt from the initial and final regulatory flexibility analysis requirement of sections 603 and 604.

The Catalog of Federal Domestic Assistance Program number is 64.114.

List of Subjects in 38 CFR Part 36

Condominiums, Flood insurance, Housing, Indians, Individuals with disabilities, Loan programs-housing and community development, Loan programs-Indians, Loan programs-veterans, Manufactured homes, Mortgage insurance, Reporting and recordkeeping requirements, Veterans.

Approved: December 3, 2002.

Anthony J. Principi,

Secretary of Veterans Affairs.

For the reasons set out in the preamble, 38 CFR part 36 is amended as set forth below.

PART 36—LOAN GUARANTY

1. The authority citation for part 36 continues to read as follows:

Authority: 38 U.S.C. 501, 3701–3704, 3707, 3710–3714, 3719, 3720, 3729, 3762, unless otherwise noted.

2. Section 36.4227 is added to read as follows:

§ 36.4227 Advertising and Solicitation Requirements.

Any advertisement or solicitation in any form (e.g., written, electronic, oral) from a private lender concerning manufactured housing loans to be guaranteed or insured by the Secretary:

(a) Must not include information falsely stating or implying that it was issued by or at the direction of VA or any other department or agency of the United States, and

(b) Must not include information falsely stating or implying that the lender has an exclusive right to make loans guaranteed or insured by VA.

(Authority: 38 U.S.C. 3703, 3704)

3. Section 36.4365 is added to read as follows:

§ 36.4365 Advertising and Solicitation Requirements.

Any advertisement or solicitation in any form (e.g., written, electronic, oral) from a private lender concerning housing loans to be guaranteed or insured by the Secretary:

(a) Must not include information falsely stating or implying that it was issued by or at the direction of VA or any other department or agency of the United States, and

(b) Must not include information falsely stating or implying that the lender has an exclusive right to make loans guaranteed or insured by VA.

(Authority: 38 U.S.C. 3703, 3704)

[FR Doc. 02–4866 Filed 2–28–02; 8:45 am]

BILLING CODE 8320–01–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[CA248–0293a; FRL–7149–6]

Revisions to the California State Implementation Plan, El Dorado Air Pollution Control District

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA is taking direct final action to approve a revision to the El Dorado County Air Pollution Control District's (EDCAPCD) portion of the California State Implementation Plan (SIP). The action consists of incorporating a revised version of Rule 523, New Source Review, into the SIP. The intended effect of approving Rule 523 is to regulate air pollution in accordance with the requirements of the Clean Air Act, as amended in 1990 (CAA or the Act). Rule 523 consists of definitions of all terms relating to new sources and modifications to existing sources of air pollution, source permitting requirements, including applicability, major source definitions, offsets, increment analysis, and Lowest Achievable Emission Rate (LAER)/Best Available Control Technology (BACT). EPA is finalizing the approval of Rule 523 into the California SIP under provisions of the CAA regarding EPA action on SIP submittals, SIPs for national primary and secondary ambient air quality standards and plan requirements for nonattainment areas.

DATES: This rule is effective on April 30, 2002 without further notice, unless EPA receives adverse comments by April 1, 2002. If we receive such comment, we will publish a timely withdrawal in the **Federal Register** to notify the public that this rule will not take effect.

ADDRESSES: Mail comments to Roger Kohn, Permits Office (AIR–3), U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105–3901.

You can inspect copies of the submitted SIP revision and EPA's technical support document (TSD) at our Region IX office during normal business hours. You may also see copies of the submitted SIP revision at the following locations:

Environmental Protection Agency, Region 9, 75 Hawthorne Street, San Francisco, CA 94105

California Air Resources Board, Stationary Source Division, Rule Evaluation Section, 1001 ''I'' Street, Sacramento, CA 95812.

El Dorado County Air Pollution Control District, 2850 Fairlane Ct., Bldg. C, Placerville, CA 95667–4100.

FOR FURTHER INFORMATION CONTACT: Roger Kohn, Permits Office (AIR–3), U.S. Environmental Protection Agency, Region IX, (415) 972–3973, e-mail: *kohn.roger@epa.gov*

SUPPLEMENTARY INFORMATION: Throughout this document, ''we,'' ''us'' and ''our'' refer to EPA.

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I. The State's Submittal

A. What Rule Did the State Submit?

Table 1 lists the rule we are approving with the date that it was adopted by EDCAPCD and submitted by the California Air Resources Board (CARB).

TABLE 1.—SUBMITTED RULE

Local Agency	Rule #	Rule title	Adopted	Submitted
EDCAPCD	523	New Source Review	11/20/01	12/18/01

On January 4, 2002, this rule submittal was found to meet the completeness criteria in 40 CFR part 51, appendix V, which must be met before formal EPA review.

B. Are There Other Versions of This Rule?

We finalized a limited approval and limited disapproval of Rule 523 on February 2, 2000 (65 FR 4887). The limited approval portion of that rulemaking incorporated Rule 523 into the federally enforceable SIP and the limited disapproval portion of triggered sanctions and FIP clocks under sections 179(a) and 110(c) of the CAA. The EDCAPCD adopted a revision to the SIP-approved version and CARB submitted it to us on May 23, 2001. This revision was submitted to correct the deficiencies noted in EPA's February 2, 2000 rulemaking. Rule 523 was subsequently revised and submitted again on the dates indicated in Table 1 above. While we can act on only the most recently submitted version of the rule, we have reviewed materials provided with the May 23, 2001 submittal.

C. What is the Purpose of the Submitted Rule Revision?

The rule revision contains new or revised provisions on offsets and interprecursor trading that correct the four rule deficiencies noted in our February 2, 2000 rulemaking. A detailed discussion of the rule deficiencies and the EDCAPCD rule revisions that corrected them is included in the Technical Support Document (TSD) for this rulemaking.

II. EPA's Evaluation and Action

A. How is EPA Evaluating the Rule?

Generally, SIP rules must be enforceable (see section 110(a) of the Act) and must not relax existing requirements (see sections 110(l) and 193).

Guidance and policy documents that we used to define specific requirements include the following:

The air quality planning requirements for nonattainment new source review (NSR) are set out in part D of title I of the Clean Air Act. EPA has issued a ''General Preamble'' describing EPA's preliminary views on how EPA intends to review SIPs and SIP revisions submitted under part D, including those State submittals containing nonattainment NSR SIP requirements (see 57 FR 13498 (April 16, 1992) and 57 FR 18070 (April 28, 1992)).

B. Does the Rule Meet the Evaluation Criteria?

We believe this rule is consistent with the relevant policy and guidance regarding enforceability, SIP relaxations, and nonattainment NSR requirements.

C. Public Comment and Final Action

As authorized in section 110(k)(3) of the Act, EPA is fully approving the submitted rule because we believe it fulfills all relevant requirements. We do not think anyone will object to this, so we are finalizing the approval without proposing it in advance. However, in the Proposed Rules section of this **Federal Register**, we are also proposing approval of the same submitted rule. If we receive adverse comments by April 1, 2002, we will publish a timely withdrawal in the **Federal Register** to notify the public that the direct final approval will not take effect and we will address the comments in a subsequent final action based on the proposal. If we do not receive timely adverse comments, the direct final approval will be effective without further notice on April 30, 2002. This will incorporate the rule into the federally enforceable SIP and permanently terminate any sanctions or FIP clocks associated with our January 15, 1999 action.

III. Background Information

Why Was This Rule Submitted?

Part D of the CAA (sections 171, 172, 173, 182, 187, and 189) requires that States incorporate into the applicable SIP an acceptable permitting program for the preconstruction review of new or modified major stationary sources in nonattainment areas. In addition, section 110(a)(2)(C) of the CAA requires that States regulate the modification and construction of all sources, including non-major sources, as necessary to assure that national ambient air quality standards are achieved. The 1990 Amendments created certain new requirements for States, especially relating to ozone and PM–10 nonattainment areas. EPA's requirements are contained in 40 CFR 51.160 through 51.165 and the Emissions Trading Policy Statement (51 FR 43814). The primary intent of the submitted District rules is to update the applicable SIP to reflect changes in nonattainment area requirements that were mandated by the 1990 Amendments.

IV. 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. For this reason, this action is also not subject to Executive Order 32111, ''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use'' (66 FR 28355, May 22, 2001). 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 pre-existing 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 (Pub. L. 104–4).

This rule also does not have tribal implications because it will not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes, as specified by Executive Order 13175 (65 FR 67249, November 9, 2000). This action also does not have Federalism implications because it 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, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999). This action 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 Clean Air Act. This rule also is not subject to Executive Order 13045, ''Protection of Children from Environmental Health Risks and Safety Risks'' (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 Clean Air Act. 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 Clean Air Act. 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. 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. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. 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 Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by April 30, 2002. 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, Incorporation by reference, Intergovernmental relations, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

Dated: February 8, 2002.

Wayne Nastri,

Regional Administrator, Region IX.

Part 52, Chapter I, Title 40 of the Code of Federal Regulations is amended as follows:

PART 52—[AMENDED]

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

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

Subpart F—California

2. Section 52.220 is amended by adding paragraph (c)(291) to read as follows:

§ 52.220 Identification of plan.

* * * * *

(c) * * *

(291) Amended regulation for the following APCD was submitted on December 18, 2001, by the Governor's designee.

(i) Incorporation by reference.

(A) El Dorado County Air Pollution Control District.

(*1*) Rule 523, adopted on November 20, 2001.

[FR Doc. 02–4784 Filed 2–28–02; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[CA248–0293c; FRL–7149–7]

Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision; Interim Final Determination that State has Corrected the Deficiencies

AGENCY: Environmental Protection Agency (EPA).

ACTION: Interim final determination.

SUMMARY: Elsewhere in today's **Federal Register**, EPA published a direct final rulemaking fully approving revisions to the California State Implementation Plan. The revisions concern rules from El Dorado County Air Pollution Control District (EDCAPCD), Rule 523, New Source Review. Also in today's **Federal Register**, EPA published a proposed rulemaking document to provide the public with an opportunity to comment on EPA's action. If a person submits adverse comments on EPA's action within 30 days of publication of the direct final action, EPA will withdraw its direct final action and will consider any comments received before taking final action on the State's submittal. Based on the full approval, EPA is making an interim final determination by this action that EDCAPCD has corrected the deficiencies for which a sanctions clock began on March 3, 2000. This action will stay application of the offset sanction and will defer the application of the highway sanction. Although this action is effective upon publication, EPA will take comment. If no comments are received on EPA's approval of the State's submittal, the direct final action published elsewhere in today's **Federal Register** will also finalize EPA's determination that the State has corrected the deficiencies that started the sanctions clock. If comments are received on EPA's approval and this interim final action, EPA will publish a final document taking into consideration any comments received.

DATES: This interim final determination is effective March 1, 2002. Comments must be received by April 1,2002.

ADDRESSES: Comments should be sent to: Roger Kohn, Permits Office (AIR–3), Air Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105

The state submittal and EPA's analysis for that submittal, which are the basis for this action, are available for public review at the above address and at the following locations:

Environmental Protection Agency, Region 9, 75 Hawthorne Street, San Francisco, CA 94105.

California Air Resources Board, Stationary Source Division, Rule Evaluation Section, 1001 ''I'' Street, Sacramento, CA 95814

El Dorado County Air Pollution Control District, 2850 Fairlane Ct., Bldg. C, Placerville, CA 95667–4100.

FOR FURTHER INFORMATION CONTACT: Roger Kohn, Permits Office (AIR–3), Air Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105, Telephone: (415) 972–3973, e-mail: kohn.roger@epa.gov

SUPPLEMENTARY INFORMATION:

I. Background

On May 24, 1994, the State submitted EDCAPCD Rule 523, New Source Review, for which EPA published a limited disapproval in the **Federal Register** on February 2, 2000 (65 FR 4887). EPA's disapproval action started an 18-month clock for the application of one sanction (followed by a second sanction 6 months later) under section 179 of the Clean Air Act (Act) and a 24-month clock for promulgation of a Federal Implementation Plan (FIP) under section 110(c) of the Act. The State subsequently submitted a revised rule on May 23, 2001. EPA has taken direct final action on this submittal pursuant to its modified direct final policy set forth at 59 FR 24054 (May 10, 1994). In the Rules section of this **Federal Register**, EPA is issuing a direct final full approval of the State of California's submittal of EDCAPCD Rule 523, New Source Review. In addition, in the Proposed Rules section of this **Federal Register**, EPA is proposing full approval of the State's submittal.

Based on the proposed and direct final approval, EPA believes that it is more likely than not that the State has corrected the original disapproval deficiencies. Therefore, EPA is taking this final rulemaking action, effective on publication, finding that the State has corrected the deficiencies. However, EPA is also providing the public with an opportunity to comment on this final action. If, based on any comments on this action and any comments on EPA's proposed full approval of the State's submittal, EPA determines that the State's submittal is not fully approvable and this final action was inappropriate, EPA will either propose or take final action finding that the State has not corrected the original disapproval deficiencies. As appropriate, EPA will also issue an interim final determination or a final determination that the deficiencies have not been corrected. Until EPA takes such an action, the application of sanctions will continue to be deferred and or stayed.

This action does not stop the sanctions clock that started for this area on March 3, 2000. However, this action will stay application of the offset sanction and will defer application of the highway sanction. See 59 FR 39832 (August 4, 1994). If EPA's direct final action fully approving the State's submittal becomes effective, such action will permanently stop the sanctions clock and will permanently lift any applied, stayed or deferred sanctions. If EPA must withdraw the direct final action based on adverse comments and EPA subsequently determines that the State, in fact, did not correct the disapproval deficiencies, EPA will also determine that the State did not correct the deficiencies and the sanctions consequences described in the sanctions rule will apply. See 59 FR 39832, to be codified at 40 CFR 52.31.

II. EPA Action

EPA is taking interim final action finding that the State has corrected the disapproval deficiencies that started the sanctions clock. Based on this action, application of the offset sanction will be stayed and application of the highway sanction will be deferred until EPA's direct final action fully approving the State's submittal becomes effective or until EPA takes action proposing or finally disapproving in whole or part the State submittal. If EPA's direct final action fully approving the State submittal becomes effective, at that time any sanctions clocks will be permanently stopped and any applied, stayed or deferred sanctions will be permanently lifted.

Because EPA has preliminarily determined that the State has an approvable plan, relief from sanctions should be provided as quickly as possible. Therefore, EPA is invoking the good cause exception under the Administrative Procedure Act (APA) in not providing an opportunity for

comment before this action takes effect.[1] 5 U.S.C. 553(b)(B). EPA believes that notice-and-comment rulemaking before the effective date of this action is impracticable and contrary to the public interest. EPA has reviewed the State's submittal and, through its proposed and direct final action is indicating that it is more likely than not that the State has corrected the deficiencies that started the sanctions clock. Therefore, it is not in the public interest to initially impose sanctions or to keep applied sanctions in place when the State has most likely done all that it can to correct the deficiencies that triggered the sanctions clock. Moreover, it would be impracticable to go through notice- and comment rulemaking on a finding that the State has corrected the deficiencies prior to the rulemaking approving the State's submittal. Therefore, EPA believes that it is necessary to use the interim final rulemaking process to temporarily stay or defer sanctions while EPA completes its rulemaking process on the approvability of the State's submittal. Moreover, with respect to the effective date of this action, EPA is invoking the good cause exception to the 30-day notice requirement of the APA because the purpose of this notice is to relieve a restriction. See 5 U.S.C. 553(d)(1).

III. 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. For this reason, this action is also not subject to Executive Order 32111, ''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use'' (66 FR 28355, May 22, 2001). 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 pre-existing 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 (Pub. L. 104–4).

This rule also does not have tribal implications because it will not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes, as specified by Executive Order 13175 (65 FR 67249, November 9, 2000). This action also does not have Federalism implications because it 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, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999). This action 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 Clean Air Act. This rule also is not subject to Executive Order 13045, ''Protection of Children from Environmental Health Risks and Safety Risks'' (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 Clean Air Act. 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 Clean Air Act. 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. 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. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. 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 Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by April 30, 2002. 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, Intergovernmental regulations, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

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

Dated: February 8, 2002.

Wayne Nastri,

Regional Administrator, Region IX.

[FR Doc. 02–4783 Filed 2–28–02; 8:45 am]

BILLING CODE 6560–50–P

[1] As previously noted, however, by this action EPA is providing the public with a chance to comment on EPA's determination after the effective date and EPA will consider any comments received in determining whether to reverse such action.

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 271

[FRL–7150–9]

Wisconsin: Final Authorization of State Hazardous Waste Management Program Revisions

AGENCY: Environmental Protection Agency (EPA).

ACTION: Immediate final rule.

SUMMARY: Wisconsin has applied to EPA for Final authorization of the changes to its hazardous waste program under the Resource Conservation and Recovery Act (RCRA). EPA has determined that these changes satisfy all requirements needed to qualify for Final authorization, and is authorizing the State's changes through this immediate final action. In this document, EPA is authorizing the changes by an immediate final rule. EPA did not make a proposal prior to the immediate final rule because we believe this action is not controversial and do not expect comments that oppose it. Unless we get

written comments which oppose this authorization during the comment period, the immediate final rule will become effective on the date it establishes, and we will not take further action on the proposal pubished elsewhere in this issue of the **Federal Register**. If we get comments that oppose this action, we will publish a document in the **Federal Register** withdrawing this rule, or portions thereof, before it takes effect, and a separate document in the proposed section of this **Federal Register** will serve as a proposal to authorize the changes.

DATES: This Final authorization will become effective April 30, 2002 unless EPA receives written adverse comment by April 1, 2002. If EPA receives such comment, it will publish a timely withdrawal of this immediate final rule in the **Federal Register** and inform the public this authorization will not take effect.

ADDRESSES: Send written comments to Jean Gromnicki, Wisconsin Regulatory Specialist, DM–7J, 77 West Jackson Boulevard, Chicago, Illinois 60604. Please refer to Docket Number WI ARA 7. We must receive your comments by April 1, 2002. You can examine copies of the materials submitted by Wisconsin during normal business hours at the following locations: EPA Region 5 Library, 77 West Jackson Boulevard, Chicago, Illinois 60604, Contact: Jean Gromnicki, Phone number: (312) 886–6162 or the Wisconsin Department of Natural Resources, 101 North Webster, Madison, Wisconsin, 53707, Contact: Patricia Chabot, Phone: (608) 264–6015.

FOR FURTHER INFORMATION CONTACT: Jean Gromnicki, Wisconsin Regulatory Specialist at (312) 886–6162.

SUPPLEMENTARY INFORMATION:

A. Why Are Revisions to the State Programs Necessary?

States which have received final authorization from EPA under RCRA section 3006(b), 42 U.S.C., 6926(b), must maintain a hazardous waste program that is equivalent to, consistent with and no less stringent than the Federal Program. As the Federal program changes, States must change their programs and ask EPA to authorize the changes. Changes to State programs may be necessary when Federal or State statutory or regulatory authority is modified or when certain other changes occur. Most commonly, States must change their programs because of changes to EPA's regulations in 40 Code of Federal Regulations (CFR) parts 124, 260 through 266, 268, 270, 273 and 279.

B. What Decisions Have We Made in This Rule?

We conclude that Wisconsin's application to revise its authorized program meets all of the statutory and regulatory requirements established by RCRA. Therefore, we propose to grant Wisconsin Final authorization to operate its hazardous waste program with the changes described in the authorization application. Wisconsin has responsibility for permitting Treatment, Storage and Disposal Facilities (TSDFs) within its borders (except in Indian Country) and for carrying out the aspects of the RCRA program described in its revised program application, subject to the limitations of the Hazardous and Solid Waste Amendments of 1984 (HSWA). New Federal requirements and prohibitions imposed by Federal regulations that EPA promulgates under the authority of HSWA take effect in authorized States before they are authorized for the requirements. Thus, EPA will implement those requirements and prohibitions in Wisconsin, including issuing permits, until the State is granted authorization to do so.

C. What Is the Effect of Today's Authorization Decision?

The effect of this decision is that a facility in Wisconsin subject to RCRA will now have to comply with the authorized State requirements instead of the equivalent Federal requirements in order to comply with RCRA. Additionally, such persons must comply with any applicable Federally-issued requirements, such as, for example, HSWA regulations issued by EPA for which the State has not received authorization, and RCRA requirements that are not supplanted by authorized state-issued requirements. Wisconsin continues to have enforcement responsibilities under its state hazardous waste program for violation of such program, but EPA retains its authority under RCRA sections 3007, 3008, 3013, and 7003, which include among others, authority to:

- Do inspections, and require monitoring, tests, analyses or reports.
- Enforce RCRA requirements and suspend or revoke permits.
- Take enforcement actions regardless of whether the State has taken its own actions.

This action does not impose additional requirements on the regulated community because the regulations for which Wisconsin is being authorized by today's action are already effective, and are not changed by today's action.

D. Why Wasn't There a Proposed Rule Before Today's Rule?

EPA did not publish a proposal before today's rule because we view this as a routine program change and do not expect comments that oppose this approval. We are providing an opportunity for public comments now. In addition to this rule, in the proposed rules section of today's **Federal Register** we are publishing a separate document that proposes to authorize the State program changes.

E. What Happens if EPA Receives Comments That Oppose This Action?

If EPA receives comments that oppose this authorization, we will address all public comments in a later **Federal Register**. You may not have another opportunity to comment. If you want to comment on this authorization, you must do so at this time.

F. What Has Wisconsin Previously Been Authorized for?

Wisconsin initially received Final Authorization on January 30, 1986, effective January 31, 1986 (51 FR 3783) to implement its base hazardous waste management program. Wisconsin received authorizations for revisions to its program on May 23, 1989, effective June 6, 1989 (54 FR 15029), on November 22, 1989, effective January 22, 1990 (54 FR 48243), on April 24, 1992, effective April 24, 1992 (57 FR 15029), on June 2, 1993, effective August 2, 1993 (58 FR 31344), on August 4, 1994, effective October 4, 1994 (59 FR 39971), and on August 5, 1999, effective October 4, 1999 (64 FR 42630).

G. What Changes Are We Authorizing With Today's Action?

On November 5, 2001, Wisconsin submitted a final complete program revision application seeking authorization of their changes in accordance with 40 CFR 271.21. We now make a final decision, subject to receipt of written comments that oppose this action, that Wisconsin's hazardous waste program revisions satisfies all of the requirements necessary to qualify for Final authorization. Therefore we grant Wisconsin Final authorization for the following program changes:

Description of Federal requirement (checklist #)	Federal Register, date and page	Analogous state authority
Wastes From the Use of Chlorophenolic Formulations in Wood Surface Protection (Checklist 128).	59 FR 458–469, Effective January 4, 1994.	NR 600.10(2) 605 (Appendix IV), Effective June 1, 1998.
Revision of Conditional Exemption for Small Scale Treatability Studies (Checklist 129).	59 FR 8362–8366, Effective February 18, 1994.	NR 605.05(9)–(11), Effective June 1, 1998.
Recycled Used Oil Management Standards; Technical Amendments and Corrections II (Checklist 130.	59 FR 10550–10560, Effective March 4, 1994.	NR 590.03(33m), 590.04(1), 590.10(3), 590.11, 590.12(2), 590.36(1), 590.37(1)–(2), 590.50(3); Effective June 1, 1998.
Wood Surface Protection; Correction (Checklist 132)	59 FR 28484, Effective June 2, 1994.	NR 600.10(2), Effective June 1, 1998.
Letter of Credit Revision (Checklist 133)	59 FR 29958–29960, Effective June 10, 1994.	NR 685.07(5), Effective June 1, 1998.
Correction of Beryllium Powder (PO15) Listing (Checklist 134).	59 FR 31551–31552, Effective June 20, 1994.	NR 605.09 (Table IV), 605 Appendix IV, 675.20/ Table, Effective June 1, 1998.
Recovered Oil Exclusion (Checklist 135)	59 FR 38536–38545, Effective July 28, 1994.	NR 605.04(1), 605.05(1)–(2), 625.07(2), Effective June 1, 1998.
Removal of the Conditional Exemption for Certain Slag Residues (Checklist 136).	59 FR 43496–43500, Effective August 24, 1994.	NR 625.05(1), 675.20, Effective June 1, 1998.
Universal Treatment Standards and Treatment Standards for Organic Toxicity Characteristic Wastes and Newly Listed Wastes (Checklist 137).	59 FR 47982–48110, Effective September 19, 1994 as amended at 60 FR 242–302, Effective January 3, 1995.	NR 605(2), 630.04(16), 625.05(1), 600.04, 675.03(1m), 675.04(2), 675.03(1), 675.03(7p), 675.07(1)–(2), 675.09(1), (4)–(5), 675.19(1), 675.20(1)–(7), 675.20/Table, 675.21, 675.22, 675.22(1), 675.22 Table1, 675.22(4)–(5), 675.23, 675.25(2), 675.26, 675.28, 675 Appendix III, 675 Appendix VIII; Effective June 1, 1998.
Testing and Monitoring Activities Amendment I (Checklist 139).	60 FR 3089–3095, Effective January 13, 1995.	NR 600.10(2), Effective June 1, 1998.
Carbamate Production Identification and Listing of Hazardous Waste (Checklist 140).	60 FR 7824–7859, Effective February 9, 1995.	NR 605.(1), 605.09 Table III, 605.09 Table IV, 605.09 Table V, 605 Appendix III, Appendix IV, Effective June 1, 1998.
Testing and Monitoring Activities Amendment II (Checklist 141).	60 FR 17001–17004, Effective April 4, 1995.	NR 600.10(2), Effective June 1, 1998.
Universal Waste: General Provisions (Checklist 142 A).	60 FR 25492–25551, Effective May 11, 1995.	NR 600.03, 600.03 (56m), 600.03 (249m),600.03 (249p), 600.03 (249z), 610.07(1m), 610.07(1), 690.01, 690.02, 690.04, 615.04, 615.05, 615.06(6), 630.04(17), 605.05(12), 675.04(3), 680.02, 690.04(1)–(2), 690.08(1), 690.03(2), 690.03(4)–(6), 690.03(8), 690.03(10)–(13), 690.10, 690.11, 690.12(2), 690.14, 690.15(1)–(3), 690.16, 690.17(1)–(2), 690.18(1)–(8), 690.19, 690.20, 690.30, 690.31, 690.32(1)–(2), 690.34, 690.35(1)–(3), 690.36, 690.37(1)–(2), 690.38(1)–(8), 690.39(1)–(3), 690.40, 690.50, 690.51, 690.52(1)–(2), 690.53(1)–(2), 690.54(1)–(2), 690.55(1)–(2), 690.56, 690.60(1)–(2), 690.61(1)–(4), 690.62(1)–(2), 690.70; Effective June 1, 1998.
Universal Waste Rule: Specific Provisions for Batteries (Checklist 142 B).	60 FR 25492–25551, Effective May 11, 1995.	NR 690.03(1), 690.03(10), 690.02(1), 630.04(17), 625.02, 625.05, 625.12(1), 675.04(3), 690.04(1), 690.05(1)–(3), 690.03, 690.13, 690.14, 690.33, 690.34; Effective June 1, 1998
Universal Waste Rule: Specific Provisions for Pesticides (Checklist 142 C).	60 FR 25492–25551, Effective May 11, 1995.	NR 690.03(7), 690.03(10), 605.05(12), 690.04(1), 630.04(17), 675.04(3), 680.02, 690.06(1)–(4), 690.03(3), 690.03(7), 690.03(10), 690.13(2), 690.14(2)–(3), 690.32(1), 690.33(2), 690.34(2)–(3) Effective June 1, 1998.
Universal Waste Rule: Specific Provisions for Thermostats (Checklist 142 D).	60 FR 25492–25551, Effective May 11, 1995.	NR 605.05(12), 630.04(17), 690.04(1), 675.04(3), 680.02, 690.07, 690.03(9)–(10), 690.13(3), 690.14(4), 690.33(3), 690.34(4) Effective June 1, 1998.
Universal Waste Rule: Petition Provisions to Add a New Universal Waste (Checklist 142 E).	60 FR 25492–25551, Effective May 11, 1995.	NR 605.10(1)–(2), 605.10(6)–(7), 690.80(1)–(3), 690.81(1)–(8), Effective June 1, 1998.
Liquids in Landfills III (Checklist 145)	60 FR 35703–13106, Effective July 11, 1995.	NR 660.18(8), Effective June 1, 1998.
RCRA Expanded Public Participation (Checklist 148)	60 FR 63417–63434, Effective December 11, 1995.	NR 680.06(1m), 680.06(8m), 680.06(15), 600.03(104), 680.03(3m), 680.42(18m), 680.07(7), 665.06(1), 665.07(2), 665.06(4), 665.06(1), 665.02, June 1, 1998.
Amendments to the Definition of Solid Waste: Amendment II (Checklist 150).	61 FR 13103–13106, Effective March, 26, 1996.	NR 605.05(1), Effective June 1, 1998.

Description of Federal requirement (checklist #)	Federal Register, date and page	Analogous state authority
Land Disposal Restriction Phase III Decharacterized Wastewaters, Carbamate Wastes and Spent Potliners (Checklist 151).	61 FR 15566–15660, Effective April 8, 1996.	NR 600.04(1), 675.05(3), 675.03(1m), 675.03(4m), 675.03(7p), 675.03(8), 675.04(2), 675.06(1)–(3), 675.07(1)–(2), 675.09(1), 675.09(4), 675.19(2), 675.20(1), 675.20(6), 675.20, Table, 675.22/Table 1, 675.24(1), 675.28(a) Table UTS, 675 Appendix IX, Effective June 1, 1998.

H. Where Are the Revised State Rules Different From the Federal Rules?

Wisconsin has proposed specific parts of Federal Regulation to be more stringent than Federal requirements. These requirements are part of Wisconsin's authorized program and are federally enforceable.

Description of Federal requirement	Federal citation number (checklist number)	State citation number
Revision of Conditional Exemption for Small Scale Treatability Studies (Checklist 129).	261.4(e)(3)(iii)(A)	605.05(10)(e)1.
	261.4(f)(4)	605.05(11)(d)
Recovered Oil Exclusion (Checklist 135)	261.3(c)(2)(ii)(B)	605.04(1)(b)10.
	261.4(a)(12)	605.05(1)(x).
Removal of the Conditional Exemption for Certain Slag Residues (Checklist 136).	266.20(c)	625.05(1).
Universal Treatment Standards and Treatment Standards for Organic Toxicity Characteristic Wastes and Newly Listed Wastes (Checklist 137).	260.30 intro, 260.30(b)	There is no Wisconsin waiver to the definition of Solid Waste.
	260.31(a), 260.31(b)	Wisconsin does not have a provision like 260.31(a). Materials that are speculatively accumulated must be managed as hazardous waste (see 605.05(4).
	260.32 intro, 260.33 intro, 260.33(a), 260.33(b).	Wisconsin does not have a boiler variance provision.
	266.23(a)	625.05(1).
	268.1(c)(3)(ii), 268.1(c)(3)(iii)	600.04(1), 600.04.
	268.7(a)(8)	675.07(1)(j).
	268.7(b)(4)(ii)	675.07(2)(d)b.
	268.38(a)	675.19(1)(a).
	268.38(b)	675.19(1)(b).
Carbamate Production Identification and Listing of Hazardous Waste (Checklist 140).	261.3(a)(2)(iv)(F), 261.3(a)(2)(iv)(G).	There is no exemption 261.3(a)(2)(iv)(F) of (G) in the Wisconsin Code.
	261.3(c)(2)(ii)(D)	There is no Wisconsin citation for 261.3(c)(2)(ii)(D).
Universal Waste Rule: Petition Provisions to Add a New Universal Waste (Checklist 145).	264.314(e)(2)(ii), 264.314(e)(2)(iii), 265.314(f)(2)(ii), 265.314(f)(2)(iii).	660.18(8)(b) Wisconsin does not allow OECD Test 301B, rules are more restrictive in defining non-biodegradable sorbents.
Land Disposal Restrictions Phase III—Decharacterized, Wastewaters, Carbamate Wastes, and Spent Potliners (Checklist 151).	268.1(c)(3), 268.1(c)(3)(i), 268.1(c)(3)(ii), 268.1(c)(3)(iii).	600.04(1) **Note:** Underground injection is prohibited.
	268.1(c)(4), 268.1(c)(4)(i), 268.1(c)(4)(ii), 268.1(c)(4)(iii), 268.1(c)(4)(iv).	
	268.7(a)(1)(vi)	675.07(1)(d).
	268.39(b)	675.19(2)(b).
	268.39(c)	675.19(2)(c).
	268.39(d)	675.19(2)(e).
	268.39(f)	675.19(2)(g).
	268.40(a)	675.20(1).
	268.40(g)	675.20(1).

I. Who Handles Permits After Authorization Takes Effect?

Wisconsin will issue permits for all the provisions for which it is authorized and will administer the permits it issues. EPA will continue to administer any RCRA hazardous waste permits or portions of permits which we issued prior to the effective date of this authorization until they expire or are terminated. We will not issue any more new permits or new portions of permits for the provisions listed in the Table above after the effective date of this authorization. EPA will continue to implement and issue permits for HSWA requirements for which Wisconsin is not yet authorized.

J. How Does Today's Action Affect Indian Country (18 U.S.C. 115) in Wisconsin?

Wisconsin is not authorized to carry out its hazardous waste program in Indian country within the State, as defined in 18 U.S.C. 1151. This includes:

1. All lands within the exterior boundaries of Indian reservations within or abutting the State of Wisconsin;

2. Any land held in trust by the U.S. for an Indian tribe; and

3. Any other land, whether on or off an Indian reservation that qualifies as Indian country. Therefore, this action

has no effect on Indian country. EPA will continue to implement and administer the RCRA program in Indian country.

K. What Is Codification and Is EPA Codifying Wisconsin's Hazardous Waste Program as Authorized in This Rule?

Codification is the process of placing the State's statutes and regulations that comprise the State's authorized hazardous waste program into the Code of Federal Regulations. We do this by referencing the authorized State Rules in 40 CFR part 272. We reserve the amendment of 40 CFR 272, subpart YY for this authorization of Wisconsin's program changes until a later date.

L. Administrative Requirements

The Office of Management and Budget (OMB) has exempted RCRA authorizations from the requirements of Executive Order 12866 (58 FR 51735, October 4, 1993), and therefore, a decision to authorize Wisconsin for these revisions is not subject to review by OMB. Furthermore, this rule is not subject to Executive Order 13211, ''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use'' (66 FR 28355, May 22, 2001) because it is not a significant regulatory action under Executive Order 12866. This action authorizes State requirements for the purpose of RCRA 3006 and imposes no additional requirements beyond those imposed by State law. This authorization will effectively suspend the applicability of certain Federal regulations in favor of Wisconsin's program, thereby eliminating duplicative requirements for handlers of hazardous waste in the State. Authorization will not impose any new burdens on small entities. Accordingly, I certify that these revisions will not have a significant economic impact on a substantial number of small entities under the Regulator Flexibility Act (5 U.S.C. 601 *et seq.*). Because implementing this proposal would authorize pre-existing requirements under State law and would not impose any additional enforceable duty beyond that required by State law, it will not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4). For the same reason, this proposed rule does not have tribal implications within the meaning of Executive Order 13175 (65 FR 67249, November 6, 2000). Authorization 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 authorizes State requirements as part of the State RCRA hazardous waste program without altering the relationship or the distribution of power and responsibilities established by RCRA. A decision to authorize Wisconsin for these revisions also is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997), because it is not economically significant and it does not make decisions based on environmental health or safety risks. This action does not include environmental justice related issues that require consideration under Executive Order 12898 (59 FR 7629, February 16, 1994).

Under RCRA 3006(b), EPA grants a State's application for authorization as long as the State meets the criteria required by RCRA. It would thus be inconsistent with applicable law for EPA, when it reviews a State authorization application, to require the use of any particular voluntary consensus standard in place of another standard that otherwise satisfies the requirements of RCRA. 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 any Attorney General's Supplemental Guidelines for the Evaluation of Risk and Avoidance of Unanticipated Takings issued under the Executive Order. A decision to authorize Wisconsin's revisions will 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. EPA will submit a report containing this document and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication in the **Federal Register**. 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). This action will be effective April 30, 2002.

List of Subjects in 40 CFR Part 271

Environmental protection, Administrative practice and procedure, Confidential business information, Hazardous waste, Hazardous waste transportation, Indian lands, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements.

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

Dated: February 15, 2002.

Bertram C. Frey,

Acting Regional Administrator, Region 5.

[FR Doc. 02–4786 Filed 2–28–02; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

49 CFR Part 390

[Docket No. FMCSA–00–8209]

RIN 2126–AA57

Motor Carrier Identification Report

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), DOT.

ACTION: Final rule.

SUMMARY: The FMCSA amends the Federal Motor Carrier Safety Regulations (FMCSRs) to revise the requirements for filing the Motor Carrier Identification Report (Form MCS–150). The FMCSA requires each motor carrier to file an update of the report every 24 months. A motor carrier that submits similar information to a State as part of its annual vehicle registration requirement under the Performance and Registration Information Systems Management (PRISM) complies if it files this information with the appropriate State commercial motor vehicle (CMV) registration office. This action responds to Section 217 of the Motor Carrier Safety Improvement Act of 1999.

DATES: This rule is effective April 1, 2002.

FOR FURTHER INFORMATION CONTACT: Ms. Deborah M. Freund, Office of Bus and

Truck Standards and Operations, FMCSA, (202) 366–1790, or Mr. Charles E. Medalen, Office of Chief Counsel, (202) 366–1354, FMCSA, 400 Seventh Street, SW., Washington, DC 20590. Office hours are from 7:45 a.m. to 4:15 p.m., e.t., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION:

Background

In order to provide proper safety oversight of the regulated motor carrier community, the FMCSA must have an accurate census of the individual motor carriers that comprise it. Section 217 of the Motor Carrier Safety Improvement Act of 1999 (Pub. L. 106–159, 113 Stat. 1748, Dec. 9, 1999) (MCSIA) directed the Secretary of Transportation to:

> require periodic updating, not more frequently than once every 2 years, of the motor carrier identification report, form MCS–150, filed by each motor carrier conducting operations in interstate or foreign commerce.

On November 24, 2000 (65 FR 70509), the FMCSA published an interim final rule (IFR) that responded to the congressional direction. The preamble to the IFR described the activities that the agency had undertaken on the subject of requiring a motor carrier to report certain identifying and demographic information from 1986 through the current rulemaking. The interim final rule amended § 390.19 to require motor carriers to file a Motor Carrier Identification Report, Form MCS–150, before beginning operations and every 24 months according to a schedule corresponding to the last two digits of the USDOT number. If a motor carrier registers its vehicles in a State that participates in the PRISM program, it is exempt from this requirement, provided it files all the required information with the appropriate State office.

Discussion of Comments

The agency received six comments in response to the interim final rule. The commenters were Advocates for Highway and Auto Safety (Advocates), the American Trucking Associations (ATA), the Petroleum Marketers Association of America (PMAA), the Transportation Lawyers Association (TLA), and two individuals, Patrick E. Haugen and Roger K. Ites.

Update Schedule

All of the commenters except one took issue with some aspect of the update schedule.

Advocates states that, while it ''strongly supports'' the two-year update cycle, it believes the staggered implementation dates would compromise the agency's safety goals because it would prevent the agency from obtaining updated information quickly. Advocates recommends that the FMCSA require all motor carriers to update their Form MCS–150 during the first 12 months after the effective date of the rule, to implement the biennial update cycle one year after the effective date, and to require that the update cycle be designed so that no motor carrier would go more than 2 years between updates.

The ATA and one individual raise a question concerning motor carriers that voluntarily update their MCS–150 information. The ATA states that some of its member motor carriers voluntarily update this information at 6, 9, or 12-month intervals, and that they want to continue this practice. The ATA asks if those motor carriers would be required to re-file their MCS–150 information according to the schedule in the interim final rule, even though they file the information more frequently than the rule requires.

Roger K. Ites, a Director of Safety for four motor carriers, expresses a similar concern. He states that he updates four MCS–150 forms annually. His concern is that the combination of a biennial update cycle and a staggered filing schedule could cause him to neglect to comply with the filing requirement.

The TLA, although it supports the rulemaking, believes that the proposed schedule is too complex. It recommends the FMCSA require that all motor carriers provide their Form MCS–150 updates ''by a single filing date'' to maximize the agency's opportunity to obtain current and meaningful data. It contends that the FMCSA should be able to deal with the filing of the forms and the associated data entry tasks as separate issues.

The TLA also recommends that the FMCSA require motor carriers to update the MCS–150 within 20 days following a change in its name, control, or ownership, and/or its principal place of business. The TLA asserts that section 217 of the MCSIA ''speaks only to the collection of information on a regular, ''periodic'' basis. Filing of an MCS–150 as a result of an address, name, or ownership change is a discrete event initiated by the carrier, not FMCSA. The information, for enforcement purposes, is critical.''

The PMAA believes that the FMCSA should have sought public comment on the proposed implementation of the update cycle, noting that the legislation itself ''did not set the schedule for the periodic updates.'' The organization also cites the FMCSA's estimate of a 400 percent increase in its data entry and verification workload and questions whether the update cycle makes the best use of FMCSA's resources. Finally, the PMAA is concerned about its own ability to notify its members of the new requirement in a timely fashion, possibly leading to problems for those carriers required to update their MCS–150 information in early 2001.

Agency's Response

As it stated in the preamble to the IFR, the FMCSA selected a two-year update cycle, the shortest cycle allowed under section 217 of MCSIA, in order to significantly improve the quality of the agency's databases. The FMCSA depends on this data to make the most efficient use possible of its inspection and enforcement resources, and to provide well-founded estimates of the potential benefits and costs of its regulations.

The FMCSA appreciates the diligence of the many motor carriers and safety officials who make a special effort to ensure that their Form MCS–150 information is current. However, not all motor carriers take this approach, and the regulation in effect prior to December 26, 2000 did not require them to update that information. Although the provisions of section 217 of the MCSIA direct the Department of Transportation to ''require periodic updating not more frequently than once every two years,'' neither the statute nor the implementing regulations prohibit motor carriers from updating their information more frequently. For those motor carriers that chose to update the information in the Form MCS–150 more frequently than the regulation requires, they will be in compliance as long as they submit the biennial update required in the regulation, on or before the date set in the regulation.

In response to Advocates' comment that the agency should have accelerated the initial update cycle, the FMCSA did not chose that approach because there are insufficient personnel to handle several hundred thousand forms at once. Although the staggered update cycle could potentially result in some motor carriers' not being required to make their first update until 22 months after the effective date of the IFR (October 2002), all motor carriers would have submitted their updates by that date. Responding to Advocates' concern about a gap in the identification of new motor carriers, 49 CFR 390.19(a), revised on July 6, 2000 (65 FR 35287), requires new motor carriers (and those newly subject to the Federal Motor Carrier Safety Regulations) to file their Form MCS–150 prior to beginning

operations in interstate commerce. The previous rule had required that the Form MCS–150 be filed within 90 days of beginning these operations.

The agency disagrees with the TLA's assertion that filing of the forms can be separated from data entry issues. If the agency required all the updates to be submitted on the same date, there would most likely be gaps between the time that data is submitted and the time that it is entered. These gaps could lead to quality control problems. Furthermore, the administrative burden on the agency, and subsequently, the expenditure of public funds necessary to process several hundred thousand forms at one time, would be greater than those required to process several thousand forms every month.

The issues associated with the manual processing of forms will become less relevant once the FMCSA has instituted electronic filing and updates for the MCS–150 information.

In response to the PMAA's assertion that the FMCSA should have not waived the opportunity for notice and comment, the agency believed that, because the statutory mandate was specific and the rule followed it so closely, and because the information collection burden on motor carriers is extremely small, public comment would not have been likely to provide information that would affect the outcome of the rulemaking proceeding. While the parties who did comment to this docket have raised several important points, none of the comments affect the statutory requirements, or the agency's obligation to adopt implementing regulations.

Responding to the PMAA's other comment, concerning notification for motor carriers affected by this rule, the FMCSA considered how the regulation would affect those motor carriers that would have to update their MCS–150 information in January and February 2001: The agency allowed them additional time—until the end of March, 2001—to file their updates (see § 390.19(g)). The FMCSA also posted informational items concerning this new regulation on its main Internet website within days after the IFR was published, referred many callers to that information, and e-mailed and faxed copies of those items to many parties (including the PMAA) for use in their publications.

In response to the TLA's comment concerning a required update of the MCS–150, the FMCSA notes that the procedures for changing the name or business form of a for-hire motor carrier, household goods carrier, or property broker are found at 49 CFR 365.413. Thus, the agency already has in place rules to enable it to quickly update its database for certain motor carriers and for property brokers. Because the agency had very little time to meet the deadline set in section 217, the agency elected to focus solely upon the requirements contained in that legislation. The FMCSA believes the TLA's comment has merit, with regard to private and exempt motor carriers, and it will consider the issue of updating MCS–150 identifying information (name, address, and business ownership) in a separate rulemaking.

Revision of MCS–150

The ATA and the TLA also address information collected with the Form MCS–150. The ATA recommends the agency update the form to indicate whether the motor carrier is providing an ''initial'' or ''update'' filing, and to revise the ''NOTICE'' portion of the form to reflect the new biennial filing requirement and the special provision for motor carriers in states with fully-implemented PRISM programs. The ATA also suggests that the FMCSA consider requesting motor carriers to provide information on their annual gross revenue, so the agency could determine whether a motor carrier is considered to be a ''small business'' under the guidelines of the Small Business Administration.

The TLA believes the agency should consider requiring motor carriers to submit summary revenue, mileage, and accident data on the MCS–150. The TLA reasoned that this additional data would aid the agency in setting its enforcement priorities, provide more information specific to segments of the motor carrier industry, and aid the agency in constructing a predictive motor carrier safety model. It believes the FMCSA would especially benefit from this information as it applies to motor carriers operating 9–15 passenger vehicles that have recently been made subject to the FMCSRs.

Motor carrier affiliation is another data item that the TLA asks the FMCSA to consider adding to the MCS–150. The TLA is concerned that some motor carriers may be using the application process to mask a poor safety record, and refers to Docket FHWA–97–2708, Registration for For-Hire Motor Carriers, Brokers, and Freight Forwarders, where the FHWA Office of Motor Carriers [now the FMCSA] also raised the safety integrity issue.

Agency's Response

In response to the ATA's comments concerning a notation of an ''initial'' or ''update'' filing and the addition of a block for gross-revenue, the agency will consider both items in the forthcoming Motor Carrier Replacement Information System rulemaking (Docket No. FMCSA–97–2349, RIN 2126–AA22). Concerning the ''NOTICE'' statement, the FMCSA is including a copy of the two-page ''Highlights: Biennial Update of Motor Carrier Identification Report (MCS–150)'' informational item in the update requests that it mails to motor carriers. The agency will review and update the instructions on the MCS–150 when it next revises the form.

In response to the TLA's comment concerning accident data, the agency is using this information, along with information on the outcomes of roadside safety inspections, to determine priorities for motor carrier compliance reviews. The agency discontinued the requirement for motor carriers to report their own accident data in 1993 because it had begun to require this same information to be reported electronically by states, as a condition of receiving Motor Carrier Safety Assistance Program grants. The agency crosschecks this information with the information on the accident register that motor carriers are still required to maintain. In response to the TLA's comment on mileage, motor carriers must report their mileage to the nearest 10,000 miles for the last calendar year in Block 22 of the MCS–150.

Only Class I (annual carrier operating revenues of $10 million or more) and Class II (operating revenue of at least $3 million but less than $10 million) contract and common motor carriers of property are currently required to report revenue data to the U.S. Department of Transportation under the provisions of 49 CFR 1420. Responding to the recommendation made by the ATA and the TLA, the FMCSA may consider the potential for adding a block for other motor carriers to report revenue data as part of the forthcoming Unified Carrier Register rulemaking.

Responding to the TLA's recommendation to add information on a motor carrier applicant's affiliation, the FMCSA reviews the information provided in motor carrier registration documents to prevent motor carriers from using this process in an attempt to mask prior FMCSA determinations of unfitness or revocations of registration. The FMCSA will also consider addressing the ''affiliation'' question in the forthcoming Motor Carrier Replacement Information System rulemaking.

Electronic Filing

The ATA believes that providing motor carriers an electronic filing option

can reduce the paperwork burdens on both the industry and the FMCSA. It strongly urges the agency to have the electronic filing capability in place no later than March 31, 2001, the first mandatory filing date for motor carriers whose USDOT numbers place them in the January through March, 2001, update period.

The FMCSA agrees with the ATA on the benefits of electronic filing. Several months ago, the FMCSA put into place a data entry process that allows new motor carriers to file their initial MCS–150s electronically. The agency has also recently implemented procedures to allow the biennial updates to be filed electronically. These procedures are being added to § 390.19(c). Detailed instructions are available on the FMCSA's www site, *www.fmcsa.dot.gov.*

Penalties for Non-filers and Late Filers

Advocates expressed a concern that the IFR did not address penalties for those motor carriers that fail to file an updated Form MCS–150 during the initial two-year update cycle or in future years. The organization recommends that the agency consider assessing financial penalties for motor carriers whose filings are between three months and one year late, and that the FMCSA impose additional penalties, including revoking a motor carrier's operating authority, for motor carriers that are more than one year overdue.

Agency's Response

The final rule that covered marking of commercial motor vehicles, published on June 2, 2000 (65 FR 35287) added, among other things, a new paragraph (§ 390.19(e)) that advised motor carriers that if they failed to file a Form MCS–150, or filed misleading information, they would be subject to the civil penalties and sanctions prescribed in 49 U.S.C. 521(b)(2)(B). The civil penalty could be a fine as high as $5,000 if this information was used to misrepresent a fact that constitutes a violation other than a reporting or recordkeeping violation. As the FMCSA develops the regulation for the Unified Carrier Registration Program, it will consider methods to ensure motor carriers' compliance.

PRISM Issues

The ATA recommends that the FMCSA provide and maintain a listing of States that have fully implemented and functional PRISM programs. It also asks several questions concerning the exemption for motor carriers that register their commercial motor vehicles in states that participate in the PRISM program. One question deals with registration of vehicles of motor carriers headquartered in non-PRISM States, but which had vehicles based in both PRISM and non-PRISM States. The others sought clarification of the relationship and information requirements of the International Registration Plan (IRP) and PRISM.

Agency's Response

The FMCSA believes there may be some misunderstanding concerning the relationship between the PRISM program and the IRP. All States in the continental United States are members of the IRP, and the IRP forms the administrative framework upon which the PRISM program is based. See *www.aamva.org/IRP/* for additional information.

The phrase ''all the required information'' in Section 390.19(g) refers to information that each PRISM State requires motor carriers to provide, within their respective CMV registration programs. Motor carriers provide this information through a State-administered process using a form equivalent to the Form MCS–150. As of December 2001, the following States are collecting this information and issuing USDOT numbers: Arizona, Colorado, Georgia, Indiana, Iowa, Kentucky, Maine, Oregon, South Dakota, and Tennessee. The FMCSA will maintain an updated list of States that have fully-implemented and functional PRISM programs on the agency's website.

The States that are participating in the PRISM program have the knowledge and information to respond to questions such as those the ATA raised. The FMCSA is also considering posting answers to specific program questions, such as those raised by the ATA, on the website.

Other Comments

Mr. Patrick E. Haugen raised a question concerning whether hazardous material cargo tank container equipment would be included in the vehicle counts in Block 26 of the MCS–150. He believes that they would not, although they represent a sizeable fleet of equipment used in hazardous materials transportation.

The FMCSA responds that these containers, which are generally tanks mounted on skids, or intermediate bulk containers with a capacity of 1,000 water gallons or less, are considered cargo rather than vehicles. The shippers of these containers are required to register with the Office of Hazardous Materials Transportation of the Research and Special Programs Administration. The containers would need to comply with the applicable packaging specifications in 49 CFR part 178 of the Hazardous Materials Regulations.

Discussion of the Final Rule

The regulatory language published in the IFR is being adopted today, with one exception. Because the extended filing date (to March 2001) for those motor carriers that had been required to file the MCS–150 by the end of January or February 2001 has now passed, paragraph 390.19(a)(4) was removed in a technical amendment to the FMCSRs published October 1, 2001 (66 FR 49867, at 49873).

The agency also makes technical amendments to the § 390.19(b) and (c). The internet address for the FMCSA, included in paragraph (b), has changed. In addition, the FMCSA is now able to accommodate electronically submitted MCS–150 information from motor carriers requesting a USDOT number for the first time, as well as motor carriers filing their biennial update. Paragraph (c) is revised to include that additional way of filing this information.

Update Schedule

Today's final rule requires all motor carriers to file a new MCS–150 every 24 months. However, to make the procedure simple for motor carriers and manageable for the agency, the rule sets staggered filing dates. Each motor carrier determines the month and the year in which it must file based on its USDOT number.

The Month. If a motor carrier's USDOT number ends in 1, it must file the MCS–150 update by the end of January, and every second January afterwards; if the USDOT number ends in 2, 3, 4, 5, 6, 7, 8 or 9, the carrier must file by the end of February, March, April, May, June, July, August or September, respectively, and biennially after that; and if the USDOT number ends in 0, the update must be filed by the end of October, and every two years after that.

The Year. If the next to the last digit in the motor carrier's USDOT number is odd, the carrier must file its MCS–150 update in an odd-numbered year; if even, in an even-numbered year. For purposes of this rule, zero is considered an even number.

Section 217 restricts the frequency of Form MCS–150 updates to no more than every two years, which limits the burden imposed by the requirement. As the system starts up, some relatively new carriers, however, must submit their first update less than two years after initially filing the MCS–150. However, after the first round of updates is complete, all motor carriers will be on

a firm 24-month update schedule. Due to the minimal time and effort to update the MCS–150 and the difficulty in determining how many motor carriers will be affected by this schedule, FMCSA finds that this rule is consistent with the intent of Section 217.

Special situations. There are two situations where, because of the special circumstances surrounding the need for information, a motor carrier will update the information in the MCS–150 more frequently than the two-year refiling interval specified in Section 217. They are: (1) Verifications of information made during the course of compliance reviews, and (2) a motor carrier registering its CMVs in States participating in the PRISM program.

Compliance reviews. In order for FMCSA safety investigators to have current motor carrier information to properly perform record selection and exposure-based safety analyses when they conduct compliance reviews (CRs), the agency has had a longstanding practice of requiring safety investigators to begin the CR by asking the motor carrier to verify the information contained in its MCMIS record. Since the information obtained during a CR may lead to enforcement action, it is clearly in the interest both of the motor carrier and the agency that it be accurate. Because a CR is an audit with respect to a specific party, it is not considered an information-gathering activity subject to the Paperwork Reduction Act. The agency does not believe that requesting a motor carrier to review MCS–150 information during the course of a CR is inconsistent with the requirements of Section 217.

Motor carriers in PRISM States. The PRISM program links State commercial motor vehicle registration to the safety fitness of motor carriers. It began as a Congressional mandate by Congress under Section 4003 of the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991 and was authorized for national implementation under Section 4004 of TEA–21. It is a key element in the FMCSA's motor carrier enforcement and safety compliance program. The States participating in PRISM receive special grants to implement the program.

The commercial vehicle registration process of the States provides the framework for the PRISM program. It serves two vital functions. First, it establishes a system of accountability by ensuring that no one receives a license plate for a vehicle without identifying the carrier responsible for the safety of the vehicle during the registration year. Second, the use of registration sanctions (denial, suspension and revocation) serves as a powerful incentive for unsafe carriers to improve their safety performance. The vehicle registration process ensures that all carriers engaged in interstate commerce are uniquely identified through a USDOT number when they register their vehicles. The safety fitness of each carrier can then be checked prior to issuing vehicle registrations. The State can refuse to register vehicles of an unfit carrier (as defined by the FMCSRs).

The FMCSA has provided PRISM States with access to the MCMIS database to issue USDOT census numbers to motor carriers. Under the PRISM Program, the States issue census numbers to interstate motor carriers as part of their commercial vehicle registration process. This process ensures that no vehicle is plated without identifying the carrier responsible for the safety of the vehicle during the registration year. PRISM States also require motor carriers to annually update their MCS–150 data to reflect current operations. Some States enter this information directly into the MCMIS, while others forward it to the FMCSA for data entry. As of December 2001, twenty States are participating in the PRISM Program and five additional States have provided the FMCSA with a Letter of Intent to implement the Program. Ten States are currently collecting MCS–150 Forms and issuing USDOT census numbers to interstate motor carriers.

The FMCSA has determined that if a motor carrier in a PRISM State files annually with the State commercial vehicle registration office, information similar to what is required in the FMCSA's MCS–150 meets the periodic filing requirement of this rule, and no additional filing with the FMCSA is necessary.

The final rule does not change the requirement of 49 CFR 390.19(e) that a motor carrier must file this information, and must not furnish misleading information or make false statements.

Implementation Schedule

In order to ease the burden on both motor carriers and the FMCSA, the new biennial update system will be distributed over the first 10 months of the calendar year.

Update year. The first cycle began in January 2001. Those motor carriers with an odd-number in the next-to-last digit of their USDOT number are required to file an update in calendar year 2001, and in every odd-numbered year in the future. Those motor carriers with an even number in the next-to-last digit of their USDOT number are required to file an update in calendar year 2002, and in every even-numbered year in the future.

Update month. Within each yearly cycle, motor carriers with a USDOT number ending with the numeral 1 must file by January 31. Motor carriers with a number ending in 2 are to file by February 28 or 29, and so forth, through 0, the number for filing in October. During the final two months of each year, FMCSA staff will complete the necessary verification of the information filed.

Special note. In the Washington, D.C. metropolitan area, there have been significant delays in U.S. mail delivery to U.S. Government buildings between mid-October and late November 2001 related to the discovery of biological contaminants, and measures taken to test for the presence of these materials and to decontaminate letters and mail-handling facilities. The FMCSA asks motor carriers that mailed an updated form MCS–150 between early October and December to mail another copy of the form to the agency. In addition, the agency reminds all motor carriers that they must return the form MCS–150 to the FMCSA, even if no information has changed, so the agency can ensure that its information on each motor carrier is up to date.

Rulemaking Analyses and Notices

The FMCSA believes the interim final rule should be adopted as a final rule. The effective date of the interim final rule has passed with no indication that the requirement has had an adverse impact on motor carriers operating in interstate commerce. Despite the concern that the proposed update cycle would proceed at an undesirably slow pace, the work is progressing well. Between December 2000 and November 2001, the agency updated over 115,000 motor carrier records.

Section 217 directs the FMCSA in detail to amend 49 CFR 385.21 (now recodified as § 390.19), to require periodic updating of the Form MCS–150, and to complete the initial update of MCS–150 data within one year of the date of enactment of the MCSIA. Section 217 provides that periodic updates shall be required not more than biennially. The IFR simply promulgated the requirements of Section 217. It differed from the statute only in setting an orderly schedule for the updates.

Because the December 26, 2000 effective date of the interim final rule requires motor carriers to update the information in the Form MCS–150 every 24 months, and provides that a motor carrier that submits similar information to a State as part of its annual vehicle registration requirement under the

Performance and Registration Information Systems Management (PRISM) program will be in compliance if it files it with the appropriate State commercial motor vehicle (CMV) registration office, the FMCSA amends § 390.19 to remove the exception contained in § 390.19(a)(4).

Executive Order 12866 (Regulatory Planning and Review) and DOT Regulatory Policies and Procedures

The FMCSA has determined that this action is not a significant regulatory action within the meaning of Executive Order 12866, and is not significant within the meaning of the Department of Transportation's regulatory policies and procedures (DOT Order 2100.5 dated May 22, 1980; 44 FR 11034, February 26, 1979). The current requirement for motor carriers to file a single MCS–150 before beginning operations limits the agency's ability to maintain current information on the industry that it regulates, and to accurately gauge the safety outcomes of its programs and activities. This FR responds to the requirement of Section 217 of the MCSIA by requiring motor carriers operating in interstate or foreign commerce to provide an update of the information filed with the FMCSA on their most recent MCS–150 no more often than every two years. As discussed in the next section, the FR imposes so little additional burden that a full regulatory evaluation is unnecessary.

Regulatory Flexibility Act

In compliance with the Regulatory Flexibility Act (5 U.S.C. 601–612), the agency has considered the effects of this FR on small entities. The FMCSA is revising its requirement for filing the MCS–150 to respond to direction contained in Section 217 of the MCSIA. Motor carriers are required to file their MCS–150 updates according to a schedule determined by the next-to-last digit (whether the update would be filed during an odd-numbered or even-numbered year) and the last digit (the filing month) of their assigned USDOT number.

As of April 2000, the FMCSA estimates there are 430,173 motor carriers operating between 1 and 20 powered units (trucks, truck-tractors, buses, and motorcoaches), and another 84,272 that operate an unspecified number of powered units.

The agency has estimated that it takes 20 minutes to complete the MCS–150 the first time it is filed. However, the agency estimates the biennial update would take considerably less time. The information is likely to be the same, and motor carriers will already have had the experience of completing the form at least once before. For the purpose of this FR, the agency estimates that the biennial update would take 10 minutes. The agency considers the time necessary for motor carriers to comply with this provision to be minimal: the time requirement is estimated to be extremely small, especially in comparison to the filing of other information required from businesses in their normal course of operations. Furthermore, if the motor carrier uses the postage-paid return form provided by the agency, it will not incur costs for mailing or facsimile transmission costs. Therefore, in compliance with the Regulatory Flexibility Act, the FMCSA certifies that this rule will not have a significant economic impact on a substantial number of small entities.

Executive Order 13132 (Federalism)

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 13132. It has been determined that this rulemaking does not have a substantial direct effect on States, nor would it limit the policymaking discretion of the States. Nothing in this document directly preempts any State law or regulation.

Executive Order 12372 (Intergovernmental Review)

Catalog of Federal Domestic Assistance Program Number 20.217, Motor Carrier Safety. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities do not apply to this program.

Paperwork Reduction Act

Under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501–3520), a Federal agency must obtain approval from the Office of Management and Budget (OMB) for each collection of information it conducts, sponsors, or requires through regulations. An analysis of this rule has been made by the FMCSA, and it has been determined that it will affect the information collection burden associated with the currently-approved information collection covered by OMB Control No. 2126–0013 (formerly 2125–0544). The OMB approved the most recent update of this information collection on October 4, 1999. The approval period runs through May 31, 2004.

For a motor carrier filing an MCS–150 for the first time, the FMCSA estimates it takes approximately 20 minutes to gather the information and complete the form. The FMCSA estimates that there are approximately 50,000 new motor carriers annually who must file their initial MCS–150. Until now, a motor carrier has only been required to complete and file this form once, when it begins to operate CMVs in interstate commerce. This FR requires a motor carrier to provide an update of the information every two years, starting January 2001. For most motor carriers, it is likely that much of the information contained on the MCS–150 will remain unchanged.

The FMCSA estimated that the updates required during calendar year 2000, and the biennial update starting January 2001, would require 10 minutes. Because the agency proposed to implement a regulation that will require motor carriers to file this information more frequently, the FMCSA submitted this proposed revision of information collection to OMB for review and approval. Neither the OMB nor any commenters took issue with the agency's estimate of this information collection burden.

Estimated Annual Reporting Burden:

Number of respondents: 549,000 motor carriers

Burden hours: Biennial update: 549,000 x 50% (biennial) x 10 minutes per update = 45,750 hours. Annual initial MCS–150 filings: 51,400 X 20 minutes = 17,133 burden hours. Total estimated annual burden: 62,883 hours.

National Environmental Policy Act

The Federal Motor Carrier Safety Administration (FMCSA) is a new administration within the Department of Transportation (DOT). We are striving to meet all of the statutory and executive branch requirements on rulemaking. The FMCSA is currently developing an agency order that will comply with all statutory and regulatory policies under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*). We expect the draft FMCSA Order to appear in the **Federal Register** for public comment in the near future. The framework of the FMCSA Order is consistent with and reflects the procedures for considering environmental impacts under DOT Order 5610.1C. The FMCSA analyzed this proposal under the NEPA and DOT Order 5610.1C. Since the proposal is strictly procedural in nature, we believe it would be among the type of regulations that would be categorically excluded from any environmental assessment.

Unfunded Mandates Reform Act of 1995

This rule does not impose a Federal mandate resulting in the expenditure by State, local, or tribal governments, in the

aggregate, or by the private sector, of $100 million or more in any one year. 2 U.S.C.1531 *et seq.*

Executive Order 12630 (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 Constitutional Protected Property Rights.

Executive Order 12988 (Civil Justice Reform)

This action meets applicable standards in Sections 3(a) and 3(b)(2) of E.0. 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

Executive Order 13045 (Protection of Children)

We have analyzed this action under Executive Order 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.

Executive Order 13211: Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use (2001)

We have analyzed this action under Executive Order 13211 for any adverse effects on energy supply, distribution, or use, and reasonable alternatives and their effects. The rule is not a significant rule, and there are no adverse energy effects as a result of it.

List of Subjects in 49 CFR Part 390

Highway safety, Motor carriers, Motor vehicle identification and marking, Reporting and recordkeeping requirements

In consideration of the foregoing, the FMCSA amends title 49, Code of Federal Regulations, Chapter III, as follows:

PART 390—[AMENDED]

1. Revise the authority citation for part 390 to read as follows:

Authority: 49 U.S.C. 13301, 13902, 31132, 31133, 31136, 31502, 31504; sec. 204, Pub. L. 104–88, 109 Stat. 803, 941 (49 U.S.C. 701 note); sec. 217, Pub. L. 105–159, 113 Stat. 1748, 1767; and 49 CFR 1.73.

2. Amend § 390.19 by revising paragraphs (a), (b), and (c) and revising paragraph (g) to read as follows:

§ 390.19 Motor carrier identification report.

(a) Each motor carrier that conducts operations in interstate commerce must file a Motor Carrier Identification Report, Form MCS–150 at the following times:

(1) Before it begins operations; and

(2) Every 24 months, according to the following schedule:

USDOT Number ending in	Must file by last day of;
1	January
2	February
3	March
4	April
5	May
6	June
7	July
8	August
9	September
0	October

(3) If the next-to-last digit of its USDOT number is odd, the motor carrier shall file its update in every odd-numbered calendar year. If the next-to-last digit of the USDOT number is even, the motor carrier shall file its update in every even-numbered calendar year.

(b) The Motor Carrier Information Report, Form MCS–150, with complete instructions, is available from the FMCSA's web site at: *http://www.fmcsa.dot.gov* (keyword ''MCS–150''), from all FMCSA Service Centers and Division offices nationwide, or by calling 1–800–832–5660.

(c) The completed Motor Carrier Identification Report, Form MCS–150, shall be filed with the FMCSA's Office of Data Analysis and Information Systems.

(1) The form may be filed electronically according to the instructions at the agency's web site, or it may be sent to Federal Motor Carrier Safety Administration, Data Analysis and Information Systems, MC-RIS, 400 Seventh Street, SW, Washington, DC 20590.

(2) A for-hire motor carrier should submit the Form MCS–150 along with its application for operating authority (Form OP–1 or OP–2) to the appropriate address referenced on that form, or may submit it electronically or by mail separately to the address mentioned in this section.

* * * * *

(g) A motor carrier that registers its vehicles in a State that participates in the Performance and Registration Information Systems Management (PRISM) program (authorized under section 4004 of the Transportation Equity Act for the 21st Century [(Public Law 105–178, 112 Stat. 107]) is exempt from the requirements of this section, provided it files all the required information with the appropriate State office.

[Approved by the Office of Management and Budget under control number 2126–0013]

Issued on: February 26, 2002.

Joseph M. Clapp,

Administrator.

[FR Doc. 02–4960 Filed 2–28–02; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 011218304-1304-01; I.D. 022502D]

Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Vessels Catching Pacific Cod for Processing by the Inshore Component in the Western Regulatory Area of the Gulf of Alaska

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

ACTION: Closure.

SUMMARY: NMFS is prohibiting directed fishing for Pacific cod by vessels catching Pacific cod for processing by the inshore component in the Western Regulatory Area of the Gulf of Alaska (GOA). This action is necessary to prevent exceeding the A season amount of the Pacific cod total allowable catch (TAC) apportioned to vessels catching Pacific cod for processing by the inshore component of the Western Regulatory Area of the GOA.

DATES: Effective 1200 hrs, Alaska local time (A.l.t.), February 26, 2002, until 1200 hrs, A.l.t., September 1, 2002.

FOR FURTHER INFORMATION CONTACT: Mary Furuness, 907-586-7228.

SUPPLEMENTARY INFORMATION: NMFS manages the groundfish fishery in the GOA exclusive economic zone according to the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act. Regulations governing fishing by U.S. vessels in accordance with the FMP appear at subpart H of 50 CFR part 600 and 50 CFR part 679.

The 2002 A season Pacific cod TAC apportioned to vessels catching Pacific cod for processing by the inshore component in the Western Regulatory Area of the GOA is 9,098 metric tons (mt) as established by an emergency rule

implementing 2002 harvest specifications and associated management measures for the groundfish fisheries off Alaska (67 FR 956, January 8, 2002).

In accordance with § 679.20(d)(1)(i), the Administrator, Alaska Region, NMFS (Regional Administrator), has determined that the A season amount of the Pacific cod TAC apportioned to vessels catching Pacific cod for processing by the inshore component of the Western Regulatory Area of the GOA will be reached. In accordance with § 679.20(a)(11)(iii), Pacific cod bycatch taken between the closure of the A season and opening of the B season shall be deducted from the B season TAC apportionment. Therefore, the Regional Administrator is establishing a directed fishing allowance of 9,098 mt. In accordance with § 679.20(d)(1)(iii), the Regional Administrator finds that this directed fishing allowance will soon be reached. Consequently, NMFS is prohibiting directed fishing for Pacific cod by vessels catching Pacific cod for processing by the inshore component in the Western Regulatory Area of the GOA.

Maximum retainable bycatch amounts may be found in the regulations at § 679.20(e) and (f).

Classification

This action responds to the best available information recently obtained from the fishery. The Assistant Administrator for Fisheries, NOAA, finds that the need to immediately implement this action to prevent exceeding the amount of the 2002 A season Pacific cod TAC specified for the inshore component in the Western Regulatory Area of the GOA constitutes good cause to waive the requirement to provide prior notice and opportunity for public comment pursuant to the authority set forth at 5 U.S.C. 553(b)(3)(B) and 50 CFR 679.20(b)(3)(iii)(A), as such procedures would be unnecessary and contrary to the public interest. Similarly, the need to implement these measures in a timely fashion to prevent exceeding the 2002 A season Pacific cod TAC specified for the inshore component in the Western Regulatory Area of the GOA constitutes good cause to find that the effective date of this action cannot be delayed for 30 days. Accordingly, under 5 U.S.C. 553(d), a delay in the effective date is hereby waived.

This action is required by § 679.20 and is exempt from review under Executive Order 12866.

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

Dated: February 25, 2002.

Bruce C. Morehead,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 02–4929 Filed 2–26–02; 2:09 pm]

BILLING CODE 3510–22–S

Rules and Regulations

Federal Register
Vol. 67, No. 41
Friday, March 1, 2002

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

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DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

7 CFR Part 301

[Docket No. 01–079–2]

Citrus Canker; Quarantined Areas

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Final rule.

SUMMARY: We are amending the citrus canker regulations by removing a portion of the quarantined area in Manatee County, FL, from the list of quarantined areas. The regulations require that an area be free from citrus canker for a period of at least 2 years before it may be removed from the list of quarantined areas. Surveys have shown that a portion of the quarantined area in Manatee County, FL, has been free of citrus canker since February 1999. This action removes restrictions on the interstate movement of regulated articles from that portion of Manatee County, FL.

EFFECTIVE DATE: February 25, 2002.

FOR FURTHER INFORMATION CONTACT: Mr. Stephen Poe, Operations Officer, PPQ, APHIS, 4700 River Road Unit 134, Riverdale, MD 20737; (301) 734–8899.

SUPPLEMENTARY INFORMATION:

Background

The regulations to prevent the interstate spread of citrus canker are contained in 7 CFR 301.75–1 through 301.75–16 (referred to below as the regulations). The regulations restrict the interstate movement of regulated articles from and through areas quarantined because of citrus canker and provide for the designation of survey areas around quarantined areas. Survey areas undergo close monitoring by Animal and Plant Health Inspection Service (APHIS) and State inspectors for citrus canker and serve as buffer zones against the disease.

Under § 301.75–4(c) of the regulations, any State or portion of a State where an infestation is detected will be designated as a quarantined area and will retain that designation until the area has been free from citrus canker for 2 years. A 15-square-mile area in the northern part of the quarantined area in Manatee County, FL, has been free of citrus canker since February 1999, and has thus met the requirement for declaration of eradication.

On November 27, 2001, we published in the **Federal Register** (66 FR 59175–59176, Docket No. 01–079–1) a proposal to amend the regulations by removing that portion of the quarantined area in Manatee County, FL, from the list of quarantined areas.

We solicited comments concerning our proposal for 30 days ending December 27, 2001. We did not receive any comments. Therefore, for the reasons given in the proposed rule, we are adopting the proposed rule as a final rule, without change.

Effective Date

This is a substantive rule that relieves restrictions and, pursuant to the provisions of 5 U.S.C. 553, may be made effective less than 30 days after publication in the **Federal Register**. Immediate implementation of this rule is necessary to provide relief to those persons who are adversely affected by restrictions we no longer find warranted. Making this rule effective immediately will allow interested producers and others in the marketing chain to benefit during this year's shipping season. Therefore, the Administrator of the Animal and Plant Health Inspection Service has determined that this rule should be effective upon signature.

Executive Order 12866 and Regulatory Flexibility Act

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

We are amending the citrus canker regulations by removing a portion of the quarantined area in Manatee County, FL, from the list of quarantined areas. The regulations require that an area be free from citrus canker for a period of at least 2 years before it is removed from the list of quarantined areas. Surveys have shown that a portion of the quarantined area in Manatee County, FL, has been free of citrus canker since February 1999. This action removes restrictions on the interstate movement of regulated articles from that portion of Manatee County, FL.

The area we are removing from quarantine represents only a small portion of the total production in Manatee County. The table below shows statistics for Manatee County after trees were removed to limit the spread of citrus canker.

	Boxes of citrus produced in 1999–2000 season	Total acres January 2000	Total number of trees January 2000
All Round Oranges	8,365,000	21,236	2,631,200
All Grapefruit	422,000	1,197	111,900
Speciality Fruit	279,000	821	98,300
All Citrus	9,066,000	23,254	2,841,400

While producers in the area that is being removed from the list of quarantined areas should benefit from removal of movement restrictions, it is unlikely that the benefit will be big enough to measure statistically. This action will not impose any costs on producers or on government entities.

Most of the citrus producers in and around the quarantined area in Manatee County, FL, qualify as small entities under Small Business Administration

(SBA) guidelines. The Regulatory Flexibility Act requires that the Agency specifically consider the economic effects associated with its rules on small entities. The SBA defines a firm engaged in agriculture as ''small'' if it has less than $750,000 in annual receipts.

Citrus producers in the area that is being removed from the list of quarantined areas will have greater choice of where to market their fruit. This should benefit producers by providing them with more alternatives. It is unlikely, however, that producer income or expenses will be affected in a measurable way.

It is difficult to quantify the benefits of removing an area from quarantine. While producers will have greater choice of where to market their citrus crops, most of the trees in the quarantined area have been destroyed. It is unlikely that a reduction in the quarantined area will have any measurable effect on producers or consumers.

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

Executive Order 12372

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

Executive Order 12988

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

Paperwork Reduction Act

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

List of Subjects in 7 CFR Part 301

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

Accordingly, we are amending 7 CFR part 301 as follows:

PART 301—DOMESTIC QUARANTINE NOTICES

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

Authority: 7 U.S.C. 166, 7711, 7712, 7714, 7731, 7735, 7751, 7752, 7753, and 7754; 7 CFR 2.22, 2.80, and 371.3.

Section 301.75–15 also issued under Sec. 204, Title II, Pub. L. 106–113, 113 Stat. 1501A–293; sections 301.75–15 and 301.75–16 also issued under Sec. 203, Title II, Pub. L. 106–224, 114 Stat. 400 (7 U.S.C. 1421 note).

2. In § 301.75–4, paragraph (a), in the entry for Manatee County, the second paragraph is revised to read as follows:

§ 301.75–4 Quarantined areas.

(a) * * *

Florida

* * * * *

Manatee County. * * *

That portion of the county bounded by a line drawn as follows: Beginning at the northwest corner of sec. 24, T. 33 S., R. 17 E.; then east along the northern boundary of sec. 24, T. 33. S., R. 17 E. (Bishop Harbor Road) until it becomes SR 683 (Moccasin Wallow Road); then east on SR 683 to the northeast boundary of sec. 22, T. 33 S., R. 18 E., then south along the eastern boundary of sec. 22, T. 33 S., R. 18 E. to 69th Street East; then east on 69th Street East to Erie Road; then south on Erie Road to U.S. Highway 301; then south on U.S. Highway 301 to Interstate 75; then south on Interstate 75 to the southern boundary of sec. 24, T. 35 S., R. 18 E.; then west along the southern boundaries of secs. 24, 23, and 22 to where the southern boundary of sec. 22 meets Whitfield Avenue; then west on Whitfield Avenue to U.S. Highway 301; then north on U.S. Highway 301 to SR 70; then west on SR 70 to U.S. Highway 41; then north on U.S. Highway 41 to where it becomes 14th Street West; then north on 14th Street West to 1st Avenue West; then east on 1st Avenue West to 9th Street West; then north on 9th Street West to the north bank of the Manatee River; then west along the north bank of the Manatee River to Terra Ceia Bay; then north along the western boundaries of secs. 25 and 24 to the point of the beginning.

* * * * *

Done in Washington, DC, this 25th day of February, 2002.

W. Ron DeHaven,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 02–4911 Filed 2–28–02; 8:45 am]

BILLING CODE 3410–34–U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 2001–SW–62–AD; Amendment 39–12664; AD 2002–04–07]

RIN 2120–AA64

Airworthiness Directives; Eurocopter France Model AS350BA and B2 Helicopters

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD) for Eurocopter France (ECF) Model AS350BA and B2 helicopters modified with a Eurocopter Canada Limited (ECL) Left-side-Pilot Configuration kit in accordance with Canadian Supplemental Type Certificate (STC) SH96–32 or United States STC SR00429 NY. This action requires replacing the collective locking device with a newly-designed locking device. This amendment is prompted by a report of a locking device that engaged during flight. The actions specified in this AD are intended to prevent inadvertent engagement of a locking device, the collective pitch control locking in the full-down position, and subsequent loss of control of the helicopter.

DATES: Effective March 18, 2002.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of March 18, 2002.

Comments for inclusion in the Rules Docket must be received on or before April 30, 2002.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Office of the Regional Counsel, Southwest Region, Attention: Rules Docket No. 2001–SW–62–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.*

The service information referenced in this AD may be obtained from Eurocopter Canada Limited, 1100 Gilmore Rd., Fort Erie, Ontario L2A 5M–4005, telephone (972) 641–3460, fax (972) 641–3527. 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: Carroll Wright, Aviation Safety Engineer, FAA, Rotorcraft Directorate, Regulations Group, Fort Worth, Texas 76193–0111, telephone (817) 222–5120, fax (817) 222–5961.

SUPPLEMENTARY INFORMATION: Transport Canada, the airworthiness authority for Canada, notified the FAA that an unsafe condition may exist on ECF Model AS350BA and B2 helicopters. Transport Canada advises of an incident involving an ECF Model AS350 helicopter, equipped with an ECL Left-Side Pilot Configuration kit, Canadian STC SH96–32 or United States STC SR00429 NY, in which the collective locking device engaged during flight.

ECL has issued Service Bulletin AS 350 BA, B2, No. ECL–99–67–002, Revision 2, dated September 23, 1999, which specifies replacing the collective locking device with a locking device that eliminates inadvertent engagement. Transport Canada classified this service bulletin as mandatory and issued AD No. CF–2000–06R1, dated August 23, 2000, to ensure the continued airworthiness of these helicopters in Canada.

These helicopter models are manufactured in France and are type certificated for operation in the United States under the provisions of 14 CFR 21.29 and the applicable bilateral agreement. The Left-Side Pilot Configuration kit was installed by ECL. Pursuant to the applicable bilateral agreement, Transport Canada has kept the FAA informed of the situation described above. The FAA has examined the findings of Transport Canada, reviewed all available information, and determined that AD action is necessary for products of these type designs that are certificated for operation in the United States.

This unsafe condition is likely to exist or develop on other helicopters of the same type design registered in the United States. Therefore, this AD is being issued to prevent inadvertent engagement of a collective locking device, the collective control locking in the full-down position, and subsequent loss of control of the helicopter. The actions must be accomplished in accordance with the service bulletin described previously. The short compliance time involved is required because the previously described critical unsafe condition can adversely affect the controllability of the helicopter. Therefore, replacing the locking device with a new locking device within 50 hours time-in-service or 30 days, whichever occurs first, is required, and this AD must be issued immediately.

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.

The FAA estimates that 28 helicopters will be affected by this AD, that it will take approximately 5 work hours to install a locking device and that the average labor rate is $60 per work hour. ECL has represented to the FAA that for each Left-Side Pilot Configuration delivered with a previous version of the collective locking device, one set of applicable parts specified in the service bulletin will be made available free of charge. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be $8,400.

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 should 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 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 mailed comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: ''Comments to Docket No. 2001–SW–62–AD.'' The postcard will be date stamped and returned to the commenter.

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 a new airworthiness directive to read as follows:

2002–04–07 Eurocopter France: Amendment 39–12664. Docket No. 2001–SW–62–AD.

Applicability: Model AS350BA and B2 helicopters, certificated in any category, modified with a Eurocopter Canada Limited (ECL) Left-Side Pilot Configuration kit in accordance with Canadian Supplemental Type Certificate (STC) SH96–32 or United States STC SR00429 NY.

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 within 50 hours time-in-service or 30 days, whichever occurs first, unless accomplished previously.

To prevent inadvertent engagement of a collective control locking device, the collective pitch control locking in the full-down position, and subsequent loss of control of the helicopter, accomplish the following:

(a) Replace the collective control locking device with a redesigned locking device in accordance with the Accomplishment Instructions, paragraph 2, of ECL AS350 BA, B2 Service Bulletin No. ECL–99–67–002, Revision 2, dated September 23, 1999.

(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 14 CFR 21.197 and 21.199 to operate the helicopter to a location where the requirements of this AD can be accomplished.

(d) Replacing the collective locking device shall be done in accordance with the Accomplishment Instructions, paragraph 2, of Eurocopter Canada Limited Service Bulletin AS 350 BA, B2, No. ECL–99–67–002, Revision 2, dated September 23, 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 Eurocopter Canada Limited, 1100 Gilmore Rd., Fort Erie, Ontario L2A 5M–4005, telephone (972) 641–3460, fax (972) 641–3527. 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 March 18, 2002.

Note 3: The subject of this AD is addressed in Transport Canada (Canada) AD CF–2000–06R1, dated August 23, 2000.

Issued in Fort Worth, Texas, on February 19, 2002.

Mark R. Schilling,

Acting Manager, Rotorcraft Directorate, Aircraft Certification Service.

[FR Doc. 02–4555 Filed 2–27–02; 8:45 am]

BILLING CODE 4910–13–U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 2001–NM–252–AD; Amendment 39–12667; AD 2002–04–10]

RIN 2120–AA64

Airworthiness Directives; Airbus Model A319 Series Airplanes and A320–200 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain Airbus Model A319 series airplanes and A320–200 series airplanes, that requires repetitive inspections to detect loose or missing rivets in specified areas of the door frames of the overwing emergency exits and corrective action, if necessary. This AD also requires measurement of the grip length of all rivets in the specified areas and corrective action, if necessary, which terminates the repetitive inspections. This amendment is prompted by mandatory continuing airworthiness information from a foreign airworthiness authority. The actions specified by this AD are intended to detect and correct loose or missing rivets or discrepant rivets, which could lead to reduced structural integrity of the overwing emergency exit door frames. This action is intended to address the identified unsafe condition.

DATES: Effective April 5, 2002.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of April 5, 2002.

ADDRESSES: The service information referenced in this AD may be obtained from Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 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: Dan Rodina, Aerospace Engineer, International Branch, ANM–116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (425) 227–2125; fax (425) 227–1149.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to certain Model A319 series airplanes and A320–200 series airplanes was published in the **Federal Register** on November 23, 2001 (66 FR 58682). That action proposed to require repetitive inspections to detect loose or missing rivets in specified areas of the door frames of the overwing emergency exits and corrective action, if necessary. That action also proposed to require measurement of the grip length of all rivets in the specified areas and corrective action, if necessary, which would terminate the repetitive inspections.

Comments

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were submitted in response to the proposal or the FAA's determination of the cost to the public.

Conclusion

The FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

Cost Impact

The FAA estimates that 168 Model A319 and A320–200 series airplanes of U.S. registry will be affected by this AD, that it will take approximately 1 work hour per airplane to accomplish the required inspection, and that the average labor rate is $60 per work hour. Based on these figures, the cost impact of this AD on U.S. operators is estimated to be $10,080, 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 requirements of this AD action, and that no operator would accomplish

those actions in the future if this AD were not adopted. The cost impact figures discussed in AD rulemaking actions represent only the time necessary to perform the specific actions actually required by the AD. These figures typically do not include incidental costs, such as the time required to gain access and close up, planning time, or time necessitated by other administrative actions.

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.

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 adding the following new airworthiness directive:

2002–04–10 Airbus Industrie: Amendment 39–12667. Docket 2001–NM–252–AD.

Applicability: Model A319 series airplanes and A320–200 series airplanes, as listed in Airbus Service Bulletin A320–53–1147, dated September 22, 2000; 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 (e) 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 loose, missing, or discrepant rivets in specified areas of the door frames of the overwing emergency exits, which could lead to reduced structural integrity of the door frames, accomplish the following:

Inspection and Measurement

(a) Within 3,500 flight cycles after the effective date of this AD: Conduct a detailed visual inspection of the specified areas of the door frames of the overwing emergency exits for loose or missing rivets, in accordance with Part B of the Accomplishment Instructions and Figure 5 of Airbus Service Bulletin A320–53–1147, dated September 22, 2000. If no loose or missing rivets are found, repeat the detailed visual inspection and the measurement at intervals not to exceed 3,500 flight cycles until the requirements of paragraph (d) have been accomplished.

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.''

Corrective Action

(b) If the inspection required by paragraph (a) of this AD reveals that there are loose or missing rivets: Prior to further flight, accomplish the requirements of either paragraph (b)(1) or (b)(2) of this AD.

(1) Measure the grip length of all rivets in the specified areas in which the loose or missing rivets were detected and perform corrective action (e.g., inspecting rivet holes for cracks, opening up rivet holes, repairing cracks at rivet holes, and installing new rivets) as applicable, in accordance with Part C of the Accomplishment Instructions and Figure 5 of Airbus Service Bulletin A320–53–1147, dated September 22, 2000, except as specified in paragraph (c) of this AD. Repeat the detailed visual inspection required by paragraph (a) of this AD at intervals not to exceed 3,500 flight cycles until the requirements of paragraph (d) have been accomplished.

(2) Measure the grip length of all rivets in all specified areas and perform corrective action (e.g., inspecting rivet holes for cracks, opening up rivet holes, repairing cracks at rivet holes, and installing new rivets) as applicable, in accordance with Part C of the Accomplishment Instructions and Figure 5 of Airbus Service Bulletin A320–53–1147, dated September 22, 2000, except as specified in paragraph (c) of this AD.

(c) If Airbus Service Bulletin A320–53–1147, dated September 22, 2000, recommends contacting the manufacturer for instructions concerning certain repairs, perform those repairs in accordance with a method approved by the Manager, International Branch, ANM–116, FAA, Transport Airplane Directorate, or by the Direction Generale de l'Aviation Civile (DGAC) 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.

Terminating Action

(d) Prior to the accumulation of 24,000 total flight cycles or within 3,500 flight cycles after the effective date of this AD, whichever occurs later: Accomplish the requirements of paragraph (b)(2) of this AD. Accomplishment of paragraph (b)(2) of this AD constitutes terminating action for the purpose of this AD.

Alternative Methods of Compliance

(e) 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. 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

(f) Special flight permits may be issued in accordance with §§ 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

(g) Except as provided by paragraph (c) of this AD, the actions shall be done in accordance with Airbus Service Bulletin A320–53–1147, dated September 22, 2000. 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 Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. 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.

Note 4: The subject of this AD is addressed in French airworthiness directive 2001–241(B), dated June 27, 2001.

Effective Date

(h) This amendment becomes effective on April 5, 2002.

Issued in Renton, Washington, on February 21, 2002.

Vi L. Lipski,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 02–4719 Filed 2–28–02; 8:45 am]

BILLING CODE 4910–13–U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 2001–NM–186–AD; Amendment 39–12666; AD 2002–04–09]

RIN 2120–AA64

Airworthiness Directives; BAE Systems (Operations) Limited Model BAe 146 Series Airplanes and Model Avro 146–RJ Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain BAE Systems (Operations) Limited Model BAe 146 and Avro 146–RJ series airplanes, that requires modifying the engine start circuit. This action is necessary to prevent overheating of the soft start resistor of the engine start circuit, which could result in smoke and fumes in the cabin and consequent injury to passengers and crew. This action is intended to address the identified unsafe condition.

DATES: Effective April 5, 2002.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of April 5, 2002.

ADDRESSES: The service information referenced in this AD may be obtained from British Aerospace Regional Aircraft American Support, 13850 Mclearen Road, Herndon, Virginia 20171. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 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: Todd Thompson, Aerospace Engineer, International Branch, ANM–116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (425) 227–1175; fax (425) 227–1149.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to certain BAE Systems (Operations) Limited Model BAe 146 and Avro 146–RJ series airplanes was published in the **Federal Register** on November 28, 2001 (66 FR 59390). That action proposed to require modifying the engine start circuit.

Comments

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were submitted in response to the proposal or the FAA's determination of the cost to the public.

Conclusion

The FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

Cost Impact

The FAA estimates that 65 Model BAe 146 and Avro 146–RJ series airplanes of U.S. registry will be affected by this AD, that it will take approximately 18 work hours per airplane to accomplish the required actions, and that the average labor rate is $60 per work hour. The cost for required parts will be approximately $7,300. Based on these figures, the cost impact of this AD on U.S. operators is estimated to be $544,700, or $8,380 per airplane.

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted. The cost impact figures discussed in AD rulemaking actions represent only the time necessary to perform the specific actions actually required by the AD. These figures typically do not include incidental costs, such as the time required to gain access and close up, planning time, or time necessitated by other administrative actions.

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.

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 adding the following new airworthiness directive:

2002–04–09 BAE Systems (Operations) Limited (Formerly British Aerospace Regional Aircraft): Amendment 39–12666. Docket 2001–NM–186–AD.

Applicability: Model BAe 146 and Avro 146—RJ series airplanes, certificated in any category, that have been modified in accordance with BAE Systems Modification HCM00810A, HCM60031A, or HCM60033L.

Note 1: This AD applies to each airplane 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 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 overheating of the soft start resistor of the engine start circuit, which could result in smoke and fumes in the cabin and consequent injury to passengers and crew, accomplish the following:

Modification

(a) Within 2 years after the effective date of this AD, modify the engine start circuit (including modifying the electrical busbar; installing new relays and relay mounting assembly, terminal junction module, and change-over contactor; and installing and rerouting certain wire assemblies) as specified by paragraph (a)(1), (a)(2), or (a)(3), as applicable, of this AD.

(1) For Model BAe 146 and Avro 146–RJ series airplanes on which BAE Systems Modification HCM00810A has been incorporated: Do the modification in accordance with BAE Systems (Operations) Limited Modification Service Bulletin SB.80–18–50293A, dated January 18, 2001; or SB.80–018–50293A, Revision 1, dated July 4, 2001.

(2) For Model BAe 146 series 100 airplanes on which BAE Systems Modification HCM60031A has been incorporated: Do the modification in accordance with BAE Systems (Operations) Limited Modification Service Bulletin SB.80–019–50293B, dated July 6, 2001.

(3) For Model BAe 146 series 200 airplanes on which BAE Systems Modification HCM60033L has been incorporated: Do the modification in accordance with BAE Systems (Operations) Limited Modification Service Bulletin SB.80–020–50293C, dated July 6, 2001.

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, Transport Airplane Directorate, FAA. 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 2: 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 §§ 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) The modification shall be done in accordance with BAE Systems (Operations) Limited Modification Service Bulletin SB.80–18–50293A, dated January 18, 2001; BAE Systems (Operations) Limited Modification Service Bulletin SB.80–018–50293A, Revision 1, dated July 4, 2001; BAE Systems (Operations) Limited Modification Service Bulletin SB.80–019–50293B, dated July 6, 2001; or BAE Systems (Operations) Limited Modification Service Bulletin SB.80–020–50293C, dated July 6, 2001; as applicable. 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 British Aerospace Regional Aircraft American Support, 13850 Mclearen Road, Herndon, Virginia 20171. 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.

Note 3: The subject of this AD is addressed in British airworthiness directive 003–01–2001.

Effective Date

(e) This amendment becomes effective on April 5, 2002.

Issued in Renton, Washington, on February 21, 2002.

Vi L. Lipski,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 02–4718 Filed 2–28–02; 8:45 am]

BILLING CODE 4910–13–U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 2001–NM–37–AD; Amendment 39–12665; AD 2002–04–08]

RIN 2120–AA64

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

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain Boeing Model 737–600, –700, –700C, and –800 series airplanes, that requires a one-time inspection of certain fasteners in rudder pedal housings to determine if pan-head fasteners are installed, and replacement of existing fasteners with improved fasteners, if necessary. The actions specified by this AD are intended to prevent loss of free movement of the rudder pedals, which could result in reduced controllability of the airplane. This action is intended to address the identified unsafe condition.

DATES: Effective April 5, 2002.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of April 5, 2002.

ADDRESSES: 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 Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 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: Barbara Mudrovich, Aerospace Engineer, Systems and Equipment Branch, ANM–130S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (425) 227–2983; fax (425) 227–1181.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to certain Boeing Model 737–600, –700, –700C, and –800 series airplanes was published in the **Federal Register** on November 27, 2001 (66 FR 59183). That action proposed to require a one-time inspection of certain fasteners in rudder pedal housings to determine if pan-head fasteners are installed, and replacement of existing fasteners with improved fasteners, if necessary.

Comments

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were submitted in response to the proposal or the FAA's determination of the cost to the public.

Conclusion

The FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

Cost Impact

There are approximately 264 airplanes of the affected design in the worldwide fleet. The FAA estimates that 123 airplanes of U.S. registry will be affected by this AD, that it will take approximately 1 work hour per airplane to accomplish the required inspection, and that the average labor rate is $60 per work hour. Based on these figures, the cost impact of the AD on U.S. operators is estimated to be $7,380, or $60 per airplane.

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of

the requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted. The cost impact figures discussed in AD rulemaking actions represent only the time necessary to perform the specific actions actually required by the AD. These figures typically do not include incidental costs, such as the time required to gain access and close up, planning time, or time necessitated by other administrative actions.

Should an operator be required to accomplish the replacement of fasteners, it will take approximately 2 work hours per airplane to accomplish the repair, at an average labor rate of $60 per work hour. Required parts will be provided by the manufacturer at no cost to the operator. Based on these figures, the cost impact of any repair action is estimated to be $120 per airplane.

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.

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 adding the following new airworthiness directive:

2002–04–08 Boeing: Amendment 39–12665. Docket 2001–NM–37–AD.

Applicability: Model 737–600, –700, –700C, and –800 series airplanes; line numbers 1 through 295 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 (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 loss of free movement of the rudder pedals, which could result in reduced controllability of the airplane, accomplish the following:

Replacement of Fasteners

(a) Within 12 months after the effective date of this AD, do a one-time general visual inspection of the fasteners on the upper cover assembly of the housing for the captain's and first officer's rudder pedals to determine if pan-head fasteners are installed, according to Boeing Alert Service Bulletin 737–25A1383, Revision 1, dated December 2, 1999. Replace all pan-head fasteners on the upper cover assembly of the housing for the captain's and first officer's rudder pedals with improved (flush-head) fasteners, including countersink-drilling the fastener holes, according to the service bulletin.

Note 2: For the purposes of this AD, a general visual inspection is defined as: ''A visual examination of an interior or exterior area, installation, or assembly to detect obvious damage, failure, or irregularity. This level of inspection is made under normally available lighting conditions such as daylight, hangar lighting, flashlight, or drop-light, and may require removal or opening of access panels or doors. Stands, ladders, or platforms may be required to gain proximity to the area being checked.''

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 Aircraft Certification Office (ACO), FAA. 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 3: 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 §§ 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) The actions shall be done in accordance with Boeing Alert Service Bulletin 737–25A1383, Revision 1, dated December 2, 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.

Effective Date

(e) This amendment becomes effective on April 5, 2002.

Issued in Renton, Washington, on February 21, 2002.

Vi L. Lipski,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 02–4717 Filed 2–28–02; 8:45 am]

BILLING CODE 4910–13–U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 2001–NM–363–AD; Amendment 39–12669; AD 2002–05–01]

RIN 2120–AA64

Airworthiness Directives; Boeing Model 747–100, 747–200, 747–300, 747SP, and 747SR Series Airplanes Powered by Pratt & Whitney JT9D–3 and JT9D–7 Series Engines

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment supersedes an existing airworthiness directive (AD), applicable to certain Boeing Model 747–100, 747–200, 747–300, 747SP, and 747SR series airplanes powered by Pratt

& Whitney JT9D–3 or JT9D–7 series engines. That AD currently requires inspections of the vertical chords of the aft torque bulkhead of the outboard nacelle struts, corrective action, if necessary, and a modification of the vertical chords, which ends the inspections. This amendment will reduce the compliance time and repetitive intervals for the currently required inspections. These actions are necessary to prevent cracking of the vertical chords adjacent to the lower spar fitting, which could result in separation of the diagonal brace load path. Continued operation with a separated diagonal brace load path increases loads on the upper link, midspar fitting, and dual side links, which could result in separation of the strut and engine from the airplane. These actions are intended to address the identified unsafe condition.

DATES: Effective March 18, 2002.

The incorporation by reference of Boeing Alert Service Bulletin 747–54A2201, dated September 28, 2000, as listed in the regulations, was approved previously by the Director of the Federal Register as of December 13, 2000 (65 FR 70781, November 28, 2000).

Comments for inclusion in the Rules Docket must be received on or before April 30, 2002.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–114, Attention: Rules Docket No. 2001–NM–363–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056. Comments may be inspected at this location between 9 a.m. and 3 p.m., Monday through Friday, except Federal holidays. Comments may be submitted via fax to (425) 227–1232. Comments may also be sent via the Internet using the following address: *9-anm-iarcomment@faa.gov*. Comments sent via fax or the Internet must contain ''Docket No. 2001–NM–363–AD'' in the subject line and need not be submitted in triplicate. Comments sent via the Internet as attached electronic files must be formatted in Microsoft Word 97 for Windows or ASCII text.

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: Tamara Anderson, Aerospace Engineer, Airframe Branch, ANM–120S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (425) 227–2771; fax (425) 227–1181.

SUPPLEMENTARY INFORMATION: On June 14, 2001, the FAA issued AD 2001–12–23, amendment 39–12279 (66 FR 33459, June 22, 2001), applicable to certain Boeing Model 747–100, 747–200, 747–300, 747SP, and 747SR series airplanes powered by Pratt & Whitney JT9D–3 or JT9D–7 series engines, to require inspections of the vertical chords of the aft torque bulkhead of the outboard nacelle struts, corrective action, if necessary, and a modification of the vertical chords, which ends the inspections. That action was prompted by numerous reports of fatigue cracking of the vertical chords of the aft torque bulkhead of the outboard nacelle struts. The actions required by that AD are intended to prevent cracking of the vertical chords adjacent to the lower spar fitting, which could result in separation of the diagonal brace load path. Continued operation with a separated diagonal brace load path increases loads on the upper link, midspar fitting, and dual side links, which could result in separation of the strut and engine from the airplane.

Actions Since Issuance of Previous Rule

Since the issuance of that AD, the FAA has received new reports of cracking in the vertical chords of the aft torque bulkhead. One report describes a crack on an airplane that had accumulated 9,479 total flight cycles. Paragraph (a) of the existing AD has a compliance threshold of 14,000 total flight cycles.

Another report describes a crack that was found on an airplane that had accumulated only 1,590 flight cycles since an inspection per Boeing Service Letter 747–54–055, dated April 24, 1998. Paragraph (b) of AD 2001–12–23 allows deferral of the initial inspections in paragraph (a) of that AD for 3,000 flight cycles after accomplishment of Boeing Service Letter 747–54–055.

Based on these new reports, the FAA has determined that the existing compliance threshold and repetitive intervals for the inspections required by the existing AD may not be adequate to ensure that cracking is detected in a timely manner.

Explanation of Requirements of Rule

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of this same type design, this AD supersedes AD 2001–12–23 to continue to require inspections of the vertical chords of the aft torque bulkhead of the outboard nacelle struts, corrective action, if necessary, and a modification of the vertical chords, which ends the inspections. This AD will reduce the compliance threshold and repetitive intervals for the currently required inspections. The actions are required to be accomplished in accordance with Boeing Alert Service Bulletin 747–54A2201, dated September 28, 2000 (which is referenced in AD 2001–12–23 as the appropriate source of service information for certain actions therein), except as discussed below.

Differences Between Service Bulletin and This AD

Operators should note that the compliance thresholds and repetitive intervals for the inspections required by this AD are lower than the compliance thresholds and repetitive intervals specified in the service bulletin. As described previously, the FAA has determined that the compliance thresholds and repetitive intervals specified in the service bulletin may not be adequate to ensure timely detection of cracking.

Operators also should note that, although the service bulletin specifies that the manufacturer may be contacted for disposition of certain repair conditions, this AD requires the repair of those conditions to be accomplished in accordance with a method approved by the FAA, or in accordance with data meeting the type certification basis of the airplane approved by a Boeing Company Designated Engineering Representative who has been authorized by the FAA to make such findings.

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.

Submit comments using the following format:

- Organize comments issue-by-issue. For example, discuss a request to change the compliance time and a request to change the service bulletin reference as two separate issues.
- For each issue, state what specific change to the AD is being requested.
- Include justification (e.g., reasons or data) for each request.

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 2001–NM–363–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 removing amendment 39–12279 (66 FR 33459, June 22, 2001), and by adding a new airworthiness directive (AD), amendment 39–12669, to read as follows:

2002–05–01 Boeing: Amendment 39–12669. Docket 2001–NM–363–AD. Supersedes AD 2001–12–23, Amendment 39–12279.

Applicability: Model 747–100, 747–200, 747–300, 747SP, and 747SR series airplanes powered by Pratt & Whitney JT9D–3 or JT9D–7 series engines; as listed in Boeing Alert Service Bulletin 747–54A2201, dated September 28, 2000; 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 (h)(1) 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 cracking of the vertical chords adjacent to the lower spar fitting, which could result in separation of the diagonal brace load path and lead to separation of the strut and engine from the airplane, accomplish the following:

Restatement of Requirements of AD 2001–12–23:

Inspections

(a) Except as provided by paragraphs (b), (e), and (f) of this AD, prior to the accumulation of 14,000 total flight cycles, or within 90 days after December 13, 2000 (the effective date of AD 2000–23–25, amendment 39–11998), whichever occurs later, accomplish paragraphs (a)(1) and (a)(2) of this AD.

(1) Perform a detailed visual inspection to detect cracking of the vertical chords of the aft torque bulkhead of the outboard nacelle struts, in accordance with Part 2 of the Accomplishment Instructions of Boeing Alert Service Bulletin 747–54A2201, dated September 28, 2000. Thereafter, repeat this inspection at intervals not to exceed 600 flight cycles until paragraph (d) or (e) of this AD is accomplished.

(2) Perform surface eddy current and ultrasonic inspections to detect cracking of the vertical chords of the aft torque bulkhead of the outboard nacelle struts, in accordance with Part 3 of the Accomplishment Instructions of Boeing Alert Service Bulletin 747–54A2201, dated September 28, 2000. Thereafter, repeat these inspections at intervals not to exceed 1,200 flight cycles until paragraph (d) or (f) of this AD is accomplished.

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.''

Optional Compliance Time

(b) For airplanes on which the inspections required by paragraph (a) HAVE been accomplished prior to the effective date of this AD: If Boeing Service Letter 747–54–055, dated April 24, 1998, was accomplished on the airplane during the modification of the nacelle strut in accordance with AD 95–10–16, amendment 39–9233, accomplishment of the initial inspection in paragraph (a) of this AD may be deferred until 3,000 flight cycles after accomplishment of the service letter.

Repair

(c) If any cracking is detected during any inspection or modification required by this AD: Prior to further flight, repair in accordance with a method approved by the Manager, Seattle Aircraft Certification Office (ACO), FAA; or in accordance with data meeting the type certification basis of the airplane approved by a Boeing Company Designated Engineering Representative 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 approval letter must specifically reference this AD.

Modification (Terminating Action)

(d) Within 4 years after July 27, 2001 (the effective date of AD 2001–12–23), do the modification of the vertical chords of the aft torque bulkhead of the outboard nacelle struts according to Part 4 of Boeing Alert Service Bulletin 747–54A2201, dated September 28, 2000. After this modification, stop the repetitive inspections required by paragraph (a), (e), or (f) of this AD, as applicable.

New Requirements of this AD

Detailed Visual Inspections: New Compliance Times

Note 3: The inspection in paragraph (e) of this AD is identical to that in paragraph (a)(1) of this AD. However, the compliance threshold (for airplanes not inspected prior to the effective date of this AD) and the repetitive intervals for this inspection are reduced in paragraph (e) of this AD.

(e) Perform a detailed visual inspection to detect cracking of the vertical chords of the aft torque bulkhead of the outboard nacelle struts, in accordance with Part 2 of the Accomplishment Instructions of Boeing Alert Service Bulletin 747–54A2201, dated September 28, 2000. Do the initial inspection per this paragraph at the applicable time specified in paragraph (e)(1) or (e)(2) of this AD, and thereafter, repeat this inspection at intervals not to exceed 300 flight cycles until paragraph (d) of this AD is accomplished. Accomplishment of this paragraph constitutes terminating action for inspections in accordance with paragraph (a)(1) of this AD.

(1) For airplanes that have NOT been inspected per paragraph (a) of this AD prior to the effective date of this AD: Except as provided by paragraph (g) of this AD, inspect at the earlier of the times specified in paragraphs (e)(1)(i) and (e)(1)(ii) of this AD.

(i) Prior to the accumulation of 14,000 total flight cycles.

(ii) Prior to the accumulation of 7,000 total flight cycles or within 90 days after the effective date of this AD, whichever comes later.

(2) For airplanes that HAVE been inspected per paragraph (a) of this AD prior to the effective date of this AD: Inspect at the earlier of the times specified in paragraphs (e)(2)(i) and (e)(2)(ii) of this AD.

(i) Within 600 flight cycles since the most recent inspection per paragraph (a)(1) of this AD.

(ii) Within 300 flight cycles since the most recent inspection per paragraph (a)(1) of this AD, or within 90 days after the effective date of this AD, whichever occurs later.

Eddy Current and Ultrasonic Inspections: New Compliance Times

Note 4: The inspection in paragraph (f) of this AD is identical to that in paragraph (a)(2) of this AD. However, the compliance threshold (for airplanes not inspected prior to the effective date of this AD) and the repetitive intervals for this inspection are reduced in paragraph (f) of this AD.

(f) Perform surface eddy current and ultrasonic inspections to detect cracking of the vertical chords of the aft torque bulkhead of the outboard nacelle struts, in accordance with Part 3 of the Accomplishment Instructions of Boeing Alert Service Bulletin 747–54A2201, dated September 28, 2000. Do the initial inspection per this paragraph at the applicable time specified in paragraph (f)(1) or (f)(2) of this AD, and thereafter, repeat this inspection at intervals not to exceed 600 flight cycles until paragraph (d) of this AD is accomplished. Accomplishment of this paragraph constitutes terminating action for inspections in accordance with paragraph (a)(2) of this AD.

(1) For airplanes that have NOT been inspected per paragraph (a) of this AD prior to the effective date of this AD: Except as provided by paragraph (g) of this AD, inspect at the earlier of the times specified in paragraphs (f)(1)(i) and (f)(1)(ii) of this AD.

(i) Prior to the accumulation of 14,000 total flight cycles.

(ii) Prior to the accumulation of 7,000 total flight cycles or within 90 days after the effective date of this AD, whichever comes later.

(2) For airplanes that HAVE been inspected per paragraph (a) of this AD prior to the effective date of this AD: Inspect at the earlier of the times specified in paragraph (f)(2)(i) and (f)(2)(ii) of this AD.

(i) Within 1,200 flight cycles since the most recent inspection per paragraph (a)(2) of this AD.

(ii) Within 600 flight cycles since the most recent inspection per paragraph (a)(2) of this AD, or within 90 days after the effective date of this AD, whichever occurs later.

Optional Compliance Time (Airplanes Not Inspected Previously)

(g) For airplanes that have NOT been inspected per paragraph (a) of this AD as of the effective date of this AD: If Boeing Service Letter 747–54–055, dated April 24, 1998, was accomplished on the airplane during the modification of the nacelle strut in accordance with AD 95–10–16, amendment 39–9233, accomplishment of the initial inspections in paragraph (a) of this AD may be deferred until the earlier of the times specified in paragraphs (g)(1) and (g)(2) of this AD.

(1) Within 3,000 flight cycles after accomplishment of the service letter.

(2) Within 1,200 flight cycles after accomplishment of the service letter, or 90 days after the effective date of this AD, whichever occurs later.

Alternative Methods of Compliance

(h)(1) 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.

(2) Alternative methods of compliance, approved previously in accordance with AD 2001–12–23, amendment 39–12279, are approved as alternative methods of compliance with paragraphs (a), (b), (c), and (d) of this AD.

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

(i) Special flight permits may be issued in accordance with §§ 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

(j) Except as provided by paragraph (c) of this AD, the actions shall be done in accordance with Boeing Alert Service Bulletin 747–54A2201, dated September 28, 2000. The incorporation by reference of that document was approved previously by the Director of the Federal Register as of December 13, 2000 (65 FR 70781, November 28, 2000). 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.

Effective Date

(k) This amendment becomes effective on March 18, 2002.

Issued in Renton, Washington, on February 25, 2002.

Ali Bahrami,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 02–4888 Filed 2–28–02; 8:45 am]

BILLING CODE 4910–13–U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 01–AWP–23]

Revocation of Class E Surface Area at Lompoc, CA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Direct final rule, confirmation of effective date.

SUMMARY: This document confirms the effective date of a direct final rule that revokes the Class E Surface Area at Lompoc Airport in Lompoc, CA.

EFFECTIVE DATE: 0901 UTC February 21, 2002.

FOR FURTHER INFORMATION CONTACT: Jeri Carson, Air Traffic Division, Airspace Branch, AWP–520.11, Western-Pacific Region, Federal Aviation Administration, 15000 Aviation Boulevard, Lawndale, California 90261; telephone (310) 725–6611.

SUPPLEMENTARY INFORMATION: The FAA published this direct final rule with a

request for comments in the **Federal Register** on December 17, 2001 (66 FR 64910). The FAA uses the direct final rulemaking procedure for a non-controversial rule when FAA believes that there will be no adverse public comment. This direct final rule advised the public that adverse comments were not anticipated, and that unless written adverse comments or written notice of intent to submit such adverse comments, were received within the comment period, the regulation would become effective on February 21, 2002. No adverse comments were received. Thus, this notice confirms the direct final rule will become effective on that date.

Issued in Los Angeles, California, on January 23, 2002.

John Clancy,

Manager, Air Traffic Division, Western-Pacific Region.

[FR Doc. 02–4956 Filed 2–28–02; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 522

Implantation or Injectable Dosage Form New Animal Drugs; Flunixin Meglumine Solution

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the animal drug regulations to reflect approval of a supplemental abbreviated new animal drug application (ANADA) filed by Phoenix Scientific, Inc. The supplemental ANADA provides for use of flunixin meglumine solution by intravenous injection for control of fever and inflammation in beef cattle and nonlactating dairy cattle.

DATES: This rule is effective March 1, 2002.

FOR FURTHER INFORMATION CONTACT: Lonnie W. Luther, Center for Veterinary Medicine (HFV–102), Food and Drug Administration, 7500 Standish Pl., Rockville, MD 20855, 301–827–0209.

SUPPLEMENTARY INFORMATION: Phoenix Scientific, Inc., 3915 South 48th Street Ter., P.O. Box 6457, St. Joseph, MO 64506–0457, filed supplemental ANADA 200–124 that provides for veterinary prescription use of Flunixin Meglumine Injection by intravenous administration for control of fever and inflammation in beef cattle and nonlactating dairy cattle. The supplemental ANADA is approved as of November 1, 2001, and the regulations are amended in § 522.970 (21 CFR 522.970) to reflect the approval. The basis of approval is discussed in the freedom of information summary.

In addition, § 522.970 is being amended to add the drug labeler code (DLC) for Agri Laboratories, Ltd., which is the sponsor of approved ANADA 200–061 (62 FR 22888, April 28, 1997), but whose DLC (057561) was inadvertently omitted in a subsequent revision (63 FR 38749, July 20, 1998).

In accordance with the freedom of information provisions of 21 CFR part 20 and 514.11(e)(2)(ii), a summary of safety and effectiveness data and information submitted to support approval of this application may be seen in the Dockets Management Branch (HFA–305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852, between 9 a.m. and 4 p.m., Monday through Friday.

The agency has determined under 21 CFR 25.33(a)(1) that this action is of a type that does not individually or cumulatively have a significant effect on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

This rule does not meet the definition of ''rule'' in 5 U.S.C. 804(3)(A) because it is a rule of ''particular applicability.'' Therefore, it is not subject to the congressional review requirements in 5 U.S.C. 801–808.

List of Subjects in 21 CFR Part 522

Animal drugs.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs and redelegated to the Center for Veterinary Medicine, 21 CFR part 522 is amended as follows:

PART 522—IMPLANTATION OR INJECTABLE DOSAGE FORM NEW ANIMAL DRUGS

1. The authority citation for 21 CFR part 522 continues to read as follows:

Authority: 21 U.S.C. 360b.

2. Section 522.970 is amended by redesignating paragraph (d) as paragraph (e); by adding new paragraph (d); and by revising paragraphs (a), (b), and newly redesignated paragraphs (e)(1)(i), (e)(1)(iii), (e)(2)(i), and (e)(2)(iii) to read as follows:

§ 522.970 Flunixin meglumine solution.

(a) *Specifications.* Each milliliter of solution contains flunixin meglumine equivalent to 50 milligrams (mg) flunixin.

(b) *Sponsors.* See sponsors in § 510.600(c) of this chapter for use as in paragraph (e) of this section.

(1) See Nos. 000061 and 059130 for use as in paragraph (e) of this section.

(2) See Nos. 000856 and 057561 for use as in paragraph (e)(1) of this section.

* * * * *

(d) *Special considerations.* Federal law restricts this drug to use by or on the order of a licensed veterinarian.

(e) * * *

(1) * * *

(i) *Amount.* 0.5 mg per pound (/lb) of body weight per day, intravenously or intramuscularly, for up to 5 days.

* * * * *

(iii) *Limitations.* Not for use in horses intended for food.

(2) * * *

(i) *Amount.* 1.1 to 2.2 mg/kilogram (0.5 to 1.0 mg/lb) of body weight per day, as a single dose or divided into 2 doses administered at 12-hour intervals, intravenously, for up to 3 days.

* * * * *

(iii) *Limitations.* Do not slaughter for food use within 4 days of last treatment. Not for use in lactating or dry dairy cows. A withdrawal period has not been established for use in preruminating calves. Do not use in calves to be processed for veal.

Dated: February 8, 2002.

Claire M. Lathers,

Director, Office of New Animal Drug Evaluation, Center for Veterinary Medicine.

[FR Doc. 02–4891 Filed 2–28–02; 8:45 am]

BILLING CODE 4160–01–S

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 165

[COTP Honolulu 01–005]

RIN 2115–AA97

Security Zone; Chevron Multi-Point Mooring, Barbers Point Coast, Honolulu, HI

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a security zone in the waters adjacent to the Chevron Multi-Point Mooring (CMPM) Barbers Point Coast, Honolulu, HI. This security zone is necessary to protect the CMPM, and

all involved personnel and vessels from acts of sabotage or other subversive acts, accidents, or other causes of a similar nature at the CMPM off the Barbers Point Coast on the island of Oahu. This six-month security zone will be activated and deactivated via Broadcast Notice to Mariners as required. When the zone is activated, entry into this zone is prohibited unless authorized by the U.S. Coast Guard Captain of the Port Honolulu, HI.

DATES: This rule is effective from 6 a.m. HST September 19, 2001 to 4 p.m. HST March 19, 2002.

ADDRESSES: Public comments and supporting material will be available for inspection or copying at U.S. Coast Guard Marine Safety Office Honolulu, 433 Ala Moana Blvd, Honolulu, Hawaii 96813, between 7 a.m. and 4:30 p.m., Monday through Friday, except for Federal holidays.

FOR FURTHER INFORMATION CONTACT: LCDR R.T. Spaulding, U.S. Coast Guard Marine Safety Office Honolulu, Hawaii at (808) 522–8264.

SUPPLEMENTARY INFORMATION:

Regulatory Information

In order to protect the interests of national security the Coast Guard is establishing a temporary security zone to provide for the safety and security of vessels, persons, and facilities in the navigable waters of the United States. In accordance with 5 U.S.C. 553, good cause exists for not publishing a notice of proposed rulemaking (NPRM) and for making this rule effective in less than 30 days after publication in the **Federal Register**.

Publishing an NPRM and delaying this rule's effective date would be impracticable and contrary to the public interest since immediate action is needed to protect the Chevron Multi-Point Mooring (CMPM) Barbers Point Coast, Honolulu, HI, and all involved personnel and vessels. Under these circumstances, there is insufficient time to publish a proposed rule or to provide a delayed effective date for the rule.

Background and Purpose

The Coast Guard is establishing a security zone in the waters adjacent to the CMPM Mooring Barbers Point Coast, Honolulu, HI. The security zone will extend out 1,000 yards in all directions from the following coordinates: 21°18.3′ North, 158°06.2′ West. This security zone extends from the surface of the water to the ocean floor.

This security zone is necessary to protect the CMPM, tank vessels, and all involved personnel from acts of sabotage or other subversive acts, accidents, or other causes of a similar nature during its cargo operations at the CMPM off the Barbers Point Coast on the island of Oahu. Representatives of the Captain of the Port Honolulu will enforce this security zone. The Captain of the Port may be assisted by other federal or state agencies.

Regulatory Evaluation

This temporary final 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 U.S. Coast Guard expects the economic impact of this action to be so minimal that a full Regulatory Evaluation under paragraph 10(e) of the regulatory policies and procedures of DOT is unnecessary. This expectation is based on the short duration of the zone and the limited geographic area affected by it.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601–612), we considered whether this 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 U.S. Coast Guard certifies under 5 U.S.C. 605(b) that this regulation will not have a significant economic impact on a substantial number of small entities. No small business impacts are anticipated due to the small size of the zone and the short duration of the security zone in any one area.

Collection of Information

This rule calls for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520 *et seq.*).

Federalism

The U.S. Coast Guard has analyzed this rule under Executive Order 13132, and has determined 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 having first provided the funds to pay those unfunded mandate costs. This rule will not impose an unfunded mandate.

Indian Tribal Governments

This rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

Taking of Private Property

This rule will not affect a taking of private property or otherwise have taking implications under Executive Order 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 Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

Protection of Children

We have analyzed this rule under Executive Order 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

The U. S. Coast Guard considered the environmental impact of this action and concluded that, under figure 2–1, paragraph (34)(g) of Commandant Instruction M16475.1C, this rule is categorically excluded from further environmental documentation. As an emergency action, the environmental analysis requisite regulatory consultations, and categorical exclusion determination, will be prepared and submitted after establishment of this temporary security zone, and will be available for inspection or copying where indicated under addresses.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping

requirements, Security measures, Waterways.

Regulation

For the reasons set out in the preamble, the Coast Guard amends 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. From 6 a.m. September 19, 2001 until 4 p.m. March 19, 2002, a new temporary § 165.T14–057 is added to read as follows:

§ 165.T14–057 Security zone: Chevron Multi-Point Mooring, Barbers Point Coast, Honolulu, HI.

(a) *Location.* The following area is a security zone: All waters encompassed by a circle extending 1,000 yards in all directions around the Chevron Multi-Point Mooring from the following coordinates: 21°18.3′ North, 158°06.2′ West. This security zone extends from the surface of the water to the ocean floor.

(b) *Designated representative.* A designated representative of the Captain of the Port is any Coast Guard commissioned officer, warrant or petty officer that has been authorized by the Captain of the Port Honolulu to act on his behalf. The following officers have or will be designated by the Captain of the Port Honolulu: The senior Coast Guard boarding officer on each vessel enforcing the security zone.

(c) *Regulations.* In accordance with the general regulations in § 165.33 of this part, when this zone is activated entry into this zone is prohibited unless authorized by the Captain of the Port or his designated representatives.

(d) *Effective dates.* This section is effective from 6 a.m. HST September 19, 2001 until 4 p.m. HST March 19, 2002 unless canceled earlier by the Captain of the Port Honolulu. This six-month security zone will be activated and deactivated via Broadcast Notice to Mariners as required.

Dated: September 18, 2001.

G. J. Kanazawa,

Captain, U.S. Coast Guard, Captain of the Port, Honolulu.

[FR Doc. 02–4955 Filed 2–28–02; 8:45 am]

BILLING CODE 4910–15–U

DEPARTMENT OF VETERANS AFFAIRS

38 CFR Part 36

RIN 2900–AJ86

Loan Guaranty: Advertising and Solicitation Requirements

AGENCY: Department of Veterans Affairs.

ACTION: Final rule.

SUMMARY: This document amends the Department of Veterans Affairs (VA) loan guaranty regulations by prohibiting advertisements or solicitations from lenders that falsely state or imply that they were issued by or at the direction of VA or any other entity of the United States Government. These provisions are necessary to ensure that lenders do not provide misleading information.

DATES: *Effective Date:* March 1, 2002.

FOR FURTHER INFORMATION CONTACT: R. D. Finneran, Assistant Director for Loan Policy and Valuation (262), Loan Guaranty Service, Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420, (202) 273–7368.

SUPPLEMENTARY INFORMATION: On December 8, 2000, VA published in the **Federal Register** (65 FR 76957) proposed regulatory amendments to prohibit advertisements or solicitations from lenders that falsely state or imply that they were issued by or at the direction of VA or any other entity of the United States Government.

We solicited comments for a 60-day period ending February 6, 2001. We did not receive any comments. Based on the rationale set forth in the proposed rule, we are adopting the provision of the proposed rule as a final rule.

Paperwork Reduction Act

This document contains no provisions constituting a collection of information under the Paperwork Reduction Act (44 U.S.C. 3501–3520).

Executive Order 12866

This document has been reviewed by the Office of Management and Budget under Executive Order 12866.

Regulatory Flexibility Act

The Secretary hereby certifies that adoption of this rule will not have a significant economic impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act, 5 U.S.C. 601–612. The rule will not have more than a minuscule effect on any small entities. Therefore, pursuant to 5 U.S.C. 605(b), the final rule is exempt from the initial and final regulatory flexibility analysis requirement of sections 603 and 604.

The Catalog of Federal Domestic Assistance Program number is 64.114.

List of Subjects in 38 CFR Part 36

Condominiums, Flood insurance, Housing, Indians, Individuals with disabilities, Loan programs-housing and community development, Loan programs-Indians, Loan programs-veterans, Manufactured homes, Mortgage insurance, Reporting and recordkeeping requirements, Veterans.

Approved: December 3, 2002.

Anthony J. Principi,

Secretary of Veterans Affairs.

For the reasons set out in the preamble, 38 CFR part 36 is amended as set forth below.

PART 36—LOAN GUARANTY

1. The authority citation for part 36 continues to read as follows:

Authority: 38 U.S.C. 501, 3701–3704, 3707, 3710–3714, 3719, 3720, 3729, 3762, unless otherwise noted.

2. Section 36.4227 is added to read as follows:

§ 36.4227 Advertising and Solicitation Requirements.

Any advertisement or solicitation in any form (e.g., written, electronic, oral) from a private lender concerning manufactured housing loans to be guaranteed or insured by the Secretary:

(a) Must not include information falsely stating or implying that it was issued by or at the direction of VA or any other department or agency of the United States, and

(b) Must not include information falsely stating or implying that the lender has an exclusive right to make loans guaranteed or insured by VA.

(Authority: 38 U.S.C. 3703, 3704)

3. Section 36.4365 is added to read as follows:

§ 36.4365 Advertising and Solicitation Requirements.

Any advertisement or solicitation in any form (e.g., written, electronic, oral) from a private lender concerning housing loans to be guaranteed or insured by the Secretary:

(a) Must not include information falsely stating or implying that it was issued by or at the direction of VA or any other department or agency of the United States, and

(b) Must not include information falsely stating or implying that the lender has an exclusive right to make loans guaranteed or insured by VA.

(Authority: 38 U.S.C. 3703, 3704)

[FR Doc. 02–4866 Filed 2–28–02; 8:45 am]

BILLING CODE 8320–01–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[CA248–0293a; FRL–7149–6]

Revisions to the California State Implementation Plan, El Dorado Air Pollution Control District

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA is taking direct final action to approve a revision to the El Dorado County Air Pollution Control District's (EDCAPCD) portion of the California State Implementation Plan (SIP). The action consists of incorporating a revised version of Rule 523, New Source Review, into the SIP. The intended effect of approving Rule 523 is to regulate air pollution in accordance with the requirements of the Clean Air Act, as amended in 1990 (CAA or the Act). Rule 523 consists of definitions of all terms relating to new sources and modifications to existing sources of air pollution, source permitting requirements, including applicability, major source definitions, offsets, increment analysis, and Lowest Achievable Emission Rate (LAER)/Best Available Control Technology (BACT). EPA is finalizing the approval of Rule 523 into the California SIP under provisions of the CAA regarding EPA action on SIP submittals, SIPs for national primary and secondary ambient air quality standards and plan requirements for nonattainment areas.

DATES: This rule is effective on April 30, 2002 without further notice, unless EPA receives adverse comments by April 1, 2002. If we receive such comment, we will publish a timely withdrawal in the **Federal Register** to notify the public that this rule will not take effect.

ADDRESSES: Mail comments to Roger Kohn, Permits Office (AIR–3), U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105–3901.

You can inspect copies of the submitted SIP revision and EPA's technical support document (TSD) at our Region IX office during normal business hours. You may also see copies of the submitted SIP revision at the following locations:

Environmental Protection Agency, Region 9, 75 Hawthorne Street, San Francisco, CA 94105

California Air Resources Board, Stationary Source Division, Rule Evaluation Section, 1001 ''I'' Street, Sacramento, CA 95812.

El Dorado County Air Pollution Control District, 2850 Fairlane Ct., Bldg. C, Placerville, CA 95667–4100.

FOR FURTHER INFORMATION CONTACT: Roger Kohn, Permits Office (AIR–3), U.S. Environmental Protection Agency, Region IX, (415) 972–3973, e-mail: *kohn.roger@epa.gov*

SUPPLEMENTARY INFORMATION: Throughout this document, ''we,'' ''us'' and ''our'' refer to EPA.

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I. The State's Submittal

A. What Rule Did the State Submit?

Table 1 lists the rule we are approving with the date that it was adopted by EDCAPCD and submitted by the California Air Resources Board (CARB).

TABLE 1.—SUBMITTED RULE

Local Agency	Rule #	Rule title	Adopted	Submitted
EDCAPCD	523	New Source Review	11/20/01	12/18/01

On January 4, 2002, this rule submittal was found to meet the completeness criteria in 40 CFR part 51, appendix V, which must be met before formal EPA review.

B. Are There Other Versions of This Rule?

We finalized a limited approval and limited disapproval of Rule 523 on February 2, 2000 (65 FR 4887). The limited approval portion of that rulemaking incorporated Rule 523 into the federally enforceable SIP and the limited disapproval portion of triggered sanctions and FIP clocks under sections 179(a) and 110(c) of the CAA. The EDCAPCD adopted a revision to the SIP-approved version and CARB submitted it to us on May 23, 2001. This revision was submitted to correct the deficiencies noted in EPA's February 2, 2000 rulemaking. Rule 523 was subsequently revised and submitted again on the dates indicated in Table 1 above. While we can act on only the most recently submitted version of the rule, we have reviewed materials provided with the May 23, 2001 submittal.

C. What is the Purpose of the Submitted Rule Revision?

The rule revision contains new or revised provisions on offsets and interprecursor trading that correct the four rule deficiencies noted in our February 2, 2000 rulemaking. A detailed discussion of the rule deficiencies and the EDCAPCD rule revisions that corrected them is included in the Technical Support Document (TSD) for this rulemaking.

II. EPA's Evaluation and Action

A. How is EPA Evaluating the Rule?

Generally, SIP rules must be enforceable (see section 110(a) of the Act) and must not relax existing requirements (see sections 110(l) and 193).

Guidance and policy documents that we used to define specific requirements include the following:

The air quality planning requirements for nonattainment new source review (NSR) are set out in part D of title I of the Clean Air Act. EPA has issued a ''General Preamble'' describing EPA's preliminary views on how EPA intends to review SIPs and SIP revisions submitted under part D, including those State submittals containing nonattainment NSR SIP requirements (see 57 FR 13498 (April 16, 1992) and 57 FR 18070 (April 28, 1992)).

B. Does the Rule Meet the Evaluation Criteria?

We believe this rule is consistent with the relevant policy and guidance regarding enforceability, SIP relaxations, and nonattainment NSR requirements.

C. Public Comment and Final Action

As authorized in section 110(k)(3) of the Act, EPA is fully approving the submitted rule because we believe it fulfills all relevant requirements. We do not think anyone will object to this, so we are finalizing the approval without proposing it in advance. However, in the Proposed Rules section of this **Federal Register**, we are also proposing approval of the same submitted rule. If we receive adverse comments by April 1, 2002, we will publish a timely withdrawal in the **Federal Register** to notify the public that the direct final approval will not take effect and we will address the comments in a subsequent final action based on the proposal. If we do not receive timely adverse comments, the direct final approval will be effective without further notice on April 30, 2002. This will incorporate the rule into the federally enforceable SIP and permanently terminate any sanctions or FIP clocks associated with our January 15, 1999 action.

III. Background Information

Why Was This Rule Submitted?

Part D of the CAA (sections 171, 172, 173, 182, 187, and 189) requires that States incorporate into the applicable SIP an acceptable permitting program for the preconstruction review of new or modified major stationary sources in nonattainment areas. In addition, section 110(a)(2)(C) of the CAA requires that States regulate the modification and construction of all sources, including non-major sources, as necessary to assure that national ambient air quality standards are achieved. The 1990 Amendments created certain new requirements for States, especially relating to ozone and PM–10 nonattainment areas. EPA's requirements are contained in 40 CFR 51.160 through 51.165 and the Emissions Trading Policy Statement (51 FR 43814). The primary intent of the submitted District rules is to update the applicable SIP to reflect changes in nonattainment area requirements that were mandated by the 1990 Amendments.

IV. 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. For this reason, this action is also not subject to Executive Order 32111, ''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use'' (66 FR 28355, May 22, 2001). 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 pre-existing 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 (Pub. L. 104–4).

This rule also does not have tribal implications because it will not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes, as specified by Executive Order 13175 (65 FR 67249, November 9, 2000). This action also does not have Federalism implications because it 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, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999). This action 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 Clean Air Act. This rule also is not subject to Executive Order 13045, ''Protection of Children from Environmental Health Risks and Safety Risks'' (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 Clean Air Act. 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 Clean Air Act. 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. 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. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. 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 Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by April 30, 2002. 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, Incorporation by reference, Intergovernmental relations, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

Dated: February 8, 2002.

Wayne Nastri,

Regional Administrator, Region IX.

Part 52, Chapter I, Title 40 of the Code of Federal Regulations is amended as follows:

PART 52—[AMENDED]

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

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

Subpart F—California

2. Section 52.220 is amended by adding paragraph (c)(291) to read as follows:

§ 52.220 Identification of plan.

* * * * *

(c) * * *

(291) Amended regulation for the following APCD was submitted on December 18, 2001, by the Governor's designee.

(i) Incorporation by reference.

(A) El Dorado County Air Pollution Control District.

(*1*) Rule 523, adopted on November 20, 2001.

[FR Doc. 02–4784 Filed 2–28–02; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[CA248–0293c; FRL–7149–7]

Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision; Interim Final Determination that State has Corrected the Deficiencies

AGENCY: Environmental Protection Agency (EPA).

ACTION: Interim final determination.

SUMMARY: Elsewhere in today's **Federal Register**, EPA published a direct final rulemaking fully approving revisions to the California State Implementation Plan. The revisions concern rules from El Dorado County Air Pollution Control District (EDCAPCD), Rule 523, New Source Review. Also in today's **Federal Register**, EPA published a proposed rulemaking document to provide the public with an opportunity to comment on EPA's action. If a person submits adverse comments on EPA's action within 30 days of publication of the direct final action, EPA will withdraw its direct final action and will consider any comments received before taking final action on the State's submittal. Based on the full approval, EPA is making an interim final determination by this action that EDCAPCD has corrected the deficiencies for which a sanctions clock began on March 3, 2000. This action will stay application of the offset sanction and will defer the application of the highway sanction. Although this action is effective upon publication, EPA will take comment. If no comments are received on EPA's approval of the State's submittal, the direct final action published elsewhere in today's **Federal Register** will also finalize EPA's determination that the State has corrected the deficiencies that started the sanctions clock. If comments are received on EPA's approval and this interim final action, EPA will publish a final document taking into consideration any comments received.

DATES: This interim final determination is effective March 1, 2002. Comments must be received by April 1,2002.

ADDRESSES: Comments should be sent to: Roger Kohn, Permits Office (AIR–3), Air Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105

The state submittal and EPA's analysis for that submittal, which are the basis for this action, are available for public review at the above address and at the following locations:

Environmental Protection Agency, Region 9, 75 Hawthorne Street, San Francisco, CA 94105.

California Air Resources Board, Stationary Source Division, Rule Evaluation Section, 1001 ''I'' Street, Sacramento, CA 95814

El Dorado County Air Pollution Control District, 2850 Fairlane Ct., Bldg. C, Placerville, CA 95667–4100.

FOR FURTHER INFORMATION CONTACT: Roger Kohn, Permits Office (AIR–3), Air Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105, Telephone: (415) 972–3973, e-mail: kohn.roger@epa.gov

SUPPLEMENTARY INFORMATION:

I. Background

On May 24, 1994, the State submitted EDCAPCD Rule 523, New Source Review, for which EPA published a limited disapproval in the **Federal Register** on February 2, 2000 (65 FR 4887). EPA's disapproval action started an 18-month clock for the application of one sanction (followed by a second sanction 6 months later) under section 179 of the Clean Air Act (Act) and a 24-month clock for promulgation of a Federal Implementation Plan (FIP) under section 110(c) of the Act. The State subsequently submitted a revised rule on May 23, 2001. EPA has taken direct final action on this submittal pursuant to its modified direct final policy set forth at 59 FR 24054 (May 10, 1994). In the Rules section of this **Federal Register**, EPA is issuing a direct final full approval of the State of California's submittal of EDCAPCD Rule 523, New Source Review. In addition, in the Proposed Rules section of this **Federal Register**, EPA is proposing full approval of the State's submittal.

Based on the proposed and direct final approval, EPA believes that it is more likely than not that the State has corrected the original disapproval deficiencies. Therefore, EPA is taking this final rulemaking action, effective on publication, finding that the State has corrected the deficiencies. However, EPA is also providing the public with an opportunity to comment on this final action. If, based on any comments on this action and any comments on EPA's proposed full approval of the State's submittal, EPA determines that the State's submittal is not fully approvable and this final action was inappropriate, EPA will either propose or take final action finding that the State has not corrected the original disapproval deficiencies. As appropriate, EPA will also issue an interim final determination or a final determination that the deficiencies have not been corrected. Until EPA takes such an action, the application of sanctions will continue to be deferred and or stayed.

This action does not stop the sanctions clock that started for this area on March 3, 2000. However, this action will stay application of the offset sanction and will defer application of the highway sanction. See 59 FR 39832 (August 4, 1994). If EPA's direct final action fully approving the State's submittal becomes effective, such action will permanently stop the sanctions clock and will permanently lift any applied, stayed or deferred sanctions. If EPA must withdraw the direct final action based on adverse comments and EPA subsequently determines that the State, in fact, did not correct the disapproval deficiencies, EPA will also determine that the State did not correct the deficiencies and the sanctions consequences described in the sanctions rule will apply. See 59 FR 39832, to be codified at 40 CFR 52.31.

II. EPA Action

EPA is taking interim final action finding that the State has corrected the disapproval deficiencies that started the sanctions clock. Based on this action, application of the offset sanction will be stayed and application of the highway sanction will be deferred until EPA's direct final action fully approving the State's submittal becomes effective or until EPA takes action proposing or finally disapproving in whole or part the State submittal. If EPA's direct final action fully approving the State submittal becomes effective, at that time any sanctions clocks will be permanently stopped and any applied, stayed or deferred sanctions will be permanently lifted.

Because EPA has preliminarily determined that the State has an approvable plan, relief from sanctions should be provided as quickly as possible. Therefore, EPA is invoking the good cause exception under the Administrative Procedure Act (APA) in not providing an opportunity for

comment before this action takes effect.[1] 5 U.S.C. 553(b)(B). EPA believes that notice-and-comment rulemaking before the effective date of this action is impracticable and contrary to the public interest. EPA has reviewed the State's submittal and, through its proposed and direct final action is indicating that it is more likely than not that the State has corrected the deficiencies that started the sanctions clock. Therefore, it is not in the public interest to initially impose sanctions or to keep applied sanctions in place when the State has most likely done all that it can to correct the deficiencies that triggered the sanctions clock. Moreover, it would be impracticable to go through notice- and comment rulemaking on a finding that the State has corrected the deficiencies prior to the rulemaking approving the State's submittal. Therefore, EPA believes that it is necessary to use the interim final rulemaking process to temporarily stay or defer sanctions while EPA completes its rulemaking process on the approvability of the State's submittal. Moreover, with respect to the effective date of this action, EPA is invoking the good cause exception to the 30-day notice requirement of the APA because the purpose of this notice is to relieve a restriction. See 5 U.S.C. 553(d)(1).

III. 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. For this reason, this action is also not subject to Executive Order 32111, ''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use'' (66 FR 28355, May 22, 2001). 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 pre-existing 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 (Pub. L. 104–4).

This rule also does not have tribal implications because it will not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes, as specified by Executive Order 13175 (65 FR 67249, November 9, 2000). This action also does not have Federalism implications because it 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, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999). This action 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 Clean Air Act. This rule also is not subject to Executive Order 13045, ''Protection of Children from Environmental Health Risks and Safety Risks'' (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 Clean Air Act. 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 Clean Air Act. 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. 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. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. 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 Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by April 30, 2002. 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, Intergovernmental regulations, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

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

Dated: February 8, 2002.

Wayne Nastri,

Regional Administrator, Region IX.

[FR Doc. 02–4783 Filed 2–28–02; 8:45 am]

BILLING CODE 6560–50–P

[1] As previously noted, however, by this action EPA is providing the public with a chance to comment on EPA's determination after the effective date and EPA will consider any comments received in determining whether to reverse such action.

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 271

[FRL–7150–9]

Wisconsin: Final Authorization of State Hazardous Waste Management Program Revisions

AGENCY: Environmental Protection Agency (EPA).

ACTION: Immediate final rule.

SUMMARY: Wisconsin has applied to EPA for Final authorization of the changes to its hazardous waste program under the Resource Conservation and Recovery Act (RCRA). EPA has determined that these changes satisfy all requirements needed to qualify for Final authorization, and is authorizing the State's changes through this immediate final action. In this document, EPA is authorizing the changes by an immediate final rule. EPA did not make a proposal prior to the immediate final rule because we believe this action is not controversial and do not expect comments that oppose it. Unless we get

written comments which oppose this authorization during the comment period, the immediate final rule will become effective on the date it establishes, and we will not take further action on the proposal pubished elsewhere in this issue of the **Federal Register**. If we get comments that oppose this action, we will publish a document in the **Federal Register** withdrawing this rule, or portions thereof, before it takes effect, and a separate document in the proposed section of this **Federal Register** will serve as a proposal to authorize the changes.

DATES: This Final authorization will become effective April 30, 2002 unless EPA receives written adverse comment by April 1, 2002. If EPA receives such comment, it will publish a timely withdrawal of this immediate final rule in the **Federal Register** and inform the public this authorization will not take effect.

ADDRESSES: Send written comments to Jean Gromnicki, Wisconsin Regulatory Specialist, DM–7J, 77 West Jackson Boulevard, Chicago, Illinois 60604. Please refer to Docket Number WI ARA 7. We must receive your comments by April 1, 2002. You can examine copies of the materials submitted by Wisconsin during normal business hours at the following locations: EPA Region 5 Library, 77 West Jackson Boulevard, Chicago, Illinois 60604, Contact: Jean Gromnicki, Phone number: (312) 886–6162 or the Wisconsin Department of Natural Resources, 101 North Webster, Madison, Wisconsin, 53707, Contact: Patricia Chabot, Phone: (608) 264–6015.

FOR FURTHER INFORMATION CONTACT: Jean Gromnicki, Wisconsin Regulatory Specialist at (312) 886–6162.

SUPPLEMENTARY INFORMATION:

A. Why Are Revisions to the State Programs Necessary?

States which have received final authorization from EPA under RCRA section 3006(b), 42 U.S.C., 6926(b), must maintain a hazardous waste program that is equivalent to, consistent with and no less stringent than the Federal Program. As the Federal program changes, States must change their programs and ask EPA to authorize the changes. Changes to State programs may be necessary when Federal or State statutory or regulatory authority is modified or when certain other changes occur. Most commonly, States must change their programs because of changes to EPA's regulations in 40 Code of Federal Regulations (CFR) parts 124, 260 through 266, 268, 270, 273 and 279.

B. What Decisions Have We Made in This Rule?

We conclude that Wisconsin's application to revise its authorized program meets all of the statutory and regulatory requirements established by RCRA. Therefore, we propose to grant Wisconsin Final authorization to operate its hazardous waste program with the changes described in the authorization application. Wisconsin has responsibility for permitting Treatment, Storage and Disposal Facilities (TSDFs) within its borders (except in Indian Country) and for carrying out the aspects of the RCRA program described in its revised program application, subject to the limitations of the Hazardous and Solid Waste Amendments of 1984 (HSWA). New Federal requirements and prohibitions imposed by Federal regulations that EPA promulgates under the authority of HSWA take effect in authorized States before they are authorized for the requirements. Thus, EPA will implement those requirements and prohibitions in Wisconsin, including issuing permits, until the State is granted authorization to do so.

C. What Is the Effect of Today's Authorization Decision?

The effect of this decision is that a facility in Wisconsin subject to RCRA will now have to comply with the authorized State requirements instead of the equivalent Federal requirements in order to comply with RCRA. Additionally, such persons must comply with any applicable Federally-issued requirements, such as, for example, HSWA regulations issued by EPA for which the State has not received authorization, and RCRA requirements that are not supplanted by authorized state-issued requirements. Wisconsin continues to have enforcement responsibilities under its state hazardous waste program for violation of such program, but EPA retains its authority under RCRA sections 3007, 3008, 3013, and 7003, which include among others, authority to:

- Do inspections, and require monitoring, tests, analyses or reports.
- Enforce RCRA requirements and suspend or revoke permits.
- Take enforcement actions regardless of whether the State has taken its own actions.

This action does not impose additional requirements on the regulated community because the regulations for which Wisconsin is being authorized by today's action are already effective, and are not changed by today's action.

D. Why Wasn't There a Proposed Rule Before Today's Rule?

EPA did not publish a proposal before today's rule because we view this as a routine program change and do not expect comments that oppose this approval. We are providing an opportunity for public comments now. In addition to this rule, in the proposed rules section of today's **Federal Register** we are publishing a separate document that proposes to authorize the State program changes.

E. What Happens if EPA Receives Comments That Oppose This Action?

If EPA receives comments that oppose this authorization, we will address all public comments in a later **Federal Register**. You may not have another opportunity to comment. If you want to comment on this authorization, you must do so at this time.

F. What Has Wisconsin Previously Been Authorized for?

Wisconsin initially received Final Authorization on January 30, 1986, effective January 31, 1986 (51 FR 3783) to implement its base hazardous waste management program. Wisconsin received authorizations for revisions to its program on May 23, 1989, effective June 6, 1989 (54 FR 15029), on November 22, 1989, effective January 22, 1990 (54 FR 48243), on April 24, 1992, effective April 24, 1992 (57 FR 15029), on June 2, 1993, effective August 2, 1993 (58 FR 31344), on August 4, 1994, effective October 4, 1994 (59 FR 39971), and on August 5, 1999, effective October 4, 1999 (64 FR 42630).

G. What Changes Are We Authorizing With Today's Action?

On November 5, 2001, Wisconsin submitted a final complete program revision application seeking authorization of their changes in accordance with 40 CFR 271.21. We now make a final decision, subject to receipt of written comments that oppose this action, that Wisconsin's hazardous waste program revisions satisfies all of the requirements necessary to qualify for Final authorization. Therefore we grant Wisconsin Final authorization for the following program changes:

Description of Federal requirement (checklist #)	Federal Register, date and page	Analogous state authority
Wastes From the Use of Chlorophenolic Formulations in Wood Surface Protection (Checklist 128).	59 FR 458–469, Effective January 4, 1994.	NR 600.10(2) 605 (Appendix IV), Effective June 1, 1998.
Revision of Conditional Exemption for Small Scale Treatability Studies (Checklist 129).	59 FR 8362–8366, Effective February 18, 1994.	NR 605.05(9)–(11), Effective June 1, 1998.
Recycled Used Oil Management Standards; Technical Amendments and Corrections II (Checklist 130.	59 FR 10550–10560, Effective March 4, 1994.	NR 590.03(33m), 590.04(1), 590.10(3), 590.11, 590.12(2), 590.36(1), 590.37(1)–(2), 590.50(3); Effective June 1, 1998.
Wood Surface Protection; Correction (Checklist 132)	59 FR 28484, Effective June 2, 1994.	NR 600.10(2), Effective June 1, 1998.
Letter of Credit Revision (Checklist 133)	59 FR 29958–29960, Effective June 10, 1994.	NR 685.07(5), Effective June 1, 1998.
Correction of Beryllium Powder (PO15) Listing (Checklist 134).	59 FR 31551–31552, Effective June 20, 1994.	NR 605.09 (Table IV), 605 Appendix IV, 675.20/ Table, Effective June 1, 1998.
Recovered Oil Exclusion (Checklist 135)	59 FR 38536–38545, Effective July 28, 1994.	NR 605.04(1), 605.05(1)–(2), 625.07(2), Effective June 1, 1998.
Removal of the Conditional Exemption for Certain Slag Residues (Checklist 136).	59 FR 43496–43500, Effective August 24, 1994.	NR 625.05(1), 675.20, Effective June 1, 1998.
Universal Treatment Standards and Treatment Standards for Organic Toxicity Characteristic Wastes and Newly Listed Wastes (Checklist 137).	59 FR 47982–48110, Effective September 19, 1994 as amended at 60 FR 242–302, Effective January 3, 1995.	NR 605(2), 630.04(16), 625.05(1), 600.04, 675.03(1m), 675.04(2), 675.03(1), 675.03(7p), 675.07(1)–(2), 675.09(1), (4)–(5), 675.19(1), 675.20(1)–(7), 675.20/Table, 675.21, 675.22, 675.22(1), 675.22 Table1, 675.22(4)–(5), 675.23, 675.25(2), 675.26, 675.28, 675 Appendix III, 675 Appendix VIII; Effective June 1, 1998.
Testing and Monitoring Activities Amendment I (Checklist 139).	60 FR 3089–3095, Effective January 13, 1995.	NR 600.10(2), Effective June 1, 1998.
Carbamate Production Identification and Listing of Hazardous Waste (Checklist 140).	60 FR 7824–7859, Effective February 9, 1995.	NR 605.(1), 605.09 Table III, 605.09 Table IV, 605.09 Table V, 605 Appendix III, Appendix IV, Effective June 1, 1998.
Testing and Monitoring Activities Amendment II (Checklist 141).	60 FR 17001–17004, Effective April 4, 1995.	NR 600.10(2), Effective June 1, 1998.
Universal Waste: General Provisions (Checklist 142 A).	60 FR 25492–25551, Effective May 11, 1995.	NR 600.03, 600.03 (56m), 600.03 (249m),600.03 (249p), 600.03 (249z), 610.07(1m), 610.07(1), 690.01, 690.02, 690.04, 615.04, 615.05, 615.06(6), 630.04(17), 605.05(12), 675.04(3), 680.02, 690.04(1)–(2), 690.08(1), 690.03(2), 690.03(4)–(6), 690.03(8), 690.03(10)–(13), 690.10, 690.11, 690.12(2), 690.14, 690.15(1)–(3), 690.16, 690.17(1)–(2), 690.18(1)–(8), 690.19, 690.20, 690.30, 690.31, 690.32(1)–(2), 690.34, 690.35(1)–(3), 690.36, 690.37(1)–(2), 690.38(1)–(8), 690.39(1)–(3), 690.40, 690.50, 690.51, 690.52(1)–(2), 690.53(1)–(2), 690.54(1)–(2), 690.55(1)–(2), 690.56, 690.60(1)–(2), 690.61(1)–(4), 690.62(1)–(2), 690.70; Effective June 1, 1998.
Universal Waste Rule: Specific Provisions for Batteries (Checklist 142 B).	60 FR 25492–25551, Effective May 11, 1995.	NR 690.03(1), 690.03(10), 690.02(1), 630.04(17), 625.02, 625.05, 625.12(1), 675.04(3), 690.04(1), 690.05(1)–(3), 690.03, 690.13, 690.14, 690.33, 690.34; Effective June 1, 1998
Universal Waste Rule: Specific Provisions for Pesticides (Checklist 142 C).	60 FR 25492–25551, Effective May 11, 1995.	NR 690.03(7), 690.03(10), 605.05(12), 690.04(1), 630.04(17), 675.04(3), 680.02, 690.06(1)–(4), 690.03(3), 690.03(7), 690.03(10), 690.13(2), 690.14(2)–(3), 690.32(1), 690.33(2), 690.34(2)–(3) Effective June 1, 1998.
Universal Waste Rule: Specific Provisions for Thermostats (Checklist 142 D).	60 FR 25492–25551, Effective May 11, 1995.	NR 605.05(12), 630.04(17), 690.04(1), 675.04(3), 680.02, 690.07, 690.03(9)–(10), 690.13(3), 690.14(4), 690.33(3), 690.34(4) Effective June 1, 1998.
Universal Waste Rule: Petition Provisions to Add a New Universal Waste (Checklist 142 E).	60 FR 25492–25551, Effective May 11, 1995.	NR 605.10(1)–(2), 605.10(6)–(7), 690.80(1)–(3), 690.81(1)–(8), Effective June 1, 1998.
Liquids in Landfills III (Checklist 145)	60 FR 35703–13106, Effective July 11, 1995.	NR 660.18(8), Effective June 1, 1998.
RCRA Expanded Public Participation (Checklist 148)	60 FR 63417–63434, Effective December 11, 1995.	NR 680.06(1m), 680.06(8m), 680.06(15), 600.03(104), 680.03(3m), 680.42(18m), 680.07(7), 665.06(1), 665.07(2), 665.06(4), 665.06(1), 665.02, June 1, 1998.
Amendments to the Definition of Solid Waste: Amendment II (Checklist 150).	61 FR 13103–13106, Effective March, 26, 1996.	NR 605.05(1), Effective June 1, 1998.

Description of Federal requirement (checklist #)	Federal Register, date and page	Analogous state authority
Land Disposal Restriction Phase III Decharacterized Wastewaters, Carbamate Wastes and Spent Potliners (Checklist 151).	61 FR 15566–15660, Effective April 8, 1996.	NR 600.04(1), 675.05(3), 675.03(1m), 675.03(4m), 675.03(7p), 675.03(8), 675.04(2), 675.06(1)–(3), 675.07(1)–(2), 675.09(1), 675.09(4), 675.19(2), 675.20(1), 675.20(6), 675.20, Table, 675.22/Table 1, 675.24(1), 675.28(a) Table UTS, 675 Appendix IX, Effective June 1, 1998.

H. Where Are the Revised State Rules Different From the Federal Rules?

Wisconsin has proposed specific parts of Federal Regulation to be more stringent than Federal requirements. These requirements are part of Wisconsin's authorized program and are federally enforceable.

Description of Federal requirement	Federal citation number (checklist number)	State citation number
Revision of Conditional Exemption for Small Scale Treatability Studies (Checklist 129).	261.4(e)(3)(iii)(A)	605.05(10)(e)1.
	261.4(f)(4)	605.05(11)(d)
Recovered Oil Exclusion (Checklist 135)	261.3(c)(2)(ii)(B)	605.04(1)(b)10.
	261.4(a)(12)	605.05(1)(x).
Removal of the Conditional Exemption for Certain Slag Residues (Checklist 136).	266.20(c)	625.05(1).
Universal Treatment Standards and Treatment Standards for Organic Toxicity Characteristic Wastes and Newly Listed Wastes (Checklist 137).	260.30 intro, 260.30(b)	There is no Wisconsin waiver to the definition of Solid Waste.
	260.31(a), 260.31(b)	Wisconsin does not have a provision like 260.31(a). Materials that are speculatively accumulated must be managed as hazardous waste (see 605.05(4).
	260.32 intro, 260.33 intro, 260.33(a), 260.33(b).	Wisconsin does not have a boiler variance provision.
	266.23(a)	625.05(1).
	268.1(c)(3)(ii), 268.1(c)(3)(iii)	600.04(1), 600.04.
	268.7(a)(8)	675.07(1)(j).
	268.7(b)(4)(ii)	675.07(2)(d)b.
	268.38(a)	675.19(1)(a).
	268.38(b)	675.19(1)(b).
Carbamate Production Identification and Listing of Hazardous Waste (Checklist 140).	261.3(a)(2)(iv)(F), 261.3(a)(2)(iv)(G).	There is no exemption 261.3(a)(2)(iv)(F) of (G) in the Wisconsin Code.
	261.3(c)(2)(ii)(D)	There is no Wisconsin citation for 261.3(c)(2)(ii)(D).
Universal Waste Rule: Petition Provisions to Add a New Universal Waste (Checklist 145).	264.314(e)(2)(ii), 264.314(e)(2)(iii), 265.314(f)(2)(ii), 265.314(f)(2)(iii).	660.18(8)(b) Wisconsin does not allow OECD Test 301B, rules are more restrictive in defining non-biodegradable sorbents.
Land Disposal Restrictions Phase III—Decharacterized, Wastewaters, Carbamate Wastes, and Spent Potliners (Checklist 151).	268.1(c)(3), 268.1(c)(3)(i), 268.1(c)(3)(ii), 268.1(c)(3)(iii).	600.04(1) **Note:** Underground injection is prohibited.
	268.1(c)(4), 268.1(c)(4)(i), 268.1(c)(4)(ii), 268.1(c)(4)(iii), 268.1(c)(4)(iv).	
	268.7(a)(1)(vi)	675.07(1)(d).
	268.39(b)	675.19(2)(b).
	268.39(c)	675.19(2)(c).
	268.39(d)	675.19(2)(e).
	268.39(f)	675.19(2)(g).
	268.40(a)	675.20(1).
	268.40(g)	675.20(1).

I. Who Handles Permits After Authorization Takes Effect?

Wisconsin will issue permits for all the provisions for which it is authorized and will administer the permits it issues. EPA will continue to administer any RCRA hazardous waste permits or portions of permits which we issued prior to the effective date of this authorization until they expire or are terminated. We will not issue any more new permits or new portions of permits for the provisions listed in the Table above after the effective date of this authorization. EPA will continue to implement and issue permits for HSWA requirements for which Wisconsin is not yet authorized.

J. How Does Today's Action Affect Indian Country (18 U.S.C. 115) in Wisconsin?

Wisconsin is not authorized to carry out its hazardous waste program in Indian country within the State, as defined in 18 U.S.C. 1151. This includes:

1. All lands within the exterior boundaries of Indian reservations within or abutting the State of Wisconsin;

2. Any land held in trust by the U.S. for an Indian tribe; and

3. Any other land, whether on or off an Indian reservation that qualifies as Indian country. Therefore, this action

has no effect on Indian country. EPA will continue to implement and administer the RCRA program in Indian country.

K. What Is Codification and Is EPA Codifying Wisconsin's Hazardous Waste Program as Authorized in This Rule?

Codification is the process of placing the State's statutes and regulations that comprise the State's authorized hazardous waste program into the Code of Federal Regulations. We do this by referencing the authorized State Rules in 40 CFR part 272. We reserve the amendment of 40 CFR 272, subpart YY for this authorization of Wisconsin's program changes until a later date.

L. Administrative Requirements

The Office of Management and Budget (OMB) has exempted RCRA authorizations from the requirements of Executive Order 12866 (58 FR 51735, October 4, 1993), and therefore, a decision to authorize Wisconsin for these revisions is not subject to review by OMB. Furthermore, this rule is not subject to Executive Order 13211, ''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use'' (66 FR 28355, May 22, 2001) because it is not a significant regulatory action under Executive Order 12866. This action authorizes State requirements for the purpose of RCRA 3006 and imposes no additional requirements beyond those imposed by State law. This authorization will effectively suspend the applicability of certain Federal regulations in favor of Wisconsin's program, thereby eliminating duplicative requirements for handlers of hazardous waste in the State. Authorization will not impose any new burdens on small entities. Accordingly, I certify that these revisions will not have a significant economic impact on a substantial number of small entities under the Regulator Flexibility Act (5 U.S.C. 601 *et seq.*). Because implementing this proposal would authorize pre-existing requirements under State law and would not impose any additional enforceable duty beyond that required by State law, it will not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4). For the same reason, this proposed rule does not have tribal implications within the meaning of Executive Order 13175 (65 FR 67249, November 6, 2000). Authorization 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 authorizes State requirements as part of the State RCRA hazardous waste program without altering the relationship or the distribution of power and responsibilities established by RCRA. A decision to authorize Wisconsin for these revisions also is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997), because it is not economically significant and it does not make decisions based on environmental health or safety risks. This action does not include environmental justice related issues that require consideration under Executive Order 12898 (59 FR 7629, February 16, 1994).

Under RCRA 3006(b), EPA grants a State's application for authorization as long as the State meets the criteria required by RCRA. It would thus be inconsistent with applicable law for EPA, when it reviews a State authorization application, to require the use of any particular voluntary consensus standard in place of another standard that otherwise satisfies the requirements of RCRA. 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 any Attorney General's Supplemental Guidelines for the Evaluation of Risk and Avoidance of Unanticipated Takings issued under the Executive Order. A decision to authorize Wisconsin's revisions will 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. EPA will submit a report containing this document and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication in the **Federal Register**. 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). This action will be effective April 30, 2002.

List of Subjects in 40 CFR Part 271

Environmental protection, Administrative practice and procedure, Confidential business information, Hazardous waste, Hazardous waste transportation, Indian lands, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements.

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

Dated: February 15, 2002.

Bertram C. Frey,

Acting Regional Administrator, Region 5.

[FR Doc. 02–4786 Filed 2–28–02; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

49 CFR Part 390

[Docket No. FMCSA–00–8209]

RIN 2126–AA57

Motor Carrier Identification Report

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), DOT.

ACTION: Final rule.

SUMMARY: The FMCSA amends the Federal Motor Carrier Safety Regulations (FMCSRs) to revise the requirements for filing the Motor Carrier Identification Report (Form MCS–150). The FMCSA requires each motor carrier to file an update of the report every 24 months. A motor carrier that submits similar information to a State as part of its annual vehicle registration requirement under the Performance and Registration Information Systems Management (PRISM) complies if it files this information with the appropriate State commercial motor vehicle (CMV) registration office. This action responds to Section 217 of the Motor Carrier Safety Improvement Act of 1999.

DATES: This rule is effective April 1, 2002.

FOR FURTHER INFORMATION CONTACT: Ms. Deborah M. Freund, Office of Bus and

Truck Standards and Operations, FMCSA, (202) 366–1790, or Mr. Charles E. Medalen, Office of Chief Counsel, (202) 366–1354, FMCSA, 400 Seventh Street, SW., Washington, DC 20590. Office hours are from 7:45 a.m. to 4:15 p.m., e.t., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION:

Background

In order to provide proper safety oversight of the regulated motor carrier community, the FMCSA must have an accurate census of the individual motor carriers that comprise it. Section 217 of the Motor Carrier Safety Improvement Act of 1999 (Pub. L. 106–159, 113 Stat. 1748, Dec. 9, 1999) (MCSIA) directed the Secretary of Transportation to:

> require periodic updating, not more frequently than once every 2 years, of the motor carrier identification report, form MCS–150, filed by each motor carrier conducting operations in interstate or foreign commerce.

On November 24, 2000 (65 FR 70509), the FMCSA published an interim final rule (IFR) that responded to the congressional direction. The preamble to the IFR described the activities that the agency had undertaken on the subject of requiring a motor carrier to report certain identifying and demographic information from 1986 through the current rulemaking. The interim final rule amended § 390.19 to require motor carriers to file a Motor Carrier Identification Report, Form MCS–150, before beginning operations and every 24 months according to a schedule corresponding to the last two digits of the USDOT number. If a motor carrier registers its vehicles in a State that participates in the PRISM program, it is exempt from this requirement, provided it files all the required information with the appropriate State office.

Discussion of Comments

The agency received six comments in response to the interim final rule. The commenters were Advocates for Highway and Auto Safety (Advocates), the American Trucking Associations (ATA), the Petroleum Marketers Association of America (PMAA), the Transportation Lawyers Association (TLA), and two individuals, Patrick E. Haugen and Roger K. Ites.

Update Schedule

All of the commenters except one took issue with some aspect of the update schedule.

Advocates states that, while it ''strongly supports'' the two-year update cycle, it believes the staggered implementation dates would compromise the agency's safety goals because it would prevent the agency from obtaining updated information quickly. Advocates recommends that the FMCSA require all motor carriers to update their Form MCS–150 during the first 12 months after the effective date of the rule, to implement the biennial update cycle one year after the effective date, and to require that the update cycle be designed so that no motor carrier would go more than 2 years between updates.

The ATA and one individual raise a question concerning motor carriers that voluntarily update their MCS–150 information. The ATA states that some of its member motor carriers voluntarily update this information at 6, 9, or 12-month intervals, and that they want to continue this practice. The ATA asks if those motor carriers would be required to re-file their MCS–150 information according to the schedule in the interim final rule, even though they file the information more frequently than the rule requires.

Roger K. Ites, a Director of Safety for four motor carriers, expresses a similar concern. He states that he updates four MCS–150 forms annually. His concern is that the combination of a biennial update cycle and a staggered filing schedule could cause him to neglect to comply with the filing requirement.

The TLA, although it supports the rulemaking, believes that the proposed schedule is too complex. It recommends the FMCSA require that all motor carriers provide their Form MCS–150 updates ''by a single filing date'' to maximize the agency's opportunity to obtain current and meaningful data. It contends that the FMCSA should be able to deal with the filing of the forms and the associated data entry tasks as separate issues.

The TLA also recommends that the FMCSA require motor carriers to update the MCS–150 within 20 days following a change in its name, control, or ownership, and/or its principal place of business. The TLA asserts that section 217 of the MCSIA ''speaks only to the collection of information on a regular, ''periodic'' basis. Filing of an MCS–150 as a result of an address, name, or ownership change is a discrete event initiated by the carrier, not FMCSA. The information, for enforcement purposes, is critical.''

The PMAA believes that the FMCSA should have sought public comment on the proposed implementation of the update cycle, noting that the legislation itself ''did not set the schedule for the periodic updates.'' The organization also cites the FMCSA's estimate of a 400 percent increase in its data entry and verification workload and questions whether the update cycle makes the best use of FMCSA's resources. Finally, the PMAA is concerned about its own ability to notify its members of the new requirement in a timely fashion, possibly leading to problems for those carriers required to update their MCS–150 information in early 2001.

Agency's Response

As it stated in the preamble to the IFR, the FMCSA selected a two-year update cycle, the shortest cycle allowed under section 217 of MCSIA, in order to significantly improve the quality of the agency's databases. The FMCSA depends on this data to make the most efficient use possible of its inspection and enforcement resources, and to provide well-founded estimates of the potential benefits and costs of its regulations.

The FMCSA appreciates the diligence of the many motor carriers and safety officials who make a special effort to ensure that their Form MCS–150 information is current. However, not all motor carriers take this approach, and the regulation in effect prior to December 26, 2000 did not require them to update that information. Although the provisions of section 217 of the MCSIA direct the Department of Transportation to ''require periodic updating not more frequently than once every two years,'' neither the statute nor the implementing regulations prohibit motor carriers from updating their information more frequently. For those motor carriers that chose to update the information in the Form MCS–150 more frequently than the regulation requires, they will be in compliance as long as they submit the biennial update required in the regulation, on or before the date set in the regulation.

In response to Advocates' comment that the agency should have accelerated the initial update cycle, the FMCSA did not chose that approach because there are insufficient personnel to handle several hundred thousand forms at once. Although the staggered update cycle could potentially result in some motor carriers' not being required to make their first update until 22 months after the effective date of the IFR (October 2002), all motor carriers would have submitted their updates by that date. Responding to Advocates' concern about a gap in the identification of new motor carriers, 49 CFR 390.19(a), revised on July 6, 2000 (65 FR 35287), requires new motor carriers (and those newly subject to the Federal Motor Carrier Safety Regulations) to file their Form MCS–150 prior to beginning

operations in interstate commerce. The previous rule had required that the Form MCS–150 be filed within 90 days of beginning these operations.

The agency disagrees with the TLA's assertion that filing of the forms can be separated from data entry issues. If the agency required all the updates to be submitted on the same date, there would most likely be gaps between the time that data is submitted and the time that it is entered. These gaps could lead to quality control problems. Furthermore, the administrative burden on the agency, and subsequently, the expenditure of public funds necessary to process several hundred thousand forms at one time, would be greater than those required to process several thousand forms every month.

The issues associated with the manual processing of forms will become less relevant once the FMCSA has instituted electronic filing and updates for the MCS–150 information.

In response to the PMAA's assertion that the FMCSA should have not waived the opportunity for notice and comment, the agency believed that, because the statutory mandate was specific and the rule followed it so closely, and because the information collection burden on motor carriers is extremely small, public comment would not have been likely to provide information that would affect the outcome of the rulemaking proceeding. While the parties who did comment to this docket have raised several important points, none of the comments affect the statutory requirements, or the agency's obligation to adopt implementing regulations.

Responding to the PMAA's other comment, concerning notification for motor carriers affected by this rule, the FMCSA considered how the regulation would affect those motor carriers that would have to update their MCS–150 information in January and February 2001: The agency allowed them additional time—until the end of March, 2001—to file their updates (see § 390.19(g)). The FMCSA also posted informational items concerning this new regulation on its main Internet website within days after the IFR was published, referred many callers to that information, and e-mailed and faxed copies of those items to many parties (including the PMAA) for use in their publications.

In response to the TLA's comment concerning a required update of the MCS–150, the FMCSA notes that the procedures for changing the name or business form of a for-hire motor carrier, household goods carrier, or property broker are found at 49 CFR 365.413. Thus, the agency already has in place rules to enable it to quickly update its database for certain motor carriers and for property brokers. Because the agency had very little time to meet the deadline set in section 217, the agency elected to focus solely upon the requirements contained in that legislation. The FMCSA believes the TLA's comment has merit, with regard to private and exempt motor carriers, and it will consider the issue of updating MCS–150 identifying information (name, address, and business ownership) in a separate rulemaking.

Revision of MCS–150

The ATA and the TLA also address information collected with the Form MCS–150. The ATA recommends the agency update the form to indicate whether the motor carrier is providing an ''initial'' or ''update'' filing, and to revise the ''NOTICE'' portion of the form to reflect the new biennial filing requirement and the special provision for motor carriers in states with fully-implemented PRISM programs. The ATA also suggests that the FMCSA consider requesting motor carriers to provide information on their annual gross revenue, so the agency could determine whether a motor carrier is considered to be a ''small business'' under the guidelines of the Small Business Administration.

The TLA believes the agency should consider requiring motor carriers to submit summary revenue, mileage, and accident data on the MCS–150. The TLA reasoned that this additional data would aid the agency in setting its enforcement priorities, provide more information specific to segments of the motor carrier industry, and aid the agency in constructing a predictive motor carrier safety model. It believes the FMCSA would especially benefit from this information as it applies to motor carriers operating 9–15 passenger vehicles that have recently been made subject to the FMCSRs.

Motor carrier affiliation is another data item that the TLA asks the FMCSA to consider adding to the MCS–150. The TLA is concerned that some motor carriers may be using the application process to mask a poor safety record, and refers to Docket FHWA–97–2708, Registration for For-Hire Motor Carriers, Brokers, and Freight Forwarders, where the FHWA Office of Motor Carriers [now the FMCSA] also raised the safety integrity issue.

Agency's Response

In response to the ATA's comments concerning a notation of an ''initial'' or ''update'' filing and the addition of a block for gross-revenue, the agency will consider both items in the forthcoming Motor Carrier Replacement Information System rulemaking (Docket No. FMCSA–97–2349, RIN 2126–AA22). Concerning the ''NOTICE'' statement, the FMCSA is including a copy of the two-page ''Highlights: Biennial Update of Motor Carrier Identification Report (MCS–150)'' informational item in the update requests that it mails to motor carriers. The agency will review and update the instructions on the MCS–150 when it next revises the form.

In response to the TLA's comment concerning accident data, the agency is using this information, along with information on the outcomes of roadside safety inspections, to determine priorities for motor carrier compliance reviews. The agency discontinued the requirement for motor carriers to report their own accident data in 1993 because it had begun to require this same information to be reported electronically by states, as a condition of receiving Motor Carrier Safety Assistance Program grants. The agency crosschecks this information with the information on the accident register that motor carriers are still required to maintain. In response to the TLA's comment on mileage, motor carriers must report their mileage to the nearest 10,000 miles for the last calendar year in Block 22 of the MCS–150.

Only Class I (annual carrier operating revenues of $10 million or more) and Class II (operating revenue of at least $3 million but less than $10 million) contract and common motor carriers of property are currently required to report revenue data to the U.S. Department of Transportation under the provisions of 49 CFR 1420. Responding to the recommendation made by the ATA and the TLA, the FMCSA may consider the potential for adding a block for other motor carriers to report revenue data as part of the forthcoming Unified Carrier Register rulemaking.

Responding to the TLA's recommendation to add information on a motor carrier applicant's affiliation, the FMCSA reviews the information provided in motor carrier registration documents to prevent motor carriers from using this process in an attempt to mask prior FMCSA determinations of unfitness or revocations of registration. The FMCSA will also consider addressing the ''affiliation'' question in the forthcoming Motor Carrier Replacement Information System rulemaking.

Electronic Filing

The ATA believes that providing motor carriers an electronic filing option

can reduce the paperwork burdens on both the industry and the FMCSA. It strongly urges the agency to have the electronic filing capability in place no later than March 31, 2001, the first mandatory filing date for motor carriers whose USDOT numbers place them in the January through March, 2001, update period.

The FMCSA agrees with the ATA on the benefits of electronic filing. Several months ago, the FMCSA put into place a data entry process that allows new motor carriers to file their initial MCS–150s electronically. The agency has also recently implemented procedures to allow the biennial updates to be filed electronically. These procedures are being added to § 390.19(c). Detailed instructions are available on the FMCSA's www site, *www.fmcsa.dot.gov.*

Penalties for Non-filers and Late Filers

Advocates expressed a concern that the IFR did not address penalties for those motor carriers that fail to file an updated Form MCS–150 during the initial two-year update cycle or in future years. The organization recommends that the agency consider assessing financial penalties for motor carriers whose filings are between three months and one year late, and that the FMCSA impose additional penalties, including revoking a motor carrier's operating authority, for motor carriers that are more than one year overdue.

Agency's Response

The final rule that covered marking of commercial motor vehicles, published on June 2, 2000 (65 FR 35287) added, among other things, a new paragraph (§ 390.19(e)) that advised motor carriers that if they failed to file a Form MCS–150, or filed misleading information, they would be subject to the civil penalties and sanctions prescribed in 49 U.S.C. 521(b)(2)(B). The civil penalty could be a fine as high as $5,000 if this information was used to misrepresent a fact that constitutes a violation other than a reporting or recordkeeping violation. As the FMCSA develops the regulation for the Unified Carrier Registration Program, it will consider methods to ensure motor carriers' compliance.

PRISM Issues

The ATA recommends that the FMCSA provide and maintain a listing of States that have fully implemented and functional PRISM programs. It also asks several questions concerning the exemption for motor carriers that register their commercial motor vehicles in states that participate in the PRISM program. One question deals with registration of vehicles of motor carriers headquartered in non-PRISM States, but which had vehicles based in both PRISM and non-PRISM States. The others sought clarification of the relationship and information requirements of the International Registration Plan (IRP) and PRISM.

Agency's Response

The FMCSA believes there may be some misunderstanding concerning the relationship between the PRISM program and the IRP. All States in the continental United States are members of the IRP, and the IRP forms the administrative framework upon which the PRISM program is based. See *www.aamva.org/IRP/* for additional information.

The phrase ''all the required information'' in Section 390.19(g) refers to information that each PRISM State requires motor carriers to provide, within their respective CMV registration programs. Motor carriers provide this information through a State-administered process using a form equivalent to the Form MCS–150. As of December 2001, the following States are collecting this information and issuing USDOT numbers: Arizona, Colorado, Georgia, Indiana, Iowa, Kentucky, Maine, Oregon, South Dakota, and Tennessee. The FMCSA will maintain an updated list of States that have fully-implemented and functional PRISM programs on the agency's website.

The States that are participating in the PRISM program have the knowledge and information to respond to questions such as those the ATA raised. The FMCSA is also considering posting answers to specific program questions, such as those raised by the ATA, on the website.

Other Comments

Mr. Patrick E. Haugen raised a question concerning whether hazardous material cargo tank container equipment would be included in the vehicle counts in Block 26 of the MCS–150. He believes that they would not, although they represent a sizeable fleet of equipment used in hazardous materials transportation.

The FMCSA responds that these containers, which are generally tanks mounted on skids, or intermediate bulk containers with a capacity of 1,000 water gallons or less, are considered cargo rather than vehicles. The shippers of these containers are required to register with the Office of Hazardous Materials Transportation of the Research and Special Programs Administration. The containers would need to comply with the applicable packaging specifications in 49 CFR part 178 of the Hazardous Materials Regulations.

Discussion of the Final Rule

The regulatory language published in the IFR is being adopted today, with one exception. Because the extended filing date (to March 2001) for those motor carriers that had been required to file the MCS–150 by the end of January or February 2001 has now passed, paragraph 390.19(a)(4) was removed in a technical amendment to the FMCSRs published October 1, 2001 (66 FR 49867, at 49873).

The agency also makes technical amendments to the § 390.19(b) and (c). The internet address for the FMCSA, included in paragraph (b), has changed. In addition, the FMCSA is now able to accommodate electronically submitted MCS–150 information from motor carriers requesting a USDOT number for the first time, as well as motor carriers filing their biennial update. Paragraph (c) is revised to include that additional way of filing this information.

Update Schedule

Today's final rule requires all motor carriers to file a new MCS–150 every 24 months. However, to make the procedure simple for motor carriers and manageable for the agency, the rule sets staggered filing dates. Each motor carrier determines the month and the year in which it must file based on its USDOT number.

The Month. If a motor carrier's USDOT number ends in 1, it must file the MCS–150 update by the end of January, and every second January afterwards; if the USDOT number ends in 2, 3, 4, 5, 6, 7, 8 or 9, the carrier must file by the end of February, March, April, May, June, July, August or September, respectively, and biennially after that; and if the USDOT number ends in 0, the update must be filed by the end of October, and every two years after that.

The Year. If the next to the last digit in the motor carrier's USDOT number is odd, the carrier must file its MCS–150 update in an odd-numbered year; if even, in an even-numbered year. For purposes of this rule, zero is considered an even number.

Section 217 restricts the frequency of Form MCS–150 updates to no more than every two years, which limits the burden imposed by the requirement. As the system starts up, some relatively new carriers, however, must submit their first update less than two years after initially filing the MCS–150. However, after the first round of updates is complete, all motor carriers will be on

a firm 24-month update schedule. Due to the minimal time and effort to update the MCS–150 and the difficulty in determining how many motor carriers will be affected by this schedule, FMCSA finds that this rule is consistent with the intent of Section 217.

Special situations. There are two situations where, because of the special circumstances surrounding the need for information, a motor carrier will update the information in the MCS–150 more frequently than the two-year refiling interval specified in Section 217. They are: (1) Verifications of information made during the course of compliance reviews, and (2) a motor carrier registering its CMVs in States participating in the PRISM program.

Compliance reviews. In order for FMCSA safety investigators to have current motor carrier information to properly perform record selection and exposure-based safety analyses when they conduct compliance reviews (CRs), the agency has had a longstanding practice of requiring safety investigators to begin the CR by asking the motor carrier to verify the information contained in its MCMIS record. Since the information obtained during a CR may lead to enforcement action, it is clearly in the interest both of the motor carrier and the agency that it be accurate. Because a CR is an audit with respect to a specific party, it is not considered an information-gathering activity subject to the Paperwork Reduction Act. The agency does not believe that requesting a motor carrier to review MCS–150 information during the course of a CR is inconsistent with the requirements of Section 217.

Motor carriers in PRISM States. The PRISM program links State commercial motor vehicle registration to the safety fitness of motor carriers. It began as a Congressional mandate by Congress under Section 4003 of the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991 and was authorized for national implementation under Section 4004 of TEA–21. It is a key element in the FMCSA's motor carrier enforcement and safety compliance program. The States participating in PRISM receive special grants to implement the program.

The commercial vehicle registration process of the States provides the framework for the PRISM program. It serves two vital functions. First, it establishes a system of accountability by ensuring that no one receives a license plate for a vehicle without identifying the carrier responsible for the safety of the vehicle during the registration year. Second, the use of registration sanctions (denial, suspension and revocation) serves as a powerful incentive for unsafe carriers to improve their safety performance. The vehicle registration process ensures that all carriers engaged in interstate commerce are uniquely identified through a USDOT number when they register their vehicles. The safety fitness of each carrier can then be checked prior to issuing vehicle registrations. The State can refuse to register vehicles of an unfit carrier (as defined by the FMCSRs).

The FMCSA has provided PRISM States with access to the MCMIS database to issue USDOT census numbers to motor carriers. Under the PRISM Program, the States issue census numbers to interstate motor carriers as part of their commercial vehicle registration process. This process ensures that no vehicle is plated without identifying the carrier responsible for the safety of the vehicle during the registration year. PRISM States also require motor carriers to annually update their MCS–150 data to reflect current operations. Some States enter this information directly into the MCMIS, while others forward it to the FMCSA for data entry. As of December 2001, twenty States are participating in the PRISM Program and five additional States have provided the FMCSA with a Letter of Intent to implement the Program. Ten States are currently collecting MCS–150 Forms and issuing USDOT census numbers to interstate motor carriers.

The FMCSA has determined that if a motor carrier in a PRISM State files annually with the State commercial vehicle registration office, information similar to what is required in the FMCSA's MCS–150 meets the periodic filing requirement of this rule, and no additional filing with the FMCSA is necessary.

The final rule does not change the requirement of 49 CFR 390.19(e) that a motor carrier must file this information, and must not furnish misleading information or make false statements.

Implementation Schedule

In order to ease the burden on both motor carriers and the FMCSA, the new biennial update system will be distributed over the first 10 months of the calendar year.

Update year. The first cycle began in January 2001. Those motor carriers with an odd-number in the next-to-last digit of their USDOT number are required to file an update in calendar year 2001, and in every odd-numbered year in the future. Those motor carriers with an even number in the next-to-last digit of their USDOT number are required to file an update in calendar year 2002, and in every even-numbered year in the future.

Update month. Within each yearly cycle, motor carriers with a USDOT number ending with the numeral 1 must file by January 31. Motor carriers with a number ending in 2 are to file by February 28 or 29, and so forth, through 0, the number for filing in October. During the final two months of each year, FMCSA staff will complete the necessary verification of the information filed.

Special note. In the Washington, D.C. metropolitan area, there have been significant delays in U.S. mail delivery to U.S. Government buildings between mid-October and late November 2001 related to the discovery of biological contaminants, and measures taken to test for the presence of these materials and to decontaminate letters and mail-handling facilities. The FMCSA asks motor carriers that mailed an updated form MCS–150 between early October and December to mail another copy of the form to the agency. In addition, the agency reminds all motor carriers that they must return the form MCS–150 to the FMCSA, even if no information has changed, so the agency can ensure that its information on each motor carrier is up to date.

Rulemaking Analyses and Notices

The FMCSA believes the interim final rule should be adopted as a final rule. The effective date of the interim final rule has passed with no indication that the requirement has had an adverse impact on motor carriers operating in interstate commerce. Despite the concern that the proposed update cycle would proceed at an undesirably slow pace, the work is progressing well. Between December 2000 and November 2001, the agency updated over 115,000 motor carrier records.

Section 217 directs the FMCSA in detail to amend 49 CFR 385.21 (now recodified as § 390.19), to require periodic updating of the Form MCS–150, and to complete the initial update of MCS–150 data within one year of the date of enactment of the MCSIA. Section 217 provides that periodic updates shall be required not more than biennially. The IFR simply promulgated the requirements of Section 217. It differed from the statute only in setting an orderly schedule for the updates.

Because the December 26, 2000 effective date of the interim final rule requires motor carriers to update the information in the Form MCS–150 every 24 months, and provides that a motor carrier that submits similar information to a State as part of its annual vehicle registration requirement under the

Performance and Registration Information Systems Management (PRISM) program will be in compliance if it files it with the appropriate State commercial motor vehicle (CMV) registration office, the FMCSA amends § 390.19 to remove the exception contained in § 390.19(a)(4).

Executive Order 12866 (Regulatory Planning and Review) and DOT Regulatory Policies and Procedures

The FMCSA has determined that this action is not a significant regulatory action within the meaning of Executive Order 12866, and is not significant within the meaning of the Department of Transportation's regulatory policies and procedures (DOT Order 2100.5 dated May 22, 1980; 44 FR 11034, February 26, 1979). The current requirement for motor carriers to file a single MCS–150 before beginning operations limits the agency's ability to maintain current information on the industry that it regulates, and to accurately gauge the safety outcomes of its programs and activities. This FR responds to the requirement of Section 217 of the MCSIA by requiring motor carriers operating in interstate or foreign commerce to provide an update of the information filed with the FMCSA on their most recent MCS–150 no more often than every two years. As discussed in the next section, the FR imposes so little additional burden that a full regulatory evaluation is unnecessary.

Regulatory Flexibility Act

In compliance with the Regulatory Flexibility Act (5 U.S.C. 601–612), the agency has considered the effects of this FR on small entities. The FMCSA is revising its requirement for filing the MCS–150 to respond to direction contained in Section 217 of the MCSIA. Motor carriers are required to file their MCS–150 updates according to a schedule determined by the next-to-last digit (whether the update would be filed during an odd-numbered or even-numbered year) and the last digit (the filing month) of their assigned USDOT number.

As of April 2000, the FMCSA estimates there are 430,173 motor carriers operating between 1 and 20 powered units (trucks, truck-tractors, buses, and motorcoaches), and another 84,272 that operate an unspecified number of powered units.

The agency has estimated that it takes 20 minutes to complete the MCS–150 the first time it is filed. However, the agency estimates the biennial update would take considerably less time. The information is likely to be the same, and motor carriers will already have had the experience of completing the form at least once before. For the purpose of this FR, the agency estimates that the biennial update would take 10 minutes. The agency considers the time necessary for motor carriers to comply with this provision to be minimal: the time requirement is estimated to be extremely small, especially in comparison to the filing of other information required from businesses in their normal course of operations. Furthermore, if the motor carrier uses the postage-paid return form provided by the agency, it will not incur costs for mailing or facsimile transmission costs. Therefore, in compliance with the Regulatory Flexibility Act, the FMCSA certifies that this rule will not have a significant economic impact on a substantial number of small entities.

Executive Order 13132 (Federalism)

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 13132. It has been determined that this rulemaking does not have a substantial direct effect on States, nor would it limit the policymaking discretion of the States. Nothing in this document directly preempts any State law or regulation.

Executive Order 12372 (Intergovernmental Review)

Catalog of Federal Domestic Assistance Program Number 20.217, Motor Carrier Safety. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities do not apply to this program.

Paperwork Reduction Act

Under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501–3520), a Federal agency must obtain approval from the Office of Management and Budget (OMB) for each collection of information it conducts, sponsors, or requires through regulations. An analysis of this rule has been made by the FMCSA, and it has been determined that it will affect the information collection burden associated with the currently-approved information collection covered by OMB Control No. 2126–0013 (formerly 2125–0544). The OMB approved the most recent update of this information collection on October 4, 1999. The approval period runs through May 31, 2004.

For a motor carrier filing an MCS–150 for the first time, the FMCSA estimates it takes approximately 20 minutes to gather the information and complete the form. The FMCSA estimates that there are approximately 50,000 new motor carriers annually who must file their initial MCS–150. Until now, a motor carrier has only been required to complete and file this form once, when it begins to operate CMVs in interstate commerce. This FR requires a motor carrier to provide an update of the information every two years, starting January 2001. For most motor carriers, it is likely that much of the information contained on the MCS–150 will remain unchanged.

The FMCSA estimated that the updates required during calendar year 2000, and the biennial update starting January 2001, would require 10 minutes. Because the agency proposed to implement a regulation that will require motor carriers to file this information more frequently, the FMCSA submitted this proposed revision of information collection to OMB for review and approval. Neither the OMB nor any commenters took issue with the agency's estimate of this information collection burden.

Estimated Annual Reporting Burden:

Number of respondents: 549,000 motor carriers

Burden hours: Biennial update: 549,000 x 50% (biennial) x 10 minutes per update = 45,750 hours. Annual initial MCS–150 filings: 51,400 X 20 minutes = 17,133 burden hours. Total estimated annual burden: 62,883 hours.

National Environmental Policy Act

The Federal Motor Carrier Safety Administration (FMCSA) is a new administration within the Department of Transportation (DOT). We are striving to meet all of the statutory and executive branch requirements on rulemaking. The FMCSA is currently developing an agency order that will comply with all statutory and regulatory policies under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*). We expect the draft FMCSA Order to appear in the **Federal Register** for public comment in the near future. The framework of the FMCSA Order is consistent with and reflects the procedures for considering environmental impacts under DOT Order 5610.1C. The FMCSA analyzed this proposal under the NEPA and DOT Order 5610.1C. Since the proposal is strictly procedural in nature, we believe it would be among the type of regulations that would be categorically excluded from any environmental assessment.

Unfunded Mandates Reform Act of 1995

This rule does not impose a Federal mandate resulting in the expenditure by State, local, or tribal governments, in the

aggregate, or by the private sector, of $100 million or more in any one year. 2 U.S.C.1531 *et seq.*

Executive Order 12630 (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 Constitutional Protected Property Rights.

Executive Order 12988 (Civil Justice Reform)

This action meets applicable standards in Sections 3(a) and 3(b)(2) of E.0. 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

Executive Order 13045 (Protection of Children)

We have analyzed this action under Executive Order 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.

Executive Order 13211: Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use (2001)

We have analyzed this action under Executive Order 13211 for any adverse effects on energy supply, distribution, or use, and reasonable alternatives and their effects. The rule is not a significant rule, and there are no adverse energy effects as a result of it.

List of Subjects in 49 CFR Part 390

Highway safety, Motor carriers, Motor vehicle identification and marking, Reporting and recordkeeping requirements

In consideration of the foregoing, the FMCSA amends title 49, Code of Federal Regulations, Chapter III, as follows:

PART 390—[AMENDED]

1. Revise the authority citation for part 390 to read as follows:

Authority: 49 U.S.C. 13301, 13902, 31132, 31133, 31136, 31502, 31504; sec. 204, Pub. L. 104–88, 109 Stat. 803, 941 (49 U.S.C. 701 note); sec. 217, Pub. L. 105–159, 113 Stat. 1748, 1767; and 49 CFR 1.73.

2. Amend § 390.19 by revising paragraphs (a), (b), and (c) and revising paragraph (g) to read as follows:

§ 390.19 Motor carrier identification report.

(a) Each motor carrier that conducts operations in interstate commerce must file a Motor Carrier Identification Report, Form MCS–150 at the following times:

(1) Before it begins operations; and

(2) Every 24 months, according to the following schedule:

USDOT Number ending in	Must file by last day of;
1	January
2	February
3	March
4	April
5	May
6	June
7	July
8	August
9	September
0	October

(3) If the next-to-last digit of its USDOT number is odd, the motor carrier shall file its update in every odd-numbered calendar year. If the next-to-last digit of the USDOT number is even, the motor carrier shall file its update in every even-numbered calendar year.

(b) The Motor Carrier Information Report, Form MCS–150, with complete instructions, is available from the FMCSA's web site at: *http://www.fmcsa.dot.gov* (keyword ''MCS–150''), from all FMCSA Service Centers and Division offices nationwide, or by calling 1–800–832–5660.

(c) The completed Motor Carrier Identification Report, Form MCS–150, shall be filed with the FMCSA's Office of Data Analysis and Information Systems.

(1) The form may be filed electronically according to the instructions at the agency's web site, or it may be sent to Federal Motor Carrier Safety Administration, Data Analysis and Information Systems, MC-RIS, 400 Seventh Street, SW, Washington, DC 20590.

(2) A for-hire motor carrier should submit the Form MCS–150 along with its application for operating authority (Form OP–1 or OP–2) to the appropriate address referenced on that form, or may submit it electronically or by mail separately to the address mentioned in this section.

* * * * *

(g) A motor carrier that registers its vehicles in a State that participates in the Performance and Registration Information Systems Management (PRISM) program (authorized under section 4004 of the Transportation Equity Act for the 21st Century [(Public Law 105–178, 112 Stat. 107]) is exempt from the requirements of this section, provided it files all the required information with the appropriate State office.

[Approved by the Office of Management and Budget under control number 2126–0013]

Issued on: February 26, 2002.

Joseph M. Clapp,

Administrator.

[FR Doc. 02–4960 Filed 2–28–02; 8:45 am]

BILLING CODE 4910–EX–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 011218304-1304-01; I.D. 022502D]

Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Vessels Catching Pacific Cod for Processing by the Inshore Component in the Western Regulatory Area of the Gulf of Alaska

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

ACTION: Closure.

SUMMARY: NMFS is prohibiting directed fishing for Pacific cod by vessels catching Pacific cod for processing by the inshore component in the Western Regulatory Area of the Gulf of Alaska (GOA). This action is necessary to prevent exceeding the A season amount of the Pacific cod total allowable catch (TAC) apportioned to vessels catching Pacific cod for processing by the inshore component of the Western Regulatory Area of the GOA.

DATES: Effective 1200 hrs, Alaska local time (A.l.t.), February 26, 2002, until 1200 hrs, A.l.t., September 1, 2002.

FOR FURTHER INFORMATION CONTACT: Mary Furuness, 907-586-7228.

SUPPLEMENTARY INFORMATION: NMFS manages the groundfish fishery in the GOA exclusive economic zone according to the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act. Regulations governing fishing by U.S. vessels in accordance with the FMP appear at subpart H of 50 CFR part 600 and 50 CFR part 679.

The 2002 A season Pacific cod TAC apportioned to vessels catching Pacific cod for processing by the inshore component in the Western Regulatory Area of the GOA is 9,098 metric tons (mt) as established by an emergency rule

implementing 2002 harvest specifications and associated management measures for the groundfish fisheries off Alaska (67 FR 956, January 8, 2002).

In accordance with § 679.20(d)(1)(i), the Administrator, Alaska Region, NMFS (Regional Administrator), has determined that the A season amount of the Pacific cod TAC apportioned to vessels catching Pacific cod for processing by the inshore component of the Western Regulatory Area of the GOA will be reached. In accordance with § 679.20(a)(11)(iii), Pacific cod bycatch taken between the closure of the A season and opening of the B season shall be deducted from the B season TAC apportionment. Therefore, the Regional Administrator is establishing a directed fishing allowance of 9,098 mt. In accordance with § 679.20(d)(1)(iii), the Regional Administrator finds that this directed fishing allowance will soon be reached. Consequently, NMFS is prohibiting directed fishing for Pacific cod by vessels catching Pacific cod for processing by the inshore component in the Western Regulatory Area of the GOA.

Maximum retainable bycatch amounts may be found in the regulations at § 679.20(e) and (f).

Classification

This action responds to the best available information recently obtained from the fishery. The Assistant Administrator for Fisheries, NOAA, finds that the need to immediately implement this action to prevent exceeding the amount of the 2002 A season Pacific cod TAC specified for the inshore component in the Western Regulatory Area of the GOA constitutes good cause to waive the requirement to provide prior notice and opportunity for public comment pursuant to the authority set forth at 5 U.S.C. 553(b)(3)(B) and 50 CFR 679.20(b)(3)(iii)(A), as such procedures would be unnecessary and contrary to the public interest. Similarly, the need to implement these measures in a timely fashion to prevent exceeding the 2002 A season Pacific cod TAC specified for the inshore component in the Western Regulatory Area of the GOA constitutes good cause to find that the effective date of this action cannot be delayed for 30 days. Accordingly, under 5 U.S.C. 553(d), a delay in the effective date is hereby waived.

This action is required by § 679.20 and is exempt from review under Executive Order 12866.

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

Dated: February 25, 2002.

Bruce C. Morehead,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 02–4929 Filed 2–26–02; 2:09 pm]

BILLING CODE 3510–22–S

Proposed Rules

Federal Register
Vol. 67, No. 41
Friday, March 1, 2002

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.

GENERAL ACCOUNTING OFFICE

4 CFR Part 21

General Accounting Office, Administrative Practice and Procedure, Bid Protest Regulations, Government Contracts; Correction

AGENCY: General Accounting Office.

ACTION: Advance notice of proposed rulemaking; correction.

SUMMARY: This document corrects information in the Supplementary Information section in an advance notice of proposed rulemaking published in the **Federal Register** of February 25, 2002 (67 FR 8485) regarding revisions to the General Accounting Office's (GAO) Bid Protest Regulations. This correction states the correct GAO electronic mail address to which public comments may be sent.

FOR FURTHER INFORMATION CONTACT: John M. Melody, 202–512–8274.

Correction

In advance notice of proposed rulemaking FR Doc. 02–4337, beginning on page 8485 in the issue of February 25, 2002, make the following correction, in the Supplementary Information section. On page 8485 in the 3rd column, the last paragraph should be corrected to read as follows: ''Comments may be submitted by hand delivery or mail to the address in the address line, by e-mail at *BidProtestRegs@gao.gov,* or by facsimile at 202–512–9749.''

Dated: February 26, 2002.

John M. Melody,

Assistant General Counsel.

[FR Doc. 02–4944 Filed 2–28–02; 8:45 am]

BILLING CODE 1610–02–M

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 948

[Docket No. FV02–948–1 PR]

Irish Potatoes Grown in Colorado; Increase the Minimum Size Requirement for Area No. 2

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Proposed rule.

SUMMARY: This rule would increase the minimum size requirement for all varieties of potatoes produced in Area No. 2 of Colorado, except for the round varieties, and the Russet Burbank, Russet Norkotah, and Silverton Russet varieties. This rule would raise the minimum size requirement from 1⅞ inches to 2 inches in diameter or 4 ounces in weight. This size change is based on a recommendation of the Colorado Potato Administrative Committee (Committee), the agency responsible for local administration of the marketing order for potatoes grown in Colorado. This change is intended to improve the marketing of Colorado potatoes and increase returns to producers.

DATES: Comments must be received by April 30, 2002.

ADDRESSES: Interested persons are invited to submit written comments concerning this proposed rule. 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) 720–8938, or E-mail: moab.docketclerk@usda.gov. Comments should reference the docket number and the date and page number of this issue of the **Federal Register** and will be available for public inspection in the Office of the Docket Clerk during regular business hours, or can be viewed at: *http://www.ams.usda.gov/fv/moab.html.*

FOR FURTHER INFORMATION CONTACT: Dennis L. West, Northwest Marketing Field Office, Marketing Order Administration Branch, Fruit and Vegetable Programs, AMS, USDA, 1220 SW Third Avenue, suite 385, Portland, Oregon 97204–2807; telephone: (503) 326–2724, Fax: (503) 326–7440; 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) 720–8938.

Small businesses may request information on complying with this regulation by contacting Jay Guerber, 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) 720–8938, or e-mail: *Jay.Guerber@usda.gov.*

SUPPLEMENTARY INFORMATION: This rule is issued under Marketing Agreement No. 97 and Order No. 948, both as amended (7 CFR part 948), regulating the handling of Irish potatoes grown in Colorado, 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 (USDA) is issuing this rule in conformance with Executive Order 12866.

This rule has been reviewed under Executive Order 12988, Civil Justice Reform. This rule is not intended to have retroactive effect. This rule will 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 USDA 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. Such handler is afforded the opportunity for a hearing on the petition. After the hearing USDA 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 USDA'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 would increase the minimum size requirement for all varieties of potatoes produced in Area No. 2 of Colorado, except for the round varieties, and the Russet Burbank, Russet Norkotah, and Silverton Russet varieties. This rule would raise the minimum size requirement from 1⅞ inches in diameter to 2 inches in diameter or 4 ounces in weight. This action is based on a recommendation of the Committee made on August 16, 2001.

Section 948.4 of the order defines the counties included in Area No. 2, which is commonly known as the San Luis Valley. Section 948.22 of the order authorizes the issuance of regulations for grade, size, quality, maturity, and pack for any variety or varieties of potatoes grown in different portions of the production area during any period. Section 948.23 authorizes the issuance of regulations that modify, suspend, or terminate requirements issued under § 948.22. Size regulations for potatoes grown in Area No. 2 are currently in effect under § 948.386. Current regulations prescribe minimum size requirements of 2 inches in diameter for round varieties and 1⅞ inches in diameter for long varieties.

This proposed rule would increase the minimum size requirement for all varieties of potatoes from 1⅞ inches in diameter to 2 inches in diameter or 4 ounces in weight, except for the round varieties and the Russet Burbank, Russet Norkotah, and Silverton Russet varieties. Potatoes subject to minimum size requirements would meet the size requirements if they are at least 2 inches in diameter or 4 ounces in weight. Some long and thin potatoes might be smaller than 2 inches in diameter, but weigh at least 4 ounces. These potatoes would meet the proposed size requirements. Some potatoes might weigh less than 4 ounces, but be at least 2 inches in diameter. These potatoes also would meet the proposed minimum size requirements.

According to the Committee, quality assurance is very important to the Colorado potato industry and to its customers. Providing the public with acceptable quality produce that is appealing to the consumer on a consistent basis is necessary to maintain buyer confidence in the marketplace. The Committee reports that potato size is important to buyers and that providing the sizes desired is necessary to promote sales. Overall producer prices during the period 1995 through 1999 averaged $4.26 per hundredweight.

Nine members voted in favor of the recommendation, two members voted in opposition and one member abstained. The Committee made the recommendation to provide buyers with the sizes they prefer and to maintain buyer confidence. The Committee also believes that this would help improve the marketing of Colorado potatoes under the order and help improve producer returns.

To obtain additional information on the need for the change, the Committee conducted a producer survey. The survey indicated that 58 percent of the producers supported an increase in the minimum size to 2 inches in diameter or 4 ounces in weight for all varieties of potatoes, except for the round varieties and the Russet Burbank, Russet Norkotah, and Silverton Russet varieties.

The Committee further believes that the current minimum size requirement of 2 inches in diameter for all round varieties of potatoes continues to be appropriate. The Russet Burbank, Russet Norkotah, and Silverton Russet are long and thin varieties of potatoes. Because of their shape, these varieties have a tendency, when sitting on end, to fall through the potato sizing equipment, even when the potatoes are of good size (e.g., 4 ounces or larger). This is particularly a problem when the sizing equipment is set at larger size settings such as 2 or 2¼ inches in diameter. Because of this problem, the Committee decided that the current minimum size requirement for these varieties of 1⅞ inches in diameter continues to be appropriate. However, one Committee member who opposed the recommendation believed all potato varieties should have a minimum size requirement of 2 inches in diameter or 4 ounces in weight. The Committee believes that handlers might lose a high percentage of acceptable potatoes of these varieties through the sizing equipment if the minimum size requirement on such potatoes was increased to 2 inches in diameter or 4 ounces in weight. Another Committee member opposing the recommendation did not believe that the producer survey results supporting an increase was a sufficient reason for the Committee to recommend an increase in the minimum size requirements. While the survey provided information for the Committee to make its recommendation, the primary purposes for the change are to better meet the needs of buyers and consumers, improve the image of Colorado potatoes, and improve sales and prices.

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 rule 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 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 230 producers of Colorado Area No. 2 potatoes and approximately 80 handlers subject to regulation under the marketing order. Small agricultural producers are defined by the Small Business Administration (13 CFR 121.201) as those having annual receipts of less than $750,000, and small agricultural service firms are defined as those whose annual receipts are less than $5,000,000.

Information provided by the National Agricultural Statistics Service was considered in determining the number of large and small producers by acreage, production, and producer prices. According to the information provided, the recent average yield per acre was 335 hundredweight, the average farm size was 306 acres of potatoes, and the recent season average producer price was $4.20 per hundredweight. This equates to average gross annual producer receipts of approximately $430,542 each. In addition, based upon information provided by the Committee, all handlers of Area No. 2 potatoes have shipped under $5,000,000 worth of potatoes during the most recent season for which statistics are available. Based on the foregoing, it can be concluded that a majority of producers and handlers of Area No. 2 potatoes may be classified as small entities.

The National Agricultural Statistics Service estimated planted acreage for the 2001–02 crop in Area No. 2 at 68,100 acres, a decrease of 7,500 acres when compared with the 75,600 acres harvested in 2000–01. Approximately 90 percent of the potatoes harvested enter into the fresh market (including potatoes produced for seed).

Russet varieties accounted for 81.4 percent of the acres planted for the 2001–02 crop year. Russet Norkotah, the most popular variety, was planted on 53.8 percent of the total potato acreage. Other Russet varieties accounted for 27.6 percent of the total acres planted, with various other varieties making up

the remaining 18.6 percent. While exact acreage is not known, plantings of Russet Burbank and Silverton Russet varieties of potatoes are estimated to make up only a small percentage of the total potato acreage.

This rule would increase the minimum size requirement for all varieties of potatoes produced in Area No. 2 of Colorado, except for the round varieties and the Russet Burbank, Russet Norkotah, and Silverton Russet varieties. This rule would raise the minimum size requirement from 1⅞ inches in diameter to 2 inches in diameter or 4 ounces in weight. Only a small portion of the crop (i.e., that portion smaller than 2 inches in diameter or 4 ounces in weight but larger than 1⅞ inches in diameter) is expected to be affected by the proposed size increase. The Committee believes that the expected benefits of improved quality, increased purchases and sales volume, and increased returns received by producers would greatly outweigh the costs related to the regulation.

Alternatives considered by the Committee included increasing the minimum size requirement for all Russet varieties or not making any changes. The Committee does not believe it is desirable to increase the minimum size requirement for the Russet Burbank, Russet Norkotah, and Silverton Russet varieties because these long and thin varieties have a tendency, when sitting on end, to fall through the potato sizing equipment even when the potatoes are of good size. This is particularly a problem when the sizing equipment is set at larger size settings such as 2 or 2¼ inches. Because of this problem, the Committee decided that the current minimum size requirement for these varieties of 1⅞ inches in diameter continues to be appropriate. The Committee believes that handlers might lose a high percentage of acceptable potatoes through the sizing equipment if the minimum size requirement on such potatoes was increased to 2 inches in diameter or 4 ounces in weight.

The alternative of taking no action would not have addressed the marketing problems.

This rule would change the size requirements currently prescribed under the marketing order. Accordingly, this action would not impose any additional reporting or recordkeeping requirements on either small or large potato 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.

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

In addition, the Committee's meeting was widely publicized throughout the Colorado Area No. 2 potato industry and all interested persons were invited to attend the meeting and participate in Committee deliberations on all issues. Like all Committee meetings, the Committee meeting on August 16, 2001, was a public meeting and all entities, both large and small, were able to express views on this issue. 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: *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.

List of Subjects in 7 CFR Part 948

Marketing agreements, Potatoes, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, 7 CFR part 948 is proposed to be amended as follows:

PART 948—IRISH POTATOES GROWN IN COLORADO

1. The authority citation for 7 CFR part 948 continues to read as follows:

Authority: 7 U.S.C. 601–674.

2. Section 948.386 is amended by revising the introductory text and paragraph (a) to read as follows:

§ 948.386 Handling regulation.

No person shall handle any lot of potatoes grown in Area No. 2 unless such potatoes meet the requirements of paragraphs (a), (b), and (c) of this section, or unless such potatoes are handled in accordance with paragraphs (d) and (e), or (f) of this section.

(a) *Minimum grade and size requirements*— (1) *Round varieties.* U.S. No. 2, or better grade, 2 inches minimum diameter.

(2) *All other varieties.* U.S. No. 2, or better grade, 2 inches minimum diameter or 4 ounces minimum weight: *Provided,* That the Russet Burbank, Russet Norkotah, and Silverton Russet varieties, shall be 1⅞ inches minimum diameter.

(3) *All varieties.* Size B, if U.S. No. 1 grade.

(4) *All varieties.* 1-inch minimum diameter to 1¾ inches maximum diameter, if at least U.S. No. 1 grade.

(5) None of the categories of potatoes identified in paragraphs (a)(1) through (a)(4) of this section may be commingled in the same bag or other container.

* * * * *

Dated: February 22, 2002.

Kenneth C. Clayton,

Acting Administrator, Agricultural Marketing Service.

[FR Doc. 02–4706 Filed 2–28–02; 8:45 am]

BILLING CODE 3410–02–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 2001–CE–44–AD]

RIN 2120–AA64

Airworthiness Directives; Pilatus Aircraft Ltd. Models PC–12 and PC–12/45 Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes to adopt a new airworthiness directive (AD) that would apply to all Pilatus Aircraft Ltd. (Pilatus) Models PC–12 and PC–12/45 airplanes. This proposed AD would require you to inspect the left and right main landing gear (MLG) assemblies for bolts with a serial number (S/N) beginning with the letters ''AT'' and numbers 299 or lower and replace each bolt with a bolt that does not have a S/N with both the letters ''AT'' and a number of 299 or lower. This proposed AD is the result of mandatory continuing airworthiness information (MCAI) issued by the airworthiness authority for Switzerland. The actions specified by this proposed AD are intended to detect and replace defective MLG assembly bolts that have an improper cadmium plating, which could cause hydrogen embrittlement and bolt failure. Such failure could lead to MLG collapse during landing.

DATES: The Federal Aviation Administration (FAA) must receive any comments on this proposed rule on or before April 1, 2002.

ADDRESSES: Submit comments to FAA, Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 2001–CE–44–AD, 901 Locust, Room 506, Kansas City, Missouri 64106. You may view any comments at this location

between 8 a.m. and 4 p.m., Monday through Friday, except Federal holidays.

You may get service information that applies to this proposed AD from Pilatus Aircraft Ltd., Customer Liaison Manager, CH–6371 Stans, Switzerland; telephone: +41 41 619 63 19; facsimile: +41 41 619 6224; or from Pilatus Business Aircraft Ltd., Product Support Department, 11755 Airport Way, Broomfield, Colorado 80021; telephone: (303) 465–9099; facsimile: (303) 465–6040. You may also view this information at the Rules Docket at the address above.

FOR FURTHER INFORMATION CONTACT: Doug Rudolph, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329–4059; facsimile: (816) 329–4090.

SUPPLEMENTARY INFORMATION:

Comments Invited

How do I comment on this proposed AD? The FAA invites comments on this proposed rule. You may submit whatever written data, views, or arguments you choose. You need to include the rule's docket number and submit your comments to the address specified under the caption **ADDRESSES**. We will consider all comments received on or before the closing date. We may amend this proposed rule in light of comments received. Factual information that supports your ideas and suggestions is extremely helpful in evaluating the effectiveness of this proposed AD action and determining whether we need to take additional rulemaking action.

Are there any specific portions of this proposed AD I should pay attention to? The FAA specifically invites comments on the overall regulatory, economic, environmental, and energy aspects of this proposed rule that might suggest a need to modify the rule. You may view all comments we receive before and after the closing date of the rule in the Rules Docket. We will file a report in the Rules Docket that summarizes each contact we have with the public that concerns the substantive parts of this proposed AD.

How can I be sure FAA receives my comment? If you want FAA to acknowledge the receipt of your comments, you must include a self-addressed, stamped postcard. On the postcard, write ''Comments to Docket No. 2001–CE–44–AD.'' We will date stamp and mail the postcard back to you.

Discussion

What events have caused this proposed AD? The Federal Office for Civil Aviation (FOCA), which is the airworthiness authority for Switzerland, recently notified FAA that an unsafe condition may exist on certain Pilatus Models PC–12 and PC–12/45 airplanes. The FOCA reports that, because of a manufacturing defect, certain bolts on the main landing gear (MLG) assembly may be defective. The problem is caused by an improper cadmium process applied to the high strength steel part, which can cause hydrogen embrittlement and subsequent failure of the bolt.

The defective bolts were initially installed on MLG assemblies that have a serial number beginning with the letters ''AM''. Each bolt in the defective lot incorporates the letters ''AT'' and a number of 299 or lower.

What are the consequences if the condition is not corrected? If not corrected, such failure could lead to MLG collapse during landing.

Is there service information that applies to this subject? Pilatus has issued Pilatus PC–12 Service Bulletin No. 32–012, dated October 18, 2001.

What are the provisions of this service information? The service bulletin includes procedures for replacing defective bolts in the main landing gear assemblies.

What action did the FOCA take? The FOCA classified this service bulletin as mandatory and issued Swiss AD Number HB 2001–603, dated November 5, 2001, in order to ensure the continued airworthiness of these airplanes in Switzerland.

Was this in accordance with the bilateral airworthiness agreement? These airplane models are manufactured in Switzerland and are type certificated for operation in the United States under the provisions of § 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement.

Pursuant to this bilateral airworthiness agreement, the FOCA has kept FAA informed of the situation described above.

The FAA's Determination and an Explanation of the Provisions of This Proposed AD

What has FAA decided? The FAA has examined the findings of the FOCA; reviewed all available information, including the service information referenced above; and determined that:

—The unsafe condition referenced in this document exists or could develop on other Pilatus Models PC–12 and PC–12/45 airplanes of the same type design that are on the U.S. registry;

—The actions specified in the previously-referenced service information should be accomplished on the affected airplanes; and

—AD action should be taken in order to correct this unsafe condition.

What would this proposed AD require? This proposed AD would require you to incorporate the actions in the previously-referenced service bulletin.

Cost Impact

How many airplanes would this proposed AD impact? We estimate that this proposed AD affects 16 airplanes in the U.S. registry.

What would be the cost impact of this proposed AD on owners/operators of the affected airplanes? We estimate the following costs to accomplish the proposed inspection and replacement:

Labor cost	Parts cost	Total cost per airplaine	Total cost U.S. operators
Manufacturer will pay for workhours ..	Parts will be provided at no cost to the owners/operators of the affected aircraft.	None	None.

Compliance Time of This Proposed AD

What would be the compliance time of this proposed AD? The compliance time of this proposed AD is ''within the next 30 days after the effective date of this AD''.

Why is the compliance time presented in calendar time instead of hours time-in-service (TIS)? Although malfunction of the main landing gear is unsafe during flight, the condition is not a direct result of airplane operation. The chance of this situation occurring is the same for an airplane with 10 hours TIS as it would be for an airplane with 500 hours TIS. A calendar time for compliance would ensure that the unsafe condition is addressed on all airplanes in a reasonable time period.

Regulatory Impact

Would this proposed AD impact various entities? 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 proposed rule would not have federalism implications under Executive Order 13132.

Would this proposed AD involve a significant rule or regulatory action? For the reasons discussed above, I certify that this proposed action (1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A copy of the draft regulatory evaluation prepared for this action has been placed in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption **ADDRESSES.**

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Amendment

Accordingly, under 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. FAA amends § 39.13 by adding a new airworthiness directive (AD) to read as follows:

Pilatus Aircraft Ltd.: Docket No. 2001–CE–44–AD

(a) *What airplanes are affected by this AD?* This AD affects the following airplane models and serial numbers that are certificated in any category:

(1) Group 1: Pilatus may have installed the affected bolts on the following airplanes at manufacture. All portions of this AD apply to these airplanes:

Model	Serial numbers
PC–12 and PC–12/45.	349, 352, 357, 359, 362 through 365, 367, 369, 371, 375, 377, 380, 384, 385, 388, 390, 391, 393, 401, and 409.

(2) Group 2: The affected bolts could be installed through spare replacement on any of the following model airplanes. Paragraphs (d)(3) and (d)(4) of this AD apply to these airplanes:

Model	Serial numbers
PC–12 and PC–12/45	All serial numbers.

(b) *Who must comply with this AD?* Anyone who wishes to operate any of the airplanes identified in paragraph (a) of this AD must comply with this AD.

(c) *What problem does this AD address?* The actions specified by this AD are intended to detect and replace defective main landing gear (MLG) assembly bolts that have an improper cadmium plating, which could cause hydrogen embrittlement and bolt failure.

(d) *What actions must I accomplish to address this problem?* To address this problem, accomplish all actions for Group 1 airplanes, and accomplish paragraphs (d)(3) and (d)(4) of this AD for Group 2 airplanes:

Actions	Compliance	Procedures
(1) Inspect the left and right main landing gear (MLG) assembly for the existence of a bolt, part number (P/N) 532.10.12.077, that has a serial number (S/N) with both the letters ''AT'' and a number of 299 or lower. (i) If the above referenced bolts are not installed, no further action is required. (ii) If the above referenced bolts are installed, replace each bolt with an FAA-approved bolt that does not have a S/N with both the letters ''AT'' and a number of 299 or lower.	Inspect within the next 30 days after the effective date of this AD. Prior to further flight, replace bolts found during the inspection required in paragraph (d)(1) of this AD.	Pilatus PC–12 Service Bulletin No. 32–012, dated October 18, 2001, provides information about these actions.
(2) Send the removed bolts to Pilatus Aircraft Ltd. so the bolts cannot be reused and report the results of the inspection (positive or negative) to FAA. The Office of Management and Budget (OMB) approved the information collection requirements contained in this regulation under the provisions of the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*) and assigned OMB Control Number 2120–0056.	Within 10 days after removing the bolts or within 10 days after the effective date of this AD, whichever occurs later.	Send the removed bolts to Pilatus Aircraft Ltd. at the address in paragraph (h) of this AD, and send the report to Doug Rudolph, FAA, at the address in paragraph (f) of this AD.
(3) Do not install any bolt, P/N 532.10.12.007, on any MLG assembly that has a S/N with both the letters ''AT'' and a number of 299 or lower.	As of the effective date of this AD	Not Applicable.
(4) If you have already accomplished the actions specified in Pilatus PC–12 Service Bulletin No. 32–012, dated October 18, 2001, send a report to the FAA at the address in paragraph (f) of this AD, stating if one of the affected bolts were replaced and returned to Pilatus.	Within the next 30 days after the effective date of this AD.	Not Applicable.

(e) *Can I comply with this AD in any other way?* You may use an alternative method of compliance or adjust the compliance time if:

(1) Your alternative method of compliance provides an equivalent level of safety; and

(2) The Manager, Small Airplane Directorate, approves your alternative. Submit your request through an FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Small Airplane Directorate.

Note 1: This AD applies to each airplane identified in paragraph (a) of this AD, 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 (e) 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 you have not eliminated the unsafe condition, specific actions you propose to address it.

(f) *Where can I get information about any already-approved alternative methods of compliance?* Contact Doug Rudolph, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329–4059; facsimile: (816) 329–4090.

(g) *What if I need to fly the airplane to another location to comply with this AD?* The FAA can issue a special flight permit under sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate your airplane to a location where you can accomplish the requirements of this AD.

(h) *How do I get copies of the documents referenced in this AD?* You may get copies of the documents referenced in this AD from Pilatus Aircraft Ltd., Customer Liaison Manager, CH–6371 Stans, Switzerland; telephone: +41 41 619 63 19; facsimile: +41 41 619 6224; or from Pilatus Business Aircraft Ltd., Product Support Department, 11755 Airport Way, Broomfield, Colorado 80021; telephone: (303) 465–9099; facsimile: (303) 465–6040. You may view these documents at FAA, Central Region, Office of the Regional Counsel, 901 Locust, Room 506, Kansas City, Missouri 64106.

Note 2: The subject of this AD is addressed in Swiss AD HB 2001–603, dated November 5, 2001.

Issued in Kansas City, Missouri, on February 21, 2002.

Michael Gallagher,

Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 02–4865 Filed 2–28–02; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF THE TREASURY

Customs Service

19 CFR PART 122

RIN 1515–AD01

Re-Use of Air Waybill Number on Air Cargo Manifest

AGENCY: Customs Service, Department of the Treasury.

ACTION: Notice of proposed rulemaking.

SUMMARY: This document proposes to amend the Customs Regulations pertaining to air commerce to provide that once an air waybill number is used on an air cargo manifest, one year must elapse before the same air waybill number may be used on another air cargo manifest. Current regulations prohibit the re-use of an air waybill number for three years after it is used on an air cargo manifest. The proposed amendment also specifies that air cargo manifests must reference an 11-digit air waybill number for each air waybill it covers. The document requests comments on the proposed changes.

DATES: Comments must be received on or before April 30, 2002.

ADDRESSES: Written comments (preferably in triplicate), regarding both the substantive aspects of the proposed rule and how it may be made easier to understand, may be submitted to and inspected at the Regulations Branch, Office of Regulations and Rulings, U.S. Customs Service, 1300 Pennsylvania Avenue, NW., 3rd Floor, Washington, DC 20229.

FOR FURTHER INFORMATION CONTACT: Mr. Robert Scholtens, Trade Programs, Office of Field Operations: (202) 927–3459.

SUPPLEMENTARY INFORMATION:

Background

The requirements for aircraft entry and entry documents are set forth in subpart E of part 122 of the Customs Regulations (19 CFR part 122; § 122.41 *et seq.*). Under § 122.41 of the regulations (19 CFR 122.41), all commercial aircraft coming to the United States from a foreign area (with certain exceptions not relevant here) must make entry. Section 122.48 (19 CFR 122.48) provides that an air cargo manifest covering all cargo on board must be filed with the general declaration for any aircraft required to make entry under § 122.41. Section 122.48(c) pertains to the air cargo manifest form (Customs Form 7509) and the information it must contain which includes an air waybill number for each air waybill covered by the manifest. The number of air waybills covered by the manifest depends on the number of air waybills that are associated with the cargo on board. This number will vary from aircraft to aircraft, depending on the number of shipments on board (including consolidated shipments).

Thus, whenever a commercial aircraft arrives from a foreign place and makes entry as required under the regulations, it must submit to Customs a manifest containing the appropriate air waybill numbers. (*See* also 19 U.S.C. 1431, 1433, 1434, 1644, and 1644a pertaining to vessel and air cargo manifests.)

Section 4.7a(c)(2)(iii), Customs Regulations (19 CFR 4.7a(c)(2)(iii)), concerning vessel manifests provides that bills of lading must have unique identifier numbers, that the numbers must be listed on vessel manifests, and that the identifier numbers may not be duplicated within a 3-year period. Section 122.2, Customs Regulations (19 CFR 122.2), provides that, except as otherwise provided for in the Customs Regulations, the customs laws and regulations applicable to vessels are also applicable to aircraft. (Section 122.2 implements 19 U.S.C. 1644a(b)(1)(E), under which Customs is authorized, by regulation, to apply to civil aircraft the laws and regulations concerning the entry and clearance of vessels.) Air waybills in the air commerce environment are analogous to bills of lading in the vessel commerce environment. Because the time frame in which an air waybill identifying number may be duplicated is not otherwise provided for in the Customs Regulations, § 4.7a(c)(2)(iii), in conjunction with § 122.2, sets the time frame: once an air waybill number is used on an air cargo manifest, that number may not be duplicated within a 3-year period.

Customs has reconsidered the three-year restriction on the re-use of air waybill numbers and determined that it should be reduced from three years to one year. This change is being made in conjunction with Customs efforts to improve its internal automated information systems relative to the tracking, archiving, and auditing of shipments by use of manifest numbers. Also, the huge volume of importations is affecting the availability of usable numbers for air cargo manifests. Thus, this document proposes to amend § 122.48(c) to provide a one-year time restriction on re-use of air waybill numbers on air cargo manifests.

The three-year restriction of § 4.7a(c)(2)(iii) on the re-use of bill of lading numbers will remain in effect for vessels.

Customs also proposes to amend § 122.48(c) to specify that the air waybill number referenced on the air cargo manifest must be an 11-digit number. This number is based on a standard International Air Transport Association format.

Comments

Before adopting this proposal as a final rule, consideration will be given to any written comments timely submitted to Customs. Comments submitted will be available for public inspection in accordance with the Freedom of Information Act (5 U.S.C. 552), § 1.4 of the Treasury Department Regulations (31 CFR 1.4), and § 103.11(b) of the Customs Regulations (19 CFR 103.11(b)), on regular business days between the hours of 9 a.m. and 4:30 p.m. at the Regulations Branch, Office of Regulations and Rulings, U.S. Customs Service, 1300 Pennsylvania Avenue, NW., 3rd Floor, Washington, DC.

Executive Order 12866

This document does not meet the criteria for a ''significant regulatory action'' as specified in E.O. 12866.

Regulatory Flexibility Act

Inasmuch as adoption of the proposed amendment regarding the one-year time restriction on re-use of air waybill numbers represents a loosening of the restriction on importers' use of such numbers, it is certified, pursuant to the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), that the proposed amendment to the Customs Regulations, if adopted, will not have a significant economic impact on a substantial number of small entities. Accordingly, the proposed amendment is not subject to the regulatory analysis or other requirements of 5 U.S.C. 603 and 604.

Drafting Information

The principal author of this document was Bill Conrad, Office of Regulations and Rulings, U.S. Customs Service. However, personnel from other offices contributed in its development.

List of Subjects in 19 CFR Part 122

Air cargo, Air cargo manifest, Air carriers, Aircraft, Air transportation, Customs duties and inspection, Entry procedure.

Proposed Amendments to the Regulations

For the reasons stated in the preamble, part 122 of the Customs Regulations (19 CFR part 122) is proposed to be amended as follows:

PART 122—AIR COMMERCE REGULATIONS

1. The general authority citation for part 122 is revised to read as follows:

Authority: 5 U.S.C. 301; 19 U.S.C. 58b, 66, 1431, 1433, 1436, 1448, 1459, 1590, 1594, 1623, 1624, 1644, 1644a.

* * * * *

2. Section 122.48 is proposed to be amended by revising paragraph (c) to read as follows:

§ 122.48 Air Cargo Manifest.

* * * * *

(c) *Form.* The air cargo manifest, Customs Form 7509, must contain all required information regarding all cargo on board the aircraft, except that a more complete description of the cargo shipped may be provided by attaching to the manifest copies of the air waybills covering the cargo on board, including, if a consolidated shipment, any house air waybills. When copies of air waybills are attached, the statement ''Cargo as per air waybills attached'' must appear on the manifest. The manifest must reference an 11-digit air waybill number for each air waybill it covers. The air waybill number must not be used by the issuer for another air waybill for a period of one year after issuance.

* * * * *

Robert C. Bonner,

Commissioner of Customs.

Approved: February 26, 2002.

Timothy E. Skud,

Acting Deputy Assistant Secretary of the Treasury.

[FR Doc. 02–4954 Filed 2–28–02; 8:45 am]

BILLING CODE 4820–02–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[CA248–0293b; FRL–7149–8]

Revisions to the California State Implementation Plan, El Dorado County Air Pollution Control District

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing to approve a revision to the El Dorado County Air Pollution Control District's (EDCAPCD) portion of the California State Implementation Plan (SIP). This revision concerns new source review. We are proposing to approve a local rule to regulate emissions from new and modified stationary sources under the Clean Air Act as amended in 1990 (CAA or the Act).

DATES: Any comments on this proposal must arrive by April 1, 2002.

ADDRESSES: Mail comments to Roger Kohn, Permits Office (AIR–3), U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105–3901.

You can inspect copies of the submitted SIP revision and EPA's technical support document (TSD) at our Region IX office during normal business hours. You may also see copies of the submitted SIP revision at the following locations:

California Air Resources Board, Stationary Source Division, Rule Evaluation Section, 1001 ''I'' Street, Sacramento, CA 95812.

El Dorado County Air Pollution Control District, 2850 Fairlane Ct., Bldg. C, Placerville, CA 95667–4100.

FOR FURTHER INFORMATION CONTACT: Roger Kohn, Permits Office (AIR–3), U.S. Environmental Protection Agency, Region IX, (415) 972–3973, e-mail: *kohn.roger@epa.gov*

SUPPLEMENTARY INFORMATION: This proposal addresses EDCAPCD Rule 523. In the Rules and Regulations section of this **Federal Register**, we are approving this local rule in a direct final action without prior proposal because we believe this SIP revision is not controversial. If we receive adverse comments, however, we will publish a timely withdrawal of the direct final rule and address the comments in a subsequent action based on this proposed rule. We do not plan to open a second comment period, so anyone interested in commenting should do so at this time. If we do not receive adverse comments, no further activity is planned. For further information, please see the direct final action.

Dated: February 15, 2002.

Wayne Nastri,

Regional Administrator, Region IX.

[FR Doc. 02–4785 Filed 2–28–02; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[UT–001–0038, UT–001–0039, UT–001–0040; FRL–7151–5]

Approval and Promulgation of Air Quality Implementation Plans; State of Utah; Vehicle Inspection and Maintenance Programs

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: On August 14, 2001 and on August 15, 2001, the Governor of Utah submitted revisions to the State Implementation Plan (SIP) affecting the State's motor vehicle Inspection and Maintenance (I/M) programs. The August 14, 2001, submittal revised Utah's Rule R307–110–33, Section X, Vehicle Inspection and Maintenance Program, Part C, Salt Lake County to allow Salt Lake County to take 100% credit for their test and repair vehicle I/M network, rather than the previously required EPA default of a 50% emissions reduction credit. The August 15, 2001, submittal revises Utah's Rule R307–110–31, Section X, Vehicle Inspection and Maintenance Program, Part A, General Requirements and Applicability to require mandatory implementation of the inspection of vehicle On-Board Diagnostic (OBD) systems starting January 1, 2002. In this action, EPA is proposing approval of the revisions to Utah's Rule R307–110–33 and Rule R307–110–31.

DATES: Written comments must be received on or before April 1, 2002.

ADDRESSES: Written comments may be mailed to Richard R. Long, Director, Air and Radiation Program, Mail code 8P–AR, 999 18th Street, Suite 300, Denver, Colorado, 80202. Copies of the documents relevant to this action are available for public inspection during normal business hours at the United States Environmental Protection Agency, Region VIII, Air and Radiation Program, 999 18th Street, Suite 300, Denver, Colorado, 80202 and copies of the Incorporation by Reference material are available at the United States Environmental Protection Agency, Air and Radiation Docket and Information Center, 401 M Street, SW, Washington, DC 20460. Copies of the State documents relevant to this action are available for public inspection at the Utah Department of Environmental Quality, Division of Air Quality, 150 North 1950 West, Salt Lake City, Utah 84114.

FOR FURTHER INFORMATION CONTACT: Kerri Fiedler, EPA, Region VIII, (303) 312–6493.

SUPPLEMENTARY INFORMATION: Throughout this document, wherever ''we,'' ''our,'' or ''us'' is used, we mean EPA.

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V. Administrative requirements

I. Summary of EPA's Proposed Action

We are proposing to approve revisions to the SIP that were submitted by the Governor of Utah on August 14, 2001 and August 15, 2001. The August 14, 2001, submittal updates Utah's Rule R307–110–33, Section X, Vehicle Inspection and Maintenance Program, Part C, Salt Lake County. Specifically, this revision allows Salt Lake County to receive full credit (100%) for its test and repair vehicle Inspection and Maintenance (I/M) network. Salt Lake County has demonstrated that its test and repair I/M network is as effective as a test only I/M network and is eligible to take full emission reduction credit rather than the previously required EPA default of a 50% emissions reduction credit.

The August 15, 2001, submittal updates Utah's Rule R307–110–31, Section X, Vehicle Inspection and Maintenance Program, Part A, General Requirements and Applicability. This revision requires the mandatory implementation of the inspection of vehicle On-Board Diagnostic (OBD) systems starting January 1, 2002 in all areas implementing an I/M program. Therefore, this requirement is applicable for Davis County, Salt Lake County, Utah County, and Weber County. As a convenience to vehicle owners, Davis, Utah, and Weber Counties are already implementing this program. Salt Lake County will begin implementing the program on January 1, 2002.

II. What Is the State's Process To Submit These Materials to EPA?

Section 110(k) of the Clean Air Act (CAA) addresses our actions on submissions of revisions to a State Implementation Plan (SIP). The CAA requires States to observe certain procedural requirements in developing SIP revisions for submittal to us. Section 110(a)(2) of the CAA requires that each SIP revision be adopted by the State, after reasonable notice and public hearing, and prior to the revision being submitted by a State to us.

A. R307–110–33, Section X, Vehicle Inspection and Maintenance Program, Part C, Salt Lake County

The Utah Air Quality Board (UAQB) held a public hearing on June 21, 2001, to include in the Salt Lake County SIP element a demonstration that Salt Lake County's test and repair I/M network is as effective as a test only I/M network, and allow the County to claim 100% credit instead of 50% credit in emissions reduction. The UAQB adopted the revisions to R307–110–33, Section X, Vehicle Inspection and Maintenance Program, Part C, Salt Lake County on August 1, 2001. This SIP revision became State effective on August 2, 2001, and was submitted by the Governor of Utah to us on August 14, 2001.

B. R307–110–31, Section X, Vehicle Inspection and Maintenance Program, Part A, General Requirements and Applicability

The UAQB held a public hearing on June 21, 2001, to consider amendments to postpone the Federally required inspection of the OBD systems on newer vehicles, because the Federal implementation date had been postponed until January 1, 2002 (66 FR 18156). The UAQB adopted the revisions to R307–110–31, Section X, Vehicle Inspection and Maintenance Program, Part A, General Requirements and Applicability on August 1, 2001. This SIP revision became State effective on August 2, 2001, and was submitted by the Governor of Utah to us on August 15, 2001.

We have evaluated the Governor's submittals and have determined that the State met the requirements for reasonable notice and public hearing under section 110(a)(2) of the CAA. As required by section 110(k)(1)(B) of the CAA, we reviewed these SIP revision materials for conformance with the completeness criteria in 40 CFR part 51, appendix V and determined that the Governor's submittals were administratively and technically

complete. Our completeness determination was sent on October 18, 2001, through a letter from Jack W. McGraw, Acting Regional Administrator, to Governor Michael O. Leavitt.

III. Evaluation of the State's Submittal

A. R307–110–33, Section X, Vehicle Inspection and Maintenance Program, Part C, Salt Lake County

In this action, we are proposing to approve revisions to Utah's Rule R307–110–33, Section X, Vehicle Inspection and Maintenance Program, Part C, Salt Lake County, as adopted by the UAQB on August 1, 2001, and State effective on August 2, 2001. The Salt Lake County vehicle I/M program is in place to reduce vehicle emissions so that the Federal carbon monoxide National Ambient Air Quality Standard (NAAQS) and the Federal 1-hour ozone NAAQS are not exceeded. The changes in Rule R307–110–33 involve a demonstration that Salt Lake County's test and repair I/M network is as effective as a test only I/M network.

With respect to the CAA Amendments of 1990, we designated Salt Lake County nonattainment for the 1-hour ozone NAAQS and we also designated Salt Lake City nonattainment for the carbon monoxide NAAQS (see 56 FR 56694, November 6, 1991). Based on the above, section 182(b)(4) of the CAA required Salt Lake County to implement an I/M program at least as effective as EPA's Basic Performance Standard as specified in 40 CFR 51.352. We note that Salt Lake County was redesignated to attainment for the 1-hour ozone NAAQS on July 17, 1997 (see 62 FR 38213) and was redesignated to attainment for the carbon monoxide NAAQS on January 22, 1999 (see 64 FR 3216). The associated EPA-approved maintenance plans for both of the redesignations, however, continue to rely, in part, on the implementation of the I/M program for the necessary emission reductions used in the maintenance demonstrations.

On July 24, 2000, we promulgated, ''Additional Flexibility Amendments to Vehicle Inspection Maintenance Program Requirements; Amendment to the Final Rule'' (see 65 FR 45526) which removed the mandatory I/M rule provision establishing the decentralized, test and repair I/M network credit discount of 50% from 40 CFR 51.353(b). This new rule (65 FR 45526) requires that the State achieve the same (or better) level of emission reduction as the performance standard as described in 40 CFR 51.352 Basic I/M performance standard. Salt Lake County's Basic I/M program was last approved by us on July 17, 1997, as published in our final rule redesignating Salt Lake County to attainment for the Federal 1-hour ozone standard (62 FR 38213). Salt Lake County has provided a demonstration that their test and repair I/M network achieves the same level of emission reduction as the Federal performance standard (40 CFR 51.352). Our final rule published in 65 FR 45526 also requires that the adequacy of this demonstration be judged by the Administrator on a case-by-case basis through notice-and-comment rulemaking. We have determined Salt Lake County's demonstration is adequate to claim 100% emission reduction credit and today's notice satisfies the notice-and-comment rulemaking provisions from 65 FR 45526.

Based on the above EPA July 24, 2000, action, Salt Lake County used EPA's mobile source emissions model, MOBILE5, to model the performance standard of their I/M program. This demonstration used the current, EPA-approved MOBILE5 model and not the new MOBILE6 emissions model since the latter has not been officially released. The MOBILE5 model uses emission factors, given information about the fleet, climate, fuel characteristics, and I/M programs in a local area to calculate grams of a particular pollutant per vehicle mile traveled across the vehicle fleet in an area. Salt Lake County's modeling demonstrates compliance with both the Federal Basic I/M performance standard (40 CFR 51.352) and the Salt Lake/Davis Counties' Ozone Maintenance Plan Basic I/M performance standard (62 FR 38213).

Salt Lake County also evaluated the effectiveness of their test and repair I/M program to two other comparable programs. These other programs were the State of Minnesota's test only I/M program and Utah County's test and repair I/M program, the latter of which we have granted interim approval of full credit for their I/M program (see 62 FR 31349, June 9, 1997). Taking into consideration that:

(a) Approximately 45% of the initial Salt Lake County I/M tests are performed at test only facilities,

(b) Salt Lake County's Vehicle Emissions Certification process for technicians,

(c) Salt Lake County's I/M network utilizes a real time data base,

(d) the performance results of covert and overt audits and fail rate comparisons, and

(e) the results of the comparisons to the State of Minnesota and Utah County I/M programs conclude that Salt Lake County's test and repair I/M program is as effective as a test only I/M program.

Therefore, based on our review of the above analyses, we have determined that Salt Lake County is eligible to take full (100%) emission reduction credit for their test and repair I/M program rather than the previously required 50% reduction in emission credit.

We are proposing to approve Utah's SIP revision to Rule R307–110–33, Section X, Vehicle Inspection and Maintenance Program, Part C, Salt Lake County. Our proposed approval is based on the demonstration that Salt Lake County's test and repair network is as effective as a test only network and our above-referenced July 24, 2000, rulemaking (see 65 FR 45526) that deleted our prior requirement of an automatic 50% credit discount for decentralized test and repair I/M programs.

B. R307–110–31, Section X, Vehicle Inspection and Maintenance Program, Part A, General Requirements and Applicability

In this action, we are also proposing to approve SIP revisions to Utah's Rule R307–110–31, Section X, Vehicle Inspection and Maintenance Program, Part A, General Requirements and Applicability, as adopted by the Utah Air Quality Board on August 1, 2001, and State effective on August 2, 2001.

The Governor had previously submitted a revision to Rule R307–110–31 on February 22, 1999, that we did not take any action on. The February 22, 1999 submittal committed the State of Utah to implement testing of vehicle OBD systems by January 1, 2001, as was required by 40 CFR part 51, subpart S Inspection/Maintenance Program Requirements. On April 5, 2001, we extended the Federal date for mandatory implementation of the inspection of vehicle OBD systems, in 40 CFR part 51, subpart S, to January 1, 2002 (see 66 FR 18156). The Governor's August 15, 2001 submittal meets the requirements of our April 5, 2001 rulemaking (see 66 FR 18156) and supersedes and replaces the previous SIP revision to Rule R307–110–31 submitted by the Governor on February 22, 1999. The Governor's August 15, 2001, SIP revision simply incorporates the Federal OBD rule change.

Motor vehicle I/M programs are in place to reduce vehicle emissions so that the Federal carbon monoxide NAAQS and the 1-hour ozone NAAQS are not exceeded. Vehicle OBD systems monitor emission related components for malfunction, assuring proper emission control system operations. Our regulations require OBD inspections of

all 1996 model year and later light-duty vehicles and light-duty trucks, rated up to 8,500 pounds Gross Vehicle Weight Rating.

Today's vehicles use computers to direct engine control systems such as fuel and ignition. Sensors and actuators sense the operation of specific components (oxygen sensor) and actuate others (fuel injector) to maintain optimal engine performance. An on-board computer, known as a ''powertrain control module'' or an ''engine control unit,'' controls these systems. Using proper diagnostic software, the on-board computer can also monitor the operation of the sensors and actuators. The sensors, actuators, and diagnostic software comprise the OBD system. With the above equipment, the on-board computer can detect an engine malfunction or deterioration of the various sensors and actuators well before the driver notices poor vehicle performance.

OBD systems can detect problems which may not be noticeable by a visual inspection, because many component failures impacting a vehicle's emissions may be electrical. By detecting these emission equipment related failures and alerting the driver, vehicles can be repaired and returned to their proper emissions performance.

When the OBD system detects a problem, it stores a ''Diagnostic Trouble Code'' in the computer's memory. The computer then illuminates a dashboard light indicating ''Check Engine.'' Once alerted, the vehicle owner should take the vehicle to a repair shop. A service technician can quickly retrieve the stored diagnostic trouble code from the vehicle's computer memory. The diagnostic trouble code specifically identifies the problem, allowing the technician to quickly perform repairs. Vehicle OBD systems allow for early diagnosis of emission control malfunction.

In this action, we are proposing to approve Utah's SIP revision to Rule R307–110–31, Section X, Vehicle Inspection and Maintenance Program, Part A, General Requirements and Applicability, which commits the State of Utah to implement testing of vehicle OBD systems by January 1, 2002. Utah's SIP revision merely incorporates our Federal rule change of April 5, 2001, that postponed implementation of OBD inspections until January 1, 2002 (see 66 FR 18156). As a convenience to vehicle owners, Davis, Utah, and Weber Counties are already implementing this program. Salt Lake County will begin implementing the program on January 1, 2002.

IV. Request for Public Comment

We are soliciting public comment on all aspects of this proposed SIP rulemaking action. Please send your comments in duplicate to the address listed above in the front of this proposed action. We'll consider your comments in deciding our final action if your letter is received before April 1, 2002.

V. Administrative Requirements

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this proposed action is not a ''significant regulatory action'' and therefore is not subject to review by the Office of Management and Budget. For this reason, this action is also not subject to Executive Order 13211, ''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use'' (66 FR 28355, May 22, 2001). This proposed action merely proposes to approve state law as meeting Federal requirements and imposes no additional requirements beyond those imposed by state law. Accordingly, the Administrator certifies that this proposed 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 proposes to approve pre-existing 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 (Pub. L. 104–4).

This proposed rule also does not have tribal implications because it will not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes, as specified by Executive Order 13175 (65 FR 67249, November 9, 2000). This action also does not have Federalism implications because it 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, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999). This action merely proposes to approve a state rule implementing a Federal standard, and does not alter the relationship or the distribution of power and responsibilities established in the Clean Air Act. This proposed rule also is not subject to Executive Order 13045 ''Protection of Children from Environmental Health Risks and Safety Risks'' (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 Clean Air Act. 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 Clean Air Act. 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. This proposed 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.*).

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Ozone, Reporting and recordkeeping requirements.

Dated: February 20, 2002.

Jack W. McGraw,

Acting Regional Administrator, Region VIII.

[FR Doc. 02–4940 Filed 2–28–02; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 271

[FRL–7151–1]

Wisconsin: Final Authorization of State Hazardous Waste Management Program Revisions

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: Wisconsin has applied to EPA for Final authorization of the changes to its hazardous waste program under the Resource Conservation and Recovery Act (RCRA). EPA proposes to grant final authorization to Wisconsin. In the ''Rules and Regulations'' section of this **Federal Register**, EPA is authorizing the changes by an immediate final rule. EPA did not make a proposal prior to the immediate final rule because we believe this action is not controversial and do not expect comments that oppose it.

Unless we get written comments which oppose this authorization during the comment period, the immediate final rule will become effective on the date it establishes, and we will not take further action on this proposal. If we get comments that oppose this action, we will withdraw the immediate final rule and it will not take effect. We will then respond to public comments in a later final rule based on this proposal. You may not have another opportunity for comment. If you want to comment on this action, you must do so at this time.

DATES: Send your written comments by April 1, 2002.

ADDRESSES: Send written comments to Jean Gromnicki, Wisconsin Regulatory Specialist, DM–7J, 77 West Jackson Boulevard, Chicago, Illinois 60604. Please refer to Docket Number WI ARA 7. We must receive your comments by April 1, 2002. You can examine copies of the materials submitted by Wisconsin during normal business hours at the following locations: EPA Region 5 Library, 77 West Jackson Boulevard, Chicago, Illinois 60604, Contact: Jean Gromnicki, Phone number: (312) 886–6162 or the Wisconsin Department of Natural Resources, 101 North Webster, Madison, Wisconsin, 53707, Contact: Patricia Chabot, Phone: (608) 264–6015.

FOR FURTHER INFORMATION CONTACT: Jean Gromnicki, Wisconsin Regulatory Specialist at (312) 886–6162.

SUPPLEMENTARY INFORMATION: For additional information, please see the immediate final rule published in the ''Rules and Regulations'' section of this **Federal Register**.

Dated: February 15, 2002.

Bertram C. Frey,

Acting Regional Administrator, Region 5 .

[FR Doc. 02–4787 Filed 2–28–02; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 02–313, MM Docket No. 02–27, RM–10367]

Digital Television Broadcast Service and Television Broadcast Service; Springfield, IL

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission requests comments on a petition filed by West Central Illinois Educational Telecommunications Corporation, an applicant for a construction permit for a new noncommercial educational television station to operate on channel *65+ at Springfield. West Central requests the substitution of DTV Channel *36 for channel *65+. DTV channel *36 can be allotted to Springfield, Illinois, in compliance with the principle community coverage requirements of Section 73.625(a) at reference coordinates (39–36–50 N. and 89–38–58 W.). As requested, we propose to allot DTV Channel *36 to Springfield with a power of 100 and a height above average terrain (HAAT) of 335 meters.

DATES: Comments must be filed on or before April 8, 2002, and reply comments on or before April 23, 2002.

ADDRESSES: Federal Communications Commission, 445 12th Street, SW., Room TW–A325, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: Todd Gray, Dow, Lohnes & Albertson, PLLC, 1200 New Hampshire Avenue, NW, Suite 800, Washington, DC 20036 (Counsel for West Central Illinois Educational Telecommunications Corporation).

FOR FURTHER INFORMATION CONTACT: Pam Blumenthal, Mass Media Bureau, (202) 418–1600.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 02–27, adopted February 8, 2002, and released February 14, 2002. The full text of this document is available for public inspection and copying during regular business hours in the FCC Reference Information Center, Portals II, 445 12th Street, SW., Room CY–A257, Washington, DC, 20554. This document may also be purchased from the Commission's duplicating contractor, Qualex International, Portals II, 445 12th Street, SW, Room CY–B402, Washington, DC, 20554, telephone 202–863–2893, facsimile 202–863–2898, or via-e-mail *qualexint@aol.com.*

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Television, Digital television broadcasting.

For the reasons discussed in the preamble, the Federal Communications Commission proposes to amend 47 CFR part 73 as follows:

PART 73—TELEVISION BROADCAST SERVICES

1. The authority citation for part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 303, 334, and 336.

§ 73.606 [Amended]

2. Section 73.606(b), the Table of Television Allotments under Illinois, is amended by removing channel *65+ at Springfield.

§ 73.622 [Amended]

3. Section 73.622(b), the Table of Digital Television Allotments under Illinois is amended by adding DTV Channel *36 at Springfield.

Federal Communications Commission.

Barbara A. Kreisman,

Chief, Video Services Division, Mass Media Bureau.

[FR Doc. 02–4883 Filed 2–28–02; 8:45 am]

BILLING CODE 6712–01–P

Proposed Rules

Federal Register
Vol. 67, No. 41
Friday, March 1, 2002

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.

GENERAL ACCOUNTING OFFICE

4 CFR Part 21

General Accounting Office, Administrative Practice and Procedure, Bid Protest Regulations, Government Contracts; Correction

AGENCY: General Accounting Office.

ACTION: Advance notice of proposed rulemaking; correction.

SUMMARY: This document corrects information in the Supplementary Information section in an advance notice of proposed rulemaking published in the **Federal Register** of February 25, 2002 (67 FR 8485) regarding revisions to the General Accounting Office's (GAO) Bid Protest Regulations. This correction states the correct GAO electronic mail address to which public comments may be sent.

FOR FURTHER INFORMATION CONTACT: John M. Melody, 202–512–8274.

Correction

In advance notice of proposed rulemaking FR Doc. 02–4337, beginning on page 8485 in the issue of February 25, 2002, make the following correction, in the Supplementary Information section. On page 8485 in the 3rd column, the last paragraph should be corrected to read as follows: ''Comments may be submitted by hand delivery or mail to the address in the address line, by e-mail at *BidProtestRegs@gao.gov,* or by facsimile at 202–512–9749.''

Dated: February 26, 2002.

John M. Melody,

Assistant General Counsel.

[FR Doc. 02–4944 Filed 2–28–02; 8:45 am]

BILLING CODE 1610–02–M

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 948

[Docket No. FV02–948–1 PR]

Irish Potatoes Grown in Colorado; Increase the Minimum Size Requirement for Area No. 2

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Proposed rule.

SUMMARY: This rule would increase the minimum size requirement for all varieties of potatoes produced in Area No. 2 of Colorado, except for the round varieties, and the Russet Burbank, Russet Norkotah, and Silverton Russet varieties. This rule would raise the minimum size requirement from 1⅞ inches to 2 inches in diameter or 4 ounces in weight. This size change is based on a recommendation of the Colorado Potato Administrative Committee (Committee), the agency responsible for local administration of the marketing order for potatoes grown in Colorado. This change is intended to improve the marketing of Colorado potatoes and increase returns to producers.

DATES: Comments must be received by April 30, 2002.

ADDRESSES: Interested persons are invited to submit written comments concerning this proposed rule. 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) 720–8938, or E-mail: moab.docketclerk@usda.gov. Comments should reference the docket number and the date and page number of this issue of the **Federal Register** and will be available for public inspection in the Office of the Docket Clerk during regular business hours, or can be viewed at: *http://www.ams.usda.gov/fv/moab.html.*

FOR FURTHER INFORMATION CONTACT: Dennis L. West, Northwest Marketing Field Office, Marketing Order Administration Branch, Fruit and Vegetable Programs, AMS, USDA, 1220 SW Third Avenue, suite 385, Portland, Oregon 97204–2807; telephone: (503) 326–2724, Fax: (503) 326–7440; 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) 720–8938.

Small businesses may request information on complying with this regulation by contacting Jay Guerber, 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) 720–8938, or e-mail: *Jay.Guerber@usda.gov.*

SUPPLEMENTARY INFORMATION: This rule is issued under Marketing Agreement No. 97 and Order No. 948, both as amended (7 CFR part 948), regulating the handling of Irish potatoes grown in Colorado, 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 (USDA) is issuing this rule in conformance with Executive Order 12866.

This rule has been reviewed under Executive Order 12988, Civil Justice Reform. This rule is not intended to have retroactive effect. This rule will 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 USDA 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. Such handler is afforded the opportunity for a hearing on the petition. After the hearing USDA 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 USDA'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 would increase the minimum size requirement for all varieties of potatoes produced in Area No. 2 of Colorado, except for the round varieties, and the Russet Burbank, Russet Norkotah, and Silverton Russet varieties. This rule would raise the minimum size requirement from 1⅞ inches in diameter to 2 inches in diameter or 4 ounces in weight. This action is based on a recommendation of the Committee made on August 16, 2001.

Section 948.4 of the order defines the counties included in Area No. 2, which is commonly known as the San Luis Valley. Section 948.22 of the order authorizes the issuance of regulations for grade, size, quality, maturity, and pack for any variety or varieties of potatoes grown in different portions of the production area during any period. Section 948.23 authorizes the issuance of regulations that modify, suspend, or terminate requirements issued under § 948.22. Size regulations for potatoes grown in Area No. 2 are currently in effect under § 948.386. Current regulations prescribe minimum size requirements of 2 inches in diameter for round varieties and 1⅞ inches in diameter for long varieties.

This proposed rule would increase the minimum size requirement for all varieties of potatoes from 1⅞ inches in diameter to 2 inches in diameter or 4 ounces in weight, except for the round varieties and the Russet Burbank, Russet Norkotah, and Silverton Russet varieties. Potatoes subject to minimum size requirements would meet the size requirements if they are at least 2 inches in diameter or 4 ounces in weight. Some long and thin potatoes might be smaller than 2 inches in diameter, but weigh at least 4 ounces. These potatoes would meet the proposed size requirements. Some potatoes might weigh less than 4 ounces, but be at least 2 inches in diameter. These potatoes also would meet the proposed minimum size requirements.

According to the Committee, quality assurance is very important to the Colorado potato industry and to its customers. Providing the public with acceptable quality produce that is appealing to the consumer on a consistent basis is necessary to maintain buyer confidence in the marketplace. The Committee reports that potato size is important to buyers and that providing the sizes desired is necessary to promote sales. Overall producer prices during the period 1995 through 1999 averaged $4.26 per hundredweight.

Nine members voted in favor of the recommendation, two members voted in opposition and one member abstained. The Committee made the recommendation to provide buyers with the sizes they prefer and to maintain buyer confidence. The Committee also believes that this would help improve the marketing of Colorado potatoes under the order and help improve producer returns.

To obtain additional information on the need for the change, the Committee conducted a producer survey. The survey indicated that 58 percent of the producers supported an increase in the minimum size to 2 inches in diameter or 4 ounces in weight for all varieties of potatoes, except for the round varieties and the Russet Burbank, Russet Norkotah, and Silverton Russet varieties.

The Committee further believes that the current minimum size requirement of 2 inches in diameter for all round varieties of potatoes continues to be appropriate. The Russet Burbank, Russet Norkotah, and Silverton Russet are long and thin varieties of potatoes. Because of their shape, these varieties have a tendency, when sitting on end, to fall through the potato sizing equipment, even when the potatoes are of good size (e.g., 4 ounces or larger). This is particularly a problem when the sizing equipment is set at larger size settings such as 2 or 2¼ inches in diameter. Because of this problem, the Committee decided that the current minimum size requirement for these varieties of 1⅞ inches in diameter continues to be appropriate. However, one Committee member who opposed the recommendation believed all potato varieties should have a minimum size requirement of 2 inches in diameter or 4 ounces in weight. The Committee believes that handlers might lose a high percentage of acceptable potatoes of these varieties through the sizing equipment if the minimum size requirement on such potatoes was increased to 2 inches in diameter or 4 ounces in weight. Another Committee member opposing the recommendation did not believe that the producer survey results supporting an increase was a sufficient reason for the Committee to recommend an increase in the minimum size requirements. While the survey provided information for the Committee to make its recommendation, the primary purposes for the change are to better meet the needs of buyers and consumers, improve the image of Colorado potatoes, and improve sales and prices.

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 rule 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 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 230 producers of Colorado Area No. 2 potatoes and approximately 80 handlers subject to regulation under the marketing order. Small agricultural producers are defined by the Small Business Administration (13 CFR 121.201) as those having annual receipts of less than $750,000, and small agricultural service firms are defined as those whose annual receipts are less than $5,000,000.

Information provided by the National Agricultural Statistics Service was considered in determining the number of large and small producers by acreage, production, and producer prices. According to the information provided, the recent average yield per acre was 335 hundredweight, the average farm size was 306 acres of potatoes, and the recent season average producer price was $4.20 per hundredweight. This equates to average gross annual producer receipts of approximately $430,542 each. In addition, based upon information provided by the Committee, all handlers of Area No. 2 potatoes have shipped under $5,000,000 worth of potatoes during the most recent season for which statistics are available. Based on the foregoing, it can be concluded that a majority of producers and handlers of Area No. 2 potatoes may be classified as small entities.

The National Agricultural Statistics Service estimated planted acreage for the 2001–02 crop in Area No. 2 at 68,100 acres, a decrease of 7,500 acres when compared with the 75,600 acres harvested in 2000–01. Approximately 90 percent of the potatoes harvested enter into the fresh market (including potatoes produced for seed).

Russet varieties accounted for 81.4 percent of the acres planted for the 2001–02 crop year. Russet Norkotah, the most popular variety, was planted on 53.8 percent of the total potato acreage. Other Russet varieties accounted for 27.6 percent of the total acres planted, with various other varieties making up

the remaining 18.6 percent. While exact acreage is not known, plantings of Russet Burbank and Silverton Russet varieties of potatoes are estimated to make up only a small percentage of the total potato acreage.

This rule would increase the minimum size requirement for all varieties of potatoes produced in Area No. 2 of Colorado, except for the round varieties and the Russet Burbank, Russet Norkotah, and Silverton Russet varieties. This rule would raise the minimum size requirement from 1⅞ inches in diameter to 2 inches in diameter or 4 ounces in weight. Only a small portion of the crop (i.e., that portion smaller than 2 inches in diameter or 4 ounces in weight but larger than 1⅞ inches in diameter) is expected to be affected by the proposed size increase. The Committee believes that the expected benefits of improved quality, increased purchases and sales volume, and increased returns received by producers would greatly outweigh the costs related to the regulation.

Alternatives considered by the Committee included increasing the minimum size requirement for all Russet varieties or not making any changes. The Committee does not believe it is desirable to increase the minimum size requirement for the Russet Burbank, Russet Norkotah, and Silverton Russet varieties because these long and thin varieties have a tendency, when sitting on end, to fall through the potato sizing equipment even when the potatoes are of good size. This is particularly a problem when the sizing equipment is set at larger size settings such as 2 or 2¼ inches. Because of this problem, the Committee decided that the current minimum size requirement for these varieties of 1⅞ inches in diameter continues to be appropriate. The Committee believes that handlers might lose a high percentage of acceptable potatoes through the sizing equipment if the minimum size requirement on such potatoes was increased to 2 inches in diameter or 4 ounces in weight.

The alternative of taking no action would not have addressed the marketing problems.

This rule would change the size requirements currently prescribed under the marketing order. Accordingly, this action would not impose any additional reporting or recordkeeping requirements on either small or large potato 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.

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

In addition, the Committee's meeting was widely publicized throughout the Colorado Area No. 2 potato industry and all interested persons were invited to attend the meeting and participate in Committee deliberations on all issues. Like all Committee meetings, the Committee meeting on August 16, 2001, was a public meeting and all entities, both large and small, were able to express views on this issue. 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: *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.

List of Subjects in 7 CFR Part 948

Marketing agreements, Potatoes, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, 7 CFR part 948 is proposed to be amended as follows:

PART 948—IRISH POTATOES GROWN IN COLORADO

1. The authority citation for 7 CFR part 948 continues to read as follows:

Authority: 7 U.S.C. 601–674.

2. Section 948.386 is amended by revising the introductory text and paragraph (a) to read as follows:

§ 948.386 Handling regulation.

No person shall handle any lot of potatoes grown in Area No. 2 unless such potatoes meet the requirements of paragraphs (a), (b), and (c) of this section, or unless such potatoes are handled in accordance with paragraphs (d) and (e), or (f) of this section.

(a) *Minimum grade and size requirements*— (1) *Round varieties.* U.S. No. 2, or better grade, 2 inches minimum diameter.

(2) *All other varieties.* U.S. No. 2, or better grade, 2 inches minimum diameter or 4 ounces minimum weight: *Provided,* That the Russet Burbank, Russet Norkotah, and Silverton Russet varieties, shall be 1⅞ inches minimum diameter.

(3) *All varieties.* Size B, if U.S. No. 1 grade.

(4) *All varieties.* 1-inch minimum diameter to 1¾ inches maximum diameter, if at least U.S. No. 1 grade.

(5) None of the categories of potatoes identified in paragraphs (a)(1) through (a)(4) of this section may be commingled in the same bag or other container.

* * * * *

Dated: February 22, 2002.

Kenneth C. Clayton,

Acting Administrator, Agricultural Marketing Service.

[FR Doc. 02–4706 Filed 2–28–02; 8:45 am]

BILLING CODE 3410–02–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 2001–CE–44–AD]

RIN 2120–AA64

Airworthiness Directives; Pilatus Aircraft Ltd. Models PC–12 and PC–12/45 Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes to adopt a new airworthiness directive (AD) that would apply to all Pilatus Aircraft Ltd. (Pilatus) Models PC–12 and PC–12/45 airplanes. This proposed AD would require you to inspect the left and right main landing gear (MLG) assemblies for bolts with a serial number (S/N) beginning with the letters ''AT'' and numbers 299 or lower and replace each bolt with a bolt that does not have a S/N with both the letters ''AT'' and a number of 299 or lower. This proposed AD is the result of mandatory continuing airworthiness information (MCAI) issued by the airworthiness authority for Switzerland. The actions specified by this proposed AD are intended to detect and replace defective MLG assembly bolts that have an improper cadmium plating, which could cause hydrogen embrittlement and bolt failure. Such failure could lead to MLG collapse during landing.

DATES: The Federal Aviation Administration (FAA) must receive any comments on this proposed rule on or before April 1, 2002.

ADDRESSES: Submit comments to FAA, Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 2001–CE–44–AD, 901 Locust, Room 506, Kansas City, Missouri 64106. You may view any comments at this location

between 8 a.m. and 4 p.m., Monday through Friday, except Federal holidays.

You may get service information that applies to this proposed AD from Pilatus Aircraft Ltd., Customer Liaison Manager, CH–6371 Stans, Switzerland; telephone: +41 41 619 63 19; facsimile: +41 41 619 6224; or from Pilatus Business Aircraft Ltd., Product Support Department, 11755 Airport Way, Broomfield, Colorado 80021; telephone: (303) 465–9099; facsimile: (303) 465–6040. You may also view this information at the Rules Docket at the address above.

FOR FURTHER INFORMATION CONTACT: Doug Rudolph, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329–4059; facsimile: (816) 329–4090.

SUPPLEMENTARY INFORMATION:

Comments Invited

How do I comment on this proposed AD? The FAA invites comments on this proposed rule. You may submit whatever written data, views, or arguments you choose. You need to include the rule's docket number and submit your comments to the address specified under the caption **ADDRESSES**. We will consider all comments received on or before the closing date. We may amend this proposed rule in light of comments received. Factual information that supports your ideas and suggestions is extremely helpful in evaluating the effectiveness of this proposed AD action and determining whether we need to take additional rulemaking action.

Are there any specific portions of this proposed AD I should pay attention to? The FAA specifically invites comments on the overall regulatory, economic, environmental, and energy aspects of this proposed rule that might suggest a need to modify the rule. You may view all comments we receive before and after the closing date of the rule in the Rules Docket. We will file a report in the Rules Docket that summarizes each contact we have with the public that concerns the substantive parts of this proposed AD.

How can I be sure FAA receives my comment? If you want FAA to acknowledge the receipt of your comments, you must include a self-addressed, stamped postcard. On the postcard, write ''Comments to Docket No. 2001–CE–44–AD.'' We will date stamp and mail the postcard back to you.

Discussion

What events have caused this proposed AD? The Federal Office for Civil Aviation (FOCA), which is the airworthiness authority for Switzerland, recently notified FAA that an unsafe condition may exist on certain Pilatus Models PC–12 and PC–12/45 airplanes. The FOCA reports that, because of a manufacturing defect, certain bolts on the main landing gear (MLG) assembly may be defective. The problem is caused by an improper cadmium process applied to the high strength steel part, which can cause hydrogen embrittlement and subsequent failure of the bolt.

The defective bolts were initially installed on MLG assemblies that have a serial number beginning with the letters ''AM''. Each bolt in the defective lot incorporates the letters ''AT'' and a number of 299 or lower.

What are the consequences if the condition is not corrected? If not corrected, such failure could lead to MLG collapse during landing.

Is there service information that applies to this subject? Pilatus has issued Pilatus PC–12 Service Bulletin No. 32–012, dated October 18, 2001.

What are the provisions of this service information? The service bulletin includes procedures for replacing defective bolts in the main landing gear assemblies.

What action did the FOCA take? The FOCA classified this service bulletin as mandatory and issued Swiss AD Number HB 2001–603, dated November 5, 2001, in order to ensure the continued airworthiness of these airplanes in Switzerland.

Was this in accordance with the bilateral airworthiness agreement? These airplane models are manufactured in Switzerland and are type certificated for operation in the United States under the provisions of § 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement.

Pursuant to this bilateral airworthiness agreement, the FOCA has kept FAA informed of the situation described above.

The FAA's Determination and an Explanation of the Provisions of This Proposed AD

What has FAA decided? The FAA has examined the findings of the FOCA; reviewed all available information, including the service information referenced above; and determined that:

—The unsafe condition referenced in this document exists or could develop on other Pilatus Models PC–12 and PC–12/45 airplanes of the same type design that are on the U.S. registry;

—The actions specified in the previously-referenced service information should be accomplished on the affected airplanes; and

—AD action should be taken in order to correct this unsafe condition.

What would this proposed AD require? This proposed AD would require you to incorporate the actions in the previously-referenced service bulletin.

Cost Impact

How many airplanes would this proposed AD impact? We estimate that this proposed AD affects 16 airplanes in the U.S. registry.

What would be the cost impact of this proposed AD on owners/operators of the affected airplanes? We estimate the following costs to accomplish the proposed inspection and replacement:

Labor cost	Parts cost	Total cost per airplaine	Total cost U.S. operators
Manufacturer will pay for workhours ..	Parts will be provided at no cost to the owners/operators of the affected aircraft.	None	None.

Compliance Time of This Proposed AD

What would be the compliance time of this proposed AD? The compliance time of this proposed AD is ''within the next 30 days after the effective date of this AD''.

Why is the compliance time presented in calendar time instead of hours time-in-service (TIS)? Although malfunction of the main landing gear is unsafe during flight, the condition is not a direct result of airplane operation. The chance of this situation occurring is the same for an airplane with 10 hours TIS as it would be for an airplane with 500 hours TIS. A calendar time for compliance would ensure that the unsafe condition is addressed on all airplanes in a reasonable time period.

Regulatory Impact

Would this proposed AD impact various entities? 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 proposed rule would not have federalism implications under Executive Order 13132.

Would this proposed AD involve a significant rule or regulatory action? For the reasons discussed above, I certify that this proposed action (1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A copy of the draft regulatory evaluation prepared for this action has been placed in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption **ADDRESSES.**

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Amendment

Accordingly, under 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. FAA amends § 39.13 by adding a new airworthiness directive (AD) to read as follows:

Pilatus Aircraft Ltd.: Docket No. 2001–CE–44–AD

(a) *What airplanes are affected by this AD?* This AD affects the following airplane models and serial numbers that are certificated in any category:

(1) Group 1: Pilatus may have installed the affected bolts on the following airplanes at manufacture. All portions of this AD apply to these airplanes:

Model	Serial numbers
PC–12 and PC–12/45.	349, 352, 357, 359, 362 through 365, 367, 369, 371, 375, 377, 380, 384, 385, 388, 390, 391, 393, 401, and 409.

(2) Group 2: The affected bolts could be installed through spare replacement on any of the following model airplanes. Paragraphs (d)(3) and (d)(4) of this AD apply to these airplanes:

Model	Serial numbers
PC–12 and PC–12/45	All serial numbers.

(b) *Who must comply with this AD?* Anyone who wishes to operate any of the airplanes identified in paragraph (a) of this AD must comply with this AD.

(c) *What problem does this AD address?* The actions specified by this AD are intended to detect and replace defective main landing gear (MLG) assembly bolts that have an improper cadmium plating, which could cause hydrogen embrittlement and bolt failure.

(d) *What actions must I accomplish to address this problem?* To address this problem, accomplish all actions for Group 1 airplanes, and accomplish paragraphs (d)(3) and (d)(4) of this AD for Group 2 airplanes:

Actions	Compliance	Procedures
(1) Inspect the left and right main landing gear (MLG) assembly for the existence of a bolt, part number (P/N) 532.10.12.077, that has a serial number (S/N) with both the letters ''AT'' and a number of 299 or lower. (i) If the above referenced bolts are not installed, no further action is required. (ii) If the above referenced bolts are installed, replace each bolt with an FAA-approved bolt that does not have a S/N with both the letters ''AT'' and a number of 299 or lower.	Inspect within the next 30 days after the effective date of this AD. Prior to further flight, replace bolts found during the inspection required in paragraph (d)(1) of this AD.	Pilatus PC–12 Service Bulletin No. 32–012, dated October 18, 2001, provides information about these actions.
(2) Send the removed bolts to Pilatus Aircraft Ltd. so the bolts cannot be reused and report the results of the inspection (positive or negative) to FAA. The Office of Management and Budget (OMB) approved the information collection requirements contained in this regulation under the provisions of the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*) and assigned OMB Control Number 2120–0056.	Within 10 days after removing the bolts or within 10 days after the effective date of this AD, whichever occurs later.	Send the removed bolts to Pilatus Aircraft Ltd. at the address in paragraph (h) of this AD, and send the report to Doug Rudolph, FAA, at the address in paragraph (f) of this AD.
(3) Do not install any bolt, P/N 532.10.12.007, on any MLG assembly that has a S/N with both the letters ''AT'' and a number of 299 or lower.	As of the effective date of this AD	Not Applicable.
(4) If you have already accomplished the actions specified in Pilatus PC–12 Service Bulletin No. 32–012, dated October 18, 2001, send a report to the FAA at the address in paragraph (f) of this AD, stating if one of the affected bolts were replaced and returned to Pilatus.	Within the next 30 days after the effective date of this AD.	Not Applicable.

(e) *Can I comply with this AD in any other way?* You may use an alternative method of compliance or adjust the compliance time if:

(1) Your alternative method of compliance provides an equivalent level of safety; and

(2) The Manager, Small Airplane Directorate, approves your alternative. Submit your request through an FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Small Airplane Directorate.

Note 1: This AD applies to each airplane identified in paragraph (a) of this AD, 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 (e) 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 you have not eliminated the unsafe condition, specific actions you propose to address it.

(f) *Where can I get information about any already-approved alternative methods of compliance?* Contact Doug Rudolph, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329–4059; facsimile: (816) 329–4090.

(g) *What if I need to fly the airplane to another location to comply with this AD?* The FAA can issue a special flight permit under sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate your airplane to a location where you can accomplish the requirements of this AD.

(h) *How do I get copies of the documents referenced in this AD?* You may get copies of the documents referenced in this AD from Pilatus Aircraft Ltd., Customer Liaison Manager, CH–6371 Stans, Switzerland; telephone: +41 41 619 63 19; facsimile: +41 41 619 6224; or from Pilatus Business Aircraft Ltd., Product Support Department, 11755 Airport Way, Broomfield, Colorado 80021; telephone: (303) 465–9099; facsimile: (303) 465–6040. You may view these documents at FAA, Central Region, Office of the Regional Counsel, 901 Locust, Room 506, Kansas City, Missouri 64106.

Note 2: The subject of this AD is addressed in Swiss AD HB 2001–603, dated November 5, 2001.

Issued in Kansas City, Missouri, on February 21, 2002.

Michael Gallagher,

Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 02–4865 Filed 2–28–02; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF THE TREASURY

Customs Service

19 CFR PART 122

RIN 1515–AD01

Re-Use of Air Waybill Number on Air Cargo Manifest

AGENCY: Customs Service, Department of the Treasury.

ACTION: Notice of proposed rulemaking.

SUMMARY: This document proposes to amend the Customs Regulations pertaining to air commerce to provide that once an air waybill number is used on an air cargo manifest, one year must elapse before the same air waybill number may be used on another air cargo manifest. Current regulations prohibit the re-use of an air waybill number for three years after it is used on an air cargo manifest. The proposed amendment also specifies that air cargo manifests must reference an 11-digit air waybill number for each air waybill it covers. The document requests comments on the proposed changes.

DATES: Comments must be received on or before April 30, 2002.

ADDRESSES: Written comments (preferably in triplicate), regarding both the substantive aspects of the proposed rule and how it may be made easier to understand, may be submitted to and inspected at the Regulations Branch, Office of Regulations and Rulings, U.S. Customs Service, 1300 Pennsylvania Avenue, NW., 3rd Floor, Washington, DC 20229.

FOR FURTHER INFORMATION CONTACT: Mr. Robert Scholtens, Trade Programs, Office of Field Operations: (202) 927–3459.

SUPPLEMENTARY INFORMATION:

Background

The requirements for aircraft entry and entry documents are set forth in subpart E of part 122 of the Customs Regulations (19 CFR part 122; § 122.41 *et seq.*). Under § 122.41 of the regulations (19 CFR 122.41), all commercial aircraft coming to the United States from a foreign area (with certain exceptions not relevant here) must make entry. Section 122.48 (19 CFR 122.48) provides that an air cargo manifest covering all cargo on board must be filed with the general declaration for any aircraft required to make entry under § 122.41. Section 122.48(c) pertains to the air cargo manifest form (Customs Form 7509) and the information it must contain which includes an air waybill number for each air waybill covered by the manifest. The number of air waybills covered by the manifest depends on the number of air waybills that are associated with the cargo on board. This number will vary from aircraft to aircraft, depending on the number of shipments on board (including consolidated shipments).

Thus, whenever a commercial aircraft arrives from a foreign place and makes entry as required under the regulations, it must submit to Customs a manifest containing the appropriate air waybill numbers. (*See* also 19 U.S.C. 1431, 1433, 1434, 1644, and 1644a pertaining to vessel and air cargo manifests.)

Section 4.7a(c)(2)(iii), Customs Regulations (19 CFR 4.7a(c)(2)(iii)), concerning vessel manifests provides that bills of lading must have unique identifier numbers, that the numbers must be listed on vessel manifests, and that the identifier numbers may not be duplicated within a 3-year period. Section 122.2, Customs Regulations (19 CFR 122.2), provides that, except as otherwise provided for in the Customs Regulations, the customs laws and regulations applicable to vessels are also applicable to aircraft. (Section 122.2 implements 19 U.S.C. 1644a(b)(1)(E), under which Customs is authorized, by regulation, to apply to civil aircraft the laws and regulations concerning the entry and clearance of vessels.) Air waybills in the air commerce environment are analogous to bills of lading in the vessel commerce environment. Because the time frame in which an air waybill identifying number may be duplicated is not otherwise provided for in the Customs Regulations, § 4.7a(c)(2)(iii), in conjunction with § 122.2, sets the time frame: once an air waybill number is used on an air cargo manifest, that number may not be duplicated within a 3-year period.

Customs has reconsidered the three-year restriction on the re-use of air waybill numbers and determined that it should be reduced from three years to one year. This change is being made in conjunction with Customs efforts to improve its internal automated information systems relative to the tracking, archiving, and auditing of shipments by use of manifest numbers. Also, the huge volume of importations is affecting the availability of usable numbers for air cargo manifests. Thus, this document proposes to amend § 122.48(c) to provide a one-year time restriction on re-use of air waybill numbers on air cargo manifests.

The three-year restriction of § 4.7a(c)(2)(iii) on the re-use of bill of lading numbers will remain in effect for vessels.

Customs also proposes to amend § 122.48(c) to specify that the air waybill number referenced on the air cargo manifest must be an 11-digit number. This number is based on a standard International Air Transport Association format.

Comments

Before adopting this proposal as a final rule, consideration will be given to any written comments timely submitted to Customs. Comments submitted will be available for public inspection in accordance with the Freedom of Information Act (5 U.S.C. 552), § 1.4 of the Treasury Department Regulations (31 CFR 1.4), and § 103.11(b) of the Customs Regulations (19 CFR 103.11(b)), on regular business days between the hours of 9 a.m. and 4:30 p.m. at the Regulations Branch, Office of Regulations and Rulings, U.S. Customs Service, 1300 Pennsylvania Avenue, NW., 3rd Floor, Washington, DC.

Executive Order 12866

This document does not meet the criteria for a ''significant regulatory action'' as specified in E.O. 12866.

Regulatory Flexibility Act

Inasmuch as adoption of the proposed amendment regarding the one-year time restriction on re-use of air waybill numbers represents a loosening of the restriction on importers' use of such numbers, it is certified, pursuant to the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), that the proposed amendment to the Customs Regulations, if adopted, will not have a significant economic impact on a substantial number of small entities. Accordingly, the proposed amendment is not subject to the regulatory analysis or other requirements of 5 U.S.C. 603 and 604.

Drafting Information

The principal author of this document was Bill Conrad, Office of Regulations and Rulings, U.S. Customs Service. However, personnel from other offices contributed in its development.

List of Subjects in 19 CFR Part 122

Air cargo, Air cargo manifest, Air carriers, Aircraft, Air transportation, Customs duties and inspection, Entry procedure.

Proposed Amendments to the Regulations

For the reasons stated in the preamble, part 122 of the Customs Regulations (19 CFR part 122) is proposed to be amended as follows:

PART 122—AIR COMMERCE REGULATIONS

1. The general authority citation for part 122 is revised to read as follows:

Authority: 5 U.S.C. 301; 19 U.S.C. 58b, 66, 1431, 1433, 1436, 1448, 1459, 1590, 1594, 1623, 1624, 1644, 1644a.

* * * * *

2. Section 122.48 is proposed to be amended by revising paragraph (c) to read as follows:

§ 122.48 Air Cargo Manifest.

* * * * *

(c) *Form.* The air cargo manifest, Customs Form 7509, must contain all required information regarding all cargo on board the aircraft, except that a more complete description of the cargo shipped may be provided by attaching to the manifest copies of the air waybills covering the cargo on board, including, if a consolidated shipment, any house air waybills. When copies of air waybills are attached, the statement ''Cargo as per air waybills attached'' must appear on the manifest. The manifest must reference an 11-digit air waybill number for each air waybill it covers. The air waybill number must not be used by the issuer for another air waybill for a period of one year after issuance.

* * * * *

Robert C. Bonner,

Commissioner of Customs.

Approved: February 26, 2002.

Timothy E. Skud,

Acting Deputy Assistant Secretary of the Treasury.

[FR Doc. 02–4954 Filed 2–28–02; 8:45 am]

BILLING CODE 4820–02–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[CA248–0293b; FRL–7149–8]

Revisions to the California State Implementation Plan, El Dorado County Air Pollution Control District

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing to approve a revision to the El Dorado County Air Pollution Control District's (EDCAPCD) portion of the California State Implementation Plan (SIP). This revision concerns new source review. We are proposing to approve a local rule to regulate emissions from new and modified stationary sources under the Clean Air Act as amended in 1990 (CAA or the Act).

DATES: Any comments on this proposal must arrive by April 1, 2002.

ADDRESSES: Mail comments to Roger Kohn, Permits Office (AIR–3), U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105–3901.

You can inspect copies of the submitted SIP revision and EPA's technical support document (TSD) at our Region IX office during normal business hours. You may also see copies of the submitted SIP revision at the following locations:

California Air Resources Board, Stationary Source Division, Rule Evaluation Section, 1001 ''I'' Street, Sacramento, CA 95812.

El Dorado County Air Pollution Control District, 2850 Fairlane Ct., Bldg. C, Placerville, CA 95667–4100.

FOR FURTHER INFORMATION CONTACT: Roger Kohn, Permits Office (AIR–3), U.S. Environmental Protection Agency, Region IX, (415) 972–3973, e-mail: *kohn.roger@epa.gov*

SUPPLEMENTARY INFORMATION: This proposal addresses EDCAPCD Rule 523. In the Rules and Regulations section of this **Federal Register**, we are approving this local rule in a direct final action without prior proposal because we believe this SIP revision is not controversial. If we receive adverse comments, however, we will publish a timely withdrawal of the direct final rule and address the comments in a subsequent action based on this proposed rule. We do not plan to open a second comment period, so anyone interested in commenting should do so at this time. If we do not receive adverse comments, no further activity is planned. For further information, please see the direct final action.

Dated: February 15, 2002.

Wayne Nastri,

Regional Administrator, Region IX.

[FR Doc. 02–4785 Filed 2–28–02; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[UT–001–0038, UT–001–0039, UT–001–0040; FRL–7151–5]

Approval and Promulgation of Air Quality Implementation Plans; State of Utah; Vehicle Inspection and Maintenance Programs

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: On August 14, 2001 and on August 15, 2001, the Governor of Utah submitted revisions to the State Implementation Plan (SIP) affecting the State's motor vehicle Inspection and Maintenance (I/M) programs. The August 14, 2001, submittal revised Utah's Rule R307–110–33, Section X, Vehicle Inspection and Maintenance Program, Part C, Salt Lake County to allow Salt Lake County to take 100% credit for their test and repair vehicle I/M network, rather than the previously required EPA default of a 50% emissions reduction credit. The August 15, 2001, submittal revises Utah's Rule R307–110–31, Section X, Vehicle Inspection and Maintenance Program, Part A, General Requirements and Applicability to require mandatory implementation of the inspection of vehicle On-Board Diagnostic (OBD) systems starting January 1, 2002. In this action, EPA is proposing approval of the revisions to Utah's Rule R307–110–33 and Rule R307–110–31.

DATES: Written comments must be received on or before April 1, 2002.

ADDRESSES: Written comments may be mailed to Richard R. Long, Director, Air and Radiation Program, Mail code 8P–AR, 999 18th Street, Suite 300, Denver, Colorado, 80202. Copies of the documents relevant to this action are available for public inspection during normal business hours at the United States Environmental Protection Agency, Region VIII, Air and Radiation Program, 999 18th Street, Suite 300, Denver, Colorado, 80202 and copies of the Incorporation by Reference material are available at the United States Environmental Protection Agency, Air and Radiation Docket and Information Center, 401 M Street, SW, Washington, DC 20460. Copies of the State documents relevant to this action are available for public inspection at the Utah Department of Environmental Quality, Division of Air Quality, 150 North 1950 West, Salt Lake City, Utah 84114.

FOR FURTHER INFORMATION CONTACT: Kerri Fiedler, EPA, Region VIII, (303) 312–6493.

SUPPLEMENTARY INFORMATION: Throughout this document, wherever ''we,'' ''our,'' or ''us'' is used, we mean EPA.

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V. Administrative requirements

I. Summary of EPA's Proposed Action

We are proposing to approve revisions to the SIP that were submitted by the Governor of Utah on August 14, 2001 and August 15, 2001. The August 14, 2001, submittal updates Utah's Rule R307–110–33, Section X, Vehicle Inspection and Maintenance Program, Part C, Salt Lake County. Specifically, this revision allows Salt Lake County to receive full credit (100%) for its test and repair vehicle Inspection and Maintenance (I/M) network. Salt Lake County has demonstrated that its test and repair I/M network is as effective as a test only I/M network and is eligible to take full emission reduction credit rather than the previously required EPA default of a 50% emissions reduction credit.

The August 15, 2001, submittal updates Utah's Rule R307–110–31, Section X, Vehicle Inspection and Maintenance Program, Part A, General Requirements and Applicability. This revision requires the mandatory implementation of the inspection of vehicle On-Board Diagnostic (OBD) systems starting January 1, 2002 in all areas implementing an I/M program. Therefore, this requirement is applicable for Davis County, Salt Lake County, Utah County, and Weber County. As a convenience to vehicle owners, Davis, Utah, and Weber Counties are already implementing this program. Salt Lake County will begin implementing the program on January 1, 2002.

II. What Is the State's Process To Submit These Materials to EPA?

Section 110(k) of the Clean Air Act (CAA) addresses our actions on submissions of revisions to a State Implementation Plan (SIP). The CAA requires States to observe certain procedural requirements in developing SIP revisions for submittal to us. Section 110(a)(2) of the CAA requires that each SIP revision be adopted by the State, after reasonable notice and public hearing, and prior to the revision being submitted by a State to us.

A. R307–110–33, Section X, Vehicle Inspection and Maintenance Program, Part C, Salt Lake County

The Utah Air Quality Board (UAQB) held a public hearing on June 21, 2001, to include in the Salt Lake County SIP element a demonstration that Salt Lake County's test and repair I/M network is as effective as a test only I/M network, and allow the County to claim 100% credit instead of 50% credit in emissions reduction. The UAQB adopted the revisions to R307–110–33, Section X, Vehicle Inspection and Maintenance Program, Part C, Salt Lake County on August 1, 2001. This SIP revision became State effective on August 2, 2001, and was submitted by the Governor of Utah to us on August 14, 2001.

B. R307–110–31, Section X, Vehicle Inspection and Maintenance Program, Part A, General Requirements and Applicability

The UAQB held a public hearing on June 21, 2001, to consider amendments to postpone the Federally required inspection of the OBD systems on newer vehicles, because the Federal implementation date had been postponed until January 1, 2002 (66 FR 18156). The UAQB adopted the revisions to R307–110–31, Section X, Vehicle Inspection and Maintenance Program, Part A, General Requirements and Applicability on August 1, 2001. This SIP revision became State effective on August 2, 2001, and was submitted by the Governor of Utah to us on August 15, 2001.

We have evaluated the Governor's submittals and have determined that the State met the requirements for reasonable notice and public hearing under section 110(a)(2) of the CAA. As required by section 110(k)(1)(B) of the CAA, we reviewed these SIP revision materials for conformance with the completeness criteria in 40 CFR part 51, appendix V and determined that the Governor's submittals were administratively and technically

complete. Our completeness determination was sent on October 18, 2001, through a letter from Jack W. McGraw, Acting Regional Administrator, to Governor Michael O. Leavitt.

III. Evaluation of the State's Submittal

A. R307–110–33, Section X, Vehicle Inspection and Maintenance Program, Part C, Salt Lake County

In this action, we are proposing to approve revisions to Utah's Rule R307–110–33, Section X, Vehicle Inspection and Maintenance Program, Part C, Salt Lake County, as adopted by the UAQB on August 1, 2001, and State effective on August 2, 2001. The Salt Lake County vehicle I/M program is in place to reduce vehicle emissions so that the Federal carbon monoxide National Ambient Air Quality Standard (NAAQS) and the Federal 1-hour ozone NAAQS are not exceeded. The changes in Rule R307–110–33 involve a demonstration that Salt Lake County's test and repair I/M network is as effective as a test only I/M network.

With respect to the CAA Amendments of 1990, we designated Salt Lake County nonattainment for the 1-hour ozone NAAQS and we also designated Salt Lake City nonattainment for the carbon monoxide NAAQS (see 56 FR 56694, November 6, 1991). Based on the above, section 182(b)(4) of the CAA required Salt Lake County to implement an I/M program at least as effective as EPA's Basic Performance Standard as specified in 40 CFR 51.352. We note that Salt Lake County was redesignated to attainment for the 1-hour ozone NAAQS on July 17, 1997 (see 62 FR 38213) and was redesignated to attainment for the carbon monoxide NAAQS on January 22, 1999 (see 64 FR 3216). The associated EPA-approved maintenance plans for both of the redesignations, however, continue to rely, in part, on the implementation of the I/M program for the necessary emission reductions used in the maintenance demonstrations.

On July 24, 2000, we promulgated, ''Additional Flexibility Amendments to Vehicle Inspection Maintenance Program Requirements; Amendment to the Final Rule'' (see 65 FR 45526) which removed the mandatory I/M rule provision establishing the decentralized, test and repair I/M network credit discount of 50% from 40 CFR 51.353(b). This new rule (65 FR 45526) requires that the State achieve the same (or better) level of emission reduction as the performance standard as described in 40 CFR 51.352 Basic I/M performance standard. Salt Lake County's Basic I/M program was last approved by us on July 17, 1997, as published in our final rule redesignating Salt Lake County to attainment for the Federal 1-hour ozone standard (62 FR 38213). Salt Lake County has provided a demonstration that their test and repair I/M network achieves the same level of emission reduction as the Federal performance standard (40 CFR 51.352). Our final rule published in 65 FR 45526 also requires that the adequacy of this demonstration be judged by the Administrator on a case-by-case basis through notice-and-comment rulemaking. We have determined Salt Lake County's demonstration is adequate to claim 100% emission reduction credit and today's notice satisfies the notice-and-comment rulemaking provisions from 65 FR 45526.

Based on the above EPA July 24, 2000, action, Salt Lake County used EPA's mobile source emissions model, MOBILE5, to model the performance standard of their I/M program. This demonstration used the current, EPA-approved MOBILE5 model and not the new MOBILE6 emissions model since the latter has not been officially released. The MOBILE5 model uses emission factors, given information about the fleet, climate, fuel characteristics, and I/M programs in a local area to calculate grams of a particular pollutant per vehicle mile traveled across the vehicle fleet in an area. Salt Lake County's modeling demonstrates compliance with both the Federal Basic I/M performance standard (40 CFR 51.352) and the Salt Lake/Davis Counties' Ozone Maintenance Plan Basic I/M performance standard (62 FR 38213).

Salt Lake County also evaluated the effectiveness of their test and repair I/M program to two other comparable programs. These other programs were the State of Minnesota's test only I/M program and Utah County's test and repair I/M program, the latter of which we have granted interim approval of full credit for their I/M program (see 62 FR 31349, June 9, 1997). Taking into consideration that:

(a) Approximately 45% of the initial Salt Lake County I/M tests are performed at test only facilities,

(b) Salt Lake County's Vehicle Emissions Certification process for technicians,

(c) Salt Lake County's I/M network utilizes a real time data base,

(d) the performance results of covert and overt audits and fail rate comparisons, and

(e) the results of the comparisons to the State of Minnesota and Utah County I/M programs conclude that Salt Lake County's test and repair I/M program is as effective as a test only I/M program.

Therefore, based on our review of the above analyses, we have determined that Salt Lake County is eligible to take full (100%) emission reduction credit for their test and repair I/M program rather than the previously required 50% reduction in emission credit.

We are proposing to approve Utah's SIP revision to Rule R307–110–33, Section X, Vehicle Inspection and Maintenance Program, Part C, Salt Lake County. Our proposed approval is based on the demonstration that Salt Lake County's test and repair network is as effective as a test only network and our above-referenced July 24, 2000, rulemaking (see 65 FR 45526) that deleted our prior requirement of an automatic 50% credit discount for decentralized test and repair I/M programs.

B. R307–110–31, Section X, Vehicle Inspection and Maintenance Program, Part A, General Requirements and Applicability

In this action, we are also proposing to approve SIP revisions to Utah's Rule R307–110–31, Section X, Vehicle Inspection and Maintenance Program, Part A, General Requirements and Applicability, as adopted by the Utah Air Quality Board on August 1, 2001, and State effective on August 2, 2001.

The Governor had previously submitted a revision to Rule R307–110–31 on February 22, 1999, that we did not take any action on. The February 22, 1999 submittal committed the State of Utah to implement testing of vehicle OBD systems by January 1, 2001, as was required by 40 CFR part 51, subpart S Inspection/Maintenance Program Requirements. On April 5, 2001, we extended the Federal date for mandatory implementation of the inspection of vehicle OBD systems, in 40 CFR part 51, subpart S, to January 1, 2002 (see 66 FR 18156). The Governor's August 15, 2001 submittal meets the requirements of our April 5, 2001 rulemaking (see 66 FR 18156) and supersedes and replaces the previous SIP revision to Rule R307–110–31 submitted by the Governor on February 22, 1999. The Governor's August 15, 2001, SIP revision simply incorporates the Federal OBD rule change.

Motor vehicle I/M programs are in place to reduce vehicle emissions so that the Federal carbon monoxide NAAQS and the 1-hour ozone NAAQS are not exceeded. Vehicle OBD systems monitor emission related components for malfunction, assuring proper emission control system operations. Our regulations require OBD inspections of

all 1996 model year and later light-duty vehicles and light-duty trucks, rated up to 8,500 pounds Gross Vehicle Weight Rating.

Today's vehicles use computers to direct engine control systems such as fuel and ignition. Sensors and actuators sense the operation of specific components (oxygen sensor) and actuate others (fuel injector) to maintain optimal engine performance. An on-board computer, known as a ''powertrain control module'' or an ''engine control unit,'' controls these systems. Using proper diagnostic software, the on-board computer can also monitor the operation of the sensors and actuators. The sensors, actuators, and diagnostic software comprise the OBD system. With the above equipment, the on-board computer can detect an engine malfunction or deterioration of the various sensors and actuators well before the driver notices poor vehicle performance.

OBD systems can detect problems which may not be noticeable by a visual inspection, because many component failures impacting a vehicle's emissions may be electrical. By detecting these emission equipment related failures and alerting the driver, vehicles can be repaired and returned to their proper emissions performance.

When the OBD system detects a problem, it stores a ''Diagnostic Trouble Code'' in the computer's memory. The computer then illuminates a dashboard light indicating ''Check Engine.'' Once alerted, the vehicle owner should take the vehicle to a repair shop. A service technician can quickly retrieve the stored diagnostic trouble code from the vehicle's computer memory. The diagnostic trouble code specifically identifies the problem, allowing the technician to quickly perform repairs. Vehicle OBD systems allow for early diagnosis of emission control malfunction.

In this action, we are proposing to approve Utah's SIP revision to Rule R307–110–31, Section X, Vehicle Inspection and Maintenance Program, Part A, General Requirements and Applicability, which commits the State of Utah to implement testing of vehicle OBD systems by January 1, 2002. Utah's SIP revision merely incorporates our Federal rule change of April 5, 2001, that postponed implementation of OBD inspections until January 1, 2002 (see 66 FR 18156). As a convenience to vehicle owners, Davis, Utah, and Weber Counties are already implementing this program. Salt Lake County will begin implementing the program on January 1, 2002.

IV. Request for Public Comment

We are soliciting public comment on all aspects of this proposed SIP rulemaking action. Please send your comments in duplicate to the address listed above in the front of this proposed action. We'll consider your comments in deciding our final action if your letter is received before April 1, 2002.

V. Administrative Requirements

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this proposed action is not a ''significant regulatory action'' and therefore is not subject to review by the Office of Management and Budget. For this reason, this action is also not subject to Executive Order 13211, ''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use'' (66 FR 28355, May 22, 2001). This proposed action merely proposes to approve state law as meeting Federal requirements and imposes no additional requirements beyond those imposed by state law. Accordingly, the Administrator certifies that this proposed 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 proposes to approve pre-existing 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 (Pub. L. 104–4).

This proposed rule also does not have tribal implications because it will not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes, as specified by Executive Order 13175 (65 FR 67249, November 9, 2000). This action also does not have Federalism implications because it 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, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999). This action merely proposes to approve a state rule implementing a Federal standard, and does not alter the relationship or the distribution of power and responsibilities established in the Clean Air Act. This proposed rule also is not subject to Executive Order 13045 ''Protection of Children from Environmental Health Risks and Safety Risks'' (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 Clean Air Act. 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 Clean Air Act. 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. This proposed 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.*).

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Ozone, Reporting and recordkeeping requirements.

Dated: February 20, 2002.

Jack W. McGraw,

Acting Regional Administrator, Region VIII.

[FR Doc. 02–4940 Filed 2–28–02; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 271

[FRL–7151–1]

Wisconsin: Final Authorization of State Hazardous Waste Management Program Revisions

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: Wisconsin has applied to EPA for Final authorization of the changes to its hazardous waste program under the Resource Conservation and Recovery Act (RCRA). EPA proposes to grant final authorization to Wisconsin. In the ''Rules and Regulations'' section of this **Federal Register**, EPA is authorizing the changes by an immediate final rule. EPA did not make a proposal prior to the immediate final rule because we believe this action is not controversial and do not expect comments that oppose it.

Unless we get written comments which oppose this authorization during the comment period, the immediate final rule will become effective on the date it establishes, and we will not take further action on this proposal. If we get comments that oppose this action, we will withdraw the immediate final rule and it will not take effect. We will then respond to public comments in a later final rule based on this proposal. You may not have another opportunity for comment. If you want to comment on this action, you must do so at this time.

DATES: Send your written comments by April 1, 2002.

ADDRESSES: Send written comments to Jean Gromnicki, Wisconsin Regulatory Specialist, DM–7J, 77 West Jackson Boulevard, Chicago, Illinois 60604. Please refer to Docket Number WI ARA 7. We must receive your comments by April 1, 2002. You can examine copies of the materials submitted by Wisconsin during normal business hours at the following locations: EPA Region 5 Library, 77 West Jackson Boulevard, Chicago, Illinois 60604, Contact: Jean Gromnicki, Phone number: (312) 886–6162 or the Wisconsin Department of Natural Resources, 101 North Webster, Madison, Wisconsin, 53707, Contact: Patricia Chabot, Phone: (608) 264–6015.

FOR FURTHER INFORMATION CONTACT: Jean Gromnicki, Wisconsin Regulatory Specialist at (312) 886–6162.

SUPPLEMENTARY INFORMATION: For additional information, please see the immediate final rule published in the ''Rules and Regulations'' section of this **Federal Register**.

Dated: February 15, 2002.

Bertram C. Frey,

Acting Regional Administrator, Region 5 .

[FR Doc. 02–4787 Filed 2–28–02; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 02–313, MM Docket No. 02–27, RM–10367]

Digital Television Broadcast Service and Television Broadcast Service; Springfield, IL

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission requests comments on a petition filed by West Central Illinois Educational Telecommunications Corporation, an applicant for a construction permit for a new noncommercial educational television station to operate on channel *65+ at Springfield. West Central requests the substitution of DTV Channel *36 for channel *65+. DTV channel *36 can be allotted to Springfield, Illinois, in compliance with the principle community coverage requirements of Section 73.625(a) at reference coordinates (39–36–50 N. and 89–38–58 W.). As requested, we propose to allot DTV Channel *36 to Springfield with a power of 100 and a height above average terrain (HAAT) of 335 meters.

DATES: Comments must be filed on or before April 8, 2002, and reply comments on or before April 23, 2002.

ADDRESSES: Federal Communications Commission, 445 12th Street, SW., Room TW–A325, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: Todd Gray, Dow, Lohnes & Albertson, PLLC, 1200 New Hampshire Avenue, NW, Suite 800, Washington, DC 20036 (Counsel for West Central Illinois Educational Telecommunications Corporation).

FOR FURTHER INFORMATION CONTACT: Pam Blumenthal, Mass Media Bureau, (202) 418–1600.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 02–27, adopted February 8, 2002, and released February 14, 2002. The full text of this document is available for public inspection and copying during regular business hours in the FCC Reference Information Center, Portals II, 445 12th Street, SW., Room CY–A257, Washington, DC, 20554. This document may also be purchased from the Commission's duplicating contractor, Qualex International, Portals II, 445 12th Street, SW, Room CY–B402, Washington, DC, 20554, telephone 202–863–2893, facsimile 202–863–2898, or via-e-mail *qualexint@aol.com.*

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Television, Digital television broadcasting.

For the reasons discussed in the preamble, the Federal Communications Commission proposes to amend 47 CFR part 73 as follows:

PART 73—TELEVISION BROADCAST SERVICES

1. The authority citation for part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 303, 334, and 336.

§ 73.606 [Amended]

2. Section 73.606(b), the Table of Television Allotments under Illinois, is amended by removing channel *65+ at Springfield.

§ 73.622 [Amended]

3. Section 73.622(b), the Table of Digital Television Allotments under Illinois is amended by adding DTV Channel *36 at Springfield.

Federal Communications Commission.

Barbara A. Kreisman,

Chief, Video Services Division, Mass Media Bureau.

[FR Doc. 02–4883 Filed 2–28–02; 8:45 am]

BILLING CODE 6712–01–P

Notices

Federal Register
Vol. 67, No. 41
Friday, March 1, 2002

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.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

Exemption Regarding Historic Preservation Review Process for Projects Involving Historic Natural Gas Pipelines

AGENCY: Advisory Council on Historic Preservation.

ACTION: Notice of intent to issue exemption regarding historic natural gas pipelines.

SUMMARY: The Advisory Council on Historic Preservation has preliminarily approved an exemption that would relieve Federal agencies from the requirement of taking into account the effects of their undertakings on historic natural gas pipelines. The public is invited to comment on the exemption before it goes into effect. Unless the Council withdraws its preliminary approval after considering such comments, the exemption will go into effect on April 5, 2002.

DATES: Submit comments on or before March 22, 2002.

ADDRESSES: Address all comments concerning this exemption to Javier Marqués, Office of General Counsel, Advisory Council on Historic Preservation, 1100 Pennsylvania Avenue, NW., Suite 809, Washington, DC 20004. Fax (202) 606–8672. You may submit electronic comments to: *achppreservation@aol.com.*

FOR FURTHER INFORMATION CONTACT: Javier Marqués, 202–606–8503.

SUPPLEMENTARY INFORMATION: Section 106 of the National Historic Preservation Act, 16 U.S.C. 470f, requires Federal agencies to consider the effects of their undertakings on historic properties and provide the Advisory Council on Historic Preservation (''Council'') a reasonable opportunity to comment with regard to such undertakings. The Council has issued the regulations that set forth the process through which Federal agencies comply with these duties. Those regulations are codified under 36 CFR part 800 (''Section 106 regulations'').

The National Historic Preservation Act (''Act'') authorizes the Council, with the concurrence of the National Park Service, to promulgate regulations for exempting undertakings ''from any or all of the requirements of'' the Act. 16 U.S.C. 470v. The section 106 regulations detail the process for the approval of such exemptions. 36 CFR 800.14(c).

In accordance with the Section 106 regulations, the Council may approve an exemption for an undertaking if it finds that: (1) The potential effects of the undertaking upon historic properties are foreseeable and likely to be minimal or not adverse; and (2) the exemption is consistent with the purpose of the Act.

The Federal Energy Regulatory Commission (''Commission'') has proposed an exemption regarding the effects of undertakings on historic natural gas pipelines. The Council has preliminarily approved that exemption, pending the results of the public comment opportunity provided through this notice. The full text of the exemption can be found at the end of this notice. Unless the Council decides (prior to April 5, 2002, and based on the results of this final round of public comments) to withdraw its preliminary approval, the exemption will go into effect on April 5, 2002.

I. Background

On October 19, 2001, the Council published for public comment in the **Federal Register** a *Draft Program Comment Regarding Historic Preservation Review Process for Projects Involving Historic Natural Gas Pipelines* which was intended to streamline the historic preservation review process for projects involving natural gas pipelines (66 FR 53198). That draft Program Comment proposed an alternative way for the Commission to address its responsibilities under Section 106 with regard to effects on natural gas pipelines and related facilities when authorizing projects under section 7 of the Natural Gas Act (NGA) by either applicants pursuant to 18 CFR part 157, subpart A, or certificate holders pursuant to 18 CFR part 157, Subpart F, and 18 CFR part 284 of the regulations of the Commission.

The draft Program Comment was meant to apply only to those undertakings affecting natural gas pipelines determined to be eligible for the National Register of Historic Places (''National Register'') by the applicant/certificate holder and the respective State Historic Preservation Office (''SHPO''). When the applicant or certificate holder implemented a level and type of documentation agreeable to the applicant/certificate holder and the SHPO, and deposited that record in an appropriate repository, the project could not then be found to have an effect upon the characteristics that make the pipeline eligible for inclusion in the National Register.

The Commission noted on its review of this Program Comment that it ''provide(d) guidance and a basic mechanism for section 106 compliance that could make more complex and time consuming processes unnecessary.'' Indeed, the Council developed the Program Comment to respond directly to the delays in project review under the blanket certificate procedures when there was an effect to a historic natural gas pipeline. The Commission supported that objective, and the Council's efforts to keep them involved throughout the initiative.

After the Council and the Commission staff had reviewed the public comments on that proposal, the Commission proposed that the Council use the Exempted Categories alternatives pursuant to 36 CFR 800.14(c) to streamline the historic preservation review process for historic natural gas pipelines.

Based on a number of factors discussed below, the Council believes that using the Exempted Categories program alternative offers a more focused, practical, predictable, and elegant way to address section 106 review for projects involving natural gas pipelines. In addition, comments from the affected industry reflected a preference for such an approach as opposed to the Program Comment alternative.

II. Exemption Concept

The exemption would release all Federal agencies from the Section 106 requirement of having to consider the effects of their undertakings on historic natural gas pipelines. Historic natural gas pipelines are defined as those natural gas pipelines that meet the criteria for listing on the National Register of Historic Places.

A public comment stated that the Act never intended pipelines to be eligible for the National Register. The Council disagrees. The Act specifically states that the National Register is composed of ''districts, sites, buildings, structures, and objects significant in American history, architecture, archaeology, *engineering* and culture.'' 16 U.S.C. 470a(a)(1)(a) (emphasis added). This statement does not explicitly exclude pipelines from consideration, but rather, it acknowledges that a variety of types of properties could be significant to American engineering. As one of type of property which can be eligible for inclusion in the National Register, a structure is defined as one ''made up of interdependent and interrelated parts in a definite pattern of organization [and] constructed by man it is often an engineering project large in scale.'' 36 CFR 60.3(p). Again, such a definition appears to be intentionally broad so as to embrace a variety of different structures, which arguably include natural gas pipelines.

The exemption would apply unconditionally for all undertakings except for those that entail the abandonment of a historic natural gas pipeline. The sole condition for those cases would be that the historic natural gas pipeline gets documented prior to abandonment. The documentation requirements are enumerated in the exemption document, as opposed to being subject to negotiations with SHPOs or others.

Public comments raised a concern that the earlier, proposed Program Comment only applied to the Commission and did not bind other Federal agencies whose lands the pipeline may cross. It was argued that such other Federal agencies could insist on a different, and possibly higher, process and documentation standard for pipelines crossing their lands. The comments also mentioned that unless the approach to historic natural gas pipelines was uniformly applicable to all Federal agencies, the benefit of the approach would be negated if any Federal land manager elected to impose a new or different standards. In response to this comment, the exemption now applies to all Federal agencies. The Council believes this makes sense since the approach is based on the type of resource involved (i.e., natural gas pipelines), and such resources are the same no matter what Federal agency is confronted with an undertaking affecting them.

Some of the public comments also expressed a concern that disputes over eligibility and documentation issues under the earlier, proposed Program Comment would result in serious project delays. The Council agreed that such disputes could be time consuming, and therefore drafted the exemption in a way that will alleviate those concerns by: (1) Limiting the documentation requirement to only one type of pipeline activity (i.e., abandonment); (2) establishing a single, definitive documentation standard for such abandonments; and (3) clarifying that once a pipeline was documented, future undertakings would not have to consider effects to that pipeline. Since the exemption unconditionally applies to all activities other than abandonment, eligibility can only become an issue for abandonments.

Finally, the exemption would not apply on tribal land. Such application would require substantial and lengthy tribal consultation. 36 CFR 800.14(c)(4) and 800.14(f). It is our understanding from discussions with the Commission staff that, due to tribal sovereignty issues, pipeline projects through tribal lands are handled through separate agreements with the tribes. Moreover, the Council believes that such particularized consultation is not warranted since it is not aware of any natural gas pipeline that would be of religious and cultural significance to tribes, regardless of its location.

On a more general note, a public comment criticized the earlier, proposed Program Comment by stating that it was not binding on the SHPO and, therefore, could be disregarded. This is incorrect. The Council is the only entity with the authority to enact regulations implementing Section 106 (16 U.S.C. 470s) and to provide exemptions from compliance with Section 106 (16 U.S.C. 470v). An exemption or program comment approved by the Council defines the legal requirements of section 106 and, as such, cannot be disregarded by SHPOs.

III. Exemption Criteria

Pursuant to 36 CFR 800.14(c)(1), Section 106 exemptions must meet certain criteria. Only actions that qualify as undertakings, as defined in 36 CFR 800.16, may be considered for exemption, and the exemption itself must be consistent with the purposes of NHPA. Furthermore, in order to be considered exempted, the potential effects on historic properties of those undertakings should be ''foreseeable and likely to be minimal or not adverse.'' The Council believes that the proposed exemption meets these conditions.

In considering this proposition, it is important to recognize that neither the Commission nor any other Federal agency regulates all of the activities which might affect historic natural gas pipelines. Because physically deteriorated or obsolete facilities are specifically excluded by regulation from section 7(c) of the NGA, pursuant to 18 CFR part 2.55, most repair and maintenance of historic pipelines will not need Commission authorization prior to implementation. As a result, the integrity of an historic natural gas pipeline is likely to vary considerably over its full extent. Although these maintenance activities may result in the loss of some historic fabric, these changes allow the continued safe operation of the historic property as a pipeline and, as such, serve to protect the use of the property.

The Council also believes that evaluation of the integrity of the pipeline as a historic property and the effect of any of these undertakings must be considered within the context of the totality of the historic natural gas pipeline, particularly when the historic significance of natural gas pipelines lies in both their engineering characteristics (Criterion C of the National Register) and their relationship to events (Criterion A of the National Register). From that perspective, for example, a 12 inch diameter tap inserted into a 1,000 mile pipeline is of minor consequences for the whole historic property, especially when the property exhibits considerable redundance and uniformity in form over its entire extent.

With abandonment, although a portion of the historic pipeline will cease to function as such, it usually remains in place. Moreover, for reasons of safety and because they are buried resources, historic natural gas pipelines cannot be experienced by the public during their productive life. Accordingly, we believe that potential effects of abandonment can be adequately minimized through documentation of the historic pipeline. This approach is also in keeping with the earlier, draft Program Comment. Working with Commission staff, the Council has established a standard for documenting historic natural gas pipelines that would apply under the exemption whenever there is an abandonment. As the comments on the Council's Program Comment indicate, setting a standard is needed because it would largely eliminate the possibility for disagreement between applicants or certificate holders, and SHPOs regarding the appropriate level and type of documentation.

IV. Public Participation

In accordance with 36 CFR 800.14(c)(2), public participation must

be arranged on a level commensurate with the subject and scope of the exemption. Since the proposed exemption was derived from, and is consistent with, the approach taken in the earlier, proposed Program Comment, the Council believes that the public participation requirement has been met through the extensive comment period already provided for that Program Comment. The Council only received a limited number of comments on the draft Program Comment. Those comments were shared, and discussed, with the Commission staff. As requested, that comment period was extended until December 9, 2001. Nevertheless, such extension only yielded one additional comment, for an overall total of 9 public comments. Likewise, although the Council made a special effort to notify SHPOs about the proposed Program Comment, comments from only three States, Arizona, Iowa, and Wyoming, were received. One of those comments was that the State had ''no comment'' on the proposal. Moreover, through this notice the Council is submitting the draft exemption for one last round of public comment.

Neither the Council nor the Commission have engaged in the particularized consultation with Indian tribes and Native Hawaiian organizations, pursuant to 36 CFR 800.14(c)(4), since such consultation does not seem to be warranted. As stated above, the proposed exemption would not apply on tribal lands. The Council also believes that the proposed exemption will have no consequences for historic properties of religious and cultural significance, regardless of location, to any Indian tribe or Native Hawaiian organizations since it is limited to effects on only historic natural gas pipelines.

V. Text of the Exemption

The full text of the proposed program comment is reproduced below.

Section 106 Exemption Regarding Effects to Historic Natural Gas Pipelines

I. Exemption Regarding Effects to Historic Natural Gas Pipelines

Except as noted on Section II, all Federal agencies are exempt from the Section 106 requirement of taking into account the effects of their undertakings on historic natural gas pipelines.

II. Abandonment of Historic Natural Gas Pipelines

Abandonment of a historic natural gas pipelines, in part or in whole, will qualify for the exemption under Section I, provided that the Federal agency or its applicant has documented the historic natural gas pipeline by:

(a) Completing a determination of eligibility for the pipeline as a whole, which identifies contributing and non-contributing components of the pipeline, using standard information required on a National Register nomination form. The documentation must be prepared by an individual meeting the Secretary of the Interior's *Professional Qualification Standards* (48 FR 44738–9). The documentation must include the following components:

(i) A brief history of construction of hte line with a bibliogrpahy recording the primary and secondary sources that were used;

(ii) Documentation through as-built drawings, historical photographs or, 35 mm photographs, as approriate, of representative examples of significant features associated with the line;

(iii) A map of the historic property set at an appropriate scale; and

(iv) An annotated bibliography of other primary and secondary sources identified during research; and

(b) Placing the documentation in an appropriate repository, accessible to the general public, in each State crossed by the pipeline, and filing the documentation with the relevant State Historic Preservation Officer(s).

When the abandonment involved only a section of the historic natural gas pipeline, Federal agencies or application handling subsequent abandonment of other sections of the historic natural gas pipeline will not have to repeat the documentation requirements set forth above.

III. Existing Agreements

This exemption is not intended to amend, invalidate or otherwise modify Section 106 Programmatic Agreements (PAs) in existence at the time this exemption goes into effect. Parties to such PAs may amend them according to their terms.

IV. Tribal Lands

This exemption does not apply to those portions of undertakings that take place on tribal lands.

V. Definitions

(a) *Section 106* means section 106 of the National Historic Preservation Act, 16 U.S.C. 470f, and its implementing regulations, found under 36 CFR part 800.

(b) *Undertaking* means a project, activity, or program funded in whole or in part under the direct or indirect jurisdiction of a Federal agency, including those carried out by or on behalf of a Federal agency; those carried out with Federal financial assistance; those requiring a Federal permit, license or approval; and those subject to State or local regulation administered pursuant to a delegation or approval by a Federal agency.

(c) *Historic natural gas pipelines means* means natural gas pipelines, and their appurtenant facilities, that are listed, or eligible for listing, on the National Register of Historic Places.

(d) *Tribal lands* means all lands within the exterior boundaries of any Indian reservation and all dependent Indian communities.

Authority: 16 U.S.C. 470v; 36 CFR 800.14(c).

Dated: February 25, 2002.

John M. Fowler,

Executive Director.

[FR Doc. 02–4867 Filed 2–28–02; 8:45 am]

BILLING CODE 4310–10–M

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. 01–101–1]

Aventis CropScience; Availability of Environmental Assessment for Extension of Determination of Nonregulated Status for Canola Genetically Engineered for Glufosinate Herbicide Tolerance

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice.

SUMMARY: We are advising the public that an environmental assessment has been prepared for a proposed decision to extend to one additional canola event our determination that a canola event developed by Aventis CropScience, which has been genetically engineered for tolerance to the herbicide glufosinate, is no longer considered a regulated article under our regulations governing the introduction of certain genetically engineered organisms. We are making this environmental assessment available to the public for review and comment.

DATES: We will consider all comments we receive that are postmarked, delivered, or e-mailed by April 1, 2002.

ADDRESSES: You may submit comments by postal mail/commercial delivery or by e-mail. If you use postal mail/commercial delivery, please send four copies of your comment (an original and three copies) to: Docket No. 01–101–1, Regulatory Analysis and Development, PPD, APHIS, Station 3C71, 4700 River

Road Unit 118, Riverdale, MD 20737–1238. Please state that your comment refers to Docket No. 01–101–1. If you use e-mail, address your comment to *regulations@aphis.usda.gov.* Your comment must be contained in the body of your message; do not send attached files. Please include your name and address in your message and ''Docket No. 01–101–1'' on the subject line.

You may read the extension request, the environmental assessment, and any comments that we receive on this docket in our reading room. The reading room is located in room 1141 of the USDA South Building, 14th Street and Independence Avenue SW., Washington, DC. Normal reading room hours are 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. To be sure someone is there to help you, please call (202) 690–2817 before coming.

APHIS documents published in the **Federal Register**, and related information, including the names of organizations and individuals who have commented on APHIS dockets, are available on the Internet at *http://www.aphis.usda.gov/ppd/rad/webrepor.html.*

FOR FURTHER INFORMATION CONTACT: Dr. Hanu Pappu, Plant Protection and Quarantine, APHIS, Suite 5B05, 4700 River Road Unit 147, Riverdale, MD 20737–1236; (301) 734–5299. To obtain a copy of the extension request or the environmental assessment, contact Ms. Kay Peterson at (301) 734–4885; e-mail: *Kay.Peterson@aphis.usda.gov.*

SUPPLEMENTARY INFORMATION: The regulations in 7 CFR part 340, ''Introduction of Organisms and Products Altered or Produced Through Genetic Engineering Which Are Plant Pests or Which There is Reason to Believe Are Plant Pests,'' regulate, among other things, the introduction (importation, interstate movement, or release into the environment) of organisms and products altered or produced through genetic engineering that are plant pests or that there is reason to believe are plant pests. Such genetically engineered organisms and products are considered ''regulated articles.''

The regulations in § 340.6(a) provide that any person may submit a petition to the Animal and Plant Health Inspection Service (APHIS) seeking a determination that an article should not be regulated under 7 CFR part 340. Further, the regulations in § 340.6(e)(2) provide that a person may request that APHIS extend a determination of nonregulated status to other organisms. Such a request must include information to establish the similarity of the antecedent organism and the regulated article in question.

Background

On July 25, 2001, APHIS received a request for an extension of a determination of nonregulated status (APHIS No. 01–206–02p) from Aventis CropScience (Aventis) of Research Triangle Park, NC, for a canola (*Brassica napus* L.) transformation event designated as Topas 19/2 (event Topas 19/2), which has been genetically engineered for tolerance to the herbicide glufosinate. The Aventis request seeks an extension of a determination of nonregulated status issued for glufosinate-tolerant canola transformation event T45, the antecedent organism, in response to APHIS petition number 97–205–01p (see 63 FR 6703–6704, Docket No. 97–091–2, published February 10, 1998). Based on the similarity of canola event Topas 19/2 to the antecedent organism, Aventis requests a determination that glufosinate-tolerant canola event Topas 19/2 does not present a plant pest risk and, therefore, is not a regulated article under APHIS' regulations in 7 CFR part 340.

Analysis

Like the antecedent organism, canola event Topas 19/2 has been genetically engineered to contain a *pat* gene derived from *Streptomyces viridochromogenes.* The *pat* gene encodes the enzyme phosphinothricin-N-acetyltransferase (PAT), which confers tolerance to the herbicide glufosinate. The subject canola event and the antecedent organism were developed through use of the *Agrobacterium tumefaciens* method, and expression of the added genes in Topas 19/2 and the antecedent organism is controlled in part by gene sequences derived from the plant pathogen cauliflower mosaic virus. In summary, the Aventis extension request states that canola event Topas 19/2 and the antecedent organism contain the same genetic elements with the exception of the antibiotic resistance marker gene *nptII* in Topas 19/2, which was used as a transformant selection tool during the developmental process. The parental variety used to develop the antecedent organism was the *B. napus* var. AC EXCEL, while the *B. Napus* cultivar Topas was used for transforming canola event Topas 19/2.

Canola event Topas 19/2 and the antecedent organism were genetically engineered using the same transformation method and contain the same enzyme that makes the plants tolerant to the herbicide glufosinate. Accordingly, we have determined that canola event Topas 19/2 is similar to the antecedent organism in APHIS petition number 97–205–01p, and we are proposing that canola event Topas 19/2 should no longer be regulated under the regulations in 7 CFR part 340.

The subject canola event has been considered a regulated article under APHIS' regulations in 7 CFR part 340 because it contains gene sequences derived from plant pathogens. However, canola event Topas 19/2 has been extensively field tested in Canada, and after having received the appropriate Canadian approvals, has been marketed commercially in Canada since 1995 with no reports of adverse effects on human health or the environment.

Should APHIS approve Aventis' request for an extension of a determination of nonregulated status, canola event Topas 19/2 would no longer be considered a regulated article under APHIS' regulations in 7 CFR part 340. Therefore, the requirements pertaining to regulated articles under those regulations would no longer apply to the field testing, importation, or interstate movement of the subject canola event or its progeny.

National Environmental Policy Act

An environmental assessment (EA) has been prepared to examine any potential environmental impacts associated with the proposed extension of a determination of nonregulated status for the subject canola event. The EA was prepared in accordance with: (1) The National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321 *et seq.*), (2) regulations of the Council on Environmental Quality for implementing the procedural provisions of NEPA (40 CFR parts 1500–1508), (3) USDA regulations implementing NEPA (7 CFR part 1b), and (4) APHIS' NEPA Implementing Procedures (7 CFR part 372). Copies of the Aventis extension request and the EA are available from the individual listed under **FOR FURTHER INFORMATION CONTACT.**

Done in Washington, DC, this 25th day of February 2002.

W. Ron DeHaven,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 02–4909 Filed 2–28–02; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. 01–103–2]

Veterinary Services; Availability of an Environmental Assessment and Finding of No Significant Impact

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice.

SUMMARY: We are advising the public that the Animal and Plant Health Inspection Service has prepared an environmental assessment and a finding of no significant impact for a study to determine the disappearance rate of bison fetuses in the environment. The environmental assessment provides a basis for our conclusion that the implementation of the study will not have a significant impact on the quality of the human environment. Based on the finding of no signficant impact, we have determined that an environmental impact statement need not be prepared.

ADDRESSES: Copies of the environmental assessment, the finding of no significant impact, and comments received on the environmental assessment are available for public inspection at USDA, room 1141, South Building, 14th Street and Independence Avenue SW., Washington, DC, between 8 a.m. and 4:30 p.m., Monday through Friday, except holidays. To be sure someone is there to help you, please call (202) 690–2817 before coming.

FOR FURTHER INFORMATION CONTACT: Dr. Valerie Ragan, Senior Staff Veterinarian, National Animal Health Programs Staff, VS, APHIS, 4700 River Road Unit 36, Riverdale, MD 20737–1236; (301) 734–6954.

SUPPLEMENTARY INFORMATION:

Background

The mission of Veterinary Services (VS) of the Animal and Plant Health Inspection Service (APHIS) is to protect and improve the health, quality, and marketability of domestic animals by preventing, controlling, and/or eliminating animal diseases and monitoring and promoting animal health and productivity.

Brucellosis is a contagious disease that affects animals and humans, caused by bacteria of the genus *Brucella. Brucella abortus* principally affects bison and cattle. In bison and cattle, brucellosis localizes in the reproductive organs and/or the udder, causing abortion or birth of weak offspring. Female cattle infected with brucellosis may suffer infertility and lowered milk production.

Brucellosis is spread when bacteria are shed in milk, aborted fetuses, afterbirth, or other reproductive tract discharges and are ingested by a susceptible animal. Cattle and bison have a tendency to sniff and lick an aborted fetus, which provides an avenue for the disease to spread if *Brucella* is present.

Brucellosis has caused devastating losses to farmers in the United States over the last century. It is estimated that the disease has cost the Federal Government, the States, and the livestock industry billions of dollars in direct losses and efforts to eliminate the disease. APHIS has estimated that if efforts to eradicate the disease were stopped, the costs of producing beef and milk would increase by an estimated $80 million annually in less than 10 years.

Brucellosis infection occurs in bison in Yellowstone National Park. Bison roam wild in Yellowstone National Park, and during winter and spring, some migrate outside of the park onto U.S. Forest Service and private lands. The prevention of the spread of brucellosis from bison to cattle in and around the park is an issue of concern.

VS, in cooperation with other Federal and State agencies, will conduct an 11-week study in the West Yellowstone and Gardiner areas in Montana starting in March 2002 to determine how long a bison fetus remains in the environment as a potential source of *Brucella* organisms before it deteriorates or is consumed by scavengers.

On November 29, 2001, we published in the **Federal Register** (66 FR 59555–59556, Docket No. 01–103–1) a notice announcing that an environmental assessment for a proposed study to determine the disappearance rate of bison fetuses in the environment was available for public review and comment.

We solicited comments on the environmental assessment for 30 days ending on December 31, 2001. We received 166 comments by that date, and 7 additional comments had arrived as of January 28, 2002. They were from private citizens, including Native Americans, the State of Wyoming, and animal humane associations, among others. The commenters raised issues such as the nature of brucellosis in bison, transmission of brucellosis from bison to cattle, the need for the study, the design of the study, introduction of other diseases, impacts on predators, impacts on endangered and threatened species, and cultural concerns for Native Americans.

After carefully reviewing the issues, we have determined that the environmental assessment, which we have modified in response to some of the issues raised in the comments, adequately describes the potential environmental impacts associated with the study and supports our conclusion that the proposed study will not present a significant risk to the environment. Therefore, based on the environmental assessment, we have prepared a finding of no significant impact and have determined that an environmental impact statement need not be prepared.

The environmental assessment and finding of no significant impact may be viewed on the Internet at *http://www.aphis.usda.gov/ppd/es/vsdocs.html.* The environmental assessment and finding of no significant impact are also available for review in our reading room (the location and hours of the reading room are listed under the heading **ADDRESSES** at the beginning of this notice).

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

Done in Washington, DC, this 22nd day of February 2002.

W. Ron DeHaven,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 02–4910 Filed 2–28–02; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF AGRICULTURE

Forest Service

California Coast Provincial Advisory Committee

AGENCY: Forest Service, USDA.

ACTION: Notice of meeting.

SUMMARY: The California Coast Provincial Advisory Committee (PAC) will meet on March 27 and 28, 2002, in Arcata, California. The purpose of the meeting is to discuss issues relating to implementing the Northwest Forest Plan.

DATES: A business meeting will be held from 8 a.m. to 5 p.m. on March 27, 2002, at the Quality Inn conference room, Arcata. A field tour at the Redwood

National Park will be held on March 28, 2002, from 8 a.m. until 2:30 p.m.

ADDRESSES: The March 27 business meeting will be held at the Quality Inn conference room, 3535 Janes Road, Arcata, CA. The March 28 field tour will begin at the Quality Inn, Arcata.

FOR FURTHER INFORMATION CONTACT: Phebe Brown, Committee Coordinator, USDA, Mendocino National Forest, 825 N. Humboldt Avenue, Willows, CA, 95988, (530) 934–3316; EMAIL *pybrown@fed.us.*

SUPPLEMENTARY INFORMATION: Agenda items to be covered include: (1) Presentation on barred owls (competing for habitat with northern spotted owls); (2) Regional Ecosystem Office (REO) update; (3) Presentation and discussion concerning Mendocino and Six Rivers National Forest Roads Analysis Processes; (4) Presentation on the proposal to expand designated Wilderness areas in California; (5) Presentation on Headwaters Forest Reserve Draft Environmental Impact Statement; (6) Planning for a Province fire ecology/fuels treatment workshop; (8) Aquatic Conservation Subcommittee report on next steps for the Watershed Atlas; (9) PAC attendance and use of alternates; and (1) Public comment. The meeting is open to the public. Public input opportunity will be provided at 11:45 a.m. March 27 and individuals will have the opportunity to address the Committee at that time.

Dated: February 22, 2002.

Arthur Quintana,

Acting Forest Supervisor.

[FR Doc. 02–4904 Filed 2–28–02; 8:45 am]

BILLING CODE 3410–11–M

DEPARTMENT OF AGRICULTURE

Grain Inspection, Packers and Stockyards Administration

[01–03–S]

Designation for the Barton (KY), Central Illinois (IL), North Dakota (ND), and Plainview (TX) Areas

AGENCY: Grain Inspection, Packers and Stockyards Administration (GIPSA).

ACTION: Notice.

SUMMARY: GIPSA announces designation of the following organizations to provide official services under the United States Grain Standards Act, as amended (Act): J. W. Barton Grain Inspection Service, Inc. (Barton); Central Illinois Grain Inspection, Inc. (Central Illinois); North Dakota Grain Inspection Service, Inc. (North Dakota); and Plainview Grain Inspection and Weighing Service, Inc. (Plainview).

EFFECTIVE DATES: April 1, 2002.

ADDRESSES: USDA, GIPSA, Janet M. Hart, Chief, Review Branch, Compliance Division, STOP 3604, Room 1647–S, 1400 Independence Avenue, SW, Washington, DC 20250–3604.

FOR FURTHER INFORMATION CONTACT: Janet M. Hart at 202–720–8525, e-mail *janhart@gipsadc.usda.gov.*

SUPPLEMENTARY INFORMATION: This action has been reviewed and determined not to be a rule or regulation as defined in Executive Order 12866 and Departmental Regulation 1512–1; therefore, the Executive Order and Departmental Regulation do not apply to this action.

In the September 1, 2001, **Federal Register** (66 FR 46254), GIPSA asked persons interested in providing official services in the geographic areas assigned to the official agencies named above to submit an application for designation. Applications were due by October 1, 2001.

Barton, Central Illinois, North Dakota, and Plainview were the sole applicants for designation to provide official services in the entire area currently assigned to them, so GIPSA did not ask for additional comments on them.

GIPSA evaluated all available information regarding the designation criteria in section 7(f)(l)(A) of the Act and, according to Section 7(f)(l)(B), determined that Barton, Central Illinois, North Dakota, and Plainview are able to provide official services in the geographic areas specified in the September 4, 2001, **Federal Register**, for which they applied. Interested persons may obtain official services by calling the telephone numbers listed below.

Official agency	Headquarters location and telephone	Designation start–end
Barton	Owensboro, KY; Additional Service Location: Jeffersonville, IN; 270–683–0616.	4/01/2002–3/31/2005
Central Illinois	Bloomington, IL; Additional Service Location: Pekin, IL; 309–827–7121	4/01/2002–3/31/2005
North Dakota	Fargo, ND; Additional Service Locations: Enderlin and Hillsboro, ND, and Cahokia, East St. Louis, Fairfield, And Teutopolis, IL; 701–293–7420.	4/01/2002–3/31/2005
Plainview	Plainview, TX; 806–293–1364	4/01/2002–3/31/2005

Authority: Pub. L. 94–582, 90 Stat. 2867, as amended (7 U.S.C. 71 et seq.).

Dated: February 25, 2002.

David R. Shipman,

Acting Administrator, Grain Inspection, Packers and Stockyards Administration.

[FR Doc. 02–4912 Filed 2–28–02; 8:45 am]

BILLING CODE 3410–EN–P

DEPARTMENT OF AGRICULTURE

Grain Inspection, Packers and Stockyards Administration

[02–01–A]

Opportunity for Designation in the Aberdeen (SD), Decatur (IL), Grand Forks (ND), Hastings (NE), McCrea (IA), Missouri, and South Carolina Areas, and Request for Comments on the Official Agencies Serving These Areas

AGENCY: Grain Inspection, Packers and Stockyards Administration (GIPSA), USDA.

ACTION: Notice.

SUMMARY: The designations of the official agencies listed below will end in September 2002. GIPSA is asking persons interested in providing official services in the areas served by these agencies to submit an application for designation. GIPSA is also asking for comments on the services provided by these currently designated agencies: Aberdeen Grain Inspection, Inc. (Aberdeen); Decatur Grain Inspection, Inc. (Decatur); Grand Forks Grain Inspection Department, Inc. (Grand Forks); Hastings Grain Inspection, Inc. (Hastings); John R. McCrea Agency, Inc. (McCrea); Missouri Department of Agriculture (Missouri) and South Carolina Department of Agriculture (South Carolina).

DATES: Applications and comments must be postmarked or sent by

telecopier (FAX) on or before April 1, 2002.

ADDRESSES: Submit applications and comments to USDA, GIPSA, Janet M. Hart, Chief, Review Branch, Compliance Division, STOP 3604, Room 1647-S, 1400 Independence Avenue, SW, Washington, DC 20250–3604; FAX 202–690–2755. If an application is submitted by FAX, GIPSA reserves the right to request an original application. All applications and comments will be made available for public inspection at Room 1647-S, 1400 Independence Avenue, S.W., during regular business hours.

FOR FURTHER INFORMATION CONTACT: Janet M. Hart at 202–720–8525, e-mail janhart@gipsadc.usda.gov.

SUPPLEMENTARY INFORMATION: This Action has been reviewed and determined not to be a rule or regulation as defined in Executive Order 12866 and Departmental Regulation 1512–1; therefore, the Executive Order and Departmental Regulation do not apply to this Action.

Section 7(f)(1) of the United States Grain Standards Act, as amended (Act), authorizes GIPSA's Administrator to designate a qualified applicant to provide official services in a specified area after determining that the applicant is better able than any other applicant to provide such official services.

Section 7(g)(1) of the Act provides that designations of official agencies shall end not later than triennially and may be renewed according to the criteria and procedures prescribed in section 7(f) of the Act.

1. Current Designations Being Announced for Renewal

Official agency	Main office	Designation start	Designation end
Aberdeen	Aberdeen, SD	12/1/1999	9/30/2002
Decatur	Decatur, IL	1/1/2000	9/30/2002
Grand Forks	Grand Forks, ND	1/1/2000	9/30/2002
Hastings	Hastings, NE	11/1/1999	9/30/2002
McCrea	Clinton, IA	1/1/2000	9/30/2002
Missouri	Jefferson City, MO	12/1/1999	9/30/2002
South Carolina	Columbia, SC	1/1/2000	9/30/2002

a. Pursuant to section 7(f)(2) of the Act, the following geographic area, in the States of North Dakota and South Dakota, is assigned to Aberdeen.

Bounded on the North by U.S. Route 12 east to State Route 22; State Route 22 north to the Burlington-Northern (BN) line; the Burlington-Northern (BN) line east to State Route 21; State Route 21 east to State Route 49; State Route 49 south to the North Dakota-South Dakota State line; the North Dakota-South Dakota State line east to U.S. Route 83; U.S. Route 83 north to State Route 13; State Route 13 east and north to McIntosh County; the northern McIntosh County line east to Dickey County; the northern Dickey County line east to U.S. Route 281; U.S. Route 281 south to the North Dakota-South Dakota State line; the North Dakota-South Dakota State line east;

Bounded on the East by the eastern South Dakota State line (the Big Sioux River) to A54B;

Bounded on the South by A54B west to State Route 11; State Route 11 north to State Route 44 (U.S. 18); State Route 44 west to the Missouri River; the Missouri River south-southeast to the South Dakota State line; the southern South Dakota State line west; and

Bounded on the West by the western South Dakota State line north; the western North Dakota State line north to U.S. Route 12.

b. Pursuant to section 7(f)(2) of the Act, the following geographic area, in the State of Illinois, is assigned to Decatur.

Bounded on the North by the northern and eastern DeWitt County lines; the eastern Macon County line south to Interstate 72; Interstate 72 northeast to the eastern Piatt County line;

Bounded on the East by the eastern Piatt, Moultrie, and Shelby County lines;

Bounded on the South by the southern Shelby County line; a straight line running along the southern Montgomery County line west to State Route 16 to a point approximately one mile northeast of Irving; and

Bounded on the West by a straight line from this point northeast to Stonington on State Route 48; a straight line from Stonington northwest to Elkhart on Interstate 55; a straight line from Elkhart northeast to the west side of Beason on State Route 10; State Route 10 east to DeWitt County; the western DeWitt County line.

Decatur's assigned geographic area does not include the following grain elevators inside Decatur's area which have been and will continue to be serviced by the following official, Champaign-Danville Grain Inspection Departments, Inc.: Moultrie Grain Association, Cadwell, Moultrie County; Tabor Grain Company (three elevators), Farmer City, DeWitt County; and Topflight Grain Company, Monticello, Piatt County.

c. Pursuant to section 7(f)(2) of the Act, the following geographic area, in the State of North Dakota, is assigned to Grand Forks.

Bounded on the North by the North Dakota State line;

Bounded on the East by the North Dakota State line south to State Route 200;

Bounded on the South by State Route 200 west-northwest to the western Traill County line; the western Traill County line; the southern Grand Forks and Nelson County lines; the southern Eddy County line west to U.S. Route 281; U.S. Route 281 north to State Route l5; State Route l5 west to U.S. Route 52; U.S. Route 52 northeast to State Route 3; and

Bounded on the West by State Route 3 north to State Route 60; State Route 60 west-northwest to State Route 5; State Route 5 west to State Route 14; State Route 14 north to the North Dakota State line.

Grand Fork's assigned geographic area does not include the following grain elevators inside Grand Fork's area which have been and will continue to be serviced by the following official agencies: Grain Inspection, Inc.: Fessenden Coop Association, Fessenden; and Fessenden Coop Association, Manfred; both in Wells County; and Minot Grain Inspection, Inc.: Harvey Farmers Elevator, Harvey, Wells County.

d. Pursuant to section 7(f)(2) of the Act, the following geographic area, in the State of Nebraska, is assigned to Hastings.

Bounded on the North by the northern Nebraska State line from the western Sioux County line east to the eastern Knox County line;

Bounded on the East by the eastern and southern Knox County lines; the eastern Antelope County line; the

northern Madison County line east to U.S. Route 81; U.S. Route 81 south to the southern Madison County line; the southern Madison County line; the eastern Boone, Nance, and Merrick County lines; the Platte River southwest; the eastern Hamilton County line; the northern and eastern Fillmore County lines; the southern Fillmore County line west to U.S. Route 81; U.S. Route 81 south to State Highway 8; State Highway 8 west to the County Road 1 mile west of U.S. Route 81; the County Road south to southern Nebraska State line;

Bounded on the South by the southern Nebraska State line, from the County Road 1 mile west of U.S. Route 81, west to the western Dundy County line; and

Bounded on the West by the western Dundy, Chase, Perkins, and Keith County lines; the southern and western Garden County lines; the southern Morrill County line west to U.S. Route 385; U.S. Route 385 north to the southern Box Butte County line; the southern and western Sioux County lines north to the northern Nebraska State line.

The following grain elevators, located outside of the above contiguous geographic area, are part of this geographic area assignment: Farmers Coop, and Big Springs Elevator, both in Big Springs, Deuel County (located inside Kansas Grain Inspection Service, Inc.'s area); and Huskers Cooperative Grain Company, Columbus, Platte County (located inside Fremont Grain Inspection Department, Inc.'s, area).

e. Pursuant to section 7(f)(2) of the Act, the following geographic area, in the States of Illinois and Iowa, is assigned to McCrea.

Carroll and Whiteside Counties, Illinois.

Clinton and Jackson Counties, Iowa.

f. Pursuant to section 7(f)(2) of the Act, the following geographic area, the entire State of Missouri, is assigned to Missouri.

g. Pursuant to section 7(f)(2) of the Act, the following geographic area, the entire State of South Carolina, except those export port locations within the State, is assigned to South Carolina.

2. Opportunity for Designation

Interested persons, including Aberdeen, Decatur, Grand Forks, Hastings, McCrea, Missouri, and South Carolina, are hereby given the opportunity to apply for designation to provide official services in the geographic areas specified above under the provisions of section 7(f) of the Act and section 800.196(d) of the regulations issued thereunder. Designation in the specified geographic areas is for the period beginning October 1, 2002, and ending September 30, 2005. Persons wishing to apply for designation should contact the Compliance Division at the address listed above for forms and information.

3. Request for Comments

GIPSA also is publishing this notice to provide interested persons the opportunity to present comments on the Aberdeen, Decatur, Grand Forks, Hastings, McCrea, Missouri, and South Carolina official agencies. Commenters are encouraged to submit pertinent data concerning these official agencies including information on the timeliness, cost, quality, and scope of services provided. All comments must be submitted to the Compliance Division at the above address.

Applications, comments, and other available information will be considered in determining which applicant will be designated.

Authority: Pub. L. 94–582, 90 Stat. 2867, as amended (7 U.S.C. 71 et seq.).

Dated: February 25, 2002.

David R. Shipman,

Acting Administrator, Grain Inspection, Packers and Stockyards Administration.

[FR Doc. 02–4913 Filed 2–28–02; 8:45 am]

BILLING CODE 3410–EN–P

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

Procurement List; Proposed Additions and Deletions

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

ACTION: Proposed additions to and deletions from Procurement List.

SUMMARY: The Committee is proposing to add to the Procurement List services to be furnished by nonprofit agencies employing persons who are blind or have other severe disabilities, and to delete products previously furnished by such agencies.

Comments Must Be Received on or Before: April 1, 2002.

ADDRESSES: Committee for Purchase From People Who Are Blind or Severely Disabled, Jefferson Plaza 2, Suite 10800, 1421 Jefferson Davis Highway, Arlington, Virginia 22202–3259.

FOR FURTHER INFORMATION CONTACT: Sheryl Kennerly (703) 603–7740.

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

Additions

If the Committee approves the proposed additions, all entities of the Federal Government identified in this notice will be required to procure the services listed below from nonprofit agencies employing persons who are blind or have other severe disabilities.

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

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

2. The action will result in authorizing small entities to furnish the services to the Government.

3. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-ODay Act (41 U.S.C. 46–48c) in connection with the services proposed for addition to the Procurement List. Comments on this certification are invited.

Commenters should identify the statement(s) underlying the certification on which they are providing additional information. The following services are proposed for addition to Procurement List for production by the nonprofit agencies listed:

Services

Service Type/Location: Janitorial/ Custodial/Ronald Reagan Building/ International Trade Center, Washington, DC.

NPA: The Chimes, Inc., Baltimore, Maryland.

Contract Activity: GSA, Public Buildings Service.

Service Type/Location: Janitorial/ Custodial/Randolph Air Force Base/ Buildings 592 and 575, Randolph Air Force Base, Texas.

NPA: Relief Enterprises, Austin, Texas.

Contract Activity: Department of the Air Force.

Deletions

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

1. The action will result in any additional reporting, recordkeeping or other compliance requirements for small entities other than the small organizations that will furnish the products to the Government.

2. The action will result in authorizing small entities to furnish the products to the Government.

3. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-ODay Act (41 U.S.C. 46–48c) in connection with the products proposed for deletion from the Procurement List.

The following products are proposed for deletion from the Procurement List:

Products

Product/NSN: Box, Storage, Magnetic Tape/8115–00–432–6729, 8115–00–432–6730 .

NPA: None currently authorized.

Contract Activity: GSA, Office Supplies and Paper Products Commodity Center.

Product/NSN: Applicator, Wax/7920–00–633–8774, 7920–00–633–9274.

NPA: None Currently authorized.

Contract Activity: GSA, General Products Commodity Center.

Sheryl D Kennerly,

Director, Information Management.

[FR Doc. 02–4918 Filed 2–28–02; 8:45 am]

BILLING CODE 6353–01–P

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

Procurement List; Additions and Deletions

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

ACTION: Proposed additions to and deletions from Procurement List.

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

DATE: April 1, 2002.

ADDRESSES: Committee for Purchase from People Who Are Blind or Severely Disabled, Jefferson Plaza 2, Suite 10800, 1421 Jefferson Davis Highway, Arlington, Virginia 22202-3259.

FOR FURTHER INFORMATION CONTACT: Sheryl D. Kennerly (703) 603–7740

SUPPLEMENTARY INFORMATION:

Additions

On November 17, 2000; June 29, 2001; December 21, 2001; January 4, January 11 and January 18, 2002, the Committee for Purchase From People Who Are Blind or Severely Disabled published notices (65 FR 69499; 66 FR 34612, 65876 and 67 FR 556m 1436 and 2631) of proposed additions to the Procurement List.

The following comments pertain to Janitorial/Grounds Maintenance/ Parking Management, Department of Housing and Urban Development, Washington, DC.

Comments were received from the prime contractor for this project and from one subcontractor, in response to letters sent to these companies. Both contractors indicated that they would be severely impacted if they were not permitted to retain their contracts through the final option year.

Procurement List additions do not affect contracts in being for the supplies or services added to the Procurement List. If the Government contracting officer chooses to exercise the option, the anticipated impacts on the contractors will not occur. Even if the option is not exercised, the portion of the prime contractor's total revenues which this project represents is well below the level which the Committee considers constituting severe adverse impact on a contractor affected by a Procurement List addition. As for the subcontractor, which raised the possibility of going out of business if it loses its contract in this project, the Committee considers the creation of a number of jobs for people with severe disabilities, whose unemployment rate is near 70 percent, to outweigh the effect on the subcontractor.

The following material pertains to all of the items being added to the Procurement List.

Additions

After consideration of the material presented to it concerning capability of qualified nonprofit agencies to provide the services and impact of the additions on the current or most recent contractors, the Committee has determined that the services listed below are suitable for procurement by the federal Government under 41 U.S.C. 46–48c and 41 CFR 51–2.4. I certify that the following action will not have a significant impact on a substantial number of small entities. The major factors considered for this certification were:

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

2. The action will not have a severe economic impact on current contractors for the services.

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

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

Accordingly, the following services are added to the Procurement List:

Services

Service Type/Location: Customization & Distribution of Air Force Special Promotional Items HQ Air Force Recruiting Service, Randolph AFB, Texas.
NPA: Industries for the Blind, Inc., Milwaukee, Wisconsin.
Contract Activity: Department of the Air Force.

Service Type/Location: Fulfillment Services/ Military Sealift Command, At the Nonprofit Location in Milwaukee, Wisconsin.
NPA: Industries for the Blind, Inc., Milwaukee, Wisconsin.
Contract Activity: Military Sealift Command, Virginia Beach, VA.

Service Type/Location: Janitorial/Grounds Maintenance/Parking Management/ Department of Housing and Urban Development, Washington, DC.
NPA: Melwood Horticultural Training Center, Upper Marlboro, Maryland.
Contract Activity: Department of Housing & Urban Development.

Service Type/Location: Litigation Support Services/USDA Food and Nutrition Service, Alexandria, Virginia.
NPA: Federal Dispute Resolution Center, Alexandria, Virginia.
Contract Activity: Department of Agriculture.

Service Type/Location: Mailroom Support Services/Internal Revenue Service, Milwaukee, Wisconsin.
NPA: Industries for the Blind, Inc., Milwaukee, WI.
Contract Activity: Internal Revenue Services.

Service Type/Location: Operation of Self Service Supply Store/General Services Administration Sam Nunn Federal Center, Atlanta, Georgia.
NPA: Raleigh Lions Clinic for the Blind, Inc., Raleigh, North Carolina.
Contract Activity: General Services Administration.

Deletions

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

1. The action may result in any additional reporting, recordkeeping or other compliance requirements for small entities.

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

3. The action may result in authorizing small entities to furnish the service to Government.

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

After consideration of the relevant matter presented, the committee has determined that the service listed below is no longer suitable for procurement by the Federal Government under 41 U.S.C. 46048 and 41 CFR 51–2.4.

Accordingly, the following service is deleted from the Procurement List:

Services

Service Type/Location: Janitorial/Custodial/ VA Greater Los Angeles Regional Healthcare System, Los Angeles, California.
NPA: Job Options, Inc., San Diego, California.
Contract Activity: Department of Veterans Affairs.

Sheryl D. Kennerly,

Director, Information Management.

[FR Doc. 02–4919 Filed 2–28–02; 8:45 am]

BILLING CODE 6353–01–P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[Order No. 1208]

Designation of New Grantee for Foreign-Trade Zone 220, Sioux Falls, SD; Resolution and Order

Pursuant to its authority under the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a-81u), and the Foreign-Trade Zones Board Regulations (15 CFR part 400), the Foreign-Trade Zones Board (the Board) adopts the following Order:

The Foreign-Trade Zones (FTZ) Board (the Board) has considered the application (filed 11/6/2001) submitted by the State of South Dakota Governor's Office of Economic Development, grantee of FTZ 220, Sioux Falls, South Dakota requesting reissuance of the grant of authority for said zone to the Sioux Falls Development Foundation, Inc., a non-profit corporation, which has accepted such reissuance subject to approval by the FTZ Board. Upon review, the Board finding that the requirements of the FTZ Act and the Board's regulations are satisfied, and that the proposal is in the public interest, approves the request and recognizes the Sioux Falls Development Foundation, Inc. as the grantee of Foreign Trade Zone 220.

The approval is subject to the FTZ Act and the FTZ Board's regulations, including Section 400.28.

Signed at Washington, DC, this 18th day of January, 2002.

Faryar Shirzad,

Assistant Secretary of Commerce for Import Administration, Alternate Chairman, Foreign-Trade Zones Board.

[FR Doc. 02–4924 Filed 2–28–02; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review

AGENCY: Import Administration, International Trade Administration, Department of Commerce

ACTION: Notice of opportunity to request administrative review of antidumping or countervailing duty order, finding, or suspended investigation.

Background

Each year during the anniversary month of the publication of an antidumping or countervailing duty order, finding, or suspension of investigation, an interested party, as defined in section 771(9) of the Tariff Act of 1930, as amended (the Act), may request, in accordance with section 351.213(2001) of the Department of Commerce (the Department) Regulations, that the Department conduct an administrative review of that antidumping or countervailing duty order, finding, or suspended investigation.

Opportunity to Request a Review: Not later than the last day of March 2002, interested parties may request administrative review of the following orders, findings, or suspended investigations, with anniversary dates in March for the following periods:

	Period
Antidumping Duty Proceeding	
Bangladesh: Cotton Shop Towels, A–538–802	3/1/01–2/28/02
Canada: Iron Construction Castings, A–122–503	3/1/01–2/28/02
France: Brass Sheet & Strip, A–427–602	3/1/01–2/28/02
Germany: Brass Sheet & Strip, A–428–602	3/1/01–2/28/02
India: Sulfanilic Acid, A–533–806	3/1/01–2/28/02
Italy: Brass Sheet & Strip, A–475–601	3/1/01–2/28/02
Japan: Stainless Steel Butt-Weld Pipe Fittings, A–588–702	3/1/01–2/28/02
Spain: Stainless Steel Bar, A–469–805	3/1/01–2/28/02
Taiwan: Light-Walled Welded Rectangular Carbon Steel Tubing, A–583–803	3/1/01–2/28/02
Thailand: Circular Welded Carbon Steel Pipes & Tubes, A–549–502	3/1/01–2/28/02
The People's Republic of China:	
Chloropicrin, A–570–002	3/1/01–2/28/02
Glycine, A–570–836	3/1/01–2/28/02
Countervailing Duty Proceeding	
France: Brass Sheet and Strip, C–427–603	1/1/01–12/31/01
India: Sulfanilic Acid, C–533–807	1/1/01–12/31/01
Iran: In-Shell Pistachios Nuts, C–507–501	1/1/01–12/31/01
Pakistan: Cotton Shop Towels, C–535–001	1/1/01–12/31/01
Turkey: Welded Carbon Steel Pipes and Tubes, C–489–502	1/1/01–12/31/01
Suspension Agreements	
None.	

In accordance with section 351.213(b) of the regulations, an interested party as defined by section 771(9) of the Act may request in writing that the Secretary conduct an administrative review. For both antidumping and countervailing duty reviews, the interested party must specify the individual producers or exporters covered by an antidumping finding or an antidumping or countervailing duty order or suspension agreement for which it is requesting a review, and the requesting party must state why it desires the Secretary to review those particular producers or exporters. If the interested party intends for the Secretary to review sales of merchandise by an exporter (or a producer if that producer also exports merchandise from other suppliers) which were produced in more than one country of origin and each country of origin is subject to a separate order, then the interested party must state specifically, on an order-by-order basis, which exporter(s) the request is intended to cover.

Six copies of the request should be submitted to the Assistant Secretary for Import Administration, International Trade Administration, Room 1870, U.S. Department of Commerce, 14th Street & Constitution Avenue, N.W., Washington, DC 20230. The Department also asks parties to serve a copy of their requests to the Office of Antidumping/Countervailing Enforcement, Attention: Sheila Forbes, in room 3065 of the main Commerce Building. Further, in accordance with section 351.303(f)(1)(i) of the regulations, a copy of each request must be served on every party on the Department's service list.

The Department will publish in the **Federal Register** a notice of ''Initiation of Administrative Review of Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation'' for requests received by the last day of March 2002. If the Department does not receive, by the last day of March 2002, a request for review of entries covered by an order, finding, or suspended investigation listed in this notice and for the period identified above, the Department will instruct the Customs Service to assess antidumping or countervailing duties on those entries at a rate equal to the cash deposit of (or bond for) estimated antidumping or countervailing duties required on those entries at the time of entry, or withdrawal from warehouse, for consumption and to continue to collect the cash deposit previously ordered.

This notice is not required by statute but is published as a service to the international trading community.

Dated: February 26, 2002.

Holly A. Kuga,

Senior Office Director, Group II, Office 4, Import Administration.

[FR Doc. 02–4925 Filed 2–28–02; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

Antidumping and Countervailing Duties: Five Year Reviews

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

ACTION: Notice of initiation of Five-Year (''Sunset'') Reviews.

SUMMARY: In accordance with section 751(c) of the Tariff Act of 1930, as amended (''the Act''), the Department of Commerce (''the Department'') is automatically initiating five-year (''sunset'') reviews of the antidumping duty orders listed below. The International Trade Commission (''the Commission'') is publishing concurrently with this notice its notice of Institution of Five-Year Reviews covering this same antidumping duty orders.

FOR FURTHER INFORMATION CONTACT: James P. Maeder or Martha V. Douthit, Office of Policy, Import Administration, International Trade Administration, U.S. Department of Commerce, at (202) 482–3330 or (202) 482–5050, respectively, or Mary Messer, Office of Investigations, U.S. International Trade Commission, at (202) 205–3193.

SUPPLEMENTARY INFORMATION:

The Applicable Statue

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 regulations are to 19 CFR part 351 (2001). Pursuant to sections 751(c) and 752 of the Act, an antidumping (''AD'') or countervailing duty (''CVD'') order will be revoked, or the suspended investigation will be terminated, unless revocation or termination would be likely to lead to continuation or recurrence of (1) dumping or a countervailable subsidy, and (2) material injury to the domestic industry.

The Department's procedures for the conduct of sunset reviews are set forth in 19 CFR 351.218. Guidance on methodological or analytical issues relevant to the Department's conduct of sunset reviews is set forth in the Department's Policy Bulletin 98:3—*Policies Regarding the Conduct of Five-year (''Sunset'') Reviews of Antidumping and Countervailing Duty Orders; Policy Bulletin*, 63 FR 18871 (April 16, 1998) (''*Sunset Policy Bulletin*'').

Background

Initiation of Reviews

In accordance with 19 CFR 351.218 we are initiating sunset reviews of the following antidumping duty orders:

DOC Case No.	ITC Case No.	Country	Product
A–570–846	731–TA–744	China	Brake Rotors.
A–489–807	731–TA–745	Turkey	Certain Steel Concrete Reinforcing Bar.

Filing Information

As a courtesy, we are making information related to sunset proceedings, including copies of the *Sunset Regulations* (19 CFR 351.218) and *Sunset Policy Bulletin,* the Department's schedule of sunset reviews, case history information (*i.e.,* previous margins, duty absorption determinations, scope language, import volumes), and service lists, available to the public on the Department's sunset Internet Web site at the following address: *http://ia.ita.doc.gov/sunset/.*

All submissions in these sunset reviews must be filed in accordance with the Department's regulations regarding format, translation, service, and certification of documents. These rules can be found at 19 CFR 351.303. Also, we suggest that parties check the Department's sunset website for any updates to the service lists before filing any submissions. The Department will make additions to and/or deletions from the service list provided on the sunset website based on notifications from parties and participation in this review. Specifically, the Department will delete

from the service lists all parties that do not submit a substantive response to the notice of initiation.

Because deadlines in a sunset review are, in many instances, very short, we urge interested parties to apply for access to proprietary information under administrative protective order (''APO'') immediately following publication in the **Federal Register** of the notice of initiation of the sunset review. The Department's regulations on submission of proprietary information and eligibility to receive access to business proprietary information under APO can be found at 19 CFR 351.304–306.

Information Required From Interested Parties

Domestic interested parties (defined in 19 CFR 351.102) wishing to participate in these sunset reviews must respond not later than 15 days after the date of publication in the **Federal Register** of the notice of initiation by filing a notice of intent to participate. The required contents of the notice of intent to participate are set forth at 19 CFR 351.218(d)(1)(ii). In accordance with the Department's regulations, if we do not receive a notice of intent to participate from at least one domestic interested party by the 15-day deadline, the Department will automatically revoke the order without further review.

If we receive an order-specific notice of intent to participate from a domestic interested party, the Department's regulations provide that all parties wishing to participate in the sunset reviews must file substantive responses not later than 30 days after the date of publication in the **Federal Register** of the notice of initiation. The required contents of a substantive response, on an order-specific basis, are set forth at 19 CFR 351.218(d)(3). Note that certain information requirements differ for foreign and domestic parties. Also, note that the Department's information requirements are distinct from the International Trade Commission's information requirements. Please consult the Department's regulations for information regarding the Department's conduct of sunset reviews.[1] Please consult the Department's regulations at 19 CFR part 351 for definitions of terms and for other general information concerning antidumping and countervailing duty proceedings at the Department.

This notice of initiation is being published in accordance with section 751(c) of the Act and 19 CFR 351.218(c).

Dated: February 22, 2002.

Faryar Shirzad,

Assistant Secretary for Import Administration.

[FR Doc. 02–4920 Filed 2–28–02; 8:45 am]

BILLING CODE 3510–DS–P

[1] A number of parties commented that these interim-final regulations provided insufficient time for rebuttals to substantive responses to a notice of initiation, 19 CFR 351.218(d)(4)). As provided in 19 CFR 351.302(b), the Department will consider individual requests for extension of that five-day deadline based upon a showing of good cause.

DEPARTMENT OF COMMERCE

International Trade Administration

[A–588–852]

Notice of Final Results of Antidumping Duty New Shipper Review: Structural Steel Beams From Japan

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

ACTION: Notice of final results in the antidumping duty new shipper review of structural steel beams from Japan.

SUMMARY: On December 6, 2001, the Department of Commerce (''Department'') published the preliminary results of the new shipper review of the antidumping duty order on structural steel beams from Japan. This review covers one producer/exporter. The period of review (''POR'') is February 11, 2000 through November 30, 2000.

No comments were submitted by the parties and we have made no changes in the programming. Therefore, the final results do not differ from the preliminary results. The final weighted-average dumping margin for the reviewed firm is listed below in the section entitled ''Final Results of the Review.''

EFFECTIVE DATE: March 1, 2002.

FOR FURTHER INFORMATION CONTACT: Juanita H. Chen or James C. Doyle, Enforcement Group III, Import Administration, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230; telephone: 202–482–0409, or 202–482–0159, respectively.

SUPPLEMENTARY INFORMATION:

The Applicable Statute and Regulations

Unless otherwise indicated, all citations to the Tariff Act of 1930, as amended (''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's regulations are to the regulations codified at 19 CFR part 351 (2001).

Background

On December 6, 2001, the Department published the preliminary results of the new shipper review of the antidumping duty order on structural steel beams from Japan. *See Notice of Preliminary Results of Antidumping Duty New Shipper Review: Structural Steel Beams from Japan,* 66 FR 63365 (December 6, 2001). This review covers one producer/exporter, Yamato Kogyo Co., Ltd. The POR is February 11, 2000 through November 30, 2000. We invited parties to comment on our preliminary results of review. The Department received no comments from any party on the preliminary results of review. The Department has conducted this new shipper review in accordance with section 751 of the Act.

Scope of Review

For purposes of this review, the products covered are doubly-symmetric shapes, whether hot or cold-rolled, drawn, extruded, formed or finished, having at least one dimension of at least 80 mm (3.2 inches or more), whether of carbon or alloy (other than stainless) steel, and whether or not drilled, punched, notched, painted, coated, or clad. These products (''Structural Steel Beams'') include, but are not limited to, wide-flange beams (''W'' shapes), bearing piles (''HP'' shapes), standard beams (''S'' or ''I'' shapes), and M-shapes.

All products that meet the physical and metallurgical descriptions provided above are within the scope of this review unless otherwise excluded. The following products, are outside and/or specifically excluded from the scope of this review:

- Structural steel beams greater than 400 pounds per linear foot or with a web or section height (also known as depth) over 40 inches.

The merchandise subject to this review is classified in the Harmonized Tariff Schedule of the United States (''HTSUS'') at subheadings: 7216.32.0000, 7216.33.0030, 7216.33.0060, 7216.33.0090, 7216.50.0000, 7216.61.0000, 7216.69.0000, 7216.91.0000, 7216.99.0000, 7228.70.3040, 7228.70.6000. Although the HTSUS subheadings are provided for convenience and U.S. Customs Service (''Customs'') purposes, the written description of the merchandise under review is dispositive.

Analysis of Comments Received

No parties submitted comments on the preliminary results of review. Accordingly, there is no concurrent issues and decision memorandum or analysis memorandum issued with these final results of review.

Changes Since the Preliminary Results

We have made no changes in programming since the preliminary results of review.

Final Results of Review

We determine that the following percentage weighted-average margin exists for the period February 11, 2000 through November 30, 2000:

STRUCTURAL STEEL BEAMS

Producer/manufacturer/exporter	Weighted-average margin (percent)
Yamoto Kogyo Co., Ltd	0.00

Assessment

The Department shall determine, and U.S. Customs shall assess, antidumping duties on all appropriate entries. In accordance with 19 CFR 351.212(b), we have calculated exporter/importer-specific assessment rates. We calculated importer-specific duty assessment rates on a unit value per metric ton basis by summing the dumping margins on U.S. sales, and then dividing this sum by the total metric tons of all U.S. sales examined. Based on our determination in this review, we will instruct Customs not to assess antidumping duties on the merchandise subject to review.

Cash Deposit Requirements

The following deposit requirements will be effective upon publication of this notice of final results of new shipper review for all shipments of structural steel beams from Japan entered, or withdrawn from warehouse, for consumption on or after the date of publication, as provided by section 751(a)(1) of the Act: (1) For the reviewed company listed above, no cash deposit rate will be required; (2) for previously reviewed or investigated companies not listed above, the cash deposit rate will continue to be the company-specific rate published for the most recent period; (3) if the exporter is not a firm covered in this review, a prior review, or the original less than fair value (''LTFV'') investigation, but the manufacturer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; and (4) the cash deposit rate for all other manufacturers or exporters will continue to be the ''all others'' rate of 31.98 percent established in the LTFV investigation. *See Notice of Final Determination of Sales at Less Than Fair Value: Structural Steel Beams from Japan,* 65 FR 24182 (April 25, 2000); *Structural Steel Beams from Japan: Notice of Antidumping Duty Order,* 65 FR 37960 (June 19, 2000).

These deposit requirements shall remain in effect until publication of the final results of the next administrative review.

This notice also serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

This notice also serves as the only reminder to parties subject to administrative protective orders (''APO'') of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305. Timely written notification of the return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

We are issuing and publishing these results and notice in accordance with sections 751(a)(1) and 777(i) of the Act.

Dated: February 14, 2002.

Faryar Shirzad,

Assistant Secretary for Import Administration.

[FR Doc. 02–4923 Filed 2–28–02; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

National Institute of Standards and Technology

Announcement of U.S. Conformity Assessment Body Training Workshop

AGENCY: National Institute of Standards and Technology, Department of Commerce.

ACTION: Notice of workshop.

SUMMARY: The National Institute of Standards and Technology (NIST) invites interested parties to attend a two-day Conformity Assessment Body (CAB) training workshop on the European Union (EU) Radio and Telecommunications Terminal Equipment (R&TTE) Directive and related issues. NIST, as the Designating Authority under the Sectoral Annex for Telecommunication Equipment of the US-EU Mutual Recognition Agreement (MRA), is sponsoring this workshop in order to provide training and educational outreach for U.S. CABs. Personnel from the European Commission and an EU Notified Body (NB) will conduct this workshop. The workshop is aimed at providing information for current and potential CABs, assessors, manufacturers, and other interested parties on compliance with the EU R&TTE Directive. There is a fee to attend the Workshop. All attendees must register no later than March 27, 2002. Attendance will be limited to the first 80 registered participants.

DATES: The U.S. CAB Training Workshop will be held April 10–11, 2002. All sessions will be held from 8:30 a.m. to 5:30 p.m.

ADDRESSES: U.S. CAB Training Workshop sessions will be held at the Hyatt Regency Crystal City at Reagan National Airport, 2799 Jefferson Davis Highway, Arlington, Virginia 22202.

FOR REGISTRATION INFORMATION CONTACT: Kim Snouffer at (301) 975–2776, *kimberly.snouffer@nist.gov.* You may register for the workshop electronically at *http://www.nist.gov/conferences.* If you do not wish to register electronically, you can print out the electronic form and fax it to (301) 948–2067. Please pre-register by no later than March 27, 2002. You may also mail a copy of the electronic form, by March 27, 2002, to: NIST Office of the Comptroller, 100 Bureau Drive, Stop 3732, Gaithersburg, MD 20899–3732.

FOR TECHNICAL INFORMATION CONTACT: Mary Jo DiBernardo at 301 975–5503 or *maryjo.dibernardo@nist.gov.*

SUPPLEMENTARY INFORMATION: NIST, as the Designating Authority under the Sectoral Annex for Telecommunication Equipment of the US–EU MRA, is sponsoring this workshop in order to provide training and educational outreach for U.S. CABs. The workshop is aimed at providing information to current and potential CABs, assessors, manufacturers, and other interested parties on requirements of the EU R&TTE Directive. The first half-day will be devoted to an introduction to the R&TTE Directive and its requirements. This will be followed by a 1½ day session focusing on issues relating to operating aspects, common problems,

solutions, and experiences encountered by CABs/NBs under the R&TTE Directive. There is a $225 fee to attend the Workshop. All attendees must register no later than March 27, 2002. Attendance will be limited to the first 80 registered participants.

Workshop attendees are assumed to have familiarity with the US-EU Mutual Recognition Agreement and the R&TTE Directive. The text of these documents can be accessed at *http://ts.nist.gov/ts/htdocs/210/216/mra.htm* and *http://ts.nist.gov/ts/htdocs/210/216/mra-relatedlinks.htm* respectively. Information on becoming a U.S. CAB for radio and telecommunications terminal equipment under the US–EU MRA is posted on NIST Web site at *http://ts.nist.gov/ts/htdocs/210/216/mra-eu-telecom.htm.*

Dated: February 25, 2002.

Karen H. Brown,

Deputy Director.

[FR Doc. 02–4903 Filed 2–28–02; 8:45 am]

BILLING CODE 3510–13–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Science Advisory Board; Meeting

AGENCY: Office of Oceanic and Atmospheric Research, NOAA, DOC.

ACTION: Notice of open meeting.

SUMMARY: The Science Advisory Board (SAB) was established by a Decision Memorandum dated September 25, 1997, and is the only Federal Advisory Committee with responsibility to advise the Under Secretary of Commerce for Oceans and Atmospheric on long- and short-range strategies for research, education, and application of science to resource management. SAB activities and advice provide necessary input to ensure that National Oceanic and Atmospheric Administration (NOAA) science programs are of the highest quality and provide optimal support to resource management.

Time and Date: The meeting will be held Tuesday, March 19, 2002, from 1:30 p.m. to 5:15 p.m.; Wednesday, March 20, 2002, from 8 a.m. to 5:15 p.m.; and Thursday, March 21, from 8 a.m. to 12 p.m.

Place: The meeting will be held all three days at the St. Gregory Hotel & Suites, 2033 M Street, NW, Washington, DC.

Status: The meeting will be open to public participation with two 30-minute time periods set aside for direct verbal comments or questions from the public. The SAB expects that public statements presented at its meetings will not be repetitive of previously submitted verbal or written statements. In general, each individual or group making a verbal presentation will be limited to a total time of five (5) minutes. Written comments (at least 35 copies) should be received in the SAB Executive Director's Office by March 11, 2002, to provide sufficient time for SAB review. Written comments received by the SAB Executive Director after March 11, 2002, will be distributed to the SAB, but may not be reviewed prior to the meeting date. Approximately thirty (30) seats will be available for the public including five (5) seats reserved for the media. Seats will be available on a first-come, first-served basis.

Matters To Be Considered: The meeting will include the following topics: (1) The NOAA program review, (2) NOAA education partnership programs, (3) homeland security, (4) NOAA climate research, (5) National Weather Service requirements setting process, (6) reports on program and laboratory reviews conducted under the auspices of the SAB and (7) public statements.

FOR FURTHER INFORMATION CONTACT: Dr. Michael Uhart, Executive Director, Science Advisory Board, NOAA, Rm. 10600, 1315 East-West Highway, Silver Spring, Maryland 20910. (Phone: 301–713–9121, Fax: 301–713–0163, E-mail: *Michael.Uhart@noaa.gov);* or visit the NOAA SAB website at http://www.sab.noaa.gov.

Dated: February 26, 2002.

Louisa Koch,

Deputy Assistant Administrator, OAR.

[FR Doc. 02–4933 Filed 2–28–02; 8:45 am]

BILLING CODE 3510–KD–M

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

Information Collection; Submission for OMB Review; Comment Request

AGENCY: Corporation for National and Community Service.

ACTION: Notice.

SUMMARY: The Corporation for National and Community Service (hereinafter the ''Corporation'') has submitted a public information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paper Reduction Act of 1995, Public Law 104–13, (44 U.S.C. Chapter 35). Copies of this ICR, with applicable supporting documentation, may be obtained by calling the Corporation for National and Community Service, Carol Hafford, at (202) 606–5000, extension 232. Individuals who use a telecommunications device for the deaf (TTY–TDD) may call (800) 833–3722 between the hours of 9 a.m. and 5 p.m. Eastern Standard Time, Monday through Friday.

Comments should be sent to the Office of Information and Regulatory Affairs, Attn: Ms. Brenda Aguilar, OMB Desk Officer for the Corporation for National and Community Service, Office of Management and Budget, Room 10235, Washington, DC, 20503, within 30 days from the date of publication in this **Federal Register**.

The OMB is particularly interested in comments which:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Corporation, including whether the information will have practical utility;
- 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;
- Propose ways to enhance the quality, utility and clarity of the information to be collected; and
- Propose ways to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submissions of responses.

Agency: Corporation for National and Community Service.

Type of Review: New collection.

Title: AmeriCorps*VISTA Project Supervisors Survey.

OMB Number: None.

Agency Number: None.

Affected Public: AmeriCorps*VISTA project supervisors at community-based organizations, elementary and secondary schools, state and local agencies.

Total Respondents: Approximately 400.

Frequency: Annual.

Average Time Per Response: 30 minutes.

Estimated Total Burden Hours: 200.

Total Burden Cost (capital/startup): None.

Total Burden Cost (operating/maintenance): None.

Description: The Corporation seeks approval of one survey form that will be used to examine AmeriCorps*VISTA supervisors perceptions about training.

This requires information from project supervisors that will address: (1) The extent to which Corporation-sponsored training prepares Supervisors to recruit, retain, and support AmeriCorps*VISTA members; and (2) whether, in their opinion, training provided to AmeriCorps*VISTA members contributes to the members' performance, retention, and satisfaction with the service experience.

Dated: February 25, 2002.

David Reingold,

Director, Department of Research and Policy Development.

[FR Doc. 02–4914 Filed 2–28–02; 8:45 am]

BILLING CODE 6050–$$–P

DEPARTMENT OF DEFENSE

Department of the Air Force

Air Force Institute of Technology Subcommittee of the Air University Board of Visitors

AGENCY: Department of the Air Force, DoD.

ACTION: Notice of meeting.

SUMMARY: The Air Force Institute of Technology Subcommittee of the Air University Board of Visitors will hold an open meeting at Wright-Patterson Air Force Base, Ohio. (5 seats available). The purpose of the meeting is to give the board an opportunity to review Air Force Institute of Technology's educational programs and to present to the Commandant a report of their findings and recommendations concerning these programs.

DATES: March 17–19, 2002.

ADDRESSES: Commandant's Conference Room, Building 125, Wright-Patterson Air Force Base, Ohio.

FOR FURTHER INFORMATION CONTACT: Ms. Beverly Houtz in the Directorate of Resources, Air Force Institute of Technology, (937) 255–5760.

Pamela D. Fitzgerald,

Air Force Federal Register Liaison Officer.

[FR Doc. 02–4885 Filed 2–28–02; 8:45 am]

BILLING CODE 5001–05–P

DEPARTMENT OF DEFENSE

Department of the Air Force

Air University Board of Visitors

AGENCY: Department of the Air Force, DoD.

ACTION: Notice of meeting

SUMMARY: The Air University Board of Visitors will hold an open meeting at Maxwell Air Force Base, Alabama (5 seats available). The purpose of the meeting is to give the board an opportunity to review Air University educational programs and to present to the Commander, a report of their findings and recommendations concerning these programs.

DATES: April 14–17, 2002.

ADDRESSES: Air University Commander's Conference Room at Headquarters Air University, Maxwell Air Force Base, Alabama.

FOR FURTHER INFORMATION CONTACT: Dr. Dorothy Reed, Chief of Academic Affairs, Air University Headquarters, Maxwell Air Force Base, Alabama 36112–6335, telephone (334) 953–5159.

Pamela D. Fitzgerald,

Air Force Federal Register Liaison Officer.

[FR Doc. 02–4886 Filed 2–28–02; 8:45 am]

BILLING CODE 5001–05–P

DEPARTMENT OF DEFENSE

Department of the Navy

Notice of Proposed Information Collection; Commander, Navy Recruiting Command

AGENCY: Department of the Navy, DOD.

ACTION: Notice.

SUMMARY: The Commander, Navy Recruiting Command announces a proposed new public information collection and seeks public comment on the provisions thereof. Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by April 30, 2002.

ADDRESSES: Send written comments and recommendations on the proposed information collection to Navy Recruiting Command (Code 3123), 5722 Integrity Drive, Millington, TN 38054–5057.

FOR FURTHER INFORMATION CONTACT: To request additional information or to obtain a copy of the proposal and associated collection instruments, contact Mr. Ken Saxion at (901) 874–9045.

SUPPLEMENTARY INFORMATION: *Form Title and OMB Number:* United States Navy Illicit Behavior Screening Certificate; OMB Control No. (None).

Needs and Uses: Used by the Navy Recruiting Command to assess an applicant's history of alcohol abuse, drug abuse, or other illicit behavior in determining a person's qualifications to enter the military service. An applicant with a history of drug or alcohol abuse, or behavior that violates the civil rights of others is undesirable for military service. The collection of this information is needed in order to make a fair and reasonable enlistment eligibility determination of an applicant.

Affected Public: Individuals or households.

Annual Burden Hours: 13,000.

Number of Respondents: 65,000.

Responses Per Respondent: 1.

Average Burden per Response: 12 minutes.

Frequency: On occasion.

(Authority: 44 U.S.C. Sec. 3506(c)(2)(A))

Dated: February 19, 2002.

T.J. Welsh,

Lieutenant Commander, Judge Advocate General's Corps, U.S. Navy, Federal Register Liaison Officer.

[FR Doc. 02–4869 Filed 2–28–02; 8:45 am]

BILLING CODE 3810–FF–P

DEPARTMENT OF DEFENSE

Department of the Navy

Notice of Proposed Information Collection; Commander, Navy Recruiting Command

AGENCY: Department of the Navy, DOD.

ACTION: Notice.

SUMMARY: The Commander, Navy Recruiting Command announces a proposed reinstatement of a previously approved public information collection and seeks public comment on the provisions thereof. Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by April 30, 2002.

ADDRESSES: Send written comments and recommendations on the proposed information collection to Navy Recruiting Command (Code N1323), 5722 Integrity Drive, Millington, TN 38054–5057.

FOR FURTHER INFORMATION CONTACT: To request additional information or to obtain a copy of the proposal and associated collection instruments, contact Ken Saxion at (901) 874–9045.

SUPPLEMENTARY INFORMATION: *Form Title and OMB Number:* NROTC Preliminary Application Form; OMB Control Number 0703–0028.

Needs and Uses: Used by the Navy Recruiting Command to determine basic eligibility for the Four-Year NROTC Scholarship Program, and is necessary for the initial screening of prospective applicants. Use of this questionnaire is the only accurate and specific method to determine scholarship awardees. Each individual who wishes to apply to the scholarship program completes and returns the questionnaire.

Affected Public: Individuals or households.

Annual Burden Hours: 10,000.

Number of Respondents: 40,000.

Responses Per Respondent: 1.

Average Burden per Response: 10 minutes.

Frequency: On occasion.

(Authority: 44 U.S.C. Sec. 3506(c)(2)(A))

Dated: February 19, 2002.

T.J. Welsh,

Lieutenant Commander, Judge Advocate General's Corps, U.S. Navy, Federal Register Liaison Officer.

[FR Doc. 02–4870 Filed 2–28–02; 8:45 am]

BILLING CODE 3810–FF–P

DEPARTMENT OF DEFENSE

Department of the Navy

Notice of Proposed Information Collection; Commander, Navy Recruiting Command

AGENCY: Department of the Navy, DoD.

ACTION: Notice.

SUMMARY: The Commander, Navy Recruiting Command announces a proposed reinstatement of a previously approved public information collection and seeks public comment on the provisions thereof. Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by April 30, 2002.

ADDRESSES: Send written comments and recommendations on the proposed information collection to Navy Recruiting Command (Code 356), 5722 Integrity Drive, Millington, TN 38054–5057.

FOR FURTHER INFORMATION CONTACT: To request additional information or to obtain a copy of the proposal and associated collection instruments, contact Mr. Bill Anderson at (901) 874–9299 or Mr. Bob Phillips (Code 3561) at (901) 874–9312.

SUPPLEMENTARY INFORMATION: *Form Title and OMB Number:* Enlistee Financial Statement; OMB Control Number 0703–0020.

Needs and Uses: All persons interested in entering the U.S. Navy or U.S. Naval Reserve who have someone either fully or partially dependent on them for financial support, must provide information on their current financial situation which will determine if the individual will be able to meet his/her financial obligations on Navy pay. The information is provided by the prospective enlistee during an interview with a Navy recruiter. The information provided on NAVCRUIT Form 1130/13 is used by Navy recruiters and by recruiting management personnel in assessing the Navy applicant's ability to meet financial obligations, thereby preventing the enlistment of, and subsequent management difficulties with people who cannot reasonably expect to meet their financial obligations on Navy pay.

Affected Public: Individuals or households.

Annual Burden Hours: 47,630.

Number of Respondents: 86,800.

Responses Per Respondent: 1.

Average Burden Per Response: 33 minutes.

Frequency: On occasion.

(Authority: 44 U.S.C. Sec. 3506(c)(2)(A))

Dated: February 19, 2002.

T.J. Welsh,

Lieutenant Commander, Judge Advocate General's Corps, U.S. Navy, Federal Register Liaison Officer.

[FR Doc. 02–4871 Filed 2–28–02; 8:45 am]

BILLING CODE 3810–FF–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP02–87–000]

ANR Pipeline Company; Notice of Application

February 25, 2002.

Take notice that on February 15, 2002, ANR Pipeline Company (ANR), 9 E Greenway Plaza, Houston, Texas 77046, filed in Docket No. CP02–87–000, an application requesting authorization to modify certain compressor units at its Woodstock Compressor Station (Woodstock Station) in McHenry County, Illinois, pursuant to sSection 7(b) and 7(c) of the Natural Gas Act (NGA), as amended, and part 157 of the Commission's rules and regulations, all as more fully set forth in the application which is on file with the Commission and open to public inspection. Copies of this filing are on file with the Commission and are available for public inspection. This filing may also be viewed on the web at *http://www.ferc.gov* using the ''RIMS'' link, select ''Docket #'' and follow the instructions (call 202–208–2222 for assistance.

Specifically, ANR states that it proposes to abandon in place five compressor units (total 6,000 horsepower) at its Woodstock Station, and to uprate the horsepower of two existing units by a total of 7,068 horsepower, thereby maintaining its existing pipeline system capacity. ANR states that the purpose of this activity is to enhance ANR's ability to meet air emissions restrictions by reducing station emissions associated with the antiquated design and the age of the engines and to reduce maintenance capital costs. ANR states that the estimated cost of uprating the compressor units is $76,000.

Any questions concerning this application may be directed to Dawn McGuire, Attorney, ANR Pipeline Company, 9 E Greenway Plaza, Houston, Texas 77046 , call (832) 676–5503, fax (832) 676–2251.

There are two ways to become involved in the Commission's review of this project. First, any person wishing to

obtain legal status by becoming a party to the proceedings for this project should, on or before March 18, 2002, file with the Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426, a motion to intervene in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 385.214 or 385.211) and the Regulations under the NGA (18 CFR 157.10). A person obtaining party status will be placed on the service list maintained by the Secretary of the Commission and will receive copies of all documents filed by the applicant and by all other parties. A party must submit 14 copies of filings made with the Commission and must mail a copy to the applicant and to every other party in the proceeding. Only parties to the proceeding can ask for court review of Commission orders in the proceeding.

However, a person does not have to intervene in order to have comments considered. The second way to participate is by filing with the Secretary of the Commission, as soon as possible, an original and two copies of comments in support of or in opposition to this project. The Commission will consider these comments in determining the appropriate action to be taken, but the filing of a comment alone will not serve to make the filer a party to the proceeding. The Commission's rules require that persons filing comments in opposition to the project provide copies of their protests only to the party or parties directly involved in the protest.

Persons who wish to comment only on the environmental review of this project should submit an original and two copies of their comments to the Secretary of the Commission. Environmental commenters will be placed on the Commission's environmental mailing list, will receive copies of the environmental documents, and will be notified of meetings associated with the Commission's environmental review process. Environmental commenters will not be required to serve copies of filed documents on all other parties. However, the non-party commenters will not receive copies of all documents filed by other parties or issued by the Commission (except for the mailing of environmental documents issued by the Commission) and will not have the right to seek court review of the Commission's final order.

Comments, protests and interventions may be filed electronically via the Internet in lieu of paper. See, 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's web site under the ''e-Filing'' link.

If the Commission decides to set the application for a formal hearing before an Administrative Law Judge, the Commission will issue another notice describing that process. At the end of the Commission's review process, a final Commission order approving or denying a certificate will be issued.

Magalie R. Salas,

Secretary.

[FR Doc. 02–4906 Filed 2–27–02; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER02–507–000]

TPS McAdams, LLC; Notice of Issuance of Order

February 25, 2002.

TPS McAdams, LLC (TPS) submitted for filing a tariff under which TPS will engage in the sale of energy, capacity, and ancillary at market-based rates and for the reassignment of transmission capacity. TPS also requested waiver of various Commission regulations. In particular, TPS requested that the Commission grant blanket approval under 18 CFR Part 34 of all future issuances of securities and assumptions of liability by TPS.

On February 5, 2002, pursuant to delegated authority, the Director, Office of Markets, Tariffs and Rates-Central, granted requests for blanket approval under Part 34, subject to the following:

Any person desiring to be heard or to protest the blanket approval of issuances of securities or assumptions of liability by TPS 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).

Absent a request to be heard in opposition within this period, TPS is authorized to issue securities and assume obligations or liabilities as a guarantor, indorser, surety, or otherwise in respect of any security of another person; provided that such issuance or assumption is for some lawful object within the corporate purposes of TPS, compatible with the public interest, and is reasonably necessary or appropriate for such purposes.

The Commission reserves the right to require a further showing that neither public nor private interests will be adversely affected by continued approval of TPS's issuances of securities or assumptions of liability.

Notice is hereby given that the deadline for filing motions to intervene or protests, as set forth above, is March 7, 2002.

Copies of the full text of the Order are available from the Commission's Public Reference Branch, 888 First Street, NE., Washington, DC 20426. The Order may also be viewed on the Internet at http://www.ferc.fed.us/online/rims.htm (call 202–208–2222 for assistance). Comments, protests, and interventions may be filed electronically via the internet in lieu of paper. See, 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site at http://www.ferc.fed.us/efi/doorbell.htm.

Linwood a. Watson, Jr.,

Deputy Secretary.

[FR Doc. 02–4908 Filed 2–28–02; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EG02–96–000, et al.]

Backbone Mountain Windpower LLC, et al.; Electric Rate and Corporate Regulation Filings

February 22, 2002.

Take notice that the following filings have been made with the Commission. Any comments should be submitted in accordance with Standard Paragraph E at the end of this notice.

1. Backbone Mountain Windpower LLC

[Docket No. EG02–96–000]

Take notice that on February 19, 2002, Backbone Mountain Windpower LLC (Backbone Mountain) filed with the Federal Energy Regulatory Commission (Commission) an Application for Determination of Exempt Wholesale Generator Status pursuant to part 365 of the Commission's regulations.

Ba0ckbone Mountain is developing a wind-powered eligible facility with a capacity of between 55.8 and 75.6 megawatts, which will be located in Tucker and Preston Counties, West Virginia

Comment Date: March 15, 2002.

2. ISO New England Inc

[Docket No. EL00–62–042]

Take notice that on February 15, 2002, ISO New England Inc. tendered for filing with the Federal Energy Regulatory Commission (Commission)

its compliance report pursuant to the Commission's order issued on February 1, 2002 in this proceedings.

Copies of said filing have been served upon all parties to this proceeding and electronically upon the New England Power Pool participants.

Comment Date: March 8, 2002.

3. New York Independent System Operator, Inc.

[Docket Nos. ER01–3009–004, ER01–3153–004, and EL00–90–004]

Take notice that on February 20, 2002, the New York Independent System Operator, Inc. (NYISO) tendered for filing with the Federal Energy Regulatory (Commission) a compliance filing in accordance with the Commission's January 31, 2002, order in the above-captioned proceedings.

A copy of this filing was served upon all signatories to the OATT and Services Tariff and upon all persons designated on the official service lists compiled by the Secretary in the above-captioned proceedings.

Comment Date: March 13, 2002.

4. Virginia Electric and Power Company

[Docket No. ER02–1036–000]

Take notice that on February 19, 2002,Virginia Electric and Power Company (the Company) respectfully tendered for filing the following Service Agreement by Virginia Electric and Power Company to Borough of Tarentum designated as Service Agreement No. 12 under the Company's Wholesale Market-Based Rate Tariff, FERC Electric Tariff, Original Volume No. 6, effective on June 15, 2000.

The Company requests an effective date of January 18, 2002, as requested by the customer. Copies of the filing were served upon Borough of Tarentum, the Virginia State Corporation Commission, and the North Carolina Utilities Commission.

Comment Date: March 12, 2002.

5. UAE Mecklenburg Cogeneration LP

[Docket No. QF89–339–005]

Take notice that on February 13, 2002, UAE Mecklenburg Cogeneration LP (the Applicant) tendered for filing with the Federal Energy Regulatory Commission (Commission), an amendment to the Application for Commission Recertification of a Cogeneration Facility as a Qualifying Facility.

Comment Date: March 4, 2002.

6. Midwest Independent Transmission System Operator, Inc.

[Docket No. ER02–107–002]

Take notice that on February 20, 2002, the Midwest Independent Transmission System Operator, Inc. (Midwest ISO) tendered for filing with the Federal Energy Regulatory Commission (Commission), pursuant to Section 205 of the Federal Power Act (FPA), 16 USC 824d (2000) and Section 385.205 of the Commission's regulations, 18 CFR 385.205 (2001), proposed revisions to the Midwest ISO Agreement of the Transmission Facilities Owners To Organize The Midwest Independent Transmission System Operator, Inc. (Midwest ISO Agreement), First Revised Rate Schedule FERC No. 1. This filing corrects a pagination error in the Midwest ISO's February 12, 2002, filing of its expedited Alternative Dispute Resolution plan and substitutes ''party'' in place of ''customer.''

The Midwest ISO has served this filing on all parties on the official service list in this proceeding. In addition, the Midwest ISO has electronically served a copy of this filing, with attachments, upon all Midwest ISO Members, Member representatives of Transmission Owners and Non-Transmission Owners, the Midwest ISO Advisory Committee participants, Policy Subcommittee participants, as well as all state commissions within the region. In addition, the filing has been electronically posted on the Midwest ISO's website at *www.midwestiso.org* under the heading ''Filings to FERC'' for other interested parties in this matter. The Midwest ISO will provide hard copies to any interested parties upon request.

Comment Date: March 13, 2002.

7. American Transmission Company LLC

[Docket No. ER02–467–001]

Take notice that on February 21, 2002, American Transmission Company LLC (ATCLLC) tendered for filing with the Federal Energy Regulatory Commission (Commission) a Revised Service Agreement No. 213 in compliance with the Commission's January 25, 2002 order stating such Agreement would be accepted upon re-filing in conformance with Order 614. ATCLLC requests an effective date of November 28, 2001.

Comment Date: March 14, 2002.

8. Progress Energy on behalf of Carolina Power & Light Company

[Docket No. ER02–1037–000]

Take notice that on February 19, 2002, Carolina Power & Light Company (CP&L) tendered for filing a Service Agreement for Firm Point-to-Point Transmission Service with Reliant Energy Services, Inc. Service to this Eligible Customer will be in accordance with the terms and conditions of the Open Access Transmission Tariff filed on behalf of CP&L.

CP&L is requesting an effective date of March 31, 2002 for this Service Agreement. A copy of the filing was served upon the North Carolina Utilities Commission, the South Carolina Public Service Commission and the Florida Public Service Commission.

Comment Date: March 12, 2002.

9. Duke Energy Mohave, LLC

[Docket No. ER02–1038–000]

Take notice that on February 19, 2002, Duke Energy Mohave, LLC (Duke Mohave) submitted for filing for informational purposes pursuant to Section 205 of the Federal Power Act an executed service agreement under Duke Mohave's market-based rate tariff pursuant to which it sells power at wholesale to Duke Energy Trading and Marketing, LLC.

Comment Date: March 12, 2002.

10. Statoil Energy Trading, Inc.

[Docket No. ER02–1039–000]

Take notice that on February 19, 2002, Statoil Energy Trading, Inc. tendered for filing a notice of cancellation of its Rate Schedule FERC No. 1.

Comment Date: March 12, 2002.

11. Griffith Energy LLC

[Docket No. ER02–1040–000]

Take notice that on February 19, 2002, Griffith Energy LLC (Griffith Energy) filed Service Agreement No. 1 under Griffith Energy's FERC Electric Tariff Original Volume No.1. The service agreement is a long term agreement entitled as the Operating and Energy Conversion Agreement between Griffith Energy and Duke Energy Mohave LLC (Duke Mohave) and PPL Southwest Generation Holdings LLC (PPL Southwest) and is dated July 11, 2001.

Griffith Energy owns and operates a gas-fired, combined-cycle electric generation plant located in Mohave County, Arizona that has a peak capacity of approximately 600 megawatts (the Facility). PPL Southwest and Duke Mohave are indirect owners of Griffith Energy through their ownership of Griffith Energy's parent—Southwest Power Partners LLC. The term of the Operating and Energy Conversion Agreement is for the life of the Facility and generally provides the commercial and financial terms under which Griffith Energy will make available, and PPL Southwest and Duke Mohave will receive, the output of the Facility. Griffith Energy and the other parties to the agreement are seeking confidential treatment of the entire agreement.

Comment Date: March 12, 2002.

12. Cleco Power LLC

[Docket No. ER02–1041–000]

Take notice that on February 19, 2002 Cleco Power LLC (Cleco Power), tendered for filing with the Federal Energy Regulatory Commission (Commission) a Notice of Cancellation pursuant to 18 CFR 35.15, effective February 18, 2002, canceling Cleco Utility Group, Inc.'s Rate Schedule 2 and all supplements thereto. Cleco Power simultaneously filed essentially the same rate schedule as Cleco Power's Rate Schedule 3. Cleco Power requested an additional 90 days to comply with the Commission's orders in *Cleco Power LLC,* Docket Nos. ER01–1099–000 and ER01–1099–001, issued March 28, 2001, ER01–1099–002, issued June 18, 2001, ER01–2147–000, issued July 24, 2001 and ER01–3095–000, issued November 20, 2001 instructing Cleco Power to bring its service agreements into compliance with the Commission's Order 614, issued March 31, 2000.

Cleco Power is currently in negotiations with the City of Natchitoches, Louisiana, to amend Cleco Utility Rate Schedule 17. Accordingly, Cleco Power requested additional time to bring Cleco Utility Rate Schedule 17 into compliance with the Commission's Order 614.

Comment Date: March 12, 2002.

13. EWO Marketing, L.P.

[Docket No.ER02–1042–000]

Take notice that on February 19, 2002, EWO Marketing, L.P. tendered for filing a request for authorization to amend its code of conduct in the above-referenced docket pursuant to Section 205 of the Federal Power Act, and part 35 of the Federal Energy Regulatory Commission's Rules and Regulations. Copies of this filing have been served upon each person designated on the official service list compiled by the Secretary in this proceeding.

Comment Date: March 12, 2002.

14. Entergy-Koch Trading, L.P.

[Docket No.ER02–1043–000]

Take notice that on February 19, 2002, Entergy-Koch Trading, L.P. tendered for filing a request for authorization to amend its code of conduct in the above-referenced docket pursuant to Section 205 of the Federal Power Act, and part 35 of the Federal Energy Regulatory Commission's Rules and Regulations. Copies of this filing have been served upon each person designated on the official service list compiled by the Secretary in this proceeding.

Comment Date: March 12, 2002.

15. Duke Energy Corporation

[Docket No. ER02–1044–000]

Take notice that on February 20, 2002, Duke Electric Transmission (Duke), a division of Duke Energy Corporation, tendered for filing with the Federal Energy Regulatory Commission (Commission) a Service Agreement with Progress Ventures, Inc. for Non-Firm Transmission Service under Duke's Open Access Transmission Tariff. Duke requests that the proposed Service Agreement be permitted to become effective on January 30, 2002. Duke states that this filing is in accordance with Part 35 of the Commission's Regulations and that a copy has been served on the North Carolina Utilities Commission.

16. Duke Energy Corporation

[Docket No. ER02–1045–000]

Take notice that on February 20, 2002, Duke Electric Corporation (Duke), a division of Duke Energy Corporation, tendered for filing a Service Agreement with Progress Ventures, Inc. for Firm Transmission Service under Duke's Open Access Transmission Tariff. Duke requests that the proposed Service Agreement be permitted to become effective on January 30, 2002. Duke states that this filing is in accordance with Part 35 of the Commission's Regulations and that a copy has been served on the North Carolina Utilities Commission.

Comment Date: March 13, 2002.

17. LG&E Power Monroe LLC

[Docket No. ER02–1046–000]

Take notice that February 20, 2002, Progress Ventures, Inc., on behalf of LG&E Power Monroe LLC (LG&E Monroe), filed a service agreement for LG&E Energy Marketing Inc. (LEM) under LG&E Monroe's market-based rate tariff.

Copies of the filing were served upon LEM and the Georgia Public Service Commission.

Comment Date: March 13, 2002.

Standard Paragraph

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 this filing are on file with the Commission and are available for public inspection. This filing may also be viewed on the web at *http://www.ferc.gov* using the ''RIMS'' link, select ''Docket#'' and follow the instructions (call 202–208–2222 for assistance). Comments, protests and interventions may be filed electronically via the Internet in lieu of paper. See, 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's web site under the ''e-Filing'' link.

Magalie R. Salas,

Secretary.

[FR Doc. 02–4905 Filed 2–28–02; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EL01–118–000]

Investigation of Terms and Conditions of Public Utility Market-Based Rate Authorizations; Notice of Staff Conference

February 25, 2002.

A staff conference will be held on March 11, 2002, beginning at 9:30 a.m. in the Commission meeting room at the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC.

The purpose of the conference is to discuss issues raised in the comments and reply comments that were filed in this proceeding. The conference will not address issues specific to the new generation market power screen, the Supply Margin Assessment (SMA), that the Commission announced in Docket No. ER96–2495–015, *et al.*

The conference is open for the public to attend. Additional details about the conference will be provided in a subsequent notice. Questions about the conference should be directed to: Saida E. Shaalan, Federal Energy Regulatory Commission, Office of Markets, Tariffs and Rates, 888 First Street, NE., Washington, DC. 20426, (202) 208–0278.

Magalie R. Salas,

Secretary.

[FR Doc. 02–4907 Filed 2–28–02; 8:45 am]

BILLING CODE 6717–01–P

ENVIRONMENTAL PROTECTION AGENCY

[ER–FRL–6626–9]

Environmental Impact Statements; Notice of Availability

Responsible Agency: Office of Federal Activities, General Information (202) 564–7167 or *http://www.epa.gov/oeca/ofa*

Weekly receipt of Environmental Impact Statements

Filed February 18, 2002 Through February 22, 2002

Pursuant to 40 CFR 1506.9.

EIS No. 020072, FINAL EIS, COE, WA, Lower Snake River Juvenile Salmon Migration Feasibility Study, Implementation, To Increase the Survival of Juvenile Anadromous Fish, Snake River, Walla Walla, WA , Wait Period Ends: April 01, 2002, Contact: Lonnie Mettler (509) 527–7268.

EIS No. 020073, DRAFT EIS, BLM, NV, Leeville Mining Project, Propose to Develop and Operate an Underground Mine and Ancillary Facilities including Dewatering Operation, Plan-of-Operations/Right-of-Way Permits and COE Section 404 Permit, Elko and Eureaka Counties, NV, Comment Period Ends: April 29, 2002, Contact: Deb McFarlane (775) 753–0200. This document is available on the Internet at: *http://www.nv.blm.gov/elko.*

EIS No. 020074, FINAL EIS, FHW, AR, TX, U.S. 71 Highway Improvement Project, between Texarkana, (US71) Arkansas and DeQueen, Funding, Right-of-Way Approval and COE Section 404 Permit, Little River, Miller and Sevier Counties, AR, and Bowie County, TX , Wait Period Ends: April 01, 2002, Contact: Elizabeth Romero (501) 324–5309.

EIS No. 020075, DRAFT EIS, NOA, Amendment 13 to the Fishery Management Plan for Summer Flounder, Scup, and Black Sea Bass, Implementation, in the Western Atlantic Ocean, from Cape Harteras, NC, northward to the U.S.-Canadian Border, Comment Period Ends: April 15, 2002, Contact: Steve Kokkinakis (202) 482–3639.

EIS No. 020076, FINAL EIS, NOA, AK, American Fisheries Act Amendments 61/61/13/8: Amendment 61 Groundfish Fishery of the Bering Sea and Aleutian Islands Area; Amendment 61 Groundfish of the Gulf of Alaska; Amendment 13 Bering Sea and Aleutian Islands King and Tanner Crab, and Amendment 8 to the Scallop Fishery off Alaska, Fishery Management Plans, AK, Due: April 01, 2002, Contact: Kent Lind (907) 586–7226.

EIS No. 020077, DRAFT EIS, FRC, WY, NV, UT, CA, Kern River 2003 Gas Transmission Expansion Project, To Expand the Existing (KRGT) Interstate Pipeline System from southwestern Wyoming to southern California, Right-of-Way Grant, NPDES Permits and COE Section 404, FERC Docket No. CP01–422–000, WY, UT, NV and CA, Comment Period Ends: April 15, 2002, Contact: Michael Boyle (202) 208–0839. This document is available on the Internet at: *http://www.Kernriver2003.com*

EIS No. 020078, DRAFT EIS, SFW, Resident Canada Goose Management Plan, To Evaluate Alternative Strategies to Reduce, Manage and Control Resident Canada Goose Populations, Within the Conterminous United States, Comment Period Ends: May 30, 2002, Contact: Ron Kokel (703) 358–1714.

Amended Notices

EIS No. 010541, DRAFT EIS, COE, TX, Texas City's Proposed Shoal Point Container Terminal Project, Containerized Cargo Gateway Development, US Army COE Section 404 and 10 Permits Issuance, Material Placement Area (DMPA), City of Texas, Galveston County, TX , Due: March 18, 2002, Contact: Sharon Manella Tirpak (409) 766–3136. Revision of FR Notice Published on 01/25/2002: CEQ Comment Period Ending 02/19/2002 has been extended to 03/18/2002.

EIS No. 020017, DRAFT EIS, BLM, WY, Powder River Basin Oil and Gas Project, Additional Coal Bed Methane (CBM) Resources Development, Drilling, Completing, Operating and Reclaiming of New CBM Wells and Constructing, Operating and Reclaiming of various Ancillary Facilities, Application for Permit to Drill (APD), Special Use and US Army COE Section 404 Permits Issuance and Right-of-Way Grant, Campbell, Converse, Johnson and Sheridan Counties, WY, Comment Period Ends: April 17, 2002, Contact: Paul Beels (307) 684–1100. Revision of FR Notice Published on 02/01/2002: CEQ Comment Period Ending 04/18/2002 is Corrected to 04/17/2002.

EIS No. 020056, DRAFT EIS, BLM, WY, VOID EIS—Powder River Basin Oil and Gas Project, Additional Coal Bed Methane (CBM) Resources Development, Drilling, Completing, Operating and Reclaiming of New CBM Wells and Constructing, Operating and Reclaiming of various Ancillary Facilities, Application for Permit to Drill (APD), Special Use and US Army COE Section 404 Permits Issuance and Right-of-Way Grant, several counties, WY, Revision of FR notice published on 02/15/2002: The above DEIS was inadvertently published in the 02/15/2002 FR. The Correct DEIS was published in the FR on 01/18/2002. The Correct CEQ Accession Number is 020017 and the CorrectComment Period Ends on 04/17/2002.

Dated: February 26, 2002.

B. Katherine Biggs,

Associate Director, NEPA Compliance Division, Office of Federal Activities.

[FR Doc. 02–4942 Filed 2–28–02; 8:45 am]

BILLING CODE 6560–50–U

ENVIRONMENTAL PROTECTION AGENCY

[ER–FRL–6627–1]

Environmental Impact Statements and Regulations; Availability of EPA Comments

Availability of EPA comments prepared pursuant to the Environmental Review Process (ERP), under section 309 of the Clean Air Act and section 102(2)(c) of the National Environmental Policy Act as amended. Requests for copies of EPA comments can be directed to the Office of Federal Activities at (202) 564–7167.

An explanation of the ratings assigned to draft environmental impact statements (EISs) was published in FR dated May 18, 2001 (66 FR 27647).

Draft EISs

ERP No. D–AFS–H65010–MO Rating EC2, Oak Decline and Forest Health Project, To Improve Forest Health, Treat Affected Stands, Recover Valuable Timber Products, Promote Public Safety, Potosi and Salem Ranger Districts, Mark Twain National Forest, Crawford, Dent, Iron, Reynolds, Shannon and Washington, MO.

Summary: EPA expressed environmental concerns related to the current condition of the stands to be treated and compliance of prescribed burns with fire management plans. EPA recommended that additional information be provided on these issues and also requested additional soil and water pollution mitigation measures.

ERP No. D–UAF–K11107–CA Rating LO, EL Rancho Road Bridge Project, Flood-Free Crossing Construction at San Antonia Creek to access from the north of Vandenberg Air Force Base, Santa Barbara County, CA.

Summary: While EPA had no objection to the proposed action, it requested clarification regarding some additional air quality and biological resource mitigation measures and pollution prevention measures.

ERP No. DS–COE–E39058–TN Rating NC, Chickamauga Dam Navigation Project, New and Updated Information concerning Cumulative Effects and Compliance with Section 106 of the Historic Preservation Act, NPDES, US Army COE Section 404 and US Coast Guard Permits Issuance, Tennessee River, Hamilton County, TN.

Summary: No formal comment letter was sent to the preparing agency.

Final EISs

ERP No. F–FRC–C03013–NY Eastchester Project, Natural Gas Pipeline and Associated Facilities, (Docket Nos. CP00–232–001) Construction, Operation and Maintenance, from Northport Long Island to the Bronx, Approval and US Army COE Section 10 and 404 Permits Issuance, Bronx Borough, NY.

Summary: EPA's concerns have been adequately addressed for this project. The final EIS and FERC's Order on Rehearing and Issuing Certificates, taken together, present enough information to identify the preferred alternative and commit to the completion of a sufficient level of detailed design work for the preferred alternative.

ERP No. F–FRC–K03025–00 North Baja Pipeline Project, Docket Nos. CP01–22–000 and CP01–23–000, Construction and Operation A New Natural Gas Transmission Pipeline, Land Use Plan Amendment, Right-of-Way Grant, NPDES, COE Section 10 and 404 Permits, La Praz and Yuma Counties, AZ and Imperial, Kern, Riverside, Palo Verde, San Bernardino and San Diego Counties, CA.

Summary: EPA expressed continued environmental concern regarding indirect and cumulative impacts to air quality from the related facilities.

ERP No. F–USN–K11106–HI Programmatic EIS—Ford Island Development Program, Proposed Consolidation of Selected Operations at Pearl Harbor by Locating and Relocating Certain Activities, Ford Island, HI.

Summary: EPA expressed environmental concern about the need for a continuing oversight by the Navy of environmental protection efforts on leased properties (which would remain Navy property), particularly to protect Pearl Harbor's water quality and to implement pollution prevention measures. EPA asked that the Navy's Record of Decision for this programmatic project, and any tiered NEPA documents for individual projects, contain commitments in this regard.

ERP No. F3–AFS–J65143–00 Flat Canyon Federal Coal Lease Tract (UTU–77114), Application for Leasing, Manti-La Sal National Forest, Ferron-Price Ranger District, Sanpete and Emery Counties, UT.

Summary: No formal comment letter was sent to the preparing agency.

Dated: February 26, 2002.

B. Katherine Biggs,

Associate Director, NEPA Compliance Division, Office of Federal Activities.

[FR Doc. 02–4943 Filed 2–28–02; 8:45 am]

BILLING CODE 6560–50–U

ENVIRONMENTAL PROTECTION AGENCY

[OPP–30522; FRL–6824–5]

Pesticide Product; Registration Application

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces receipt of an application to register a pesticide product containing a new active ingredient not included in any currently registered product pursuant to the provisions of section 3(c)(4) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended.

DATES: Written comments, identified by the docket control number OPP–30522, must be received on or before April 1, 2002.

ADDRESSES: Comments may be submitted by mail, electronically, or in person. Please follow the detailed instructions for each method as provided in Unit I. of the **SUPPLEMENTARY INFORMATION**. To ensure proper receipt by EPA, it is imperative that you identify docket control number OPP–30522 in the subject line on the first page of your response.

FOR FURTHER INFORMATION CONTACT: By mail: Todd Peterson, Regulatory Action Leader, Biopesticides and Pollution Prevention Division (7511C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (703) 308–7224; and e-mail address: peterson.todd@epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this Action Apply to Me?

You may be affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. Potentially affected categories and entities may include, but are not limited to:

Categories	NAICS codes	Examples of potentially affected entities
Industry	111 112 311 32532	Crop production Animal production Food manufacturing Pesticide manufacturing

This listing is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be affected by this action. Other types of entities not listed in the table could also be affected. The North American Industrial Classification System (NAICS) codes have been provided to assist you and others in determining whether or not this action might apply to certain entities. If you have questions regarding the applicability of this action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

B. How Can I Get Additional Information, Including Copies of this Document and 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 OPP–30522. 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 asconfidential 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 Public Information and Records Integrity Branch (PIRIB), Rm. 119, Crystal Mall #2, 1921 Jefferson Davis Hwy., Arlington, VA, from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The PIRIB telephone number is (703) 305–5805.

C. How and to Whom Do I Submit Comments?

You may submit comments through the mail, in person, or electronically. To ensure proper receipt by EPA, it is imperative that you identify docket control number OPP–30522 in the subject line on the first page of your response.

1. *By mail*. Submit your comments to: Public Information and Records Integrity Branch (PIRIB), Information Resources and Services Division (7502C), Office of Pesticide Programs (OPP), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460.

2. *In person or by courier*. Deliver your comments to: Public Information and Records Integrity Branch (PIRIB), Information Resources and Services Division (7502C), Office of Pesticide Programs (OPP), Environmental Protection Agency, Rm. 119, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA. The PIRIB is open from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The PIRIB telephone number is (703) 305–5805.

3. *Electronically*. You may submit your comments electronically by e-mail to: opp-docket@epa.gov, or you can submit a computer disk as described above. Do not submit any information electronically that you consider to be CBI. Avoid the use of special characters and any form of encryption. Electronic submissions will be accepted in WordPerfect 6.1/8.0 or ASCII file format. All comments in electronic form must be identified by docket control number OPP–30522. Electronic comments may also be filed online at many Federal Depository Libraries.

D. How Should I Handle CBI that I Want to Submit to the Agency?

Do not submit any information electronically that you consider to be CBI. You may claim information that you submit to EPA in response to this document as CBI by marking any part or all of that information as CBI. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. In addition to one complete version of the comment that includes any information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public version of the official record. Information not marked confidential will be included in the public version of the official record without prior notice. If you have any questions about CBI or the procedures for claiming CBI, please consult the person identified under **FOR FURTHER INFORMATION CONTACT**.

E. What Should I Consider as I Prepare My Comments for EPA?

You may find the following suggestions helpful for preparing your comments:

1. Explain your views as clearly as possible.

2. Describe any assumptions that you used.

3. Provide copies of any technical information and/or data you used that support your views.

4. If you estimate potential burden or costs, explain how you arrived at the estimate that you provide.

5. Provide specific examples to illustrate your concerns.

6. Offer alternative ways to improve the registration activity.

7. Make sure to submit your comments by the deadline in this notice.

8. To ensure proper receipt by EPA, be sure to identify the docket control number assigned to this action in the subject line on the first page of your response. You may also provide the name, date, and **Federal Register** citation.

II. Registration Applications

EPA received an application as follows to register a pesticide product containing an active ingredient not included in any currently registered product pursuant to the provisions of section 3(c)(4) of FIFRA. Notice of receipt of this application does not imply a decision by the Agency on the application.

Product Containing an Active Ingredient not Included in any Currently Registered Product

File Symbol: 56872–E. *Applicant*: Gardens Alive, 5100 Schenley Place, Lawrenceburg, IN 47025. *Product Name*: WOW Plus. Herbicide. *Active ingredient*: Corn gluten meal at 78%. *Proposed Classification/Use*:. For pre-emergent weed control and lawn fertilizer.

List of Subjects

Environmental protection, Pesticides and pest.

Dated: February 15, 2002.

Janet L. Andersen,

Director, Biopesticides and Pollution Prevention Division, Office of Pesticide Programs.

[FR Doc. 02–4941 Filed 2–28–02; 8:45 am]

BILLING CODE 6560–50–S

FEDERAL COMMUNICATIONS COMMISSION

Public Information Collection Approved by Office of Management and Budget

February 22, 2002.

The Federal Communications Commission (FCC) has received Office of Management and Budget (OMB) approval for the following public information collections pursuant to the Paperwork Reduction Act of 1995, Public Law 96–511. An agency may not conduct or sponsor a collection of information unless it displays a currently valid control number. Notwithstanding any other provisions of law, no person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act (PRA) that does not display a valid control number. Questions concerning the OMB control numbers and expiration dates should be directed to Judith B. Herman, Federal Communications Commission, (202) 418–0214.

Federal Communications Commission

OMB Control No.: 3060–1004.
Expiration Date: 07/31/02.
Title: Orders Re: E911 Waivers.
Form No.: N/A.
Respondents: Business, not-for-profit institutions, and State and local governments.
Responses: 22.
Annual Burden: 110 hours.
Total Annual Cost: 0.
Description: The quarterly and supplemental reports will be used by the Commission to monitor carrier progress in transition to E911, and thus ensure that this important effort will continue in an orderly and timely fashion.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

[FR Doc. 02–4884 Filed 2–28–02; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATONS COMMISSION

[CC Docket No. 01–324; FCC 02–63]

Application by Verizon New England Inc., Bell Atlantic Communications, Inc. (d/b/a Verizon Long Distance), NYNEX Long Distance Company (d/b/a Verizon Enterprise Solutions), Verizon Global Networks Inc., and Verizon Select Services Inc., Pursuant to Section 271 of the Telecommunications Act of 1996, for Authorization To Provide In-Region, InterLATA Service in the State of Rhode Island and Providence Plantations

AGENCY: Federal Communications Commission.

ACTION: Notice.

SUMMARY: In this document, the Commission grants the section 271 application of Verizon New England Inc., *et al.* (Verizon) for authority to enter the interLATA telecommunications market in the state of Rhode Island and Providence Plantations (Rhode Island). The Commission grants Verizon's application based on its conclusion that Verizon has satisfied all of the statutory requirements for entry, and opened its local exchange markets to full competition.

DATES: Effective March 4, 2002.

FOR FURTHER INFORMATION CONTACT: Julie Veach, Attorney Advisor, Common Carrier Bureau, at (202) 418–1580 or via the Internet at *jveach@fcc.gov.* The complete text of this MO&O is available for inspection and copying during normal business hours in the FCC Reference Information Center, Portals II, 445 12th Street, SW, Room CY–A257, Washington, DC 20554. Further information may also be obtained by calling the Common Carrier Bureau's TTY number: (202) 418–0484.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Memorandum Opinion and Order (MO&O) in CC Docket No. 01–324, FCC 02–63, adopted February 22, 2002, and released February 22, 2002. This full text may be purchased from the Commission's duplicating contractor, Qualex International, Portals II, 445 12th Street, SW, Room CY–B402, Washington, DC 20554, telephone 202–863–2893, facsimile 202–863–2898, or via e-mail *qualexint@aol.com.* It is also available on the Commission's Web site at *http://www.fcc.gov/Bureaus/Common_Carrier/in-region_applications/verizon_ri/welcome.html.*

Synopsis of the Order

1. *History of the Application.* On November 26, 2001, Verizon filed an application (Rhode Island Application), pursuant to section 271 of the Telecommunications Act of 1996, with the Commission to provide in-region, interLATA service in Rhode Island.

2. *The Rhode Island Commission's Evaluation.* The Rhode Island Public Utilities Commission (Rhode Island Commission) advised the Commission, following a nearly four month review process, that Verizon met the checklist requirements of section 271(c) and has taken the statutorily required steps to open its local markets to competition. Consequently, the Rhode Island Commission recommended that the Commission approve Verizon's in-region, interLATA entry in its December 14, 2001 evaluation of the Rhode Island Application.

3. *The Department of Justice's Evaluation.* The Department of Justice filed its evaluation of Verizon's Rhode Island Application on January 4, 2002. It recommended approval of the Rhode Island Application subject to the Commission satisfying itself as to pricing issues raised by commenters.

Primary Issues in Dispute

4. *Checklist Item 2—Unbundled Network Elements.* Based on the record, the Commission finds that Verizon provides ''[n]ondiscriminatory access to network elements in accordance with the requirements of sections 251(c)(3) and 251(d)(1)'' of the Act in compliance with checklist item 2.

5. The Commission finds that Verizon's charges for unbundled network elements (UNEs) are just, reasonable, and nondiscriminatory in compliance with checklist item 2. Verizon relied in its Rhode Island Application not only on a Rhode Island Commission proceeding adopting Verizon's switching rates, but also on a benchmark comparison to New York switching rates and Massachusetts rates based on the New York rates. During the pendency of this proceeding, however, on January 28, 2002, the New York Public Service Commission adopted new switching rates, which are more than 50 percent lower than Verizon's previous New York switching rates. In response to this change in circumstances, Verizon filed with this Commission reduced Rhode Island switching rates upon which it then relied as evidence to demonstrate compliance with checklist item two. Under these unique circumstances, the Commission waives its ''complete-as-filed'' rule to take into consideration this late-filed evidence. The Rhode Island Commission adopted these discounted switching rates on February 21, 2002. The Commission finds Verizon's voluntarily reduced switching rates are within a reasonable TELRIC (total element long-run incremental costs) range. In addition, the Commission finds the Rhode Island loop rates to be within the range that the reasonable application of TELRIC principles would produce.

6. The Commission also concludes that Verizon meets its obligation to provide access to its operations support systems (OSS)—the systems, databases, and personnel necessary to support the network elements or services. Nondiscriminatory access to OSS ensures that new entrants have the ability to order service for their customers and communicate effectively with Verizon regarding basic activities such as placing orders and providing maintenance and repair services for customers. The Commission finds that, for each of the primary OSS functions (pre-ordering, ordering, provisioning, maintenance and repair, and billing, as well as change management and technical assistance), Verizon provides access that enables competing carriers to perform the functions in substantially the same time and manner as Verizon or, if there is not an appropriate retail analogue in Verizon's systems, in a manner that permits an efficient competitor a meaningful opportunity to compete.

7. Pursuant to this checklist item, Verizon must also provide nondiscriminatory access to network elements in a manner that allows other carriers to combine such elements. Based on the evidence in the record, and upon Verizon's legal obligations under interconnection agreements, Verizon demonstrates that it provides to competitors combinations of already-combined network element as well as nondiscriminatory access to unbundled network elements in a manner that allows competing carriers to combine those elements themselves

Other Checklist Items

8. *Checklist Item 4—Unbundled Local Loops.* Verizon has adequately demonstrated that it provides unbundled local loops as required by section 271. More specifically, Verizon establishes that it provides access to loop make-up information in compliance with the Commission's rules and nondiscriminatory access to stand alone xDSL-capable loops and high-capacity loops. Also, Verizon provides voice grade loops, both as new loops and through hot-cut conversions,

in a nondiscriminatory manner. Finally, Verizon has demonstrated that it has a line-sharing and line-splitting provisioning process that affords competitors nondiscriminatory access to these facilities.

9. In the Commission's overview of Verizon's performance data, it relies primarily on Rhode Island performance data (supplemented with Massachusetts data) collected and submitted by Verizon under the state-adopted carrier-to-carrier standards. Verizon provides evidence and performance data establishing that it can efficiently furnish unbundled loops, for the provision of both traditional voice services and various advanced services, to other carriers in a nondiscriminatory manner.

10. *Checklist Item 1—Interconnection.* Based on the evidence in the record, the Commission concludes that Verizon demonstrates that it provides interconnection in accordance with the requirements of section 251(c)(2) and as specified in section 271 and applied in the Commission's prior orders. Pursuant to this checklist item, Verizon must allow other carriers to interconnect their networks to its network for the mutual exchange of traffic, using any available method of interconnection at any available point in Verizon's network.

11. Verizon also demonstrates that its collocation offerings in Rhode Island satisfy the requirements of sections 251 and 271 of the Act and are in compliance with the Commission's recent *Collocation Remand Order.* Verizon demonstrates that it offers interconnection in Rhode Island to other telecommunications carriers at just, reasonable, and nondiscriminatory rates, in compliance with checklist item 1.

12. *Checklist Item 5—Unbundled Local Transport.* Section 271(c)(2)(B)(v) of the competitive checklist requires a BOC to provide ''local transport from the trunk side of a wireline local exchange carrier switch unbundled from switching or other services.'' The Commission concludes, based upon the evidence in the record, that Verizon demonstrates that it provides both shared and dedicated transport, including dark fiber, in compliance with the requirements of checklist item 5.

13. *Checklist Item 14—Resale.* Based on the evidence in the record, the Commission concludes that Verizon demonstrates that it makes telecommunications services, including its DSL-based telecommunications service, available in Rhode Island for resale, in accordance with sections 251(c)(4) and 252(d)(3), and thus satisfies the requirements for checklist item 14.

14. *Checklist Items 3, 6–13.* An applicant under section 271 must demonstrate that it complies with checklist item 3 (poles, ducts, conduits, and rights of way), item 6 (unbundled local switching), item 7 (911/E911 access and directory assistance/operator services), item 8 (white page directory listings), item 9 (numbering administration), item 10 (databases and associated signaling), item 11 (number portability), item 12 (local dialing parity), and item 13 (reciprocal compensation). Based on the evidence in the record, and in accordance with Commission rules and orders concerning compliance with section 271 of the Act, the Commission concludes that Verizon demonstrates that it is in compliance with these checklist items in Rhode Island. The Rhode Island Commission also concluded that Verizon complies with the requirements of each of these checklist items.

Other Statutory Requirements

15. *Compliance with Section 271(c)(1)(A).* The Commission concludes that Verizon demonstrates that it satisfies the requirements of section 271(c)(1)(A) based on the interconnection agreements it has implemented with competing carriers in Rhode Island. The record demonstrates that competitive LECs serve some business and residential customers using predominantly their own facilities.

16. *Section 272 Compliance.* Verizon has demonstrated that it complies with the requirements of section 272. Significantly, Verizon provides evidence that it maintains the same structural separation and nondiscrimination safeguards in Rhode Island as it does in Pennsylvania, New York, Connecticut, and Massachusetts—states in which Verizon has already received section 271 authority.

17. *Public Interest Analysis.* The Commission concludes that approval of this application is consistent with the public interest. It views the public interest requirement as an opportunity to review the circumstances presented by the applications to ensure that no other relevant factors exist that would frustrate the congressional intent that markets be open, as required by the competitive checklist, and that entry will therefore serve the public interest as Congress expected. While no one factor is dispositive in this analysis, the Commission's overriding goal is to ensure that nothing undermines its conclusion that markets are open to competition.

18. The Commission finds that, consistent with its extensive review of the competitive checklist, barriers to competitive entry in the local market have been removed and the local exchange market today is open to competition. The Commission also finds that the record confirms its view that a BOC's entry into the long distance market will benefit consumers and competition if the relevant local exchange market is open to competition consistent with the competitive checklist.

19. The Commission also finds that the performance monitoring and enforcement mechanisms developed in Rhode Island, in combination with other factors, provide meaningful assurance that Verizon will continue to satisfy the requirements of section 271 after entering the long distance market. Commenters urge the Commission to perform a price squeeze analysis. The Commission has reviewed their evidence, however, and determined that even if it accepts their assertions that a price squeeze analysis is mandated by the section 271's public interest requirement, there is no price squeeze in Rhode Island.

20. *Section 271(d)(6) Enforcement Authority.* Working with the Rhode Island Commission, the Commission intends to monitor closely post-entry compliance and to enforce the provisions of section 271 using the various enforcement tools Congress provided in the Communications Act.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

[FR Doc. 02–4977 Filed 2–28–02; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL HOUSING FINANCE BOARD

Sunshine Act Meeting Notice; Announcing an Open Meeting of the Board

TIME AND DATE: 8 a.m., Wednesday, March 6, 2002.

PLACE: Board Room, Second Floor, Federal Housing Finance Board, 1777 F Street, N.W., Washington, DC 20006.

STATUS: The entire meeting will be open to the public.

MATTER TO BE CONSIDERED DURING PORTIONS OPEN TO THE PUBLIC:

• Appointment of Federal Home Loan Bank Directors

CONTACT PERSON FOR MORE INFORMATION: Elaine L. Baker, Secretary to the Board, (202) 408–2837.

James L. Bothwell,

Managing Director.

[FR Doc. 02–5079 Filed 2–27–02; 1:50 pm]

BILLING CODE 6725–01–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 March 28, 2002.

A. Federal Reserve Bank of Minneapolis (Julie Stackhouse, Vice President) 90 Hennepin Avenue, Minneapolis, Minnesota 55480–0291:

1. First Financial Corporation, Arthur, North Dakota; to acquire 100 percent of the voting shares of Omega City Holding Company, LaMoure, North Dakota, and thereby indirectly acquire First State Bank of LaMoure, LaMoure, North Dakota.

Board of Governors of the Federal Reserve System, February 26, 2002.

Robert deV. Frierson,

Deputy Secretary of the Board.

[FR Doc. 02–4915 Filed 2–28–02; 8:45 am]

BILLING CODE 6210–01–S

GENERAL SERVICES ADMINISTRATION

[FMR Bulletin B–2]

Motor Vehicle Management

This notice contains GSA Bulletin FMR B–2 which addresses the use of hand-held wireless phones while driving motor vehicles owned or leased by the Federal government. The text of the bulletin follows:

To: Heads of Federal Agencies.

Subject: Use of Hand-held Wireless Phones while Driving Motor Vehicles Owned or Leased by the Federal Government.

1. What Is the Purpose of This Bulletin?

This bulletin provides guidance to Federal agencies concerning the use of hand-held wireless phones while driving motor vehicles owned or leased by the Federal government.

2. What Is the Effective Date of This Bulletin?

This bulletin is effective March 1, 2002.

3. When Does This Bulletin Expire?

This bulletin will remain in effect until specifically cancelled.

4. What Is the Background?

a. Over 110 million people use wireless phones in the United States. A recent National Highway Traffic Safety Administration (NHTSA) survey found that 54 percent of motor vehicle drivers in the United States usually have a wireless phone in their vehicle. Federal and State policymakers have been weighing the benefits of wireless phone use in vehicles against the growing evidence of their potential to increase driver distraction and the risks to safety. The recent ban of hand-held wireless phones while driving in New York State and pending legislation in at least 27 other states has received significant publicity in 2001. In addition, 23 countries now restrict or prohibit wireless phones in motor vehicles.

b. It is appropriate that the Federal government assume a leadership role in promoting the safe use of wireless telephones by its employees when they are engaged in official Government business. Accordingly, Federal agencies should address the issue of wireless phone use in their internal policies. Additionally, many agencies have requested guidance from the General Services Administration's Office of Governmentwide Policy (OGP), Federal Vehicle Policy Division on wireless phone use in government owned and leased vehicles.

5. What Is the Recommended Policy We Should Follow When Issuing Guidance on the Use of Wireless Phones While Driving Motor Vehicles Owned or Leased by the Federal Government?

Federal agencies should:

a. Discourage the use of hand-held wireless phones by a driver while operating motor vehicles owned or leased by the Federal government.

b. Provide a portable hands-free accessory and/or a hands-free car kit for government owned wireless phones.

c. Educate employees on driving safely while using hands-free wireless phones. See Attachment A for ''Cellular Phone Driving Tips'' published by the National Highway Traffic Safety Administration (NHTSA).

6. Are Federal Employees Exempt From Local or State Laws Prohibiting or Limiting the Use of Wireless Phones While Driving?

Generally, Federal employees are not exempt from state and local laws governing operation of a motor vehicle. If adhering to state and local laws would impede your agency's mission, consult your General Counsel for advice.

7. Could Federal Agencies Be Held Liable for Injuries or Damages Caused by Employees Who Use Wireless Phones While Driving Motor Vehicles Owned or Leased by the Federal Government?

Federal agencies should be aware of the potential for increased liability from accidents that occur if directly caused by the use of wireless phones while driving motor vehicles owned or leased by the Federal government.

8. What Future Actions Should We Expect?

NHTSA has over a dozen new studies planned during the next two years regarding driver distractions such as wireless phone use. As these reports are published, the General Services Administration's Federal Vehicle Policy Division will keep agencies abreast of the current research and recommendations on whether wireless phones, or any other device, should be used while driving.

9. Who Should We Contact for Further Information and/or To Direct Comments to on the Issue of Limiting the Use of Wireless Phones While Driving Motor Vehicles Owned or Leased by the Federal Government?

General Services Administration, Office of Governmentwide Policy, Federal Vehicle Policy Division (MTV), Washington, DC 20405, Telephone Number: 202–501–1777, E-mail Address: vehicle.policy@gsa.gov.

Dated: February 25, 2002.

G. Martin Wagner,

Associate Administrator, Office of Governmentwide Policy.

Attachment A—Cellular Phone Safe Driving Tips

Safe driving is your first priority. Always buckle up, keep your hands on the wheel and your eyes on the road.

Make sure that your phone is positioned where it is easy to see and easy to reach. Be familiar with the operation of your phone, so that you're comfortable using it on the road.

Use a hands-free microphone while driving. Make sure your phone is dealer-installed to get the best possible sound quality.

Use the speed dialing feature to program in frequently called numbers. Then you can make a call by touching only two or three buttons. Most phones will store up to 99 numbers.

When dialing manually without the speed dialing feature, dial only when stopped. If you can't stop, or pull over, dial a few digits, then survey traffic before completing the call. (Better yet, have a passenger dial.)

Never take notes while driving. Pull off the road to jot something down; if it's a phone number, many mobile phones have an electronic scratchpad that allows you to key in a new number while having a conversation.

Let your wireless network's voice mail pick up your calls when it's inconvenient or unsafe to answer the car phone. You can even use your voice mail to leave yourself reminders.

Be a cellular Samaritan. Dialing 9–1–1 is a free call for cellular subscribers; use it to report crimes in progress or other potential life-threatening emergencies, accidents or drunk driving.

Source: Department of Transportation, National Highway Traffic Safety Administration: An Investigation of the Safety Implications of Wireless Communications in Vehicles November 1997.

[FR Doc. 02–4880 Filed 2–28–02; 8:45 am]

BILLING CODE 6820–14–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Meeting of the Secretary's Advisory Committee on Regulatory Reform

AGENCY: Office of the Assistant Secretary for Planning and Evaluation, HHS.

ACTION: Notice of meeting.

SUMMARY: Notice is hereby given of a public hearing by the Department of Health and Human Services (HHS) Secretary's Advisory Committee on Regulatory Reform. As governed by the Federal Advisory Committee Act in accordance with Section 10(a)(2), the Secretary's Advisory Committee on Regulatory Reform is seeking guidance for the Department's efforts to streamline regulatory requirements. The Advisory Committee will advise and make recommendations for changes that would be beneficial in four broad areas: health care delivery, health systems operations, biomedical and health research, and the development of pharmaceuticals and other products. The Committee will review changes identified through regional public hearings, written comments from the public, and consultation with HHS staff.

All meetings and hearings of the Committee are open to the general public. During each meeting, invited witnesses will address how regulations affect health-related issues. Meeting agendas will also allow some time for public comment. Additional information on each meeting's agenda and list of participating witnesses will be posted on the Committee's Web site prior to the meetings, *http://www.regreform.hhs.gov.*

DATES: The second public hearing of the Secretary's Advisory Committee on Regulatory Reform will be held on Wednesday, March 20, 2002, from 8 a.m. to 5 p.m. and on Thursday, March 21, 2002, from 8 a.m. to 12 p.m.

ADDRESSES: The hearing will be held in Phoenix, AZ. Information about the exact location will be posted at the Web site address listed above and published in the **Federal Register** when the location has been confirmed.

FOR FURTHER INFORMATION CONTACT: Christy Schmidt, Executive Coordinator, Secretary's Advisory Committee on Regulatory Reform, Office of the Assistant Secretary for Planning and Evaluation, 200 Independence Avenue, SW., Room 344G, Washington, DC, 20201, (202) 401–5182.

SUPPLEMENTARY INFORMATION: Anyone planning to attend the meeting who requires special disability-related arrangements such as sign-language interpretation should provide notice of their need by Friday, March 15th. Please make any request to Michael Starkweather—phone: 301–628–3141; fax: 301–628–3101; e-mail: *mstarkweather@s-3.com.*

On June 8, 2001, HHS Secretary Thompson announced a Department-wide initiative to reduce regulatory burdens in health care, to improve patient care, and to respond to the concerns of health care providers and industry, State and local Governments, and individual Americans who are affected by HHS rules. Common sense approaches and careful balancing of needs can help improve patient care. As part of this initiative, the Department is establishing the Secretary's Advisory Committee on Regulatory Reform to provide findings and recommendations regarding potential regulatory changes. These changes would enable HHS programs to reduce burdens and costs associated with departmental regulations and paperwork, while at the same time maintaining or enhancing the effectiveness, efficiency, impact, and access of HHS programs.

Dated: February 25, 2002.

William Raub,

Deputy Assistant Secretary for Planning and Evaluation.

[FR Doc. 02–4916 Filed 2–28–02; 8:45 am]

BILLING CODE 4151–05–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration on Aging

[Program Announcement No. AoA–02–02]

Fiscal Year 2002 Program Announcement; Availability of Funds and Notice Regarding Applications

AGENCY: Administration on Aging, HHS.

ACTION: Announcement of availability of funds and request for applications for the Alzheimer Disease Demonstration Grants to States Program.

SUMMARY: The Administration on Aging announces that under this program announcement it will hold a competition for grant awards for five (5) to seven (7) projects at a federal share of approximately $225,000–$350,000 per year for a project period of three years.

Purpose of Grant Awards

The purpose of these projects is to:

1. Develop models of home and community based care for persons with Alzheimer's disease and their families, and

2. Improve the existing home and community based care system to better respond to the needs of persons with dementia and their families.

Eligibility for Grant Awards and Other Requirements

Eligibility for grant awards is limited to state agencies. The twenty-five states currently funded under the Alzheimer's Demonstration Program are not eligible. Only one application per state will be accepted. Applicants must provide a letter from their state's Governor designating the applicant agency as the sole applicant for the state.

Grantees are required to provide a 25% non-federal match during the first year, 35% during the second year, and 45% during the third year of the grant.

DATES: The deadline date for the submission of applications is April 24, 2002.

ADDRESSES: Application kits are available by writing to the U.S. Department of Health and Human Services, Administration on Aging, Center for Policy and Planning Development, 330 Independence Ave., SW, Room 4270, Washington, DC 20201, by calling 202/401–4547, or online at *http://www.aoa.gov/egrants.*

Applications may be mailed or hand-delivered to the AoA Office of Grants Management at the same address. Instructions for electronic submission of grant applications are available at *http://www.aoa.gov/egrants.*

Dated: February 25, 2002.

Josefina G. Carbonell,

Assistant Secretary for Aging.

[FR Doc. 02–4917 Filed 2–28–02; 8:45 am]

BILLING CODE 4154–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. 00E–1233]

Determination of Regulatory Review Period for Purposes of Patent Extension; HECTOROL

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) has determined the regulatory review period for HECTOROL and is publishing this notice of that determination as required by law. FDA has made the determination because of the submission of an application to the Commissioner of Patents and Trademarks, Department of Commerce, for the extension of a patent that claims that human drug product.

ADDRESSES: Submit written comments and petitions to the Dockets Management Branch (HFA–305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852. Submit electronic comments to *http://www.fda.gov/dockets/ecomments.*

FOR FURTHER INFORMATION CONTACT: Claudia Grillo, Office of Regulatory Policy (HFD–007), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–594–5645.

SUPPLEMENTARY INFORMATION: The Drug Price Competition and Patent Term Restoration Act of 1984 (Pub. L. 98–417) and the Generic Animal Drug and Patent Term Restoration Act (Pub. L. 100–670) generally provide that a patent may be extended for a period of up to 5 years so long as the patented item (human drug product, animal drug product, medical device, food additive, or color additive) was subject to regulatory review by FDA before the item was marketed. Under these acts, a product's regulatory review period forms the basis for determining the amount of extension an applicant may receive.

A regulatory review period consists of two periods of time: A testing phase and an approval phase. For human drug products, the testing phase begins when the exemption to permit the clinical investigations of the drug becomes effective and runs until the approval phase begins. The approval phase starts with the initial submission of an application to market the human drug product and continues until FDA grants permission to market the drug product. Although only a portion of a regulatory review period may count toward the actual amount of extension that the Commissioner of Patents and Trademarks may award (for example, half the testing phase must be subtracted, as well as any time that may have occurred before the patent was issued), FDA's determination of the length of a regulatory review period for a human drug product will include all of the testing phase and approval phase as specified in 35 U.S.C. 156(g)(1)(B).

FDA recently approved for marketing the human drug product HECTOROL (doxercalciferol). HECTOROL is indicated for the reduction of elevated iPTH levels in the management of secondary hyperparathyroidism in patients undergoing chronic renal dialysis. Subsequent to this approval, the Patent and Trademark Office received a patent term restoration application for HECTOROL (U.S. Patent No. 4,555,364) from The Wisconsin Alumni Research Foundation, and the Patent and Trademark Office requested FDA's assistance in determining this patent's eligibility for patent term restoration. In a letter dated April 13, 2000, FDA advised the Patent and Trademark Office that this human drug product had undergone a regulatory review period and that the approval of HECTOROL represented the first permitted commercial marketing or use of the product. Shortly thereafter, the Patent and Trademark Office requested that FDA determine the product's regulatory review period.

FDA has determined that the applicable regulatory review period for HECTOROL is 4,072 days. Of this time, 3,614 days occurred during the testing phase of the regulatory review period, while 458 days occurred during the approval phase. These periods of time were derived from the following dates:

1. *The date an exemption under section 505 of the Federal Food, Drug, and Cosmetic Act (the act) (21 U.S.C. 355) became effective:* April 17, 1988. The applicant claims April 16, 1988, as the date the investigational new drug application (IND) became effective. However, FDA records indicate that the IND effective date was April 17, 1988, which was 30 days after FDA receipt of the IND.

2. *The date the application was initially submitted with respect to the human drug product under section 505 of the act:* March 9, 1998. The applicant claims March 7, 1998, as the date the new drug application (NDA) for HECTOROL (NDA 20–862) was initially submitted. However, FDA records indicate that NDA 20–862 was submitted on March 9, 1998.

3. *The date the application was approved:* June 9, 1999. FDA has verified the applicant's claim that NDA 20–862 was approved on June 9, 1999.

This determination of the regulatory review period establishes the maximum potential length of a patent extension. However, the U.S. Patent and Trademark Office applies several statutory limitations in its calculations of the actual period for patent extension. In its application for patent extension, this applicant seeks 1,824 days of patent term extension.

Anyone with knowledge that any of the dates as published is incorrect may submit to the Dockets Management Branch (address above) written or electronic comments and ask for a redetermination by April 30, 2002. Furthermore, any interested person may petition FDA for a determination regarding whether the applicant for extension acted with due diligence during the regulatory review period by

August 28, 2002. To meet its burden, the petition must contain sufficient facts to merit an FDA investigation. (See H. Rept. 857, part 1, 98th Cong., 2d sess., pp. 41–42, 1984.) Petitions should be in the format specified in 21 CFR 10.30.

Comments and petitions should be submitted to the Dockets Management Branch. Three copies of any information are to be submitted (except that individuals may submit one copy). Comments are to be identified with the docket number found in brackets in the heading of this document. Comments and petitions may be seen in the Dockets Management Branch between 9 a.m. and 4 p.m., Monday through Friday.

Dated: January 23, 2002.

Jane A. Axelrad,

Associate Director for Policy, Center for Drug Evaluation and Research.

[FR Doc. 02–4889 Filed 2–28–02; 8:45 am]

BILLING CODE 4160–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

Joint Meeting of the Gastrointestinal Drugs Advisory Committee and the Drug Safety and Risk Management Subcommittee of the Advisory Committee for Pharmaceutical Science; Notice of Meeting

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

This notice announces a forthcoming meeting of a public advisory committee of the Food and Drug Administration (FDA). The meeting will be open to the public.

Name of Committee: Gastrointestinal Drugs Advisory Committee and the Drug Safety and Risk Management Subcommittee of the Advisory Committee for Pharmaceutical Science.

General Function of the Committee: To provide advice and recommendations to the agency on FDA's regulatory issues.

Date and Time: The meeting will be held on April 23, 2002, from 8 a.m. to 5 p.m.

Location: Holiday Inn, Versailles Ballroom, 8120 Wisconsin Ave., Bethesda, MD.

Contact Person: Thomas H. Perez, Center for Drug Evaluation and Research (HFD–21), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–827–6758, e-mail at *PerezT@cder.fda.gov*, or FDA Advisory Committee Information Line, 1–800–741–8138 (301–443–0572 in the Washington, DC area), code 12538. Please call the Information Line for up-to-date information on this meeting. Background materials for this meeting when available will be posted on the Internet one business day before the meeting at *www.fda.gov/ohrms/dockets/ac/acmenu.htm.*

Agenda: The committee will discuss risk management for new drug application (NDA) 21–107, LOTRONEX (alosetron), GlaxoSmithKline.

Procedure: Interested persons may present data, information, or views, orally or in writing, on issues pending before the committee. Written submissions may be made to the contact person by April 15, 2002. Oral presentations from the public will be scheduled between approximately 11:30 a.m. and 12:30 p.m. Time allotted for each presentation may be limited. Those desiring to make formal oral presentations should notify the contact person before April 15, 2002, and submit a brief statement of the general nature of the evidence or arguments they wish to present, the names and addresses of proposed participants, and an indication of the approximate time requested to make their presentation.

Persons attending FDA's advisory committee meetings are advised that the agency is not responsible for providing access to electrical outlets.

FDA welcomes the attendance of the public at its advisory committee meetings and will make every effort to accommodate persons with physical disabilities or special needs. If you require special accommodations due to a disability, please contact Thomas Perez at least 7 days in advance of the meeting.

Notice of this meeting is given under the Federal Advisory Committee Act (5 U.S.C. app. 2).

Dated: February 22, 2002.

Linda A. Suydam,

Senior Associate Commissioner for Communications and Constituent Relations.

[FR Doc. 02–4890 Filed 2–28–02; 8:45 am]

BILLING CODE 4160–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

Microbiology Devices Panel of the Medical Devices Advisory Committee; Notice of Meeting

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

This notice announces a forthcoming meeting of a public advisory committee of the Food and Drug Administration (FDA). The meeting will be open to the public.

Name of Committee: Microbiology Devices Panel of the Medical Devices Advisory Committee.

General Function of the Committee: To provide advice and recommendations to the agency on FDA's regulatory issues.

Date and Time: The meeting will be held on March 7, 2002, from 10:30 a.m. to 3:30 p.m., and on March 8, 2002, from 8:30 a.m. to 3:30 p.m.

Location: Holiday Inn, Walker/Whetstone Rooms, Two Montgomery Village Ave., Gaithersburg, MD.

Contact Person: Freddie M. Poole, Center for Devices and Radiological Health (HFZ–440), Food and Drug Administration, 2098 Gaither Rd., Rockville, MD 20850, 301–594–2096, ext. 111, or FDA Advisory Committee Information Line, 1–800–741–8138 (301–443–0572 in the Washington, DC area), code 12517. Please call the Information Line for up-to-date information on this meeting.

Agenda: On March 7, 2002, the committee will discuss and make recommendations on the classification of preamendments in vitro diagnostic products to identify *Bacillus anthracis* and *Yersinia pestis.* No applications will be reviewed at this meeting. On March 8, 2002, the committee will discuss, make recommendations, and vote on a supplement to a premarket approval application for a nucleic acid hybridization in vitro diagnostic device for the detection of 13 high-risk types of human papilloma virus DNA in cervical specimens. The test is indicated for use as a general population screening test in conjunction with the *Papanicolaou* smear for women 30 years of age and older, as an aid to determine the absence of high-grade cervical disease or cancer. The test is not intended for use as a screening test in the general population for women under 30 years of age.

Background information for each day's topic, including the agenda and questions for the committee, will be available to the public 1 business day before the meeting, on the Internet at *http://www.fda.gov/cdrh/panelmtg.html.* Material for the March 7 session will be posted on March 6, 2002; material for the March 8 session will be posted on March 7, 2002.

Procedure: Interested persons may present data, information, or views, orally or in writing, on issues pending before the committee. Written submissions may be made to the contact person by March 4, 2002. On March 7, 2002, formal oral presentations from the public will be scheduled between approximately 11:30 a.m. and 12:15 p.m., and between approximately 2:30 p.m. and 2:45 p.m. On March 8, 2002, formal oral presentations from the public will be scheduled between approximately 11 a.m. and 11:45 a.m., and between approximately 3 p.m. and 3:15 p.m. Time allotted for each presentation may be limited. Those desiring to make formal oral presentations should notify the contact person before March 4, 2002, and submit a brief statement of the

general nature of the evidence or arguments they wish to present, the names and addresses of proposed participants, and an indication of the approximate time requested to make their presentation.

FDA regrets that it was unable to publish this notice 15 days prior to the March 8, 2002, Microbiology Devices Panel of the Medical Devices Advisory Committee meeting. Because the agency believes there is some urgency to bring this issue to public discussion and qualified members of the Microbiology Devices Panel of the Medical Devices Advisory Committee were available at this time, the Commissioner of Food and Drugs concluded that it was in the public interest to hold this meeting even if there was not sufficient time for the customary 15-day public notice.

Persons attending FDA's advisory committee meetings are advised that the agency is not responsible for providing access to electrical outlets.

FDA welcomes the attendance of the public at its advisory committee meetings and will make every effort to accommodate persons with physical disabilities or special needs. If you require special accommodations due to a disability, please contact Shirley Meeks, Conference Management Staff, 301–594–1283, ext. 105, at least 7 days in advance of the meeting.

Notice of this meeting is given under the Federal Advisory Committee Act (5 U.S.C. app. 2).

Dated: February 26, 2002.

Linda A. Suydam,

Senior Associate Commissioner for Communications and Constituent Relations.

[FR Doc. 02–5044 Filed 2–27–02; 11:19 am]

BILLING CODE 4160–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

Pediatric Oncology Subcommittee of the Oncologic Drugs Advisory Committee; Cancellation

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is canceling the meeting of the Pediatric Oncology Subcommittee of the Oncologic Drugs Advisory Committee scheduled for March 12, 2002. The meeting was announced in the **Federal Register** of February 7, 2002 (67 FR 5831).

FOR FURTHER INFORMATION CONTACT: Thomas H. Perez, Center for Drug Evaluation and Research (HFD–21), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–827–6758, or FDA Advisory Committee Information Line, 1–800–741–8138 (301–443–0572 in the Washington, DC area), code 12542.

Dated: February 26, 2002.

Linda A. Suydam,

Senior Associate Commissioner for Communications and Constituent Relations.

[FR Doc. 02–5043 Filed 2–27–02; 11:19 am]

BILLING CODE 4160–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

Agency Information Collection Activities: Submission for OMB Review; Comment Request

Periodically, the Health Resources and Services Administration (HRSA) publishes abstracts of information collection requests under review by the Office of Management and Budget, in compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35). To request a copy of the clearance requests submitted to OMB for review, call the HRSA Reports Clearance Office on (301)-443–1129.

The following request has been submitted to the Office of Management and Budget for review under the Paperwork Reduction Act of 1995:

Proposed Project: The National Health Service Corps (NHSC) Loan Repayment Program (OMB No. 0915–0127)—Extension

The NHSC Loan Repayment Program (LRP) was established to ensure an adequate supply of trained primary care health professionals to the neediest communities in the Health Professional Shortage Areas (HPSAs) of the United States. Under this program, the Department of Health and Human Services agrees to repay the educational loans of the primary care health professionals. In return, the health professionals agree to serve for a specified period of time in a federally-designated HPSA approved by the Secretary for LRP participants.

This request for extension of OMB approval will include the NHSC LRP Application and Loan Verification Form, Site Information Form and Request for Method of Advanced Loan Repayment Form.

The estimate of burden is as follows:

Respondent	Number of respondents	Responses per respondent	Hours per response	Total hour burden
Applicants	800	1	1.5	1200
Lenders	45	1	15	11
Total	845	.....	.....	1211

Written comments and recommendations concerning the proposed information collection should be sent within 30 days of this notice to: John Morrall, Human Resources and Housing Branch, Office of Management and Budget, New Executive Office Building, Room 10235, Washington, DC 20503.

Dated: February 22, 2002.

Jane M. Harrison,

Director, Division of Policy Review and Coordination.

[FR Doc. 02–4892 Filed 2–28–02; 8:45 am]

BILLING CODE 4165–15–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of Inspector General

Program Exclusions: January 2002

AGENCY: Office of Inspector General, HHS.

ACTION: Notice of program exclusions.

During the month of January 2002, the HHS Office of Inspector General imposed exclusions in the cases set forth below. When an exclusion is imposed, no program payment is made to anyone for any items or services (other than an emergency item or service not provided in a hospital emergency room) furnished, ordered or prescribed by an excluded party under the Medicare, Medicaid, and all Federal Health Care programs. In addition, no program payment is made to any business or facility, e.g., a hospital, that submits bills for payment for items or services provided by an excluded party. Program beneficiaries remain free to decide for themselves whether they will continue to use the services of an excluded party even though no program payments will be made for items and services provided by that excluded party. The exclusions have national effect and also apply to all Executive Branch procurement and non-procurement programs and activities.

Subject, city, state	Effective date
PROGRAM–RELATED CONVICTIONS:	
ABRANTE, HECTOR, HIALEAH, FL	02/20/2002
ADAMS, BILLY WAYNE, FEDERAL WAY, WA	02/20/2002
BINA, SHOKROLLAH, LOS ANGELES, CA	02/20/2002
CARING RESPIRATORY SVCS, INC, CORAL GABLES, FL	09/17/2001
CARROLL, MAXIE G, TALLAHASSEE, FL	02/20/2002
CORVO, RENE, JESSUP, GA	02/20/2002
DJGLYAN, ARUTYUN, ELOY, AZ	02/20/2002
DOUGHERTY, TERRENCE W, CLAYTON, MO	02/20/2002
ENRIQUEZ, HONORIA, MIAMI, FL	02/20/2002
ESPINOZA, THELMA AUXILIADOR, SOUTHGATE, CA	02/20/2002
FAULKNER, THERESA ANN, PHOENIX, AZ	02/20/2002
FRENZI, MICHELLE L, AURORA, CO	02/20/2002
FULLER, ALISHA ANN, SPRINGFIELD, OR	02/20/2002
HING, VAN DAN, LONG BEACH, CA	02/20/2002
JACKSON, ERNESTINE W, INDIANAPOLIS, IN	02/20/2002
JACKSON, ALYSSA JOYCE, BATON ROUGE, LA	02/20/2002
JOHNSON, DOUGLAS A, ALTOONA, PA	02/20/2002
KATSNELSON, EDWARD, DENVER, CO	02/20/2002
KATSNELSON, LYUDMILA, DENVER, CO	02/20/2002
KILMER, CATHY P, TACOMA, WA	02/20/2002
LEVY, STEPHEN E, TRINIDAD, W INDIES	10/25/2000
MADDEN, EVA, DETROIT, MI	02/20/2002
MILLER, ROBERT, ARLINGTON, TX	02/09/2001
MOLSBEE, BRENDA M, TALLAHASSEE, FL	02/20/2002
PADILLA, CRISOLOGO L, BROOKLYN, NY	02/20/2002
PARONIAN, KAZAR, MISSION HILLS, CA	02/20/2002
PEREZ–ARYAN, ELIA, CORAL GABLES, FL	09/17/2001
PRICE, LESLIE E, CARY, NC	02/20/2002
SALUDO, EDUARDO Dy, LOS ANGELES, CA	02/20/2002
SCHNEIDER–RUCINSKI, NOREEN, SAN DIEGO, CA	02/20/2002
SMOLKOVICH, REGAN, ARVADA, CO	02/20/2002
STUARDO, LUIS ARTEMIO, BONITA, CA	02/20/2002
STUARDO, CAROL MARIE, BONITA, CA	02/20/2002
VILLARIZA, BEATRICE BURROLA, PALM DESERT, CA	02/20/2002
WILLIAMS–WARD, LORRAINE F, GREEN POND, SC	02/20/2002
WOODWORTH, LINDA LERENE, DANBURY, CT	02/20/2002
FELONY CONVICTION FOR HEALTH CARE FRAUD:	
AULT, ELLEN FRANCIS SCANLON, LEXINGTON, KY	02/20/2002
KOTANSKY, MICHELLE, HAZLETON, PA	02/20/2002
SMITH, LEE ALLEN, APPLE VALLEY, MN	02/20/2002
SULLIVAN, JENNIFER A, ROSLINDALE, MA	02/20/2002
FELONY CONTROLLED SUBSTANCE CONVICTION:	
AGER, ALAN LAWRENCE, SAN GERONIMO, CA	02/20/2002
BRIGGS, JOHN, KINGSPORT, TN	02/20/2002
DOUGLAS, NATALIE, BESSEMER, MI	02/20/2002
MARTINEZ, RICHARD FRANK, SAFFORD, AZ	02/20/2002
RYAN, KAREN MARIE, COLORADO SPRINGS, CO	02/20/2002
SHOCKLEY, CHERONDA KIM, ROGERSVILLE, TN	02/20/2002
PATIENT ABUSE/NEGLECT CONVICTIONS:	
ARMERO, JUAN ANTONIO, AZUSA, CA	02/20/2002
BRANCH, CURTIS, VICKSBURG, MS	02/20/2002
BULLIS, SHAWN R, DELAVAN, WI	02/20/2002
CONGER, EARLENE, ST ALBANS, VT	02/20/2002
GOMEZ, FRANCISCO JAVIER, WILDOMAR, CA	02/20/2002
HART, SHANDER S, BATON ROUGE, LA	02/20/2002
HAYES, DON JOHN, MANSURA, LA	02/20/2002
HOWARD, WANDA E, WETUMKA, OK	02/20/2002
MATHIS, PATRICIA, BRENHAM, TX	02/20/2002
MCCOY, KIM MARIE, STOCKTON, AL	02/20/2002
MCKENNEY, BRIAN, JOHNSTOWN, NY	02/20/2002
NEWTON, VALERIA RILEY, MARION, LA	02/20/2002
RAY, CHARMAINE, QUEENS, NY	02/20/2002

Subject, city, state	Effective date
ROBBINS, JAMES E, YOUNGSTOWN, OH	02/20/2002
SALAZAR-VILLAR, CIRO ALCIDES, ESCONDIDO, CA	02/20/2002
SANCHEZ-DE ARELLANO, NORA OLIV, VISTA, CA	02/20/2002
SIMPSON, VICKY D, SMITHVILLE, TN	02/20/2002
TRUDELL, SYLVIA MONTELL, PINEVILLE, LA	02/20/2002
WOOD, LEIGH ANNE, TUCSON, AZ	02/20/2002
CONVICTION FOR HEALTH CARE FRAUD:	
DICKSON, TRINA KAY, ARKANSAS CITY, KS	02/20/2002
CONTROLLED SUBSTANCE CONVICTIONS:	
SKINNER, DAWN MICHELLE, ESCONDIDO, CA	02/20/2002
LICENSE REVOCATION/SUSPENSION/SURRENDERED:	
ACKERMAN, SHARON R, AMES, IA	02/20/2002
ADAMS, STEPHANIE DIANN, CHARLOTTE, NC	02/20/2002
ALCAIDE, KELLEY KAY, SOMMERVILLE, NJ	02/20/2002
BARBEE, DEBORAH S, CHICAGO, IL	02/20/2002
BAUERNFEIND, JOYCE ELLEN, ROCHESTER, MN	02/20/2002
BELT, HARRIET A, BLACK JACK, MO	02/20/2002
BENNINGFIELD, GAYLA ANN COURTW, BRADFORDSVILLE, KY	02/20/2002
BENTSON, KRISTA L, W DES MOINES, IA	02/20/2002
BERUK, DJUANA, GREENVILLE, MS	02/20/2002
BLANGIN, BARBARA B, LAGRANGE, IL	02/20/2002
BONNELL, STEPHANIE, MONROE, NJ	02/20/2002
BRISTOL, DAVID A, BRATTLEBORO, VT	02/20/2002
BROOKS, REENE F, MATTOON, IL	02/20/2002
BROWN, KAREN ANNETTE, DENVER, CO	02/20/2002
BUNCH, LATITIA, CAMDEN, NJ	02/20/2002
CAIN, DANNY MICHAEL, ROCHESTER, MN	02/20/2002
CAPOUCH, ROBIN LYNN, BEMIDJI, MN	02/20/2002
CARRIERE, LAUREN L, WOONSOCKET, RI	02/20/2002
CARTER, MICHAEL ANSON, CHATSWORTH, CA	02/20/2002
CHENG, HUNG HUI, SAN FRANCISCO, CA	02/20/2002
CLAPP, NIOKAH, LOUSIVILLE, KY	02/20/2002
COLLENBURG, SUSAN CATHERINE, LONGVIEW, TX	02/20/2002
CONDIT, TONI R, GRAND JUNCTION, CO	02/20/2002
COVARRUBIAS-MIER, JORGE A, PHOENIX, AZ	02/20/2002
CRESWELL, DAVID, BLENCOE, IA	02/20/2002
DICASTRO, STEVEN A, PRINCETON, MA	02/20/2002
DILL, CASEY, ROSWELL, GA	02/20/2002
DOTY, MARY T, STRASBURG, IL	02/20/2002
DRUPPEL, PAUL ROBERT, FORT MADISON, IA	02/20/2002
DUCHARME, NANCY LOUISE, ST PAUL, MN	02/20/2002
EISEN, SARAH A, ELGIN, IL	02/20/2002
ESTERMAN, SIDNEY, E ORANGE, NJ	02/20/2002
FERGUSON, BONNIE S, MORRIS, IL	02/20/2002
FLIPPO, SANDRA KAY BYROM, BELL BUCKLE, TN	02/20/2002
FREEMAN, JENNIFER B, PHOENIX, AZ	02/20/2002
GARNER, DAWN L., SESSER, IL	02/20/2002
GERGANS, GREGORY A., EVANSTON, IL	02/20/2002
GOMEZ, ROBERT, YUMA, AZ	02/20/2002
HAAKE, LISA A., DES MOINES, IA	02/20/2002
HACHMEISTER, SUZANNE PEARL, WONDER LAKE, IL	02/20/2002
HADLICH, ELIZABETH MAY, ST. PAUL, MN	02/20/2002
HARLAN, CAROLYN L., INDIANAPOLIS, IN	02/20/2002
HARTLEY, LAUREL SUTCH, RICHEYVILLE, PA	02/20/2002
HASSER, CARRIE MARIE, MORA, MN	02/20/2002
HASTAD, PATRICIA KAY, BROOKLYN PARK, MN	02/20/2002
HICKMAN, DEWAYNE KEITH, ANAHEIM, CA	02/20/2002
HILBURN, CHERYL LYNN, WILMINGTON, NC	02/20/2002
HILL, CANDY RENEE, BIRMINGHAM, AL	02/20/2002
HYRY, PHILLIP WADE, ISHPEMING, MI	02/20/2002
ILOUNO, GEORGE ORANYELU, HARBOR CITY, CA	02/20/2002
IORDAMOVA, ZOYA, N. HOLLYWOOD, CA	02/20/2002
JOHNSON, KATHLEEN RUTH, MINNEAPOLIS, MN	02/20/2002
JONES, LUCRETIA ANN, SALT LAKE CITY, UT	02/20/2002
KAPOOR, QUDRAT S., ROSWELL, NM	02/20/2002
KEESEE, DIANE LYN, CHICAGO, IL	02/20/2002
KELSEY, MARIANNE BREIER, HIGH POINT, NC	02/20/2002
KIM, BYUNG CHANG, DIAMOND BAR, CA	02/20/2002
KOENIG, NANCY LOUISE, ROCHESTER, MN	02/20/2002
KUSHMER, JOHN V., TAMPA, FL	02/20/2002
LANDPHAIR, GREGORY R., STRYKERSVILLE, NY	02/20/2002
LARA, FRANK J., MESA, AZ	02/20/2002
LAWSON, ALAN R., FAYETTEVILLE, AR	02/20/2002
LEADER, WILLIAM O., LOS ANGELES, CA	02/20/2002
LEHNERTZ, LINDA LEE, OWATONNA, MN	02/20/2002
LEVY, KENNETH D. II, WINDSOR, CT	02/20/2002

Subject, city, state	Effective date
LONNES, DEBORAH JOY, ST. PAUL, MN	02/20/2002
LOOP, JERRY R., GRAND ISLAND, NE	02/20/2002
LYONS, DANA, ROEBLING, NJ	02/20/2002
MCAULEY, DONALD, PHOENIX, AZ	02/20/2002
MCCANN, JON SCOTT, RED OAK, OK	02/20/2002
MCGEE, VICKIE W., LAFAYETTE, GA	02/20/2002
MCGEE, ELIZABETH, AYNE, NJ	02/20/2002
MILLER, LORI E., ALLEN, TX	02/20/2002
MOONEY, SHARON RENE, FRANKVILLE, AL	02/20/2002
MORLEY, KIMBERLY LYNNE, LITTLETON, CO	02/20/2002
MORSE, TERRY FURR, WEXFORD, PA	02/20/2002
MUNCAN, PETAR, HOWARD BEACH, NY	02/20/2002
NEMAZEE, MAHMOUD, SANTA MONICA, CA	02/20/2002
NESTOR, TIA M., HAY SPRINGS, NE	02/20/2002
NIMMO, ZWANNAH G., PAWTUCKET, RI	02/20/2002
NOVICK, HOWARD ALAN, BREINIGSVILLE, PA	02/20/2002
O'BRIEN, DANIEL PATRICK, LEXINGTON, KY	02/20/2002
PATTY, KENNETH D., BLAIRS, VA	02/20/2002
PETERSON, CHERYL RENEE, BLOOMINGTON, MN	02/20/2002
PIER, LARRY VAUGHN, PAYSON, AZ	02/20/2002
PLANT-MAU, MARY J., CORPUS CHRISTI, TX	02/20/2002
POLLARD, WILLIAM W., CORVALLIS, OR	02/20/2002
PORTER, COLETTE S. THREATS, NORFOLK, VA	02/20/2002
PRADO, ANGEL, MANHASSET, NY	02/20/2002
PROCTOR, ROSALIND G., PHOENIX, AZ	02/20/2002
RANTALA, MARILYN JEAN, SPRINGFIELD, IL	02/20/2002
RAY, FRANCES F., DENVER, CO	02/20/2002
RICHARDS, KAY ANN, PHOENIX, AZ	02/20/2002
RYAN, GERALDINE, BRICK, NJ	02/20/2002
SAMOY, GREGORIO DALUZ, TUCSON, AZ	02/20/2002
SANDOVAL, MANUEL A, NEW BRITAIN, CT	02/20/2002
SARRACCO, LORI ANN, HAM LAKE, MN	02/20/2002
SCHLEIF, NANCY ANN, PLYMOUTH, MN	02/20/2002
SCHULTE, CYNTHIA L, KINGMAN, AZ	02/20/2002
SKORA, ALAN P, DEWITT, IA	02/20/2002
SMITH, VEE LANDIS, MINNEAPOLIS, MN	02/20/2002
SOLOMON, ABRAHAM, LONG ISLAND CITY, NY	02/20/2002
STRUWVE, SUSAN LOUISE, RAMSEY, MN	02/20/2002
STULL, AARON MYLES, ROCHESTER, MN	02/20/2002
TAMAYO, RICKY M, EL CENTRO, CA	02/20/2002
TAYLOR, CORA REBECCA, TUCSON, AZ	02/20/2002
THORNTON, JUDY LYNN, EL CAJON, CA	02/20/2002
TOTH, JEANINE MICHELLE, HONOLULU, HI	02/20/2002
TULLY, ANN MENDELSON, DOYLESTOWN, PA	02/20/2002
TUTT, KEITH E, PROVIDENCE, RI	02/20/2002
UNDERWOOD, CLYDE HAMILTON, CLARKSVILLE, AR	02/20/2002
VEJRASKA, EUGENE, ALLIANCE, NE	02/20/2002
VISSER, SUSAN C, KNOXVILLE, IA	02/20/2002
VISSER, MELINDA JAYNE, SUSANVILLE, CA	02/20/2002
WAHL, REBECCA, WESTERN, NE	02/20/2002
WAHLERS, KATHLEEN A, MUNCIE, IN	02/20/2002
WARRICK, LYNETTE ANN, ST CLOUD, MN	02/20/2002
WATKINS, DEBORAH ANN, WINCHESTER, IL	02/20/2002
WAYNE, SYLVIA, SUN CITY WEST, AZ	02/20/2002
WELCH, WENDY J, DECORAH, IA	02/20/2002
WESTMORELAND, MEREDITH H, COLUMBIA, TN	02/20/2002
WILLIAMSON, CHRIS E, CAMP VERDE, AZ	02/20/2002
WILSON, CAMILLE SUE, PENDLETON, OR	02/20/2002
WOOLDRIDGE, DOUGLAS W, WELLESLEY, MA	02/20/2002
WRIGHT, PAMELA JEAN, ROCHESTER, MN	02/20/2002
ZEMAN, LAURA MARIE, KETCHIKAN, AK	02/20/2002
FEDERAL/STATE EXCLUSION/SUSPENSION:	
KATZAP, IZEA, JAMAICA, NY	02/20/2002
MCCASKILL, EDDIE, ST LOUIS, MO	02/20/2002
SAUL, STEPHEN, MARGATE, NJ	02/20/2002
FRAUD/KICKBACKS:	
AMEX II, PHOENIX, AZ	10/09/2001
SPRIGGS, ROBERT ALAN, FAIRFIELD, CA	11/24/2000
OWNED/CONTROLLED BY CONVICTED ENTITIES:	
ADVANCED HEALTH CLINIC, MESA, AZ	02/20/2002
CHILD & ADOLESCENT INSTITUTE, BEACHWOOD, OH	02/20/2002
CHIROPRACTIC PLUS, LONGVIEW, TX	02/20/2002
CREATIVE CARE ENLIGHTENED, FT MYERS, FL	02/20/2002
M & G HEALTH CARE, INC, MIAMI, FL	02/20/2002

Subject, city, state	Effective date
MAIN STREET DENTAL ASSOCIATES, FARMINGTON, CT	12/18/2001
MICHAEL B AUSTIN, D O, P A, TAMPA, FL	02/20/2002
PSYCHIATRIC PROFESSIONAL GROUP, N OLMSTEAD, OH	02/20/2002
DEFAULT ON HEAL LOAN:	
ALEXANDER, MICHAEL A, ALIQUIPPA, PA	02/20/2002
ARGUEDAS, WALTER G, HIALEAH, FL	02/20/2002
BELLER, BRYAN D, SOUTHGATE, MI	02/20/2002
CAFAGNA, MARK WILLIAM SR, WEST HILLS, CA	02/20/2002
CAGLE, LARRY S, AHOSKIE, NC	02/20/2002
CARR, GUY A, HUTCHINSON, KS	02/20/2002
CONSTANTINESCU, SERBAN CRISTIA, PHILADELPHIA, PA	02/20/2002
COOPER, SHIRLEY T, LANSDALE, PA	02/20/2002
CRAIG, BRADLEY D, SNOWFLAKE, AZ	02/20/2002
DE JESUS-MIRANDA, LUIS A, SAN JUAN, PR	02/20/2002
DIENER, ROBERT B, AUBURNDALE, MA	02/20/2002
DONELSON, RICHARD BARTON, PHOENIX, AZ	02/20/2002
EATON, GARY D, SPRINGFIELD, MO	02/20/2002
ELLZEY, PAUL D, PRATTVILLE, AL	02/20/2002
FISHBOUGH, ROSS E, BENSLAEM, PA	02/20/2002
FLOYD, THOMAS PARKER, TRUFANT, MI	02/20/2002
GREETHONG, KITIMAN, IRVINE, CA	02/20/2002
HAGEN, CALVIN P, KANSAS CITY, MO	02/20/2002
HANSEN, KRIS T, ST GEORGE, UT	02/20/2002
HORNIG-ROHAN, JAMES EDWARD, SENECA, SC	02/20/2002
IBRIK, AMIR, SYRACUSE, NY	02/20/2002
KALMAN, BETSY S, RICHMOND HILL, NY	02/20/2002
KRUGMAN, LINDA L, LEXINGTON, KY	02/20/2002
LE SAGE, SAHARA ADAMS, LEAGUE CITY, TX	02/20/2002
LEONELLI, DAVID ROMAN SR, LOS ANGELES, CA	02/20/2002
LEWIS, STEVEN R, IRVING, TX	02/20/2002
LINSTEADT, ELIZABETH M, DENISON, TX	02/20/2002
LUCEY, TIMOTHY D, NEWBURGH, NY	02/20/2002
MARTINEZ, DANIEL A, REDLANDS, CA	02/20/2002
MASSAKOWSKI, EDWARD A, BENSALEM, PA	02/20/2002
MCGHEE, STEPHANIE Y, HOUSTON, TX	02/20/2002
MCINNES, THOMAS K, POOLESVILLE, MD	02/20/2002
MEINHOLD, STEVEN DALE, OMAHA, NE	02/20/2002
MONICA, JULIANNE H, SPRING LAKE, NJ	02/20/2002
NEWELL, DAVID CLIFFORD, FORT BRAGG, CA	02/20/2002
OWCZAREK, KEITH VINCENT, MARYSVILLE, WA	02/20/2002
PATT, RICHARD H, NEW YORK, NY	02/20/2002
PEISS, STUART, HOFFMAN ESTATES, IL	02/20/2002
PHILLIPS, THADDEUS HILLARD III, SAN ANTONIO, TX	02/20/2002
PORTNOW, ROBERT THOMAS, CLEVELAND, OH	02/20/2002
RAMU, NALAYA, LOS ANGELES, CA	02/20/2002
RASHTI, KOUROS, TARZANA, CA	02/20/2002
RICHBERG, MARK H, PHILADELPHIA, PA	02/20/2002
RIGNEY, MARK EDWARD, OKLAHOMA CITY, OK	02/20/2002
ROMERO, JOHN JOSEPH, ALBURQUERQUE, NM	02/20/2002
RORRER, MARK TIMOTHY, CLAYTON, OH	02/20/2002
ROZENBERG, RONALD L, LEVITTOWN, NY	02/20/2002
RUSSELL, BILL, ST LOUIS, MO	02/20/2002
SAID, SAED M, UNIONVILLE, CT	12/18/2001
SANDOR, GEORGE JOSEPH, NEW YORK, NY	02/20/2002
SAUTMAN, SATPAL K, PLANTATION, FL	02/20/2002
SCHWARTZ, FRANCIS XAVIER JR, OAKLAND, CA	02/20/2002
SCHWARZ-MANDRACCHIA, DENISE MA, WINTERSET, IA	02/20/2002
SLOTNICK, ROBIN T, CLEVELAND, OH	02/20/2002
STOCK, ANN M, BELLEVILLE, IL	02/20/2002
THOMPSON, JANETTE A, SILVER SPRING, MD	02/20/2002
TOLIVER, EDWARD C, CHICAGO, IL	02/20/2002
VESTICH, GEORGE T, RICHMOND, OH	02/20/2002
VILLANO, GUY JOHN, NISKAYUNA, NY	02/20/2002
WALCHER, KEVIN RAY, BOOKER, TX	02/20/2002
WALTERS, BRIAN D JR, SEATTLE, WA	02/20/2002
WAN, JAMES Y, MOBILE, AL	02/20/2002
WHEDBEE, JOSEPH IRELAND, REDLANDS, CA	02/20/2002
WILLIAMS, ERIC A, TOWSON, MD	02/20/2002
WILSON, RONALD E, DETROIT, MI	02/20/2002
YODER, KYLE JAY, REDWOOD CITY, CA	02/20/2002
ZIMMERMAN, MARY L P, OCONOMOWOL, WI	02/20/2002

Dated: February 4, 2002.

Calvin Anderson, Jr.,

Director, Health Care Administrative Sanctions, Office of Inspector General.

[FR Doc. 02–4868 Filed 2–28–02; 8:45 am]

BILLING CODE 4150–04–P

DEPARTMENT OF THE INTERIOR

Office of the Secretary

Delaware & Lehigh National Heritage Corridor Commission Meeting

AGENCY: Department of the 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, March 8, 2002, Time 1:30 p.m. to 4 p.m.

ADDRESSES: Easton City Hall, 1 South Third Street, Easton, PA 18042.

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 subdivision 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.

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.

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.

Dated: February 25, 2002.

C. Allen Sachse,

Executive Director, Delaware & Lehigh National Heritage Corridor Commission.

[FR Doc. 02–4887 Filed 2–28–02; 8:45 am]

BILLING CODE 6820–PE–M

DEPARTMENT OF THE INTERIOR

[OR–030–1020–PG; G 02–0061]

Bureau of Land Management

AGENCY: Bureau of Land Management (BLM), Vale District, Interior.

ACTION: Meeting notice for the Southeast Oregon Resource Advisory Council.

SUMMARY: The Southeast Oregon Resource Advisory Council (SEORAC) will meet at the Holiday Inn Conference Room, 1249 Tapadera Avenue, Ontario, OR 97914 from 8 a.m. to 5 p.m., Mountain Standard Time (MST), on Monday, April 15, 2002, and conduct a field tour to discuss the Southeast Oregon Resource Management Plan and the Lakeview Resource Management Plan, on Tuesday, April 16, 2002. Contact the BLM office listed below for exact time as the tour date approaches.

The meeting topics to be discussed by the Council will include a discussion of issues within southeast Oregon related to the Recreation Fee Demonstration program, Sage Grouse update, Special Recreation Use Permits and recreation issues addressed in the Lakeview and the Southeast Oregon Resource Management Plans. We also plan to set meeting dates for 2002, the Federal officials' update, and such other matters as may reasonably come before the Council. The entire meeting is open to the public. Information to be distributed to the Council members is requested in written format 10 days prior to the start of the Council meeting. Public comment is scheduled for 11:15 a.m. to 11:45 a.m., MST on Monday, April 15, 2002.

FOR FURTHER INFORMATION CONTACT: Additional information concerning the SEORAC may be obtained from Peggy Diegan, Support Services Supervisor/Webmaster, Vale District Office, 100 Oregon Street, Vale, OR 97918 (541) 473–3144, or *Peggy_Diegan@or.blm.gov* or from the following web site <*http://www.or.blm.gov/SEOR–RAC*>.

Dated: December 20, 2001.

Sandra L. Guches,

Associate District Manager.

[FR Doc. 02–4879 Filed 2–28–02; 8:45 am]

BILLING CODE 4310–33–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 731–TA–744 (Review)]

Brake Rotors From China

AGENCY: International Trade Commission.

ACTION: Institution of a five-year review concerning the antidumping duty order on brake rotors from China.

SUMMARY: The Commission hereby gives notice that it has instituted a review pursuant to section 751(c) of the Tariff Act of 1930 (19 U.S.C. 1675(c)) (the Act) to determine whether revocation of the antidumping duty order on brake rotors from China would be likely to lead to continuation or recurrence of material injury. Pursuant to section 751(c)(2) of the Act, interested parties are requested to respond to this notice by submitting the information specified below to the Commission; [1] to be assured of consideration, the deadline for responses is April 22, 2002. Comments on the adequacy of responses may be filed with the Commission by May 15, 2002. For further information concerning the conduct of this review 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, D, E, and F (19 CFR part 207).

EFFECTIVE DATE: March 1, 2002.

FOR FURTHER INFORMATION CONTACT: Mary Messer (202–205–3193), 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*. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS–ON–LINE) at *http://dockets.usitc.gov/eol/public.*

SUPPLEMENTARY INFORMATION:

Background

On April 17, 1997, the Department of Commerce issued an antidumping duty order on imports of brake rotors from China (62 FR 18740). The Commission is conducting a review to determine whether revocation of the order would be likely to lead to continuation or recurrence of material injury to the domestic industry within a reasonably foreseeable time. It will assess the adequacy of interested party responses to this notice of institution to determine whether to conduct a full review or an

[1] No response to this request for information is required if a currently valid Office of Management and Budget (OMB) number is not displayed; the OMB number is 3117–0016/USITC No. 02–5–068, expiration date July 31, 2002. Public reporting burden for the request is estimated to average 7 hours per response. Please send comments regarding the accuracy of this burden estimate to the Office of Investigations, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436.

expedited review. The Commission's determination in any expedited review will be based on the facts available, which may include information provided in response to this notice.

Definitions

The following definitions apply to this review:

(1) *Subject Merchandise* is the class or kind of merchandise that is within the scope of the five-year review, as defined by the Department of Commerce.

(2) The *Subject Country* in this review is China.

(3) The *Domestic Like Product* is the domestically produced product or products which are like, or in the absence of like, most similar in characteristics and uses with, the *Subject Merchandise.* In its original determination, the Commission defined the *Domestic Like Product* as aftermarket brake rotors.

(4) The *Domestic Industry* is the U.S. producers as a whole of the *Domestic Like Product*, or those producers whose collective output of the *Domestic Like Product* constitutes a major proportion of the total domestic production of the product. In its original determination, the Commission defined the *Domestic Industry* as producers of aftermarket brake rotors. The Commission also determined that appropriate circumstances existed to exclude AlliedSignal from the domestic aftermarket rotor industry as a related party.

(5) The *Order Date* is the date that the antidumping duty order under review became effective. In this review, the *Order Date* is April 17, 1997.

(6) An *Importer* is any person or firm engaged, either directly or through a parent company or subsidiary, in importing the *Subject Merchandise* into the United States from a foreign manufacturer or through its selling agent.

Participation in the Review 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 review as parties must file an entry of appearance with the Secretary to the Commission, as provided in section 201.11(b)(4) of the Commission's rules, no later than 21 days after publication of this notice in the **Federal Register**. The Secretary will maintain a public service list containing the names and addresses of all persons, or their representatives, who are parties to the review.

Former Commission employees who are seeking to appear in Commission five-year reviews are reminded that they are required, pursuant to 19 CFR 201.15, to seek Commission approval if the matter in which they are seeking to appear was pending in any manner or form during their Commission employment. The Commission's designated agency ethics official has advised that a five-year review is the ''same particular matter'' as the underlying original investigation for purposes of 19 CFR 201.15 and 18 U.S.C. 207, the post employment statute for Federal employees. Former employees may seek informal advice from Commission ethics officials with respect to this and the related issue of whether the employee's participation was ''personal and substantial.'' However, any informal consultation will not relieve former employees of the obligation to seek approval to appear from the Commission under its rule 201.15. For ethics advice, contact Carol McCue Verratti, Deputy Agency Ethics Official, at 202–205–3088.

Limited Disclosure of Business Proprietary Information (BPI) Under an Administrative Protective Order (APO) and APO Service List

Pursuant to section 207.7(a) of the Commission's rules, the Secretary will make BPI submitted in this review available to authorized applicants under the APO issued in the review, provided that the application is made no later than 21 days after publication of this notice in the **Federal Register**. Authorized applicants must represent interested parties, as defined in 19 U.S.C. 1677(9), who are parties to the review. A separate service list will be maintained by the Secretary for those parties authorized to receive BPI under the APO.

Certification

Pursuant to section 207.3 of the Commission's rules, any person submitting information to the Commission in connection with this review must certify that the information is accurate and complete to the best of the submitter's knowledge. In making the certification, the submitter will be deemed to consent, unless otherwise specified, for the Commission, its employees, and contract personnel to use the information provided in any other reviews or investigations of the same or comparable products which the Commission conducts under Title VII of the Act, or in internal audits and investigations relating to the programs and operations of the Commission pursuant to 5 U.S.C. Appendix 3.

Written Submissions

Pursuant to section 207.61 of the Commission's rules, each interested party response to this notice must provide the information specified below. The deadline for filing such responses is April 22, 2002. Pursuant to section 207.62(b) of the Commission's rules, eligible parties (as specified in Commission rule 207.62(b)(1)) may also file comments concerning the adequacy of responses to the notice of institution and whether the Commission should conduct an expedited or full review. The deadline for filing such comments is May 15, 2002. All written submissions must conform with the provisions of sections 201.8 and 207.3 of the Commission's rules and any submissions that contain BPI must also conform with the requirements of sections 201.6 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. Also, in accordance with sections 201.16(c) and 207.3 of the Commission's rules, each document filed by a party to the review must be served on all other parties to the review (as identified by either the public or APO service list as appropriate), and a certificate of service must accompany the document (if you are not a party to the review you do not need to serve your response).

Inability To Provide Requested Information

Pursuant to section 207.61(c) of the Commission's rules, any interested party that cannot furnish the information requested by this notice in the requested form and manner shall notify the Commission at the earliest possible time, provide a full explanation of why it cannot provide the requested information, and indicate alternative forms in which it can provide equivalent information. If an interested party does not provide this notification (or the Commission finds the explanation provided in the notification inadequate) and fails to provide a complete response to this notice, the Commission may take an adverse inference against the party pursuant to section 776(b) of the Act in making its determination in the review.

Information To Be Provided in Response to This Notice of Institution

As used below, the term ''firm'' includes any related firms.

(1) The name and address of your firm or entity (including World Wide Web address if available) and name,

telephone number, fax number, and E-mail address of the certifying official.

(2) A statement indicating whether your firm/entity is a U.S. producer of the *Domestic Like Product*, a U.S. union or worker group, a U.S. importer of the *Subject Merchandise*, a foreign producer or exporter of the *Subject Merchandise*, a U.S. or foreign trade or business association, or another interested party (including an explanation). If you are a union/worker group or trade/business association, identify the firms in which your workers are employed or which are members of your association.

(3) A statement indicating whether your firm/entity is willing to participate in this review by providing information requested by the Commission.

(4) A statement of the likely effects of the revocation of the antidumping duty order on the *Domestic Industry* in general and/or your firm/entity specifically. In your response, please discuss the various factors specified in section 752(a) of the Act (19 U.S.C. 1675a(a)) including the likely volume of subject imports, likely price effects of subject imports, and likely impact of imports of *Subject Merchandise* on the *Domestic Industry*.

(5) A list of all known and currently operating U.S. producers of the *Domestic Like Product*. Identify any known related parties and the nature of the relationship as defined in section 771(4)(B) of the Act (19 U.S.C. 1677(4)(B)).

(6) A list of all known and currently operating U.S. importers of the *Subject Merchandise* and producers of the *Subject Merchandise* in the *Subject Country* that currently export or have exported *Subject Merchandise* to the United States or other countries since 1996.

(7) If you are a U.S. producer of the *Domestic Like Product*, provide the following information on your firm's operations on that product during calendar year 2001 (report quantity data in units and value data in U.S. dollars, f.o.b. plant). If you are a union/worker group or trade/business association, provide the information, on an aggregate basis, for the firms in which your workers are employed/which are members of your association.

(a) Production (quantity) and, if known, an estimate of the percentage of total U.S. production of the *Domestic Like Product* accounted for by your firm's(s') production;

(b) the quantity and value of U.S. commercial shipments of the *Domestic Like Product* produced in your U.S. plant(s); and

(c) the quantity and value of U.S. internal consumption/company transfers of the *Domestic Like Product* produced in your U.S. plant(s).

(8) If you are a U.S. importer or a trade/business association of U.S. importers of the *Subject Merchandise* from the *Subject Country*, provide the following information on your firm's(s') operations on that product during calendar year 2001 (report quantity data in units and value data in U.S. dollars). If you are a trade/business association, provide the information, on an aggregate basis, for the firms which are members of your association.

(a) The quantity and value (landed, duty-paid but not including antidumping or countervailing duties) of U.S. imports and, if known, an estimate of the percentage of total U.S. imports of *Subject Merchandise* from the *Subject Country* accounted for by your firm's(s') imports;

(b) the quantity and value (f.o.b. U.S. port, including antidumping and/or countervailing duties) of U.S. commercial shipments of *Subject Merchandise* imported from the *Subject Country*; and

(c) the quantity and value (f.o.b. U.S. port, including antidumping and/or countervailing duties) of U.S. internal consumption/company transfers of *Subject Merchandise* imported from the *Subject Country*.

(9) If you are a producer, an exporter, or a trade/business association of producers or exporters of the *Subject Merchandise* in the *Subject Country*, provide the following information on your firm's(s') operations on that product during calendar year 2001 (report quantity data in units and value data in U.S. dollars, landed and duty-paid at the U.S. port but not including antidumping or countervailing duties). If you are a trade/business association, provide the information, on an aggregate basis, for the firms which are members of your association.

(a) Production (quantity) and, if known, an estimate of the percentage of total production of *Subject Merchandise* in the *Subject Country* accounted for by your firm's(s') production; and

(b) the quantity and value of your firm's(s') exports to the United States of *Subject Merchandise* and, if known, an estimate of the percentage of total exports to the United States of *Subject Merchandise* from the *Subject Country* accounted for by your firm's(s') exports.

(10) Identify significant changes, if any, in the supply and demand conditions or business cycle for the *Domestic Like Product* that have occurred in the United States or in the market for the *Subject Merchandise* in the *Subject Country* since the *Order Date*, and significant changes, if any, that are likely to occur within a reasonably foreseeable time. Supply conditions to consider include technology; production methods; development efforts; ability to increase production (including the shift of production facilities used for other products and the use, cost, or availability of major inputs into production); and factors related to the ability to shift supply among different national markets (including barriers to importation in foreign markets or changes in market demand abroad). Demand conditions to consider include end uses and applications; the existence and availability of substitute products; and the level of competition among the *Domestic Like Product* produced in the United States, *Subject Merchandise* produced in the *Subject Country*, and such merchandise from other countries.

(11) (Optional) A statement of whether you agree with the above definitions of the *Domestic Like Product* and *Domestic Industry*; if you disagree with either or both of these definitions, please explain why and provide alternative definitions.

Authority: This review is being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.61 of the Commission's rules.

Issued: February 22, 2002.

By Order of the Commission.

Marilyn R. Abbott,

Acting Secretary.

[FR Doc. 02–4921 Filed 2–28–02; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigations Nos. 731–TA–741, 742, and 743 (Review)]

Melamine Institutional Dinnerware From China, Indonesia, and Taiwan

AGENCY: United States International Trade Commission.

ACTION: Termination of five-year reviews.

SUMMARY: The subject five-year reviews were initiated in January 2002 to determine whether revocation of the antidumping duty orders on melamine institutional dinnerware from China, Indonesia, and Taiwan would be likely to lead to continuation or recurrence of dumping and of material injury to a domestic industry. On February 19, 2002, the Department of Commerce published notice that it was revoking the orders effective February 25, 2002 because ''no domestic interested party responded to the sunset review notice of

initiation by the applicable deadline'' (67 FR 7355). Accordingly, pursuant to section 751(c) of the Tariff Act of 1930 (19 U.S.C. 1675(c)), the subject reviews are terminated.

EFFECTIVE DATE: February 25, 2002.

FOR FURTHER INFORMATION CONTACT: Lynn Featherstone (202–205–3160), Office of Investigations, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436. 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 also be obtained by accessing its internet server *(http://www.usitc.gov).* The public record for this investigation may be viewed on the Commission's electronic docket (EDIS-ON-LINE) at *http://dockets.usitc.gov/eol/public.*

Authority: These reviews are being terminated under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.69 of the Commission's rules (19 CFR 207.69).

Issued: February 25, 2002.

By Order of the Commission.

Marilyn R. Abbott,

Acting Secretary.

[FR Doc. 02–4881 Filed 2–28–02; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 731–TA–745 (Review)]

Steel Concrete Reinforcing Bar From Turkey

AGENCY: International Trade Commission.

ACTION: Institution of a five-year review concerning the antidumping duty order on steel concrete reinforcing bar (rebar) from Turkey.

SUMMARY: The Commission hereby gives notice that it has instituted a review pursuant to section 751(c) of the Tariff Act of 1930 (19 U.S.C. 1675(c)) (the Act) to determine whether revocation of the antidumping duty order on rebar from Turkey would be likely to lead to continuation or recurrence of material injury. Pursuant to section 751(c)(2) of the Act, interested parties are requested to respond to this notice by submitting the information specified below to the Commission;[1] to be assured of consideration, the deadline for responses is April 22, 2002. Comments on the adequacy of responses may be filed with the Commission by May 15, 2002. For further information concerning the conduct of this review 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, D, E, and F (19 CFR part 207).

EFFECTIVE DATE: March 1, 2002.

FOR FURTHER INFORMATION CONTACT: Mary Messer (202–205–3193), 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.* The public record for this investigation may be viewed on the Commission's electronic docket (EDIS–ON–LINE) at *http://dockets.usitc.gov/eol/public.*

SUPPLEMENTARY INFORMATION:

Background

On April 17, 1997, the Department of Commerce issued an antidumping duty order on imports of rebar from Turkey (62 FR 18748). The Commission is conducting a review to determine whether revocation of the order would be likely to lead to continuation or recurrence of material injury to the domestic industry within a reasonably foreseeable time. It will assess the adequacy of interested party responses to this notice of institution to determine whether to conduct a full review or an expedited review. The Commission's determination in any expedited review will be based on the facts available, which may include information provided in response to this notice.

[1] No response to this request for information is required if a currently valid Office of Management and Budget (OMB) number is not displayed; the OMB number is 3117–0016/USITC No. 02–5–069, expiration date July 31, 2002. Public reporting burden for the request is estimated to average 7 hours per response. Please send comments regarding the accuracy of this burden estimate to the Office of Investigations, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436.

Definitions

The following definitions apply to this review:

(1) *Subject Merchandise* is the class or kind of merchandise that is within the scope of the five-year review, as defined by the Department of Commerce.

(2) The *Subject Country* in this review is Turkey.

(3) The *Domestic Like Product* is the domestically produced product or products which are like, or in the absence of like, most similar in characteristics and uses with, the *Subject Merchandise*. In its original determination, the Commission defined the *Domestic Like Product* as all stock deformed rebar, excluding plain round rebar, and fabricated or coated rebar.

(4) The *Domestic Industry* is the U.S. producers as a whole of the *Domestic Like Product*, or those producers whose collective output of the *Domestic Like Product* constitutes a major proportion of the total domestic production of the product. In its original determination, the Commission found ''appropriate circumstances'' existed to conduct a regional industry analysis and defined the *Domestic Industry* as all producers of stock deformed rebar within the Eastern Tier region.[2]

(5) The *Order Date* is the date that the antidumping duty order under review became effective. In this review, the *Order Date* is April 17, 1997.

(6) An *Importer* is any person or firm engaged, either directly or through a parent company or subsidiary, in importing the *Subject Merchandise* into the United States from a foreign manufacturer or through its selling agent.

Participation in the Review 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 review as parties must file an entry of appearance with the Secretary to the Commission, as provided in § 201.11(b)(4) of the Commission's rules, no later than 21 days after publication of this notice in the **Federal Register**. The Secretary will maintain a public service list containing the names and addresses of all persons, or their representatives, who are parties to the review.

[2] The Eastern Tier Region is comprised of the following: Maine, New Hampshire, Connecticut, Massachusetts, Rhode Island, Vermont, New Jersey, New York, Pennsylvania, Delaware, Florida, Georgia, Louisiana, Maryland, North Carolina, South Carolina, Virginia, West Virginia, Alabama, Kentucky, Mississippi, Tennessee, the District of Columbia, and Puerto Rico.

Former Commission employees who are seeking to appear in Commission five-year reviews are reminded that they are required, pursuant to 19 CFR 201.15, to seek Commission approval if the matter in which they are seeking to appear was pending in any manner or form during their Commission employment. The Commission's designated agency ethics official has advised that a five-year review is the ''same particular matter'' as the underlying original investigation for purposes of 19 CFR 201.15 and 18 U.S.C. 207, the post employment statute for Federal employees. Former employees may seek informal advice from Commission ethics officials with respect to this and the related issue of whether the employee's participation was ''personal and substantial.'' However, any informal consultation will not relieve former employees of the obligation to seek approval to appear from the Commission under its rule 201.15. For ethics advice, contact Carol McCue Verratti, Deputy Agency Ethics Official, at 202–205–3088.

Limited Disclosure of Business Proprietary Information (BPI) Under an Administrative Protective Order (APO) and APO Service List

Pursuant to § 207.7(a) of the Commission's rules, the Secretary will make BPI submitted in this review available to authorized applicants under the APO issued in the review, provided that the application is made no later than 21 days after publication of this notice in the **Federal Register**. Authorized applicants must represent interested parties, as defined in 19 U.S.C. 1677(9), who are parties to the review. A separate service list will be maintained by the Secretary for those parties authorized to receive BPI under the APO.

Certification

Pursuant to section 207.3 of the Commission's rules, any person submitting information to the Commission in connection with this review must certify that the information is accurate and complete to the best of the submitter's knowledge. In making the certification, the submitter will be deemed to consent, unless otherwise specified, for the Commission, its employees, and contract personnel to use the information provided in any other reviews or investigations of the same or comparable products which the Commission conducts under Title VII of the Act, or in internal audits and investigations relating to the programs and operations of the Commission pursuant to 5 U.S.C. Appendix 3.

Written Submissions

Pursuant to section 207.61 of the Commission's rules, each interested party response to this notice must provide the information specified below. The deadline for filing such responses is April 22, 2002. Pursuant to section 207.62(b) of the Commission's rules, eligible parties (as specified in Commission rule 207.62(b)(1)) may also file comments concerning the adequacy of responses to the notice of institution and whether the Commission should conduct an expedited or full review. The deadline for filing such comments is May 15, 2002. All written submissions must conform with the provisions of sections 201.8 and 207.3 of the Commission's rules and any submissions that contain BPI must also conform with the requirements of sections 201.6 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. Also, in accordance with sections 201.16(c) and 207.3 of the Commission's rules, each document filed by a party to the review must be served on all other parties to the review (as identified by either the public or APO service list as appropriate), and a certificate of service must accompany the document (if you are not a party to the review you do not need to serve your response).

Inability To Provide Requested Information

Pursuant to section 207.61(c) of the Commission's rules, any interested party that cannot furnish the information requested by this notice in the requested form and manner shall notify the Commission at the earliest possible time, provide a full explanation of why it cannot provide the requested information, and indicate alternative forms in which it can provide equivalent information. If an interested party does not provide this notification (or the Commission finds the explanation provided in the notification inadequate) and fails to provide a complete response to this notice, the Commission may take an adverse inference against the party pursuant to section 776(b) of the Act in making its determination in the review.

Information To Be Provided in Response to This Notice of Institution

As used below, the term ''firm'' includes any related firms.

(1) The name and address of your firm or entity (including World Wide Web address if available) and name, telephone number, fax number, and e-mail address of the certifying official.

(2) A statement indicating whether your firm/entity is a U.S. producer of the *Domestic Like Product*, a U.S. union or worker group, a U.S. importer of the *Subject Merchandise*, a foreign producer or exporter of the *Subject Merchandise*, a U.S. or foreign trade or business association, or another interested party (including an explanation). If you are a union/worker group or trade/business association, identify the firms in which your workers are employed or which are members of your association.

(3) A statement indicating whether your firm/entity is willing to participate in this review by providing information requested by the Commission.

(4) A statement of the likely effects of the revocation of the antidumping duty order on the *Domestic Industry* in general and/or your firm/entity specifically. In your response, please discuss the various factors specified in section 752(a) of the Act (19 U.S.C. 1675a(a)) including the likely volume of subject imports, likely price effects of subject imports, and likely impact of imports of *Subject Merchandise* on the *Domestic Industry*.

(5) A list of all known and currently operating U.S. producers of the *Domestic Like Product*. Identify any known related parties and the nature of the relationship as defined in section 771(4)(B) of the Act (19 U.S.C. 1677(4)(B)).

(6) A list of all known and currently operating U.S. importers of the *Subject Merchandise* and producers of the *Subject Merchandise* in the *Subject Country* that currently export or have exported *Subject Merchandise* to the United States or other countries since 1996.

(7) If you are a U.S. producer of the *Domestic Like Product*, provide the following information on your firm's operations on that product during calendar year 2001 (report quantity data in short tons and value data in U.S. dollars, f.o.b. plant). If you are a union/worker group or trade/business association, provide the information, on an aggregate basis, for the firms in which your workers are employed/which are members of your association.

(a) Production (quantity) and, if known, an estimate of the percentage of total U.S. production and of Eastern Tier regional production of the *Domestic Like Product* accounted for by your firm's(s') production;

(b) the quantity and value of U.S. commercial shipments of the *Domestic Like Product* produced in your U.S. plant(s); and

(c) the quantity and value of U.S. internal consumption/company transfers of the *Domestic Like Product* produced in your U.S. plant(s).

(8) If you are a U.S. importer or a trade/business association of U.S. importers of the *Subject Merchandise* from the *Subject Country*, provide the following information on your firm's(s') operations on that product during calendar year 2001 (report quantity data in short tons and value data in U.S. dollars). If you are a trade/business association, provide the information, on an aggregate basis, for the firms which are members of your association.

(a) The quantity and value (landed, duty-paid but not including antidumping or countervailing duties) of U.S. imports and, if known, an estimate of the percentage of total U.S. imports and of Eastern Tier regional imports of *Subject Merchandise* from the *Subject Country* accounted for by your firm's(s') imports;

(b) the quantity and value (f.o.b. U.S. port, including antidumping and/or countervailing duties) of U.S. commercial shipments of *Subject Merchandise* imported from the *Subject Country;* and

(c) the quantity and value (f.o.b. U.S. port, including antidumping and/or countervailing duties) of U.S. internal consumption/company transfers of *Subject Merchandise* imported from the *Subject Country*.

(9) If you are a producer, an exporter, or a trade/business association of producers or exporters of the *Subject Merchandise* in the *Subject Country*, provide the following information on your firm's(s') operations on that product during calendar year 2001 (report quantity data in short tons and value data in U.S. dollars, landed and duty-paid at the U.S. port but not including antidumping or countervailing duties). If you are a trade/business association, provide the information, on an aggregate basis, for the firms which are members of your association.

(a) Production (quantity) and, if known, an estimate of the percentage of total production of *Subject Merchandise* in the *Subject Country* accounted for by your firm's(s') production; and

(b) the quantity and value of your firm's(s') exports to the United States of *Subject Merchandise* and, if known, an estimate of the percentage of total exports to the United States and to the Eastern Tier region of *Subject Merchandise* from the *Subject Country* accounted for by your firm's(s') exports.

(10) Identify significant changes, if any, in the supply and demand conditions or business cycle for the *Domestic Like Product* that have occurred in the United States or in the market for the *Subject Merchandise* in the *Subject Country* since the *Order Date,* and significant changes, if any, that are likely to occur within a reasonably foreseeable time. Supply conditions to consider include technology; production methods; development efforts; ability to increase production (including the shift of production facilities used for other products and the use, cost, or availability of major inputs into production); and factors related to the ability to shift supply among different national markets (including barriers to importation in foreign markets or changes in market demand abroad). Demand conditions to consider include end uses and applications; the existence and availability of substitute products; and the level of competition among the *Domestic Like Product* produced in the United States, *Subject Merchandise* produced in the *Subject Country*, and such merchandise from other countries.

(11) (Optional) A statement of whether you agree with the above definitions of the *Domestic Like Product* and *Domestic Industry;* if you disagree with either or both of these definitions, please explain why and provide alternative definitions.

Authority: This review is being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.61 of the Commission's rules.

Issued: February 22, 2002.

By Order of the Commission.

Marilyn R. Abbott,

Acting Secretary.

[FR Doc. 02–4922 Filed 2–28–02; 8:45 am]

BILLING CODE 7020–02–P

DEPARTMENT OF JUSTICE

Civil Division; Agency Information Collection Activities, Proposed Collection; Comments Requested

ACTION: 60-day notice of information collection under review: revision of a currently approved collection; claims under the Radiation Exposure Compensation Act.

The Department of Justice (DOJ), Civil Division has submitted the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies. Comments are encouraged and will be accepted for ''sixty days'' until April 30, 2002. This process is conducted in accordance with 5 CFR 1320.10.

If you have comments especially on the estimated public burden or response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Dianne Spellberg, Senior Counsel, Torts Branch, Civil Division, P.O. Box 146, Ben Franklin Station, Washington, DC 20044–0146.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the 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, including the validity of the methodology and the assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of the appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Overview of This Information Collection

(1) *Type of Information Collection:* Revision of a currently approved collection.

(2) *Title of the Form/Collection:* Claims Under the Radiation Exposure Compensation Act.

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection: Form Number:* N/A. Torts Branch, Civil Division, Department of Justice.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract: Primary:* Individuals who resided near the Nevada Test Site; former uranium miners and millers; individuals employed in the transport of uranium ore; and, individuals who participated onsite in an atmospheric nuclear test.

Other: None.

Abstract: This form collects information to determine whether an individual is entitled to compensation under the Radiation Exposure Compensation Act, 42 U.S.C.A. 2210 note (West Supp. 2001).

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* 3000 responses are estimated annually with an average of 2.5 hours per response.

(6) *An estimation of the total public burden (in hours) associated with the collection:* 7500 hours annually.

If additional information is required contact: Robert B. Briggs, Department Clearance Officer, Information Management and Security Staff, Justice Management Division, United States Department of Justice, Patrick Henry Building, Suite 1600, 601 D Street, NW., Washington, DC 20530.

Dated: February 25, 2002.

Robert B. Briggs,

Department Clearance Officer, Department of Justice.

[FR Doc. 02–4878 Filed 2–28–02; 8:45 am]

BILLING CODE 4410–12–M

DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

Agency Information Collection Activities; Comment Request

ACTION: 60-day Notice of information Collection under review; request for hearing on a decision in naturalization proceedings under section 336; Form N–336.

The Department of Justice, Immigration and Naturalization Service has submitted the following information collection request for review and clearance in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies. Comments are encouraged and will be accepted for sixty days until April 30, 2002.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility.

(2) Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Overview of this information collection:

(1) *Type of Information Collection:* Extension of a currently approved collection.

(2) *Title of the Form/Collection:* Request for Hearing on a Decision in Naturalization Proceedings under Section 336.

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* Form N–336. Adjudications Division, Immigration and Naturalization Service.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: Individuals or households. This form will be used by applicants for naturalization to pursue the only avenue available to them in the appeal process.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* 7,669 responses at 165 minutes (2.75) per response.

(6) *An estimate of the total public burden (in hours) associated with the collection:* 21,090 annual burden hours.

If you have additional comments, suggestions, or need a copy of the proposed information collection instrument with instructions, or additional information, please contact Richard A. Sloan 202–514–3291, Director, Policy Directives and Instructions Branch, Immigration and Naturalization Service, U.S. Department of Justice, Room 4034, 425 I Street, NW., Washington, DC 20536. Additionally, comments and/or suggestions regarding the item(s) contained in this notice, especially regarding the estimated public burden and associated response time may also be directed to Mr. Richard A. Sloan.

If additional information is required contact: Mr. Robert B. Briggs, Clearance Officer, United States Department of Justice, Information Management and Security Staff, Justice Management Division, Patrick Henry Building, 601 D Street, NW., Washington, DC 20530.

Dated: February 25, 2002.

Richard A. Sloan,

Department Clearance Officer, Department of Justice, Immigration and Naturalization Service.

[FR Doc. 02–4894 Filed 2–28–02; 8:45 am]

BILLING CODE 4410–10–M

DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

Agency Information Collection Activities: Proposed Collection; Comment Request

ACTION: 60-day notice of information collection under review; Guam Visa Waiver Agreement; Form I–760.

The Department of Justice, Immigration and Naturalization Service has submitted the following information collection request for review and clearance in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies. Comments are encouraged and will be accepted for sixty days until April 30, 2002.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Overview of this information collection:

(1) *Type of Information Collection:* Extension of a currently approved collection.

(2) *Title of the Form/Collection:* Guam Visa Waiver Agreement.

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the*

collection: Form I–760. Inspections Division, Immigration and Naturalization Service.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract: Primary:* Business or other for-profit. Public Law 99–396 provides for certain aliens to be exempt from the nonimmigrant visa requirements if seeking entry into and stay on Guam as a visitor under certain conditions. This form is the agreement between the carrier of the alien and the United States.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* 5 responses at 15 minutes per response.

(6) *An estimate of the total public burden (in hours) associated with the collection:* 1 annual burden hour.

If you have additional comments, suggestions, or need a copy of the proposed information collection instrument with instructions, or additional information, please contact Richard A. Sloan 202–514–3291, Director, Regulations and Forms Services Division, Immigration and Naturalization Service, U.S. Department of Justice, Room 4034, 425 I Street, NW., Washington, DC 20536. Additionally, comments and/or suggestions regarding the item(s) contained in this notice, especially regarding the estimated public burden and associated response time may also be directed to Mr. Richard A. Sloan.

If additional information is required contact: Mr. Robert B. Briggs, Clearance Officer, United States Department of Justice, Information Management and Security Staff, Justice Management Division, 601 D Street, NW., Patrick Henry Building, Suite 1600, Washington, DC 20530.

Dated: February 25, 2002.

Richard A. Sloan,

Department Clearance Officer, Department of Justice, Immigration and Naturalization Service.

[FR Doc. 02–4895 Filed 2–28–02; 8:45 am]

BILLING CODE 4410–10–M

DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

Agency Information Collection Activities; Extension of Existing Collection; Comment Request

ACTION: 60-Day notice of information collection under review; Visa Waiver Nonimmigrant Arrival/Departure Document; I–94W.

The Department of Justice, Immigration and Naturalization Service has submitted the following information collection request for review and clearance in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies. Comments are encouraged and will be accepted for sixty days until April 30, 2002.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Overview of this information collection:

(1) *Type of Information Collection:* Extension of a currently approved collection.

(2) *Title of the Form/Collection:* Visa Waiver Nonimmigrant Arrival/Departure Document.

(3) *Agency form number, if any, and the applicable component of the Department of Justice Sponsoring the collection:* Form I–94W. Inspections Division, Immigration and Naturalization Service.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract: Primary:* Individuals and households. This form is used by nonimmigrant aliens applying for admission to the United States under the Visa Waiver Program (Section 217 of the Immigration and Nationality Act).

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* 4,000,000 responses at 6 minutes (.105) per response.

(6) *An estimate of the total public burden (in hours) associated with the collection:* 420,000 annual burden hours.

If you have additional comments, suggestions, or need a copy of the proposed information collection instrument with instructions, or additional information, please contact Richard A. Sloan 202–514–3291, Director, Policy Directives and Instructions Branch, Immigration and Naturalization Service, U.S. Department of Justice, Room 4034, 425 I Street, NW., Washington, DC 20536. Additionally, comments and/or suggestions regarding the items(s) contained in this notice, especially regarding the estimated public burden and associated response time may also be directed to Mr. Richard A. Sloan.

If additional information is required contact: Mr. Robert B. Briggs, Clearance Officer, United States Department of Justice, Information Management and Security Staff, Justice Management Division, Patrick Henry Building, 601 D Street, NW., Suite 1600, Washington, DC 20530.

Dated: February 25, 2002.

Richard A. Sloan,

Department Clearance Officer, Department of Justice, Immigration and Naturalization Service.

[FR Doc. 02–4896 Filed 2–28–02; 8:45 am]

BILLING CODE 4410–10–M

DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

Agency Information Collection Activities; Extension of Existing Collection; Comment Request

ACTION: 60-day notice of information collection under review; waiver of Rights, privileges, exemptions and immunities; Form I–508.

The Department of Justice, Immigration and Naturalization Service has submitted the following information collection request for review and clearance in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies. Comments are encouraged and will be accepted for sixty days until April 30, 2002.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including

whether the information will have practical utility.

(2) Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Overview of this information collection:

(1) *Type of Information Collection:* Extension of a currently approved collection.

(2) *Title of the Form/Collection:* Waiver of Rights, Privileges, Exemptions and Immunities.

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* Form I–508. Immigration Services Division, Immigration and Naturalization Service.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract: Primary:* Individuals and households. This form is used by the Service to determine eligibility of an applicant to retain the status of alien lawfully admitted to the United States for permanent residence.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* 1,800 responses at 5 minutes (.083) per response.

(6) *An estimate of the total public burden (in hours) associated with the collection:* 150 annual burden hours.

If you have additional comments, suggestions, or need a copy of the proposed information collection instrument with instructions, or additional information, please contact Richard A. Sloan 202–514–3291, Director, Policy Directives and Instructions Branch, Immigration and Naturalization Service, U.S. Department of Justice, Room 4034, 425 I Street, NW., Washington, DC 20536. Additionally, comments and/or suggestions regarding the item(s) contained in this notice, especially regarding the estimated public burden and associated response time may also be directed to Mr. Richard A. Sloan.

If additional information is required contact: Mr. Robert B. Briggs, Clearance Officer, United States Department of Justice, Information Management and Security Staff, Justice Management Division, Patrick Henry Building, 601 D Street, NW., Suite 1600, Washington, DC 20530.

Dated: February 25, 2002.

Richard A. Sloan,

Department Clearance Officer, Department of Justice, Immigration and Naturalization Service.

[FR Doc. 02–4897 Filed 2–28–02; 8:45 am]

BILLING CODE 4410–10–M

DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

Agency Information Collection Activities; Extension of Existing Collection; Comment Request

ACTION: 60-Day notice of information collection under review; application by refugee for waiver of grounds of excludability; Form I–602.

The Department of Justice, Immigration and Naturalization Service has submitted the following information collection request for review and clearance in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies. Comments are encouraged and will be accepted for sixty days until April 30, 2002.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility.

(2) Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Overview of this information collection:

(1) *Type of Information Collection:* Extension of a currently approved collection.

(2) *Title of the Form/Collection:* Application by Refugee for Waiver of Grounds of Excludability.

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* Form I–602. Office of International Affairs, Immigration and Naturalization Service.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: Individuals and households. This form is used by the Service to determine eligibility for a waiver.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* 2,500 responses at 15 minutes (.25) per response.

(6) *An estimate of the total public burden (in hours) associated with the collection:* 625 annual burden hours.

If you have additional comments, suggestions, or need a copy of the proposed information collection instrument with instructions, or additional information, please contact Richard A. Sloan 202–514–3291, Director, Policy Directives and Instructions Branch, Immigration and Naturalization Service, U.S. Department of Justice, Room 4034, 425 I Street, NW., Washington, DC 20536. Additionally, comments and/or suggestions regarding the item(s) contained in this notice, especially regarding the estimated public burden and associated response time may also be directed to Mr. Richard A. Sloan.

If additional information is required contact: Mr. Robert B. Briggs, Clearance Officer, United States Department of Justice, Information Management and Security Staff, Justice Management Division, Patrick Henry Building, 601 D Street, NW., Washington, DC 20530.

Dated: February 25, 2002.

Richard A. Sloan,

Department Clearance Officer, Department of Justice, Immigration and Naturalization Service.

[FR Doc. 02–4898 Filed 2–28–02; 8:45 am]

BILLING CODE 4410–10–M

DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

Agency Information Collection Activities; Extension of Existing Collection; Comment Request

ACTION: 60-Day notice of information collection under review; application for

waiver of the foreign residence requirement of section 212(e) of the Immigration and Nationality Act; Form I–612.

The Department of Justice, Immigration and Naturalization Service has submitted the following information collection request for review and clearance in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies. Comments are encouraged and will be accepted for sixty days until April 30, 2002.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility.

(2) Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Overview of this information collection:

(1) *Type of Information Collection:* Extension of a currently approved collection.

(2) *Title of the Form/Collection:* Application for Waiver of the Foreign Residence Requirement of Section 212(e) of the Immigration and Nationality Act.

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* Form I–612. Adjudications Division, Immigration and Naturalization Service.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: Individuals and households. This form is used by the Service to determine eligibility for a waiver.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* 1,300 responses at 20 minutes (.333) per response.

(6) *An estimate of the total public burden (in hours) associated with the collection:* 432 annual burden hours.

If you have additional comments, suggestions, or need a copy of the proposed information collection instrument with instructions, or additional information, please contact Richard A. Sloan 202–514–3291, Director, Policy Directives and Instructions Branch, Immigration and Naturalization Service, U.S. Department of Justice, Room 4034, 425 I Street, NW., Washington, DC 20536. Additionally, comments and/or suggestions regarding the item(s) contained in this notice, especially regarding the estimated public burden and associated response time may also be directed to Mr. Richard A. Sloan.

If additional information is required contact: Mr. Robert B. Briggs, Clearance Officer, United States Department of Justice, Information Management and Security Staff, Justice Management Division, Patrick Henry Building, 601 D Street, NW., Washington, DC 20530.

Dated: February 25, 2002.

Richard A. Sloan,

Department Clearance Officer, Department of Justice, Immigration and Naturalization Service.

[FR Doc. 02–4899 Filed 2–28–02; 8:45 am]

BILLING CODE 4410–10–M

DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

Agency Information Collection Activities; Comment Request

AGENCY: 60-Day notice of information collection under review; Baggage and personal effects of detained aliens; Form I–43

The Department of Justice, Immigration and Naturalization Service has submitted the following information collection request for review and clearance in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies. Commenters are encouraged and will be accepted for sixty days until April 30, 2002.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Overview of this information collection:

(1) *Type of Information Collection:* Extension of currently approved collection.

(2) *Title of the Form/collection:* Baggage and Personal Effects of Detained Aliens.

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* Form I–43. Detention and Deportation Division, Immigration and Naturalization Service.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: Individuals and Households. The form is used by the arresting officer to ensure that the alien is afforded a reasonable opportunity to collect his or her property. The INS also uses this form to protect the government from possible fraudulent claims.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* 600,000 responses at 1 minute (.017) per response..

(6) *An estimate of the total public burden (in hours) associated with the collection:* 10,200 annual burden hours.

If you have additional comments, suggestions, or need a copy of the proposed information collection instrument with instructions, or additional information, please contact Richard A. Sloan 202–514–3291, Director, Policy Directives and Instructions Branch, Immigration and Naturalization Service, U.S. Department of Justice, Room 4034, 425 I Street, NW., Washington, DC 20536. Additionally, comments and/or suggestions regarding the item(s) contained in this notice, especially regarding the estimated public burden and associated response time may also be directed to Mr. Richard A. Sloan.

If additional information is required contact: Mr. Robert B. Briggs, Clearance Officer, United States Department of Justice, Information Management and Security Staff, Justice Management Division, Patrick Henry Building, 601 D Street, NW., Suite 1600, Washington, DC 20530.

Dated: February 25, 2002.

Richard A. Sloan,

Department Clearance Officer, Department of Justice, Immigration and Naturalization Service.

[FR Doc. 02–4900 Filed 2–28–02; 8:45 am]

BILLING CODE 4410–10–M

DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

Agency Information Collection Activities: Extension of Existing Collection; Comment Request

ACTION: 60-Day notice of information collection under review; petition to classify orphan as an immediate relative and application for advance processing of orphan petition; Form I–600.

The Department of Justice, Immigration and Naturalization Service has submitted the following information collection request for review and clearance in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies. Comments are encouraged and will be accepted for sixty days until April 30, 2002.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Overview of this information collection:

(1) *Type of Information Collection:* Extension of a currently approved collection.

(2) *Title of the Form/Collection:* Petition to Classify Orphan as an Immediate Relative and Application for Advance Processing of Orphan Petition.

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* Form I–600 and I–600A. Immigration Services Division, Immigration and Naturalization Service.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: Individuals and households. This form is used by the Service to determine immigrant eligibility and advance processing of orphans.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* 34,000 responses at 30 minutes (.50) per response

(6) *An estimate of the total public burden (in hours) associated with collection:* 17,000 annual burden hours.

If you have additional comments, suggestions, or need a copy of the proposed information collection instrument with instructions, or additional information, please contact Richard A. Sloan 202–514–3291, Director, Policy directives and Instructions Branch, Immigration and Naturalization Service, U.S. Department of Justice, Room 4034, 425 I Street, NW., Washington, DC 20536. Additionally, comments and/or suggestions regarding the items(s) contained in this notice, especially regarding the estimated public burden and associated response time may also be directed to Mr. Richard A. Sloan.

If additional information is required contact: Mr. Robert B. Briggs, Clearance Officer, United States Department of Justice, Information Management and Security Staff, Justice Management Division, Patrick Henry Building, 601 D Street, NW., Suite 1600, Washington, DC 20530.

Dated: February 25, 2002.

Richard A. Sloan,

Department Clearance Officer, Department of Justice, Immigration and Naturalization Service.

[FR Doc. 02–4901 Filed 2–28–02; 8:45 am]

BILLING CODE 4410–10–M

DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

Agency Information Collection Activities: Extension of Existing Collection; Comment Request

ACTION: 60-day notice of information collection under review; notice of appeal; Form I–694.

The Department of Justice, Immigration and Naturalization Service has submitted the following information collection request for review and clearance in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies. Comments are encouraged and will be accepted for sixty days until April 30, 2002.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Overview of this information collection:

(1) *Type of Information Collection:* Extension of a currently approved collection.

(2) *Title of the Form/Collection:* Notice of Appeal.

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* Form I–694. Adjudications Division, Immigration and Naturalization Service.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: Individuals or households. This information collection will be used by the Service in

considering appeals of denials of temporary and permanent residence status by legalization applicants and special agricultural workers, under sections 210 and 245A of the Immigration and Nationality Act.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* 1,192 respondents at 30 Minutes (.5) hours per response.

(6) *An estimate of the total public burden (in hours) associated with the collection:* 596 annual burden hours.

If you have additional comments, suggestions, or need a copy of the proposed information collection instrument with instructions, or additional information, please contact Richard A Sloan 202–514–3291, Director, Policy Directives and Instructions Branch, Immigration and Naturalization Service, U.S. Department of Justice, Room 4034, 425 I Street, NW., Washington, DC 20536. Additionally, comments and/or suggestions regarding the item(s) contained in this notice, especially regarding the estimated public burden and associated response time may also be directed to Mr. Richard A. Sloan.

If additional information is required contact: Mr. Robert B. Briggs, Clearance Officer, United States Department of Justice, Information Management and Security Staff, Justice Management Division, Patrick Henry Building, 601 D Street, NW., Suite 1600, Washington, DC 20530.

Dated: February 25, 2002.

Richard A. Sloan,

Director, Department Clearance Officer, Department of Justice, Immigration and Naturalization Service.

[FR Doc. 02–4902 Filed 2–28–02; 8:45 am]

BILLING CODE 4410–10–M

DEPARTMENT OF LABOR

Employment Standards Administration

Wage and Hour Division; Minimum Wages for Federal and Federally Assisted Construction; General Wage Determination Decisions

General wage determination decisions of the Secretary of Labor are issued in accordance with applicable law and are based on the information obtained by the department of Labor from its study of local wage conditions and data made available from other sources. They specify the basic hourly wage rates and fringe benefits which are determined to be prevailing for the described classes of laborers and mechanics employed on construction projects of a similar character and in the localities specified therein.

The determinations in these decisions of prevailing rates and fringe benefits have been made in accordance with 29 CFR part 1, by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 27a) and of other Federal statutes referred to in 29 CFR part 1, Appendix, as well as such additional statutes as may from time to time be enacted containing provisions for the payment of wages determined to be prevailing by the Secretary of Labor in accordance with the Davis-Bacon Act. The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public comment procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in the effective date as prescribed in that section, because the necessity to issue current construction industry wage determinations frequently and in large volume causes procedures to be impractical and contrary to the public interest.

General wage determination decisions, and modifications and supersedeas decisions thereto, contain no expiration dates and are effective from their date of notice in the **Federal Register**, or on the date written notice is received by the agency, whichever is earlier. These decisions are to be used in accordance with the provisions of 29 CFR parts 1 and 5. Accordingly, the applicable decision, together with any modifications issued, must be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR part 5. The wage rates and fringe benefits, notice of which is published herein, and which are contained in the Government Printing Office (GPO) document entitled ''General Wage Determinations Issued Under The Davis-Bacon And Related Acts,'' shall be the minimum paid by contractors and subcontractors to laborers and mechanics.

Any person, organization, or government agency having an interest in the rates determined as prevailing is encouraged to submit wage rate and fringe benefit information for consideration by the Department. Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Wage and Hour Division, Division of Wage Determinations, 200 Constitution Avenue, NW., Room S–3014, Washington, DC 20210.

Supersedeas Decisions to General Wage Determination Decisions

The number of decisions being superseded and their date of notice in **Federal Register** are listed with each State. Supersedeas decision numbers are in parentheses following the number of decisions being superseded.

Volume I

Connecticut
- CT01–01 (Mar. 2, 2001) (CT02–01)
- CT01–02 (Mar. 2, 2001) (CT02–02)
- CT01–03 (Mar. 2, 2001) (CT02–03)
- CT01–04 (Mar. 2, 2001) (CT02–04)
- CT01–05 (Mar. 2, 2001) (CT02–05)
- CT01–06 (Mar. 2, 2001) (CT02–06)
- CT01–07 (Mar. 2, 2001) (CT02–07)
- CT01–08 (Mar. 2, 2001) (CT02–08)

Massachusetts
- MA01–01 (Mar. 2, 2001) (MA02–01)
- MA01–02 (Mar. 2, 2001) (MA02–02)
- MA01–03 (Mar. 2, 2001) (MA02–03)
- MA01–04 (Mar. 2, 2001) (MA02–04)
- MA01–05 (Mar. 2, 2001) (MA02–05)
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Volume III

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Kentucky

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South Carolina

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General Wage Determination Publication

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Signed at Washington, DC, this 19th day of February 2002.

Carl J. Poleskey,

Chief, Branch of Construction Wage Determinations.

[FR Doc. 02–4372 Filed 2–28–02; 8:45 am]

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DEPARTMENT OF LABOR

Pension and Welfare Benefits Administration

[Prohibited Transaction Exemption 2002–13 Application Number: D–10616]

Amendment to Prohibited Transaction Exemption (PTE) 79–15 (44 FR 26979, May 8, 1979); PTE 80–26 (45 FR 28545, April 29, 1980); PTE 80–83 (45 FR 73189, November 4, 1980); PTE 81–6 (45 FR 7527, January 23, 1981 (as Amended at 52 FR 18754, May 19, 1987)); PTE 81–8 (46 FR 7511, January 23, 1981 (as Amended by 50 FR 14043, April 9, 1985)); PTE 82–63 (47 FR 14804, April 6, 1982); PTE 83–1 (48 FR 895, January 7, 1983); PTE 84–14 (49 FR 9494, March 13, 1984) PTE 88–59 (53 FR 24811, June 30, 1988); PTE 91–38 (56 FR 31966, July 12, 1991); PTE 95–60 (60 FR 35925, July 12, 1995); PTE 96–62 (61 FR 39988, July 31, 1996)

AGENCY: Pension and Welfare Benefits Administration, Department of Labor.

ACTION: Adoption of amendment to certain class exemptions.

SUMMARY: This document amends certain class exemptions to define the term ''employee benefit plan,'' as such term is used therein, to include plans described in section 4975(e)(1) of the Internal Revenue Code of 1986 (the Code). The amendment affects individuals with beneficial interests in such plans, as well as the financial institutions that provide services and products to the plans.

EFFECTIVE DATES: The amendment is effective as of: May 1, 1979 with respect to PTE 79–15; January 1, 1975 with respect to PTE 80–26; December 1, 1980 with respect to Section I(B) of PTE 80–83 (the amendment is effective January 1, 1975 with respect to the remainder of PTE 80–83); January 23, 1981 with respect to PTE 81–6; January 1, 1975 with respect to PTE 81–8; April 6, 1982 with respect to PTE 82–63; January 1, 1975 with respect to PTE 83–1; December 21, 1982 with respect to PTE 84–14; January 1, 1975 with respect to PTE 88–59; July 1, 1990 with respect to PTE 91–38; January 1, 1975 with respect to PTE 95–60; and July 31, 1996 with respect to PTE 96–62.

FOR FURTHER INFORMATION CONTACT: Christopher J. Motta, Office of Exemption Determinations, Pension and Welfare Benefits Administration, U.S. Department of Labor, (202) 693–8544, (this is not a toll-free number); or Paul Mannina, Plan Benefits Security Division, Office of the Solicitor, U.S. Department of Labor (202) 693–5600. (This is not a toll-free number).

SUPPLEMENTARY INFORMATION: On October 29, 2001, notice was published in the **Federal Register** (66 FR 54541) of the pendency before the Department of Labor (the Department) of a proposed amendment to PTE 79–15; PTE 80–26; PTE 80–83; PTE 81–6; PTE 81–8; PTE 82–63; PTE 83–1; PTE 84–14; PTE 88–59; PTE 91–38; PTE 95–60; and PTE 96–62. These class exemptions provide relief from certain of the restrictions described in section 406 of the Employee Retirement Income Security Act of 1974 (ERISA), and the taxes imposed by sections 4975(a) and (b) of the Code, by reason of a parallel provision described in section 4975(c)(1)(A) through (F) of the Code, provided that the conditions of the relevant exemption have been met. The amendment to the above-described exemptions adopted by this notice was proposed by the Department on its own motion, pursuant to section 408(a) of ERISA and section 4975(c)(2) of the Code and in accordance with the procedures set forth in 29 CFR part 2570, subpart B (55 FR 32836, August 10, 1990).

The notice gave interested persons an opportunity to submit written comments or requests for a public hearing on the proposed amendment to the Department. No public comments or requests for a hearing were received.

As noted in the proposed amendment, after consultation with the Internal Revenue Service (the Service), the Department determined that plans described in 4975(e)(1) of the Code are included within the scope of relief provided by certain class exemptions issued jointly by the Department and the Service. These exemptions are as follows:

PTE 75–1, 40 FR 50845 (1975);
PTE 77–4, 42 FR 18732 (1977);
PTE 77–7, 42 FR 31575 (1977), amended and redesignated as PTE 92–5 by 57 FR 5019 (1992);
PTE 77–8, 42 FR 31574 (1977), amended and redesignated as PTE 92–6, 57 FR 5189 (1992);
PTE 77–9, 42 FR 32395 (1977), amended and redesignated as PTE 84–24, 49 FR 13208 (1984); and
PTE 78–19, 43 FR 59915 (1978), amended and redesignated as PTE 90–1, 55 FR 2891 (1990).

The class exemptions amended by this notice were issued pursuant to the sole authority of the Department. These exemptions did not always expressly define the terms ''employee benefit plan'' and ''plan'' as used therein.[1] The amendment adopted by this notice expressly defines the terms ''employee benefit plan'' and ''plan'', as such terms are found in such exemptions, to include an employee benefit plan described in ERISA section 3(3)[2] and/or a plan described in section 4975(e)(1) of the Code.[3]

General Information

The attention of interested persons is directed to the following:

(1) The fact that a transaction is the subject of an exemption under section 408(a) of ERISA and section 4975(c)(2) of the Code does not relieve a fiduciary or other party in interest or disqualified person from certain other provisions of ERISA and the Code, including any prohibited transaction provisions to which the exemption does not apply and the general fiduciary responsibility provisions of section 404 of the Act which require, among other things, that a fiduciary discharge his duties with respect to the plan solely in the interests of the participants and beneficiaries of the plan and in a prudent fashion in accordance with section 404(a)(1)(B) of ERISA; nor does it affect the requirement of section 401(a) of the Code that the plan must operate for the exclusive benefit of the employees of the employer maintaining the plan and their beneficiaries,

(2) In accordance with section 408(a) of ERISA and 4975(c)(2) of the Code, the Department makes the following determinations:

(i) The amendment set forth herein is administratively feasible;

(ii) The amendment set forth herein is in the interests of plans and of their participants and beneficiaries; and

(iii) The amendment set forth herein is protective of the rights of participants and beneficiaries of plans,

(3) Each exemption amended herein is applicable to a particular transaction only if the transaction satisfies the conditions specified in such exemption, and

(4) The amendment is supplemental to, and not in derogation of, any other provisions of ERISA and the Code, including statutory or administrative exemptions and transitional rules. Furthermore, the fact that a transaction is subject to an administrative or statutory exemption is not dispositive of whether the transaction is in fact a prohibited transaction.

Paperwork Reduction Act

This proposed amendment to the class exemptions specifically enumerated does not contain a collection of information as that term is defined in 44 U.S.C. 3502(3), nor does it substantially or materially modify the terms of any collection of information included in the class exemptions that would be amended as to the definition of ''employee benefit plan'' and ''plan'' (specifically, PTE 80–83, PTE 81–6, PTE 81–8, PTE 82–63, PTE 88–59, PTE 91–38, and PTE 96–62). The amendment would clarify definitions already relied upon in the analyses of these information collections conducted in pursuant to the Paperwork Reduction Act of 1995.

Amendment

Under section 408(a) of ERISA and section 4975(c)(2) of the Code and in accordance with the procedures set forth in 29 CFR part 2570, subpart B (55 FR 32836, August 10, 1990), the Department amends the following class exemptions as set forth below:

1. PTE 79–15 is amended by adding the following paragraph at the end of the exemption to read as follows: For purposes of this exemption, the terms ''employee benefit plan'' and ''plan'' refer to an employee benefit plan described in ERISA section 3(3) and/or a plan described in section 4975(e)(1) of the Code.

2. PTE 80–26 is amended by adding the following paragraph at the end of the exemption to read as follows: For purposes of this exemption, the terms ''employee benefit plan'' and ''plan'' refer to an employee benefit plan described in ERISA section 3(3) and/or a plan described in section 4975(e)(1) of the Code.

3. PTE 80–83 is amended by adding the following paragraph 4. to Section II. b. to read as follows: 4. For purposes of this exemption, the terms ''employee benefit plan'' and ''plan'' refer to an employee benefit plan described in section 3(3) of ERISA and/or a plan described in section 4975(e)(1) of the Code.

[1] Section 102 of the Reorganization Plan No. 4 of 1978 (5 U.S.C. App. 1 [1996]) generally transferred the authority of the Secretary of the Treasury to issue administrative exemptions under section 4975 of the Code to the Secretary of Labor.

[2] Section 3(3) of ERISA provides that the term ''employee benefit plan'' or ''plan'' means an employee welfare benefit plan or an employee pension benefit plan or a plan which is both an employee welfare benefit plan and an employee pension benefit plan.

[3] Section 4975(e)(1) of the Code provides that, for purposes of that Code section, the term ''plan'' means: (A) A trust described in Code section 401(a) which forms a part of a plan, or a plan described in Code section 403(a), which trust or plan is exempt from tax under section 501(a); (B) an individual retirement account described in Code section 408(a); (C) an individual retirement annuity described in section Code 408(b); (D) an Archer MSA described in Code section 220(d); (E) an education individual retirement account described in Code section 530, or (f) a trust, plan, account, or annuity which, at any time, has been determined by the Secretary to be described in any preceding subparagraph of this paragraph.

4. PTE 81–6 is amended by adding the following paragraph at the end of the exemption to read as follows: For purposes of this exemption, the terms ''employee benefit plan'' and ''plan'' refer to an employee benefit plan described in ERISA section 3(3) and/or a plan described in section 4975(e)(1) of the Code.

5. PTE 81–8 is amended by adding the following paragraph at the end of the exemption to read as follows: For purposes of this exemption, the terms ''employee benefit plan'' and ''plan'' refer to an employee benefit plan described in ERISA section 3(3) and/or a plan described in section 4975(e)(1) of the Code.

6. PTE 82–63 is amended by adding the following paragraph (4) to section II. Definitions to read as follows: (4) For purposes of this exemption, the terms ''employee benefit plan'' and ''plan'' refer to an employee benefit plan described in ERISA section 3(3) and/or a plan described in section 4975(e)(1) of the Code.

7. PTE 83–1 is amended by adding the following paragraph I. to Section III. Definitions to read as follows: I. For purposes of this exemption, the terms ''employee benefit plan'' and ''plan'' refer to an employee benefit plan described in ERISA section 3(3) and/or a plan described in section 4975(e)(1) of the Code.

8. PTE 84–14 is amended by adding the following paragraph (n) to Part V. Definitions and General Rules to read as follows: (n) The terms ''employee benefit plan'' and ''plan'' refer to an employee benefit plan described in section 3(3) of ERISA and/or a plan described in section 4975(e)(1) of the Code.

9. PTE 88–59 is amended by adding the following paragraph (F) to Section III. Definitions to read as follows: (F) The terms ''employee benefit plan'' and ''plan'' refer to an employee benefit plan described in section 3(3) of ERISA and/or a plan described in section 4975(e)(1) of the Code.

10. PTE 91–38 is amended by adding the following paragraph (k) to Section IV. Definitions and General Rules to read as follows: The terms ''employee benefit plan'' and ''plan'' refer to an employee benefit plan described in section 3(3) of ERISA and/or a plan described in section 4975(e)(1) of the Code.

11. PTE 95–60 is amended by adding the following paragraph (j) to Section V. Definitions to read as follows: (j) The terms ''employee benefit plan'' and ''plan'' refer to an employee benefit plan described in section 3(3) of ERISA and/or a plan described in section 4975(e)(1) of the Code.

12. PTE 96–62 is amended by adding paragraph (g) to Section IV. Definitions to read as follows: (g) For purposes of this exemption, the terms ''employee benefit plan'' and ''plan'' refer to an employee benefit plan described in section 3(3) of ERISA and/or a plan described in section 4975(e)(1) of the Code.

Signed at Washington, DC, this 25th day of February, 2002.

Ivan L. Strasfeld,

Director, Office of Exemption Determinations, Pension and Welfare Benefits Administration, Department of Labor.

[FR Doc. 02–4872 Filed 2–28–02; 8:45 am]

BILLING CODE 4510–29–P

DEPARTMENT OF LABOR

Pension and Welfare Benefits Administration

[Prohibited Transaction Exemption 2002–14 Application Number D–11034]

Amendment to Prohibited Transaction Exemption 80–26 (PTE 80–26) for Certain Interest Free Loans to Employee Benefit Plans

AGENCY: Pension and Welfare Benefits Administration, Department of Labor.

ACTION: Adoption of amendment to PTE 80–26.

SUMMARY: This document amends PTE 80–26, a class exemption that permits parties in interest with respect to employee benefit plans to make interest free loans to such plans, provided the conditions of the exemption are met. The amendment affects all employee benefit plans, the participants and beneficiaries of such plans, and parties in interest with respect to those plans engaging in the described transactions.

DATES: The amendment is effective from September 11, 2001 until January 9, 2002.

FOR FURTHER INFORMATION CONTACT: Christopher Motta, Office of Exemption Determinations, Pension and Welfare Benefits Administration, U.S. Department of Labor, (202) 693–8544. (This is not a toll-free number); or Charles Jackson, Plan Benefits Security Division, Office of the Solicitor, U.S. Department of Labor, (202) 693–5600. (This is not a toll-free number).

SUPPLEMENTARY INFORMATION: On September 28, 2001, notice was published in the **Federal Register** (66 FR 49703) of the pendency before the Department of a proposed amendment to PTE 80–26 (45 FR 28545, April 29, 1980, as amended at 65 FR 17540, April 3, 2000).[1] PTE 80–26 provides an exemption from the restrictions of section 406(a)(1)(B) and (D) and section 406(b)(2) of the Employee Retirement Income Security Act of 1974 (ERISA or the Act) and from the taxes imposed by section 4975(a) and (b) of the Internal Revenue Code of 1986 (the Code), by reason of section 4975(c)(1)(B) and (D) of the Code.

The amendment to PTE 80–26 adopted by this notice was proposed by the Department on its own motion pursuant to section 408(a) of ERISA and section 4975(c)(2) of the Code, and in accordance with the procedures set forth in 29 CFR part 2570, subpart B (55 FR 32836, 32847, August 10, 1990).[2]

The notice of pendency gave interested persons an opportunity to comment or to request a hearing on the proposed amendment. No public comments or requests for a hearing were received.

For the sake of convenience, the entire text of PTE 80–26, as amended, has been reprinted with this notice.

Description of the Exemption

Section I of PTE 80–26 permits the lending of money or other extension of credit from a party in interest or disqualified person to an employee benefit plan, and the repayment of such loan or other extension of credit in accordance with its terms or other written modifications thereof, if:

(a) No interest or other fee is charged to the plan, and no discount for payment in cash is relinquished by the plan, in connection with the loan or extension of credit;

(b) The proceeds of the loan or extension of credit are used only—

(1) For the payment of ordinary operating expenses of the plan, including the payment of benefits in accordance with the terms of the plan and periodic premiums under an insurance or annuity contract, or

(2) For a period of no more than three days, for a purpose incidental to the ordinary operation of the plan;

(c) The loan or extension of credit is unsecured; and

(d) The loan or extension of credit is not directly or indirectly made by an employee benefit plan.

On April 3, 2000, PTE 80–26 was amended through the addition of

[1] A minor correction was made to the title of the final exemption in a notice published in the **Federal Register** on May 23, 1980. (45 FR 35040).

[2] Section 102 of the Reorganization Plan No. 4 of 1978 (5 U.S.C. App. 1 [1996]) generally transferred the authority of the Secretary of the Treasury to issue administrative exemptions under section 4975 of the Code to the Secretary of Labor.

sections II and III to that exemption (65 FR 17540). Section II of PTE 80–26 allowed, from November 1, 1999 through December 31, 2000, the lending of money or other extension of credit from a party in interest or disqualified person to an employee benefit plan, and the repayment of such loan or other extension of credit in accordance with its terms or written modifications thereof; provided that, among other requirements, the proceeds of the loan or extension of credit are used only for a purpose incidental to the ordinary operation of the plan which arises in connection with the inability of the plan to liquidate, or otherwise access its assets or access data, as a result of a ''Y2K problem''. Section III of PTE 80–26, as amended, provides a definition of the term ''Y2K problem''.

The amendment to PTE 80–26 granted pursuant to this notice temporarily broadens the availability of PTE 80–26 to include certain interest-free loans to be used for a purpose incidental to the ordinary operations of a plan which arises in connection with difficulties encountered by the plan in liquidating, or otherwise accessing its assets, or accessing its data in a timely manner as a direct or indirect result of the September 11, 2001 disruption to the financial markets. The amendment to PTE 80–26 permits these loans to the extent such loans are repaid no later than January 9, 2002.

General Information

The attention of interested persons is directed to the following:

(1) The fact that a transaction is the subject of an exemption under section 408(a) of ERISA and section 4975(c)(2) of the Code does not relieve a fiduciary, or other party in interest or disqualified person with respect to a plan, from certain other provisions of ERISA and the Code, including any prohibited transaction provisions to which the exemption does not apply and the general fiduciary responsibility provisions of section 404 of ERISA which require, among other things, that a fiduciary discharge his or her duties respecting the plan solely in the interests of the participants and beneficiaries of the plan; nor does it affect the requirement of section 401(a) of the Code that the plan must operate for the exclusive benefit of the employees of the employer maintaining the plan and their beneficiaries;

(2) This exemption does not extend to transactions prohibited under section 406(b)(1) and (3) of the Act or section 4975(c)(1)(E) or (F) of the Code;

(3) In accordance with section 408(a) of ERISA and 4975(c)(2) of the Code, the Department makes the following determinations:

(i) The amendment set forth herein is administratively feasible;

(ii) The amendment set forth herein is in the interests of plans and of their participants and beneficiaries; and

(iii) The amendment set forth herein is protective of the rights of participants and beneficiaries of plans;

(4) The amendment is applicable to a particular transaction only if the transaction satisfies the conditions specified in the exemption; and

(5) The amendment is supplemental to, and not in derogation of, any other provisions of ERISA and the Code, including statutory or administrative exemptions and transitional rules. Furthermore, the fact that a transaction is subject to an administrative or statutory exemption is not dispositive of whether the transaction is in fact a prohibited transaction.

Exemption

Accordingly, PTE 80–26 is amended under the authority of section 408(a) of the Act and section 4975(c)(2) of the Code and in accordance with the procedures set forth in 29 CFR part 2570, subpart B (55 FR 32836, 32847, August 10, 1990), as set forth below:

Section I. General Exemption

Effective January 1, 1975, the restrictions of section 406(a)(1)(B) and (D) and section 406(b)(2) of the Act, and the taxes imposed by section 4975(a) and (b) of the Code, by reason of section 4975(c)(1)(B) and (D) of the Code, shall not apply to the lending of money or other extension of credit from a party in interest or disqualified person to an employee benefit plan, nor to the repayment of such loan or other extension of credit in accordance with its terms or written modifications thereof, if:

(a) No interest or other fee is charged to the plan, and no discount for payment in cash is relinquished by the plan, in connection with the loan or extension of credit;

(b) The proceeds of the loan or extension of credit are used only—

(1) For the payment of ordinary operating expenses of the plan, including the payment of benefits in accordance with the terms of the plan and periodic premiums under an insurance or annuity contract, or

(2) For a period of no more than three business days, for a purpose incidental to the ordinary operation of the plan;

(c) The loan or extension of credit is unsecured; and

(d) The loan or extension of credit is not directly or indirectly made by an employee benefit plan.

Section II: Temporary Exemption

Effective November 1, 1999 through December 31, 2000, the restrictions of section 406(a)(1)(B) and (D) and section 406(b)(2) of the Act, and the taxes imposed by section 4975(a) and (b) of the Code, by reason of section 4975(c)(1)(B) and (D) of the Code, shall not apply to the lending of money or other extension of credit from a party in interest or disqualified person to an employee benefit plan, nor to the repayment of such loan or other extension of credit in accordance with its terms or written modifications thereof, if:

(a) No interest or other fee is charged to the plan, and no discount for payment in cash is relinquished by the plan, in connection with the loan or extension of credit;

(b) The proceeds of the loan or extension of credit are used only for a purpose incidental to the ordinary operation of the plan which arises in connection with the plan's inability to liquidate, or otherwise access its assets or access data as a result of a Y2K problem.

(c) The loan or extension of credit is unsecured;

(d) The loan or extension of credit is not directly or indirectly made by an employee benefit plan; and

(e) The loan or extension of credit begins on or after November 1, 1999 and is repaid or terminated no later than December 31, 2000.

Section III. September 11, 2001 Market Disruption Exemption

Effective September 11, 2001 through January 9, 2002, the restrictions of section 406(a)(1)(B) and (D) and section 406(b)(2) of the Act, and the taxes imposed by section 4975(a) and (b) of the Code, by reason of section 4975(c)(1)(B) and (D) of the Code, shall not apply to the lending of money or other extension of credit from a party in interest or disqualified person to an employee benefit plan, nor to the repayment of such loan or other extension of credit in accordance with its terms or written modifications thereof, if:

(a) No interest or other fee is charged to the plan, and no discount for payment in cash is relinquished by the plan, in connection with the loan or extension of credit;

(b) The proceeds of the loan or extension of credit are used only for a purpose incidental to the ordinary operation of the plan which arises in connection with difficulties encountered by the plan in liquidating, or otherwise accessing its assets, or

accessing its data in a timely manner as a direct or indirect result of the September 11, 2001 disruption;

(c) The loan or extension of credit is unsecured;

(d) The loan or extension of credit is not directly or indirectly made by an employee benefit plan; and

(e) The loan or extension of credit begins on or after September 11, 2001, and is repaid or terminated no later than January 9, 2002.

Section IV. Definitions

(a) For purposes of section II, a Y2K problem is a disruption of computer operations resulting from a computer system's inability to process data because such system recognizes years only by the last two digits, causing a ''00'' entry to be read as the year ''1900'' rather than the year ''2000''.

(b) For purposes of Section III, the September 11, 2001 disruption is the disruption to the United States financial and securities markets and/or the operation of persons providing administrative services to employee benefit plans, resulting from the acts of terrorism that occurred on September 11, 2001.

Signed at Washington, DC, this 25th day of February, 2002.

Ivan L. Strasfeld,

Director, Office of Exemption Determinations, Pension and Welfare Benefits Administration, Department of Labor.

[FR Doc. 02–4873 Filed 2–28–02; 8:45 am]

BILLING CODE 4510–29–P

NATIONAL COUNCIL ON DISABILITY

Sunshine Act Meeting; Quarterly Meeting

AGENCY: National Council on Disability.

SUMMARY: This notice sets forth the schedules and proposed agenda of the upcoming quarterly meeting of the National Council on Disability (NCD). Notice of this meeting is required under section 522b(e)(1) of the Government in the Sunshine Act, (Pub. L. 94–409).

Quarterly Meeting Dates: June 10–11, 2002, 8:30 a.m. to 5 p.m.

Location: Hyatt Regency, Washington, DC on Capitol Hill, 400 New Jersey Avenue, NW., Washington, DC; 202–737–1234.

Contact Information: Mark S. Quigley, Director of Communications, National Council on Disability, 1331 F Street NW., Suite 850, Washington, DC 20004; 202–272–2004 (Voice), 202–272–2074 (TTY), 202–272–2022 (Fax), *mquigley@ncd.gov* (e-mail).

Agency Mission: NCD is an independent federal agency composed of 15 members appointed by the President and confirmed by the U.S. Senate. Its overall purpose is to promote policies, programs, practices, and procedures that guarantee equal opportunity for all people with disabilities, including people from culturally diverse backgrounds, regardless of the nature or significance of the disability; and to empower people with disabilities to achieve economic self-sufficiency, independent living, and inclusion and integration into all aspects of society.

Accommodations: Those needing sign language interpreters or other disability accommodations should notify NCD at least one week prior to this meeting.

Language Translation: In accordance with Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, those people with disabilities who are limited English proficient and seek translation services for this meeting should notify NCD at least one week prior to this meeting.

Multiple Chemical Sensitivity/Environmental Illness: People with multiple chemical sensitivity/environmental illness must reduce their exposure to volatile chemical substances to attend this meeting. To reduce such exposure, NCD requests that attendees not wear perfumes or scented products at this meeting. Smoking is prohibited in meeting rooms and surrounding areas.

Open Meeting: In accordance with the Government in the Sunshine Act and NCD's bylaws, this quarterly meeting will be open to the public for observation, except where NCD determines that a meeting or portion thereof should be closed in accordance with NCD's regulations pursuant to the Government in the Sunshine Act. A majority of NCD members present shall determine when a meeting or portion thereof is closed to the public, in accordance with the Government in the Sunshine Act. At meetings open to the public, NCD may determine when non-members may participate in its discussions. Observers are not expected to participate in NCD meetings unless requested to do so by an NCD member and recognized by the NCD chairperson.

Quarterly Meeting Agenda

Reports from the Chairperson and the Executive Director
Committee Meetings and Committee Reports
Executive Session (closed)
Unfinished Business
New Business
Announcements
Adjournment

Records will be kept of all National Council on Disability proceedings and will be available after the quarterly meeting for public inspection at the National Council on Disability.

Signed in Washington, DC, on February 26, 2002.

Ethel D. Briggs,

Executive Director.

[FR Doc. 02–5016 Filed 2–26–02; 4:59 pm]

BILLING CODE 6820–MA–M

POSTAL RATE COMMISSION

Sunshine Act Meeting Notice

AGENCY: Postal Rate Commission.

TIME AND DATE: Daily, or as needed, starting at 9:30 a.m., from March 11, 2002 through March 24, 2002.

PLACE: Commission conference room, 1333 H Street, NW., suite 300, Washington, DC 20268–0001.

STATUS: Closed.

MATTERS TO BE CONSIDERED: Recommendations in docket no. R2001–1.

CONTACT PERSON FOR MORE INFORMATION: Stephen L. Sharfman, general counsel, Postal Rate Commission, suite 300, 1333 H Street, NW., Washington, DC 20268–0001, 202–789–6820.

Steven W. Williams,

Secretary.

[FR Doc. 02–5080 Filed 2–27–02; 1:49 pm]

BILLING CODE 7710–FW–M

SECURITIES AND EXCHANGE COMMISSION

Proposed Collection; Comment Request

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of Filings and Information Services, Washington, DC 20549.

Extension: Regulation S–X, SEC File No. 270–3, OMB Control No. 3235–0009.

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (''Commission'') is soliciting comments on the collection of information summarized below. The Commission plans to submit this existing collection of information to the Office of Management and Budget for extension and approval.

Information collected and information prepared pursuant to Regulation S–X focus on the form and content of, and

requirements for, financial statements filed with periodic reports and in connection with the offer and sale of securities. Investors need reasonably current financial statements to make informed investment and voting decisions.

The potential respondents include all entities that file registration statements or reports pursuant to the Securities Act of 1933, the Securities Exchange Act of 1934, the Public Utility Holding Company Act of 1935, or the Investment Company Act of 1940.

Regulation S–X specifies the form and content of financial statements when those financial statements are required to be filed by other rules and forms under the federal securities laws. Compliance burdens associated with the financial statements are assigned to the rule or form that directly requires the financial statements to be filed, not to Regulation S–X. Instead, an estimated burden of one hour traditionally has been assigned to Regulation S–X for incidental reading of the regulation. The estimated average burden hours are solely for purposes of the Paperwork Reduction Act and are not derived from a comprehensive or even a representative survey or study of the costs of SEC rules or forms.

Written comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will 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, utility, and clarity of the information 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. Consideration will be given to comments and suggestions submitted in writing within 60 days of this publication.

Please direct your written comments to Michael E. Bartell, Associate Executive Director, Office of Information Technology, Securities and Exchange Commission, 450 5th Street, NW., Washington, DC 20549.

Dated: February 15, 2002.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 02–4932 Filed 2–28–02; 8:45 am]

BILLING CODE 8010–01–P

SECURITIES AND EXCHANGE COMMISSION

Sunshine Act Meeting

Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Public Law 94–409, that the Securities and Exchange Commission will hold the following meeting during the week of March 4, 2002: A closed meeting will be held on Tuesday, March 5, 2002 at 10:00 a.m.

Commissioners, Counsel to the Commissioners, the Secretary to the Commission, and recording secretaries will attend the closed meeting. Certain staff members who have an interest in the matters may also be present.

The General Counsel of the Commission, or his designee, has certified that, in his opinion, one or more of the exemptions set forth in 5 U.S.C. 552b(c)(3), (5), (7), (9)(B), and (10) and 17 CFR 200.402(a)(3), (5), (7), 9(ii) and (10), permit consideration of the scheduled matters at the closed meeting.

The subject matter of the closed meeting scheduled for Tuesday, March 5, 2002, will be:

Institution and settlement of injunctive actions;

Institution and settlement of administrative proceedings of an enforcement nature; and

Formal orders of investigation.

At times, changes in Commission priorities require alterations in the scheduling of meeting items. For further information and to ascertain what, if any, matters have been added, deleted or postponed, please contact:

The Office of the Secretary at (202) 942–7070.

Dated: February 26, 2002.

Jonathan G. Katz,

Secretary.

[FR Doc. 02–5002 Filed 2–26–02; 4:23 pm]

BILLING CODE 8010–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–45470; File No. SR–CBOE–2002–06]

Self-Regulatory Organizations; Notice of Filing and Immediate Effectiveness of Proposed Rule Change by the Chicago Board Options Exchange, Inc. Relating to Floor Telephone Deposit Fees

February 22, 2002.

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'')[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on February 7, 2002, the Chicago Board Options Exchange, Inc. (''CBOE'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I, II, and III below, which the CBOE has prepared. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The CBOE proposes to make a change to its fee schedule to eliminate its ''Exchangefone'' and single-line phone deposits, and also to refund deposits that the CBOE is currently retaining. The text of the proposed rule change is available at the CBOE and at the Commission.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the CBOE included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it had received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The CBOE has prepared summaries, set forth in Sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

During the early 1980s, the CBOE began requiring members to pay a deposit of $1,000 per Exchangefone to help fund the installation of a new telephone system on the CBOE floor. Approximately 10 years ago, the CBOE modified the Exchangefone deposit program to cap or limit the deposits to no more than $10,000 per member firm. In addition, the CBOE currently requires a $175 damage deposit for single-line phones on the trading floor. The CBOE is currently holding approximately $365,000 in Exchangefone deposits and approximately $22,000 in single-line phone damage deposits.

The CBOE Board has decided to eliminate the phone deposit programs and refund the deposits that the CBOE is currently holding. This filing

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

implements those changes. The CBOE will refund the deposits to each member firm through a credit that will appear on the next CBOE billing statement.

The CBOE believes that the proposed rule change is consistent with section 6(b) of the Act [3] and furthers the objectives of section 6(b)(4) of the Act [4] in that it is designed to provide for the equitable allocation of reasonable dues, fees, and other changes among CBOE members.

B. Self-Regulatory Organization's Statement on Burden on Competition

The CBOE does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The CBOE neither solicited nor received written comments with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because these foregoing rule change establishes or changes a due, fee, or other charge that the CBOE has imposed, it has become effective pursuant to section 19(b)(3)(A) of the Act[5] and Rule 19b–4(f)(2) thereunder.[6] At any time within 60 days after the filing of the proposed rule change, the Commission may summarily abrogate the proposed rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW, Washington, DC 20549–0609. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Room. Copies of the filing will also be available for inspection and copying at the principal office of the CBOE. All submissions should refer to file number SR–CBOE–2002–06 and should be submitted by March 22, 2002.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.[7]

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 02–4877 Filed 2–28–02; 8:45 am]

BILLING CODE 8010–01–M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–45472; File No. SR–NASD–2001–86]

Self-Regulatory Organizations; Notice of Filing of Proposed Rule Change by the National Association of Securities Dealers, Inc. Relating to Fees for Nasdaq Index Information

February 22, 2002.

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"),[1] and Rule 19b-4 thereunder,[2] notice is hereby given that on December 4, 2001, the National Association of Securities Dealers, Inc. ("NASD" or "Association"), through its subsidiary, The Nasdaq Stock Market, Inc. ("Nasdaq"), filed with the Securities and Exchange Commission ("Commission" or "SEC"), the proposed rule change as described in Items I, II, and III below, which Items have been prepared by Nasdaq. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

Nasdaq proposes to amend NASD Rule 7030, Special Options, to increase the monthly fee charged to market data vendors for non-core, real-time information about Nasdaq indexes ("Index Information").[3] Nasdaq established this "Index Fee" in 1992 at $500 per month and it remains at $500 today although: (1) Nasdaq has increased the amount of Index Information provided to market data vendors for that fee; (2) Nasdaq's costs of providing the Index Information are substantially higher today than in 1992; and (3) the audience for Index Information has exploded in recent years. Accordingly, Nasdaq proposes to raise the fee to $2,000 per month.

Below is the text of the proposed rule change. Proposed new language is in italics; proposed deletions are in brackets.

7030. SPECIAL OPTIONS

Receive only printer		$100/month.
Local Posting	Permits subscriber to use Nasdaq Level 3 terminals to enter quotations simultaneously into an internal computer system.	$10/month.
Dual Keyboard		$15/month.
Nasdaq Market Indexes	Permits vendor to [process Nasdaq Level 1 and Last Sale data feeds solely for the purpose of supplying subscribers with] distribute real-time calculations of the Nasdaq market indexes to all of its subscribers, including those that do not otherwise subscribe to real-time Nasdaq Level 1 or NQDS services.	[$500]*$2,000*/month.

[3] 15 U.S.C. 78f(b).

[4] 15 U.S.C. 78f(b)(4).

[5] 15 U.S.C. 78s(b)(3)(A)(ii).

[6] 17 CFR 240.19b–4(f)(2).

[7] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] Nasdaq recommended to the SEC Advisory Committee on Market Information that the SEC relax its review of commercial products and services, including market data products that are outside the core functions of an SRO-operated market. The Advisory Committee, noting the regulatory disparity between SROs and unregistered commercial entities, in turn recommended that the SEC consider streamlining the SRO fee-filing requirement for non-core data. *See Report of the Advisory Committee On Market Information: A Blueprint For Responsible Change,* at fn. 283 and accompanying text.

7030. SPECIAL OPTIONS—Continued

Non-Continuous Access to Nasdaq Level 1 and Last Sale Information.	Permits vendor to process and distribute Nasdaq Level 1 and Last Sale Information to its subscribers on a non-continuous or query-response basis.	$.005/query.

* * * * * * *

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, Nasdaq included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. Nasdaq has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

Since 1971, Nasdaq has distributed Index Information through its proprietary data feeds. Until 1992, Index Information was only available to subscribers that purchased the full Nasdaq Level 1 and Last Sale entitlements (at a combined monthly fee of $16.25).[4] In 1992, Nasdaq proposed an index distribution fee (''Index Fee'') that would allow vendors to distribute real-time Nasdaq index information to all of their subscribers, including those that did not contract for the full Nasdaq Level 1 and Last Sale entitlements. When Nasdaq adopted a separate Index Fee, it sought the widest possible dissemination of Index Information by charging a flat, ''one size fits all'' fee that permits market data vendors to distribute Index Information to an unlimited number of end users. In addition, Nasdaq eschewed a formal subscriber agreement between market data vendors and end users, permitting those vendors wide latitude in distribution. Having paid the flat monthly fee of $500, market data vendors are then permitted to distribute the Index Information to all of their subscribers.

Nasdaq continues to believe that Index Information should reach the largest possible audience. Accordingly, Nasdaq desires to maintain a flat monthly fee for Index Information and also to continue to allow market data vendors to distribute Index Information without the need for a contractual relationship. Nasdaq believes that changes in the Index Information and in the marketplace, however, require that Nasdaq raise the fee for Index Information to ensure that the costs of calculating, monitoring, and distributing Index Information is allocated fairly among all users.

For instance, since 1992, Nasdaq has added substantially to the original group of indexes without raising the fee charged to vendors. Specifically, Nasdaq has added four indexes: the Nasdaq Computer Index in 1993, the Nasdaq Telecommunications Index in 1993, the Nasdaq Biotech Index in 1993, and the Nasdaq Canada Index in 2000. Also, in 2001, at vendors' requests, Nasdaq expanded the data feed to include the Nasdaq Pre-Market Indicator and a new After Hours Indicator. Nasdaq believes Index Information is valuable to the approximately 125 market data vendors, institutions, and investors that purchase the information—far more valuable than even the proposed fee increase indicates.[5] Purchasers can freely manipulate and display Index Information to attract subscribers and advertisers. Institutions often repackage the data and re-distribute it to their employees and customers as well as to the public. Retail investors also use Index Information directly, to monitor investments tied to the indexes and indirectly, to keep abreast, generally, of market conditions and trends.

Today, Nasdaq uses significantly more resources to calculate and disseminate Index Information than it used nine years ago. Nasdaq's average daily trade volume has increased by over 1,800% since 1993. Every standard trade in a Nasdaq security triggers a recalculation of each Nasdaq index in which the issue is a component. Therefore, higher trade volumes require Nasdaq to make more calculations and to dedicate increased computer resources to Index Information. This increase has been magnified due to the addition of the four new Nasdaq indexes and two new indicators. As a result, index processing now utilizes a disproportionate level of Nasdaq's computer operations resources relative to the fees assessed.

Nasdaq's indexes have gained in prominence since 1992. In 1992, Waters Information Services estimated that there were roughly 700,000 market data users in the world. Today, purchasers of Index Information have a potential subscriber base of hundreds of millions of Internet/web users that can access the data through this fee. The exchange trade fund (''ETF'') based on the Nasdaq 100 Index is the United States' most heavily traded ETF, averaging over 60 million daily share volume. In addition, futures contracts and options on the Nasdaq 100 Index trade on the Chicago Mercantile Exchange and Chicago Board Options Exchange. Nasdaq plans to introduce additional ETFs in the future, including one for the Nasdaq Biotech index. Supporting derivative products has required Nasdaq to increase the resources that it devotes to data quality, timeliness, and redundancy for the underlying indexes.

The existence of trading products based on Nasdaq indexes has boosted investor interest in the underlying index information upon which these securities are based. Today, Index Information reaches a vast audience of individual investors. Nasdaq Index Information is distributed via print, broadcast, and Internet channels to millions of investors worldwide. Nasdaq's Index Information data feed has both triggered and answered the call for wider dissemination of increased market data that was expressed in the Final Report of the SEC Special Commission on Market Information.

Finally, during the nine years since the Index Fee was first set at $500, as the audience for Nasdaq Index Information has grown, so too has the legal cost and risk associated with producing that information. Hundreds of investment products are based, in a variety of ways, upon Nasdaq Index Information, including open and closed-end mutual funds, ETFs, options,

[4] Nasdaq Level 1 service is a data feed that provides subscribers with the best bid and offer quotations and size in Nasdaq securities both within the Nasdaq market and among the participants in the Nasdaq UTP Plan. The Last Sale service provides subscribers with transaction reports from all participants in the Nasdaq UTP Plan.

[5] Purchasers of Index Information include Bloomberg L.P., E*Trade Group, Inc., Merrill Lynch, Pierce, Fenner & Smith Incorporated, Microsoft Corporation, Reuters Ltd., and Yahoo!, Inc.

futures, and derivatives. Nasdaq spends considerable money establishing relationships with issuers of such products, and monitoring their use of Nasdaq Index Information to ensure that it is used properly. Nasdaq faces significant legal exposure in this regard, as more investors have more money tied to the calculation of Nasdaq indexes. The escalating legal costs and risks associated with the Nasdaq Index Information must be properly allocated to the market data vendors who, simply by re-distributing the Information, create risk for Nasdaq.

Nasdaq believes that the Index Information Data Feed has been a successful method of providing beneficial information to customers in an efficient manner. However, Nasdaq also believes that the current fee structure does not reflect increases in the cost of offering the data to customers under the current flexible business arrangements or fairly share the revenue burden across Nasdaq's market data products. To retain the flat fee for Index Information as well as the flexible, non-contractual arrangement *vis a vis* end-users of this information, Nasdaq needs to allocate more accurately the costs of producing Index Information to the users of Index Information. Accordingly, Nasdaq is proposing to raise the fee to $2,000 per month. Nasdaq submits that a four-fold increase in the Index Fee, the first such increase in nine years, is reasonable in light of the 1,800% growth of Nasdaq trading volume, the corresponding increase in processing demands, and the hundred-fold increase in the subscriber audience covered during that period.

2. Statutory Basis

Nasdaq believes that the proposed rule change is consistent with the provisions of section 15A(b)(5)[6] and 15A(b)(6)[7] of the Act. Section 15A(b)(5) requires the equitable allocation of reasonable fees and charges among members and other users of facilities operated or controlled by a national securities association. Section 15A(b)(6) requires rules that foster cooperation and coordination with persons engaged in facilitating transactions in securities and that are not designed to permit unfair discrimination between customers, issuers, brokers or dealers. Nasdaq believes that this service provides beneficial information to subscribers on a non-discriminatory basis and that this fee increase will enable Nasdaq to continue expanding the breadth and depth of information dissemination. Nasdaq believes that this rule proposal equitably allocates fees in light of the value of the information and the cost of providing it.

B. Self-Regulatory Organization's Statement on Burden on Competition

Nasdaq does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Nasdaq has not solicited or received written comments on the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 35 days of the date of publication of this notice in the **Federal Register** or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the NASD consents, the Commission will:

A. By order approve such proposed rule change, or

B. Institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549–0609. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Room. Copies of such filing will also be available for inspection and copying at the principal office of the NASD. All submissions should refer to file number SR–NASD–2001–86 and should be submitted by March 22, 2002.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.[8]

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 02–4876 Filed 2–28–02; 8:45 am]

BILLING CODE 8010–01–P

[6] 15 U.S.C. 78o–3(b)(5).

[7] 15 U.S.C. 78o–3(b)(6).

[8] 17 CFR 200.30–3(a)(12).

SMALL BUSINESS ADMINISTRATION

Data Collection Available for Public Comments and Recommendations

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the Small Business Administration's intentions to request approval on a new, and/or currently approved information collection.

DATES: Submit comments on or before April 30, 2002.

ADDRESSES: Send all comments regarding whether this information collection is necessary for the proper performance of the function of the agency, whether the burden estimates are accurate, and if there are ways to minimize the estimated burden and enhance the quality of the collection, to Jim O'Connor, Director, Office of Entrepreneurial Development, Small Business Administration, 409 3rd Street, SW, Suite 6200, Washington DC 20416.

FOR FURTHER INFORMATION CONTACT: Jim O'Connor, Director, (202) 205–6929 or Curtis B. Rich, Management Analyst, (202) 205–7030.

SUPPLEMENTARY INFORMATION:

Title: Economic Impact.

Form No: N/A.

Description of Respondents: Small Business Client (small business owners & employees, prospective entrepreneurs and other students of enterprise).

Annual Responses: 17,000.

Annual Burden: 2,266.

Jacqueline White,

Chief, Administrative Information Branch.

[FR Doc. 02–4935 Filed 2–28–02; 8:45 am]

BILLING CODE 8025–01–P

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster #3364]

State of New York; (Amendment #4)

In accordance with information received from the Federal Emergency Management Agency, the above numbered declaration is hereby amended to extend the deadline for

filing applications for physical damages as a result of this disaster to September 30, 2002.

The deadline for filing applications for economic injury has also been amended to September 30, 2002. All other information remains the same.

(Catalog of Federal Domestic Assistance Program Nos. 59002 and 59008)

Dated: February 25, 2002.

Herbert L. Mitchell,

Associate Administrator, For Disaster Assistance.

[FR Doc. 02–4934 Filed 2–28–02; 8:45 am]

BILLING CODE 8025–01–P

DEPARTMENT OF STATE

[Public Notice 3933]

Bureau of Human Resources, Office of Recruitment, Examination, and Employment, Recruitment Division; 30–Day Notice of Proposed Information Collection: OMB Control Number #1400–0007; Form #DS–1950, Application for Employment

ACTION: Notice.

SUMMARY: The Department of State has submitted the following information collection request to the Office of Management and Budget (OMB) for approval in accordance with the Paperwork Reduction Act of 1995. Comments should be submitted to OMB within 30 days of the publication of this notice.

The following summarizes the information collection proposal submitted to OMB:

Type of Request: Reinstatement, with change, of a previously approved collection.

Originating Office: Bureau of Human Resources (HR/REE/REC).

Title of Information Collection: Department of State Application for Employment.

Frequency: Four application periods per year.

Form Number: DS–1950.

Respondents: U.S. citizens seeking entry into the Department of State Foreign Service and individuals, Sophomore through Graduate level college and university students, seeking participation in the Department's student programs.

Estimated Number of Respondents: 25,000.

Average Hours Per Response: ½ hour per response per part.

Total Estimated Burden: 14,500.

Public comments are being solicited to permit the agency to:

• 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.

• Evaluate the accuracy of the agency's estimate of the burden of the collection, including the validity of the methodology and assumptions used.

• Enhance the quality, utility, and clarity of the information to be collected.

• Minimize the reporting burden on those who are to respond, including through the use of automated collection techniques or other forms of technology.

FOR FURTHER INFORMATION CONTACT: Copies of the proposed information collection and supporting documents may be obtained from the Office of Recruitment, Examination, and Employment, Recruitment Division, 2401 E Street, NW., Room 518, (202) 261–8897, U.S. Department of State, Washington, DC 20520. Public comments and questions should be directed to the State Department Desk Officer, Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), Washington, DC 20530, who may be reached on 202–395–3897.

Dated: February 12, 2002.

Ruben Torres,

Executive Director, Bureau of Human Resources, U.S. Department of State.

[FR Doc. 02–4931 Filed 2–28–02; 8:45 am]

BILLING CODE 4710–15–P

DEPARTMENT OF STATE

[Public Notice 3926]

Office of Defense Trade Controls; Notifications to the Congress of Proposed Commercial Export Licenses

AGENCY: Department of State.

ACTION: Notice.

SUMMARY: Notice is hereby given that the Department of State has forwarded the attached Notifications of Proposed Export Licenses to the Congress on the dates shown on the attachments pursuant to section 36(c) and 36(d) and in compliance with section 36(e) of the Arms Export Control Act (22 U.S.C. 2776).

EFFECTIVE DATE: As shown on each of the eighteen letters.

FOR FURTHER INFORMATION CONTACT: Mr. William J. Lowell, Director, Office of Defense Trade Controls, Bureau of Political-Military Affairs, Department of State (202 663–2700).

SUPPLEMENTARY INFORMATION: Section 38(e) of the Arms Export Control Act mandates that notifications to the Congress pursuant to section 36(c) must be published in the **Federal Register** when they are transmitted to Congress or as soon thereafter as practicable.

Dated: February 19, 2002.

William J. Lowell,

Director, Office of Defense Trade Controls.

The Honorable J. Dennis Hastert, Speaker of the House of Representatives.

November 9, 2001.

Dear Mr. Speaker: Pursuant to Section 36(c) and (d) of the Arms Export Control Act, I am transmitting herewith certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of $50,000,000 or more.

The transaction contained in the attached certification involves the export to Japan of technical data, defense services and defense articles for manufacture of the J79–GE–17 gas turbine aircraft engine and engine components of the J79–GE–11A gas turbine aircraft engine for end-use by Japan, the Philippines, and Taiwan.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification, which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,

Paul V. Kelly,

Assistant Secretary, Legislative Affairs.

Enclosure: Transmittal No. DTC 120–01

The Honorable Joseph R. Biden, Jr., Chairman, Committee on Foreign Relations, United States Senate.

November 9. 2001.

Dear Mr. Chairman: Pursuant to Section 36(c) and (d) of the Arms Export Control Act, I am transmitting herewith certification of a proposed amendment to a manufacturing license agreement with Turkey in the amount of $50,000,000 or more.

The transaction described in the attached certification involves the transfer of technical data and assistance for the manufacture in Turkey of Day and Night Thermal Sight Systems for end use by NATO member states and Sweden, Switzerland, Austria, Finland, Malaysia, United Arab Emirates, Philippines, Singapore, Argentina, Egypt, Jordan, Bahrain, Saudi Arabia, Oman, Qatar, and Kuwait.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,

Paul V. Kelly,
Assistant Secretary, Legislative Affairs.
Enclosure: Transmittal No. 125–01

The Honorable Jesse Helms, Committee on Foreign Relations, United states Senate.
November 9, 2001.

Dear Senator Helms: Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of $50,000,000 or more.

The transaction contained in the attached certification involves the export of materials to Mexico necessary for the production of various military training equipment sub-assemblies and their subsequent return to the United States.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,
Paul V. Kelly,
Assistant Secretary, Legislative Affairs.
Enclosure: Transmittal No. DTC 155–01

The Honorable J. Dennis Hastert, Speaker, House of Representatives.
December 17, 2001.

Dear Mr. Speaker: Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of $50,000,000 or more.

The transaction contained in the attached certification involves the export of technical data and assistance to France for the launch of one commercial communications satellite to be owned and operated by a U.S. firm.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,
Paul V. Kelly,
Assistant Secretary, Legislative Affairs.
Enclosure: Transmittal No. DTC 148–01

The Honorable J. Dennis Hastert, Speaker of the House of Representatives.
December 17, 2001.

Dear Mr. Speaker: Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of $50,000,000 or more.

The transaction contained in the attached certification involves the export of technical data, defense services and training to Australia for the operational support, maintenance and overhaul of the F404–GE–400 aircraft engines of the Royal Australian Air Force.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,
Paul V. Kelly,
Assistant Secretary, Legislative Affairs.
Enclosure: Transmittal No. DTC 151–01

The Honorable Joseph R. Biden, Jr., Chairman, Committee on Foreign Relations, United States Senate.
December 19, 2001.

Dear Mr. Chairman:

Pursuant to Section 36(d) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed manufacturing license agreement with France.

The transaction described in the attached certification involves the transfer of technical data and assistance in the manufacture, repair and support of MDM–2X02 Link–11 modems. The modems will be available for sale involving Government end use in Belgium, Canada, Czech Republic, Denmark, France, Greece, Hungary, Iceland, Italy, Luxembourg, the Netherlands, Norway, Poland, Portugal, Spain, Turkey, United Kingdom, Australia, Japan, South Korea, New Zealand, Singapore, Thailand, Bahrain, Egypt, Kingdom of Saudi Arabia, Kuwait, Oman, Argentina, Brazil, and Chile.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,
Paul V. Kelly,
Assistant Secretary, Legislative Affairs.
Enclosure:
Transmittal No. 050–01

The Honorable J. Dennis Hastert, Speaker of the House of Representatives.
December 19, 2001.

Dear Mr. Speaker: Pursuant to Section 36(d) of the Arms Export Control Act, I am transmitting herewith certification of a proposed manufacturing license agreement with Japan.

The transaction contained in the attached certification involves the export to Japan of technical data and assistance in the manufacture of the T–16B Inertial Measurement Unit for end-use by Japan.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification, which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,
Paul V. Kelly,
Assistant Secretary, Legislative Affairs.
Enclosure: Transmittal No. DTC 126–01

The Honorable J. Dennis Hastert, Speaker of the House of Representatives.
December 19, 2001.

Dear Mr. Speaker: Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of $50,000,000 or more.

The transaction contained in the attached certification involves the manufacture of Armament Control Systems for F–4 and F–15 aircraft in Japan.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,
Paul V. Kelly,
Assistant Secretary, Legislative Affairs.
Enclosure: Transmittal No. DTC 129–01

The Honorable Joseph R. Biden, Jr., Chairman, Committee on Foreign Relations, United States Senate.
December 19, 2001.

Dear Mr. Chairman: Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of $50,000,000 or more.

The transaction contained in the attached certification involves the export of tooling, test equipment, materials, forgings, castings, accessories, and technical data and services related to the manufacture of various F–16 aircraft components in Denmark and Belgium for return to the United States.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause

competitive harm to the United States firm concerned.

Sincerely,
Paul V. Kelly,
Assistant Secretary, Legislative Affairs.
Enclosure: Transmittal No. DTC 145–01

The Honorable J. Dennis Hastert, Speaker of the House of Representatives.
December 19, 2001.

Dear Mr. Speaker: Pursuant to Section 36(c) and (d) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of $50,000,000 or more.

The transaction contained in the attached certification involves the export of technical data and defense services for the manufacture in Japan of the KD2R–5 Target Drone Airplanes for the Japanese Government.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,
Paul V. Kelly,
Assistant Secretary, Legislative Affairs.
Enclosure: Transmittal No. DTC 154–01

The Honorable J. Dennis Hastert, Speaker of the House of Representatives.
December 19, 2001.

Dear Mr. Speaker:

Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of $50,000,000 or more.

The transaction contained in the attached certification involves the export to Japan of defense articles and technical data to support the manufacture of 300-gallon external fuel tanks for the F–2 aircraft program for end-use by the Government of Japan.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,
Paul V. Kelly,
Assistant Secretary, Legislative Affairs.
Enclosure: Transmittal No. DTC 157–01

The Honorable J. Dennis Hastert, Speaker of the House of Representatives.
December 19, 2001.

Dear Mr. Speaker: Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of $50,000,000 or more.

The transaction contained in the attached certification involves the export to Germany of technical data and defense services for the repair and overhaul of AGT1500 Vehicular Gas Turbine Engines on the M1A1 Main Battle Tanks for the United States Army in Europe and the Kingdom of Kuwait.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,
Paul V. Kelly,
Assistant Secretary, Legislative Affairs.
Enclosure: Transmittal No. DTC 158–01

The Honorable J. Dennis Hastert, Speaker of the House of Representatives.
December 21, 2001.

Dear Mr. Speaker: Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of $50,000,000 or more.

The transaction contained in the attached certification involves the export to the United Kingdom of technical data related to the development and repair of United Kingdom produced items (i.e., head up displays, air data computers, and sensors) for end-use by the U.S. Government.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,
Paul V. Kelly,
Assistant Secretary, Legislative Affairs.
Enclosure: Transmittal No. DTC 156–01

The Honorable J. Dennis Hastert, Speaker of the House of Representatives.
February 7, 2002.

Dear Mr. Speaker: Consistent with Section 36(c) of the Arms Export Control Act and Title IX of Public Law 106–79, I am transmitting, herewith, certification of a proposed license for the export of defense articles to India.

The President made a determination in a manner consistent with Title IX of the Department of Defense Appropriations Act, Fiscal Year 2000 (Public Law 106–79) to waive sanctions on India in connection with the Glenn Amendment and related provisions, as reported to you by separate letter. Under Title IX, the issuance of a license for the export of defense articles or defense services to India pursuant to the waiver authority of that Title is subject to the same requirements as are applicable to the export of items described in section 36(c) of the Arms Export Control Act, and the Administration is treating authorization for the requested re-export consistent with these provisions.

The transaction described in the attached certification involves the transfer of technical data related to the AN/TPQ–37(v) weapons locating radar.

The United States Government is prepared to authorize the export of these items having taken into account political, military, economic, human rights and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,
Paul V. Kelly,
Assistant Secretary, Legislative Affairs.
Enclosure: Transmittal No. DTC 161–01

The Honorable J. Dennis Hastert, Speaker of the House of Representatives.
February 7, 2002.

Dear Mr. Speaker: Consistent with Section 36(c) of the Arms Export Control Act and Title IX of Public Law 106–79, I am transmitting, herewith, certification of a proposed license for the export of defense articles to India.

The President made a determination in a manner consistent with Title IX of the Department of Defense Appropriations Act, Fiscal Year 2000 (Public Law 106–79) to waive sanctions on India in connection with the Glenn Amendment and related provisions, as reported to you by separate letter. Under Title IX, the issuance of a license for the export of defense articles or defense services to India pursuant to the waiver authority of that Title is subject to the same requirements as are applicable to the export of items described in section 36(c) of the Arms Export Control Act, and the Administration is treating authorization for the requested re-export consistent with these provisions.

The transaction described in the attached certification involves the transfer of four helicopter crew seats to India.

The United States Government is prepared to authorize the export of these items having taken into account political, military, economic, human rights and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,
Paul V. Kelly,
Assistant Secretary, Legislative Affairs.
Enclosure: Transmittal No. DTC 162–01

The Honorable J. Dennis Hastert, Speaker of the House of Representatives.

February 7, 2002.

Dear Mr. Speaker: Consistent with Section 36(c) of the Arms Export Control Act and Title IX of Public Law 106–79, I am transmitting, herewith, certification of a proposed license for the export of defense articles to India.

The President made a determination in a manner consistent with Title IX of the Department of Defense Appropriations Act, Fiscal Year 2000 (Public Law 106–79) to waive sanctions on India in connection with the Glenn Amendment and related provisions, as reported to you by separate letter. Under Title IX, the issuance of a license for the export of defense articles or defense services to India pursuant to the waiver authority of that Title is subject to the same requirements as are applicable to the export of items described in section 36(c) of the Arms Export Control Act, and the Administration is treating authorization for the requested re-export consistent with these provisions.

The transaction described in the attached certification involves the transfer of 112,000 microdetonators for antiaircraft guns.

The United States Government is prepared to authorize the export of these items having taken into account political, military, economic, human rights and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,
Paul V. Kelly,
Assistant Secretary, Legislative Affairs.

Enclosure: Transmittal No. DTC 164–01,

The Honorable J. Dennis Hastert, Speaker of the House of Representatives.

February 7, 2002.

Dear Mr. Speaker: Consistent with Section 36(c) of the Arms Export Control Act and Title IX of Public Law 106–79, I am transmitting, herewith, certification of a proposed license for the export of defense articles to India.

The President made a determination in a manner consistent with Title IX of the Department of Defense Appropriations Act, Fiscal Year 2000 (Public Law 106–79) to waive sanctions on India in connection with the Glenn Amendment and related provisions, as reported to you by separate letter. Under Title IX, the issuance of a license for the export of defense articles or defense services to India pursuant to the waiver authority of that Title is subject to the same requirements as are applicable to the export of items described in section 36(c) of the Arms Export Control Act, and the Administration is treating authorization for the requested re-export consistent with these provisions.

The transaction described in the attached certification involves the transfer of 540 LAT–0570 electrical motors.

The United States Government is prepared to authorize the export of these items having taken into account political, military, economic, human rights and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,
Paul V. Kelly,
Assistant Secretary, Legislative Affairs.

Enclosure:
Transmittal No. DTC 167–01

The Honorable J. Dennis Hastert, Speaker of the House of Representatives.

February 8, 2002.

Dear Mr. Speaker: Pursuant to Section 36(d) of the Arms Export Control Act, I am transmitting herewith certification of a proposed manufacturing license agreement with the United Kingdom.

The transaction described in the attached certification involves the transfer of technical data and assistance for the manufacture of MK 41 Vertical Launching System components and subassemblies for use by the United Kingdom Royal Navy and the United States Navy.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,
Paul V. Kelly,
Assistant Secretary, Legislative Affairs.

Enclosure: Transmittal No. DTC 123–01

[FR Doc. 02–4930 Filed 2–28–02; 8:45 am]

BILLING CODE 4710–25–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice Before Waiver With Respect to Land at Roanoke Regional Airport, Roanoke, VA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of intent of waiver with respect to land.

SUMMARY: The FAA is publishing notice of proposed release of 1.802 acres of land at the Roanoke Regional Airport, Roanoke, Virginia to Wal-Mart Properties in exchange for 1.441 acres of land ajacent to long term parking. The land swap will provide the potential for additional parking spaces. Releasing the land does not adversely impact the Airport and the land is not needed for airport development as shown on the Airport Layout Plan. Fair Market Value of the land has been assessed for both parcels and will be a beneficial exchange for the Airport Sponsor.

DATES: Comments must be received on or before April 1, 2000.

ADDRESSES: Comments on this application may be mailed or delivered in triplicate to the FAA at the following address: Terry J. Page, Manager, FAA Washington Airports District Office, P.O. Box 16780, Washington, DC 20041–6780.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Jacqueline L. Shuck, Executive Director, Roanoke Regional Airport, at the following address: Jacqueline L. Shuck, Executive Director, Roanoke Regional Airport Commission, 5202 Aviation Drive, Roanoke, Virginia 24012–1148.

FOR FURTHER INFORMATION CONTACT: Mr. Terry Page, Manager, Washington Airports District Office, P.O. Box 16780, Washington, DC 20041–6780; telephone (703) 661–1354, fax (703) 661–1370, e-mail *Terry. Page@faa.gov.*

SUPPLEMENTARY INFORMATION: On April 5, 2000, new authorizing legislation became effective. That bill, the Wendell H. Ford Aviation investment and Reform Act for the 21st Century, Public Law 10–181 (Apr. 5, 2000; 114 Stat. 61) (AIR 21) requires that a 30 day public notice must be provided before the Secretary may waive any condition imposed on an interest in surplus property.

Issued in Chantilly, Virginia on February 7, 2002.

Terry J. Page,

Manger, Washington Airports District Office, Eastern Region.

[FR Doc. 02–4957 Filed 2–28–02; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Noise Exposure Map Notice; Receipt of Noise Compatibility Program and Request for Review; Four Corners Regional Airport, Farmington, NM

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice.

SUMMARY: The Federal Aviation Administration (FAA) announces its determination that the noise exposure maps submitted by the City of Farmington, New Mexico, for Four Corners Regional Airport, under the provisions of Title 49 USC, Chapter 475 (hereinafter referred to as ''Title 49'')

and 14 CFR part 150 are in compliance with applicable requirements. The FAA also announces that it is reviewing a proposed noise compatibility program that was submitted for Four Corners Regional Airport, under Part 150 in conjunction with the noise exposure maps and that this program will be approved or disapproved on or before July 9, 2002.

EFFECTIVE DATE: The effective date of the FAA's determination on the noise exposure maps and the start of its review of the associated noise compatibility program is January 9, 2002. The public comment period ends March 11, 2002.

FOR FURTHER INFORMATION CONTACT: Joyce M. Porter, Department of Transportation, Federal Aviation Administration, Fort Worth, Texas, 76193–0640, (817) 222–5640. Comments on the proposed noise compatibility program should also be submitted to the above office.

SUPPLEMENTARY INFORMATION: This notice announces that the FAA finds that the noise exposure maps submitted for Four Corners Regional Airport are in compliance with applicable requirements of Part 150, effective January 9, 2002. Further, FAA is reviewing a proposed noise compatibility program for that airport which will be approved or disapproved on or before July 9, 2002. This notice also announces the availability of this program for public review and comment.

Under Title 49, an airport operator may submit to the FAA noise exposure maps, which meet applicable regulations, and which depict noncompatible land uses as of the date of submission of such maps, a description of projected aircraft operations, and the ways in which such operations will affect such maps. Title 49 requires such maps to be developed in consultation with interested and affected parties in the local community, government agencies, and persons using the airport.

An airport operator who has submitted noise exposure maps that are found by the FAA to be in compliance with the requirements of Federal Aviation Regulations (FAR) Part 150, promulgated pursuant to Title 49, may submit a noise compatibility program for FAA approval which sets forth the measures the operator has taken or proposes for the reduction of existing noncompatible uses and for the prevention of the introduction of additional noncompatible uses.

The City of Farmington, New Mexico submitted to the FAA on December 27, 2001, noise exposure maps, descriptions and other documentation, which were produced during preparation of the Four Corners Regional Airport Part 150 Study from August 16, 1999 through December 27, 2001. It was requested that the FAA review this material as the noise exposure maps, as described in Title 49, and that the noise mitigation measures, to be implemented jointly by the airport and surrounding communities, be approved as a noise compatibility program under Title 49.

The FAA has completed its review of the noise exposure maps and related descriptions submitted by the City of Farmington, New Mexico. The specific maps under consideration are Figure 5.1, 2001 Existing Condition Noise Exposure Map; Figure 5.2, 2006 Future Condition Noise Exposure Map Without Program Implementation; and Figure 6.6, 2006 Future Condition Noise Exposure Map With Program Implementation, in the submission.

The FAA has determined that these maps for Four Corners Regional Airport are in compliance with applicable requirements. This determination is effective on January 9, 2002. FAA's determination on an airport operator's noise exposure maps is limited to a finding that the maps were developed in accordance with the procedures contained in Appendix A of FAR Part 150. Such determination does not constitute approval of the applicant's data, information, or plans, or a commitment to approve a noise compatibility program or to fund the implementation of that program.

If questions arise concerning the precise relationship of specific properties to noise exposure contours depicted on a noise exposure map submitted under section 103 of the Act, it should be noted that the FAA is not involved in any way in determining the relative locations of specific properties with regard to the depicted noise contours, or in interpreting the noise exposure maps to resolve questions concerning, for example, which properties should be covered by the provisions of Title 49. These functions are inseparable from the ultimate land use control and planning responsibilities of local government. These local responsibilities are not changed in any way under Part 150 or through FAA's review of noise exposure maps. Therefore, the responsibility for the detailed overlaying of noise exposure contours onto the map depicting properties on the surface rests exclusively with the airport operator, which submitted those maps, or with those public agencies and planning agencies with which consultation is required under Title 49. The FAA has relied on the certification by the airport operator, under section 150.21 of FAR Part 150, that the statutorily required consultation has been accomplished.

The FAA has formally received the noise compatibility program for Four Corners Regional Airport, also effective on January 9, 2002. Preliminary review of the submitted material indicates that it conforms to the requirements for the submittal of noise compatibility programs, but that further review will be necessary prior to approval or disapproval of the program. The formal review period, limited by law to a maximum of 180 days, will be completed on or before July 9, 2002.

The FAA's detailed evaluation will be conducted under the provisions of 14 CFR part 150, section 150.33. The primary considerations in the evaluation process are whether the proposed measures may reduce the level of aviation safety, create an undue burden on interstate or foreign commerce, or be reasonably consistent with obtaining the goal of reducing existing noncompatible land uses and preventing the introduction of additional noncompatible land uses.

Interested persons are invited to comment on the proposed program with specific reference to these factors. All comments, other than those properly addressed to local land use authorities, will be considered by the FAA to the extent practicable. Copies of the noise exposure maps, the FAA's evaluation of the maps, and the proposed noise compatibility program are available for examination at the following locations:

Federal Aviation Administration, Airports Division, 2601 Meacham Boulevard, Fort Worth, Texas 76137–4298.

City of Farmington, 800 Municipal Drive, Farmington, New Mexico 87401–2663.

Questions may be directed to the individual named above under the heading, **FOR FURTHER INFORMATION CONTACT.**

Dated: Issued in Fort Worth, Texas, January 9, 2002.

Edward N. Agnew,

Acting Manager, Airports Division.

[FR Doc. 02–4958 Filed 2–28–02; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Intent to Rule on Application 02–09–C–00–MDW To Impose and Use the Revenue From a Passenger Facility Charge (PFC) at Chicago Midway Airport, Chicago, IL

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of intent to rule on application.

SUMMARY: The FAA proposes to rule and invites public comment on the application to impose and use the revenue from a PFC at Chicago Midway Airport under the provisions of the 49 U.S.C. 40117 and Part 158 of the Federal Aviation Regulations (14 CFR Part 158).

DATES: Comments must be received on or before April 1, 2002.

ADDRESSES: Comments on this application may be mailed or delivered in triplicate to the FAA at the following address: Federal Aviation Administration, Chicago Airports District Office, 2300 East Devon Avenue, Room 320, Des Plaines, IL 60018.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Mr. Thomas R. Walker, Commissioner of the City of Chicago Department of Aviation at the following address: Chicago O'Hare International Airport, P.O. Box 66142, Chicago, IL 60666.

Air carriers and foreign air carriers may submit copies of written comments previously provided to the City of Chicago Department of Aviation under section 158.23 of Part 158.

FOR FURTHER INFORMATION CONTACT: Mr. Philip M. Smithmeyer, Manager, Chicago Airports District Office, 2300 East Devon Avenue, Room 320, Des Plaines, IL 60018, (847) 294–7335. The application may be reviewed in person at this same location.

SUPPLEMENTARY INFORMATION: The FAA proposed to rule and invites public comment on the application to impose and use the revenue from a PFC at Chicago Midway Airport under the provisions of the 49 U.S.C. 40117 and part 158 of the Federal Aviation Regulations (14 CFR part 158).

On January 7, 2002, the FAA determined that the application to impose and use the revenue from a PFC submitted by the City of Chicago Department of Aviation was substantially complete within the requirements of section 158.25 of part 158. The FAA will approve or disapprove the application, in whole or in part, no later than April 20, 2002.

The following is a brief overview of the application.

Proposed charge effective date: November 1, 2044.

Proposed charge expiration date: August 1, 2050.

Level of the proposed PFC: $3.00.

Total estimated PFC revenue: $187,546,282.

Brief description of proposed projects: Federal Inspection Services Facility, Replace Visual Approach Slope Indicator Lights with Precision Approach Patch Indicators Lights, Obstruction Removal, North Triangle Ramp Development, West Triangle Ramp Development, Residential Insulation 2002–2004 (approximately 1,600 homes), Noise Barrier Extensions, Airfield Operations Area Gate and Booth Rehabilitation/Reconfiguration, Equipment Acquisition 2002–2004.

Class or classes of air carriers which the public agency has requested not be required to collect PFCs: air taxi operators.

Any person may inspect the application in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT**.

In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at the City of Chicago Department of Aviation.

Dated: Issued in Des Plaines, Illinois on January 25, 2002.

Mark A. McClardy,

Acting Manager, Planning/Programming Branch, Airports Division, Great Lakes Region.

[FR Doc. 02–4959 Filed 2–28–02; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2002–11700]

Information Collection Available for Public Comments and Recommendations

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the Maritime Administration's (MARAD's) intentions to request extension of approval for three years of a currently approved information collection.

DATES: Comments should be submitted on or before April 30, 2002.

FOR FURTHER INFORMATION CONTACT: Kenneth Willis, 400 Seventh St., SW., Washington, DC 20590. Telephone: 202–366–2306 or FAX 202–493–2180.

Copies of this collection can also be obtained from that office.

SUPPLEMENTARY INFORMATION:

Title of Collection: Application and Reporting Elements for Participation in the Maritime Security Program.

Type of Request: Extension of currently approved information collection.

OMB Control Number: 2133–0525.

Form Numbers: None.

Expiration Date of Approval: September 30, 2002.

Summary of Collection of Information: The Maritime Security Act of 1996 established the Maritime Security Program which supports the operations of U.S.-flag vessels in the foreign commerce of the United States through assistance payments. Participating vessel operators receive assistance payments and are required to make their ships and other commercial transportation resources available to the Government during times of national emergency. The vessel operators who are interested in participating in the Maritime Security Fleet are required to submit an application to MARAD for its review and approval.

Need and Use of the Information: The collected information is necessary for MARAD to determine if selected vessels are qualified to participate in the Maritime Security Program.

Description of Respondents: Operators of U.S.-flag vessels who are interested in participating in the Maritime Security Fleet.

Annual Responses: 132 respondents.

Annual Burden: 152 hours.

Comments: Comments should refer to the docket number that appears at the top of this document. Written comments may be submitted to the Docket Clerk, U.S. DOT Dockets, Room PL–401, 400 Seventh Street, SW, Washington, DC 20590. Comments may also be submitted by electronic means via the Internet at *http://dmses.dot.gov/submit.* Specifically address whether this information collection is necessary for proper performance of the functions of the agency and will have practical utility, accuracy of the burden estimates, ways to minimize this burden, and ways to enhance the quality, utility, and clarity of the information to be collected. All comments received will be available for examination at the above address between 10 a.m. and 5 p.m. EST, Monday through Friday, except Federal Holidays. An electronic version of this

document is available on the World Wide Web at *http://dms.dot.gov.*

Dated: February 26, 2002.

By Order of the Maritime Administrator.

Joel C. Richard,

Secretary, Maritime Administration.

[FR Doc. 02–4953 Filed 2–28–02; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket Number: MARAD–2002–11694]

Requested Administrative Waiver of the Coastwise Trade Laws

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Invitation for public comments on a requested administrative waiver of the Coastwise Trade Laws for the vessel ESPRIT DU NORD.

SUMMARY: As authorized by Public Law 105–383, the Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a description of the proposed service, is listed below. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines that in accordance with Public Law 105–383 and MARAD's regulations at 46 CFR part 388 (65 FR 6905; February 11, 2000) that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels, a waiver will not be granted.

DATES: Submit comments on or before April 1, 2002.

ADDRESSES: Comments should refer to docket number MARAD–2002–11694. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. DOT Dockets, Room PL–401, Department of Transportation, 400 7th St., SW, Washington, DC 20590–0001. You may also send comments electronically via the Internet at *http://dmses.dot.gov/submit/*. All comments will become part of this docket and will be available for inspection and copying at the above address between 10 a.m. and 5 p.m., E.T., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available on the World Wide Web at *http://dms.dot.gov.*

FOR FURTHER INFORMATION CONTACT: Kathleen Dunn, U.S. Department of Transportation, Maritime Administration, MAR–832 Room 7201, 400 Seventh Street, SW, Washington, DC 20590. Telephone 202–366–2307.

SUPPLEMENTARY INFORMATION: Title V of Public Law 105–383 provides authority to the Secretary of Transportation to administratively waive the U.S.-build requirements of the Jones Act, and other statutes, for small commercial passenger vessels (no more than 12 passengers). This authority has been delegated to the Maritime Administration per 49 CFR 1.66, Delegations to the Maritime Administrator, as amended. By this notice, MARAD is publishing information on a vessel for which a request for a U.S.-build waiver has been received, and for which MARAD requests comments from interested parties. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD'S regulations at 46 CFR part 388.

Vessel Proposed for Waiver of the U.S.-Build Requirement

(1) Name of vessel and owner for which waiver is requested. *Name of vessel:* ESPRIT DU NORD. *Owner:* Charter Yachts North, LLC.

(2) Size, capacity and tonnage of vessel. *According to the applicant*: ''Her breadth is 17.0 and her depth 7.5 feet * * * She displaces 29 gross tons, 26 net tons * * *''

(3) Intended use for vessel, including geographic region of intended operation and trade. *According to the applicant*:

''* * * we intend to make the vessel available for hire for half-day, full day, weekend, or week long charters in the waters of the Southern California including the Channel Islands. Our business plan is to offer a high level of customer service to small groups/families with a directed focus on eco-tourism, including whale watching, snorkeling, and SCUBA diving, etc. We would also make the vessel available for charitable functions, such as exposing disadvantaged or at-risk youth to the outdoors, sailing instruction, and the sea.''

(4) Date and Place of construction and (if applicable) rebuilding. *Date of construction:* 1995. *Place of construction:* Construction Navale Bordeaux, Bordeaux, France.

(5) A statement on the impact this waiver will have on other commercial passenger vessel operators. *According to the applicant:* ''The effect a waiver would have on other local operators would be a net gain for other businesses through increased exposure. Comparable vessels in this area either do not offer a product similar to what we intend to offer, or they are established inspected vessels which do not normally transact with groups as small as six passengers. Any groups that we can not accommodate due to the vessel's status as an uninspected passenger vessel would promptly be referred to neighboring operators who can carry more passengers. Any exposure generated by Esprit Du Nord would only benefit other operators in the area.''

(6) A statement on the impact this waiver will have on U.S. shipyards. *According to the applicant:* ''If a waiver is granted to allow ESPRIT DU NORD to trade in U.S. waters, local yards and marine contractors will benefit from the maintenance and repairs that the vessel will undoubtedly require.''

Dated: February 26, 2002.

By Order of the Maritime Administrator.

Joel C. Richard,

Secretary, Maritime Administration.

[FR Doc. 02–4949 Filed 2–28–02; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket Number: MARAD–2002–11690]

Requested Administrative Waiver of the Coastwise Trade Laws

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Invitation for public comments on a requested administrative waiver of the Coastwise Trade Laws for the vessel SEA BREEZE.

SUMMARY: As authorized by Public Law 105–383, the Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a description of the proposed service, is listed below. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines that in accordance with Public Law 105–383 and MARAD's regulations at 46 CFR part 388 (65 FR 6905; February 11, 2000) that the issuance of the waiver will have an

unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels, a waiver will not be granted.

DATES: Submit comments on or before April 1, 2002.

ADDRESSES: Comments should refer to docket number MARAD–2002–11690. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. DOT Dockets, Room PL–401, Department of Transportation, 400 7th St., SW, Washington, DC 20590–0001. You may also send comments electronically via the Internet at *http://dmses.dot.gov/submit/.* All comments will become part of this docket and will be available for inspection and copying at the above address between 10 a.m. and 5 p.m., E.T., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available on the World Wide Web at *http://dms.dot.gov.*

FOR FURTHER INFORMATION CONTACT: Kathleen Dunn, U.S. Department of Transportation, Maritime Administration, MAR–832 Room 7201, 400 Seventh Street, SW, Washington, DC 20590. Telephone 202–366–2307.

SUPPLEMENTARY INFORMATION: Title V of Public Law 105–383 provides authority to the Secretary of Transportation to administratively waive the U.S.-build requirements of the Jones Act, and other statutes, for small commercial passenger vessels (no more than 12 passengers). This authority has been delegated to the Maritime Administration per 49 CFR 1.66, Delegations to the Maritime Administrator, as amended. By this notice, MARAD is publishing information on a vessel for which a request for a U.S.-build waiver has been received, and for which MARAD requests comments from interested parties. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD'S regulations at 46 CFR part 388.

Vessel Proposed for Waiver of the U.S.-Build Requirement

(1) Name of vessel and owner for which waiver is requested. *Name of vessel:* SEA BREEZE. *Owner:* Martin H. Owen.

(2) Size, capacity and tonnage of vessel. *According to the applicant:* ''Length 40 feet; Weight 14 Tons gross, 11 tons net (46 USC 14502); Passengers Not more than 12.''

(3) Intended use for vessel, including geographic region of intended operation and trade. *According to the applicant:* ''Charter boat for hire in the waters in and about Kodiak Island, Alaska. Typical uses are: wildlife photography, sightseeing, hunting and fishing.''

(4) Date and Place of construction and (if applicable) rebuilding. *Date of construction:* 1980. *Place of construction:* Republic of Taiwan.

(5) A statement on the impact this waiver will have on other commercial passenger vessel operators. *According to the applicant:* ''The Alaska charter boat industry is in its infancy, especially in the Kodiak Island area. There are less than ten vessels over 40 feet operating out of Kodiak. These vessels cater primarily to tourists who charter for the purpose of sport fishing. The M/V SEA BREEZE * * * is unsuitable for sport-fishing charters and therefore will provide little competition with other sportfishing charter vessels.''

(6) A statement on the impact this waiver will have on U.S. shipyards. *According to the applicant:* ''Since the vessel is small and was built over 20 years ago, it will have little or no impact on the US ship building industry today.''

Dated: February 26, 2002.

By Order of the Maritime Administrator.

Joel C. Richard,

Secretary, Maritime Administration.

[FR Doc. 02–4952 Filed 2–28–02; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket Number: MARAD–2002–11692]

Requested Administrative Waiver of the Coastwise Trade Laws

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Invitation for public comments on a requested administrative waiver of the Coastwise Trade Laws for the vessel MÅKEN.

SUMMARY: As authorized by Public Law 105–383, the Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a description of the proposed service, is listed below. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines that in accordance with Public Law 105–383 and MARAD's regulations at 46 CFR part 388 (65 FR 6905; February 11, 2000) that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels, a waiver will not be granted.

DATES: Submit comments on or before April 1, 2002.

ADDRESSES: Comments should refer to docket number MARAD–2002–11692. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. DOT Dockets, Room PL–401, Department of Transportation, 400 7th St., SW, Washington, DC 20590–0001. You may also send comments electronically via the Internet at *http://dmses.dot.gov/submit/.* All comments will become part of this docket and will be available for inspection and copying at the above address between 10 a.m. and 5 p.m., E.T., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available on the World Wide Web at *http://dms.dot.gov.*

FOR FURTHER INFORMATION CONTACT: Kathleen Dunn, U.S. Department of Transportation, Maritime Administration, MAR–832 Room 7201, 400 Seventh Street, SW, Washington, DC 20590. Telephone 202–366–2307.

SUPPLEMENTARY INFORMATION: Title V of Public Law 105–383 provides authority to the Secretary of Transportation to administratively waive the U.S.-build requirements of the Jones Act, and other statutes, for small commercial passenger vessels (no more than 12 passengers). This authority has been delegated to the Maritime Administration per 49 CFR 1.66, Delegations to the Maritime Administrator, as amended. By this notice, MARAD is publishing information on a vessel for which a request for a U.S.-build waiver has been received, and for which MARAD requests comments from interested parties. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD'S regulations at 46 CFR part 388.

Vessel Proposed for Waiver of the U.S.-Build Requirement

(1) Name of vessel and owner for which waiver is requested. *Name of vessel:* MÅKEN. *Owner:* Bruce Arthur Millies.

(2) Size, capacity and tonnage of vessel. *According to the applicant:* ''LOD: 45 ft. Beam: 15 ft. Draft: 6 ft.; Displacement 23 tons'

(3) Intended use for vessel, including geographic region of intended operation and trade. *According to the applicant:* ''To carry 6 or fewer passengers for hire in order to teach sailing skills and environmental awareness; and/or as vacation charters.'' ''All coastal and inland waters of the United States and its territories and possessions.''

(4) Date and Place of construction and (if applicable) rebuilding. *Date of construction:* Sometime between 1895 to 1910. *Place of construction:* Norway. *Date of rebuilding:* 1987. *Place of rebuilding:* Port Townsend, WA.

(5) A statement on the impact this waiver will have on other commercial passenger vessel operators. *According to the applicant:* ''The use of this vessel will not adversely affect the coastwise trade business of any person who employs vessels built in the United States in that business. The intended use of this vessel—to carry a relatively small number of passengers each year—is an insignificant addition to the large and active boat charter business in the United States.''

(6) A statement on the impact this waiver will have on U.S. shipyards. *According to the applicant:* ''The use of this vessel will not adversely affect United States vessel builders. In fact, the continued use of this traditional wooden vessel will require ongoing maintenance and repair that will provide business and employment for boatyards and shipwrights in the United States.

Dated: February 26, 2002.

By order of the Maritime Administrator.

Joel C. Richard,

Secretary, Maritime Administration.

[FR Doc. 02–4948 Filed 2–28–02; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket Number: MARAD–2002–11693]

Requested Administrative Waiver of the Coastwise Trade Laws

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Invitation for public comments on a requested administrative waiver of the Coastwise Trade Laws for the vessel Mak-Atak.

SUMMARY: As authorized by Pubic Law 105–383, the Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a description of the proposed service, is listed below. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines that in accordance with Public Law 105–383 and MARAD's regulations at 46 CFR part 388 (65 FR 6905; February 11, 2000) that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels, a waiver will not be granted.

DATES: Submit comments on or before April 1, 2002.

ADDRESSES: Comments should refer to docket number MARAD–2002–11693. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. DOT Dockets, Room PL–401, Department of Transportation, 400 7th St., SW., Washington, DC 20590–0001. You may also send comments electronically via the Internet at *http://dmses.dot.gov/submit/.* All comments will become part of this docket and will be available for inspection and copying at the above address between 10 a.m. and 5 p.m., E.T., Monday through Friday, except Federal holidays. An electronic version of this document and all documents entered into this docket is available on the World Wide Web at *http://dms.dot.gov.*

FOR FURTHER INFORMATION CONTACT: Kathleen Dunn, U.S. Department of Transportation, Maritime Administration, MAR–832 Room 7201, 400 Seventh Street, SW., Washington, DC 20590. Telephone 202–366–2307.

SUPPLEMENTARY INFORMATION: Title V of Public Law 105–383 provides authority to the Secretary of Transportation to administratively waive the U.S.-build requirements of the Jones Act, and other statutes, for small commercial passenger vessels (no more than 12 passengers). This authority has been delegated to the Maritime Administration per 49 CFR 1.66, Delegations to the Maritime Administrator, as amended. By this notice, MARAD is publishing information on a vessel for which a request for a U.S.-build waiver has been received, and for which MARAD requests comments from interested parties. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD'S regulations at 46 CFR part 388.

Vessel Proposed for Waiver of the U.S.-Build Requirement

(1) Name of vessel and owner for which waiver is requested. *Name of vessel:* Mak-Atak. *Owner:* Redfish, L.L.C.

(2) Size, capacity and tonnage of vessel. *According to the applicant:* ''40 feet long, 14 feet wide and 7.2 feet deep * * * gross tonnage is 27 and her net tonnage is 21.''

(3) Intended use for vessel, including geographic region of intended operation and trade. *According to the applicant:* ''I intend to keep the vessel in Ocean City, MD, and will carry charters of no more than six passengers. Charters will be run on the Atlantic Ocean, no more than one hundred nautical miles north, south, or east of home port.''

(4) Date and Place of construction and (if applicable) rebuilding. *Date of construction:* 1988. *Place of construction:* Kaosiung, Taiwan, Republic of China.

(5) A statement on the impact this waiver will have on other commercial passenger vessel operators. *According to the applicant:* ''* * * I can state without hesitation that granting this waiver will not adversely affect the existing charter boat operators. Over the last few years, the Ocean City area has experienced tremendous growth * * * the current fleet of charter boats cannot meet the demand during peak season.''

(6) A statement on the impact this waiver will have on U.S. shipyards. *According to the applicant:* ''United States shipbuilders will not be affected by the granting of the requested waiver, as a new boat purchase was never considered in the formation of Redfish.''

Dated: February 26, 2002.

By order of the Maritime Administrator.

Joel C. Richard,

Secretary, Maritime Administration.

[FR Doc. 02–4950 Filed 2–28–02; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket Number: MARAD–2002–11691]

Requested Administrative Waiver of the Coastwise Trade Laws

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Invitation for public comments on a requested administrative waiver of

the Coastwise Trade Laws for the vessel NICOLLE.

SUMMARY: As authorized by Public Law 105–383, the Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a description of the proposed service, is listed below. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines that in accordance with Public Law 105–383 and MARAD's regulations at 46 CFR part 388 (65 FR 6905; February 11, 2000) that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels, a waiver will not be granted.

DATES: Submit comments on or before April 1, 2002.

ADDRESSES: Comments should refer to docket number MARAD–2002–11691. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. DOT Dockets, Room PL–401, Department of Transportation, 400 7th St., SW, Washington, DC 20590–0001. You may also send comments electronically via the Internet at *http://dmses.dot.gov/submit/.* All comments will become part of this docket and will be available for inspection and copying at the above address between 10 a.m. and 5 p.m., E.T., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available on the World Wide Web at *http://dms.dot.gov.*

FOR FURTHER INFORMATION CONTACT: Kathleen Dunn, U.S. Department of Transportation, Maritime Administration, MAR–832 Room 7201, 400 Seventh Street, SW, Washington, DC 20590. Telephone 202–366–2307.

SUPPLEMENTARY INFORMATION: Title V of Public Law 105–383 provides authority to the Secretary of Transportation to administratively waive the U.S.-build requirements of the Jones Act, and other statutes, for small commercial passenger vessels (no more than 12 passengers). This authority has been delegated to the Maritime Administration per 49 CFR 1.66, Delegations to the Maritime Administrator, as amended. By this notice, MARAD is publishing information on a vessel for which a request for a U.S.-build waiver has been received, and for which MARAD requests comments from interested parties. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD's regulations at 46 CFR part 388.

Vessel Proposed for Waiver of the U.S.-Build Requirement

(1) Name of vessel and owner for which waiver is requested. *Name of vessel:* Nicolle. *Owner:* Thomas M. LaFreniere.

(2) Size, capacity and tonnage of vessel. *According to the applicant*: ''* * * 39.6 feet long with a 14 foot beam, and a depth of 4 feet * * * gross tonnage is 29 tons * * *''

(3) Intended use for vessel, including geographic region of intended operation and trade. *According to the applicant:* ''* * * evening, single day, or week-end charters which involve sunset viewing, and exploring local harbors and islands. The region in which I would like to operate is is the coastal waters of New England, specifically between Gloucester and Boston.''

(4) Date and Place of construction and (if applicable) rebuilding. *Date of construction:* 1987. *Place of construction:* Taiwan.

(5) A statement on the impact this waiver will have on other commercial passenger vessel operators. *According to the applicant:* ''Considering the type of activities, and the area in which to conduct them, I am confident this waiver will have no adverse effects upon commercial passenger vessel operators. The vessels currently operating in my are are: Large whale watch vessels, commercial fishing vessels, large fishing charter vessels, and sport-fishing charter vessels.''

(6) A statement on the impact this waiver will have on U.S. shipyards. *According to the applicant:* ''Granting this waiver will not adversely affect the business of U.S. shipbuilders. However, not granting this waiver will, as it is my intention to start my operation using NICOLLE as a means to fund the purchase of a U.S. built sailing vessel.''

Dated: February 26, 2002.

By order of the Maritime Administrator.

Joel C. Richard,

Secretary, Maritime Administration.

[FR Doc. 02–4951 Filed 2–28–02; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Docket No. AB–33 (Sub–No. 186X)]

Union Pacific Railroad Company—Abandonment Exemption—in Martin County, MN

Union Pacific Railroad Company (UP) has filed a notice of exemption under 49 CFR 1152 Subpart F—*Exempt Abandonments and Discontinuances of Service and Trackage Rights* to abandon a 1.83-mile rail line over the Trimont Industrial Lead from milepost 140.57 to milepost 142.4 near Trimont, in Martin County, MN. The line traverses United States Postal Service Zip Code 56176.

UP has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) there is no overhead traffic on the line; (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 and discontinuance 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 April 2, 2002, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,[1] formal expressions of intent to file an OFA under 49 CFR

[1] 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 (SEA) in its independent investigation) cannot be made before the 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.

1152.27(c)(2),[2] and trail use/rail banking requests under 49 CFR 1152.29 must be filed by March 11, 2002. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by March 21, 2002 with: Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, N.W., Washington, DC 20423.

A copy of any petition filed with the Board should be sent to applicant's representative: Mack H. Shumate, Jr., Senior General Attorney, Union Pacific Railroad Company, 101 North Wacker Drive, Room 1920, Chicago, IL 60606.

If the verified notice contains false or misleading information, the exemption is void *ab initio.*

UP has filed an environmental report which addresses the effects, if any, of the abandonment and discontinuance on the environment and historic resources. SEA will issue an environmental assessment (EA) by March 8, 2002. 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) 565–1552. 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), UP shall file a notice of consummation with the Board to signify that it has exercised the authority granted and fully abandoned its line. If consummation has not been effected by UP's filing of a notice of consummation by March 1, 2003, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire.

Board decisions and notices are available on our website at *''WWW.STB.DOT.GOV.''*

Decided: February 21, 2002.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams,

Secretary.

[FR Doc. 02–4833 Filed 2–28–02; 8:45 am]

BILLING CODE 4915–00–P

DEPARTMENT OF THE TREASURY

Submission for OMB Review; Comment Request

February 20, 2002.

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 April 1, 2002, to be assured of consideration.

Internal Revenue Service (IRS)

OMB Number: 1545–1626.

Form Number: IRS Form 1065–B and Schedule K–1 .

Type of Review: Extension.

Title: U.S. Return of Income for Electing Large Partnerships (Form 1065–B); and Partner's Share of Income (Loss) From an Electing Large Partnership (Schedule K–1).

Description: Code sections 771–777 allow large partnerships to elect to file a simplified return which requires fewer items to be reported to partners.

Respondents: Business or other for-profit, farms.

Estimated Number of Respondents/ Recordkeepers: 100.

Estimated Burden Hours Per Respondent/Recordkeeper:

Form	Recordkeeping	Learning about the law or the form	Preparing the form	Copying, assembling, and sending the form to the IRS
Form 1065-B	50 hr., 22 min	21 hr., 1 min	32 hr., 6 min	2 hr., 40 min.
Schedule K–1 (Form 6065–B).	10 hr., 10 min	7 hr., 49 min	11 hr., 56 min.	

Frequency of Response: Annually.

Estimated Total Reporting/ Recordkeeping Burden: 456,151 hours.

OMB Number: 1545–1756.

Revenue Procedure Number: Revenue Procedure 2001–56.

Type of Review: Extension.

Title: Demonstration Automobile Use.

Description: This revenue procedure provides optional simplified methods for determining the value of the sue of demonstration automobiles provided to employees by automobile dealerships.

Respondents: Business or other for-profit.

Estimated Number of Recordkeepers: 20,000.

Estimated Burden Hours Per Recordkeeper: 5 hours.

Estimated Total Recordkeeping Burden: 100,000 hours.

OMB Number: 1545–1758.

Form Number: IRS Form 8879.

Type of Review: Extension.

Title: IRS e-file Signature Authorization.

Description: Form 8879 is used to allow taxpayers to authorize the Electronic Return Originators to enter the taxpayer's PIN on the electronically filed tax return.

Respondents: Individuals or households.

Estimated Number of Respondents/ Recordkeepers: 8,000,000.

Estimated Burden Hours Per Respondent/Recordkeeper:

Learning about the law or the form—8 min.
Preparing the form—15 min.

Frequency of Response: Annually.

Estimated Total Reporting/ Recordkeeping Burden: 5,440,000 hours.

OMB Number: 1545–1760.

Form Number: IRS Form 1099–Q.

Type of Review: Extension.

Title: Qualified Tuition Program Payments (Under Section 529).

Description: Form 1099–Q is used to report distributions from private and state qualified tuition programs as required under Internal Revenue Code section 529.

Respondents: Business or other for-profit.

Estimated Number of Respondents/ Recordkeepers: 150.

Estimated Burden Hours Per Respondent/Recordkeeper: 11 minutes.

Frequency of Response: Annually.

Estimated Total Reporting/ Recordkeeping Burden: 28,500 hours.

[2] 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).

Clearance Officer: George Freeland, Internal Revenue Service, Room 5577, 1111 Constitution Avenue, NW., Washington, DC 20224.

OMB Reviewer: Alexander T. Hunt, Office of Management and Budget, Room 10202, New Executive Office Building, Washington, DC 20503, (202) 395–7860.

Lois K. Holland,

Departmental Reports Management Officer.

[FR Doc. 02–4874 Filed 2–28–02; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Submission for OMB Review; Comment Request

February 22, 2002.

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 April 1, 2002, to be assured of consideration.

Bureau of Alcohol, Tobacco and Firearms (BATF)

OMB Number: 1512–0130.

Form Number: ATF F 4473 (5300.9) Part II.

Type of Review: Extension.

Title: Firearms Transaction Record, Part II Non-Over-The-Counter.

Description: The form is used to determine the eligibility of a person to receive a firearm from a Federal firearms licensee. It is also used to establish the identify of the buyer. The form is also used in law enforcement investigations to trace firearms or to confirm criminal activity.

Respondents: Individuals or households, business or other for-profit.

Estimated Number of Recordkeepers: 20,900.

Estimated Burden Hours Per Recordkeeper: 6 minutes.

Frequency of Response: On occasion.

Estimated Total Recordkeeping Burden: 9,057 hours.

OMB Number: 1512–0490.

Form Number: ATF F 4473 (5300.24) Part (LV) and ATF F 4473 (5300.25) Part II (LV).

Recordkeeping Requirement ID Number: ATF REC 7570/2.

Type of Review: Extension.

Title: Firearms Transaction Record Part I—Low Volume—Over-the-Counter; and Firearms Transaction Record Part II—Low Volume—Intra-State Non-Over-the-Counter.

Description: ATF Form 4473 LV Parts I and II are for use only by Federal firearms licensees disposing of 50 or fewer firearms per 12-month period. It is kept, at the licensee's option, in lieu of ATF F 4473 and records of acquisition and disposition.

Respondents: Individuals or households, business or other for-profit.

Estimated Number of Recordkeepers: 5,000.

Estimated Burden Hours Per Recordkeeper: 6 minutes.

Frequency of Response: On occasion.

Estimated Total Recordkeeping Burden: 1,042 hours.

OMB Number: 1512–0534.

Form Number: ATF F 2103 (5220.5), ATF F 2104 (5200.15), ATF F 2105 (5000.7), ATF F 2490 (5620.10), and ATF F 3070 (5210.13).

Type of Review: Extension.

Title: Bond—Export Warehouse Proprietor (F 2103); Export Bond—Customs Bonded Cigar Manufacturing Warehouse (F2104); Extension of Coverage of Bond (F 2105); Bond Under 26 U.S.C. 6423 (F 2490); and Bond—Manufacturer of Tobacco Products.

Description: ATF F 2103 (5220.5), Bond—Export Warehouse Proprietor is used to establish the qualifications of an applicant for an export warehouse proprietorship, or by current proprietor whose status has changed and must change the information already on file. The applicant certifies the intention of produce and/or store a specified amount of tobacco products and takes certain precautions to protect it from unauthorized use. The completed application and supporting data is a permanent record of the business and its qualifications to operate.

ATF F 2104 (5200.15), Export Bond—Customs Bonded Cigar Manufacturing Warehouse is used to establish the qualifications of an applicant who seeks authorization to manufacture cigars within customs bonded warehouse for subsequent exportation, or by a current manufacturer of such cigars whose status has changed and must change the information already on file. The applicant certifies the intention to produce, store and export a specified quantity of cigar products and takes certain precautions to protect them from unauthorized use. The completed application and supporting data is a permanent record of the business and its qualifications to operate.

ATF F 2105 (5000.7), Extension of Bond Coverage is sued to determine compliance by payment on untax paid commodities.

ATF F 2490 (5620.10), Bond Under 26 U.S.C. 6423, and ATF F 3070 (5210.13), Bond-Manufacturer of Tobacco Products are tobacco products and cigarette papers and tubes bond firms used by the manufacturers or proprietor and a surety company as a contract to ensure tax payment.

Respondents: Business or other for-profit.

Estimated Number of Recordkeepers: 15.

Estimated Burden Hours Per Recordkeeper: 1 hour, 40 minutes.

Frequency of Response: On occasion.

Estimated Total Recordkeeping Burden: 25 hours.

OMB Number: 1512–0529.

Form Number: ATF F 1676 (5110.2).

Type of Review: Extension.

Title: Bond Covering Removal To and Use of Wine At Vinegar Plant.

Description: ATF F 1676 (5510.2) is a bond form which serves as a contact between the proprietor of a vinegar plant and a surety. The bond coverage stated on the form is in an amount sufficient to cover the federal excise tax on wine in transit to and stored on the vinegar plant premises until the wine becomes vinegar.

Respondents: Business or other for-profit.

Estimated Number of Respondents: 25.

Estimated Burden Hours Per Respondent: 1 hour.

Estimated Total Reporting Burden: 25 hours.

OMB Number: 1512–0567.

Form Number: ATF F 7500.1.

Type of Review: Extension.

Title: Computer Security Incident Report.

Description: Recent computer penetration events, involving computer systems belonging to both government and commercial entities, enforce the need for the development and deployment of a computer security incident response capability in ATF.

Respondents: Federal Government, individuals or households.

Estimated Number of Respondents: 5,500.

Estimated Burden Hours Per Respondent: 30 minutes.

Frequency of Response: Other (per hit).

Estimated Total Reporting Burden: 2,750 hours.

OMB Number: 1512–0568.

Form Number: None.

Type of Review: Extension.

Title: Search For Artifacts and Memorabilia.

Description: The Commemorative Artifacts and Memorabilia Program (CAMP) hopes to discover and obtain artifacts and memorabilia pertaining to the history, mission, and spirit of ATF to develop exhibits for the new National Laboratory and Headquarters.

Respondents: Individuals or households.

Estimated Number of Respondents: 1,900.

Estimated Burden Hours Per Respondent: 10 minutes.

Estimated Total Reporting Burden: 317 hours.

Clearance Officer: Frank Bowers, Bureau of Alcohol, Tobacco and Firearms, Room 3200, 650 Massachusetts Avenue, NW., Washington, DC 20226, (202) 927–8930.

OMB Reviewer: Alexander T. Hunt, Office of Management and Budget, Room 10202, New Executive Office Building, Washington, DC 20503, (202) 395–7860.

Lois K. Holland,

Departmental Reports Management Officer.

[FR Doc. 02–4875 Filed 2–28–02; 8:45 am]

BILLING CODE 4810–31–P

DEPARTMENT OF THE TREASURY

Customs Service

[T.D. 02–09]

Notice of Decision of the United States Court of International Trade Sustaining Domestic Interested Party Petition Concerning Tariff Classification of Textile Costumes

AGENCY: Customs Service, Department of the Treasury.

ACTION: Notice of a decision of the United States Court of International Trade sustaining domestic interested party petition concerning tariff classification of textile costumes.

SUMMARY: On February 19, 2002, the United States Court of International Trade (CIT) issued the decision in *Rubie's Costume Company* v. *United States* which held that imported costumes are fancy dress of textile and, therefore, classifiable as wearing apparel. This decision sustained the petition of a domestic interested party under the provisions of section 516, Tariff Act of 1930, as amended (19 U.S.C. 1516). This document provides notice of the court decision and informs the public that imported textile costumes of the character covered by the Customs decision published in the **Federal Register** on December 4, 1998, will be subject to classification and assessment of duty in accordance with the CIT decision.

EFFECTIVE DATES: Imported textile costumes of the character covered by the Customs decision published in the **Federal Register** on December 4, 1998, which are entered for consumption or withdrawn from warehouse for consumption after March 1, 2002, are to be classified when entered as wearing apparel in accordance with the CIT decision in *Rubie's Costume Company* v. *United States.* The Committee for the Implementation of Textile Agreements (CITA) intends to apply quota and visa requirements to these goods exported on and after April 1, 2002.

FOR FURTHER INFORMATION CONTACT: For questions regarding operations, Dick Crichton, Office of Field Operations, (202) 927–0162; for legal questions, Rebecca Hollaway, Office of Regulations and Rulings, (202) 927–2394.

SUPPLEMENTARY INFORMATION:

Background

On June 2, 1997, in response to a domestic manufacturer's request, Customs issued a decision, Headquarters Ruling (HQ) 959545, determining that four costumes and their accessories would be classified under subheading 9505.90.6090, Harmonized Tariff Schedule of the United States (HTSUS), which provides for ''Festive carnival or other entertainment articles, including magic tricks and practical joke articles; parts and accessories thereof; Other: Other: Other.'' This provision provided for duty-free entry under the general column one rate of duty. (Effective August 1, 1997, the provision was amended and now reads as follows: 9505.90.6000, HTSUS, ''Festive, carnival or other entertainment articles, including magic tricks and practical joke articles; parts and accessories thereof: Other: Other,'' which provides for duty-free entry under the general column one rate of duty.)

In July 1997, and in accordance with the procedures of 19 U.S.C. 1516 and 19 CFR part 175, a domestic interested party petition was filed on behalf of an American manufacturer of textile costumes. The petitioner contended that virtually identical costumes to those manufactured by petitioner were being imported into the United States and some of these textile costumes were being erroneously classified by Customs, duty-free, under subheading 9505.90.6090, HTSUS. The petitioner claimed that all imported textile costumes should be classified as wearing apparel in Chapters 61 or 62, HTSUS, are therefore dutiable, and may be subject to quota and visa restraints. Petitioner asserted that all textile costumes are excluded from classification under subheading 9505.90.6090, HTSUS, pursuant to Note 1(e), Chapter 95.

Notice of the domestic interested party petition was published in the **Federal Register** on December 27, 1997 (62 FR 66891). After reviewing comments submitted in response to the notice that were supportive of and opposed to Customs classification position, Customs, in HQ 961447, dated July 22, 1998, denied the petition and affirmed the classification determination set forth in HQ 959545. The decision rejected the domestic interested party petition's argument that all imported costumes made of textiles should be classified under Chapters 61 and 62, HTSUS, as items of apparel.

On July 23, 1998, the domestic manufacturer filed written notice of its desire to contest Customs decision in HQ 961447 (19 U.S.C. 1516(c); 19 CFR 175.23). Subsequently, Customs published in the **Federal Register** (63 FR 67170; December 4, 1998) a notice of its classification decision and of the domestic manufacturer's desire to contest the decision. On June 25, 1999, Customs notified the domestic manufacturer that an entry of a costume had been liquidated in accordance with HQ 961447 on that date (19 U.S.C. 1516(c); 19 CFR 175.25(h)). On June 29, 1999, the domestic manufacturer commenced an action in the United States Court of International Trade (CIT) to challenge Customs classification decision.

The CIT, in *Rubie's Costume Company* v. *United States,* No. 99–06–00388, Slip Op. 02–14, (CIT Feb. 19, 2002), ruled, on a motion for summary judgment decided in favor of plaintiff domestic manufacturer, that the costumes constitute ''fancy dress'' and are thus excluded from classification in Chapter 95, HTSUS, by virtue of Note 1(e) to Chapter 95, HTSUS. Thus, the court held that the costumes are wearing apparel classifiable in Chapter 61, HTSUS. (To view the court's decision, go to *http://www.uscit.gov.* Note also that the *Rubie's* decision will be published in the *Customs Bulletin* issued on March 6, 2002.)

By publication of this notice in the **Federal Register**, Customs notifies the public, in accordance with 19 U.S.C. 1516(f) and 19 CFR 175.31, of the court's decision in *Rubie's.* Customs also informs the public that, effective on the day after publication of this notice

in the **Federal Register**, merchandise of the character covered by the Customs decision published in the **Federal Register** on December 4, 1998, which is entered for consumption or withdrawn from warehouse for consumption will be subject to classification in accordance with the court's decision. Also, as tariff subheadings under Chapters 61 and 62, HTSUS, are subject to quota and visa restraints, Customs notes that CITA intends to apply applicable quota and visa requirements to merchandise of the character covered by the Customs decision published in the **Federal Register** on December 4, 1998, that is exported on and after April 1, 2002.

Dated: February 26, 2002.

Douglas M. Browning,

Acting Assistant Commissioner, Office of Regulations and Rulings.

[FR Doc. 02–4945 Filed 2–26–02; 3:01 pm]

BILLING CODE 4820–02–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[LR–115–72]

Proposed Collection; Comment Request for Regulation Project

AGENCY: Internal Revenue Service (IRS), Treasury.

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 take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104–13(44 U.S.C. 3506(c)(2)(A)). Currently, the IRS is soliciting comments concerning an existing final regulation, LR–115–72 (TD 8043), Manufacturers Excise Taxes on Sporting Goods and Firearms and Other Administrative Provisions of Special Application To Manufacturers and Retailers Excise Taxes (§§ 48.4161, 48.6416, 48.6420, 48.6421, 48.6424, and 48.6427).

DATES: Written comments should be received on or before April 30, 2002, to be assured of consideration.

ADDRESSES: Direct all written comments to George Freeland, Internal Revenue Service, room 5244, 1111 Constitution Avenue NW., Washington, DC 20224.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the regulation should be directed to Larnice Mack (202) 622–3179, or through the internet *(Larnice.Mack@irs.gov),* Internal Revenue Service, room 5244, 1111 Constitution Avenue NW., Washington, DC 20224.

SUPPLEMENTARY INFORMATION:

Title: Manufacturers Excise Taxes on Sporting Goods and Firearms and Other Administrative Provisions of Special Application To Manufacturers and Retailers Excise Taxes.

OMB Number: 1545–0723. Regulation Project Number: LR–115–72.

Abstract: Chapters 31 and 32 of the Internal Revenue Code impose excise taxes on the sale or use of certain articles. Code section 6416 allows a credit or refund of the tax to manufacturers in certain cases. Code section 6420, 6421, and 6427 allow credits or refunds of the tax to certain users of the articles. This regulation contains reporting and recordkeeping requirements that enable the IRS and taxpayers to verify that the proper amount of tax is reported or excluded.

Current Actions: There is no change to this existing regulation.

Type of Review: Extension of currently approved collection.

Affected Public: Individuals, business or other for-profit organizations, not-for-profit institutions, farms, and state, local, or tribal governments.

Estimated Number of Respondents: 1,500,000.

Estimated Time Per Respondent: 19 minutes.

Estimated Total Annual Burden Hours: 475,000.

The following paragraph applies to all of the collections of information covered by this notice:

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number. Books or records relating to a collection of information must be retained as long as their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.

Request for Comments: Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited 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, utility, and clarity of the information to be collected; (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; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Approved: February 22, 2002.

George Freeland,

IRS Reports Clearance Officer.

[FR Doc. 02–4947 Filed 2–28–02; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF VETERANS AFFAIRS

Advisory Committee on Cemeteries and Memorials, Notice of Meeting

The Department of Veterans Affairs (VA) gives notice under Public Law 92–463 that a meeting of the Advisory Committee on Cemeteries and Memorials, authorized by 38 U.S.C. 2401, will be held Wednesday, April 10, and Thursday, April 11, 2002, from 8:30 a.m. until 4:30 p.m., at the Adam's Mark San Antonio, 111 Pecan Street East, San Antonio, TX 78205. This will be the Committee's second meeting of Fiscal Year 2002.

The purpose of the Committee meeting is to review the administration of VA's cemeteries and burial benefits program. On Wednesday, April 10, Committee members will discuss NCA's National Shrine Commitment and tour Fort Sam Houston National Cemetery.

On Thursday, April 11, members of the Committee will be informed about new cemetery construction, the State Cemetery Grants Program, legislative initiatives and issues related to the administration and maintenance of national cemeteries. The meeting will conclude with a review of past unfinished business, program recommendations and a discussion of future meeting sites and agenda topics.

The meeting will be open to the public. Individuals wishing to attend the meeting should contact Mrs. Paige Lowther, Designated Federal Official, National Cemetery Administration, [phone (202) 273–5157] no later than 12 noon (ET), March 29, 2002.

Any interested person may attend, appear before, or file a statement with the Committee. Individuals wishing to appear before the Committee should indicate this in a letter to Mrs. Paige

Lowther, Designated Federal Official, National Cemetery Administration (40), 810 Vermont Avenue, NW., Washington, DC 20420. In any such letters, the writers must fully identify themselves and state the organization, association or person(s) they represent. In addition, to the extent practicable, letters should indicate the subject matter to be discussed. Oral presentations should be limited to 10 minutes in duration. Individuals wishing to file written statements to be submitted to the Committee must also mail or deliver them to Mrs. Lowther.

Letters and written statements as discussed above must be mailed or delivered in time to reach Mrs. Lowther by 12 noon (ET), March 29, 2002. Oral statements will be heard between 10 a.m. and 10:30 a.m. (ET), April 11, 2002, at the Adam's Mark San Antonio, 111 Pecan Street East, San Antonio, TX 78205.

Dated: February 15, 2002.

By Direction of the Secretary.

Noral E. Egan,

Committee Management Officer.

[FR Doc. 02–4893 Filed 2–28–02; 8:45 am]

BILLING CODE 8320–01–M

Notices

Federal Register
Vol. 67, No. 41
Friday, March 1, 2002

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.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

Exemption Regarding Historic Preservation Review Process for Projects Involving Historic Natural Gas Pipelines

AGENCY: Advisory Council on Historic Preservation.

ACTION: Notice of intent to issue exemption regarding historic natural gas pipelines.

SUMMARY: The Advisory Council on Historic Preservation has preliminarily approved an exemption that would relieve Federal agencies from the requirement of taking into account the effects of their undertakings on historic natural gas pipelines. The public is invited to comment on the exemption before it goes into effect. Unless the Council withdraws its preliminary approval after considering such comments, the exemption will go into effect on April 5, 2002.

DATES: Submit comments on or before March 22, 2002.

ADDRESSES: Address all comments concerning this exemption to Javier Marqués, Office of General Counsel, Advisory Council on Historic Preservation, 1100 Pennsylvania Avenue, NW., Suite 809, Washington, DC 20004. Fax (202) 606–8672. You may submit electronic comments to: *achppreservation@aol.com.*

FOR FURTHER INFORMATION CONTACT: Javier Marqués, 202–606–8503.

SUPPLEMENTARY INFORMATION: Section 106 of the National Historic Preservation Act, 16 U.S.C. 470f, requires Federal agencies to consider the effects of their undertakings on historic properties and provide the Advisory Council on Historic Preservation (''Council'') a reasonable opportunity to comment with regard to such undertakings. The Council has issued the regulations that set forth the process through which Federal agencies comply with these duties. Those regulations are codified under 36 CFR part 800 (''Section 106 regulations'').

The National Historic Preservation Act (''Act'') authorizes the Council, with the concurrence of the National Park Service, to promulgate regulations for exempting undertakings ''from any or all of the requirements of'' the Act. 16 U.S.C. 470v. The section 106 regulations detail the process for the approval of such exemptions. 36 CFR 800.14(c).

In accordance with the Section 106 regulations, the Council may approve an exemption for an undertaking if it finds that: (1) The potential effects of the undertaking upon historic properties are foreseeable and likely to be minimal or not adverse; and (2) the exemption is consistent with the purpose of the Act.

The Federal Energy Regulatory Commission (''Commission'') has proposed an exemption regarding the effects of undertakings on historic natural gas pipelines. The Council has preliminarily approved that exemption, pending the results of the public comment opportunity provided through this notice. The full text of the exemption can be found at the end of this notice. Unless the Council decides (prior to April 5, 2002, and based on the results of this final round of public comments) to withdraw its preliminary approval, the exemption will go into effect on April 5, 2002.

I. Background

On October 19, 2001, the Council published for public comment in the **Federal Register** a *Draft Program Comment Regarding Historic Preservation Review Process for Projects Involving Historic Natural Gas Pipelines* which was intended to streamline the historic preservation review process for projects involving natural gas pipelines (66 FR 53198). That draft Program Comment proposed an alternative way for the Commission to address its responsibilities under Section 106 with regard to effects on natural gas pipelines and related facilities when authorizing projects under section 7 of the Natural Gas Act (NGA) by either applicants pursuant to 18 CFR part 157, subpart A, or certificate holders pursuant to 18 CFR part 157, Subpart F, and 18 CFR part 284 of the regulations of the Commission.

The draft Program Comment was meant to apply only to those undertakings affecting natural gas pipelines determined to be eligible for the National Register of Historic Places (''National Register'') by the applicant/certificate holder and the respective State Historic Preservation Office (''SHPO''). When the applicant or certificate holder implemented a level and type of documentation agreeable to the applicant/certificate holder and the SHPO, and deposited that record in an appropriate repository, the project could not then be found to have an effect upon the characteristics that make the pipeline eligible for inclusion in the National Register.

The Commission noted on its review of this Program Comment that it ''provide(d) guidance and a basic mechanism for section 106 compliance that could make more complex and time consuming processes unnecessary.'' Indeed, the Council developed the Program Comment to respond directly to the delays in project review under the blanket certificate procedures when there was an effect to a historic natural gas pipeline. The Commission supported that objective, and the Council's efforts to keep them involved throughout the initiative.

After the Council and the Commission staff had reviewed the public comments on that proposal, the Commission proposed that the Council use the Exempted Categories alternatives pursuant to 36 CFR 800.14(c) to streamline the historic preservation review process for historic natural gas pipelines.

Based on a number of factors discussed below, the Council believes that using the Exempted Categories program alternative offers a more focused, practical, predictable, and elegant way to address section 106 review for projects involving natural gas pipelines. In addition, comments from the affected industry reflected a preference for such an approach as opposed to the Program Comment alternative.

II. Exemption Concept

The exemption would release all Federal agencies from the Section 106 requirement of having to consider the effects of their undertakings on historic natural gas pipelines. Historic natural gas pipelines are defined as those natural gas pipelines that meet the criteria for listing on the National Register of Historic Places.

A public comment stated that the Act never intended pipelines to be eligible for the National Register. The Council disagrees. The Act specifically states that the National Register is composed of ''districts, sites, buildings, structures, and objects significant in American history, architecture, archaeology, *engineering* and culture.'' 16 U.S.C. 470a(a)(1)(a) (emphasis added). This statement does not explicitly exclude pipelines from consideration, but rather, it acknowledges that a variety of types of properties could be significant to American engineering. As one of type of property which can be eligible for inclusion in the National Register, a structure is defined as one ''made up of interdependent and interrelated parts in a definite pattern of organization [and] constructed by man it is often an engineering project large in scale.'' 36 CFR 60.3(p). Again, such a definition appears to be intentionally broad so as to embrace a variety of different structures, which arguably include natural gas pipelines.

The exemption would apply unconditionally for all undertakings except for those that entail the abandonment of a historic natural gas pipeline. The sole condition for those cases would be that the historic natural gas pipeline gets documented prior to abandonment. The documentation requirements are enumerated in the exemption document, as opposed to being subject to negotiations with SHPOs or others.

Public comments raised a concern that the earlier, proposed Program Comment only applied to the Commission and did not bind other Federal agencies whose lands the pipeline may cross. It was argued that such other Federal agencies could insist on a different, and possibly higher, process and documentation standard for pipelines crossing their lands. The comments also mentioned that unless the approach to historic natural gas pipelines was uniformly applicable to all Federal agencies, the benefit of the approach would be negated if any Federal land manager elected to impose a new or different standards. In response to this comment, the exemption now applies to all Federal agencies. The Council believes this makes sense since the approach is based on the type of resource involved (i.e., natural gas pipelines), and such resources are the same no matter what Federal agency is confronted with an undertaking affecting them.

Some of the public comments also expressed a concern that disputes over eligibility and documentation issues under the earlier, proposed Program Comment would result in serious project delays. The Council agreed that such disputes could be time consuming, and therefore drafted the exemption in a way that will alleviate those concerns by: (1) Limiting the documentation requirement to only one type of pipeline activity (i.e., abandonment); (2) establishing a single, definitive documentation standard for such abandonments; and (3) clarifying that once a pipeline was documented, future undertakings would not have to consider effects to that pipeline. Since the exemption unconditionally applies to all activities other than abandonment, eligibility can only become an issue for abandonments.

Finally, the exemption would not apply on tribal land. Such application would require substantial and lengthy tribal consultation. 36 CFR 800.14(c)(4) and 800.14(f). It is our understanding from discussions with the Commission staff that, due to tribal sovereignty issues, pipeline projects through tribal lands are handled through separate agreements with the tribes. Moreover, the Council believes that such particularized consultation is not warranted since it is not aware of any natural gas pipeline that would be of religious and cultural significance to tribes, regardless of its location.

On a more general note, a public comment criticized the earlier, proposed Program Comment by stating that it was not binding on the SHPO and, therefore, could be disregarded. This is incorrect. The Council is the only entity with the authority to enact regulations implementing Section 106 (16 U.S.C. 470s) and to provide exemptions from compliance with Section 106 (16 U.S.C. 470v). An exemption or program comment approved by the Council defines the legal requirements of section 106 and, as such, cannot be disregarded by SHPOs.

III. Exemption Criteria

Pursuant to 36 CFR 800.14(c)(1), Section 106 exemptions must meet certain criteria. Only actions that qualify as undertakings, as defined in 36 CFR 800.16, may be considered for exemption, and the exemption itself must be consistent with the purposes of NHPA. Furthermore, in order to be considered exempted, the potential effects on historic properties of those undertakings should be ''foreseeable and likely to be minimal or not adverse.'' The Council believes that the proposed exemption meets these conditions.

In considering this proposition, it is important to recognize that neither the Commission nor any other Federal agency regulates all of the activities which might affect historic natural gas pipelines. Because physically deteriorated or obsolete facilities are specifically excluded by regulation from section 7(c) of the NGA, pursuant to 18 CFR part 2.55, most repair and maintenance of historic pipelines will not need Commission authorization prior to implementation. As a result, the integrity of an historic natural gas pipeline is likely to vary considerably over its full extent. Although these maintenance activities may result in the loss of some historic fabric, these changes allow the continued safe operation of the historic property as a pipeline and, as such, serve to protect the use of the property.

The Council also believes that evaluation of the integrity of the pipeline as a historic property and the effect of any of these undertakings must be considered within the context of the totality of the historic natural gas pipeline, particularly when the historic significance of natural gas pipelines lies in both their engineering characteristics (Criterion C of the National Register) and their relationship to events (Criterion A of the National Register). From that perspective, for example, a 12 inch diameter tap inserted into a 1,000 mile pipeline is of minor consequences for the whole historic property, especially when the property exhibits considerable redundance and uniformity in form over its entire extent.

With abandonment, although a portion of the historic pipeline will cease to function as such, it usually remains in place. Moreover, for reasons of safety and because they are buried resources, historic natural gas pipelines cannot be experienced by the public during their productive life. Accordingly, we believe that potential effects of abandonment can be adequately minimized through documentation of the historic pipeline. This approach is also in keeping with the earlier, draft Program Comment. Working with Commission staff, the Council has established a standard for documenting historic natural gas pipelines that would apply under the exemption whenever there is an abandonment. As the comments on the Council's Program Comment indicate, setting a standard is needed because it would largely eliminate the possibility for disagreement between applicants or certificate holders, and SHPOs regarding the appropriate level and type of documentation.

IV. Public Participation

In accordance with 36 CFR 800.14(c)(2), public participation must

be arranged on a level commensurate with the subject and scope of the exemption. Since the proposed exemption was derived from, and is consistent with, the approach taken in the earlier, proposed Program Comment, the Council believes that the public participation requirement has been met through the extensive comment period already provided for that Program Comment. The Council only received a limited number of comments on the draft Program Comment. Those comments were shared, and discussed, with the Commission staff. As requested, that comment period was extended until December 9, 2001. Nevertheless, such extension only yielded one additional comment, for an overall total of 9 public comments. Likewise, although the Council made a special effort to notify SHPOs about the proposed Program Comment, comments from only three States, Arizona, Iowa, and Wyoming, were received. One of those comments was that the State had ''no comment'' on the proposal. Moreover, through this notice the Council is submitting the draft exemption for one last round of public comment.

Neither the Council nor the Commission have engaged in the particularized consultation with Indian tribes and Native Hawaiian organizations, pursuant to 36 CFR 800.14(c)(4), since such consultation does not seem to be warranted. As stated above, the proposed exemption would not apply on tribal lands. The Council also believes that the proposed exemption will have no consequences for historic properties of religious and cultural significance, regardless of location, to any Indian tribe or Native Hawaiian organizations since it is limited to effects on only historic natural gas pipelines.

V. Text of the Exemption

The full text of the proposed program comment is reproduced below.

Section 106 Exemption Regarding Effects to Historic Natural Gas Pipelines

I. Exemption Regarding Effects to Historic Natural Gas Pipelines

Except as noted on Section II, all Federal agencies are exempt from the Section 106 requirement of taking into account the effects of their undertakings on historic natural gas pipelines.

II. Abandonment of Historic Natural Gas Pipelines

Abandonment of a historic natural gas pipelines, in part or in whole, will qualify for the exemption under Section I, provided that the Federal agency or its applicant has documented the historic natural gas pipeline by:

(a) Completing a determination of eligibility for the pipeline as a whole, which identifies contributing and non-contributing components of the pipeline, using standard information required on a National Register nomination form. The documentation must be prepared by an individual meeting the Secretary of the Interior's *Professional Qualification Standards* (48 FR 44738–9). The documentation must include the following components:

(i) A brief history of construction of hte line with a bibliogrpahy recording the primary and secondary sources that were used;

(ii) Documentation through as-built drawings, historical photographs or, 35 mm photographs, as approriate, of representative examples of significant features associated with the line;

(iii) A map of the historic property set at an appropriate scale; and

(iv) An annotated bibliography of other primary and secondary sources identified during research; and

(b) Placing the documentation in an appropriate repository, accessible to the general public, in each State crossed by the pipeline, and filing the documentation with the relevant State Historic Preservation Officer(s).

When the abandonment involved only a section of the historic natural gas pipeline, Federal agencies or application handling subsequent abandonment of other sections of the historic natural gas pipeline will not have to repeat the documentation requirements set forth above.

III. Existing Agreements

This exemption is not intended to amend, invalidate or otherwise modify Section 106 Programmatic Agreements (PAs) in existence at the time this exemption goes into effect. Parties to such PAs may amend them according to their terms.

IV. Tribal Lands

This exemption does not apply to those portions of undertakings that take place on tribal lands.

V. Definitions

(a) *Section 106* means section 106 of the National Historic Preservation Act, 16 U.S.C. 470f, and its implementing regulations, found under 36 CFR part 800.

(b) *Undertaking* means a project, activity, or program funded in whole or in part under the direct or indirect jurisdiction of a Federal agency, including those carried out by or on behalf of a Federal agency; those carried out with Federal financial assistance; those requiring a Federal permit, license or approval; and those subject to State or local regulation administered pursuant to a delegation or approval by a Federal agency.

(c) *Historic natural gas pipelines means* means natural gas pipelines, and their appurtenant facilities, that are listed, or eligible for listing, on the National Register of Historic Places.

(d) *Tribal lands* means all lands within the exterior boundaries of any Indian reservation and all dependent Indian communities.

Authority: 16 U.S.C. 470v; 36 CFR 800.14(c).

Dated: February 25, 2002.

John M. Fowler,

Executive Director.

[FR Doc. 02–4867 Filed 2–28–02; 8:45 am]

BILLING CODE 4310–10–M

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. 01–101–1]

Aventis CropScience; Availability of Environmental Assessment for Extension of Determination of Nonregulated Status for Canola Genetically Engineered for Glufosinate Herbicide Tolerance

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice.

SUMMARY: We are advising the public that an environmental assessment has been prepared for a proposed decision to extend to one additional canola event our determination that a canola event developed by Aventis CropScience, which has been genetically engineered for tolerance to the herbicide glufosinate, is no longer considered a regulated article under our regulations governing the introduction of certain genetically engineered organisms. We are making this environmental assessment available to the public for review and comment.

DATES: We will consider all comments we receive that are postmarked, delivered, or e-mailed by April 1, 2002.

ADDRESSES: You may submit comments by postal mail/commercial delivery or by e-mail. If you use postal mail/commercial delivery, please send four copies of your comment (an original and three copies) to: Docket No. 01–101–1, Regulatory Analysis and Development, PPD, APHIS, Station 3C71, 4700 River

Road Unit 118, Riverdale, MD 20737–1238. Please state that your comment refers to Docket No. 01–101–1. If you use e-mail, address your comment to *regulations@aphis.usda.gov.* Your comment must be contained in the body of your message; do not send attached files. Please include your name and address in your message and ''Docket No. 01–101–1'' on the subject line.

You may read the extension request, the environmental assessment, and any comments that we receive on this docket in our reading room. The reading room is located in room 1141 of the USDA South Building, 14th Street and Independence Avenue SW., Washington, DC. Normal reading room hours are 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. To be sure someone is there to help you, please call (202) 690–2817 before coming.

APHIS documents published in the **Federal Register**, and related information, including the names of organizations and individuals who have commented on APHIS dockets, are available on the Internet at *http://www.aphis.usda.gov/ppd/rad/webrepor.html.*

FOR FURTHER INFORMATION CONTACT: Dr. Hanu Pappu, Plant Protection and Quarantine, APHIS, Suite 5B05, 4700 River Road Unit 147, Riverdale, MD 20737–1236; (301) 734–5299. To obtain a copy of the extension request or the environmental assessment, contact Ms. Kay Peterson at (301) 734–4885; e-mail: *Kay.Peterson@aphis.usda.gov.*

SUPPLEMENTARY INFORMATION: The regulations in 7 CFR part 340, ''Introduction of Organisms and Products Altered or Produced Through Genetic Engineering Which Are Plant Pests or Which There is Reason to Believe Are Plant Pests,'' regulate, among other things, the introduction (importation, interstate movement, or release into the environment) of organisms and products altered or produced through genetic engineering that are plant pests or that there is reason to believe are plant pests. Such genetically engineered organisms and products are considered ''regulated articles.''

The regulations in § 340.6(a) provide that any person may submit a petition to the Animal and Plant Health Inspection Service (APHIS) seeking a determination that an article should not be regulated under 7 CFR part 340. Further, the regulations in § 340.6(e)(2) provide that a person may request that APHIS extend a determination of nonregulated status to other organisms. Such a request must include information to establish the similarity of the antecedent organism and the regulated article in question.

Background

On July 25, 2001, APHIS received a request for an extension of a determination of nonregulated status (APHIS No. 01–206–02p) from Aventis CropScience (Aventis) of Research Triangle Park, NC, for a canola (*Brassica napus* L.) transformation event designated as Topas 19/2 (event Topas 19/2), which has been genetically engineered for tolerance to the herbicide glufosinate. The Aventis request seeks an extension of a determination of nonregulated status issued for glufosinate-tolerant canola transformation event T45, the antecedent organism, in response to APHIS petition number 97–205–01p (see 63 FR 6703–6704, Docket No. 97–091–2, published February 10, 1998). Based on the similarity of canola event Topas 19/2 to the antecedent organism, Aventis requests a determination that glufosinate-tolerant canola event Topas 19/2 does not present a plant pest risk and, therefore, is not a regulated article under APHIS' regulations in 7 CFR part 340.

Analysis

Like the antecedent organism, canola event Topas 19/2 has been genetically engineered to contain a *pat* gene derived from *Streptomyces viridochromogenes.* The *pat* gene encodes the enzyme phosphinothricin-N-acetyltransferase (PAT), which confers tolerance to the herbicide glufosinate. The subject canola event and the antecedent organism were developed through use of the *Agrobacterium tumefaciens* method, and expression of the added genes in Topas 19/2 and the antecedent organism is controlled in part by gene sequences derived from the plant pathogen cauliflower mosaic virus. In summary, the Aventis extension request states that canola event Topas 19/2 and the antecedent organism contain the same genetic elements with the exception of the antibiotic resistance marker gene *nptII* in Topas 19/2, which was used as a transformant selection tool during the developmental process. The parental variety used to develop the antecedent organism was the *B. napus* var. AC EXCEL, while the *B. Napus* cultivar Topas was used for transforming canola event Topas 19/2.

Canola event Topas 19/2 and the antecedent organism were genetically engineered using the same transformation method and contain the same enzyme that makes the plants tolerant to the herbicide glufosinate. Accordingly, we have determined that canola event Topas 19/2 is similar to the antecedent organism in APHIS petition number 97–205–01p, and we are proposing that canola event Topas 19/2 should no longer be regulated under the regulations in 7 CFR part 340.

The subject canola event has been considered a regulated article under APHIS' regulations in 7 CFR part 340 because it contains gene sequences derived from plant pathogens. However, canola event Topas 19/2 has been extensively field tested in Canada, and after having received the appropriate Canadian approvals, has been marketed commercially in Canada since 1995 with no reports of adverse effects on human health or the environment.

Should APHIS approve Aventis' request for an extension of a determination of nonregulated status, canola event Topas 19/2 would no longer be considered a regulated article under APHIS' regulations in 7 CFR part 340. Therefore, the requirements pertaining to regulated articles under those regulations would no longer apply to the field testing, importation, or interstate movement of the subject canola event or its progeny.

National Environmental Policy Act

An environmental assessment (EA) has been prepared to examine any potential environmental impacts associated with the proposed extension of a determination of nonregulated status for the subject canola event. The EA was prepared in accordance with: (1) The National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321 *et seq.*), (2) regulations of the Council on Environmental Quality for implementing the procedural provisions of NEPA (40 CFR parts 1500–1508), (3) USDA regulations implementing NEPA (7 CFR part 1b), and (4) APHIS' NEPA Implementing Procedures (7 CFR part 372). Copies of the Aventis extension request and the EA are available from the individual listed under **FOR FURTHER INFORMATION CONTACT.**

Done in Washington, DC, this 25th day of February 2002.

W. Ron DeHaven,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 02–4909 Filed 2–28–02; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. 01–103–2]

Veterinary Services; Availability of an Environmental Assessment and Finding of No Significant Impact

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice.

SUMMARY: We are advising the public that the Animal and Plant Health Inspection Service has prepared an environmental assessment and a finding of no significant impact for a study to determine the disappearance rate of bison fetuses in the environment. The environmental assessment provides a basis for our conclusion that the implementation of the study will not have a significant impact on the quality of the human environment. Based on the finding of no signficant impact, we have determined that an environmental impact statement need not be prepared.

ADDRESSES: Copies of the environmental assessment, the finding of no significant impact, and comments received on the environmental assessment are available for public inspection at USDA, room 1141, South Building, 14th Street and Independence Avenue SW., Washington, DC, between 8 a.m. and 4:30 p.m., Monday through Friday, except holidays. To be sure someone is there to help you, please call (202) 690–2817 before coming.

FOR FURTHER INFORMATION CONTACT: Dr. Valerie Ragan, Senior Staff Veterinarian, National Animal Health Programs Staff, VS, APHIS, 4700 River Road Unit 36, Riverdale, MD 20737–1236; (301) 734–6954.

SUPPLEMENTARY INFORMATION:

Background

The mission of Veterinary Services (VS) of the Animal and Plant Health Inspection Service (APHIS) is to protect and improve the health, quality, and marketability of domestic animals by preventing, controlling, and/or eliminating animal diseases and monitoring and promoting animal health and productivity.

Brucellosis is a contagious disease that affects animals and humans, caused by bacteria of the genus *Brucella. Brucella abortus* principally affects bison and cattle. In bison and cattle, brucellosis localizes in the reproductive organs and/or the udder, causing abortion or birth of weak offspring. Female cattle infected with brucellosis may suffer infertility and lowered milk production.

Brucellosis is spread when bacteria are shed in milk, aborted fetuses, afterbirth, or other reproductive tract discharges and are ingested by a susceptible animal. Cattle and bison have a tendency to sniff and lick an aborted fetus, which provides an avenue for the disease to spread if *Brucella* is present.

Brucellosis has caused devastating losses to farmers in the United States over the last century. It is estimated that the disease has cost the Federal Government, the States, and the livestock industry billions of dollars in direct losses and efforts to eliminate the disease. APHIS has estimated that if efforts to eradicate the disease were stopped, the costs of producing beef and milk would increase by an estimated $80 million annually in less than 10 years.

Brucellosis infection occurs in bison in Yellowstone National Park. Bison roam wild in Yellowstone National Park, and during winter and spring, some migrate outside of the park onto U.S. Forest Service and private lands. The prevention of the spread of brucellosis from bison to cattle in and around the park is an issue of concern.

VS, in cooperation with other Federal and State agencies, will conduct an 11-week study in the West Yellowstone and Gardiner areas in Montana starting in March 2002 to determine how long a bison fetus remains in the environment as a potential source of *Brucella* organisms before it deteriorates or is consumed by scavengers.

On November 29, 2001, we published in the **Federal Register** (66 FR 59555–59556, Docket No. 01–103–1) a notice announcing that an environmental assessment for a proposed study to determine the disappearance rate of bison fetuses in the environment was available for public review and comment.

We solicited comments on the environmental assessment for 30 days ending on December 31, 2001. We received 166 comments by that date, and 7 additional comments had arrived as of January 28, 2002. They were from private citizens, including Native Americans, the State of Wyoming, and animal humane associations, among others. The commenters raised issues such as the nature of brucellosis in bison, transmission of brucellosis from bison to cattle, the need for the study, the design of the study, introduction of other diseases, impacts on predators, impacts on endangered and threatened species, and cultural concerns for Native Americans.

After carefully reviewing the issues, we have determined that the environmental assessment, which we have modified in response to some of the issues raised in the comments, adequately describes the potential environmental impacts associated with the study and supports our conclusion that the proposed study will not present a significant risk to the environment. Therefore, based on the environmental assessment, we have prepared a finding of no significant impact and have determined that an environmental impact statement need not be prepared.

The environmental assessment and finding of no significant impact may be viewed on the Internet at *http://www.aphis.usda.gov/ppd/es/vsdocs.html.* The environmental assessment and finding of no significant impact are also available for review in our reading room (the location and hours of the reading room are listed under the heading **ADDRESSES** at the beginning of this notice).

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

Done in Washington, DC, this 22nd day of February 2002.

W. Ron DeHaven,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 02–4910 Filed 2–28–02; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF AGRICULTURE

Forest Service

California Coast Provincial Advisory Committee

AGENCY: Forest Service, USDA.

ACTION: Notice of meeting.

SUMMARY: The California Coast Provincial Advisory Committee (PAC) will meet on March 27 and 28, 2002, in Arcata, California. The purpose of the meeting is to discuss issues relating to implementing the Northwest Forest Plan.

DATES: A business meeting will be held from 8 a.m. to 5 p.m. on March 27, 2002, at the Quality Inn conference room, Arcata. A field tour at the Redwood

National Park will be held on March 28, 2002, from 8 a.m. until 2:30 p.m.

ADDRESSES: The March 27 business meeting will be held at the Quality Inn conference room, 3535 Janes Road, Arcata, CA. The March 28 field tour will begin at the Quality Inn, Arcata.

FOR FURTHER INFORMATION CONTACT: Phebe Brown, Committee Coordinator, USDA, Mendocino National Forest, 825 N. Humboldt Avenue, Willows, CA, 95988, (530) 934–3316; EMAIL *pybrown@fed.us.*

SUPPLEMENTARY INFORMATION: Agenda items to be covered include: (1) Presentation on barred owls (competing for habitat with northern spotted owls); (2) Regional Ecosystem Office (REO) update; (3) Presentation and discussion concerning Mendocino and Six Rivers National Forest Roads Analysis Processes; (4) Presentation on the proposal to expand designated Wilderness areas in California; (5) Presentation on Headwaters Forest Reserve Draft Environmental Impact Statement; (6) Planning for a Province fire ecology/fuels treatment workshop; (8) Aquatic Conservation Subcommittee report on next steps for the Watershed Atlas; (9) PAC attendance and use of alternates; and (1) Public comment. The meeting is open to the public. Public input opportunity will be provided at 11:45 a.m. March 27 and individuals will have the opportunity to address the Committee at that time.

Dated: February 22, 2002.

Arthur Quintana,

Acting Forest Supervisor.

[FR Doc. 02–4904 Filed 2–28–02; 8:45 am]

BILLING CODE 3410–11–M

DEPARTMENT OF AGRICULTURE

Grain Inspection, Packers and Stockyards Administration

[01–03–S]

Designation for the Barton (KY), Central Illinois (IL), North Dakota (ND), and Plainview (TX) Areas

AGENCY: Grain Inspection, Packers and Stockyards Administration (GIPSA).

ACTION: Notice.

SUMMARY: GIPSA announces designation of the following organizations to provide official services under the United States Grain Standards Act, as amended (Act): J. W. Barton Grain Inspection Service, Inc. (Barton); Central Illinois Grain Inspection, Inc. (Central Illinois); North Dakota Grain Inspection Service, Inc. (North Dakota); and Plainview Grain Inspection and Weighing Service, Inc. (Plainview).

EFFECTIVE DATES: April 1, 2002.

ADDRESSES: USDA, GIPSA, Janet M. Hart, Chief, Review Branch, Compliance Division, STOP 3604, Room 1647–S, 1400 Independence Avenue, SW, Washington, DC 20250–3604.

FOR FURTHER INFORMATION CONTACT: Janet M. Hart at 202–720–8525, e-mail *janhart@gipsadc.usda.gov.*

SUPPLEMENTARY INFORMATION: This action has been reviewed and determined not to be a rule or regulation as defined in Executive Order 12866 and Departmental Regulation 1512–1; therefore, the Executive Order and Departmental Regulation do not apply to this action.

In the September 1, 2001, **Federal Register** (66 FR 46254), GIPSA asked persons interested in providing official services in the geographic areas assigned to the official agencies named above to submit an application for designation. Applications were due by October 1, 2001.

Barton, Central Illinois, North Dakota, and Plainview were the sole applicants for designation to provide official services in the entire area currently assigned to them, so GIPSA did not ask for additional comments on them.

GIPSA evaluated all available information regarding the designation criteria in section 7(f)(l)(A) of the Act and, according to Section 7(f)(l)(B), determined that Barton, Central Illinois, North Dakota, and Plainview are able to provide official services in the geographic areas specified in the September 4, 2001, **Federal Register**, for which they applied. Interested persons may obtain official services by calling the telephone numbers listed below.

Official agency	Headquarters location and telephone	Designation start–end
Barton	Owensboro, KY; Additional Service Location: Jeffersonville, IN; 270–683–0616.	4/01/2002–3/31/2005
Central Illinois	Bloomington, IL; Additional Service Location: Pekin, IL; 309–827–7121	4/01/2002–3/31/2005
North Dakota	Fargo, ND; Additional Service Locations: Enderlin and Hillsboro, ND, and Cahokia, East St. Louis, Fairfield, And Teutopolis, IL; 701–293–7420.	4/01/2002–3/31/2005
Plainview	Plainview, TX; 806–293–1364	4/01/2002–3/31/2005

Authority: Pub. L. 94–582, 90 Stat. 2867, as amended (7 U.S.C. 71 et seq.).

Dated: February 25, 2002.

David R. Shipman,

Acting Administrator, Grain Inspection, Packers and Stockyards Administration.

[FR Doc. 02–4912 Filed 2–28–02; 8:45 am]

BILLING CODE 3410–EN–P

DEPARTMENT OF AGRICULTURE

Grain Inspection, Packers and Stockyards Administration

[02–01–A]

Opportunity for Designation in the Aberdeen (SD), Decatur (IL), Grand Forks (ND), Hastings (NE), McCrea (IA), Missouri, and South Carolina Areas, and Request for Comments on the Official Agencies Serving These Areas

AGENCY: Grain Inspection, Packers and Stockyards Administration (GIPSA), USDA.

ACTION: Notice.

SUMMARY: The designations of the official agencies listed below will end in September 2002. GIPSA is asking persons interested in providing official services in the areas served by these agencies to submit an application for designation. GIPSA is also asking for comments on the services provided by these currently designated agencies: Aberdeen Grain Inspection, Inc. (Aberdeen); Decatur Grain Inspection, Inc. (Decatur); Grand Forks Grain Inspection Department, Inc. (Grand Forks); Hastings Grain Inspection, Inc. (Hastings); John R. McCrea Agency, Inc. (McCrea); Missouri Department of Agriculture (Missouri) and South Carolina Department of Agriculture (South Carolina).

DATES: Applications and comments must be postmarked or sent by

telecopier (FAX) on or before April 1, 2002.

ADDRESSES: Submit applications and comments to USDA, GIPSA, Janet M. Hart, Chief, Review Branch, Compliance Division, STOP 3604, Room 1647-S, 1400 Independence Avenue, SW, Washington, DC 20250–3604; FAX 202–690–2755. If an application is submitted by FAX, GIPSA reserves the right to request an original application. All applications and comments will be made available for public inspection at Room 1647-S, 1400 Independence Avenue, S.W., during regular business hours.

FOR FURTHER INFORMATION CONTACT: Janet M. Hart at 202–720–8525, e-mail janhart@gipsadc.usda.gov.

SUPPLEMENTARY INFORMATION: This Action has been reviewed and determined not to be a rule or regulation as defined in Executive Order 12866 and Departmental Regulation 1512–1; therefore, the Executive Order and Departmental Regulation do not apply to this Action.

Section 7(f)(1) of the United States Grain Standards Act, as amended (Act), authorizes GIPSA's Administrator to designate a qualified applicant to provide official services in a specified area after determining that the applicant is better able than any other applicant to provide such official services.

Section 7(g)(1) of the Act provides that designations of official agencies shall end not later than triennially and may be renewed according to the criteria and procedures prescribed in section 7(f) of the Act.

1. Current Designations Being Announced for Renewal

Official agency	Main office	Designation start	Designation end
Aberdeen	Aberdeen, SD	12/1/1999	9/30/2002
Decatur	Decatur, IL	1/1/2000	9/30/2002
Grand Forks	Grand Forks, ND	1/1/2000	9/30/2002
Hastings	Hastings, NE	11/1/1999	9/30/2002
McCrea	Clinton, IA	1/1/2000	9/30/2002
Missouri	Jefferson City, MO	12/1/1999	9/30/2002
South Carolina	Columbia, SC	1/1/2000	9/30/2002

a. Pursuant to section 7(f)(2) of the Act, the following geographic area, in the States of North Dakota and South Dakota, is assigned to Aberdeen.

Bounded on the North by U.S. Route 12 east to State Route 22; State Route 22 north to the Burlington-Northern (BN) line; the Burlington-Northern (BN) line east to State Route 21; State Route 21 east to State Route 49; State Route 49 south to the North Dakota-South Dakota State line; the North Dakota-South Dakota State line east to U.S. Route 83; U.S. Route 83 north to State Route 13; State Route 13 east and north to McIntosh County; the northern McIntosh County line east to Dickey County; the northern Dickey County line east to U.S. Route 281; U.S. Route 281 south to the North Dakota-South Dakota State line; the North Dakota-South Dakota State line east;

Bounded on the East by the eastern South Dakota State line (the Big Sioux River) to A54B;

Bounded on the South by A54B west to State Route 11; State Route 11 north to State Route 44 (U.S. 18); State Route 44 west to the Missouri River; the Missouri River south-southeast to the South Dakota State line; the southern South Dakota State line west; and

Bounded on the West by the western South Dakota State line north; the western North Dakota State line north to U.S. Route 12.

b. Pursuant to section 7(f)(2) of the Act, the following geographic area, in the State of Illinois, is assigned to Decatur.

Bounded on the North by the northern and eastern DeWitt County lines; the eastern Macon County line south to Interstate 72; Interstate 72 northeast to the eastern Piatt County line;

Bounded on the East by the eastern Piatt, Moultrie, and Shelby County lines;

Bounded on the South by the southern Shelby County line; a straight line running along the southern Montgomery County line west to State Route 16 to a point approximately one mile northeast of Irving; and

Bounded on the West by a straight line from this point northeast to Stonington on State Route 48; a straight line from Stonington northwest to Elkhart on Interstate 55; a straight line from Elkhart northeast to the west side of Beason on State Route 10; State Route 10 east to DeWitt County; the western DeWitt County line.

Decatur's assigned geographic area does not include the following grain elevators inside Decatur's area which have been and will continue to be serviced by the following official, Champaign-Danville Grain Inspection Departments, Inc.: Moultrie Grain Association, Cadwell, Moultrie County; Tabor Grain Company (three elevators), Farmer City, DeWitt County; and Topflight Grain Company, Monticello, Piatt County.

c. Pursuant to section 7(f)(2) of the Act, the following geographic area, in the State of North Dakota, is assigned to Grand Forks.

Bounded on the North by the North Dakota State line;

Bounded on the East by the North Dakota State line south to State Route 200;

Bounded on the South by State Route 200 west-northwest to the western Traill County line; the western Traill County line; the southern Grand Forks and Nelson County lines; the southern Eddy County line west to U.S. Route 281; U.S. Route 281 north to State Route l5; State Route l5 west to U.S. Route 52; U.S. Route 52 northeast to State Route 3; and

Bounded on the West by State Route 3 north to State Route 60; State Route 60 west-northwest to State Route 5; State Route 5 west to State Route 14; State Route 14 north to the North Dakota State line.

Grand Fork's assigned geographic area does not include the following grain elevators inside Grand Fork's area which have been and will continue to be serviced by the following official agencies: Grain Inspection, Inc.: Fessenden Coop Association, Fessenden; and Fessenden Coop Association, Manfred; both in Wells County; and Minot Grain Inspection, Inc.: Harvey Farmers Elevator, Harvey, Wells County.

d. Pursuant to section 7(f)(2) of the Act, the following geographic area, in the State of Nebraska, is assigned to Hastings.

Bounded on the North by the northern Nebraska State line from the western Sioux County line east to the eastern Knox County line;

Bounded on the East by the eastern and southern Knox County lines; the eastern Antelope County line; the

northern Madison County line east to U.S. Route 81; U.S. Route 81 south to the southern Madison County line; the southern Madison County line; the eastern Boone, Nance, and Merrick County lines; the Platte River southwest; the eastern Hamilton County line; the northern and eastern Fillmore County lines; the southern Fillmore County line west to U.S. Route 81; U.S. Route 81 south to State Highway 8; State Highway 8 west to the County Road 1 mile west of U.S. Route 81; the County Road south to southern Nebraska State line;

Bounded on the South by the southern Nebraska State line, from the County Road 1 mile west of U.S. Route 81, west to the western Dundy County line; and

Bounded on the West by the western Dundy, Chase, Perkins, and Keith County lines; the southern and western Garden County lines; the southern Morrill County line west to U.S. Route 385; U.S. Route 385 north to the southern Box Butte County line; the southern and western Sioux County lines north to the northern Nebraska State line.

The following grain elevators, located outside of the above contiguous geographic area, are part of this geographic area assignment: Farmers Coop, and Big Springs Elevator, both in Big Springs, Deuel County (located inside Kansas Grain Inspection Service, Inc.'s area); and Huskers Cooperative Grain Company, Columbus, Platte County (located inside Fremont Grain Inspection Department, Inc.'s, area).

e. Pursuant to section 7(f)(2) of the Act, the following geographic area, in the States of Illinois and Iowa, is assigned to McCrea.

Carroll and Whiteside Counties, Illinois.

Clinton and Jackson Counties, Iowa.

f. Pursuant to section 7(f)(2) of the Act, the following geographic area, the entire State of Missouri, is assigned to Missouri.

g. Pursuant to section 7(f)(2) of the Act, the following geographic area, the entire State of South Carolina, except those export port locations within the State, is assigned to South Carolina.

2. Opportunity for Designation

Interested persons, including Aberdeen, Decatur, Grand Forks, Hastings, McCrea, Missouri, and South Carolina, are hereby given the opportunity to apply for designation to provide official services in the geographic areas specified above under the provisions of section 7(f) of the Act and section 800.196(d) of the regulations issued thereunder. Designation in the specified geographic areas is for the period beginning October 1, 2002, and ending September 30, 2005. Persons wishing to apply for designation should contact the Compliance Division at the address listed above for forms and information.

3. Request for Comments

GIPSA also is publishing this notice to provide interested persons the opportunity to present comments on the Aberdeen, Decatur, Grand Forks, Hastings, McCrea, Missouri, and South Carolina official agencies. Commenters are encouraged to submit pertinent data concerning these official agencies including information on the timeliness, cost, quality, and scope of services provided. All comments must be submitted to the Compliance Division at the above address.

Applications, comments, and other available information will be considered in determining which applicant will be designated.

Authority: Pub. L. 94–582, 90 Stat. 2867, as amended (7 U.S.C. 71 et seq.).

Dated: February 25, 2002.

David R. Shipman,

Acting Administrator, Grain Inspection, Packers and Stockyards Administration.

[FR Doc. 02–4913 Filed 2–28–02; 8:45 am]

BILLING CODE 3410–EN–P

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

Procurement List; Proposed Additions and Deletions

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

ACTION: Proposed additions to and deletions from Procurement List.

SUMMARY: The Committee is proposing to add to the Procurement List services to be furnished by nonprofit agencies employing persons who are blind or have other severe disabilities, and to delete products previously furnished by such agencies.

Comments Must Be Received on or Before: April 1, 2002.

ADDRESSES: Committee for Purchase From People Who Are Blind or Severely Disabled, Jefferson Plaza 2, Suite 10800, 1421 Jefferson Davis Highway, Arlington, Virginia 22202–3259.

FOR FURTHER INFORMATION CONTACT: Sheryl Kennerly (703) 603–7740.

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

Additions

If the Committee approves the proposed additions, all entities of the Federal Government identified in this notice will be required to procure the services listed below from nonprofit agencies employing persons who are blind or have other severe disabilities.

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

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

2. The action will result in authorizing small entities to furnish the services to the Government.

3. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-ODay Act (41 U.S.C. 46–48c) in connection with the services proposed for addition to the Procurement List. Comments on this certification are invited.

Commenters should identify the statement(s) underlying the certification on which they are providing additional information. The following services are proposed for addition to Procurement List for production by the nonprofit agencies listed:

Services

Service Type/Location: Janitorial/ Custodial/Ronald Reagan Building/ International Trade Center, Washington, DC.

NPA: The Chimes, Inc., Baltimore, Maryland.

Contract Activity: GSA, Public Buildings Service.

Service Type/Location: Janitorial/ Custodial/Randolph Air Force Base/ Buildings 592 and 575, Randolph Air Force Base, Texas.

NPA: Relief Enterprises, Austin, Texas.

Contract Activity: Department of the Air Force.

Deletions

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

1. The action will result in any additional reporting, recordkeeping or other compliance requirements for small entities other than the small organizations that will furnish the products to the Government.

2. The action will result in authorizing small entities to furnish the products to the Government.

3. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-ODay Act (41 U.S.C. 46–48c) in connection with the products proposed for deletion from the Procurement List.

The following products are proposed for deletion from the Procurement List:

Products

Product/NSN: Box, Storage, Magnetic Tape/8115–00–432–6729, 8115–00–432–6730 .

NPA: None currently authorized.

Contract Activity: GSA, Office Supplies and Paper Products Commodity Center.

Product/NSN: Applicator, Wax/7920–00–633–8774, 7920–00–633–9274.

NPA: None Currently authorized.

Contract Activity: GSA, General Products Commodity Center.

Sheryl D Kennerly,

Director, Information Management.

[FR Doc. 02–4918 Filed 2–28–02; 8:45 am]

BILLING CODE 6353–01–P

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

Procurement List; Additions and Deletions

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

ACTION: Proposed additions to and deletions from Procurement List.

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

DATE: April 1, 2002.

ADDRESSES: Committee for Purchase from People Who Are Blind or Severely Disabled, Jefferson Plaza 2, Suite 10800, 1421 Jefferson Davis Highway, Arlington, Virginia 22202-3259.

FOR FURTHER INFORMATION CONTACT: Sheryl D. Kennerly (703) 603–7740

SUPPLEMENTARY INFORMATION:

Additions

On November 17, 2000; June 29, 2001; December 21, 2001; January 4, January 11 and January 18, 2002, the Committee for Purchase From People Who Are Blind or Severely Disabled published notices (65 FR 69499; 66 FR 34612, 65876 and 67 FR 556m 1436 and 2631) of proposed additions to the Procurement List.

The following comments pertain to Janitorial/Grounds Maintenance/ Parking Management, Department of Housing and Urban Development, Washington, DC.

Comments were received from the prime contractor for this project and from one subcontractor, in response to letters sent to these companies. Both contractors indicated that they would be severely impacted if they were not permitted to retain their contracts through the final option year.

Procurement List additions do not affect contracts in being for the supplies or services added to the Procurement List. If the Government contracting officer chooses to exercise the option, the anticipated impacts on the contractors will not occur. Even if the option is not exercised, the portion of the prime contractor's total revenues which this project represents is well below the level which the Committee considers constituting severe adverse impact on a contractor affected by a Procurement List addition. As for the subcontractor, which raised the possibility of going out of business if it loses its contract in this project, the Committee considers the creation of a number of jobs for people with severe disabilities, whose unemployment rate is near 70 percent, to outweigh the effect on the subcontractor.

The following material pertains to all of the items being added to the Procurement List.

Additions

After consideration of the material presented to it concerning capability of qualified nonprofit agencies to provide the services and impact of the additions on the current or most recent contractors, the Committee has determined that the services listed below are suitable for procurement by the federal Government under 41 U.S.C. 46–48c and 41 CFR 51–2.4. I certify that the following action will not have a significant impact on a substantial number of small entities. The major factors considered for this certification were:

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

2. The action will not have a severe economic impact on current contractors for the services.

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

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

Accordingly, the following services are added to the Procurement List:

Services

Service Type/Location: Customization & Distribution of Air Force Special Promotional Items HQ Air Force Recruiting Service, Randolph AFB, Texas.
NPA: Industries for the Blind, Inc., Milwaukee, Wisconsin.
Contract Activity: Department of the Air Force.

Service Type/Location: Fulfillment Services/ Military Sealift Command, At the Nonprofit Location in Milwaukee, Wisconsin.
NPA: Industries for the Blind, Inc., Milwaukee, Wisconsin.
Contract Activity: Military Sealift Command, Virginia Beach, VA.

Service Type/Location: Janitorial/Grounds Maintenance/Parking Management/ Department of Housing and Urban Development, Washington, DC.
NPA: Melwood Horticultural Training Center, Upper Marlboro, Maryland.
Contract Activity: Department of Housing & Urban Development.

Service Type/Location: Litigation Support Services/USDA Food and Nutrition Service, Alexandria, Virginia.
NPA: Federal Dispute Resolution Center, Alexandria, Virginia.
Contract Activity: Department of Agriculture.

Service Type/Location: Mailroom Support Services/Internal Revenue Service, Milwaukee, Wisconsin.
NPA: Industries for the Blind, Inc., Milwaukee, WI.
Contract Activity: Internal Revenue Services.

Service Type/Location: Operation of Self Service Supply Store/General Services Administration Sam Nunn Federal Center, Atlanta, Georgia.
NPA: Raleigh Lions Clinic for the Blind, Inc., Raleigh, North Carolina.
Contract Activity: General Services Administration.

Deletions

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

1. The action may result in any additional reporting, recordkeeping or other compliance requirements for small entities.

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

3. The action may result in authorizing small entities to furnish the service to Government.

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

After consideration of the relevant matter presented, the committee has determined that the service listed below is no longer suitable for procurement by the Federal Government under 41 U.S.C. 46048 and 41 CFR 51–2.4.

Accordingly, the following service is deleted from the Procurement List:

Services

Service Type/Location: Janitorial/Custodial/ VA Greater Los Angeles Regional Healthcare System, Los Angeles, California.
NPA: Job Options, Inc., San Diego, California.
Contract Activity: Department of Veterans Affairs.

Sheryl D. Kennerly,

Director, Information Management.

[FR Doc. 02–4919 Filed 2–28–02; 8:45 am]

BILLING CODE 6353–01–P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[Order No. 1208]

Designation of New Grantee for Foreign-Trade Zone 220, Sioux Falls, SD; Resolution and Order

Pursuant to its authority under the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a-81u), and the Foreign-Trade Zones Board Regulations (15 CFR part 400), the Foreign-Trade Zones Board (the Board) adopts the following Order:

The Foreign-Trade Zones (FTZ) Board (the Board) has considered the application (filed 11/6/2001) submitted by the State of South Dakota Governor's Office of Economic Development, grantee of FTZ 220, Sioux Falls, South Dakota requesting reissuance of the grant of authority for said zone to the Sioux Falls Development Foundation, Inc., a non-profit corporation, which has accepted such reissuance subject to approval by the FTZ Board. Upon review, the Board finding that the requirements of the FTZ Act and the Board's regulations are satisfied, and that the proposal is in the public interest, approves the request and recognizes the Sioux Falls Development Foundation, Inc. as the grantee of Foreign Trade Zone 220.

The approval is subject to the FTZ Act and the FTZ Board's regulations, including Section 400.28.

Signed at Washington, DC, this 18th day of January, 2002.

Faryar Shirzad,

Assistant Secretary of Commerce for Import Administration, Alternate Chairman, Foreign-Trade Zones Board.

[FR Doc. 02–4924 Filed 2–28–02; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review

AGENCY: Import Administration, International Trade Administration, Department of Commerce

ACTION: Notice of opportunity to request administrative review of antidumping or countervailing duty order, finding, or suspended investigation.

Background

Each year during the anniversary month of the publication of an antidumping or countervailing duty order, finding, or suspension of investigation, an interested party, as defined in section 771(9) of the Tariff Act of 1930, as amended (the Act), may request, in accordance with section 351.213(2001) of the Department of Commerce (the Department) Regulations, that the Department conduct an administrative review of that antidumping or countervailing duty order, finding, or suspended investigation.

Opportunity to Request a Review: Not later than the last day of March 2002, interested parties may request administrative review of the following orders, findings, or suspended investigations, with anniversary dates in March for the following periods:

	Period
Antidumping Duty Proceeding	
Bangladesh: Cotton Shop Towels, A–538–802	3/1/01–2/28/02
Canada: Iron Construction Castings, A–122–503	3/1/01–2/28/02
France: Brass Sheet & Strip, A–427–602	3/1/01–2/28/02
Germany: Brass Sheet & Strip, A–428–602	3/1/01–2/28/02
India: Sulfanilic Acid, A–533–806	3/1/01–2/28/02
Italy: Brass Sheet & Strip, A–475–601	3/1/01–2/28/02
Japan: Stainless Steel Butt-Weld Pipe Fittings, A–588–702	3/1/01–2/28/02
Spain: Stainless Steel Bar, A–469–805	3/1/01–2/28/02
Taiwan: Light-Walled Welded Rectangular Carbon Steel Tubing, A–583–803	3/1/01–2/28/02
Thailand: Circular Welded Carbon Steel Pipes & Tubes, A–549–502	3/1/01–2/28/02
The People's Republic of China:	
Chloropicrin, A–570–002	3/1/01–2/28/02
Glycine, A–570–836	3/1/01–2/28/02
Countervailing Duty Proceeding	
France: Brass Sheet and Strip, C–427–603	1/1/01–12/31/01
India: Sulfanilic Acid, C–533–807	1/1/01–12/31/01
Iran: In-Shell Pistachios Nuts, C–507–501	1/1/01–12/31/01
Pakistan: Cotton Shop Towels, C–535–001	1/1/01–12/31/01
Turkey: Welded Carbon Steel Pipes and Tubes, C–489–502	1/1/01–12/31/01
Suspension Agreements	
None.	

In accordance with section 351.213(b) of the regulations, an interested party as defined by section 771(9) of the Act may request in writing that the Secretary conduct an administrative review. For both antidumping and countervailing duty reviews, the interested party must specify the individual producers or exporters covered by an antidumping finding or an antidumping or countervailing duty order or suspension agreement for which it is requesting a review, and the requesting party must state why it desires the Secretary to review those particular producers or exporters. If the interested party intends for the Secretary to review sales of merchandise by an exporter (or a producer if that producer also exports merchandise from other suppliers) which were produced in more than one country of origin and each country of origin is subject to a separate order, then the interested party must state specifically, on an order-by-order basis, which exporter(s) the request is intended to cover.

Six copies of the request should be submitted to the Assistant Secretary for Import Administration, International Trade Administration, Room 1870, U.S. Department of Commerce, 14th Street & Constitution Avenue, N.W., Washington, DC 20230. The Department also asks parties to serve a copy of their requests to the Office of Antidumping/Countervailing Enforcement, Attention: Sheila Forbes, in room 3065 of the main Commerce Building. Further, in accordance with section 351.303(f)(1)(i) of the regulations, a copy of each request must be served on every party on the Department's service list.

The Department will publish in the **Federal Register** a notice of ''Initiation of Administrative Review of Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation'' for requests received by the last day of March 2002. If the Department does not receive, by the last day of March 2002, a request for review of entries covered by an order, finding, or suspended investigation listed in this notice and for the period identified above, the Department will instruct the Customs Service to assess antidumping or countervailing duties on those entries at a rate equal to the cash deposit of (or bond for) estimated antidumping or countervailing duties required on those entries at the time of entry, or withdrawal from warehouse, for consumption and to continue to collect the cash deposit previously ordered.

This notice is not required by statute but is published as a service to the international trading community.

Dated: February 26, 2002.

Holly A. Kuga,

Senior Office Director, Group II, Office 4, Import Administration.

[FR Doc. 02–4925 Filed 2–28–02; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

Antidumping and Countervailing Duties: Five Year Reviews

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

ACTION: Notice of initiation of Five-Year (''Sunset'') Reviews.

SUMMARY: In accordance with section 751(c) of the Tariff Act of 1930, as amended (''the Act''), the Department of Commerce (''the Department'') is automatically initiating five-year (''sunset'') reviews of the antidumping duty orders listed below. The International Trade Commission (''the Commission'') is publishing concurrently with this notice its notice of Institution of Five-Year Reviews covering this same antidumping duty orders.

FOR FURTHER INFORMATION CONTACT: James P. Maeder or Martha V. Douthit, Office of Policy, Import Administration, International Trade Administration, U.S. Department of Commerce, at (202) 482–3330 or (202) 482–5050, respectively, or Mary Messer, Office of Investigations, U.S. International Trade Commission, at (202) 205–3193.

SUPPLEMENTARY INFORMATION:

The Applicable Statue

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 regulations are to 19 CFR part 351 (2001). Pursuant to sections 751(c) and 752 of the Act, an antidumping (''AD'') or countervailing duty (''CVD'') order will be revoked, or the suspended investigation will be terminated, unless revocation or termination would be likely to lead to continuation or recurrence of (1) dumping or a countervailable subsidy, and (2) material injury to the domestic industry.

The Department's procedures for the conduct of sunset reviews are set forth in 19 CFR 351.218. Guidance on methodological or analytical issues relevant to the Department's conduct of sunset reviews is set forth in the Department's Policy Bulletin 98:3—*Policies Regarding the Conduct of Five-year (''Sunset'') Reviews of Antidumping and Countervailing Duty Orders; Policy Bulletin*, 63 FR 18871 (April 16, 1998) (''*Sunset Policy Bulletin*'').

Background

Initiation of Reviews

In accordance with 19 CFR 351.218 we are initiating sunset reviews of the following antidumping duty orders:

DOC Case No.	ITC Case No.	Country	Product
A–570–846	731–TA–744	China	Brake Rotors.
A–489–807	731–TA–745	Turkey	Certain Steel Concrete Reinforcing Bar.

Filing Information

As a courtesy, we are making information related to sunset proceedings, including copies of the *Sunset Regulations* (19 CFR 351.218) and *Sunset Policy Bulletin,* the Department's schedule of sunset reviews, case history information (*i.e.,* previous margins, duty absorption determinations, scope language, import volumes), and service lists, available to the public on the Department's sunset Internet Web site at the following address: *http://ia.ita.doc.gov/sunset/.*

All submissions in these sunset reviews must be filed in accordance with the Department's regulations regarding format, translation, service, and certification of documents. These rules can be found at 19 CFR 351.303. Also, we suggest that parties check the Department's sunset website for any updates to the service lists before filing any submissions. The Department will make additions to and/or deletions from the service list provided on the sunset website based on notifications from parties and participation in this review. Specifically, the Department will delete

from the service lists all parties that do not submit a substantive response to the notice of initiation.

Because deadlines in a sunset review are, in many instances, very short, we urge interested parties to apply for access to proprietary information under administrative protective order (''APO'') immediately following publication in the **Federal Register** of the notice of initiation of the sunset review. The Department's regulations on submission of proprietary information and eligibility to receive access to business proprietary information under APO can be found at 19 CFR 351.304–306.

Information Required From Interested Parties

Domestic interested parties (defined in 19 CFR 351.102) wishing to participate in these sunset reviews must respond not later than 15 days after the date of publication in the **Federal Register** of the notice of initiation by filing a notice of intent to participate. The required contents of the notice of intent to participate are set forth at 19 CFR 351.218(d)(1)(ii). In accordance with the Department's regulations, if we do not receive a notice of intent to participate from at least one domestic interested party by the 15-day deadline, the Department will automatically revoke the order without further review.

If we receive an order-specific notice of intent to participate from a domestic interested party, the Department's regulations provide that all parties wishing to participate in the sunset reviews must file substantive responses not later than 30 days after the date of publication in the **Federal Register** of the notice of initiation. The required contents of a substantive response, on an order-specific basis, are set forth at 19 CFR 351.218(d)(3). Note that certain information requirements differ for foreign and domestic parties. Also, note that the Department's information requirements are distinct from the International Trade Commission's information requirements. Please consult the Department's regulations for information regarding the Department's conduct of sunset reviews.[1] Please consult the Department's regulations at 19 CFR part 351 for definitions of terms and for other general information concerning antidumping and countervailing duty proceedings at the Department.

This notice of initiation is being published in accordance with section 751(c) of the Act and 19 CFR 351.218(c).

Dated: February 22, 2002.

Faryar Shirzad,

Assistant Secretary for Import Administration.

[FR Doc. 02–4920 Filed 2–28–02; 8:45 am]

BILLING CODE 3510–DS–P

[1] A number of parties commented that these interim-final regulations provided insufficient time for rebuttals to substantive responses to a notice of initiation, 19 CFR 351.218(d)(4)). As provided in 19 CFR 351.302(b), the Department will consider individual requests for extension of that five-day deadline based upon a showing of good cause.

DEPARTMENT OF COMMERCE

International Trade Administration

[A–588–852]

Notice of Final Results of Antidumping Duty New Shipper Review: Structural Steel Beams From Japan

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

ACTION: Notice of final results in the antidumping duty new shipper review of structural steel beams from Japan.

SUMMARY: On December 6, 2001, the Department of Commerce (''Department'') published the preliminary results of the new shipper review of the antidumping duty order on structural steel beams from Japan. This review covers one producer/exporter. The period of review (''POR'') is February 11, 2000 through November 30, 2000.

No comments were submitted by the parties and we have made no changes in the programming. Therefore, the final results do not differ from the preliminary results. The final weighted-average dumping margin for the reviewed firm is listed below in the section entitled ''Final Results of the Review.''

EFFECTIVE DATE: March 1, 2002.

FOR FURTHER INFORMATION CONTACT: Juanita H. Chen or James C. Doyle, Enforcement Group III, Import Administration, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230; telephone: 202–482–0409, or 202–482–0159, respectively.

SUPPLEMENTARY INFORMATION:

The Applicable Statute and Regulations

Unless otherwise indicated, all citations to the Tariff Act of 1930, as amended (''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's regulations are to the regulations codified at 19 CFR part 351 (2001).

Background

On December 6, 2001, the Department published the preliminary results of the new shipper review of the antidumping duty order on structural steel beams from Japan. *See Notice of Preliminary Results of Antidumping Duty New Shipper Review: Structural Steel Beams from Japan,* 66 FR 63365 (December 6, 2001). This review covers one producer/exporter, Yamato Kogyo Co., Ltd. The POR is February 11, 2000 through November 30, 2000. We invited parties to comment on our preliminary results of review. The Department received no comments from any party on the preliminary results of review. The Department has conducted this new shipper review in accordance with section 751 of the Act.

Scope of Review

For purposes of this review, the products covered are doubly-symmetric shapes, whether hot or cold-rolled, drawn, extruded, formed or finished, having at least one dimension of at least 80 mm (3.2 inches or more), whether of carbon or alloy (other than stainless) steel, and whether or not drilled, punched, notched, painted, coated, or clad. These products (''Structural Steel Beams'') include, but are not limited to, wide-flange beams (''W'' shapes), bearing piles (''HP'' shapes), standard beams (''S'' or ''I'' shapes), and M-shapes.

All products that meet the physical and metallurgical descriptions provided above are within the scope of this review unless otherwise excluded. The following products, are outside and/or specifically excluded from the scope of this review:

- Structural steel beams greater than 400 pounds per linear foot or with a web or section height (also known as depth) over 40 inches.

The merchandise subject to this review is classified in the Harmonized Tariff Schedule of the United States (''HTSUS'') at subheadings: 7216.32.0000, 7216.33.0030, 7216.33.0060, 7216.33.0090, 7216.50.0000, 7216.61.0000, 7216.69.0000, 7216.91.0000, 7216.99.0000, 7228.70.3040, 7228.70.6000. Although the HTSUS subheadings are provided for convenience and U.S. Customs Service (''Customs'') purposes, the written description of the merchandise under review is dispositive.

Analysis of Comments Received

No parties submitted comments on the preliminary results of review. Accordingly, there is no concurrent issues and decision memorandum or analysis memorandum issued with these final results of review.

Changes Since the Preliminary Results

We have made no changes in programming since the preliminary results of review.

Final Results of Review

We determine that the following percentage weighted-average margin exists for the period February 11, 2000 through November 30, 2000:

STRUCTURAL STEEL BEAMS

Producer/manufacturer/exporter	Weighted-average margin (percent)
Yamoto Kogyo Co., Ltd	0.00

Assessment

The Department shall determine, and U.S. Customs shall assess, antidumping duties on all appropriate entries. In accordance with 19 CFR 351.212(b), we have calculated exporter/importer-specific assessment rates. We calculated importer-specific duty assessment rates on a unit value per metric ton basis by summing the dumping margins on U.S. sales, and then dividing this sum by the total metric tons of all U.S. sales examined. Based on our determination in this review, we will instruct Customs not to assess antidumping duties on the merchandise subject to review.

Cash Deposit Requirements

The following deposit requirements will be effective upon publication of this notice of final results of new shipper review for all shipments of structural steel beams from Japan entered, or withdrawn from warehouse, for consumption on or after the date of publication, as provided by section 751(a)(1) of the Act: (1) For the reviewed company listed above, no cash deposit rate will be required; (2) for previously reviewed or investigated companies not listed above, the cash deposit rate will continue to be the company-specific rate published for the most recent period; (3) if the exporter is not a firm covered in this review, a prior review, or the original less than fair value (''LTFV'') investigation, but the manufacturer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; and (4) the cash deposit rate for all other manufacturers or exporters will continue to be the ''all others'' rate of 31.98 percent established in the LTFV investigation. *See Notice of Final Determination of Sales at Less Than Fair Value: Structural Steel Beams from Japan,* 65 FR 24182 (April 25, 2000); *Structural Steel Beams from Japan: Notice of Antidumping Duty Order,* 65 FR 37960 (June 19, 2000).

These deposit requirements shall remain in effect until publication of the final results of the next administrative review.

This notice also serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

This notice also serves as the only reminder to parties subject to administrative protective orders (''APO'') of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305. Timely written notification of the return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

We are issuing and publishing these results and notice in accordance with sections 751(a)(1) and 777(i) of the Act.

Dated: February 14, 2002.

Faryar Shirzad,

Assistant Secretary for Import Administration.

[FR Doc. 02–4923 Filed 2–28–02; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

National Institute of Standards and Technology

Announcement of U.S. Conformity Assessment Body Training Workshop

AGENCY: National Institute of Standards and Technology, Department of Commerce.

ACTION: Notice of workshop.

SUMMARY: The National Institute of Standards and Technology (NIST) invites interested parties to attend a two-day Conformity Assessment Body (CAB) training workshop on the European Union (EU) Radio and Telecommunications Terminal Equipment (R&TTE) Directive and related issues. NIST, as the Designating Authority under the Sectoral Annex for Telecommunication Equipment of the US-EU Mutual Recognition Agreement (MRA), is sponsoring this workshop in order to provide training and educational outreach for U.S. CABs. Personnel from the European Commission and an EU Notified Body (NB) will conduct this workshop. The workshop is aimed at providing information for current and potential CABs, assessors, manufacturers, and other interested parties on compliance with the EU R&TTE Directive. There is a fee to attend the Workshop. All attendees must register no later than March 27, 2002. Attendance will be limited to the first 80 registered participants.

DATES: The U.S. CAB Training Workshop will be held April 10–11, 2002. All sessions will be held from 8:30 a.m. to 5:30 p.m.

ADDRESSES: U.S. CAB Training Workshop sessions will be held at the Hyatt Regency Crystal City at Reagan National Airport, 2799 Jefferson Davis Highway, Arlington, Virginia 22202.

FOR REGISTRATION INFORMATION CONTACT: Kim Snouffer at (301) 975–2776, *kimberly.snouffer@nist.gov.* You may register for the workshop electronically at *http://www.nist.gov/conferences.* If you do not wish to register electronically, you can print out the electronic form and fax it to (301) 948–2067. Please pre-register by no later than March 27, 2002. You may also mail a copy of the electronic form, by March 27, 2002, to: NIST Office of the Comptroller, 100 Bureau Drive, Stop 3732, Gaithersburg, MD 20899–3732.

FOR TECHNICAL INFORMATION CONTACT: Mary Jo DiBernardo at 301 975–5503 or *maryjo.dibernardo@nist.gov.*

SUPPLEMENTARY INFORMATION: NIST, as the Designating Authority under the Sectoral Annex for Telecommunication Equipment of the US–EU MRA, is sponsoring this workshop in order to provide training and educational outreach for U.S. CABs. The workshop is aimed at providing information to current and potential CABs, assessors, manufacturers, and other interested parties on requirements of the EU R&TTE Directive. The first half-day will be devoted to an introduction to the R&TTE Directive and its requirements. This will be followed by a 1½ day session focusing on issues relating to operating aspects, common problems,

solutions, and experiences encountered by CABs/NBs under the R&TTE Directive. There is a $225 fee to attend the Workshop. All attendees must register no later than March 27, 2002. Attendance will be limited to the first 80 registered participants.

Workshop attendees are assumed to have familiarity with the US-EU Mutual Recognition Agreement and the R&TTE Directive. The text of these documents can be accessed at *http://ts.nist.gov/ts/htdocs/210/216/mra.htm* and *http://ts.nist.gov/ts/htdocs/210/216/mra-relatedlinks.htm* respectively. Information on becoming a U.S. CAB for radio and telecommunications terminal equipment under the US–EU MRA is posted on NIST Web site at *http://ts.nist.gov/ts/htdocs/210/216/mra-eu-telecom.htm.*

Dated: February 25, 2002.

Karen H. Brown,

Deputy Director.

[FR Doc. 02–4903 Filed 2–28–02; 8:45 am]

BILLING CODE 3510–13–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Science Advisory Board; Meeting

AGENCY: Office of Oceanic and Atmospheric Research, NOAA, DOC.

ACTION: Notice of open meeting.

SUMMARY: The Science Advisory Board (SAB) was established by a Decision Memorandum dated September 25, 1997, and is the only Federal Advisory Committee with responsibility to advise the Under Secretary of Commerce for Oceans and Atmospheric on long- and short-range strategies for research, education, and application of science to resource management. SAB activities and advice provide necessary input to ensure that National Oceanic and Atmospheric Administration (NOAA) science programs are of the highest quality and provide optimal support to resource management.

Time and Date: The meeting will be held Tuesday, March 19, 2002, from 1:30 p.m. to 5:15 p.m.; Wednesday, March 20, 2002, from 8 a.m. to 5:15 p.m.; and Thursday, March 21, from 8 a.m. to 12 p.m.

Place: The meeting will be held all three days at the St. Gregory Hotel & Suites, 2033 M Street, NW, Washington, DC.

Status: The meeting will be open to public participation with two 30-minute time periods set aside for direct verbal comments or questions from the public. The SAB expects that public statements presented at its meetings will not be repetitive of previously submitted verbal or written statements. In general, each individual or group making a verbal presentation will be limited to a total time of five (5) minutes. Written comments (at least 35 copies) should be received in the SAB Executive Director's Office by March 11, 2002, to provide sufficient time for SAB review. Written comments received by the SAB Executive Director after March 11, 2002, will be distributed to the SAB, but may not be reviewed prior to the meeting date. Approximately thirty (30) seats will be available for the public including five (5) seats reserved for the media. Seats will be available on a first-come, first-served basis.

Matters To Be Considered: The meeting will include the following topics: (1) The NOAA program review, (2) NOAA education partnership programs, (3) homeland security, (4) NOAA climate research, (5) National Weather Service requirements setting process, (6) reports on program and laboratory reviews conducted under the auspices of the SAB and (7) public statements.

FOR FURTHER INFORMATION CONTACT: Dr. Michael Uhart, Executive Director, Science Advisory Board, NOAA, Rm. 10600, 1315 East-West Highway, Silver Spring, Maryland 20910. (Phone: 301–713–9121, Fax: 301–713–0163, E-mail: *Michael.Uhart@noaa.gov);* or visit the NOAA SAB website at http://www.sab.noaa.gov.

Dated: February 26, 2002.

Louisa Koch,

Deputy Assistant Administrator, OAR.

[FR Doc. 02–4933 Filed 2–28–02; 8:45 am]

BILLING CODE 3510–KD–M

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

Information Collection; Submission for OMB Review; Comment Request

AGENCY: Corporation for National and Community Service.

ACTION: Notice.

SUMMARY: The Corporation for National and Community Service (hereinafter the ''Corporation'') has submitted a public information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paper Reduction Act of 1995, Public Law 104–13, (44 U.S.C. Chapter 35). Copies of this ICR, with applicable supporting documentation, may be obtained by calling the Corporation for National and Community Service, Carol Hafford, at (202) 606–5000, extension 232. Individuals who use a telecommunications device for the deaf (TTY–TDD) may call (800) 833–3722 between the hours of 9 a.m. and 5 p.m. Eastern Standard Time, Monday through Friday.

Comments should be sent to the Office of Information and Regulatory Affairs, Attn: Ms. Brenda Aguilar, OMB Desk Officer for the Corporation for National and Community Service, Office of Management and Budget, Room 10235, Washington, DC, 20503, within 30 days from the date of publication in this **Federal Register**.

The OMB is particularly interested in comments which:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Corporation, including whether the information will have practical utility;
- 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;
- Propose ways to enhance the quality, utility and clarity of the information to be collected; and
- Propose ways to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submissions of responses.

Agency: Corporation for National and Community Service.

Type of Review: New collection.

Title: AmeriCorps*VISTA Project Supervisors Survey.

OMB Number: None.

Agency Number: None.

Affected Public: AmeriCorps*VISTA project supervisors at community-based organizations, elementary and secondary schools, state and local agencies.

Total Respondents: Approximately 400.

Frequency: Annual.

Average Time Per Response: 30 minutes.

Estimated Total Burden Hours: 200.

Total Burden Cost (capital/startup): None.

Total Burden Cost (operating/maintenance): None.

Description: The Corporation seeks approval of one survey form that will be used to examine AmeriCorps*VISTA supervisors perceptions about training.

This requires information from project supervisors that will address: (1) The extent to which Corporation-sponsored training prepares Supervisors to recruit, retain, and support AmeriCorps*VISTA members; and (2) whether, in their opinion, training provided to AmeriCorps*VISTA members contributes to the members' performance, retention, and satisfaction with the service experience.

Dated: February 25, 2002.

David Reingold,

Director, Department of Research and Policy Development.

[FR Doc. 02–4914 Filed 2–28–02; 8:45 am]

BILLING CODE 6050–$$–P

DEPARTMENT OF DEFENSE

Department of the Air Force

Air Force Institute of Technology Subcommittee of the Air University Board of Visitors

AGENCY: Department of the Air Force, DoD.

ACTION: Notice of meeting.

SUMMARY: The Air Force Institute of Technology Subcommittee of the Air University Board of Visitors will hold an open meeting at Wright-Patterson Air Force Base, Ohio. (5 seats available). The purpose of the meeting is to give the board an opportunity to review Air Force Institute of Technology's educational programs and to present to the Commandant a report of their findings and recommendations concerning these programs.

DATES: March 17–19, 2002.

ADDRESSES: Commandant's Conference Room, Building 125, Wright-Patterson Air Force Base, Ohio.

FOR FURTHER INFORMATION CONTACT: Ms. Beverly Houtz in the Directorate of Resources, Air Force Institute of Technology, (937) 255–5760.

Pamela D. Fitzgerald,

Air Force Federal Register Liaison Officer.

[FR Doc. 02–4885 Filed 2–28–02; 8:45 am]

BILLING CODE 5001–05–P

DEPARTMENT OF DEFENSE

Department of the Air Force

Air University Board of Visitors

AGENCY: Department of the Air Force, DoD.

ACTION: Notice of meeting

SUMMARY: The Air University Board of Visitors will hold an open meeting at Maxwell Air Force Base, Alabama (5 seats available). The purpose of the meeting is to give the board an opportunity to review Air University educational programs and to present to the Commander, a report of their findings and recommendations concerning these programs.

DATES: April 14–17, 2002.

ADDRESSES: Air University Commander's Conference Room at Headquarters Air University, Maxwell Air Force Base, Alabama.

FOR FURTHER INFORMATION CONTACT: Dr. Dorothy Reed, Chief of Academic Affairs, Air University Headquarters, Maxwell Air Force Base, Alabama 36112–6335, telephone (334) 953–5159.

Pamela D. Fitzgerald,

Air Force Federal Register Liaison Officer.

[FR Doc. 02–4886 Filed 2–28–02; 8:45 am]

BILLING CODE 5001–05–P

DEPARTMENT OF DEFENSE

Department of the Navy

Notice of Proposed Information Collection; Commander, Navy Recruiting Command

AGENCY: Department of the Navy, DOD.

ACTION: Notice.

SUMMARY: The Commander, Navy Recruiting Command announces a proposed new public information collection and seeks public comment on the provisions thereof. Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by April 30, 2002.

ADDRESSES: Send written comments and recommendations on the proposed information collection to Navy Recruiting Command (Code 3123), 5722 Integrity Drive, Millington, TN 38054–5057.

FOR FURTHER INFORMATION CONTACT: To request additional information or to obtain a copy of the proposal and associated collection instruments, contact Mr. Ken Saxion at (901) 874–9045.

SUPPLEMENTARY INFORMATION: *Form Title and OMB Number:* United States Navy Illicit Behavior Screening Certificate; OMB Control No. (None).

Needs and Uses: Used by the Navy Recruiting Command to assess an applicant's history of alcohol abuse, drug abuse, or other illicit behavior in determining a person's qualifications to enter the military service. An applicant with a history of drug or alcohol abuse, or behavior that violates the civil rights of others is undesirable for military service. The collection of this information is needed in order to make a fair and reasonable enlistment eligibility determination of an applicant.

Affected Public: Individuals or households.

Annual Burden Hours: 13,000.

Number of Respondents: 65,000.

Responses Per Respondent: 1.

Average Burden per Response: 12 minutes.

Frequency: On occasion.

(Authority: 44 U.S.C. Sec. 3506(c)(2)(A))

Dated: February 19, 2002.

T.J. Welsh,

Lieutenant Commander, Judge Advocate General's Corps, U.S. Navy, Federal Register Liaison Officer.

[FR Doc. 02–4869 Filed 2–28–02; 8:45 am]

BILLING CODE 3810–FF–P

DEPARTMENT OF DEFENSE

Department of the Navy

Notice of Proposed Information Collection; Commander, Navy Recruiting Command

AGENCY: Department of the Navy, DOD.

ACTION: Notice.

SUMMARY: The Commander, Navy Recruiting Command announces a proposed reinstatement of a previously approved public information collection and seeks public comment on the provisions thereof. Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by April 30, 2002.

ADDRESSES: Send written comments and recommendations on the proposed information collection to Navy Recruiting Command (Code N1323), 5722 Integrity Drive, Millington, TN 38054–5057.

FOR FURTHER INFORMATION CONTACT: To request additional information or to obtain a copy of the proposal and associated collection instruments, contact Ken Saxion at (901) 874–9045.

SUPPLEMENTARY INFORMATION: *Form Title and OMB Number:* NROTC Preliminary Application Form; OMB Control Number 0703–0028.

Needs and Uses: Used by the Navy Recruiting Command to determine basic eligibility for the Four-Year NROTC Scholarship Program, and is necessary for the initial screening of prospective applicants. Use of this questionnaire is the only accurate and specific method to determine scholarship awardees. Each individual who wishes to apply to the scholarship program completes and returns the questionnaire.

Affected Public: Individuals or households.

Annual Burden Hours: 10,000.

Number of Respondents: 40,000.

Responses Per Respondent: 1.

Average Burden per Response: 10 minutes.

Frequency: On occasion.

(Authority: 44 U.S.C. Sec. 3506(c)(2)(A))

Dated: February 19, 2002.

T.J. Welsh,

Lieutenant Commander, Judge Advocate General's Corps, U.S. Navy, Federal Register Liaison Officer.

[FR Doc. 02–4870 Filed 2–28–02; 8:45 am]

BILLING CODE 3810–FF–P

DEPARTMENT OF DEFENSE

Department of the Navy

Notice of Proposed Information Collection; Commander, Navy Recruiting Command

AGENCY: Department of the Navy, DoD.

ACTION: Notice.

SUMMARY: The Commander, Navy Recruiting Command announces a proposed reinstatement of a previously approved public information collection and seeks public comment on the provisions thereof. Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by April 30, 2002.

ADDRESSES: Send written comments and recommendations on the proposed information collection to Navy Recruiting Command (Code 356), 5722 Integrity Drive, Millington, TN 38054–5057.

FOR FURTHER INFORMATION CONTACT: To request additional information or to obtain a copy of the proposal and associated collection instruments, contact Mr. Bill Anderson at (901) 874–9299 or Mr. Bob Phillips (Code 3561) at (901) 874–9312.

SUPPLEMENTARY INFORMATION: *Form Title and OMB Number:* Enlistee Financial Statement; OMB Control Number 0703–0020.

Needs and Uses: All persons interested in entering the U.S. Navy or U.S. Naval Reserve who have someone either fully or partially dependent on them for financial support, must provide information on their current financial situation which will determine if the individual will be able to meet his/her financial obligations on Navy pay. The information is provided by the prospective enlistee during an interview with a Navy recruiter. The information provided on NAVCRUIT Form 1130/13 is used by Navy recruiters and by recruiting management personnel in assessing the Navy applicant's ability to meet financial obligations, thereby preventing the enlistment of, and subsequent management difficulties with people who cannot reasonably expect to meet their financial obligations on Navy pay.

Affected Public: Individuals or households.

Annual Burden Hours: 47,630.

Number of Respondents: 86,800.

Responses Per Respondent: 1.

Average Burden Per Response: 33 minutes.

Frequency: On occasion.

(Authority: 44 U.S.C. Sec. 3506(c)(2)(A))

Dated: February 19, 2002.

T.J. Welsh,

Lieutenant Commander, Judge Advocate General's Corps, U.S. Navy, Federal Register Liaison Officer.

[FR Doc. 02–4871 Filed 2–28–02; 8:45 am]

BILLING CODE 3810–FF–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP02–87–000]

ANR Pipeline Company; Notice of Application

February 25, 2002.

Take notice that on February 15, 2002, ANR Pipeline Company (ANR), 9 E Greenway Plaza, Houston, Texas 77046, filed in Docket No. CP02–87–000, an application requesting authorization to modify certain compressor units at its Woodstock Compressor Station (Woodstock Station) in McHenry County, Illinois, pursuant to sSection 7(b) and 7(c) of the Natural Gas Act (NGA), as amended, and part 157 of the Commission's rules and regulations, all as more fully set forth in the application which is on file with the Commission and open to public inspection. Copies of this filing are on file with the Commission and are available for public inspection. This filing may also be viewed on the web at *http://www.ferc.gov* using the ''RIMS'' link, select ''Docket #'' and follow the instructions (call 202–208–2222 for assistance.

Specifically, ANR states that it proposes to abandon in place five compressor units (total 6,000 horsepower) at its Woodstock Station, and to uprate the horsepower of two existing units by a total of 7,068 horsepower, thereby maintaining its existing pipeline system capacity. ANR states that the purpose of this activity is to enhance ANR's ability to meet air emissions restrictions by reducing station emissions associated with the antiquated design and the age of the engines and to reduce maintenance capital costs. ANR states that the estimated cost of uprating the compressor units is $76,000.

Any questions concerning this application may be directed to Dawn McGuire, Attorney, ANR Pipeline Company, 9 E Greenway Plaza, Houston, Texas 77046 , call (832) 676–5503, fax (832) 676–2251.

There are two ways to become involved in the Commission's review of this project. First, any person wishing to

obtain legal status by becoming a party to the proceedings for this project should, on or before March 18, 2002, file with the Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426, a motion to intervene in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 385.214 or 385.211) and the Regulations under the NGA (18 CFR 157.10). A person obtaining party status will be placed on the service list maintained by the Secretary of the Commission and will receive copies of all documents filed by the applicant and by all other parties. A party must submit 14 copies of filings made with the Commission and must mail a copy to the applicant and to every other party in the proceeding. Only parties to the proceeding can ask for court review of Commission orders in the proceeding.

However, a person does not have to intervene in order to have comments considered. The second way to participate is by filing with the Secretary of the Commission, as soon as possible, an original and two copies of comments in support of or in opposition to this project. The Commission will consider these comments in determining the appropriate action to be taken, but the filing of a comment alone will not serve to make the filer a party to the proceeding. The Commission's rules require that persons filing comments in opposition to the project provide copies of their protests only to the party or parties directly involved in the protest.

Persons who wish to comment only on the environmental review of this project should submit an original and two copies of their comments to the Secretary of the Commission. Environmental commenters will be placed on the Commission's environmental mailing list, will receive copies of the environmental documents, and will be notified of meetings associated with the Commission's environmental review process. Environmental commenters will not be required to serve copies of filed documents on all other parties. However, the non-party commenters will not receive copies of all documents filed by other parties or issued by the Commission (except for the mailing of environmental documents issued by the Commission) and will not have the right to seek court review of the Commission's final order.

Comments, protests and interventions may be filed electronically via the Internet in lieu of paper. See, 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's web site under the ''e-Filing'' link.

If the Commission decides to set the application for a formal hearing before an Administrative Law Judge, the Commission will issue another notice describing that process. At the end of the Commission's review process, a final Commission order approving or denying a certificate will be issued.

Magalie R. Salas,

Secretary.

[FR Doc. 02–4906 Filed 2–27–02; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER02–507–000]

TPS McAdams, LLC; Notice of Issuance of Order

February 25, 2002.

TPS McAdams, LLC (TPS) submitted for filing a tariff under which TPS will engage in the sale of energy, capacity, and ancillary at market-based rates and for the reassignment of transmission capacity. TPS also requested waiver of various Commission regulations. In particular, TPS requested that the Commission grant blanket approval under 18 CFR Part 34 of all future issuances of securities and assumptions of liability by TPS.

On February 5, 2002, pursuant to delegated authority, the Director, Office of Markets, Tariffs and Rates-Central, granted requests for blanket approval under Part 34, subject to the following:

Any person desiring to be heard or to protest the blanket approval of issuances of securities or assumptions of liability by TPS 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).

Absent a request to be heard in opposition within this period, TPS is authorized to issue securities and assume obligations or liabilities as a guarantor, indorser, surety, or otherwise in respect of any security of another person; provided that such issuance or assumption is for some lawful object within the corporate purposes of TPS, compatible with the public interest, and is reasonably necessary or appropriate for such purposes.

The Commission reserves the right to require a further showing that neither public nor private interests will be adversely affected by continued approval of TPS's issuances of securities or assumptions of liability.

Notice is hereby given that the deadline for filing motions to intervene or protests, as set forth above, is March 7, 2002.

Copies of the full text of the Order are available from the Commission's Public Reference Branch, 888 First Street, NE., Washington, DC 20426. The Order may also be viewed on the Internet at http://www.ferc.fed.us/online/rims.htm (call 202–208–2222 for assistance). Comments, protests, and interventions may be filed electronically via the internet in lieu of paper. See, 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site at http://www.ferc.fed.us/efi/doorbell.htm.

Linwood a. Watson, Jr.,

Deputy Secretary.

[FR Doc. 02–4908 Filed 2–28–02; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EG02–96–000, et al.]

Backbone Mountain Windpower LLC, et al.; Electric Rate and Corporate Regulation Filings

February 22, 2002.

Take notice that the following filings have been made with the Commission. Any comments should be submitted in accordance with Standard Paragraph E at the end of this notice.

1. Backbone Mountain Windpower LLC

[Docket No. EG02–96–000]

Take notice that on February 19, 2002, Backbone Mountain Windpower LLC (Backbone Mountain) filed with the Federal Energy Regulatory Commission (Commission) an Application for Determination of Exempt Wholesale Generator Status pursuant to part 365 of the Commission's regulations.

Ba0ckbone Mountain is developing a wind-powered eligible facility with a capacity of between 55.8 and 75.6 megawatts, which will be located in Tucker and Preston Counties, West Virginia

Comment Date: March 15, 2002.

2. ISO New England Inc

[Docket No. EL00–62–042]

Take notice that on February 15, 2002, ISO New England Inc. tendered for filing with the Federal Energy Regulatory Commission (Commission)

its compliance report pursuant to the Commission's order issued on February 1, 2002 in this proceedings.

Copies of said filing have been served upon all parties to this proceeding and electronically upon the New England Power Pool participants.

Comment Date: March 8, 2002.

3. New York Independent System Operator, Inc.

[Docket Nos. ER01–3009–004, ER01–3153–004, and EL00–90–004]

Take notice that on February 20, 2002, the New York Independent System Operator, Inc. (NYISO) tendered for filing with the Federal Energy Regulatory (Commission) a compliance filing in accordance with the Commission's January 31, 2002, order in the above-captioned proceedings.

A copy of this filing was served upon all signatories to the OATT and Services Tariff and upon all persons designated on the official service lists compiled by the Secretary in the above-captioned proceedings.

Comment Date: March 13, 2002.

4. Virginia Electric and Power Company

[Docket No. ER02–1036–000]

Take notice that on February 19, 2002,Virginia Electric and Power Company (the Company) respectfully tendered for filing the following Service Agreement by Virginia Electric and Power Company to Borough of Tarentum designated as Service Agreement No. 12 under the Company's Wholesale Market-Based Rate Tariff, FERC Electric Tariff, Original Volume No. 6, effective on June 15, 2000.

The Company requests an effective date of January 18, 2002, as requested by the customer. Copies of the filing were served upon Borough of Tarentum, the Virginia State Corporation Commission, and the North Carolina Utilities Commission.

Comment Date: March 12, 2002.

5. UAE Mecklenburg Cogeneration LP

[Docket No. QF89–339–005]

Take notice that on February 13, 2002, UAE Mecklenburg Cogeneration LP (the Applicant) tendered for filing with the Federal Energy Regulatory Commission (Commission), an amendment to the Application for Commission Recertification of a Cogeneration Facility as a Qualifying Facility.

Comment Date: March 4, 2002.

6. Midwest Independent Transmission System Operator, Inc.

[Docket No. ER02–107–002]

Take notice that on February 20, 2002, the Midwest Independent Transmission System Operator, Inc. (Midwest ISO) tendered for filing with the Federal Energy Regulatory Commission (Commission), pursuant to Section 205 of the Federal Power Act (FPA), 16 USC 824d (2000) and Section 385.205 of the Commission's regulations, 18 CFR 385.205 (2001), proposed revisions to the Midwest ISO Agreement of the Transmission Facilities Owners To Organize The Midwest Independent Transmission System Operator, Inc. (Midwest ISO Agreement), First Revised Rate Schedule FERC No. 1. This filing corrects a pagination error in the Midwest ISO's February 12, 2002, filing of its expedited Alternative Dispute Resolution plan and substitutes ''party'' in place of ''customer.''

The Midwest ISO has served this filing on all parties on the official service list in this proceeding. In addition, the Midwest ISO has electronically served a copy of this filing, with attachments, upon all Midwest ISO Members, Member representatives of Transmission Owners and Non-Transmission Owners, the Midwest ISO Advisory Committee participants, Policy Subcommittee participants, as well as all state commissions within the region. In addition, the filing has been electronically posted on the Midwest ISO's website at *www.midwestiso.org* under the heading ''Filings to FERC'' for other interested parties in this matter. The Midwest ISO will provide hard copies to any interested parties upon request.

Comment Date: March 13, 2002.

7. American Transmission Company LLC

[Docket No. ER02–467–001]

Take notice that on February 21, 2002, American Transmission Company LLC (ATCLLC) tendered for filing with the Federal Energy Regulatory Commission (Commission) a Revised Service Agreement No. 213 in compliance with the Commission's January 25, 2002 order stating such Agreement would be accepted upon re-filing in conformance with Order 614. ATCLLC requests an effective date of November 28, 2001.

Comment Date: March 14, 2002.

8. Progress Energy on behalf of Carolina Power & Light Company

[Docket No. ER02–1037–000]

Take notice that on February 19, 2002, Carolina Power & Light Company (CP&L) tendered for filing a Service Agreement for Firm Point-to-Point Transmission Service with Reliant Energy Services, Inc. Service to this Eligible Customer will be in accordance with the terms and conditions of the Open Access Transmission Tariff filed on behalf of CP&L.

CP&L is requesting an effective date of March 31, 2002 for this Service Agreement. A copy of the filing was served upon the North Carolina Utilities Commission, the South Carolina Public Service Commission and the Florida Public Service Commission.

Comment Date: March 12, 2002.

9. Duke Energy Mohave, LLC

[Docket No. ER02–1038–000]

Take notice that on February 19, 2002, Duke Energy Mohave, LLC (Duke Mohave) submitted for filing for informational purposes pursuant to Section 205 of the Federal Power Act an executed service agreement under Duke Mohave's market-based rate tariff pursuant to which it sells power at wholesale to Duke Energy Trading and Marketing, LLC.

Comment Date: March 12, 2002.

10. Statoil Energy Trading, Inc.

[Docket No. ER02–1039–000]

Take notice that on February 19, 2002, Statoil Energy Trading, Inc. tendered for filing a notice of cancellation of its Rate Schedule FERC No. 1.

Comment Date: March 12, 2002.

11. Griffith Energy LLC

[Docket No. ER02–1040–000]

Take notice that on February 19, 2002, Griffith Energy LLC (Griffith Energy) filed Service Agreement No. 1 under Griffith Energy's FERC Electric Tariff Original Volume No.1. The service agreement is a long term agreement entitled as the Operating and Energy Conversion Agreement between Griffith Energy and Duke Energy Mohave LLC (Duke Mohave) and PPL Southwest Generation Holdings LLC (PPL Southwest) and is dated July 11, 2001.

Griffith Energy owns and operates a gas-fired, combined-cycle electric generation plant located in Mohave County, Arizona that has a peak capacity of approximately 600 megawatts (the Facility). PPL Southwest and Duke Mohave are indirect owners of Griffith Energy through their ownership of Griffith Energy's parent—Southwest Power Partners LLC. The term of the Operating and Energy Conversion Agreement is for the life of the Facility and generally provides the commercial and financial terms under which Griffith Energy will make available, and PPL Southwest and Duke Mohave will receive, the output of the Facility. Griffith Energy and the other parties to the agreement are seeking confidential treatment of the entire agreement.

Comment Date: March 12, 2002.

12. Cleco Power LLC

[Docket No. ER02–1041–000]

Take notice that on February 19, 2002 Cleco Power LLC (Cleco Power), tendered for filing with the Federal Energy Regulatory Commission (Commission) a Notice of Cancellation pursuant to 18 CFR 35.15, effective February 18, 2002, canceling Cleco Utility Group, Inc.'s Rate Schedule 2 and all supplements thereto. Cleco Power simultaneously filed essentially the same rate schedule as Cleco Power's Rate Schedule 3. Cleco Power requested an additional 90 days to comply with the Commission's orders in *Cleco Power LLC,* Docket Nos. ER01–1099–000 and ER01–1099–001, issued March 28, 2001, ER01–1099–002, issued June 18, 2001, ER01–2147–000, issued July 24, 2001 and ER01–3095–000, issued November 20, 2001 instructing Cleco Power to bring its service agreements into compliance with the Commission's Order 614, issued March 31, 2000.

Cleco Power is currently in negotiations with the City of Natchitoches, Louisiana, to amend Cleco Utility Rate Schedule 17. Accordingly, Cleco Power requested additional time to bring Cleco Utility Rate Schedule 17 into compliance with the Commission's Order 614.

Comment Date: March 12, 2002.

13. EWO Marketing, L.P.

[Docket No.ER02–1042–000]

Take notice that on February 19, 2002, EWO Marketing, L.P. tendered for filing a request for authorization to amend its code of conduct in the above-referenced docket pursuant to Section 205 of the Federal Power Act, and part 35 of the Federal Energy Regulatory Commission's Rules and Regulations. Copies of this filing have been served upon each person designated on the official service list compiled by the Secretary in this proceeding.

Comment Date: March 12, 2002.

14. Entergy-Koch Trading, L.P.

[Docket No.ER02–1043–000]

Take notice that on February 19, 2002, Entergy-Koch Trading, L.P. tendered for filing a request for authorization to amend its code of conduct in the above-referenced docket pursuant to Section 205 of the Federal Power Act, and part 35 of the Federal Energy Regulatory Commission's Rules and Regulations. Copies of this filing have been served upon each person designated on the official service list compiled by the Secretary in this proceeding.

Comment Date: March 12, 2002.

15. Duke Energy Corporation

[Docket No. ER02–1044–000]

Take notice that on February 20, 2002, Duke Electric Transmission (Duke), a division of Duke Energy Corporation, tendered for filing with the Federal Energy Regulatory Commission (Commission) a Service Agreement with Progress Ventures, Inc. for Non-Firm Transmission Service under Duke's Open Access Transmission Tariff. Duke requests that the proposed Service Agreement be permitted to become effective on January 30, 2002. Duke states that this filing is in accordance with Part 35 of the Commission's Regulations and that a copy has been served on the North Carolina Utilities Commission.

16. Duke Energy Corporation

[Docket No. ER02–1045–000]

Take notice that on February 20, 2002, Duke Electric Corporation (Duke), a division of Duke Energy Corporation, tendered for filing a Service Agreement with Progress Ventures, Inc. for Firm Transmission Service under Duke's Open Access Transmission Tariff. Duke requests that the proposed Service Agreement be permitted to become effective on January 30, 2002. Duke states that this filing is in accordance with Part 35 of the Commission's Regulations and that a copy has been served on the North Carolina Utilities Commission.

Comment Date: March 13, 2002.

17. LG&E Power Monroe LLC

[Docket No. ER02–1046–000]

Take notice that February 20, 2002, Progress Ventures, Inc., on behalf of LG&E Power Monroe LLC (LG&E Monroe), filed a service agreement for LG&E Energy Marketing Inc. (LEM) under LG&E Monroe's market-based rate tariff.

Copies of the filing were served upon LEM and the Georgia Public Service Commission.

Comment Date: March 13, 2002.

Standard Paragraph

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 this filing are on file with the Commission and are available for public inspection. This filing may also be viewed on the web at *http://www.ferc.gov* using the ''RIMS'' link, select ''Docket#'' and follow the instructions (call 202–208–2222 for assistance). Comments, protests and interventions may be filed electronically via the Internet in lieu of paper. See, 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's web site under the ''e-Filing'' link.

Magalie R. Salas,

Secretary.

[FR Doc. 02–4905 Filed 2–28–02; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EL01–118–000]

Investigation of Terms and Conditions of Public Utility Market-Based Rate Authorizations; Notice of Staff Conference

February 25, 2002.

A staff conference will be held on March 11, 2002, beginning at 9:30 a.m. in the Commission meeting room at the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC.

The purpose of the conference is to discuss issues raised in the comments and reply comments that were filed in this proceeding. The conference will not address issues specific to the new generation market power screen, the Supply Margin Assessment (SMA), that the Commission announced in Docket No. ER96–2495–015, *et al.*

The conference is open for the public to attend. Additional details about the conference will be provided in a subsequent notice. Questions about the conference should be directed to: Saida E. Shaalan, Federal Energy Regulatory Commission, Office of Markets, Tariffs and Rates, 888 First Street, NE., Washington, DC. 20426, (202) 208–0278.

Magalie R. Salas,

Secretary.

[FR Doc. 02–4907 Filed 2–28–02; 8:45 am]

BILLING CODE 6717–01–P

ENVIRONMENTAL PROTECTION AGENCY

[ER–FRL–6626–9]

Environmental Impact Statements; Notice of Availability

Responsible Agency: Office of Federal Activities, General Information (202) 564–7167 or *http://www.epa.gov/oeca/ofa*

Weekly receipt of Environmental Impact Statements

Filed February 18, 2002 Through February 22, 2002

Pursuant to 40 CFR 1506.9.

EIS No. 020072, FINAL EIS, COE, WA, Lower Snake River Juvenile Salmon Migration Feasibility Study, Implementation, To Increase the Survival of Juvenile Anadromous Fish, Snake River, Walla Walla, WA , Wait Period Ends: April 01, 2002, Contact: Lonnie Mettler (509) 527–7268.

EIS No. 020073, DRAFT EIS, BLM, NV, Leeville Mining Project, Propose to Develop and Operate an Underground Mine and Ancillary Facilities including Dewatering Operation, Plan-of-Operations/Right-of-Way Permits and COE Section 404 Permit, Elko and Eureaka Counties, NV, Comment Period Ends: April 29, 2002, Contact: Deb McFarlane (775) 753–0200. This document is available on the Internet at: *http://www.nv.blm.gov/elko.*

EIS No. 020074, FINAL EIS, FHW, AR, TX, U.S. 71 Highway Improvement Project, between Texarkana, (US71) Arkansas and DeQueen, Funding, Right-of-Way Approval and COE Section 404 Permit, Little River, Miller and Sevier Counties, AR, and Bowie County, TX , Wait Period Ends: April 01, 2002, Contact: Elizabeth Romero (501) 324–5309.

EIS No. 020075, DRAFT EIS, NOA, Amendment 13 to the Fishery Management Plan for Summer Flounder, Scup, and Black Sea Bass, Implementation, in the Western Atlantic Ocean, from Cape Harteras, NC, northward to the U.S.-Canadian Border, Comment Period Ends: April 15, 2002, Contact: Steve Kokkinakis (202) 482–3639.

EIS No. 020076, FINAL EIS, NOA, AK, American Fisheries Act Amendments 61/61/13/8: Amendment 61 Groundfish Fishery of the Bering Sea and Aleutian Islands Area; Amendment 61 Groundfish of the Gulf of Alaska; Amendment 13 Bering Sea and Aleutian Islands King and Tanner Crab, and Amendment 8 to the Scallop Fishery off Alaska, Fishery Management Plans, AK, Due: April 01, 2002, Contact: Kent Lind (907) 586–7226.

EIS No. 020077, DRAFT EIS, FRC, WY, NV, UT, CA, Kern River 2003 Gas Transmission Expansion Project, To Expand the Existing (KRGT) Interstate Pipeline System from southwestern Wyoming to southern California, Right-of-Way Grant, NPDES Permits and COE Section 404, FERC Docket No. CP01–422–000, WY, UT, NV and CA, Comment Period Ends: April 15, 2002, Contact: Michael Boyle (202) 208–0839. This document is available on the Internet at: *http://www.Kernriver2003.com*

EIS No. 020078, DRAFT EIS, SFW, Resident Canada Goose Management Plan, To Evaluate Alternative Strategies to Reduce, Manage and Control Resident Canada Goose Populations, Within the Conterminous United States, Comment Period Ends: May 30, 2002, Contact: Ron Kokel (703) 358–1714.

Amended Notices

EIS No. 010541, DRAFT EIS, COE, TX, Texas City's Proposed Shoal Point Container Terminal Project, Containerized Cargo Gateway Development, US Army COE Section 404 and 10 Permits Issuance, Material Placement Area (DMPA), City of Texas, Galveston County, TX , Due: March 18, 2002, Contact: Sharon Manella Tirpak (409) 766–3136. Revision of FR Notice Published on 01/25/2002: CEQ Comment Period Ending 02/19/2002 has been extended to 03/18/2002.

EIS No. 020017, DRAFT EIS, BLM, WY, Powder River Basin Oil and Gas Project, Additional Coal Bed Methane (CBM) Resources Development, Drilling, Completing, Operating and Reclaiming of New CBM Wells and Constructing, Operating and Reclaiming of various Ancillary Facilities, Application for Permit to Drill (APD), Special Use and US Army COE Section 404 Permits Issuance and Right-of-Way Grant, Campbell, Converse, Johnson and Sheridan Counties, WY, Comment Period Ends: April 17, 2002, Contact: Paul Beels (307) 684–1100. Revision of FR Notice Published on 02/01/2002: CEQ Comment Period Ending 04/18/2002 is Corrected to 04/17/2002.

EIS No. 020056, DRAFT EIS, BLM, WY, VOID EIS—Powder River Basin Oil and Gas Project, Additional Coal Bed Methane (CBM) Resources Development, Drilling, Completing, Operating and Reclaiming of New CBM Wells and Constructing, Operating and Reclaiming of various Ancillary Facilities, Application for Permit to Drill (APD), Special Use and US Army COE Section 404 Permits Issuance and Right-of-Way Grant, several counties, WY, Revision of FR notice published on 02/15/2002: The above DEIS was inadvertently published in the 02/15/2002 FR. The Correct DEIS was published in the FR on 01/18/2002. The Correct CEQ Accession Number is 020017 and the CorrectComment Period Ends on 04/17/2002.

Dated: February 26, 2002.

B. Katherine Biggs,

Associate Director, NEPA Compliance Division, Office of Federal Activities.

[FR Doc. 02–4942 Filed 2–28–02; 8:45 am]

BILLING CODE 6560–50–U

ENVIRONMENTAL PROTECTION AGENCY

[ER–FRL–6627–1]

Environmental Impact Statements and Regulations; Availability of EPA Comments

Availability of EPA comments prepared pursuant to the Environmental Review Process (ERP), under section 309 of the Clean Air Act and section 102(2)(c) of the National Environmental Policy Act as amended. Requests for copies of EPA comments can be directed to the Office of Federal Activities at (202) 564–7167.

An explanation of the ratings assigned to draft environmental impact statements (EISs) was published in FR dated May 18, 2001 (66 FR 27647).

Draft EISs

ERP No. D–AFS–H65010–MO Rating EC2, Oak Decline and Forest Health Project, To Improve Forest Health, Treat Affected Stands, Recover Valuable Timber Products, Promote Public Safety, Potosi and Salem Ranger Districts, Mark Twain National Forest, Crawford, Dent, Iron, Reynolds, Shannon and Washington, MO.

Summary: EPA expressed environmental concerns related to the current condition of the stands to be treated and compliance of prescribed burns with fire management plans. EPA recommended that additional information be provided on these issues and also requested additional soil and water pollution mitigation measures.

ERP No. D–UAF–K11107–CA Rating LO, EL Rancho Road Bridge Project, Flood-Free Crossing Construction at San Antonia Creek to access from the north of Vandenberg Air Force Base, Santa Barbara County, CA.

Summary: While EPA had no objection to the proposed action, it requested clarification regarding some additional air quality and biological resource mitigation measures and pollution prevention measures.

ERP No. DS–COE–E39058–TN Rating NC, Chickamauga Dam Navigation Project, New and Updated Information concerning Cumulative Effects and Compliance with Section 106 of the Historic Preservation Act, NPDES, US Army COE Section 404 and US Coast Guard Permits Issuance, Tennessee River, Hamilton County, TN.

Summary: No formal comment letter was sent to the preparing agency.

Final EISs

ERP No. F–FRC–C03013–NY Eastchester Project, Natural Gas Pipeline and Associated Facilities, (Docket Nos. CP00–232–001) Construction, Operation and Maintenance, from Northport Long Island to the Bronx, Approval and US Army COE Section 10 and 404 Permits Issuance, Bronx Borough, NY.

Summary: EPA's concerns have been adequately addressed for this project. The final EIS and FERC's Order on Rehearing and Issuing Certificates, taken together, present enough information to identify the preferred alternative and commit to the completion of a sufficient level of detailed design work for the preferred alternative.

ERP No. F–FRC–K03025–00 North Baja Pipeline Project, Docket Nos. CP01–22–000 and CP01–23–000, Construction and Operation A New Natural Gas Transmission Pipeline, Land Use Plan Amendment, Right-of-Way Grant, NPDES, COE Section 10 and 404 Permits, La Praz and Yuma Counties, AZ and Imperial, Kern, Riverside, Palo Verde, San Bernardino and San Diego Counties, CA.

Summary: EPA expressed continued environmental concern regarding indirect and cumulative impacts to air quality from the related facilities.

ERP No. F–USN–K11106–HI Programmatic EIS—Ford Island Development Program, Proposed Consolidation of Selected Operations at Pearl Harbor by Locating and Relocating Certain Activities, Ford Island, HI.

Summary: EPA expressed environmental concern about the need for a continuing oversight by the Navy of environmental protection efforts on leased properties (which would remain Navy property), particularly to protect Pearl Harbor's water quality and to implement pollution prevention measures. EPA asked that the Navy's Record of Decision for this programmatic project, and any tiered NEPA documents for individual projects, contain commitments in this regard.

ERP No. F3–AFS–J65143–00 Flat Canyon Federal Coal Lease Tract (UTU–77114), Application for Leasing, Manti-La Sal National Forest, Ferron-Price Ranger District, Sanpete and Emery Counties, UT.

Summary: No formal comment letter was sent to the preparing agency.

Dated: February 26, 2002.

B. Katherine Biggs,

Associate Director, NEPA Compliance Division, Office of Federal Activities.

[FR Doc. 02–4943 Filed 2–28–02; 8:45 am]

BILLING CODE 6560–50–U

ENVIRONMENTAL PROTECTION AGENCY

[OPP–30522; FRL–6824–5]

Pesticide Product; Registration Application

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces receipt of an application to register a pesticide product containing a new active ingredient not included in any currently registered product pursuant to the provisions of section 3(c)(4) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended.

DATES: Written comments, identified by the docket control number OPP–30522, must be received on or before April 1, 2002.

ADDRESSES: Comments may be submitted by mail, electronically, or in person. Please follow the detailed instructions for each method as provided in Unit I. of the **SUPPLEMENTARY INFORMATION**. To ensure proper receipt by EPA, it is imperative that you identify docket control number OPP–30522 in the subject line on the first page of your response.

FOR FURTHER INFORMATION CONTACT: By mail: Todd Peterson, Regulatory Action Leader, Biopesticides and Pollution Prevention Division (7511C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (703) 308–7224; and e-mail address: peterson.todd@epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this Action Apply to Me?

You may be affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. Potentially affected categories and entities may include, but are not limited to:

Categories	NAICS codes	Examples of potentially affected entities
Industry	111 112 311 32532	Crop production Animal production Food manufacturing Pesticide manufacturing

This listing is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be affected by this action. Other types of entities not listed in the table could also be affected. The North American Industrial Classification System (NAICS) codes have been provided to assist you and others in determining whether or not this action might apply to certain entities. If you have questions regarding the applicability of this action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

B. How Can I Get Additional Information, Including Copies of this Document and 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 OPP–30522. 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 asconfidential 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 Public Information and Records Integrity Branch (PIRIB), Rm. 119, Crystal Mall #2, 1921 Jefferson Davis Hwy., Arlington, VA, from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The PIRIB telephone number is (703) 305–5805.

C. How and to Whom Do I Submit Comments?

You may submit comments through the mail, in person, or electronically. To ensure proper receipt by EPA, it is imperative that you identify docket control number OPP–30522 in the subject line on the first page of your response.

1. *By mail*. Submit your comments to: Public Information and Records Integrity Branch (PIRIB), Information Resources and Services Division (7502C), Office of Pesticide Programs (OPP), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460.

2. *In person or by courier*. Deliver your comments to: Public Information and Records Integrity Branch (PIRIB), Information Resources and Services Division (7502C), Office of Pesticide Programs (OPP), Environmental Protection Agency, Rm. 119, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA. The PIRIB is open from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The PIRIB telephone number is (703) 305–5805.

3. *Electronically*. You may submit your comments electronically by e-mail to: opp-docket@epa.gov, or you can submit a computer disk as described above. Do not submit any information electronically that you consider to be CBI. Avoid the use of special characters and any form of encryption. Electronic submissions will be accepted in WordPerfect 6.1/8.0 or ASCII file format. All comments in electronic form must be identified by docket control number OPP–30522. Electronic comments may also be filed online at many Federal Depository Libraries.

D. How Should I Handle CBI that I Want to Submit to the Agency?

Do not submit any information electronically that you consider to be CBI. You may claim information that you submit to EPA in response to this document as CBI by marking any part or all of that information as CBI. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. In addition to one complete version of the comment that includes any information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public version of the official record. Information not marked confidential will be included in the public version of the official record without prior notice. If you have any questions about CBI or the procedures for claiming CBI, please consult the person identified under **FOR FURTHER INFORMATION CONTACT**.

E. What Should I Consider as I Prepare My Comments for EPA?

You may find the following suggestions helpful for preparing your comments:

1. Explain your views as clearly as possible.

2. Describe any assumptions that you used.

3. Provide copies of any technical information and/or data you used that support your views.

4. If you estimate potential burden or costs, explain how you arrived at the estimate that you provide.

5. Provide specific examples to illustrate your concerns.

6. Offer alternative ways to improve the registration activity.

7. Make sure to submit your comments by the deadline in this notice.

8. To ensure proper receipt by EPA, be sure to identify the docket control number assigned to this action in the subject line on the first page of your response. You may also provide the name, date, and **Federal Register** citation.

II. Registration Applications

EPA received an application as follows to register a pesticide product containing an active ingredient not included in any currently registered product pursuant to the provisions of section 3(c)(4) of FIFRA. Notice of receipt of this application does not imply a decision by the Agency on the application.

Product Containing an Active Ingredient not Included in any Currently Registered Product

File Symbol: 56872–E. *Applicant*: Gardens Alive, 5100 Schenley Place, Lawrenceburg, IN 47025. *Product Name*: WOW Plus. Herbicide. *Active ingredient*: Corn gluten meal at 78%. *Proposed Classification/Use*:. For pre-emergent weed control and lawn fertilizer.

List of Subjects

Environmental protection, Pesticides and pest.

Dated: February 15, 2002.

Janet L. Andersen,

Director, Biopesticides and Pollution Prevention Division, Office of Pesticide Programs.

[FR Doc. 02–4941 Filed 2–28–02; 8:45 am]

BILLING CODE 6560–50–S

FEDERAL COMMUNICATIONS COMMISSION

Public Information Collection Approved by Office of Management and Budget

February 22, 2002.

The Federal Communications Commission (FCC) has received Office of Management and Budget (OMB) approval for the following public information collections pursuant to the Paperwork Reduction Act of 1995, Public Law 96–511. An agency may not conduct or sponsor a collection of information unless it displays a currently valid control number. Notwithstanding any other provisions of law, no person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act (PRA) that does not display a valid control number. Questions concerning the OMB control numbers and expiration dates should be directed to Judith B. Herman, Federal Communications Commission, (202) 418–0214.

Federal Communications Commission

OMB Control No.: 3060–1004.
Expiration Date: 07/31/02.
Title: Orders Re: E911 Waivers.
Form No.: N/A.
Respondents: Business, not-for-profit institutions, and State and local governments.
Responses: 22.
Annual Burden: 110 hours.
Total Annual Cost: 0.
Description: The quarterly and supplemental reports will be used by the Commission to monitor carrier progress in transition to E911, and thus ensure that this important effort will continue in an orderly and timely fashion.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

[FR Doc. 02–4884 Filed 2–28–02; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATONS COMMISSION

[CC Docket No. 01–324; FCC 02–63]

Application by Verizon New England Inc., Bell Atlantic Communications, Inc. (d/b/a Verizon Long Distance), NYNEX Long Distance Company (d/b/a Verizon Enterprise Solutions), Verizon Global Networks Inc., and Verizon Select Services Inc., Pursuant to Section 271 of the Telecommunications Act of 1996, for Authorization To Provide In-Region, InterLATA Service in the State of Rhode Island and Providence Plantations

AGENCY: Federal Communications Commission.

ACTION: Notice.

SUMMARY: In this document, the Commission grants the section 271 application of Verizon New England Inc., *et al.* (Verizon) for authority to enter the interLATA telecommunications market in the state of Rhode Island and Providence Plantations (Rhode Island). The Commission grants Verizon's application based on its conclusion that Verizon has satisfied all of the statutory requirements for entry, and opened its local exchange markets to full competition.

DATES: Effective March 4, 2002.

FOR FURTHER INFORMATION CONTACT: Julie Veach, Attorney Advisor, Common Carrier Bureau, at (202) 418–1580 or via the Internet at *jveach@fcc.gov.* The complete text of this MO&O is available for inspection and copying during normal business hours in the FCC Reference Information Center, Portals II, 445 12th Street, SW, Room CY–A257, Washington, DC 20554. Further information may also be obtained by calling the Common Carrier Bureau's TTY number: (202) 418–0484.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Memorandum Opinion and Order (MO&O) in CC Docket No. 01–324, FCC 02–63, adopted February 22, 2002, and released February 22, 2002. This full text may be purchased from the Commission's duplicating contractor, Qualex International, Portals II, 445 12th Street, SW, Room CY–B402, Washington, DC 20554, telephone 202–863–2893, facsimile 202–863–2898, or via e-mail *qualexint@aol.com.* It is also available on the Commission's Web site at *http://www.fcc.gov/Bureaus/Common_Carrier/in-region_applications/verizon_ri/welcome.html.*

Synopsis of the Order

1. *History of the Application.* On November 26, 2001, Verizon filed an application (Rhode Island Application), pursuant to section 271 of the Telecommunications Act of 1996, with the Commission to provide in-region, interLATA service in Rhode Island.

2. *The Rhode Island Commission's Evaluation.* The Rhode Island Public Utilities Commission (Rhode Island Commission) advised the Commission, following a nearly four month review process, that Verizon met the checklist requirements of section 271(c) and has taken the statutorily required steps to open its local markets to competition. Consequently, the Rhode Island Commission recommended that the Commission approve Verizon's in-region, interLATA entry in its December 14, 2001 evaluation of the Rhode Island Application.

3. *The Department of Justice's Evaluation.* The Department of Justice filed its evaluation of Verizon's Rhode Island Application on January 4, 2002. It recommended approval of the Rhode Island Application subject to the Commission satisfying itself as to pricing issues raised by commenters.

Primary Issues in Dispute

4. *Checklist Item 2—Unbundled Network Elements.* Based on the record, the Commission finds that Verizon provides ''[n]ondiscriminatory access to network elements in accordance with the requirements of sections 251(c)(3) and 251(d)(1)'' of the Act in compliance with checklist item 2.

5. The Commission finds that Verizon's charges for unbundled network elements (UNEs) are just, reasonable, and nondiscriminatory in compliance with checklist item 2. Verizon relied in its Rhode Island Application not only on a Rhode Island Commission proceeding adopting Verizon's switching rates, but also on a benchmark comparison to New York switching rates and Massachusetts rates based on the New York rates. During the pendency of this proceeding, however, on January 28, 2002, the New York Public Service Commission adopted new switching rates, which are more than 50 percent lower than Verizon's previous New York switching rates. In response to this change in circumstances, Verizon filed with this Commission reduced Rhode Island switching rates upon which it then relied as evidence to demonstrate compliance with checklist item two. Under these unique circumstances, the Commission waives its ''complete-as-filed'' rule to take into consideration this late-filed evidence. The Rhode Island Commission adopted these discounted switching rates on February 21, 2002. The Commission finds Verizon's voluntarily reduced switching rates are within a reasonable TELRIC (total element long-run incremental costs) range. In addition, the Commission finds the Rhode Island loop rates to be within the range that the reasonable application of TELRIC principles would produce.

6. The Commission also concludes that Verizon meets its obligation to provide access to its operations support systems (OSS)—the systems, databases, and personnel necessary to support the network elements or services. Nondiscriminatory access to OSS ensures that new entrants have the ability to order service for their customers and communicate effectively with Verizon regarding basic activities such as placing orders and providing maintenance and repair services for customers. The Commission finds that, for each of the primary OSS functions (pre-ordering, ordering, provisioning, maintenance and repair, and billing, as well as change management and technical assistance), Verizon provides access that enables competing carriers to perform the functions in substantially the same time and manner as Verizon or, if there is not an appropriate retail analogue in Verizon's systems, in a manner that permits an efficient competitor a meaningful opportunity to compete.

7. Pursuant to this checklist item, Verizon must also provide nondiscriminatory access to network elements in a manner that allows other carriers to combine such elements. Based on the evidence in the record, and upon Verizon's legal obligations under interconnection agreements, Verizon demonstrates that it provides to competitors combinations of already-combined network element as well as nondiscriminatory access to unbundled network elements in a manner that allows competing carriers to combine those elements themselves

Other Checklist Items

8. *Checklist Item 4—Unbundled Local Loops.* Verizon has adequately demonstrated that it provides unbundled local loops as required by section 271. More specifically, Verizon establishes that it provides access to loop make-up information in compliance with the Commission's rules and nondiscriminatory access to stand alone xDSL-capable loops and high-capacity loops. Also, Verizon provides voice grade loops, both as new loops and through hot-cut conversions,

in a nondiscriminatory manner. Finally, Verizon has demonstrated that it has a line-sharing and line-splitting provisioning process that affords competitors nondiscriminatory access to these facilities.

9. In the Commission's overview of Verizon's performance data, it relies primarily on Rhode Island performance data (supplemented with Massachusetts data) collected and submitted by Verizon under the state-adopted carrier-to-carrier standards. Verizon provides evidence and performance data establishing that it can efficiently furnish unbundled loops, for the provision of both traditional voice services and various advanced services, to other carriers in a nondiscriminatory manner.

10. *Checklist Item 1—Interconnection.* Based on the evidence in the record, the Commission concludes that Verizon demonstrates that it provides interconnection in accordance with the requirements of section 251(c)(2) and as specified in section 271 and applied in the Commission's prior orders. Pursuant to this checklist item, Verizon must allow other carriers to interconnect their networks to its network for the mutual exchange of traffic, using any available method of interconnection at any available point in Verizon's network.

11. Verizon also demonstrates that its collocation offerings in Rhode Island satisfy the requirements of sections 251 and 271 of the Act and are in compliance with the Commission's recent *Collocation Remand Order.* Verizon demonstrates that it offers interconnection in Rhode Island to other telecommunications carriers at just, reasonable, and nondiscriminatory rates, in compliance with checklist item 1.

12. *Checklist Item 5—Unbundled Local Transport.* Section 271(c)(2)(B)(v) of the competitive checklist requires a BOC to provide ''local transport from the trunk side of a wireline local exchange carrier switch unbundled from switching or other services.'' The Commission concludes, based upon the evidence in the record, that Verizon demonstrates that it provides both shared and dedicated transport, including dark fiber, in compliance with the requirements of checklist item 5.

13. *Checklist Item 14—Resale.* Based on the evidence in the record, the Commission concludes that Verizon demonstrates that it makes telecommunications services, including its DSL-based telecommunications service, available in Rhode Island for resale, in accordance with sections 251(c)(4) and 252(d)(3), and thus satisfies the requirements for checklist item 14.

14. *Checklist Items 3, 6–13.* An applicant under section 271 must demonstrate that it complies with checklist item 3 (poles, ducts, conduits, and rights of way), item 6 (unbundled local switching), item 7 (911/E911 access and directory assistance/operator services), item 8 (white page directory listings), item 9 (numbering administration), item 10 (databases and associated signaling), item 11 (number portability), item 12 (local dialing parity), and item 13 (reciprocal compensation). Based on the evidence in the record, and in accordance with Commission rules and orders concerning compliance with section 271 of the Act, the Commission concludes that Verizon demonstrates that it is in compliance with these checklist items in Rhode Island. The Rhode Island Commission also concluded that Verizon complies with the requirements of each of these checklist items.

Other Statutory Requirements

15. *Compliance with Section 271(c)(1)(A).* The Commission concludes that Verizon demonstrates that it satisfies the requirements of section 271(c)(1)(A) based on the interconnection agreements it has implemented with competing carriers in Rhode Island. The record demonstrates that competitive LECs serve some business and residential customers using predominantly their own facilities.

16. *Section 272 Compliance.* Verizon has demonstrated that it complies with the requirements of section 272. Significantly, Verizon provides evidence that it maintains the same structural separation and nondiscrimination safeguards in Rhode Island as it does in Pennsylvania, New York, Connecticut, and Massachusetts—states in which Verizon has already received section 271 authority.

17. *Public Interest Analysis.* The Commission concludes that approval of this application is consistent with the public interest. It views the public interest requirement as an opportunity to review the circumstances presented by the applications to ensure that no other relevant factors exist that would frustrate the congressional intent that markets be open, as required by the competitive checklist, and that entry will therefore serve the public interest as Congress expected. While no one factor is dispositive in this analysis, the Commission's overriding goal is to ensure that nothing undermines its conclusion that markets are open to competition.

18. The Commission finds that, consistent with its extensive review of the competitive checklist, barriers to competitive entry in the local market have been removed and the local exchange market today is open to competition. The Commission also finds that the record confirms its view that a BOC's entry into the long distance market will benefit consumers and competition if the relevant local exchange market is open to competition consistent with the competitive checklist.

19. The Commission also finds that the performance monitoring and enforcement mechanisms developed in Rhode Island, in combination with other factors, provide meaningful assurance that Verizon will continue to satisfy the requirements of section 271 after entering the long distance market. Commenters urge the Commission to perform a price squeeze analysis. The Commission has reviewed their evidence, however, and determined that even if it accepts their assertions that a price squeeze analysis is mandated by the section 271's public interest requirement, there is no price squeeze in Rhode Island.

20. *Section 271(d)(6) Enforcement Authority.* Working with the Rhode Island Commission, the Commission intends to monitor closely post-entry compliance and to enforce the provisions of section 271 using the various enforcement tools Congress provided in the Communications Act.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

[FR Doc. 02–4977 Filed 2–28–02; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL HOUSING FINANCE BOARD

Sunshine Act Meeting Notice; Announcing an Open Meeting of the Board

TIME AND DATE: 8 a.m., Wednesday, March 6, 2002.

PLACE: Board Room, Second Floor, Federal Housing Finance Board, 1777 F Street, N.W., Washington, DC 20006.

STATUS: The entire meeting will be open to the public.

MATTER TO BE CONSIDERED DURING PORTIONS OPEN TO THE PUBLIC:

• Appointment of Federal Home Loan Bank Directors

CONTACT PERSON FOR MORE INFORMATION: Elaine L. Baker, Secretary to the Board, (202) 408–2837.

James L. Bothwell,

Managing Director.

[FR Doc. 02–5079 Filed 2–27–02; 1:50 pm]

BILLING CODE 6725–01–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 March 28, 2002.

A. Federal Reserve Bank of Minneapolis (Julie Stackhouse, Vice President) 90 Hennepin Avenue, Minneapolis, Minnesota 55480–0291:

1. First Financial Corporation, Arthur, North Dakota; to acquire 100 percent of the voting shares of Omega City Holding Company, LaMoure, North Dakota, and thereby indirectly acquire First State Bank of LaMoure, LaMoure, North Dakota.

Board of Governors of the Federal Reserve System, February 26, 2002.

Robert deV. Frierson,

Deputy Secretary of the Board.

[FR Doc. 02–4915 Filed 2–28–02; 8:45 am]

BILLING CODE 6210–01–S

GENERAL SERVICES ADMINISTRATION

[FMR Bulletin B–2]

Motor Vehicle Management

This notice contains GSA Bulletin FMR B–2 which addresses the use of hand-held wireless phones while driving motor vehicles owned or leased by the Federal government. The text of the bulletin follows:

To: Heads of Federal Agencies.

Subject: Use of Hand-held Wireless Phones while Driving Motor Vehicles Owned or Leased by the Federal Government.

1. What Is the Purpose of This Bulletin?

This bulletin provides guidance to Federal agencies concerning the use of hand-held wireless phones while driving motor vehicles owned or leased by the Federal government.

2. What Is the Effective Date of This Bulletin?

This bulletin is effective March 1, 2002.

3. When Does This Bulletin Expire?

This bulletin will remain in effect until specifically cancelled.

4. What Is the Background?

a. Over 110 million people use wireless phones in the United States. A recent National Highway Traffic Safety Administration (NHTSA) survey found that 54 percent of motor vehicle drivers in the United States usually have a wireless phone in their vehicle. Federal and State policymakers have been weighing the benefits of wireless phone use in vehicles against the growing evidence of their potential to increase driver distraction and the risks to safety. The recent ban of hand-held wireless phones while driving in New York State and pending legislation in at least 27 other states has received significant publicity in 2001. In addition, 23 countries now restrict or prohibit wireless phones in motor vehicles.

b. It is appropriate that the Federal government assume a leadership role in promoting the safe use of wireless telephones by its employees when they are engaged in official Government business. Accordingly, Federal agencies should address the issue of wireless phone use in their internal policies. Additionally, many agencies have requested guidance from the General Services Administration's Office of Governmentwide Policy (OGP), Federal Vehicle Policy Division on wireless phone use in government owned and leased vehicles.

5. What Is the Recommended Policy We Should Follow When Issuing Guidance on the Use of Wireless Phones While Driving Motor Vehicles Owned or Leased by the Federal Government?

Federal agencies should:

a. Discourage the use of hand-held wireless phones by a driver while operating motor vehicles owned or leased by the Federal government.

b. Provide a portable hands-free accessory and/or a hands-free car kit for government owned wireless phones.

c. Educate employees on driving safely while using hands-free wireless phones. See Attachment A for ''Cellular Phone Driving Tips'' published by the National Highway Traffic Safety Administration (NHTSA).

6. Are Federal Employees Exempt From Local or State Laws Prohibiting or Limiting the Use of Wireless Phones While Driving?

Generally, Federal employees are not exempt from state and local laws governing operation of a motor vehicle. If adhering to state and local laws would impede your agency's mission, consult your General Counsel for advice.

7. Could Federal Agencies Be Held Liable for Injuries or Damages Caused by Employees Who Use Wireless Phones While Driving Motor Vehicles Owned or Leased by the Federal Government?

Federal agencies should be aware of the potential for increased liability from accidents that occur if directly caused by the use of wireless phones while driving motor vehicles owned or leased by the Federal government.

8. What Future Actions Should We Expect?

NHTSA has over a dozen new studies planned during the next two years regarding driver distractions such as wireless phone use. As these reports are published, the General Services Administration's Federal Vehicle Policy Division will keep agencies abreast of the current research and recommendations on whether wireless phones, or any other device, should be used while driving.

9. Who Should We Contact for Further Information and/or To Direct Comments to on the Issue of Limiting the Use of Wireless Phones While Driving Motor Vehicles Owned or Leased by the Federal Government?

General Services Administration, Office of Governmentwide Policy, Federal Vehicle Policy Division (MTV), Washington, DC 20405, Telephone Number: 202–501–1777, E-mail Address: vehicle.policy@gsa.gov.

Dated: February 25, 2002.

G. Martin Wagner,

Associate Administrator, Office of Governmentwide Policy.

Attachment A—Cellular Phone Safe Driving Tips

Safe driving is your first priority. Always buckle up, keep your hands on the wheel and your eyes on the road.

Make sure that your phone is positioned where it is easy to see and easy to reach. Be familiar with the operation of your phone, so that you're comfortable using it on the road.

Use a hands-free microphone while driving. Make sure your phone is dealer-installed to get the best possible sound quality.

Use the speed dialing feature to program in frequently called numbers. Then you can make a call by touching only two or three buttons. Most phones will store up to 99 numbers.

When dialing manually without the speed dialing feature, dial only when stopped. If you can't stop, or pull over, dial a few digits, then survey traffic before completing the call. (Better yet, have a passenger dial.)

Never take notes while driving. Pull off the road to jot something down; if it's a phone number, many mobile phones have an electronic scratchpad that allows you to key in a new number while having a conversation.

Let your wireless network's voice mail pick up your calls when it's inconvenient or unsafe to answer the car phone. You can even use your voice mail to leave yourself reminders.

Be a cellular Samaritan. Dialing 9–1–1 is a free call for cellular subscribers; use it to report crimes in progress or other potential life-threatening emergencies, accidents or drunk driving.

Source: Department of Transportation, National Highway Traffic Safety Administration: An Investigation of the Safety Implications of Wireless Communications in Vehicles November 1997.

[FR Doc. 02–4880 Filed 2–28–02; 8:45 am]

BILLING CODE 6820–14–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Meeting of the Secretary's Advisory Committee on Regulatory Reform

AGENCY: Office of the Assistant Secretary for Planning and Evaluation, HHS.

ACTION: Notice of meeting.

SUMMARY: Notice is hereby given of a public hearing by the Department of Health and Human Services (HHS) Secretary's Advisory Committee on Regulatory Reform. As governed by the Federal Advisory Committee Act in accordance with Section 10(a)(2), the Secretary's Advisory Committee on Regulatory Reform is seeking guidance for the Department's efforts to streamline regulatory requirements. The Advisory Committee will advise and make recommendations for changes that would be beneficial in four broad areas: health care delivery, health systems operations, biomedical and health research, and the development of pharmaceuticals and other products. The Committee will review changes identified through regional public hearings, written comments from the public, and consultation with HHS staff.

All meetings and hearings of the Committee are open to the general public. During each meeting, invited witnesses will address how regulations affect health-related issues. Meeting agendas will also allow some time for public comment. Additional information on each meeting's agenda and list of participating witnesses will be posted on the Committee's Web site prior to the meetings, *http://www.regreform.hhs.gov.*

DATES: The second public hearing of the Secretary's Advisory Committee on Regulatory Reform will be held on Wednesday, March 20, 2002, from 8 a.m. to 5 p.m. and on Thursday, March 21, 2002, from 8 a.m. to 12 p.m.

ADDRESSES: The hearing will be held in Phoenix, AZ. Information about the exact location will be posted at the Web site address listed above and published in the **Federal Register** when the location has been confirmed.

FOR FURTHER INFORMATION CONTACT: Christy Schmidt, Executive Coordinator, Secretary's Advisory Committee on Regulatory Reform, Office of the Assistant Secretary for Planning and Evaluation, 200 Independence Avenue, SW., Room 344G, Washington, DC, 20201, (202) 401–5182.

SUPPLEMENTARY INFORMATION: Anyone planning to attend the meeting who requires special disability-related arrangements such as sign-language interpretation should provide notice of their need by Friday, March 15th. Please make any request to Michael Starkweather—phone: 301–628–3141; fax: 301–628–3101; e-mail: *mstarkweather@s-3.com.*

On June 8, 2001, HHS Secretary Thompson announced a Department-wide initiative to reduce regulatory burdens in health care, to improve patient care, and to respond to the concerns of health care providers and industry, State and local Governments, and individual Americans who are affected by HHS rules. Common sense approaches and careful balancing of needs can help improve patient care. As part of this initiative, the Department is establishing the Secretary's Advisory Committee on Regulatory Reform to provide findings and recommendations regarding potential regulatory changes. These changes would enable HHS programs to reduce burdens and costs associated with departmental regulations and paperwork, while at the same time maintaining or enhancing the effectiveness, efficiency, impact, and access of HHS programs.

Dated: February 25, 2002.

William Raub,

Deputy Assistant Secretary for Planning and Evaluation.

[FR Doc. 02–4916 Filed 2–28–02; 8:45 am]

BILLING CODE 4151–05–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration on Aging

[Program Announcement No. AoA–02–02]

Fiscal Year 2002 Program Announcement; Availability of Funds and Notice Regarding Applications

AGENCY: Administration on Aging, HHS.

ACTION: Announcement of availability of funds and request for applications for the Alzheimer Disease Demonstration Grants to States Program.

SUMMARY: The Administration on Aging announces that under this program announcement it will hold a competition for grant awards for five (5) to seven (7) projects at a federal share of approximately $225,000–$350,000 per year for a project period of three years.

Purpose of Grant Awards

The purpose of these projects is to:

1. Develop models of home and community based care for persons with Alzheimer's disease and their families, and

2. Improve the existing home and community based care system to better respond to the needs of persons with dementia and their families.

Eligibility for Grant Awards and Other Requirements

Eligibility for grant awards is limited to state agencies. The twenty-five states currently funded under the Alzheimer's Demonstration Program are not eligible. Only one application per state will be accepted. Applicants must provide a letter from their state's Governor designating the applicant agency as the sole applicant for the state.

Grantees are required to provide a 25% non-federal match during the first year, 35% during the second year, and 45% during the third year of the grant.

DATES: The deadline date for the submission of applications is April 24, 2002.

ADDRESSES: Application kits are available by writing to the U.S. Department of Health and Human Services, Administration on Aging, Center for Policy and Planning Development, 330 Independence Ave., SW, Room 4270, Washington, DC 20201, by calling 202/401–4547, or online at *http://www.aoa.gov/egrants.*

Applications may be mailed or hand-delivered to the AoA Office of Grants Management at the same address. Instructions for electronic submission of grant applications are available at *http://www.aoa.gov/egrants.*

Dated: February 25, 2002.

Josefina G. Carbonell,

Assistant Secretary for Aging.

[FR Doc. 02–4917 Filed 2–28–02; 8:45 am]

BILLING CODE 4154–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. 00E–1233]

Determination of Regulatory Review Period for Purposes of Patent Extension; HECTOROL

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) has determined the regulatory review period for HECTOROL and is publishing this notice of that determination as required by law. FDA has made the determination because of the submission of an application to the Commissioner of Patents and Trademarks, Department of Commerce, for the extension of a patent that claims that human drug product.

ADDRESSES: Submit written comments and petitions to the Dockets Management Branch (HFA–305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852. Submit electronic comments to *http://www.fda.gov/dockets/ecomments.*

FOR FURTHER INFORMATION CONTACT: Claudia Grillo, Office of Regulatory Policy (HFD–007), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–594–5645.

SUPPLEMENTARY INFORMATION: The Drug Price Competition and Patent Term Restoration Act of 1984 (Pub. L. 98–417) and the Generic Animal Drug and Patent Term Restoration Act (Pub. L. 100–670) generally provide that a patent may be extended for a period of up to 5 years so long as the patented item (human drug product, animal drug product, medical device, food additive, or color additive) was subject to regulatory review by FDA before the item was marketed. Under these acts, a product's regulatory review period forms the basis for determining the amount of extension an applicant may receive.

A regulatory review period consists of two periods of time: A testing phase and an approval phase. For human drug products, the testing phase begins when the exemption to permit the clinical investigations of the drug becomes effective and runs until the approval phase begins. The approval phase starts with the initial submission of an application to market the human drug product and continues until FDA grants permission to market the drug product. Although only a portion of a regulatory review period may count toward the actual amount of extension that the Commissioner of Patents and Trademarks may award (for example, half the testing phase must be subtracted, as well as any time that may have occurred before the patent was issued), FDA's determination of the length of a regulatory review period for a human drug product will include all of the testing phase and approval phase as specified in 35 U.S.C. 156(g)(1)(B).

FDA recently approved for marketing the human drug product HECTOROL (doxercalciferol). HECTOROL is indicated for the reduction of elevated iPTH levels in the management of secondary hyperparathyroidism in patients undergoing chronic renal dialysis. Subsequent to this approval, the Patent and Trademark Office received a patent term restoration application for HECTOROL (U.S. Patent No. 4,555,364) from The Wisconsin Alumni Research Foundation, and the Patent and Trademark Office requested FDA's assistance in determining this patent's eligibility for patent term restoration. In a letter dated April 13, 2000, FDA advised the Patent and Trademark Office that this human drug product had undergone a regulatory review period and that the approval of HECTOROL represented the first permitted commercial marketing or use of the product. Shortly thereafter, the Patent and Trademark Office requested that FDA determine the product's regulatory review period.

FDA has determined that the applicable regulatory review period for HECTOROL is 4,072 days. Of this time, 3,614 days occurred during the testing phase of the regulatory review period, while 458 days occurred during the approval phase. These periods of time were derived from the following dates:

1. *The date an exemption under section 505 of the Federal Food, Drug, and Cosmetic Act (the act) (21 U.S.C. 355) became effective:* April 17, 1988. The applicant claims April 16, 1988, as the date the investigational new drug application (IND) became effective. However, FDA records indicate that the IND effective date was April 17, 1988, which was 30 days after FDA receipt of the IND.

2. *The date the application was initially submitted with respect to the human drug product under section 505 of the act:* March 9, 1998. The applicant claims March 7, 1998, as the date the new drug application (NDA) for HECTOROL (NDA 20–862) was initially submitted. However, FDA records indicate that NDA 20–862 was submitted on March 9, 1998.

3. *The date the application was approved:* June 9, 1999. FDA has verified the applicant's claim that NDA 20–862 was approved on June 9, 1999.

This determination of the regulatory review period establishes the maximum potential length of a patent extension. However, the U.S. Patent and Trademark Office applies several statutory limitations in its calculations of the actual period for patent extension. In its application for patent extension, this applicant seeks 1,824 days of patent term extension.

Anyone with knowledge that any of the dates as published is incorrect may submit to the Dockets Management Branch (address above) written or electronic comments and ask for a redetermination by April 30, 2002. Furthermore, any interested person may petition FDA for a determination regarding whether the applicant for extension acted with due diligence during the regulatory review period by

August 28, 2002. To meet its burden, the petition must contain sufficient facts to merit an FDA investigation. (See H. Rept. 857, part 1, 98th Cong., 2d sess., pp. 41–42, 1984.) Petitions should be in the format specified in 21 CFR 10.30.

Comments and petitions should be submitted to the Dockets Management Branch. Three copies of any information are to be submitted (except that individuals may submit one copy). Comments are to be identified with the docket number found in brackets in the heading of this document. Comments and petitions may be seen in the Dockets Management Branch between 9 a.m. and 4 p.m., Monday through Friday.

Dated: January 23, 2002.

Jane A. Axelrad,

Associate Director for Policy, Center for Drug Evaluation and Research.

[FR Doc. 02–4889 Filed 2–28–02; 8:45 am]

BILLING CODE 4160–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

Joint Meeting of the Gastrointestinal Drugs Advisory Committee and the Drug Safety and Risk Management Subcommittee of the Advisory Committee for Pharmaceutical Science; Notice of Meeting

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

This notice announces a forthcoming meeting of a public advisory committee of the Food and Drug Administration (FDA). The meeting will be open to the public.

Name of Committee: Gastrointestinal Drugs Advisory Committee and the Drug Safety and Risk Management Subcommittee of the Advisory Committee for Pharmaceutical Science.

General Function of the Committee: To provide advice and recommendations to the agency on FDA's regulatory issues.

Date and Time: The meeting will be held on April 23, 2002, from 8 a.m. to 5 p.m.

Location: Holiday Inn, Versailles Ballroom, 8120 Wisconsin Ave., Bethesda, MD.

Contact Person: Thomas H. Perez, Center for Drug Evaluation and Research (HFD–21), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–827–6758, e-mail at *PerezT@cder.fda.gov*, or FDA Advisory Committee Information Line, 1–800–741–8138 (301–443–0572 in the Washington, DC area), code 12538. Please call the Information Line for up-to-date information on this meeting. Background materials for this meeting when available will be posted on the Internet one business day before the meeting at *www.fda.gov/ohrms/dockets/ac/acmenu.htm.*

Agenda: The committee will discuss risk management for new drug application (NDA) 21–107, LOTRONEX (alosetron), GlaxoSmithKline.

Procedure: Interested persons may present data, information, or views, orally or in writing, on issues pending before the committee. Written submissions may be made to the contact person by April 15, 2002. Oral presentations from the public will be scheduled between approximately 11:30 a.m. and 12:30 p.m. Time allotted for each presentation may be limited. Those desiring to make formal oral presentations should notify the contact person before April 15, 2002, and submit a brief statement of the general nature of the evidence or arguments they wish to present, the names and addresses of proposed participants, and an indication of the approximate time requested to make their presentation.

Persons attending FDA's advisory committee meetings are advised that the agency is not responsible for providing access to electrical outlets.

FDA welcomes the attendance of the public at its advisory committee meetings and will make every effort to accommodate persons with physical disabilities or special needs. If you require special accommodations due to a disability, please contact Thomas Perez at least 7 days in advance of the meeting.

Notice of this meeting is given under the Federal Advisory Committee Act (5 U.S.C. app. 2).

Dated: February 22, 2002.

Linda A. Suydam,

Senior Associate Commissioner for Communications and Constituent Relations.

[FR Doc. 02–4890 Filed 2–28–02; 8:45 am]

BILLING CODE 4160–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

Microbiology Devices Panel of the Medical Devices Advisory Committee; Notice of Meeting

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

This notice announces a forthcoming meeting of a public advisory committee of the Food and Drug Administration (FDA). The meeting will be open to the public.

Name of Committee: Microbiology Devices Panel of the Medical Devices Advisory Committee.

General Function of the Committee: To provide advice and recommendations to the agency on FDA's regulatory issues.

Date and Time: The meeting will be held on March 7, 2002, from 10:30 a.m. to 3:30 p.m., and on March 8, 2002, from 8:30 a.m. to 3:30 p.m.

Location: Holiday Inn, Walker/Whetstone Rooms, Two Montgomery Village Ave., Gaithersburg, MD.

Contact Person: Freddie M. Poole, Center for Devices and Radiological Health (HFZ–440), Food and Drug Administration, 2098 Gaither Rd., Rockville, MD 20850, 301–594–2096, ext. 111, or FDA Advisory Committee Information Line, 1–800–741–8138 (301–443–0572 in the Washington, DC area), code 12517. Please call the Information Line for up-to-date information on this meeting.

Agenda: On March 7, 2002, the committee will discuss and make recommendations on the classification of preamendments in vitro diagnostic products to identify *Bacillus anthracis* and *Yersinia pestis.* No applications will be reviewed at this meeting. On March 8, 2002, the committee will discuss, make recommendations, and vote on a supplement to a premarket approval application for a nucleic acid hybridization in vitro diagnostic device for the detection of 13 high-risk types of human papilloma virus DNA in cervical specimens. The test is indicated for use as a general population screening test in conjunction with the *Papanicolaou* smear for women 30 years of age and older, as an aid to determine the absence of high-grade cervical disease or cancer. The test is not intended for use as a screening test in the general population for women under 30 years of age.

Background information for each day's topic, including the agenda and questions for the committee, will be available to the public 1 business day before the meeting, on the Internet at *http://www.fda.gov/cdrh/panelmtg.html.* Material for the March 7 session will be posted on March 6, 2002; material for the March 8 session will be posted on March 7, 2002.

Procedure: Interested persons may present data, information, or views, orally or in writing, on issues pending before the committee. Written submissions may be made to the contact person by March 4, 2002. On March 7, 2002, formal oral presentations from the public will be scheduled between approximately 11:30 a.m. and 12:15 p.m., and between approximately 2:30 p.m. and 2:45 p.m. On March 8, 2002, formal oral presentations from the public will be scheduled between approximately 11 a.m. and 11:45 a.m., and between approximately 3 p.m. and 3:15 p.m. Time allotted for each presentation may be limited. Those desiring to make formal oral presentations should notify the contact person before March 4, 2002, and submit a brief statement of the

general nature of the evidence or arguments they wish to present, the names and addresses of proposed participants, and an indication of the approximate time requested to make their presentation.

FDA regrets that it was unable to publish this notice 15 days prior to the March 8, 2002, Microbiology Devices Panel of the Medical Devices Advisory Committee meeting. Because the agency believes there is some urgency to bring this issue to public discussion and qualified members of the Microbiology Devices Panel of the Medical Devices Advisory Committee were available at this time, the Commissioner of Food and Drugs concluded that it was in the public interest to hold this meeting even if there was not sufficient time for the customary 15-day public notice.

Persons attending FDA's advisory committee meetings are advised that the agency is not responsible for providing access to electrical outlets.

FDA welcomes the attendance of the public at its advisory committee meetings and will make every effort to accommodate persons with physical disabilities or special needs. If you require special accommodations due to a disability, please contact Shirley Meeks, Conference Management Staff, 301–594–1283, ext. 105, at least 7 days in advance of the meeting.

Notice of this meeting is given under the Federal Advisory Committee Act (5 U.S.C. app. 2).

Dated: February 26, 2002.

Linda A. Suydam,

Senior Associate Commissioner for Communications and Constituent Relations.

[FR Doc. 02–5044 Filed 2–27–02; 11:19 am]

BILLING CODE 4160–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

Pediatric Oncology Subcommittee of the Oncologic Drugs Advisory Committee; Cancellation

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is canceling the meeting of the Pediatric Oncology Subcommittee of the Oncologic Drugs Advisory Committee scheduled for March 12, 2002. The meeting was announced in the **Federal Register** of February 7, 2002 (67 FR 5831).

FOR FURTHER INFORMATION CONTACT: Thomas H. Perez, Center for Drug Evaluation and Research (HFD–21), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–827–6758, or FDA Advisory Committee Information Line, 1–800–741–8138 (301–443–0572 in the Washington, DC area), code 12542.

Dated: February 26, 2002.

Linda A. Suydam,

Senior Associate Commissioner for Communications and Constituent Relations.

[FR Doc. 02–5043 Filed 2–27–02; 11:19 am]

BILLING CODE 4160–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

Agency Information Collection Activities: Submission for OMB Review; Comment Request

Periodically, the Health Resources and Services Administration (HRSA) publishes abstracts of information collection requests under review by the Office of Management and Budget, in compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35). To request a copy of the clearance requests submitted to OMB for review, call the HRSA Reports Clearance Office on (301)-443–1129.

The following request has been submitted to the Office of Management and Budget for review under the Paperwork Reduction Act of 1995:

Proposed Project: The National Health Service Corps (NHSC) Loan Repayment Program (OMB No. 0915–0127)—Extension

The NHSC Loan Repayment Program (LRP) was established to ensure an adequate supply of trained primary care health professionals to the neediest communities in the Health Professional Shortage Areas (HPSAs) of the United States. Under this program, the Department of Health and Human Services agrees to repay the educational loans of the primary care health professionals. In return, the health professionals agree to serve for a specified period of time in a federally-designated HPSA approved by the Secretary for LRP participants.

This request for extension of OMB approval will include the NHSC LRP Application and Loan Verification Form, Site Information Form and Request for Method of Advanced Loan Repayment Form.

The estimate of burden is as follows:

Respondent	Number of respondents	Responses per respondent	Hours per response	Total hour burden
Applicants	800	1	1.5	1200
Lenders	45	1	15	11
Total	845	.....	.....	1211

Written comments and recommendations concerning the proposed information collection should be sent within 30 days of this notice to: John Morrall, Human Resources and Housing Branch, Office of Management and Budget, New Executive Office Building, Room 10235, Washington, DC 20503.

Dated: February 22, 2002.

Jane M. Harrison,

Director, Division of Policy Review and Coordination.

[FR Doc. 02–4892 Filed 2–28–02; 8:45 am]

BILLING CODE 4165–15–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of Inspector General

Program Exclusions: January 2002

AGENCY: Office of Inspector General, HHS.

ACTION: Notice of program exclusions.

During the month of January 2002, the HHS Office of Inspector General imposed exclusions in the cases set forth below. When an exclusion is imposed, no program payment is made to anyone for any items or services (other than an emergency item or service not provided in a hospital emergency room) furnished, ordered or prescribed by an excluded party under the Medicare, Medicaid, and all Federal Health Care programs. In addition, no program payment is made to any business or facility, e.g., a hospital, that submits bills for payment for items or services provided by an excluded party. Program beneficiaries remain free to decide for themselves whether they will continue to use the services of an excluded party even though no program payments will be made for items and services provided by that excluded party. The exclusions have national effect and also apply to all Executive Branch procurement and non-procurement programs and activities.

Subject, city, state	Effective date
PROGRAM–RELATED CONVICTIONS:	
ABRANTE, HECTOR, HIALEAH, FL	02/20/2002
ADAMS, BILLY WAYNE, FEDERAL WAY, WA	02/20/2002
BINA, SHOKROLLAH, LOS ANGELES, CA	02/20/2002
CARING RESPIRATORY SVCS, INC, CORAL GABLES, FL	09/17/2001
CARROLL, MAXIE G, TALLAHASSEE, FL	02/20/2002
CORVO, RENE, JESSUP, GA	02/20/2002
DJGLYAN, ARUTYUN, ELOY, AZ	02/20/2002
DOUGHERTY, TERRENCE W, CLAYTON, MO	02/20/2002
ENRIQUEZ, HONORIA, MIAMI, FL	02/20/2002
ESPINOZA, THELMA AUXILIADOR, SOUTHGATE, CA	02/20/2002
FAULKNER, THERESA ANN, PHOENIX, AZ	02/20/2002
FRENZI, MICHELLE L, AURORA, CO	02/20/2002
FULLER, ALISHA ANN, SPRINGFIELD, OR	02/20/2002
HING, VAN DAN, LONG BEACH, CA	02/20/2002
JACKSON, ERNESTINE W, INDIANAPOLIS, IN	02/20/2002
JACKSON, ALYSSA JOYCE, BATON ROUGE, LA	02/20/2002
JOHNSON, DOUGLAS A, ALTOONA, PA	02/20/2002
KATSNELSON, EDWARD, DENVER, CO	02/20/2002
KATSNELSON, LYUDMILA, DENVER, CO	02/20/2002
KILMER, CATHY P, TACOMA, WA	02/20/2002
LEVY, STEPHEN E, TRINIDAD, W INDIES	10/25/2000
MADDEN, EVA, DETROIT, MI	02/20/2002
MILLER, ROBERT, ARLINGTON, TX	02/09/2001
MOLSBEE, BRENDA M, TALLAHASSEE, FL	02/20/2002
PADILLA, CRISOLOGO L, BROOKLYN, NY	02/20/2002
PARONIAN, KAZAR, MISSION HILLS, CA	02/20/2002
PEREZ–ARYAN, ELIA, CORAL GABLES, FL	09/17/2001
PRICE, LESLIE E, CARY, NC	02/20/2002
SALUDO, EDUARDO Dy, LOS ANGELES, CA	02/20/2002
SCHNEIDER–RUCINSKI, NOREEN, SAN DIEGO, CA	02/20/2002
SMOLKOVICH, REGAN, ARVADA, CO	02/20/2002
STUARDO, LUIS ARTEMIO, BONITA, CA	02/20/2002
STUARDO, CAROL MARIE, BONITA, CA	02/20/2002
VILLARIZA, BEATRICE BURROLA, PALM DESERT, CA	02/20/2002
WILLIAMS–WARD, LORRAINE F, GREEN POND, SC	02/20/2002
WOODWORTH, LINDA LERENE, DANBURY, CT	02/20/2002
FELONY CONVICTION FOR HEALTH CARE FRAUD:	
AULT, ELLEN FRANCIS SCANLON, LEXINGTON, KY	02/20/2002
KOTANSKY, MICHELLE, HAZLETON, PA	02/20/2002
SMITH, LEE ALLEN, APPLE VALLEY, MN	02/20/2002
SULLIVAN, JENNIFER A, ROSLINDALE, MA	02/20/2002
FELONY CONTROLLED SUBSTANCE CONVICTION:	
AGER, ALAN LAWRENCE, SAN GERONIMO, CA	02/20/2002
BRIGGS, JOHN, KINGSPORT, TN	02/20/2002
DOUGLAS, NATALIE, BESSEMER, MI	02/20/2002
MARTINEZ, RICHARD FRANK, SAFFORD, AZ	02/20/2002
RYAN, KAREN MARIE, COLORADO SPRINGS, CO	02/20/2002
SHOCKLEY, CHERONDA KIM, ROGERSVILLE, TN	02/20/2002
PATIENT ABUSE/NEGLECT CONVICTIONS:	
ARMERO, JUAN ANTONIO, AZUSA, CA	02/20/2002
BRANCH, CURTIS, VICKSBURG, MS	02/20/2002
BULLIS, SHAWN R, DELAVAN, WI	02/20/2002
CONGER, EARLENE, ST ALBANS, VT	02/20/2002
GOMEZ, FRANCISCO JAVIER, WILDOMAR, CA	02/20/2002
HART, SHANDER S, BATON ROUGE, LA	02/20/2002
HAYES, DON JOHN, MANSURA, LA	02/20/2002
HOWARD, WANDA E, WETUMKA, OK	02/20/2002
MATHIS, PATRICIA, BRENHAM, TX	02/20/2002
MCCOY, KIM MARIE, STOCKTON, AL	02/20/2002
MCKENNEY, BRIAN, JOHNSTOWN, NY	02/20/2002
NEWTON, VALERIA RILEY, MARION, LA	02/20/2002
RAY, CHARMAINE, QUEENS, NY	02/20/2002

Subject, city, state	Effective date
ROBBINS, JAMES E, YOUNGSTOWN, OH	02/20/2002
SALAZAR-VILLAR, CIRO ALCIDES, ESCONDIDO, CA	02/20/2002
SANCHEZ-DE ARELLANO, NORA OLIV, VISTA, CA	02/20/2002
SIMPSON, VICKY D, SMITHVILLE, TN	02/20/2002
TRUDELL, SYLVIA MONTELL, PINEVILLE, LA	02/20/2002
WOOD, LEIGH ANNE, TUCSON, AZ	02/20/2002
CONVICTION FOR HEALTH CARE FRAUD:	
DICKSON, TRINA KAY, ARKANSAS CITY, KS	02/20/2002
CONTROLLED SUBSTANCE CONVICTIONS:	
SKINNER, DAWN MICHELLE, ESCONDIDO, CA	02/20/2002
LICENSE REVOCATION/SUSPENSION/SURRENDERED:	
ACKERMAN, SHARON R, AMES, IA	02/20/2002
ADAMS, STEPHANIE DIANN, CHARLOTTE, NC	02/20/2002
ALCAIDE, KELLEY KAY, SOMMERVILLE, NJ	02/20/2002
BARBEE, DEBORAH S, CHICAGO, IL	02/20/2002
BAUERNFEIND, JOYCE ELLEN, ROCHESTER, MN	02/20/2002
BELT, HARRIET A, BLACK JACK, MO	02/20/2002
BENNINGFIELD, GAYLA ANN COURTW, BRADFORDSVILLE, KY	02/20/2002
BENTSON, KRISTA L, W DES MOINES, IA	02/20/2002
BERUK, DJUANA, GREENVILLE, MS	02/20/2002
BLANGIN, BARBARA B, LAGRANGE, IL	02/20/2002
BONNELL, STEPHANIE, MONROE, NJ	02/20/2002
BRISTOL, DAVID A, BRATTLEBORO, VT	02/20/2002
BROOKS, REENE F, MATTOON, IL	02/20/2002
BROWN, KAREN ANNETTE, DENVER, CO	02/20/2002
BUNCH, LATITIA, CAMDEN, NJ	02/20/2002
CAIN, DANNY MICHAEL, ROCHESTER, MN	02/20/2002
CAPOUCH, ROBIN LYNN, BEMIDJI, MN	02/20/2002
CARRIERE, LAUREN L, WOONSOCKET, RI	02/20/2002
CARTER, MICHAEL ANSON, CHATSWORTH, CA	02/20/2002
CHENG, HUNG HUI, SAN FRANCISCO, CA	02/20/2002
CLAPP, NIOKAH, LOUSIVILLE, KY	02/20/2002
COLLENBURG, SUSAN CATHERINE, LONGVIEW, TX	02/20/2002
CONDIT, TONI R, GRAND JUNCTION, CO	02/20/2002
COVARRUBIAS-MIER, JORGE A, PHOENIX, AZ	02/20/2002
CRESWELL, DAVID, BLENCOE, IA	02/20/2002
DICASTRO, STEVEN A, PRINCETON, MA	02/20/2002
DILL, CASEY, ROSWELL, GA	02/20/2002
DOTY, MARY T, STRASBURG, IL	02/20/2002
DRUPPEL, PAUL ROBERT, FORT MADISON, IA	02/20/2002
DUCHARME, NANCY LOUISE, ST PAUL, MN	02/20/2002
EISEN, SARAH A, ELGIN, IL	02/20/2002
ESTERMAN, SIDNEY, E ORANGE, NJ	02/20/2002
FERGUSON, BONNIE S, MORRIS, IL	02/20/2002
FLIPPO, SANDRA KAY BYROM, BELL BUCKLE, TN	02/20/2002
FREEMAN, JENNIFER B, PHOENIX, AZ	02/20/2002
GARNER, DAWN L., SESSER, IL	02/20/2002
GERGANS, GREGORY A., EVANSTON, IL	02/20/2002
GOMEZ, ROBERT, YUMA, AZ	02/20/2002
HAAKE, LISA A., DES MOINES, IA	02/20/2002
HACHMEISTER, SUZANNE PEARL, WONDER LAKE, IL	02/20/2002
HADLICH, ELIZABETH MAY, ST. PAUL, MN	02/20/2002
HARLAN, CAROLYN L., INDIANAPOLIS, IN	02/20/2002
HARTLEY, LAUREL SUTCH, RICHEYVILLE, PA	02/20/2002
HASSER, CARRIE MARIE, MORA, MN	02/20/2002
HASTAD, PATRICIA KAY, BROOKLYN PARK, MN	02/20/2002
HICKMAN, DEWAYNE KEITH, ANAHEIM, CA	02/20/2002
HILBURN, CHERYL LYNN, WILMINGTON, NC	02/20/2002
HILL, CANDY RENEE, BIRMINGHAM, AL	02/20/2002
HYRY, PHILLIP WADE, ISHPEMING, MI	02/20/2002
ILOUNO, GEORGE ORANYELU, HARBOR CITY, CA	02/20/2002
IORDAMOVA, ZOYA, N. HOLLYWOOD, CA	02/20/2002
JOHNSON, KATHLEEN RUTH, MINNEAPOLIS, MN	02/20/2002
JONES, LUCRETIA ANN, SALT LAKE CITY, UT	02/20/2002
KAPOOR, QUDRAT S., ROSWELL, NM	02/20/2002
KEESEE, DIANE LYN, CHICAGO, IL	02/20/2002
KELSEY, MARIANNE BREIER, HIGH POINT, NC	02/20/2002
KIM, BYUNG CHANG, DIAMOND BAR, CA	02/20/2002
KOENIG, NANCY LOUISE, ROCHESTER, MN	02/20/2002
KUSHMER, JOHN V., TAMPA, FL	02/20/2002
LANDPHAIR, GREGORY R., STRYKERSVILLE, NY	02/20/2002
LARA, FRANK J., MESA, AZ	02/20/2002
LAWSON, ALAN R., FAYETTEVILLE, AR	02/20/2002
LEADER, WILLIAM O., LOS ANGELES, CA	02/20/2002
LEHNERTZ, LINDA LEE, OWATONNA, MN	02/20/2002
LEVY, KENNETH D. II, WINDSOR, CT	02/20/2002

Subject, city, state	Effective date
LONNES, DEBORAH JOY, ST. PAUL, MN	02/20/2002
LOOP, JERRY R., GRAND ISLAND, NE	02/20/2002
LYONS, DANA, ROEBLING, NJ	02/20/2002
MCAULEY, DONALD, PHOENIX, AZ	02/20/2002
MCCANN, JON SCOTT, RED OAK, OK	02/20/2002
MCGEE, VICKIE W., LAFAYETTE, GA	02/20/2002
MCGEE, ELIZABETH, AYNE, NJ	02/20/2002
MILLER, LORI E., ALLEN, TX	02/20/2002
MOONEY, SHARON RENE, FRANKVILLE, AL	02/20/2002
MORLEY, KIMBERLY LYNNE, LITTLETON, CO	02/20/2002
MORSE, TERRY FURR, WEXFORD, PA	02/20/2002
MUNCAN, PETAR, HOWARD BEACH, NY	02/20/2002
NEMAZEE, MAHMOUD, SANTA MONICA, CA	02/20/2002
NESTOR, TIA M., HAY SPRINGS, NE	02/20/2002
NIMMO, ZWANNAH G., PAWTUCKET, RI	02/20/2002
NOVICK, HOWARD ALAN, BREINIGSVILLE, PA	02/20/2002
O'BRIEN, DANIEL PATRICK, LEXINGTON, KY	02/20/2002
PATTY, KENNETH D., BLAIRS, VA	02/20/2002
PETERSON, CHERYL RENEE, BLOOMINGTON, MN	02/20/2002
PIER, LARRY VAUGHN, PAYSON, AZ	02/20/2002
PLANT-MAU, MARY J., CORPUS CHRISTI, TX	02/20/2002
POLLARD, WILLIAM W., CORVALLIS, OR	02/20/2002
PORTER, COLETTE S. THREATS, NORFOLK, VA	02/20/2002
PRADO, ANGEL, MANHASSET, NY	02/20/2002
PROCTOR, ROSALIND G., PHOENIX, AZ	02/20/2002
RANTALA, MARILYN JEAN, SPRINGFIELD, IL	02/20/2002
RAY, FRANCES F., DENVER, CO	02/20/2002
RICHARDS, KAY ANN, PHOENIX, AZ	02/20/2002
RYAN, GERALDINE, BRICK, NJ	02/20/2002
SAMOY, GREGORIO DALUZ, TUCSON, AZ	02/20/2002
SANDOVAL, MANUEL A, NEW BRITAIN, CT	02/20/2002
SARRACCO, LORI ANN, HAM LAKE, MN	02/20/2002
SCHLEIF, NANCY ANN, PLYMOUTH, MN	02/20/2002
SCHULTE, CYNTHIA L, KINGMAN, AZ	02/20/2002
SKORA, ALAN P, DEWITT, IA	02/20/2002
SMITH, VEE LANDIS, MINNEAPOLIS, MN	02/20/2002
SOLOMON, ABRAHAM, LONG ISLAND CITY, NY	02/20/2002
STRUWVE, SUSAN LOUISE, RAMSEY, MN	02/20/2002
STULL, AARON MYLES, ROCHESTER, MN	02/20/2002
TAMAYO, RICKY M, EL CENTRO, CA	02/20/2002
TAYLOR, CORA REBECCA, TUCSON, AZ	02/20/2002
THORNTON, JUDY LYNN, EL CAJON, CA	02/20/2002
TOTH, JEANINE MICHELLE, HONOLULU, HI	02/20/2002
TULLY, ANN MENDELSON, DOYLESTOWN, PA	02/20/2002
TUTT, KEITH E, PROVIDENCE, RI	02/20/2002
UNDERWOOD, CLYDE HAMILTON, CLARKSVILLE, AR	02/20/2002
VEJRASKA, EUGENE, ALLIANCE, NE	02/20/2002
VISSER, SUSAN C, KNOXVILLE, IA	02/20/2002
VISSER, MELINDA JAYNE, SUSANVILLE, CA	02/20/2002
WAHL, REBECCA, WESTERN, NE	02/20/2002
WAHLERS, KATHLEEN A, MUNCIE, IN	02/20/2002
WARRICK, LYNETTE ANN, ST CLOUD, MN	02/20/2002
WATKINS, DEBORAH ANN, WINCHESTER, IL	02/20/2002
WAYNE, SYLVIA, SUN CITY WEST, AZ	02/20/2002
WELCH, WENDY J, DECORAH, IA	02/20/2002
WESTMORELAND, MEREDITH H, COLUMBIA, TN	02/20/2002
WILLIAMSON, CHRIS E, CAMP VERDE, AZ	02/20/2002
WILSON, CAMILLE SUE, PENDLETON, OR	02/20/2002
WOOLDRIDGE, DOUGLAS W, WELLESLEY, MA	02/20/2002
WRIGHT, PAMELA JEAN, ROCHESTER, MN	02/20/2002
ZEMAN, LAURA MARIE, KETCHIKAN, AK	02/20/2002
FEDERAL/STATE EXCLUSION/SUSPENSION:	
KATZAP, IZEA, JAMAICA, NY	02/20/2002
MCCASKILL, EDDIE, ST LOUIS, MO	02/20/2002
SAUL, STEPHEN, MARGATE, NJ	02/20/2002
FRAUD/KICKBACKS:	
AMEX II, PHOENIX, AZ	10/09/2001
SPRIGGS, ROBERT ALAN, FAIRFIELD, CA	11/24/2000
OWNED/CONTROLLED BY CONVICTED ENTITIES:	
ADVANCED HEALTH CLINIC, MESA, AZ	02/20/2002
CHILD & ADOLESCENT INSTITUTE, BEACHWOOD, OH	02/20/2002
CHIROPRACTIC PLUS, LONGVIEW, TX	02/20/2002
CREATIVE CARE ENLIGHTENED, FT MYERS, FL	02/20/2002
M & G HEALTH CARE, INC, MIAMI, FL	02/20/2002

Subject, city, state	Effective date
MAIN STREET DENTAL ASSOCIATES, FARMINGTON, CT	12/18/2001
MICHAEL B AUSTIN, D O, P A, TAMPA, FL	02/20/2002
PSYCHIATRIC PROFESSIONAL GROUP, N OLMSTEAD, OH	02/20/2002
DEFAULT ON HEAL LOAN:	
ALEXANDER, MICHAEL A, ALIQUIPPA, PA	02/20/2002
ARGUEDAS, WALTER G, HIALEAH, FL	02/20/2002
BELLER, BRYAN D, SOUTHGATE, MI	02/20/2002
CAFAGNA, MARK WILLIAM SR, WEST HILLS, CA	02/20/2002
CAGLE, LARRY S, AHOSKIE, NC	02/20/2002
CARR, GUY A, HUTCHINSON, KS	02/20/2002
CONSTANTINESCU, SERBAN CRISTIA, PHILADELPHIA, PA	02/20/2002
COOPER, SHIRLEY T, LANSDALE, PA	02/20/2002
CRAIG, BRADLEY D, SNOWFLAKE, AZ	02/20/2002
DE JESUS-MIRANDA, LUIS A, SAN JUAN, PR	02/20/2002
DIENER, ROBERT B, AUBURNDALE, MA	02/20/2002
DONELSON, RICHARD BARTON, PHOENIX, AZ	02/20/2002
EATON, GARY D, SPRINGFIELD, MO	02/20/2002
ELLZEY, PAUL D, PRATTVILLE, AL	02/20/2002
FISHBOUGH, ROSS E, BENSLAEM, PA	02/20/2002
FLOYD, THOMAS PARKER, TRUFANT, MI	02/20/2002
GREETHONG, KITIMAN, IRVINE, CA	02/20/2002
HAGEN, CALVIN P, KANSAS CITY, MO	02/20/2002
HANSEN, KRIS T, ST GEORGE, UT	02/20/2002
HORNIG-ROHAN, JAMES EDWARD, SENECA, SC	02/20/2002
IBRIK, AMIR, SYRACUSE, NY	02/20/2002
KALMAN, BETSY S, RICHMOND HILL, NY	02/20/2002
KRUGMAN, LINDA L, LEXINGTON, KY	02/20/2002
LE SAGE, SAHARA ADAMS, LEAGUE CITY, TX	02/20/2002
LEONELLI, DAVID ROMAN SR, LOS ANGELES, CA	02/20/2002
LEWIS, STEVEN R, IRVING, TX	02/20/2002
LINSTEADT, ELIZABETH M, DENISON, TX	02/20/2002
LUCEY, TIMOTHY D, NEWBURGH, NY	02/20/2002
MARTINEZ, DANIEL A, REDLANDS, CA	02/20/2002
MASSAKOWSKI, EDWARD A, BENSALEM, PA	02/20/2002
MCGHEE, STEPHANIE Y, HOUSTON, TX	02/20/2002
MCINNES, THOMAS K, POOLESVILLE, MD	02/20/2002
MEINHOLD, STEVEN DALE, OMAHA, NE	02/20/2002
MONICA, JULIANNE H, SPRING LAKE, NJ	02/20/2002
NEWELL, DAVID CLIFFORD, FORT BRAGG, CA	02/20/2002
OWCZAREK, KEITH VINCENT, MARYSVILLE, WA	02/20/2002
PATT, RICHARD H, NEW YORK, NY	02/20/2002
PEISS, STUART, HOFFMAN ESTATES, IL	02/20/2002
PHILLIPS, THADDEUS HILLARD III, SAN ANTONIO, TX	02/20/2002
PORTNOW, ROBERT THOMAS, CLEVELAND, OH	02/20/2002
RAMU, NALAYA, LOS ANGELES, CA	02/20/2002
RASHTI, KOUROS, TARZANA, CA	02/20/2002
RICHBERG, MARK H, PHILADELPHIA, PA	02/20/2002
RIGNEY, MARK EDWARD, OKLAHOMA CITY, OK	02/20/2002
ROMERO, JOHN JOSEPH, ALBURQUERQUE, NM	02/20/2002
RORRER, MARK TIMOTHY, CLAYTON, OH	02/20/2002
ROZENBERG, RONALD L, LEVITTOWN, NY	02/20/2002
RUSSELL, BILL, ST LOUIS, MO	02/20/2002
SAID, SAED M, UNIONVILLE, CT	12/18/2001
SANDOR, GEORGE JOSEPH, NEW YORK, NY	02/20/2002
SAUTMAN, SATPAL K, PLANTATION, FL	02/20/2002
SCHWARTZ, FRANCIS XAVIER JR, OAKLAND, CA	02/20/2002
SCHWARZ-MANDRACCHIA, DENISE MA, WINTERSET, IA	02/20/2002
SLOTNICK, ROBIN T, CLEVELAND, OH	02/20/2002
STOCK, ANN M, BELLEVILLE, IL	02/20/2002
THOMPSON, JANETTE A, SILVER SPRING, MD	02/20/2002
TOLIVER, EDWARD C, CHICAGO, IL	02/20/2002
VESTICH, GEORGE T, RICHMOND, OH	02/20/2002
VILLANO, GUY JOHN, NISKAYUNA, NY	02/20/2002
WALCHER, KEVIN RAY, BOOKER, TX	02/20/2002
WALTERS, BRIAN D JR, SEATTLE, WA	02/20/2002
WAN, JAMES Y, MOBILE, AL	02/20/2002
WHEDBEE, JOSEPH IRELAND, REDLANDS, CA	02/20/2002
WILLIAMS, ERIC A, TOWSON, MD	02/20/2002
WILSON, RONALD E, DETROIT, MI	02/20/2002
YODER, KYLE JAY, REDWOOD CITY, CA	02/20/2002
ZIMMERMAN, MARY L P, OCONOMOWOL, WI	02/20/2002

Dated: February 4, 2002.

Calvin Anderson, Jr.,

Director, Health Care Administrative Sanctions, Office of Inspector General.

[FR Doc. 02–4868 Filed 2–28–02; 8:45 am]

BILLING CODE 4150–04–P

DEPARTMENT OF THE INTERIOR

Office of the Secretary

Delaware & Lehigh National Heritage Corridor Commission Meeting

AGENCY: Department of the 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, March 8, 2002, Time 1:30 p.m. to 4 p.m.

ADDRESSES: Easton City Hall, 1 South Third Street, Easton, PA 18042.

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 subdivision 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.

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.

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.

Dated: February 25, 2002.

C. Allen Sachse,

Executive Director, Delaware & Lehigh National Heritage Corridor Commission.

[FR Doc. 02–4887 Filed 2–28–02; 8:45 am]

BILLING CODE 6820–PE–M

DEPARTMENT OF THE INTERIOR

[OR–030–1020–PG; G 02–0061]

Bureau of Land Management

AGENCY: Bureau of Land Management (BLM), Vale District, Interior.

ACTION: Meeting notice for the Southeast Oregon Resource Advisory Council.

SUMMARY: The Southeast Oregon Resource Advisory Council (SEORAC) will meet at the Holiday Inn Conference Room, 1249 Tapadera Avenue, Ontario, OR 97914 from 8 a.m. to 5 p.m., Mountain Standard Time (MST), on Monday, April 15, 2002, and conduct a field tour to discuss the Southeast Oregon Resource Management Plan and the Lakeview Resource Management Plan, on Tuesday, April 16, 2002. Contact the BLM office listed below for exact time as the tour date approaches.

The meeting topics to be discussed by the Council will include a discussion of issues within southeast Oregon related to the Recreation Fee Demonstration program, Sage Grouse update, Special Recreation Use Permits and recreation issues addressed in the Lakeview and the Southeast Oregon Resource Management Plans. We also plan to set meeting dates for 2002, the Federal officials' update, and such other matters as may reasonably come before the Council. The entire meeting is open to the public. Information to be distributed to the Council members is requested in written format 10 days prior to the start of the Council meeting. Public comment is scheduled for 11:15 a.m. to 11:45 a.m., MST on Monday, April 15, 2002.

FOR FURTHER INFORMATION CONTACT: Additional information concerning the SEORAC may be obtained from Peggy Diegan, Support Services Supervisor/Webmaster, Vale District Office, 100 Oregon Street, Vale, OR 97918 (541) 473–3144, or *Peggy_Diegan@or.blm.gov* or from the following web site <*http://www.or.blm.gov/SEOR–RAC*>.

Dated: December 20, 2001.

Sandra L. Guches,

Associate District Manager.

[FR Doc. 02–4879 Filed 2–28–02; 8:45 am]

BILLING CODE 4310–33–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 731–TA–744 (Review)]

Brake Rotors From China

AGENCY: International Trade Commission.

ACTION: Institution of a five-year review concerning the antidumping duty order on brake rotors from China.

SUMMARY: The Commission hereby gives notice that it has instituted a review pursuant to section 751(c) of the Tariff Act of 1930 (19 U.S.C. 1675(c)) (the Act) to determine whether revocation of the antidumping duty order on brake rotors from China would be likely to lead to continuation or recurrence of material injury. Pursuant to section 751(c)(2) of the Act, interested parties are requested to respond to this notice by submitting the information specified below to the Commission; [1] to be assured of consideration, the deadline for responses is April 22, 2002. Comments on the adequacy of responses may be filed with the Commission by May 15, 2002. For further information concerning the conduct of this review 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, D, E, and F (19 CFR part 207).

EFFECTIVE DATE: March 1, 2002.

FOR FURTHER INFORMATION CONTACT: Mary Messer (202–205–3193), 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*. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS–ON–LINE) at *http://dockets.usitc.gov/eol/public.*

SUPPLEMENTARY INFORMATION:

Background

On April 17, 1997, the Department of Commerce issued an antidumping duty order on imports of brake rotors from China (62 FR 18740). The Commission is conducting a review to determine whether revocation of the order would be likely to lead to continuation or recurrence of material injury to the domestic industry within a reasonably foreseeable time. It will assess the adequacy of interested party responses to this notice of institution to determine whether to conduct a full review or an

[1] No response to this request for information is required if a currently valid Office of Management and Budget (OMB) number is not displayed; the OMB number is 3117–0016/USITC No. 02–5–068, expiration date July 31, 2002. Public reporting burden for the request is estimated to average 7 hours per response. Please send comments regarding the accuracy of this burden estimate to the Office of Investigations, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436.

expedited review. The Commission's determination in any expedited review will be based on the facts available, which may include information provided in response to this notice.

Definitions

The following definitions apply to this review:

(1) *Subject Merchandise* is the class or kind of merchandise that is within the scope of the five-year review, as defined by the Department of Commerce.

(2) The *Subject Country* in this review is China.

(3) The *Domestic Like Product* is the domestically produced product or products which are like, or in the absence of like, most similar in characteristics and uses with, the *Subject Merchandise.* In its original determination, the Commission defined the *Domestic Like Product* as aftermarket brake rotors.

(4) The *Domestic Industry* is the U.S. producers as a whole of the *Domestic Like Product*, or those producers whose collective output of the *Domestic Like Product* constitutes a major proportion of the total domestic production of the product. In its original determination, the Commission defined the *Domestic Industry* as producers of aftermarket brake rotors. The Commission also determined that appropriate circumstances existed to exclude AlliedSignal from the domestic aftermarket rotor industry as a related party.

(5) The *Order Date* is the date that the antidumping duty order under review became effective. In this review, the *Order Date* is April 17, 1997.

(6) An *Importer* is any person or firm engaged, either directly or through a parent company or subsidiary, in importing the *Subject Merchandise* into the United States from a foreign manufacturer or through its selling agent.

Participation in the Review 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 review as parties must file an entry of appearance with the Secretary to the Commission, as provided in section 201.11(b)(4) of the Commission's rules, no later than 21 days after publication of this notice in the **Federal Register**. The Secretary will maintain a public service list containing the names and addresses of all persons, or their representatives, who are parties to the review.

Former Commission employees who are seeking to appear in Commission five-year reviews are reminded that they are required, pursuant to 19 CFR 201.15, to seek Commission approval if the matter in which they are seeking to appear was pending in any manner or form during their Commission employment. The Commission's designated agency ethics official has advised that a five-year review is the ''same particular matter'' as the underlying original investigation for purposes of 19 CFR 201.15 and 18 U.S.C. 207, the post employment statute for Federal employees. Former employees may seek informal advice from Commission ethics officials with respect to this and the related issue of whether the employee's participation was ''personal and substantial.'' However, any informal consultation will not relieve former employees of the obligation to seek approval to appear from the Commission under its rule 201.15. For ethics advice, contact Carol McCue Verratti, Deputy Agency Ethics Official, at 202–205–3088.

Limited Disclosure of Business Proprietary Information (BPI) Under an Administrative Protective Order (APO) and APO Service List

Pursuant to section 207.7(a) of the Commission's rules, the Secretary will make BPI submitted in this review available to authorized applicants under the APO issued in the review, provided that the application is made no later than 21 days after publication of this notice in the **Federal Register**. Authorized applicants must represent interested parties, as defined in 19 U.S.C. 1677(9), who are parties to the review. A separate service list will be maintained by the Secretary for those parties authorized to receive BPI under the APO.

Certification

Pursuant to section 207.3 of the Commission's rules, any person submitting information to the Commission in connection with this review must certify that the information is accurate and complete to the best of the submitter's knowledge. In making the certification, the submitter will be deemed to consent, unless otherwise specified, for the Commission, its employees, and contract personnel to use the information provided in any other reviews or investigations of the same or comparable products which the Commission conducts under Title VII of the Act, or in internal audits and investigations relating to the programs and operations of the Commission pursuant to 5 U.S.C. Appendix 3.

Written Submissions

Pursuant to section 207.61 of the Commission's rules, each interested party response to this notice must provide the information specified below. The deadline for filing such responses is April 22, 2002. Pursuant to section 207.62(b) of the Commission's rules, eligible parties (as specified in Commission rule 207.62(b)(1)) may also file comments concerning the adequacy of responses to the notice of institution and whether the Commission should conduct an expedited or full review. The deadline for filing such comments is May 15, 2002. All written submissions must conform with the provisions of sections 201.8 and 207.3 of the Commission's rules and any submissions that contain BPI must also conform with the requirements of sections 201.6 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. Also, in accordance with sections 201.16(c) and 207.3 of the Commission's rules, each document filed by a party to the review must be served on all other parties to the review (as identified by either the public or APO service list as appropriate), and a certificate of service must accompany the document (if you are not a party to the review you do not need to serve your response).

Inability To Provide Requested Information

Pursuant to section 207.61(c) of the Commission's rules, any interested party that cannot furnish the information requested by this notice in the requested form and manner shall notify the Commission at the earliest possible time, provide a full explanation of why it cannot provide the requested information, and indicate alternative forms in which it can provide equivalent information. If an interested party does not provide this notification (or the Commission finds the explanation provided in the notification inadequate) and fails to provide a complete response to this notice, the Commission may take an adverse inference against the party pursuant to section 776(b) of the Act in making its determination in the review.

Information To Be Provided in Response to This Notice of Institution

As used below, the term ''firm'' includes any related firms.

(1) The name and address of your firm or entity (including World Wide Web address if available) and name,

telephone number, fax number, and E-mail address of the certifying official.

(2) A statement indicating whether your firm/entity is a U.S. producer of the *Domestic Like Product*, a U.S. union or worker group, a U.S. importer of the *Subject Merchandise*, a foreign producer or exporter of the *Subject Merchandise*, a U.S. or foreign trade or business association, or another interested party (including an explanation). If you are a union/worker group or trade/business association, identify the firms in which your workers are employed or which are members of your association.

(3) A statement indicating whether your firm/entity is willing to participate in this review by providing information requested by the Commission.

(4) A statement of the likely effects of the revocation of the antidumping duty order on the *Domestic Industry* in general and/or your firm/entity specifically. In your response, please discuss the various factors specified in section 752(a) of the Act (19 U.S.C. 1675a(a)) including the likely volume of subject imports, likely price effects of subject imports, and likely impact of imports of *Subject Merchandise* on the *Domestic Industry*.

(5) A list of all known and currently operating U.S. producers of the *Domestic Like Product*. Identify any known related parties and the nature of the relationship as defined in section 771(4)(B) of the Act (19 U.S.C. 1677(4)(B)).

(6) A list of all known and currently operating U.S. importers of the *Subject Merchandise* and producers of the *Subject Merchandise* in the *Subject Country* that currently export or have exported *Subject Merchandise* to the United States or other countries since 1996.

(7) If you are a U.S. producer of the *Domestic Like Product*, provide the following information on your firm's operations on that product during calendar year 2001 (report quantity data in units and value data in U.S. dollars, f.o.b. plant). If you are a union/worker group or trade/business association, provide the information, on an aggregate basis, for the firms in which your workers are employed/which are members of your association.

(a) Production (quantity) and, if known, an estimate of the percentage of total U.S. production of the *Domestic Like Product* accounted for by your firm's(s') production;

(b) the quantity and value of U.S. commercial shipments of the *Domestic Like Product* produced in your U.S. plant(s); and

(c) the quantity and value of U.S. internal consumption/company transfers of the *Domestic Like Product* produced in your U.S. plant(s).

(8) If you are a U.S. importer or a trade/business association of U.S. importers of the *Subject Merchandise* from the *Subject Country*, provide the following information on your firm's(s') operations on that product during calendar year 2001 (report quantity data in units and value data in U.S. dollars). If you are a trade/business association, provide the information, on an aggregate basis, for the firms which are members of your association.

(a) The quantity and value (landed, duty-paid but not including antidumping or countervailing duties) of U.S. imports and, if known, an estimate of the percentage of total U.S. imports of *Subject Merchandise* from the *Subject Country* accounted for by your firm's(s') imports;

(b) the quantity and value (f.o.b. U.S. port, including antidumping and/or countervailing duties) of U.S. commercial shipments of *Subject Merchandise* imported from the *Subject Country*; and

(c) the quantity and value (f.o.b. U.S. port, including antidumping and/or countervailing duties) of U.S. internal consumption/company transfers of *Subject Merchandise* imported from the *Subject Country*.

(9) If you are a producer, an exporter, or a trade/business association of producers or exporters of the *Subject Merchandise* in the *Subject Country*, provide the following information on your firm's(s') operations on that product during calendar year 2001 (report quantity data in units and value data in U.S. dollars, landed and duty-paid at the U.S. port but not including antidumping or countervailing duties). If you are a trade/business association, provide the information, on an aggregate basis, for the firms which are members of your association.

(a) Production (quantity) and, if known, an estimate of the percentage of total production of *Subject Merchandise* in the *Subject Country* accounted for by your firm's(s') production; and

(b) the quantity and value of your firm's(s') exports to the United States of *Subject Merchandise* and, if known, an estimate of the percentage of total exports to the United States of *Subject Merchandise* from the *Subject Country* accounted for by your firm's(s') exports.

(10) Identify significant changes, if any, in the supply and demand conditions or business cycle for the *Domestic Like Product* that have occurred in the United States or in the market for the *Subject Merchandise* in the *Subject Country* since the *Order Date*, and significant changes, if any, that are likely to occur within a reasonably foreseeable time. Supply conditions to consider include technology; production methods; development efforts; ability to increase production (including the shift of production facilities used for other products and the use, cost, or availability of major inputs into production); and factors related to the ability to shift supply among different national markets (including barriers to importation in foreign markets or changes in market demand abroad). Demand conditions to consider include end uses and applications; the existence and availability of substitute products; and the level of competition among the *Domestic Like Product* produced in the United States, *Subject Merchandise* produced in the *Subject Country*, and such merchandise from other countries.

(11) (Optional) A statement of whether you agree with the above definitions of the *Domestic Like Product* and *Domestic Industry*; if you disagree with either or both of these definitions, please explain why and provide alternative definitions.

Authority: This review is being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.61 of the Commission's rules.

Issued: February 22, 2002.

By Order of the Commission.

Marilyn R. Abbott,

Acting Secretary.

[FR Doc. 02–4921 Filed 2–28–02; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigations Nos. 731–TA–741, 742, and 743 (Review)]

Melamine Institutional Dinnerware From China, Indonesia, and Taiwan

AGENCY: United States International Trade Commission.

ACTION: Termination of five-year reviews.

SUMMARY: The subject five-year reviews were initiated in January 2002 to determine whether revocation of the antidumping duty orders on melamine institutional dinnerware from China, Indonesia, and Taiwan would be likely to lead to continuation or recurrence of dumping and of material injury to a domestic industry. On February 19, 2002, the Department of Commerce published notice that it was revoking the orders effective February 25, 2002 because ''no domestic interested party responded to the sunset review notice of

initiation by the applicable deadline'' (67 FR 7355). Accordingly, pursuant to section 751(c) of the Tariff Act of 1930 (19 U.S.C. 1675(c)), the subject reviews are terminated.

EFFECTIVE DATE: February 25, 2002.

FOR FURTHER INFORMATION CONTACT: Lynn Featherstone (202–205–3160), Office of Investigations, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436. 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 also be obtained by accessing its internet server *(http://www.usitc.gov).* The public record for this investigation may be viewed on the Commission's electronic docket (EDIS-ON-LINE) at *http://dockets.usitc.gov/eol/public.*

Authority: These reviews are being terminated under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.69 of the Commission's rules (19 CFR 207.69).

Issued: February 25, 2002.

By Order of the Commission.

Marilyn R. Abbott,

Acting Secretary.

[FR Doc. 02–4881 Filed 2–28–02; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 731–TA–745 (Review)]

Steel Concrete Reinforcing Bar From Turkey

AGENCY: International Trade Commission.

ACTION: Institution of a five-year review concerning the antidumping duty order on steel concrete reinforcing bar (rebar) from Turkey.

SUMMARY: The Commission hereby gives notice that it has instituted a review pursuant to section 751(c) of the Tariff Act of 1930 (19 U.S.C. 1675(c)) (the Act) to determine whether revocation of the antidumping duty order on rebar from Turkey would be likely to lead to continuation or recurrence of material injury. Pursuant to section 751(c)(2) of the Act, interested parties are requested to respond to this notice by submitting the information specified below to the Commission;[1] to be assured of consideration, the deadline for responses is April 22, 2002. Comments on the adequacy of responses may be filed with the Commission by May 15, 2002. For further information concerning the conduct of this review 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, D, E, and F (19 CFR part 207).

EFFECTIVE DATE: March 1, 2002.

FOR FURTHER INFORMATION CONTACT: Mary Messer (202–205–3193), 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.* The public record for this investigation may be viewed on the Commission's electronic docket (EDIS–ON–LINE) at *http://dockets.usitc.gov/eol/public.*

SUPPLEMENTARY INFORMATION:

Background

On April 17, 1997, the Department of Commerce issued an antidumping duty order on imports of rebar from Turkey (62 FR 18748). The Commission is conducting a review to determine whether revocation of the order would be likely to lead to continuation or recurrence of material injury to the domestic industry within a reasonably foreseeable time. It will assess the adequacy of interested party responses to this notice of institution to determine whether to conduct a full review or an expedited review. The Commission's determination in any expedited review will be based on the facts available, which may include information provided in response to this notice.

[1] No response to this request for information is required if a currently valid Office of Management and Budget (OMB) number is not displayed; the OMB number is 3117–0016/USITC No. 02–5–069, expiration date July 31, 2002. Public reporting burden for the request is estimated to average 7 hours per response. Please send comments regarding the accuracy of this burden estimate to the Office of Investigations, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436.

Definitions

The following definitions apply to this review:

(1) *Subject Merchandise* is the class or kind of merchandise that is within the scope of the five-year review, as defined by the Department of Commerce.

(2) The *Subject Country* in this review is Turkey.

(3) The *Domestic Like Product* is the domestically produced product or products which are like, or in the absence of like, most similar in characteristics and uses with, the *Subject Merchandise*. In its original determination, the Commission defined the *Domestic Like Product* as all stock deformed rebar, excluding plain round rebar, and fabricated or coated rebar.

(4) The *Domestic Industry* is the U.S. producers as a whole of the *Domestic Like Product*, or those producers whose collective output of the *Domestic Like Product* constitutes a major proportion of the total domestic production of the product. In its original determination, the Commission found ''appropriate circumstances'' existed to conduct a regional industry analysis and defined the *Domestic Industry* as all producers of stock deformed rebar within the Eastern Tier region.[2]

(5) The *Order Date* is the date that the antidumping duty order under review became effective. In this review, the *Order Date* is April 17, 1997.

(6) An *Importer* is any person or firm engaged, either directly or through a parent company or subsidiary, in importing the *Subject Merchandise* into the United States from a foreign manufacturer or through its selling agent.

Participation in the Review 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 review as parties must file an entry of appearance with the Secretary to the Commission, as provided in § 201.11(b)(4) of the Commission's rules, no later than 21 days after publication of this notice in the **Federal Register**. The Secretary will maintain a public service list containing the names and addresses of all persons, or their representatives, who are parties to the review.

[2] The Eastern Tier Region is comprised of the following: Maine, New Hampshire, Connecticut, Massachusetts, Rhode Island, Vermont, New Jersey, New York, Pennsylvania, Delaware, Florida, Georgia, Louisiana, Maryland, North Carolina, South Carolina, Virginia, West Virginia, Alabama, Kentucky, Mississippi, Tennessee, the District of Columbia, and Puerto Rico.

Former Commission employees who are seeking to appear in Commission five-year reviews are reminded that they are required, pursuant to 19 CFR 201.15, to seek Commission approval if the matter in which they are seeking to appear was pending in any manner or form during their Commission employment. The Commission's designated agency ethics official has advised that a five-year review is the ''same particular matter'' as the underlying original investigation for purposes of 19 CFR 201.15 and 18 U.S.C. 207, the post employment statute for Federal employees. Former employees may seek informal advice from Commission ethics officials with respect to this and the related issue of whether the employee's participation was ''personal and substantial.'' However, any informal consultation will not relieve former employees of the obligation to seek approval to appear from the Commission under its rule 201.15. For ethics advice, contact Carol McCue Verratti, Deputy Agency Ethics Official, at 202–205–3088.

Limited Disclosure of Business Proprietary Information (BPI) Under an Administrative Protective Order (APO) and APO Service List

Pursuant to § 207.7(a) of the Commission's rules, the Secretary will make BPI submitted in this review available to authorized applicants under the APO issued in the review, provided that the application is made no later than 21 days after publication of this notice in the **Federal Register**. Authorized applicants must represent interested parties, as defined in 19 U.S.C. 1677(9), who are parties to the review. A separate service list will be maintained by the Secretary for those parties authorized to receive BPI under the APO.

Certification

Pursuant to section 207.3 of the Commission's rules, any person submitting information to the Commission in connection with this review must certify that the information is accurate and complete to the best of the submitter's knowledge. In making the certification, the submitter will be deemed to consent, unless otherwise specified, for the Commission, its employees, and contract personnel to use the information provided in any other reviews or investigations of the same or comparable products which the Commission conducts under Title VII of the Act, or in internal audits and investigations relating to the programs and operations of the Commission pursuant to 5 U.S.C. Appendix 3.

Written Submissions

Pursuant to section 207.61 of the Commission's rules, each interested party response to this notice must provide the information specified below. The deadline for filing such responses is April 22, 2002. Pursuant to section 207.62(b) of the Commission's rules, eligible parties (as specified in Commission rule 207.62(b)(1)) may also file comments concerning the adequacy of responses to the notice of institution and whether the Commission should conduct an expedited or full review. The deadline for filing such comments is May 15, 2002. All written submissions must conform with the provisions of sections 201.8 and 207.3 of the Commission's rules and any submissions that contain BPI must also conform with the requirements of sections 201.6 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. Also, in accordance with sections 201.16(c) and 207.3 of the Commission's rules, each document filed by a party to the review must be served on all other parties to the review (as identified by either the public or APO service list as appropriate), and a certificate of service must accompany the document (if you are not a party to the review you do not need to serve your response).

Inability To Provide Requested Information

Pursuant to section 207.61(c) of the Commission's rules, any interested party that cannot furnish the information requested by this notice in the requested form and manner shall notify the Commission at the earliest possible time, provide a full explanation of why it cannot provide the requested information, and indicate alternative forms in which it can provide equivalent information. If an interested party does not provide this notification (or the Commission finds the explanation provided in the notification inadequate) and fails to provide a complete response to this notice, the Commission may take an adverse inference against the party pursuant to section 776(b) of the Act in making its determination in the review.

Information To Be Provided in Response to This Notice of Institution

As used below, the term ''firm'' includes any related firms.

(1) The name and address of your firm or entity (including World Wide Web address if available) and name, telephone number, fax number, and e-mail address of the certifying official.

(2) A statement indicating whether your firm/entity is a U.S. producer of the *Domestic Like Product*, a U.S. union or worker group, a U.S. importer of the *Subject Merchandise*, a foreign producer or exporter of the *Subject Merchandise*, a U.S. or foreign trade or business association, or another interested party (including an explanation). If you are a union/worker group or trade/business association, identify the firms in which your workers are employed or which are members of your association.

(3) A statement indicating whether your firm/entity is willing to participate in this review by providing information requested by the Commission.

(4) A statement of the likely effects of the revocation of the antidumping duty order on the *Domestic Industry* in general and/or your firm/entity specifically. In your response, please discuss the various factors specified in section 752(a) of the Act (19 U.S.C. 1675a(a)) including the likely volume of subject imports, likely price effects of subject imports, and likely impact of imports of *Subject Merchandise* on the *Domestic Industry*.

(5) A list of all known and currently operating U.S. producers of the *Domestic Like Product*. Identify any known related parties and the nature of the relationship as defined in section 771(4)(B) of the Act (19 U.S.C. 1677(4)(B)).

(6) A list of all known and currently operating U.S. importers of the *Subject Merchandise* and producers of the *Subject Merchandise* in the *Subject Country* that currently export or have exported *Subject Merchandise* to the United States or other countries since 1996.

(7) If you are a U.S. producer of the *Domestic Like Product*, provide the following information on your firm's operations on that product during calendar year 2001 (report quantity data in short tons and value data in U.S. dollars, f.o.b. plant). If you are a union/worker group or trade/business association, provide the information, on an aggregate basis, for the firms in which your workers are employed/which are members of your association.

(a) Production (quantity) and, if known, an estimate of the percentage of total U.S. production and of Eastern Tier regional production of the *Domestic Like Product* accounted for by your firm's(s') production;

(b) the quantity and value of U.S. commercial shipments of the *Domestic Like Product* produced in your U.S. plant(s); and

(c) the quantity and value of U.S. internal consumption/company transfers of the *Domestic Like Product* produced in your U.S. plant(s).

(8) If you are a U.S. importer or a trade/business association of U.S. importers of the *Subject Merchandise* from the *Subject Country*, provide the following information on your firm's(s') operations on that product during calendar year 2001 (report quantity data in short tons and value data in U.S. dollars). If you are a trade/business association, provide the information, on an aggregate basis, for the firms which are members of your association.

(a) The quantity and value (landed, duty-paid but not including antidumping or countervailing duties) of U.S. imports and, if known, an estimate of the percentage of total U.S. imports and of Eastern Tier regional imports of *Subject Merchandise* from the *Subject Country* accounted for by your firm's(s') imports;

(b) the quantity and value (f.o.b. U.S. port, including antidumping and/or countervailing duties) of U.S. commercial shipments of *Subject Merchandise* imported from the *Subject Country;* and

(c) the quantity and value (f.o.b. U.S. port, including antidumping and/or countervailing duties) of U.S. internal consumption/company transfers of *Subject Merchandise* imported from the *Subject Country*.

(9) If you are a producer, an exporter, or a trade/business association of producers or exporters of the *Subject Merchandise* in the *Subject Country*, provide the following information on your firm's(s') operations on that product during calendar year 2001 (report quantity data in short tons and value data in U.S. dollars, landed and duty-paid at the U.S. port but not including antidumping or countervailing duties). If you are a trade/business association, provide the information, on an aggregate basis, for the firms which are members of your association.

(a) Production (quantity) and, if known, an estimate of the percentage of total production of *Subject Merchandise* in the *Subject Country* accounted for by your firm's(s') production; and

(b) the quantity and value of your firm's(s') exports to the United States of *Subject Merchandise* and, if known, an estimate of the percentage of total exports to the United States and to the Eastern Tier region of *Subject Merchandise* from the *Subject Country* accounted for by your firm's(s') exports.

(10) Identify significant changes, if any, in the supply and demand conditions or business cycle for the *Domestic Like Product* that have occurred in the United States or in the market for the *Subject Merchandise* in the *Subject Country* since the *Order Date,* and significant changes, if any, that are likely to occur within a reasonably foreseeable time. Supply conditions to consider include technology; production methods; development efforts; ability to increase production (including the shift of production facilities used for other products and the use, cost, or availability of major inputs into production); and factors related to the ability to shift supply among different national markets (including barriers to importation in foreign markets or changes in market demand abroad). Demand conditions to consider include end uses and applications; the existence and availability of substitute products; and the level of competition among the *Domestic Like Product* produced in the United States, *Subject Merchandise* produced in the *Subject Country*, and such merchandise from other countries.

(11) (Optional) A statement of whether you agree with the above definitions of the *Domestic Like Product* and *Domestic Industry;* if you disagree with either or both of these definitions, please explain why and provide alternative definitions.

Authority: This review is being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.61 of the Commission's rules.

Issued: February 22, 2002.

By Order of the Commission.

Marilyn R. Abbott,

Acting Secretary.

[FR Doc. 02–4922 Filed 2–28–02; 8:45 am]

BILLING CODE 7020–02–P

DEPARTMENT OF JUSTICE

Civil Division; Agency Information Collection Activities, Proposed Collection; Comments Requested

ACTION: 60-day notice of information collection under review: revision of a currently approved collection; claims under the Radiation Exposure Compensation Act.

The Department of Justice (DOJ), Civil Division has submitted the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies. Comments are encouraged and will be accepted for ''sixty days'' until April 30, 2002. This process is conducted in accordance with 5 CFR 1320.10.

If you have comments especially on the estimated public burden or response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Dianne Spellberg, Senior Counsel, Torts Branch, Civil Division, P.O. Box 146, Ben Franklin Station, Washington, DC 20044–0146.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the 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, including the validity of the methodology and the assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of the appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Overview of This Information Collection

(1) *Type of Information Collection:* Revision of a currently approved collection.

(2) *Title of the Form/Collection:* Claims Under the Radiation Exposure Compensation Act.

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection: Form Number:* N/A. Torts Branch, Civil Division, Department of Justice.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract: Primary:* Individuals who resided near the Nevada Test Site; former uranium miners and millers; individuals employed in the transport of uranium ore; and, individuals who participated onsite in an atmospheric nuclear test.

Other: None.

Abstract: This form collects information to determine whether an individual is entitled to compensation under the Radiation Exposure Compensation Act, 42 U.S.C.A. 2210 note (West Supp. 2001).

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* 3000 responses are estimated annually with an average of 2.5 hours per response.

(6) *An estimation of the total public burden (in hours) associated with the collection:* 7500 hours annually.

If additional information is required contact: Robert B. Briggs, Department Clearance Officer, Information Management and Security Staff, Justice Management Division, United States Department of Justice, Patrick Henry Building, Suite 1600, 601 D Street, NW., Washington, DC 20530.

Dated: February 25, 2002.

Robert B. Briggs,

Department Clearance Officer, Department of Justice.

[FR Doc. 02–4878 Filed 2–28–02; 8:45 am]

BILLING CODE 4410–12–M

DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

Agency Information Collection Activities; Comment Request

ACTION: 60-day Notice of information Collection under review; request for hearing on a decision in naturalization proceedings under section 336; Form N–336.

The Department of Justice, Immigration and Naturalization Service has submitted the following information collection request for review and clearance in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies. Comments are encouraged and will be accepted for sixty days until April 30, 2002.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility.

(2) Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Overview of this information collection:

(1) *Type of Information Collection:* Extension of a currently approved collection.

(2) *Title of the Form/Collection:* Request for Hearing on a Decision in Naturalization Proceedings under Section 336.

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* Form N–336. Adjudications Division, Immigration and Naturalization Service.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: Individuals or households. This form will be used by applicants for naturalization to pursue the only avenue available to them in the appeal process.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* 7,669 responses at 165 minutes (2.75) per response.

(6) *An estimate of the total public burden (in hours) associated with the collection:* 21,090 annual burden hours.

If you have additional comments, suggestions, or need a copy of the proposed information collection instrument with instructions, or additional information, please contact Richard A. Sloan 202–514–3291, Director, Policy Directives and Instructions Branch, Immigration and Naturalization Service, U.S. Department of Justice, Room 4034, 425 I Street, NW., Washington, DC 20536. Additionally, comments and/or suggestions regarding the item(s) contained in this notice, especially regarding the estimated public burden and associated response time may also be directed to Mr. Richard A. Sloan.

If additional information is required contact: Mr. Robert B. Briggs, Clearance Officer, United States Department of Justice, Information Management and Security Staff, Justice Management Division, Patrick Henry Building, 601 D Street, NW., Washington, DC 20530.

Dated: February 25, 2002.

Richard A. Sloan,

Department Clearance Officer, Department of Justice, Immigration and Naturalization Service.

[FR Doc. 02–4894 Filed 2–28–02; 8:45 am]

BILLING CODE 4410–10–M

DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

Agency Information Collection Activities: Proposed Collection; Comment Request

ACTION: 60-day notice of information collection under review; Guam Visa Waiver Agreement; Form I–760.

The Department of Justice, Immigration and Naturalization Service has submitted the following information collection request for review and clearance in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies. Comments are encouraged and will be accepted for sixty days until April 30, 2002.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Overview of this information collection:

(1) *Type of Information Collection:* Extension of a currently approved collection.

(2) *Title of the Form/Collection:* Guam Visa Waiver Agreement.

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the*

collection: Form I–760. Inspections Division, Immigration and Naturalization Service.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract: Primary:* Business or other for-profit. Public Law 99–396 provides for certain aliens to be exempt from the nonimmigrant visa requirements if seeking entry into and stay on Guam as a visitor under certain conditions. This form is the agreement between the carrier of the alien and the United States.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* 5 responses at 15 minutes per response.

(6) *An estimate of the total public burden (in hours) associated with the collection:* 1 annual burden hour.

If you have additional comments, suggestions, or need a copy of the proposed information collection instrument with instructions, or additional information, please contact Richard A. Sloan 202–514–3291, Director, Regulations and Forms Services Division, Immigration and Naturalization Service, U.S. Department of Justice, Room 4034, 425 I Street, NW., Washington, DC 20536. Additionally, comments and/or suggestions regarding the item(s) contained in this notice, especially regarding the estimated public burden and associated response time may also be directed to Mr. Richard A. Sloan.

If additional information is required contact: Mr. Robert B. Briggs, Clearance Officer, United States Department of Justice, Information Management and Security Staff, Justice Management Division, 601 D Street, NW., Patrick Henry Building, Suite 1600, Washington, DC 20530.

Dated: February 25, 2002.

Richard A. Sloan,

Department Clearance Officer, Department of Justice, Immigration and Naturalization Service.

[FR Doc. 02–4895 Filed 2–28–02; 8:45 am]

BILLING CODE 4410–10–M

DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

Agency Information Collection Activities; Extension of Existing Collection; Comment Request

ACTION: 60-Day notice of information collection under review; Visa Waiver Nonimmigrant Arrival/Departure Document; I–94W.

The Department of Justice, Immigration and Naturalization Service has submitted the following information collection request for review and clearance in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies. Comments are encouraged and will be accepted for sixty days until April 30, 2002.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Overview of this information collection:

(1) *Type of Information Collection:* Extension of a currently approved collection.

(2) *Title of the Form/Collection:* Visa Waiver Nonimmigrant Arrival/Departure Document.

(3) *Agency form number, if any, and the applicable component of the Department of Justice Sponsoring the collection:* Form I–94W. Inspections Division, Immigration and Naturalization Service.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract: Primary:* Individuals and households. This form is used by nonimmigrant aliens applying for admission to the United States under the Visa Waiver Program (Section 217 of the Immigration and Nationality Act).

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* 4,000,000 responses at 6 minutes (.105) per response.

(6) *An estimate of the total public burden (in hours) associated with the collection:* 420,000 annual burden hours.

If you have additional comments, suggestions, or need a copy of the proposed information collection instrument with instructions, or additional information, please contact Richard A. Sloan 202–514–3291, Director, Policy Directives and Instructions Branch, Immigration and Naturalization Service, U.S. Department of Justice, Room 4034, 425 I Street, NW., Washington, DC 20536. Additionally, comments and/or suggestions regarding the items(s) contained in this notice, especially regarding the estimated public burden and associated response time may also be directed to Mr. Richard A. Sloan.

If additional information is required contact: Mr. Robert B. Briggs, Clearance Officer, United States Department of Justice, Information Management and Security Staff, Justice Management Division, Patrick Henry Building, 601 D Street, NW., Suite 1600, Washington, DC 20530.

Dated: February 25, 2002.

Richard A. Sloan,

Department Clearance Officer, Department of Justice, Immigration and Naturalization Service.

[FR Doc. 02–4896 Filed 2–28–02; 8:45 am]

BILLING CODE 4410–10–M

DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

Agency Information Collection Activities; Extension of Existing Collection; Comment Request

ACTION: 60-day notice of information collection under review; waiver of Rights, privileges, exemptions and immunities; Form I–508.

The Department of Justice, Immigration and Naturalization Service has submitted the following information collection request for review and clearance in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies. Comments are encouraged and will be accepted for sixty days until April 30, 2002.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including

whether the information will have practical utility.

(2) Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Overview of this information collection:

(1) *Type of Information Collection:* Extension of a currently approved collection.

(2) *Title of the Form/Collection:* Waiver of Rights, Privileges, Exemptions and Immunities.

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* Form I–508. Immigration Services Division, Immigration and Naturalization Service.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract: Primary:* Individuals and households. This form is used by the Service to determine eligibility of an applicant to retain the status of alien lawfully admitted to the United States for permanent residence.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* 1,800 responses at 5 minutes (.083) per response.

(6) *An estimate of the total public burden (in hours) associated with the collection:* 150 annual burden hours.

If you have additional comments, suggestions, or need a copy of the proposed information collection instrument with instructions, or additional information, please contact Richard A. Sloan 202–514–3291, Director, Policy Directives and Instructions Branch, Immigration and Naturalization Service, U.S. Department of Justice, Room 4034, 425 I Street, NW., Washington, DC 20536. Additionally, comments and/or suggestions regarding the item(s) contained in this notice, especially regarding the estimated public burden and associated response time may also be directed to Mr. Richard A. Sloan.

If additional information is required contact: Mr. Robert B. Briggs, Clearance Officer, United States Department of Justice, Information Management and Security Staff, Justice Management Division, Patrick Henry Building, 601 D Street, NW., Suite 1600, Washington, DC 20530.

Dated: February 25, 2002.

Richard A. Sloan,

Department Clearance Officer, Department of Justice, Immigration and Naturalization Service.

[FR Doc. 02–4897 Filed 2–28–02; 8:45 am]

BILLING CODE 4410–10–M

DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

Agency Information Collection Activities; Extension of Existing Collection; Comment Request

ACTION: 60-Day notice of information collection under review; application by refugee for waiver of grounds of excludability; Form I–602.

The Department of Justice, Immigration and Naturalization Service has submitted the following information collection request for review and clearance in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies. Comments are encouraged and will be accepted for sixty days until April 30, 2002.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility.

(2) Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Overview of this information collection:

(1) *Type of Information Collection:* Extension of a currently approved collection.

(2) *Title of the Form/Collection:* Application by Refugee for Waiver of Grounds of Excludability.

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* Form I–602. Office of International Affairs, Immigration and Naturalization Service.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: Individuals and households. This form is used by the Service to determine eligibility for a waiver.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* 2,500 responses at 15 minutes (.25) per response.

(6) *An estimate of the total public burden (in hours) associated with the collection:* 625 annual burden hours.

If you have additional comments, suggestions, or need a copy of the proposed information collection instrument with instructions, or additional information, please contact Richard A. Sloan 202–514–3291, Director, Policy Directives and Instructions Branch, Immigration and Naturalization Service, U.S. Department of Justice, Room 4034, 425 I Street, NW., Washington, DC 20536. Additionally, comments and/or suggestions regarding the item(s) contained in this notice, especially regarding the estimated public burden and associated response time may also be directed to Mr. Richard A. Sloan.

If additional information is required contact: Mr. Robert B. Briggs, Clearance Officer, United States Department of Justice, Information Management and Security Staff, Justice Management Division, Patrick Henry Building, 601 D Street, NW., Washington, DC 20530.

Dated: February 25, 2002.

Richard A. Sloan,

Department Clearance Officer, Department of Justice, Immigration and Naturalization Service.

[FR Doc. 02–4898 Filed 2–28–02; 8:45 am]

BILLING CODE 4410–10–M

DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

Agency Information Collection Activities; Extension of Existing Collection; Comment Request

ACTION: 60-Day notice of information collection under review; application for

waiver of the foreign residence requirement of section 212(e) of the Immigration and Nationality Act; Form I–612.

The Department of Justice, Immigration and Naturalization Service has submitted the following information collection request for review and clearance in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies. Comments are encouraged and will be accepted for sixty days until April 30, 2002.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility.

(2) Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Overview of this information collection:

(1) *Type of Information Collection:* Extension of a currently approved collection.

(2) *Title of the Form/Collection:* Application for Waiver of the Foreign Residence Requirement of Section 212(e) of the Immigration and Nationality Act.

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* Form I–612. Adjudications Division, Immigration and Naturalization Service.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: Individuals and households. This form is used by the Service to determine eligibility for a waiver.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* 1,300 responses at 20 minutes (.333) per response.

(6) *An estimate of the total public burden (in hours) associated with the collection:* 432 annual burden hours.

If you have additional comments, suggestions, or need a copy of the proposed information collection instrument with instructions, or additional information, please contact Richard A. Sloan 202–514–3291, Director, Policy Directives and Instructions Branch, Immigration and Naturalization Service, U.S. Department of Justice, Room 4034, 425 I Street, NW., Washington, DC 20536. Additionally, comments and/or suggestions regarding the item(s) contained in this notice, especially regarding the estimated public burden and associated response time may also be directed to Mr. Richard A. Sloan.

If additional information is required contact: Mr. Robert B. Briggs, Clearance Officer, United States Department of Justice, Information Management and Security Staff, Justice Management Division, Patrick Henry Building, 601 D Street, NW., Washington, DC 20530.

Dated: February 25, 2002.

Richard A. Sloan,

Department Clearance Officer, Department of Justice, Immigration and Naturalization Service.

[FR Doc. 02–4899 Filed 2–28–02; 8:45 am]

BILLING CODE 4410–10–M

DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

Agency Information Collection Activities; Comment Request

AGENCY: 60-Day notice of information collection under review; Baggage and personal effects of detained aliens; Form I–43

The Department of Justice, Immigration and Naturalization Service has submitted the following information collection request for review and clearance in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies. Commenters are encouraged and will be accepted for sixty days until April 30, 2002.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Overview of this information collection:

(1) *Type of Information Collection:* Extension of currently approved collection.

(2) *Title of the Form/collection:* Baggage and Personal Effects of Detained Aliens.

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* Form I–43. Detention and Deportation Division, Immigration and Naturalization Service.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: Individuals and Households. The form is used by the arresting officer to ensure that the alien is afforded a reasonable opportunity to collect his or her property. The INS also uses this form to protect the government from possible fraudulent claims.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* 600,000 responses at 1 minute (.017) per response..

(6) *An estimate of the total public burden (in hours) associated with the collection:* 10,200 annual burden hours.

If you have additional comments, suggestions, or need a copy of the proposed information collection instrument with instructions, or additional information, please contact Richard A. Sloan 202–514–3291, Director, Policy Directives and Instructions Branch, Immigration and Naturalization Service, U.S. Department of Justice, Room 4034, 425 I Street, NW., Washington, DC 20536. Additionally, comments and/or suggestions regarding the item(s) contained in this notice, especially regarding the estimated public burden and associated response time may also be directed to Mr. Richard A. Sloan.

If additional information is required contact: Mr. Robert B. Briggs, Clearance Officer, United States Department of Justice, Information Management and Security Staff, Justice Management Division, Patrick Henry Building, 601 D Street, NW., Suite 1600, Washington, DC 20530.

Dated: February 25, 2002.

Richard A. Sloan,

Department Clearance Officer, Department of Justice, Immigration and Naturalization Service.

[FR Doc. 02–4900 Filed 2–28–02; 8:45 am]

BILLING CODE 4410–10–M

DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

Agency Information Collection Activities: Extension of Existing Collection; Comment Request

ACTION: 60-Day notice of information collection under review; petition to classify orphan as an immediate relative and application for advance processing of orphan petition; Form I–600.

The Department of Justice, Immigration and Naturalization Service has submitted the following information collection request for review and clearance in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies. Comments are encouraged and will be accepted for sixty days until April 30, 2002.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Overview of this information collection:

(1) *Type of Information Collection:* Extension of a currently approved collection.

(2) *Title of the Form/Collection:* Petition to Classify Orphan as an Immediate Relative and Application for Advance Processing of Orphan Petition.

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* Form I–600 and I–600A. Immigration Services Division, Immigration and Naturalization Service.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: Individuals and households. This form is used by the Service to determine immigrant eligibility and advance processing of orphans.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* 34,000 responses at 30 minutes (.50) per response

(6) *An estimate of the total public burden (in hours) associated with collection:* 17,000 annual burden hours.

If you have additional comments, suggestions, or need a copy of the proposed information collection instrument with instructions, or additional information, please contact Richard A. Sloan 202–514–3291, Director, Policy directives and Instructions Branch, Immigration and Naturalization Service, U.S. Department of Justice, Room 4034, 425 I Street, NW., Washington, DC 20536. Additionally, comments and/or suggestions regarding the items(s) contained in this notice, especially regarding the estimated public burden and associated response time may also be directed to Mr. Richard A. Sloan.

If additional information is required contact: Mr. Robert B. Briggs, Clearance Officer, United States Department of Justice, Information Management and Security Staff, Justice Management Division, Patrick Henry Building, 601 D Street, NW., Suite 1600, Washington, DC 20530.

Dated: February 25, 2002.

Richard A. Sloan,

Department Clearance Officer, Department of Justice, Immigration and Naturalization Service.

[FR Doc. 02–4901 Filed 2–28–02; 8:45 am]

BILLING CODE 4410–10–M

DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

Agency Information Collection Activities: Extension of Existing Collection; Comment Request

ACTION: 60-day notice of information collection under review; notice of appeal; Form I–694.

The Department of Justice, Immigration and Naturalization Service has submitted the following information collection request for review and clearance in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies. Comments are encouraged and will be accepted for sixty days until April 30, 2002.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Overview of this information collection:

(1) *Type of Information Collection:* Extension of a currently approved collection.

(2) *Title of the Form/Collection:* Notice of Appeal.

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* Form I–694. Adjudications Division, Immigration and Naturalization Service.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: Individuals or households. This information collection will be used by the Service in

considering appeals of denials of temporary and permanent residence status by legalization applicants and special agricultural workers, under sections 210 and 245A of the Immigration and Nationality Act.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* 1,192 respondents at 30 Minutes (.5) hours per response.

(6) *An estimate of the total public burden (in hours) associated with the collection:* 596 annual burden hours.

If you have additional comments, suggestions, or need a copy of the proposed information collection instrument with instructions, or additional information, please contact Richard A Sloan 202–514–3291, Director, Policy Directives and Instructions Branch, Immigration and Naturalization Service, U.S. Department of Justice, Room 4034, 425 I Street, NW., Washington, DC 20536. Additionally, comments and/or suggestions regarding the item(s) contained in this notice, especially regarding the estimated public burden and associated response time may also be directed to Mr. Richard A. Sloan.

If additional information is required contact: Mr. Robert B. Briggs, Clearance Officer, United States Department of Justice, Information Management and Security Staff, Justice Management Division, Patrick Henry Building, 601 D Street, NW., Suite 1600, Washington, DC 20530.

Dated: February 25, 2002.

Richard A. Sloan,

Director, Department Clearance Officer, Department of Justice, Immigration and Naturalization Service.

[FR Doc. 02–4902 Filed 2–28–02; 8:45 am]

BILLING CODE 4410–10–M

DEPARTMENT OF LABOR

Employment Standards Administration

Wage and Hour Division; Minimum Wages for Federal and Federally Assisted Construction; General Wage Determination Decisions

General wage determination decisions of the Secretary of Labor are issued in accordance with applicable law and are based on the information obtained by the department of Labor from its study of local wage conditions and data made available from other sources. They specify the basic hourly wage rates and fringe benefits which are determined to be prevailing for the described classes of laborers and mechanics employed on construction projects of a similar character and in the localities specified therein.

The determinations in these decisions of prevailing rates and fringe benefits have been made in accordance with 29 CFR part 1, by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 27a) and of other Federal statutes referred to in 29 CFR part 1, Appendix, as well as such additional statutes as may from time to time be enacted containing provisions for the payment of wages determined to be prevailing by the Secretary of Labor in accordance with the Davis-Bacon Act. The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public comment procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in the effective date as prescribed in that section, because the necessity to issue current construction industry wage determinations frequently and in large volume causes procedures to be impractical and contrary to the public interest.

General wage determination decisions, and modifications and supersedeas decisions thereto, contain no expiration dates and are effective from their date of notice in the **Federal Register**, or on the date written notice is received by the agency, whichever is earlier. These decisions are to be used in accordance with the provisions of 29 CFR parts 1 and 5. Accordingly, the applicable decision, together with any modifications issued, must be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR part 5. The wage rates and fringe benefits, notice of which is published herein, and which are contained in the Government Printing Office (GPO) document entitled ''General Wage Determinations Issued Under The Davis-Bacon And Related Acts,'' shall be the minimum paid by contractors and subcontractors to laborers and mechanics.

Any person, organization, or government agency having an interest in the rates determined as prevailing is encouraged to submit wage rate and fringe benefit information for consideration by the Department. Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Wage and Hour Division, Division of Wage Determinations, 200 Constitution Avenue, NW., Room S–3014, Washington, DC 20210.

Supersedeas Decisions to General Wage Determination Decisions

The number of decisions being superseded and their date of notice in **Federal Register** are listed with each State. Supersedeas decision numbers are in parentheses following the number of decisions being superseded.

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- CT01–01 (Mar. 2, 2001) (CT02–01)
- CT01–02 (Mar. 2, 2001) (CT02–02)
- CT01–03 (Mar. 2, 2001) (CT02–03)
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Maine
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New Jersey
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Volume VI

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General Wage Determination Publication

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Signed at Washington, DC, this 19th day of February 2002.

Carl J. Poleskey,

Chief, Branch of Construction Wage Determinations.

[FR Doc. 02–4372 Filed 2–28–02; 8:45 am]

BILLING CODE 4510–27–M

DEPARTMENT OF LABOR

Pension and Welfare Benefits Administration

[Prohibited Transaction Exemption 2002–13 Application Number: D–10616]

Amendment to Prohibited Transaction Exemption (PTE) 79–15 (44 FR 26979, May 8, 1979); PTE 80–26 (45 FR 28545, April 29, 1980); PTE 80–83 (45 FR 73189, November 4, 1980); PTE 81–6 (45 FR 7527, January 23, 1981 (as Amended at 52 FR 18754, May 19, 1987)); PTE 81–8 (46 FR 7511, January 23, 1981 (as Amended by 50 FR 14043, April 9, 1985)); PTE 82–63 (47 FR 14804, April 6, 1982); PTE 83–1 (48 FR 895, January 7, 1983); PTE 84–14 (49 FR 9494, March 13, 1984) PTE 88–59 (53 FR 24811, June 30, 1988); PTE 91–38 (56 FR 31966, July 12, 1991); PTE 95–60 (60 FR 35925, July 12, 1995); PTE 96–62 (61 FR 39988, July 31, 1996)

AGENCY: Pension and Welfare Benefits Administration, Department of Labor.

ACTION: Adoption of amendment to certain class exemptions.

SUMMARY: This document amends certain class exemptions to define the term ''employee benefit plan,'' as such term is used therein, to include plans described in section 4975(e)(1) of the Internal Revenue Code of 1986 (the Code). The amendment affects individuals with beneficial interests in such plans, as well as the financial institutions that provide services and products to the plans.

EFFECTIVE DATES: The amendment is effective as of: May 1, 1979 with respect to PTE 79–15; January 1, 1975 with respect to PTE 80–26; December 1, 1980 with respect to Section I(B) of PTE 80–83 (the amendment is effective January 1, 1975 with respect to the remainder of PTE 80–83); January 23, 1981 with respect to PTE 81–6; January 1, 1975 with respect to PTE 81–8; April 6, 1982 with respect to PTE 82–63; January 1, 1975 with respect to PTE 83–1; December 21, 1982 with respect to PTE 84–14; January 1, 1975 with respect to PTE 88–59; July 1, 1990 with respect to PTE 91–38; January 1, 1975 with respect to PTE 95–60; and July 31, 1996 with respect to PTE 96–62.

FOR FURTHER INFORMATION CONTACT: Christopher J. Motta, Office of Exemption Determinations, Pension and Welfare Benefits Administration, U.S. Department of Labor, (202) 693–8544, (this is not a toll-free number); or Paul Mannina, Plan Benefits Security Division, Office of the Solicitor, U.S. Department of Labor (202) 693–5600. (This is not a toll-free number).

SUPPLEMENTARY INFORMATION: On October 29, 2001, notice was published in the **Federal Register** (66 FR 54541) of the pendency before the Department of Labor (the Department) of a proposed amendment to PTE 79–15; PTE 80–26; PTE 80–83; PTE 81–6; PTE 81–8; PTE 82–63; PTE 83–1; PTE 84–14; PTE 88–59; PTE 91–38; PTE 95–60; and PTE 96–62. These class exemptions provide relief from certain of the restrictions described in section 406 of the Employee Retirement Income Security Act of 1974 (ERISA), and the taxes imposed by sections 4975(a) and (b) of the Code, by reason of a parallel provision described in section 4975(c)(1)(A) through (F) of the Code, provided that the conditions of the relevant exemption have been met. The amendment to the above-described exemptions adopted by this notice was proposed by the Department on its own motion, pursuant to section 408(a) of ERISA and section 4975(c)(2) of the Code and in accordance with the procedures set forth in 29 CFR part 2570, subpart B (55 FR 32836, August 10, 1990).

The notice gave interested persons an opportunity to submit written comments or requests for a public hearing on the proposed amendment to the Department. No public comments or requests for a hearing were received.

As noted in the proposed amendment, after consultation with the Internal Revenue Service (the Service), the Department determined that plans described in 4975(e)(1) of the Code are included within the scope of relief provided by certain class exemptions issued jointly by the Department and the Service. These exemptions are as follows:

PTE 75–1, 40 FR 50845 (1975);
PTE 77–4, 42 FR 18732 (1977);
PTE 77–7, 42 FR 31575 (1977), amended and redesignated as PTE 92–5 by 57 FR 5019 (1992);
PTE 77–8, 42 FR 31574 (1977), amended and redesignated as PTE 92–6, 57 FR 5189 (1992);
PTE 77–9, 42 FR 32395 (1977), amended and redesignated as PTE 84–24, 49 FR 13208 (1984); and
PTE 78–19, 43 FR 59915 (1978), amended and redesignated as PTE 90–1, 55 FR 2891 (1990).

The class exemptions amended by this notice were issued pursuant to the sole authority of the Department. These exemptions did not always expressly define the terms ''employee benefit plan'' and ''plan'' as used therein.[1] The amendment adopted by this notice expressly defines the terms ''employee benefit plan'' and ''plan'', as such terms are found in such exemptions, to include an employee benefit plan described in ERISA section 3(3)[2] and/or a plan described in section 4975(e)(1) of the Code.[3]

General Information

The attention of interested persons is directed to the following:

(1) The fact that a transaction is the subject of an exemption under section 408(a) of ERISA and section 4975(c)(2) of the Code does not relieve a fiduciary or other party in interest or disqualified person from certain other provisions of ERISA and the Code, including any prohibited transaction provisions to which the exemption does not apply and the general fiduciary responsibility provisions of section 404 of the Act which require, among other things, that a fiduciary discharge his duties with respect to the plan solely in the interests of the participants and beneficiaries of the plan and in a prudent fashion in accordance with section 404(a)(1)(B) of ERISA; nor does it affect the requirement of section 401(a) of the Code that the plan must operate for the exclusive benefit of the employees of the employer maintaining the plan and their beneficiaries,

(2) In accordance with section 408(a) of ERISA and 4975(c)(2) of the Code, the Department makes the following determinations:

(i) The amendment set forth herein is administratively feasible;

(ii) The amendment set forth herein is in the interests of plans and of their participants and beneficiaries; and

(iii) The amendment set forth herein is protective of the rights of participants and beneficiaries of plans,

(3) Each exemption amended herein is applicable to a particular transaction only if the transaction satisfies the conditions specified in such exemption, and

(4) The amendment is supplemental to, and not in derogation of, any other provisions of ERISA and the Code, including statutory or administrative exemptions and transitional rules. Furthermore, the fact that a transaction is subject to an administrative or statutory exemption is not dispositive of whether the transaction is in fact a prohibited transaction.

Paperwork Reduction Act

This proposed amendment to the class exemptions specifically enumerated does not contain a collection of information as that term is defined in 44 U.S.C. 3502(3), nor does it substantially or materially modify the terms of any collection of information included in the class exemptions that would be amended as to the definition of ''employee benefit plan'' and ''plan'' (specifically, PTE 80–83, PTE 81–6, PTE 81–8, PTE 82–63, PTE 88–59, PTE 91–38, and PTE 96–62). The amendment would clarify definitions already relied upon in the analyses of these information collections conducted in pursuant to the Paperwork Reduction Act of 1995.

Amendment

Under section 408(a) of ERISA and section 4975(c)(2) of the Code and in accordance with the procedures set forth in 29 CFR part 2570, subpart B (55 FR 32836, August 10, 1990), the Department amends the following class exemptions as set forth below:

1. PTE 79–15 is amended by adding the following paragraph at the end of the exemption to read as follows: For purposes of this exemption, the terms ''employee benefit plan'' and ''plan'' refer to an employee benefit plan described in ERISA section 3(3) and/or a plan described in section 4975(e)(1) of the Code.

2. PTE 80–26 is amended by adding the following paragraph at the end of the exemption to read as follows: For purposes of this exemption, the terms ''employee benefit plan'' and ''plan'' refer to an employee benefit plan described in ERISA section 3(3) and/or a plan described in section 4975(e)(1) of the Code.

3. PTE 80–83 is amended by adding the following paragraph 4. to Section II. b. to read as follows: 4. For purposes of this exemption, the terms ''employee benefit plan'' and ''plan'' refer to an employee benefit plan described in section 3(3) of ERISA and/or a plan described in section 4975(e)(1) of the Code.

[1] Section 102 of the Reorganization Plan No. 4 of 1978 (5 U.S.C. App. 1 [1996]) generally transferred the authority of the Secretary of the Treasury to issue administrative exemptions under section 4975 of the Code to the Secretary of Labor.

[2] Section 3(3) of ERISA provides that the term ''employee benefit plan'' or ''plan'' means an employee welfare benefit plan or an employee pension benefit plan or a plan which is both an employee welfare benefit plan and an employee pension benefit plan.

[3] Section 4975(e)(1) of the Code provides that, for purposes of that Code section, the term ''plan'' means: (A) A trust described in Code section 401(a) which forms a part of a plan, or a plan described in Code section 403(a), which trust or plan is exempt from tax under section 501(a); (B) an individual retirement account described in Code section 408(a); (C) an individual retirement annuity described in section Code 408(b); (D) an Archer MSA described in Code section 220(d); (E) an education individual retirement account described in Code section 530, or (f) a trust, plan, account, or annuity which, at any time, has been determined by the Secretary to be described in any preceding subparagraph of this paragraph.

4. PTE 81–6 is amended by adding the following paragraph at the end of the exemption to read as follows: For purposes of this exemption, the terms ''employee benefit plan'' and ''plan'' refer to an employee benefit plan described in ERISA section 3(3) and/or a plan described in section 4975(e)(1) of the Code.

5. PTE 81–8 is amended by adding the following paragraph at the end of the exemption to read as follows: For purposes of this exemption, the terms ''employee benefit plan'' and ''plan'' refer to an employee benefit plan described in ERISA section 3(3) and/or a plan described in section 4975(e)(1) of the Code.

6. PTE 82–63 is amended by adding the following paragraph (4) to section II. Definitions to read as follows: (4) For purposes of this exemption, the terms ''employee benefit plan'' and ''plan'' refer to an employee benefit plan described in ERISA section 3(3) and/or a plan described in section 4975(e)(1) of the Code.

7. PTE 83–1 is amended by adding the following paragraph I. to Section III. Definitions to read as follows: I. For purposes of this exemption, the terms ''employee benefit plan'' and ''plan'' refer to an employee benefit plan described in ERISA section 3(3) and/or a plan described in section 4975(e)(1) of the Code.

8. PTE 84–14 is amended by adding the following paragraph (n) to Part V. Definitions and General Rules to read as follows: (n) The terms ''employee benefit plan'' and ''plan'' refer to an employee benefit plan described in section 3(3) of ERISA and/or a plan described in section 4975(e)(1) of the Code.

9. PTE 88–59 is amended by adding the following paragraph (F) to Section III. Definitions to read as follows: (F) The terms ''employee benefit plan'' and ''plan'' refer to an employee benefit plan described in section 3(3) of ERISA and/or a plan described in section 4975(e)(1) of the Code.

10. PTE 91–38 is amended by adding the following paragraph (k) to Section IV. Definitions and General Rules to read as follows: The terms ''employee benefit plan'' and ''plan'' refer to an employee benefit plan described in section 3(3) of ERISA and/or a plan described in section 4975(e)(1) of the Code.

11. PTE 95–60 is amended by adding the following paragraph (j) to Section V. Definitions to read as follows: (j) The terms ''employee benefit plan'' and ''plan'' refer to an employee benefit plan described in section 3(3) of ERISA and/or a plan described in section 4975(e)(1) of the Code.

12. PTE 96–62 is amended by adding paragraph (g) to Section IV. Definitions to read as follows: (g) For purposes of this exemption, the terms ''employee benefit plan'' and ''plan'' refer to an employee benefit plan described in section 3(3) of ERISA and/or a plan described in section 4975(e)(1) of the Code.

Signed at Washington, DC, this 25th day of February, 2002.

Ivan L. Strasfeld,

Director, Office of Exemption Determinations, Pension and Welfare Benefits Administration, Department of Labor.

[FR Doc. 02–4872 Filed 2–28–02; 8:45 am]

BILLING CODE 4510–29–P

DEPARTMENT OF LABOR

Pension and Welfare Benefits Administration

[Prohibited Transaction Exemption 2002–14 Application Number D–11034]

Amendment to Prohibited Transaction Exemption 80–26 (PTE 80–26) for Certain Interest Free Loans to Employee Benefit Plans

AGENCY: Pension and Welfare Benefits Administration, Department of Labor.

ACTION: Adoption of amendment to PTE 80–26.

SUMMARY: This document amends PTE 80–26, a class exemption that permits parties in interest with respect to employee benefit plans to make interest free loans to such plans, provided the conditions of the exemption are met. The amendment affects all employee benefit plans, the participants and beneficiaries of such plans, and parties in interest with respect to those plans engaging in the described transactions.

DATES: The amendment is effective from September 11, 2001 until January 9, 2002.

FOR FURTHER INFORMATION CONTACT: Christopher Motta, Office of Exemption Determinations, Pension and Welfare Benefits Administration, U.S. Department of Labor, (202) 693–8544. (This is not a toll-free number); or Charles Jackson, Plan Benefits Security Division, Office of the Solicitor, U.S. Department of Labor, (202) 693–5600. (This is not a toll-free number).

SUPPLEMENTARY INFORMATION: On September 28, 2001, notice was published in the **Federal Register** (66 FR 49703) of the pendency before the Department of a proposed amendment to PTE 80–26 (45 FR 28545, April 29, 1980, as amended at 65 FR 17540, April 3, 2000).[1] PTE 80–26 provides an exemption from the restrictions of section 406(a)(1)(B) and (D) and section 406(b)(2) of the Employee Retirement Income Security Act of 1974 (ERISA or the Act) and from the taxes imposed by section 4975(a) and (b) of the Internal Revenue Code of 1986 (the Code), by reason of section 4975(c)(1)(B) and (D) of the Code.

The amendment to PTE 80–26 adopted by this notice was proposed by the Department on its own motion pursuant to section 408(a) of ERISA and section 4975(c)(2) of the Code, and in accordance with the procedures set forth in 29 CFR part 2570, subpart B (55 FR 32836, 32847, August 10, 1990).[2]

The notice of pendency gave interested persons an opportunity to comment or to request a hearing on the proposed amendment. No public comments or requests for a hearing were received.

For the sake of convenience, the entire text of PTE 80–26, as amended, has been reprinted with this notice.

Description of the Exemption

Section I of PTE 80–26 permits the lending of money or other extension of credit from a party in interest or disqualified person to an employee benefit plan, and the repayment of such loan or other extension of credit in accordance with its terms or other written modifications thereof, if:

(a) No interest or other fee is charged to the plan, and no discount for payment in cash is relinquished by the plan, in connection with the loan or extension of credit;

(b) The proceeds of the loan or extension of credit are used only—

(1) For the payment of ordinary operating expenses of the plan, including the payment of benefits in accordance with the terms of the plan and periodic premiums under an insurance or annuity contract, or

(2) For a period of no more than three days, for a purpose incidental to the ordinary operation of the plan;

(c) The loan or extension of credit is unsecured; and

(d) The loan or extension of credit is not directly or indirectly made by an employee benefit plan.

On April 3, 2000, PTE 80–26 was amended through the addition of

[1] A minor correction was made to the title of the final exemption in a notice published in the **Federal Register** on May 23, 1980. (45 FR 35040).

[2] Section 102 of the Reorganization Plan No. 4 of 1978 (5 U.S.C. App. 1 [1996]) generally transferred the authority of the Secretary of the Treasury to issue administrative exemptions under section 4975 of the Code to the Secretary of Labor.

sections II and III to that exemption (65 FR 17540). Section II of PTE 80–26 allowed, from November 1, 1999 through December 31, 2000, the lending of money or other extension of credit from a party in interest or disqualified person to an employee benefit plan, and the repayment of such loan or other extension of credit in accordance with its terms or written modifications thereof; provided that, among other requirements, the proceeds of the loan or extension of credit are used only for a purpose incidental to the ordinary operation of the plan which arises in connection with the inability of the plan to liquidate, or otherwise access its assets or access data, as a result of a ''Y2K problem''. Section III of PTE 80–26, as amended, provides a definition of the term ''Y2K problem''.

The amendment to PTE 80–26 granted pursuant to this notice temporarily broadens the availability of PTE 80–26 to include certain interest-free loans to be used for a purpose incidental to the ordinary operations of a plan which arises in connection with difficulties encountered by the plan in liquidating, or otherwise accessing its assets, or accessing its data in a timely manner as a direct or indirect result of the September 11, 2001 disruption to the financial markets. The amendment to PTE 80–26 permits these loans to the extent such loans are repaid no later than January 9, 2002.

General Information

The attention of interested persons is directed to the following:

(1) The fact that a transaction is the subject of an exemption under section 408(a) of ERISA and section 4975(c)(2) of the Code does not relieve a fiduciary, or other party in interest or disqualified person with respect to a plan, from certain other provisions of ERISA and the Code, including any prohibited transaction provisions to which the exemption does not apply and the general fiduciary responsibility provisions of section 404 of ERISA which require, among other things, that a fiduciary discharge his or her duties respecting the plan solely in the interests of the participants and beneficiaries of the plan; nor does it affect the requirement of section 401(a) of the Code that the plan must operate for the exclusive benefit of the employees of the employer maintaining the plan and their beneficiaries;

(2) This exemption does not extend to transactions prohibited under section 406(b)(1) and (3) of the Act or section 4975(c)(1)(E) or (F) of the Code;

(3) In accordance with section 408(a) of ERISA and 4975(c)(2) of the Code, the Department makes the following determinations:

(i) The amendment set forth herein is administratively feasible;

(ii) The amendment set forth herein is in the interests of plans and of their participants and beneficiaries; and

(iii) The amendment set forth herein is protective of the rights of participants and beneficiaries of plans;

(4) The amendment is applicable to a particular transaction only if the transaction satisfies the conditions specified in the exemption; and

(5) The amendment is supplemental to, and not in derogation of, any other provisions of ERISA and the Code, including statutory or administrative exemptions and transitional rules. Furthermore, the fact that a transaction is subject to an administrative or statutory exemption is not dispositive of whether the transaction is in fact a prohibited transaction.

Exemption

Accordingly, PTE 80–26 is amended under the authority of section 408(a) of the Act and section 4975(c)(2) of the Code and in accordance with the procedures set forth in 29 CFR part 2570, subpart B (55 FR 32836, 32847, August 10, 1990), as set forth below:

Section I. General Exemption

Effective January 1, 1975, the restrictions of section 406(a)(1)(B) and (D) and section 406(b)(2) of the Act, and the taxes imposed by section 4975(a) and (b) of the Code, by reason of section 4975(c)(1)(B) and (D) of the Code, shall not apply to the lending of money or other extension of credit from a party in interest or disqualified person to an employee benefit plan, nor to the repayment of such loan or other extension of credit in accordance with its terms or written modifications thereof, if:

(a) No interest or other fee is charged to the plan, and no discount for payment in cash is relinquished by the plan, in connection with the loan or extension of credit;

(b) The proceeds of the loan or extension of credit are used only—

(1) For the payment of ordinary operating expenses of the plan, including the payment of benefits in accordance with the terms of the plan and periodic premiums under an insurance or annuity contract, or

(2) For a period of no more than three business days, for a purpose incidental to the ordinary operation of the plan;

(c) The loan or extension of credit is unsecured; and

(d) The loan or extension of credit is not directly or indirectly made by an employee benefit plan.

Section II: Temporary Exemption

Effective November 1, 1999 through December 31, 2000, the restrictions of section 406(a)(1)(B) and (D) and section 406(b)(2) of the Act, and the taxes imposed by section 4975(a) and (b) of the Code, by reason of section 4975(c)(1)(B) and (D) of the Code, shall not apply to the lending of money or other extension of credit from a party in interest or disqualified person to an employee benefit plan, nor to the repayment of such loan or other extension of credit in accordance with its terms or written modifications thereof, if:

(a) No interest or other fee is charged to the plan, and no discount for payment in cash is relinquished by the plan, in connection with the loan or extension of credit;

(b) The proceeds of the loan or extension of credit are used only for a purpose incidental to the ordinary operation of the plan which arises in connection with the plan's inability to liquidate, or otherwise access its assets or access data as a result of a Y2K problem.

(c) The loan or extension of credit is unsecured;

(d) The loan or extension of credit is not directly or indirectly made by an employee benefit plan; and

(e) The loan or extension of credit begins on or after November 1, 1999 and is repaid or terminated no later than December 31, 2000.

Section III. September 11, 2001 Market Disruption Exemption

Effective September 11, 2001 through January 9, 2002, the restrictions of section 406(a)(1)(B) and (D) and section 406(b)(2) of the Act, and the taxes imposed by section 4975(a) and (b) of the Code, by reason of section 4975(c)(1)(B) and (D) of the Code, shall not apply to the lending of money or other extension of credit from a party in interest or disqualified person to an employee benefit plan, nor to the repayment of such loan or other extension of credit in accordance with its terms or written modifications thereof, if:

(a) No interest or other fee is charged to the plan, and no discount for payment in cash is relinquished by the plan, in connection with the loan or extension of credit;

(b) The proceeds of the loan or extension of credit are used only for a purpose incidental to the ordinary operation of the plan which arises in connection with difficulties encountered by the plan in liquidating, or otherwise accessing its assets, or

accessing its data in a timely manner as a direct or indirect result of the September 11, 2001 disruption;

(c) The loan or extension of credit is unsecured;

(d) The loan or extension of credit is not directly or indirectly made by an employee benefit plan; and

(e) The loan or extension of credit begins on or after September 11, 2001, and is repaid or terminated no later than January 9, 2002.

Section IV. Definitions

(a) For purposes of section II, a Y2K problem is a disruption of computer operations resulting from a computer system's inability to process data because such system recognizes years only by the last two digits, causing a ''00'' entry to be read as the year ''1900'' rather than the year ''2000''.

(b) For purposes of Section III, the September 11, 2001 disruption is the disruption to the United States financial and securities markets and/or the operation of persons providing administrative services to employee benefit plans, resulting from the acts of terrorism that occurred on September 11, 2001.

Signed at Washington, DC, this 25th day of February, 2002.

Ivan L. Strasfeld,

Director, Office of Exemption Determinations, Pension and Welfare Benefits Administration, Department of Labor.

[FR Doc. 02–4873 Filed 2–28–02; 8:45 am]

BILLING CODE 4510–29–P

NATIONAL COUNCIL ON DISABILITY

Sunshine Act Meeting; Quarterly Meeting

AGENCY: National Council on Disability.

SUMMARY: This notice sets forth the schedules and proposed agenda of the upcoming quarterly meeting of the National Council on Disability (NCD). Notice of this meeting is required under section 522b(e)(1) of the Government in the Sunshine Act, (Pub. L. 94–409).

Quarterly Meeting Dates: June 10–11, 2002, 8:30 a.m. to 5 p.m.

Location: Hyatt Regency, Washington, DC on Capitol Hill, 400 New Jersey Avenue, NW., Washington, DC; 202–737–1234.

Contact Information: Mark S. Quigley, Director of Communications, National Council on Disability, 1331 F Street NW., Suite 850, Washington, DC 20004; 202–272–2004 (Voice), 202–272–2074 (TTY), 202–272–2022 (Fax), *mquigley@ncd.gov* (e-mail).

Agency Mission: NCD is an independent federal agency composed of 15 members appointed by the President and confirmed by the U.S. Senate. Its overall purpose is to promote policies, programs, practices, and procedures that guarantee equal opportunity for all people with disabilities, including people from culturally diverse backgrounds, regardless of the nature or significance of the disability; and to empower people with disabilities to achieve economic self-sufficiency, independent living, and inclusion and integration into all aspects of society.

Accommodations: Those needing sign language interpreters or other disability accommodations should notify NCD at least one week prior to this meeting.

Language Translation: In accordance with Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, those people with disabilities who are limited English proficient and seek translation services for this meeting should notify NCD at least one week prior to this meeting.

Multiple Chemical Sensitivity/Environmental Illness: People with multiple chemical sensitivity/environmental illness must reduce their exposure to volatile chemical substances to attend this meeting. To reduce such exposure, NCD requests that attendees not wear perfumes or scented products at this meeting. Smoking is prohibited in meeting rooms and surrounding areas.

Open Meeting: In accordance with the Government in the Sunshine Act and NCD's bylaws, this quarterly meeting will be open to the public for observation, except where NCD determines that a meeting or portion thereof should be closed in accordance with NCD's regulations pursuant to the Government in the Sunshine Act. A majority of NCD members present shall determine when a meeting or portion thereof is closed to the public, in accordance with the Government in the Sunshine Act. At meetings open to the public, NCD may determine when non-members may participate in its discussions. Observers are not expected to participate in NCD meetings unless requested to do so by an NCD member and recognized by the NCD chairperson.

Quarterly Meeting Agenda

Reports from the Chairperson and the Executive Director
Committee Meetings and Committee Reports
Executive Session (closed)
Unfinished Business
New Business
Announcements
Adjournment

Records will be kept of all National Council on Disability proceedings and will be available after the quarterly meeting for public inspection at the National Council on Disability.

Signed in Washington, DC, on February 26, 2002.

Ethel D. Briggs,

Executive Director.

[FR Doc. 02–5016 Filed 2–26–02; 4:59 pm]

BILLING CODE 6820–MA–M

POSTAL RATE COMMISSION

Sunshine Act Meeting Notice

AGENCY: Postal Rate Commission.

TIME AND DATE: Daily, or as needed, starting at 9:30 a.m., from March 11, 2002 through March 24, 2002.

PLACE: Commission conference room, 1333 H Street, NW., suite 300, Washington, DC 20268–0001.

STATUS: Closed.

MATTERS TO BE CONSIDERED: Recommendations in docket no. R2001–1.

CONTACT PERSON FOR MORE INFORMATION: Stephen L. Sharfman, general counsel, Postal Rate Commission, suite 300, 1333 H Street, NW., Washington, DC 20268–0001, 202–789–6820.

Steven W. Williams,

Secretary.

[FR Doc. 02–5080 Filed 2–27–02; 1:49 pm]

BILLING CODE 7710–FW–M

SECURITIES AND EXCHANGE COMMISSION

Proposed Collection; Comment Request

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of Filings and Information Services, Washington, DC 20549.

Extension: Regulation S–X, SEC File No. 270–3, OMB Control No. 3235–0009.

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (''Commission'') is soliciting comments on the collection of information summarized below. The Commission plans to submit this existing collection of information to the Office of Management and Budget for extension and approval.

Information collected and information prepared pursuant to Regulation S–X focus on the form and content of, and

requirements for, financial statements filed with periodic reports and in connection with the offer and sale of securities. Investors need reasonably current financial statements to make informed investment and voting decisions.

The potential respondents include all entities that file registration statements or reports pursuant to the Securities Act of 1933, the Securities Exchange Act of 1934, the Public Utility Holding Company Act of 1935, or the Investment Company Act of 1940.

Regulation S–X specifies the form and content of financial statements when those financial statements are required to be filed by other rules and forms under the federal securities laws. Compliance burdens associated with the financial statements are assigned to the rule or form that directly requires the financial statements to be filed, not to Regulation S–X. Instead, an estimated burden of one hour traditionally has been assigned to Regulation S–X for incidental reading of the regulation. The estimated average burden hours are solely for purposes of the Paperwork Reduction Act and are not derived from a comprehensive or even a representative survey or study of the costs of SEC rules or forms.

Written comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will 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, utility, and clarity of the information 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. Consideration will be given to comments and suggestions submitted in writing within 60 days of this publication.

Please direct your written comments to Michael E. Bartell, Associate Executive Director, Office of Information Technology, Securities and Exchange Commission, 450 5th Street, NW., Washington, DC 20549.

Dated: February 15, 2002.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 02–4932 Filed 2–28–02; 8:45 am]

BILLING CODE 8010–01–P

SECURITIES AND EXCHANGE COMMISSION

Sunshine Act Meeting

Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Public Law 94–409, that the Securities and Exchange Commission will hold the following meeting during the week of March 4, 2002: A closed meeting will be held on Tuesday, March 5, 2002 at 10:00 a.m.

Commissioners, Counsel to the Commissioners, the Secretary to the Commission, and recording secretaries will attend the closed meeting. Certain staff members who have an interest in the matters may also be present.

The General Counsel of the Commission, or his designee, has certified that, in his opinion, one or more of the exemptions set forth in 5 U.S.C. 552b(c)(3), (5), (7), (9)(B), and (10) and 17 CFR 200.402(a)(3), (5), (7), 9(ii) and (10), permit consideration of the scheduled matters at the closed meeting.

The subject matter of the closed meeting scheduled for Tuesday, March 5, 2002, will be:

Institution and settlement of injunctive actions;

Institution and settlement of administrative proceedings of an enforcement nature; and

Formal orders of investigation.

At times, changes in Commission priorities require alterations in the scheduling of meeting items. For further information and to ascertain what, if any, matters have been added, deleted or postponed, please contact:

The Office of the Secretary at (202) 942–7070.

Dated: February 26, 2002.

Jonathan G. Katz,

Secretary.

[FR Doc. 02–5002 Filed 2–26–02; 4:23 pm]

BILLING CODE 8010–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–45470; File No. SR–CBOE–2002–06]

Self-Regulatory Organizations; Notice of Filing and Immediate Effectiveness of Proposed Rule Change by the Chicago Board Options Exchange, Inc. Relating to Floor Telephone Deposit Fees

February 22, 2002.

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'')[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on February 7, 2002, the Chicago Board Options Exchange, Inc. (''CBOE'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I, II, and III below, which the CBOE has prepared. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The CBOE proposes to make a change to its fee schedule to eliminate its ''Exchangefone'' and single-line phone deposits, and also to refund deposits that the CBOE is currently retaining. The text of the proposed rule change is available at the CBOE and at the Commission.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the CBOE included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it had received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The CBOE has prepared summaries, set forth in Sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

During the early 1980s, the CBOE began requiring members to pay a deposit of $1,000 per Exchangefone to help fund the installation of a new telephone system on the CBOE floor. Approximately 10 years ago, the CBOE modified the Exchangefone deposit program to cap or limit the deposits to no more than $10,000 per member firm. In addition, the CBOE currently requires a $175 damage deposit for single-line phones on the trading floor. The CBOE is currently holding approximately $365,000 in Exchangefone deposits and approximately $22,000 in single-line phone damage deposits.

The CBOE Board has decided to eliminate the phone deposit programs and refund the deposits that the CBOE is currently holding. This filing

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

implements those changes. The CBOE will refund the deposits to each member firm through a credit that will appear on the next CBOE billing statement.

The CBOE believes that the proposed rule change is consistent with section 6(b) of the Act [3] and furthers the objectives of section 6(b)(4) of the Act [4] in that it is designed to provide for the equitable allocation of reasonable dues, fees, and other changes among CBOE members.

B. Self-Regulatory Organization's Statement on Burden on Competition

The CBOE does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The CBOE neither solicited nor received written comments with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because these foregoing rule change establishes or changes a due, fee, or other charge that the CBOE has imposed, it has become effective pursuant to section 19(b)(3)(A) of the Act[5] and Rule 19b–4(f)(2) thereunder.[6] At any time within 60 days after the filing of the proposed rule change, the Commission may summarily abrogate the proposed rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW, Washington, DC 20549–0609. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Room. Copies of the filing will also be available for inspection and copying at the principal office of the CBOE. All submissions should refer to file number SR–CBOE–2002–06 and should be submitted by March 22, 2002.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.[7]

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 02–4877 Filed 2–28–02; 8:45 am]

BILLING CODE 8010–01–M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–45472; File No. SR–NASD–2001–86]

Self-Regulatory Organizations; Notice of Filing of Proposed Rule Change by the National Association of Securities Dealers, Inc. Relating to Fees for Nasdaq Index Information

February 22, 2002.

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"),[1] and Rule 19b-4 thereunder,[2] notice is hereby given that on December 4, 2001, the National Association of Securities Dealers, Inc. ("NASD" or "Association"), through its subsidiary, The Nasdaq Stock Market, Inc. ("Nasdaq"), filed with the Securities and Exchange Commission ("Commission" or "SEC"), the proposed rule change as described in Items I, II, and III below, which Items have been prepared by Nasdaq. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

Nasdaq proposes to amend NASD Rule 7030, Special Options, to increase the monthly fee charged to market data vendors for non-core, real-time information about Nasdaq indexes ("Index Information").[3] Nasdaq established this "Index Fee" in 1992 at $500 per month and it remains at $500 today although: (1) Nasdaq has increased the amount of Index Information provided to market data vendors for that fee; (2) Nasdaq's costs of providing the Index Information are substantially higher today than in 1992; and (3) the audience for Index Information has exploded in recent years. Accordingly, Nasdaq proposes to raise the fee to $2,000 per month.

Below is the text of the proposed rule change. Proposed new language is in italics; proposed deletions are in brackets.

7030. SPECIAL OPTIONS

Receive only printer		$100/month.
Local Posting	Permits subscriber to use Nasdaq Level 3 terminals to enter quotations simultaneously into an internal computer system.	$10/month.
Dual Keyboard		$15/month.
Nasdaq Market Indexes	Permits vendor to [process Nasdaq Level 1 and Last Sale data feeds solely for the purpose of supplying subscribers with] distribute real-time calculations of the Nasdaq market indexes to all of its subscribers, including those that do not otherwise subscribe to real-time Nasdaq Level 1 or NQDS services.	[$500]*$2,000*/month.

[3] 15 U.S.C. 78f(b).

[4] 15 U.S.C. 78f(b)(4).

[5] 15 U.S.C. 78s(b)(3)(A)(ii).

[6] 17 CFR 240.19b–4(f)(2).

[7] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] Nasdaq recommended to the SEC Advisory Committee on Market Information that the SEC relax its review of commercial products and services, including market data products that are outside the core functions of an SRO-operated market. The Advisory Committee, noting the regulatory disparity between SROs and unregistered commercial entities, in turn recommended that the SEC consider streamlining the SRO fee-filing requirement for non-core data. *See Report of the Advisory Committee On Market Information: A Blueprint For Responsible Change,* at fn. 283 and accompanying text.

7030. SPECIAL OPTIONS—Continued

Non-Continuous Access to Nasdaq Level 1 and Last Sale Information.	Permits vendor to process and distribute Nasdaq Level 1 and Last Sale Information to its subscribers on a non-continuous or query-response basis.	$.005/query.

* * * * * * *

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, Nasdaq included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. Nasdaq has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

Since 1971, Nasdaq has distributed Index Information through its proprietary data feeds. Until 1992, Index Information was only available to subscribers that purchased the full Nasdaq Level 1 and Last Sale entitlements (at a combined monthly fee of $16.25).[4] In 1992, Nasdaq proposed an index distribution fee (''Index Fee'') that would allow vendors to distribute real-time Nasdaq index information to all of their subscribers, including those that did not contract for the full Nasdaq Level 1 and Last Sale entitlements. When Nasdaq adopted a separate Index Fee, it sought the widest possible dissemination of Index Information by charging a flat, ''one size fits all'' fee that permits market data vendors to distribute Index Information to an unlimited number of end users. In addition, Nasdaq eschewed a formal subscriber agreement between market data vendors and end users, permitting those vendors wide latitude in distribution. Having paid the flat monthly fee of $500, market data vendors are then permitted to distribute the Index Information to all of their subscribers.

Nasdaq continues to believe that Index Information should reach the largest possible audience. Accordingly, Nasdaq desires to maintain a flat monthly fee for Index Information and also to continue to allow market data vendors to distribute Index Information without the need for a contractual relationship. Nasdaq believes that changes in the Index Information and in the marketplace, however, require that Nasdaq raise the fee for Index Information to ensure that the costs of calculating, monitoring, and distributing Index Information is allocated fairly among all users.

For instance, since 1992, Nasdaq has added substantially to the original group of indexes without raising the fee charged to vendors. Specifically, Nasdaq has added four indexes: the Nasdaq Computer Index in 1993, the Nasdaq Telecommunications Index in 1993, the Nasdaq Biotech Index in 1993, and the Nasdaq Canada Index in 2000. Also, in 2001, at vendors' requests, Nasdaq expanded the data feed to include the Nasdaq Pre-Market Indicator and a new After Hours Indicator. Nasdaq believes Index Information is valuable to the approximately 125 market data vendors, institutions, and investors that purchase the information—far more valuable than even the proposed fee increase indicates.[5] Purchasers can freely manipulate and display Index Information to attract subscribers and advertisers. Institutions often repackage the data and re-distribute it to their employees and customers as well as to the public. Retail investors also use Index Information directly, to monitor investments tied to the indexes and indirectly, to keep abreast, generally, of market conditions and trends.

Today, Nasdaq uses significantly more resources to calculate and disseminate Index Information than it used nine years ago. Nasdaq's average daily trade volume has increased by over 1,800% since 1993. Every standard trade in a Nasdaq security triggers a recalculation of each Nasdaq index in which the issue is a component. Therefore, higher trade volumes require Nasdaq to make more calculations and to dedicate increased computer resources to Index Information. This increase has been magnified due to the addition of the four new Nasdaq indexes and two new indicators. As a result, index processing now utilizes a disproportionate level of Nasdaq's computer operations resources relative to the fees assessed.

Nasdaq's indexes have gained in prominence since 1992. In 1992, Waters Information Services estimated that there were roughly 700,000 market data users in the world. Today, purchasers of Index Information have a potential subscriber base of hundreds of millions of Internet/web users that can access the data through this fee. The exchange trade fund (''ETF'') based on the Nasdaq 100 Index is the United States' most heavily traded ETF, averaging over 60 million daily share volume. In addition, futures contracts and options on the Nasdaq 100 Index trade on the Chicago Mercantile Exchange and Chicago Board Options Exchange. Nasdaq plans to introduce additional ETFs in the future, including one for the Nasdaq Biotech index. Supporting derivative products has required Nasdaq to increase the resources that it devotes to data quality, timeliness, and redundancy for the underlying indexes.

The existence of trading products based on Nasdaq indexes has boosted investor interest in the underlying index information upon which these securities are based. Today, Index Information reaches a vast audience of individual investors. Nasdaq Index Information is distributed via print, broadcast, and Internet channels to millions of investors worldwide. Nasdaq's Index Information data feed has both triggered and answered the call for wider dissemination of increased market data that was expressed in the Final Report of the SEC Special Commission on Market Information.

Finally, during the nine years since the Index Fee was first set at $500, as the audience for Nasdaq Index Information has grown, so too has the legal cost and risk associated with producing that information. Hundreds of investment products are based, in a variety of ways, upon Nasdaq Index Information, including open and closed-end mutual funds, ETFs, options,

[4] Nasdaq Level 1 service is a data feed that provides subscribers with the best bid and offer quotations and size in Nasdaq securities both within the Nasdaq market and among the participants in the Nasdaq UTP Plan. The Last Sale service provides subscribers with transaction reports from all participants in the Nasdaq UTP Plan.

[5] Purchasers of Index Information include Bloomberg L.P., E*Trade Group, Inc., Merrill Lynch, Pierce, Fenner & Smith Incorporated, Microsoft Corporation, Reuters Ltd., and Yahoo!, Inc.

futures, and derivatives. Nasdaq spends considerable money establishing relationships with issuers of such products, and monitoring their use of Nasdaq Index Information to ensure that it is used properly. Nasdaq faces significant legal exposure in this regard, as more investors have more money tied to the calculation of Nasdaq indexes. The escalating legal costs and risks associated with the Nasdaq Index Information must be properly allocated to the market data vendors who, simply by re-distributing the Information, create risk for Nasdaq.

Nasdaq believes that the Index Information Data Feed has been a successful method of providing beneficial information to customers in an efficient manner. However, Nasdaq also believes that the current fee structure does not reflect increases in the cost of offering the data to customers under the current flexible business arrangements or fairly share the revenue burden across Nasdaq's market data products. To retain the flat fee for Index Information as well as the flexible, non-contractual arrangement *vis a vis* end-users of this information, Nasdaq needs to allocate more accurately the costs of producing Index Information to the users of Index Information. Accordingly, Nasdaq is proposing to raise the fee to $2,000 per month. Nasdaq submits that a four-fold increase in the Index Fee, the first such increase in nine years, is reasonable in light of the 1,800% growth of Nasdaq trading volume, the corresponding increase in processing demands, and the hundred-fold increase in the subscriber audience covered during that period.

2. Statutory Basis

Nasdaq believes that the proposed rule change is consistent with the provisions of section 15A(b)(5)[6] and 15A(b)(6)[7] of the Act. Section 15A(b)(5) requires the equitable allocation of reasonable fees and charges among members and other users of facilities operated or controlled by a national securities association. Section 15A(b)(6) requires rules that foster cooperation and coordination with persons engaged in facilitating transactions in securities and that are not designed to permit unfair discrimination between customers, issuers, brokers or dealers. Nasdaq believes that this service provides beneficial information to subscribers on a non-discriminatory basis and that this fee increase will enable Nasdaq to continue expanding the breadth and depth of information dissemination. Nasdaq believes that this rule proposal equitably allocates fees in light of the value of the information and the cost of providing it.

B. Self-Regulatory Organization's Statement on Burden on Competition

Nasdaq does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Nasdaq has not solicited or received written comments on the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 35 days of the date of publication of this notice in the **Federal Register** or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the NASD consents, the Commission will:

A. By order approve such proposed rule change, or

B. Institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549–0609. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Room. Copies of such filing will also be available for inspection and copying at the principal office of the NASD. All submissions should refer to file number SR–NASD–2001–86 and should be submitted by March 22, 2002.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.[8]

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 02–4876 Filed 2–28–02; 8:45 am]

BILLING CODE 8010–01–P

[6] 15 U.S.C. 78o–3(b)(5).

[7] 15 U.S.C. 78o–3(b)(6).

[8] 17 CFR 200.30–3(a)(12).

SMALL BUSINESS ADMINISTRATION

Data Collection Available for Public Comments and Recommendations

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the Small Business Administration's intentions to request approval on a new, and/or currently approved information collection.

DATES: Submit comments on or before April 30, 2002.

ADDRESSES: Send all comments regarding whether this information collection is necessary for the proper performance of the function of the agency, whether the burden estimates are accurate, and if there are ways to minimize the estimated burden and enhance the quality of the collection, to Jim O'Connor, Director, Office of Entrepreneurial Development, Small Business Administration, 409 3rd Street, SW, Suite 6200, Washington DC 20416.

FOR FURTHER INFORMATION CONTACT: Jim O'Connor, Director, (202) 205–6929 or Curtis B. Rich, Management Analyst, (202) 205–7030.

SUPPLEMENTARY INFORMATION:

Title: Economic Impact.

Form No: N/A.

Description of Respondents: Small Business Client (small business owners & employees, prospective entrepreneurs and other students of enterprise).

Annual Responses: 17,000.

Annual Burden: 2,266.

Jacqueline White,

Chief, Administrative Information Branch.

[FR Doc. 02–4935 Filed 2–28–02; 8:45 am]

BILLING CODE 8025–01–P

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster #3364]

State of New York; (Amendment #4)

In accordance with information received from the Federal Emergency Management Agency, the above numbered declaration is hereby amended to extend the deadline for

filing applications for physical damages as a result of this disaster to September 30, 2002.

The deadline for filing applications for economic injury has also been amended to September 30, 2002. All other information remains the same.

(Catalog of Federal Domestic Assistance Program Nos. 59002 and 59008)

Dated: February 25, 2002.

Herbert L. Mitchell,

Associate Administrator, For Disaster Assistance.

[FR Doc. 02–4934 Filed 2–28–02; 8:45 am]

BILLING CODE 8025–01–P

DEPARTMENT OF STATE

[Public Notice 3933]

Bureau of Human Resources, Office of Recruitment, Examination, and Employment, Recruitment Division; 30–Day Notice of Proposed Information Collection: OMB Control Number #1400–0007; Form #DS–1950, Application for Employment

ACTION: Notice.

SUMMARY: The Department of State has submitted the following information collection request to the Office of Management and Budget (OMB) for approval in accordance with the Paperwork Reduction Act of 1995. Comments should be submitted to OMB within 30 days of the publication of this notice.

The following summarizes the information collection proposal submitted to OMB:

Type of Request: Reinstatement, with change, of a previously approved collection.

Originating Office: Bureau of Human Resources (HR/REE/REC).

Title of Information Collection: Department of State Application for Employment.

Frequency: Four application periods per year.

Form Number: DS–1950.

Respondents: U.S. citizens seeking entry into the Department of State Foreign Service and individuals, Sophomore through Graduate level college and university students, seeking participation in the Department's student programs.

Estimated Number of Respondents: 25,000.

Average Hours Per Response: ½ hour per response per part.

Total Estimated Burden: 14,500.

Public comments are being solicited to permit the agency to:

• 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.

• Evaluate the accuracy of the agency's estimate of the burden of the collection, including the validity of the methodology and assumptions used.

• Enhance the quality, utility, and clarity of the information to be collected.

• Minimize the reporting burden on those who are to respond, including through the use of automated collection techniques or other forms of technology.

FOR FURTHER INFORMATION CONTACT: Copies of the proposed information collection and supporting documents may be obtained from the Office of Recruitment, Examination, and Employment, Recruitment Division, 2401 E Street, NW., Room 518, (202) 261–8897, U.S. Department of State, Washington, DC 20520. Public comments and questions should be directed to the State Department Desk Officer, Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), Washington, DC 20530, who may be reached on 202–395–3897.

Dated: February 12, 2002.

Ruben Torres,

Executive Director, Bureau of Human Resources, U.S. Department of State.

[FR Doc. 02–4931 Filed 2–28–02; 8:45 am]

BILLING CODE 4710–15–P

DEPARTMENT OF STATE

[Public Notice 3926]

Office of Defense Trade Controls; Notifications to the Congress of Proposed Commercial Export Licenses

AGENCY: Department of State.

ACTION: Notice.

SUMMARY: Notice is hereby given that the Department of State has forwarded the attached Notifications of Proposed Export Licenses to the Congress on the dates shown on the attachments pursuant to section 36(c) and 36(d) and in compliance with section 36(e) of the Arms Export Control Act (22 U.S.C. 2776).

EFFECTIVE DATE: As shown on each of the eighteen letters.

FOR FURTHER INFORMATION CONTACT: Mr. William J. Lowell, Director, Office of Defense Trade Controls, Bureau of Political-Military Affairs, Department of State (202 663–2700).

SUPPLEMENTARY INFORMATION: Section 38(e) of the Arms Export Control Act mandates that notifications to the Congress pursuant to section 36(c) must be published in the **Federal Register** when they are transmitted to Congress or as soon thereafter as practicable.

Dated: February 19, 2002.

William J. Lowell,

Director, Office of Defense Trade Controls.

The Honorable J. Dennis Hastert, Speaker of the House of Representatives.

November 9, 2001.

Dear Mr. Speaker: Pursuant to Section 36(c) and (d) of the Arms Export Control Act, I am transmitting herewith certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of $50,000,000 or more.

The transaction contained in the attached certification involves the export to Japan of technical data, defense services and defense articles for manufacture of the J79–GE–17 gas turbine aircraft engine and engine components of the J79–GE–11A gas turbine aircraft engine for end-use by Japan, the Philippines, and Taiwan.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification, which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,

Paul V. Kelly,

Assistant Secretary, Legislative Affairs.

Enclosure: Transmittal No. DTC 120–01

The Honorable Joseph R. Biden, Jr., Chairman, Committee on Foreign Relations, United States Senate.

November 9. 2001.

Dear Mr. Chairman: Pursuant to Section 36(c) and (d) of the Arms Export Control Act, I am transmitting herewith certification of a proposed amendment to a manufacturing license agreement with Turkey in the amount of $50,000,000 or more.

The transaction described in the attached certification involves the transfer of technical data and assistance for the manufacture in Turkey of Day and Night Thermal Sight Systems for end use by NATO member states and Sweden, Switzerland, Austria, Finland, Malaysia, United Arab Emirates, Philippines, Singapore, Argentina, Egypt, Jordan, Bahrain, Saudi Arabia, Oman, Qatar, and Kuwait.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,

Paul V. Kelly,
Assistant Secretary, Legislative Affairs.
Enclosure: Transmittal No. 125–01

The Honorable Jesse Helms, Committee on Foreign Relations, United states Senate.
November 9, 2001.

Dear Senator Helms: Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of $50,000,000 or more.

The transaction contained in the attached certification involves the export of materials to Mexico necessary for the production of various military training equipment sub-assemblies and their subsequent return to the United States.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,
Paul V. Kelly,
Assistant Secretary, Legislative Affairs.
Enclosure: Transmittal No. DTC 155–01

The Honorable J. Dennis Hastert, Speaker, House of Representatives.
December 17, 2001.

Dear Mr. Speaker: Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of $50,000,000 or more.

The transaction contained in the attached certification involves the export of technical data and assistance to France for the launch of one commercial communications satellite to be owned and operated by a U.S. firm.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,
Paul V. Kelly,
Assistant Secretary, Legislative Affairs.
Enclosure: Transmittal No. DTC 148–01

The Honorable J. Dennis Hastert, Speaker of the House of Representatives.
December 17, 2001.

Dear Mr. Speaker: Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of $50,000,000 or more.

The transaction contained in the attached certification involves the export of technical data, defense services and training to Australia for the operational support, maintenance and overhaul of the F404–GE–400 aircraft engines of the Royal Australian Air Force.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,
Paul V. Kelly,
Assistant Secretary, Legislative Affairs.
Enclosure: Transmittal No. DTC 151–01

The Honorable Joseph R. Biden, Jr., Chairman, Committee on Foreign Relations, United States Senate.
December 19, 2001.

Dear Mr. Chairman:

Pursuant to Section 36(d) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed manufacturing license agreement with France.

The transaction described in the attached certification involves the transfer of technical data and assistance in the manufacture, repair and support of MDM–2X02 Link–11 modems. The modems will be available for sale involving Government end use in Belgium, Canada, Czech Republic, Denmark, France, Greece, Hungary, Iceland, Italy, Luxembourg, the Netherlands, Norway, Poland, Portugal, Spain, Turkey, United Kingdom, Australia, Japan, South Korea, New Zealand, Singapore, Thailand, Bahrain, Egypt, Kingdom of Saudi Arabia, Kuwait, Oman, Argentina, Brazil, and Chile.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,
Paul V. Kelly,
Assistant Secretary, Legislative Affairs.
Enclosure:
Transmittal No. 050–01

The Honorable J. Dennis Hastert, Speaker of the House of Representatives.
December 19, 2001.

Dear Mr. Speaker: Pursuant to Section 36(d) of the Arms Export Control Act, I am transmitting herewith certification of a proposed manufacturing license agreement with Japan.

The transaction contained in the attached certification involves the export to Japan of technical data and assistance in the manufacture of the T–16B Inertial Measurement Unit for end-use by Japan.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification, which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,
Paul V. Kelly,
Assistant Secretary, Legislative Affairs.
Enclosure: Transmittal No. DTC 126–01

The Honorable J. Dennis Hastert, Speaker of the House of Representatives.
December 19, 2001.

Dear Mr. Speaker: Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of $50,000,000 or more.

The transaction contained in the attached certification involves the manufacture of Armament Control Systems for F–4 and F–15 aircraft in Japan.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,
Paul V. Kelly,
Assistant Secretary, Legislative Affairs.
Enclosure: Transmittal No. DTC 129–01

The Honorable Joseph R. Biden, Jr., Chairman, Committee on Foreign Relations, United States Senate.
December 19, 2001.

Dear Mr. Chairman: Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of $50,000,000 or more.

The transaction contained in the attached certification involves the export of tooling, test equipment, materials, forgings, castings, accessories, and technical data and services related to the manufacture of various F–16 aircraft components in Denmark and Belgium for return to the United States.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause

competitive harm to the United States firm concerned.

Sincerely,
Paul V. Kelly,
Assistant Secretary, Legislative Affairs.
Enclosure: Transmittal No. DTC 145–01

The Honorable J. Dennis Hastert, Speaker of the House of Representatives.
December 19, 2001.

Dear Mr. Speaker: Pursuant to Section 36(c) and (d) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of $50,000,000 or more.

The transaction contained in the attached certification involves the export of technical data and defense services for the manufacture in Japan of the KD2R–5 Target Drone Airplanes for the Japanese Government.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,
Paul V. Kelly,
Assistant Secretary, Legislative Affairs.
Enclosure: Transmittal No. DTC 154–01

The Honorable J. Dennis Hastert, Speaker of the House of Representatives.
December 19, 2001.

Dear Mr. Speaker:

Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of $50,000,000 or more.

The transaction contained in the attached certification involves the export to Japan of defense articles and technical data to support the manufacture of 300-gallon external fuel tanks for the F–2 aircraft program for end-use by the Government of Japan.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,
Paul V. Kelly,
Assistant Secretary, Legislative Affairs.
Enclosure: Transmittal No. DTC 157–01

The Honorable J. Dennis Hastert, Speaker of the House of Representatives.
December 19, 2001.

Dear Mr. Speaker: Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of $50,000,000 or more.

The transaction contained in the attached certification involves the export to Germany of technical data and defense services for the repair and overhaul of AGT1500 Vehicular Gas Turbine Engines on the M1A1 Main Battle Tanks for the United States Army in Europe and the Kingdom of Kuwait.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,
Paul V. Kelly,
Assistant Secretary, Legislative Affairs.
Enclosure: Transmittal No. DTC 158–01

The Honorable J. Dennis Hastert, Speaker of the House of Representatives.
December 21, 2001.

Dear Mr. Speaker: Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of $50,000,000 or more.

The transaction contained in the attached certification involves the export to the United Kingdom of technical data related to the development and repair of United Kingdom produced items (i.e., head up displays, air data computers, and sensors) for end-use by the U.S. Government.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,
Paul V. Kelly,
Assistant Secretary, Legislative Affairs.
Enclosure: Transmittal No. DTC 156–01

The Honorable J. Dennis Hastert, Speaker of the House of Representatives.
February 7, 2002.

Dear Mr. Speaker: Consistent with Section 36(c) of the Arms Export Control Act and Title IX of Public Law 106–79, I am transmitting, herewith, certification of a proposed license for the export of defense articles to India.

The President made a determination in a manner consistent with Title IX of the Department of Defense Appropriations Act, Fiscal Year 2000 (Public Law 106–79) to waive sanctions on India in connection with the Glenn Amendment and related provisions, as reported to you by separate letter. Under Title IX, the issuance of a license for the export of defense articles or defense services to India pursuant to the waiver authority of that Title is subject to the same requirements as are applicable to the export of items described in section 36(c) of the Arms Export Control Act, and the Administration is treating authorization for the requested re-export consistent with these provisions.

The transaction described in the attached certification involves the transfer of technical data related to the AN/TPQ–37(v) weapons locating radar.

The United States Government is prepared to authorize the export of these items having taken into account political, military, economic, human rights and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,
Paul V. Kelly,
Assistant Secretary, Legislative Affairs.
Enclosure: Transmittal No. DTC 161–01

The Honorable J. Dennis Hastert, Speaker of the House of Representatives.
February 7, 2002.

Dear Mr. Speaker: Consistent with Section 36(c) of the Arms Export Control Act and Title IX of Public Law 106–79, I am transmitting, herewith, certification of a proposed license for the export of defense articles to India.

The President made a determination in a manner consistent with Title IX of the Department of Defense Appropriations Act, Fiscal Year 2000 (Public Law 106–79) to waive sanctions on India in connection with the Glenn Amendment and related provisions, as reported to you by separate letter. Under Title IX, the issuance of a license for the export of defense articles or defense services to India pursuant to the waiver authority of that Title is subject to the same requirements as are applicable to the export of items described in section 36(c) of the Arms Export Control Act, and the Administration is treating authorization for the requested re-export consistent with these provisions.

The transaction described in the attached certification involves the transfer of four helicopter crew seats to India.

The United States Government is prepared to authorize the export of these items having taken into account political, military, economic, human rights and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,
Paul V. Kelly,
Assistant Secretary, Legislative Affairs.
Enclosure: Transmittal No. DTC 162–01

The Honorable J. Dennis Hastert, Speaker of the House of Representatives.

February 7, 2002.

Dear Mr. Speaker: Consistent with Section 36(c) of the Arms Export Control Act and Title IX of Public Law 106–79, I am transmitting, herewith, certification of a proposed license for the export of defense articles to India.

The President made a determination in a manner consistent with Title IX of the Department of Defense Appropriations Act, Fiscal Year 2000 (Public Law 106–79) to waive sanctions on India in connection with the Glenn Amendment and related provisions, as reported to you by separate letter. Under Title IX, the issuance of a license for the export of defense articles or defense services to India pursuant to the waiver authority of that Title is subject to the same requirements as are applicable to the export of items described in section 36(c) of the Arms Export Control Act, and the Administration is treating authorization for the requested re-export consistent with these provisions.

The transaction described in the attached certification involves the transfer of 112,000 microdetonators for antiaircraft guns.

The United States Government is prepared to authorize the export of these items having taken into account political, military, economic, human rights and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,
Paul V. Kelly,
Assistant Secretary, Legislative Affairs.

Enclosure: Transmittal No. DTC 164–01,

The Honorable J. Dennis Hastert, Speaker of the House of Representatives.

February 7, 2002.

Dear Mr. Speaker: Consistent with Section 36(c) of the Arms Export Control Act and Title IX of Public Law 106–79, I am transmitting, herewith, certification of a proposed license for the export of defense articles to India.

The President made a determination in a manner consistent with Title IX of the Department of Defense Appropriations Act, Fiscal Year 2000 (Public Law 106–79) to waive sanctions on India in connection with the Glenn Amendment and related provisions, as reported to you by separate letter. Under Title IX, the issuance of a license for the export of defense articles or defense services to India pursuant to the waiver authority of that Title is subject to the same requirements as are applicable to the export of items described in section 36(c) of the Arms Export Control Act, and the Administration is treating authorization for the requested re-export consistent with these provisions.

The transaction described in the attached certification involves the transfer of 540 LAT–0570 electrical motors.

The United States Government is prepared to authorize the export of these items having taken into account political, military, economic, human rights and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,
Paul V. Kelly,
Assistant Secretary, Legislative Affairs.

Enclosure:
Transmittal No. DTC 167–01

The Honorable J. Dennis Hastert, Speaker of the House of Representatives.

February 8, 2002.

Dear Mr. Speaker: Pursuant to Section 36(d) of the Arms Export Control Act, I am transmitting herewith certification of a proposed manufacturing license agreement with the United Kingdom.

The transaction described in the attached certification involves the transfer of technical data and assistance for the manufacture of MK 41 Vertical Launching System components and subassemblies for use by the United Kingdom Royal Navy and the United States Navy.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,
Paul V. Kelly,
Assistant Secretary, Legislative Affairs.

Enclosure: Transmittal No. DTC 123–01

[FR Doc. 02–4930 Filed 2–28–02; 8:45 am]

BILLING CODE 4710–25–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice Before Waiver With Respect to Land at Roanoke Regional Airport, Roanoke, VA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of intent of waiver with respect to land.

SUMMARY: The FAA is publishing notice of proposed release of 1.802 acres of land at the Roanoke Regional Airport, Roanoke, Virginia to Wal-Mart Properties in exchange for 1.441 acres of land ajacent to long term parking. The land swap will provide the potential for additional parking spaces. Releasing the land does not adversely impact the Airport and the land is not needed for airport development as shown on the Airport Layout Plan. Fair Market Value of the land has been assessed for both parcels and will be a beneficial exchange for the Airport Sponsor.

DATES: Comments must be received on or before April 1, 2000.

ADDRESSES: Comments on this application may be mailed or delivered in triplicate to the FAA at the following address: Terry J. Page, Manager, FAA Washington Airports District Office, P.O. Box 16780, Washington, DC 20041–6780.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Jacqueline L. Shuck, Executive Director, Roanoke Regional Airport, at the following address: Jacqueline L. Shuck, Executive Director, Roanoke Regional Airport Commission, 5202 Aviation Drive, Roanoke, Virginia 24012–1148.

FOR FURTHER INFORMATION CONTACT: Mr. Terry Page, Manager, Washington Airports District Office, P.O. Box 16780, Washington, DC 20041–6780; telephone (703) 661–1354, fax (703) 661–1370, e-mail *Terry. Page@faa.gov.*

SUPPLEMENTARY INFORMATION: On April 5, 2000, new authorizing legislation became effective. That bill, the Wendell H. Ford Aviation investment and Reform Act for the 21st Century, Public Law 10–181 (Apr. 5, 2000; 114 Stat. 61) (AIR 21) requires that a 30 day public notice must be provided before the Secretary may waive any condition imposed on an interest in surplus property.

Issued in Chantilly, Virginia on February 7, 2002.

Terry J. Page,

Manger, Washington Airports District Office, Eastern Region.

[FR Doc. 02–4957 Filed 2–28–02; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Noise Exposure Map Notice; Receipt of Noise Compatibility Program and Request for Review; Four Corners Regional Airport, Farmington, NM

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice.

SUMMARY: The Federal Aviation Administration (FAA) announces its determination that the noise exposure maps submitted by the City of Farmington, New Mexico, for Four Corners Regional Airport, under the provisions of Title 49 USC, Chapter 475 (hereinafter referred to as ''Title 49'')

and 14 CFR part 150 are in compliance with applicable requirements. The FAA also announces that it is reviewing a proposed noise compatibility program that was submitted for Four Corners Regional Airport, under Part 150 in conjunction with the noise exposure maps and that this program will be approved or disapproved on or before July 9, 2002.

EFFECTIVE DATE: The effective date of the FAA's determination on the noise exposure maps and the start of its review of the associated noise compatibility program is January 9, 2002. The public comment period ends March 11, 2002.

FOR FURTHER INFORMATION CONTACT: Joyce M. Porter, Department of Transportation, Federal Aviation Administration, Fort Worth, Texas, 76193–0640, (817) 222–5640. Comments on the proposed noise compatibility program should also be submitted to the above office.

SUPPLEMENTARY INFORMATION: This notice announces that the FAA finds that the noise exposure maps submitted for Four Corners Regional Airport are in compliance with applicable requirements of Part 150, effective January 9, 2002. Further, FAA is reviewing a proposed noise compatibility program for that airport which will be approved or disapproved on or before July 9, 2002. This notice also announces the availability of this program for public review and comment.

Under Title 49, an airport operator may submit to the FAA noise exposure maps, which meet applicable regulations, and which depict noncompatible land uses as of the date of submission of such maps, a description of projected aircraft operations, and the ways in which such operations will affect such maps. Title 49 requires such maps to be developed in consultation with interested and affected parties in the local community, government agencies, and persons using the airport.

An airport operator who has submitted noise exposure maps that are found by the FAA to be in compliance with the requirements of Federal Aviation Regulations (FAR) Part 150, promulgated pursuant to Title 49, may submit a noise compatibility program for FAA approval which sets forth the measures the operator has taken or proposes for the reduction of existing noncompatible uses and for the prevention of the introduction of additional noncompatible uses.

The City of Farmington, New Mexico submitted to the FAA on December 27, 2001, noise exposure maps, descriptions and other documentation, which were produced during preparation of the Four Corners Regional Airport Part 150 Study from August 16, 1999 through December 27, 2001. It was requested that the FAA review this material as the noise exposure maps, as described in Title 49, and that the noise mitigation measures, to be implemented jointly by the airport and surrounding communities, be approved as a noise compatibility program under Title 49.

The FAA has completed its review of the noise exposure maps and related descriptions submitted by the City of Farmington, New Mexico. The specific maps under consideration are Figure 5.1, 2001 Existing Condition Noise Exposure Map; Figure 5.2, 2006 Future Condition Noise Exposure Map Without Program Implementation; and Figure 6.6, 2006 Future Condition Noise Exposure Map With Program Implementation, in the submission.

The FAA has determined that these maps for Four Corners Regional Airport are in compliance with applicable requirements. This determination is effective on January 9, 2002. FAA's determination on an airport operator's noise exposure maps is limited to a finding that the maps were developed in accordance with the procedures contained in Appendix A of FAR Part 150. Such determination does not constitute approval of the applicant's data, information, or plans, or a commitment to approve a noise compatibility program or to fund the implementation of that program.

If questions arise concerning the precise relationship of specific properties to noise exposure contours depicted on a noise exposure map submitted under section 103 of the Act, it should be noted that the FAA is not involved in any way in determining the relative locations of specific properties with regard to the depicted noise contours, or in interpreting the noise exposure maps to resolve questions concerning, for example, which properties should be covered by the provisions of Title 49. These functions are inseparable from the ultimate land use control and planning responsibilities of local government. These local responsibilities are not changed in any way under Part 150 or through FAA's review of noise exposure maps. Therefore, the responsibility for the detailed overlaying of noise exposure contours onto the map depicting properties on the surface rests exclusively with the airport operator, which submitted those maps, or with those public agencies and planning agencies with which consultation is required under Title 49. The FAA has relied on the certification by the airport operator, under section 150.21 of FAR Part 150, that the statutorily required consultation has been accomplished.

The FAA has formally received the noise compatibility program for Four Corners Regional Airport, also effective on January 9, 2002. Preliminary review of the submitted material indicates that it conforms to the requirements for the submittal of noise compatibility programs, but that further review will be necessary prior to approval or disapproval of the program. The formal review period, limited by law to a maximum of 180 days, will be completed on or before July 9, 2002.

The FAA's detailed evaluation will be conducted under the provisions of 14 CFR part 150, section 150.33. The primary considerations in the evaluation process are whether the proposed measures may reduce the level of aviation safety, create an undue burden on interstate or foreign commerce, or be reasonably consistent with obtaining the goal of reducing existing noncompatible land uses and preventing the introduction of additional noncompatible land uses.

Interested persons are invited to comment on the proposed program with specific reference to these factors. All comments, other than those properly addressed to local land use authorities, will be considered by the FAA to the extent practicable. Copies of the noise exposure maps, the FAA's evaluation of the maps, and the proposed noise compatibility program are available for examination at the following locations:

Federal Aviation Administration, Airports Division, 2601 Meacham Boulevard, Fort Worth, Texas 76137–4298.

City of Farmington, 800 Municipal Drive, Farmington, New Mexico 87401–2663.

Questions may be directed to the individual named above under the heading, **FOR FURTHER INFORMATION CONTACT.**

Dated: Issued in Fort Worth, Texas, January 9, 2002.

Edward N. Agnew,

Acting Manager, Airports Division.

[FR Doc. 02–4958 Filed 2–28–02; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Intent to Rule on Application 02–09–C–00–MDW To Impose and Use the Revenue From a Passenger Facility Charge (PFC) at Chicago Midway Airport, Chicago, IL

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of intent to rule on application.

SUMMARY: The FAA proposes to rule and invites public comment on the application to impose and use the revenue from a PFC at Chicago Midway Airport under the provisions of the 49 U.S.C. 40117 and Part 158 of the Federal Aviation Regulations (14 CFR Part 158).

DATES: Comments must be received on or before April 1, 2002.

ADDRESSES: Comments on this application may be mailed or delivered in triplicate to the FAA at the following address: Federal Aviation Administration, Chicago Airports District Office, 2300 East Devon Avenue, Room 320, Des Plaines, IL 60018.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Mr. Thomas R. Walker, Commissioner of the City of Chicago Department of Aviation at the following address: Chicago O'Hare International Airport, P.O. Box 66142, Chicago, IL 60666.

Air carriers and foreign air carriers may submit copies of written comments previously provided to the City of Chicago Department of Aviation under section 158.23 of Part 158.

FOR FURTHER INFORMATION CONTACT: Mr. Philip M. Smithmeyer, Manager, Chicago Airports District Office, 2300 East Devon Avenue, Room 320, Des Plaines, IL 60018, (847) 294–7335. The application may be reviewed in person at this same location.

SUPPLEMENTARY INFORMATION: The FAA proposed to rule and invites public comment on the application to impose and use the revenue from a PFC at Chicago Midway Airport under the provisions of the 49 U.S.C. 40117 and part 158 of the Federal Aviation Regulations (14 CFR part 158).

On January 7, 2002, the FAA determined that the application to impose and use the revenue from a PFC submitted by the City of Chicago Department of Aviation was substantially complete within the requirements of section 158.25 of part 158. The FAA will approve or disapprove the application, in whole or in part, no later than April 20, 2002.

The following is a brief overview of the application.

Proposed charge effective date: November 1, 2044.

Proposed charge expiration date: August 1, 2050.

Level of the proposed PFC: $3.00.

Total estimated PFC revenue: $187,546,282.

Brief description of proposed projects: Federal Inspection Services Facility, Replace Visual Approach Slope Indicator Lights with Precision Approach Patch Indicators Lights, Obstruction Removal, North Triangle Ramp Development, West Triangle Ramp Development, Residential Insulation 2002–2004 (approximately 1,600 homes), Noise Barrier Extensions, Airfield Operations Area Gate and Booth Rehabilitation/Reconfiguration, Equipment Acquisition 2002–2004.

Class or classes of air carriers which the public agency has requested not be required to collect PFCs: air taxi operators.

Any person may inspect the application in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT**.

In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at the City of Chicago Department of Aviation.

Dated: Issued in Des Plaines, Illinois on January 25, 2002.

Mark A. McClardy,

Acting Manager, Planning/Programming Branch, Airports Division, Great Lakes Region.

[FR Doc. 02–4959 Filed 2–28–02; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2002–11700]

Information Collection Available for Public Comments and Recommendations

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the Maritime Administration's (MARAD's) intentions to request extension of approval for three years of a currently approved information collection.

DATES: Comments should be submitted on or before April 30, 2002.

FOR FURTHER INFORMATION CONTACT: Kenneth Willis, 400 Seventh St., SW., Washington, DC 20590. Telephone: 202–366–2306 or FAX 202–493–2180.

Copies of this collection can also be obtained from that office.

SUPPLEMENTARY INFORMATION:

Title of Collection: Application and Reporting Elements for Participation in the Maritime Security Program.

Type of Request: Extension of currently approved information collection.

OMB Control Number: 2133–0525.

Form Numbers: None.

Expiration Date of Approval: September 30, 2002.

Summary of Collection of Information: The Maritime Security Act of 1996 established the Maritime Security Program which supports the operations of U.S.-flag vessels in the foreign commerce of the United States through assistance payments. Participating vessel operators receive assistance payments and are required to make their ships and other commercial transportation resources available to the Government during times of national emergency. The vessel operators who are interested in participating in the Maritime Security Fleet are required to submit an application to MARAD for its review and approval.

Need and Use of the Information: The collected information is necessary for MARAD to determine if selected vessels are qualified to participate in the Maritime Security Program.

Description of Respondents: Operators of U.S.-flag vessels who are interested in participating in the Maritime Security Fleet.

Annual Responses: 132 respondents.

Annual Burden: 152 hours.

Comments: Comments should refer to the docket number that appears at the top of this document. Written comments may be submitted to the Docket Clerk, U.S. DOT Dockets, Room PL–401, 400 Seventh Street, SW, Washington, DC 20590. Comments may also be submitted by electronic means via the Internet at *http://dmses.dot.gov/submit.* Specifically address whether this information collection is necessary for proper performance of the functions of the agency and will have practical utility, accuracy of the burden estimates, ways to minimize this burden, and ways to enhance the quality, utility, and clarity of the information to be collected. All comments received will be available for examination at the above address between 10 a.m. and 5 p.m. EST, Monday through Friday, except Federal Holidays. An electronic version of this

document is available on the World Wide Web at *http://dms.dot.gov.*

Dated: February 26, 2002.

By Order of the Maritime Administrator.

Joel C. Richard,

Secretary, Maritime Administration.

[FR Doc. 02–4953 Filed 2–28–02; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket Number: MARAD–2002–11694]

Requested Administrative Waiver of the Coastwise Trade Laws

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Invitation for public comments on a requested administrative waiver of the Coastwise Trade Laws for the vessel ESPRIT DU NORD.

SUMMARY: As authorized by Public Law 105–383, the Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a description of the proposed service, is listed below. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines that in accordance with Public Law 105–383 and MARAD's regulations at 46 CFR part 388 (65 FR 6905; February 11, 2000) that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels, a waiver will not be granted.

DATES: Submit comments on or before April 1, 2002.

ADDRESSES: Comments should refer to docket number MARAD–2002–11694. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. DOT Dockets, Room PL–401, Department of Transportation, 400 7th St., SW, Washington, DC 20590–0001. You may also send comments electronically via the Internet at *http://dmses.dot.gov/submit/*. All comments will become part of this docket and will be available for inspection and copying at the above address between 10 a.m. and 5 p.m., E.T., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available on the World Wide Web at *http://dms.dot.gov.*

FOR FURTHER INFORMATION CONTACT: Kathleen Dunn, U.S. Department of Transportation, Maritime Administration, MAR–832 Room 7201, 400 Seventh Street, SW, Washington, DC 20590. Telephone 202–366–2307.

SUPPLEMENTARY INFORMATION: Title V of Public Law 105–383 provides authority to the Secretary of Transportation to administratively waive the U.S.-build requirements of the Jones Act, and other statutes, for small commercial passenger vessels (no more than 12 passengers). This authority has been delegated to the Maritime Administration per 49 CFR 1.66, Delegations to the Maritime Administrator, as amended. By this notice, MARAD is publishing information on a vessel for which a request for a U.S.-build waiver has been received, and for which MARAD requests comments from interested parties. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD'S regulations at 46 CFR part 388.

Vessel Proposed for Waiver of the U.S.-Build Requirement

(1) Name of vessel and owner for which waiver is requested. *Name of vessel:* ESPRIT DU NORD. *Owner:* Charter Yachts North, LLC.

(2) Size, capacity and tonnage of vessel. *According to the applicant*: ''Her breadth is 17.0 and her depth 7.5 feet * * * She displaces 29 gross tons, 26 net tons * * *''

(3) Intended use for vessel, including geographic region of intended operation and trade. *According to the applicant*:

''* * * we intend to make the vessel available for hire for half-day, full day, weekend, or week long charters in the waters of the Southern California including the Channel Islands. Our business plan is to offer a high level of customer service to small groups/families with a directed focus on eco-tourism, including whale watching, snorkeling, and SCUBA diving, etc. We would also make the vessel available for charitable functions, such as exposing disadvantaged or at-risk youth to the outdoors, sailing instruction, and the sea.''

(4) Date and Place of construction and (if applicable) rebuilding. *Date of construction:* 1995. *Place of construction:* Construction Navale Bordeaux, Bordeaux, France.

(5) A statement on the impact this waiver will have on other commercial passenger vessel operators. *According to the applicant:* ''The effect a waiver would have on other local operators would be a net gain for other businesses through increased exposure. Comparable vessels in this area either do not offer a product similar to what we intend to offer, or they are established inspected vessels which do not normally transact with groups as small as six passengers. Any groups that we can not accommodate due to the vessel's status as an uninspected passenger vessel would promptly be referred to neighboring operators who can carry more passengers. Any exposure generated by Esprit Du Nord would only benefit other operators in the area.''

(6) A statement on the impact this waiver will have on U.S. shipyards. *According to the applicant:* ''If a waiver is granted to allow ESPRIT DU NORD to trade in U.S. waters, local yards and marine contractors will benefit from the maintenance and repairs that the vessel will undoubtedly require.''

Dated: February 26, 2002.

By Order of the Maritime Administrator.

Joel C. Richard,

Secretary, Maritime Administration.

[FR Doc. 02–4949 Filed 2–28–02; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket Number: MARAD–2002–11690]

Requested Administrative Waiver of the Coastwise Trade Laws

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Invitation for public comments on a requested administrative waiver of the Coastwise Trade Laws for the vessel SEA BREEZE.

SUMMARY: As authorized by Public Law 105–383, the Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a description of the proposed service, is listed below. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines that in accordance with Public Law 105–383 and MARAD's regulations at 46 CFR part 388 (65 FR 6905; February 11, 2000) that the issuance of the waiver will have an

unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels, a waiver will not be granted.

DATES: Submit comments on or before April 1, 2002.

ADDRESSES: Comments should refer to docket number MARAD–2002–11690. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. DOT Dockets, Room PL–401, Department of Transportation, 400 7th St., SW, Washington, DC 20590–0001. You may also send comments electronically via the Internet at *http://dmses.dot.gov/submit/.* All comments will become part of this docket and will be available for inspection and copying at the above address between 10 a.m. and 5 p.m., E.T., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available on the World Wide Web at *http://dms.dot.gov.*

FOR FURTHER INFORMATION CONTACT: Kathleen Dunn, U.S. Department of Transportation, Maritime Administration, MAR–832 Room 7201, 400 Seventh Street, SW, Washington, DC 20590. Telephone 202–366–2307.

SUPPLEMENTARY INFORMATION: Title V of Public Law 105–383 provides authority to the Secretary of Transportation to administratively waive the U.S.-build requirements of the Jones Act, and other statutes, for small commercial passenger vessels (no more than 12 passengers). This authority has been delegated to the Maritime Administration per 49 CFR 1.66, Delegations to the Maritime Administrator, as amended. By this notice, MARAD is publishing information on a vessel for which a request for a U.S.-build waiver has been received, and for which MARAD requests comments from interested parties. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD'S regulations at 46 CFR part 388.

Vessel Proposed for Waiver of the U.S.-Build Requirement

(1) Name of vessel and owner for which waiver is requested. *Name of vessel:* SEA BREEZE. *Owner:* Martin H. Owen.

(2) Size, capacity and tonnage of vessel. *According to the applicant:* ''Length 40 feet; Weight 14 Tons gross, 11 tons net (46 USC 14502); Passengers Not more than 12.''

(3) Intended use for vessel, including geographic region of intended operation and trade. *According to the applicant:* ''Charter boat for hire in the waters in and about Kodiak Island, Alaska. Typical uses are: wildlife photography, sightseeing, hunting and fishing.''

(4) Date and Place of construction and (if applicable) rebuilding. *Date of construction:* 1980. *Place of construction:* Republic of Taiwan.

(5) A statement on the impact this waiver will have on other commercial passenger vessel operators. *According to the applicant:* ''The Alaska charter boat industry is in its infancy, especially in the Kodiak Island area. There are less than ten vessels over 40 feet operating out of Kodiak. These vessels cater primarily to tourists who charter for the purpose of sport fishing. The M/V SEA BREEZE * * * is unsuitable for sport-fishing charters and therefore will provide little competition with other sportfishing charter vessels.''

(6) A statement on the impact this waiver will have on U.S. shipyards. *According to the applicant:* ''Since the vessel is small and was built over 20 years ago, it will have little or no impact on the US ship building industry today.''

Dated: February 26, 2002.

By Order of the Maritime Administrator.

Joel C. Richard,

Secretary, Maritime Administration.

[FR Doc. 02–4952 Filed 2–28–02; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket Number: MARAD–2002–11692]

Requested Administrative Waiver of the Coastwise Trade Laws

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Invitation for public comments on a requested administrative waiver of the Coastwise Trade Laws for the vessel MÅKEN.

SUMMARY: As authorized by Public Law 105–383, the Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a description of the proposed service, is listed below. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines that in accordance with Public Law 105–383 and MARAD's regulations at 46 CFR part 388 (65 FR 6905; February 11, 2000) that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels, a waiver will not be granted.

DATES: Submit comments on or before April 1, 2002.

ADDRESSES: Comments should refer to docket number MARAD–2002–11692. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. DOT Dockets, Room PL–401, Department of Transportation, 400 7th St., SW, Washington, DC 20590–0001. You may also send comments electronically via the Internet at *http://dmses.dot.gov/submit/.* All comments will become part of this docket and will be available for inspection and copying at the above address between 10 a.m. and 5 p.m., E.T., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available on the World Wide Web at *http://dms.dot.gov.*

FOR FURTHER INFORMATION CONTACT: Kathleen Dunn, U.S. Department of Transportation, Maritime Administration, MAR–832 Room 7201, 400 Seventh Street, SW, Washington, DC 20590. Telephone 202–366–2307.

SUPPLEMENTARY INFORMATION: Title V of Public Law 105–383 provides authority to the Secretary of Transportation to administratively waive the U.S.-build requirements of the Jones Act, and other statutes, for small commercial passenger vessels (no more than 12 passengers). This authority has been delegated to the Maritime Administration per 49 CFR 1.66, Delegations to the Maritime Administrator, as amended. By this notice, MARAD is publishing information on a vessel for which a request for a U.S.-build waiver has been received, and for which MARAD requests comments from interested parties. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD'S regulations at 46 CFR part 388.

Vessel Proposed for Waiver of the U.S.-Build Requirement

(1) Name of vessel and owner for which waiver is requested. *Name of vessel:* MÅKEN. *Owner:* Bruce Arthur Millies.

(2) Size, capacity and tonnage of vessel. *According to the applicant:* ''LOD: 45 ft. Beam: 15 ft. Draft: 6 ft.; Displacement 23 tons'

(3) Intended use for vessel, including geographic region of intended operation and trade. *According to the applicant:* ''To carry 6 or fewer passengers for hire in order to teach sailing skills and environmental awareness; and/or as vacation charters.'' ''All coastal and inland waters of the United States and its territories and possessions.''

(4) Date and Place of construction and (if applicable) rebuilding. *Date of construction:* Sometime between 1895 to 1910. *Place of construction:* Norway. *Date of rebuilding:* 1987. *Place of rebuilding:* Port Townsend, WA.

(5) A statement on the impact this waiver will have on other commercial passenger vessel operators. *According to the applicant:* ''The use of this vessel will not adversely affect the coastwise trade business of any person who employs vessels built in the United States in that business. The intended use of this vessel—to carry a relatively small number of passengers each year—is an insignificant addition to the large and active boat charter business in the United States.''

(6) A statement on the impact this waiver will have on U.S. shipyards. *According to the applicant:* ''The use of this vessel will not adversely affect United States vessel builders. In fact, the continued use of this traditional wooden vessel will require ongoing maintenance and repair that will provide business and employment for boatyards and shipwrights in the United States.

Dated: February 26, 2002.

By order of the Maritime Administrator.

Joel C. Richard,

Secretary, Maritime Administration.

[FR Doc. 02–4948 Filed 2–28–02; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket Number: MARAD–2002–11693]

Requested Administrative Waiver of the Coastwise Trade Laws

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Invitation for public comments on a requested administrative waiver of the Coastwise Trade Laws for the vessel Mak-Atak.

SUMMARY: As authorized by Pubic Law 105–383, the Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a description of the proposed service, is listed below. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines that in accordance with Public Law 105–383 and MARAD's regulations at 46 CFR part 388 (65 FR 6905; February 11, 2000) that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels, a waiver will not be granted.

DATES: Submit comments on or before April 1, 2002.

ADDRESSES: Comments should refer to docket number MARAD–2002–11693. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. DOT Dockets, Room PL–401, Department of Transportation, 400 7th St., SW., Washington, DC 20590–0001. You may also send comments electronically via the Internet at *http://dmses.dot.gov/submit/.* All comments will become part of this docket and will be available for inspection and copying at the above address between 10 a.m. and 5 p.m., E.T., Monday through Friday, except Federal holidays. An electronic version of this document and all documents entered into this docket is available on the World Wide Web at *http://dms.dot.gov.*

FOR FURTHER INFORMATION CONTACT: Kathleen Dunn, U.S. Department of Transportation, Maritime Administration, MAR–832 Room 7201, 400 Seventh Street, SW., Washington, DC 20590. Telephone 202–366–2307.

SUPPLEMENTARY INFORMATION: Title V of Public Law 105–383 provides authority to the Secretary of Transportation to administratively waive the U.S.-build requirements of the Jones Act, and other statutes, for small commercial passenger vessels (no more than 12 passengers). This authority has been delegated to the Maritime Administration per 49 CFR 1.66, Delegations to the Maritime Administrator, as amended. By this notice, MARAD is publishing information on a vessel for which a request for a U.S.-build waiver has been received, and for which MARAD requests comments from interested parties. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD'S regulations at 46 CFR part 388.

Vessel Proposed for Waiver of the U.S.-Build Requirement

(1) Name of vessel and owner for which waiver is requested. *Name of vessel:* Mak-Atak. *Owner:* Redfish, L.L.C.

(2) Size, capacity and tonnage of vessel. *According to the applicant:* ''40 feet long, 14 feet wide and 7.2 feet deep * * * gross tonnage is 27 and her net tonnage is 21.''

(3) Intended use for vessel, including geographic region of intended operation and trade. *According to the applicant:* ''I intend to keep the vessel in Ocean City, MD, and will carry charters of no more than six passengers. Charters will be run on the Atlantic Ocean, no more than one hundred nautical miles north, south, or east of home port.''

(4) Date and Place of construction and (if applicable) rebuilding. *Date of construction:* 1988. *Place of construction:* Kaosiung, Taiwan, Republic of China.

(5) A statement on the impact this waiver will have on other commercial passenger vessel operators. *According to the applicant:* ''* * * I can state without hesitation that granting this waiver will not adversely affect the existing charter boat operators. Over the last few years, the Ocean City area has experienced tremendous growth * * * the current fleet of charter boats cannot meet the demand during peak season.''

(6) A statement on the impact this waiver will have on U.S. shipyards. *According to the applicant:* ''United States shipbuilders will not be affected by the granting of the requested waiver, as a new boat purchase was never considered in the formation of Redfish.''

Dated: February 26, 2002.

By order of the Maritime Administrator.

Joel C. Richard,

Secretary, Maritime Administration.

[FR Doc. 02–4950 Filed 2–28–02; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket Number: MARAD–2002–11691]

Requested Administrative Waiver of the Coastwise Trade Laws

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Invitation for public comments on a requested administrative waiver of

the Coastwise Trade Laws for the vessel NICOLLE.

SUMMARY: As authorized by Public Law 105–383, the Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a description of the proposed service, is listed below. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines that in accordance with Public Law 105–383 and MARAD's regulations at 46 CFR part 388 (65 FR 6905; February 11, 2000) that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels, a waiver will not be granted.

DATES: Submit comments on or before April 1, 2002.

ADDRESSES: Comments should refer to docket number MARAD–2002–11691. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. DOT Dockets, Room PL–401, Department of Transportation, 400 7th St., SW, Washington, DC 20590–0001. You may also send comments electronically via the Internet at *http://dmses.dot.gov/submit/.* All comments will become part of this docket and will be available for inspection and copying at the above address between 10 a.m. and 5 p.m., E.T., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available on the World Wide Web at *http://dms.dot.gov.*

FOR FURTHER INFORMATION CONTACT: Kathleen Dunn, U.S. Department of Transportation, Maritime Administration, MAR–832 Room 7201, 400 Seventh Street, SW, Washington, DC 20590. Telephone 202–366–2307.

SUPPLEMENTARY INFORMATION: Title V of Public Law 105–383 provides authority to the Secretary of Transportation to administratively waive the U.S.-build requirements of the Jones Act, and other statutes, for small commercial passenger vessels (no more than 12 passengers). This authority has been delegated to the Maritime Administration per 49 CFR 1.66, Delegations to the Maritime Administrator, as amended. By this notice, MARAD is publishing information on a vessel for which a request for a U.S.-build waiver has been received, and for which MARAD requests comments from interested parties. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD's regulations at 46 CFR part 388.

Vessel Proposed for Waiver of the U.S.-Build Requirement

(1) Name of vessel and owner for which waiver is requested. *Name of vessel:* Nicolle. *Owner:* Thomas M. LaFreniere.

(2) Size, capacity and tonnage of vessel. *According to the applicant*: ''* * * 39.6 feet long with a 14 foot beam, and a depth of 4 feet * * * gross tonnage is 29 tons * * *''

(3) Intended use for vessel, including geographic region of intended operation and trade. *According to the applicant:* ''* * * evening, single day, or week-end charters which involve sunset viewing, and exploring local harbors and islands. The region in which I would like to operate is is the coastal waters of New England, specifically between Gloucester and Boston.''

(4) Date and Place of construction and (if applicable) rebuilding. *Date of construction:* 1987. *Place of construction:* Taiwan.

(5) A statement on the impact this waiver will have on other commercial passenger vessel operators. *According to the applicant:* ''Considering the type of activities, and the area in which to conduct them, I am confident this waiver will have no adverse effects upon commercial passenger vessel operators. The vessels currently operating in my are are: Large whale watch vessels, commercial fishing vessels, large fishing charter vessels, and sport-fishing charter vessels.''

(6) A statement on the impact this waiver will have on U.S. shipyards. *According to the applicant:* ''Granting this waiver will not adversely affect the business of U.S. shipbuilders. However, not granting this waiver will, as it is my intention to start my operation using NICOLLE as a means to fund the purchase of a U.S. built sailing vessel.''

Dated: February 26, 2002.

By order of the Maritime Administrator.

Joel C. Richard,

Secretary, Maritime Administration.

[FR Doc. 02–4951 Filed 2–28–02; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Docket No. AB–33 (Sub–No. 186X)]

Union Pacific Railroad Company—Abandonment Exemption—in Martin County, MN

Union Pacific Railroad Company (UP) has filed a notice of exemption under 49 CFR 1152 Subpart F—*Exempt Abandonments and Discontinuances of Service and Trackage Rights* to abandon a 1.83-mile rail line over the Trimont Industrial Lead from milepost 140.57 to milepost 142.4 near Trimont, in Martin County, MN. The line traverses United States Postal Service Zip Code 56176.

UP has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) there is no overhead traffic on the line; (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 and discontinuance 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 April 2, 2002, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,[1] formal expressions of intent to file an OFA under 49 CFR

[1] 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 (SEA) in its independent investigation) cannot be made before the 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.

1152.27(c)(2),[2] and trail use/rail banking requests under 49 CFR 1152.29 must be filed by March 11, 2002. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by March 21, 2002 with: Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, N.W., Washington, DC 20423.

A copy of any petition filed with the Board should be sent to applicant's representative: Mack H. Shumate, Jr., Senior General Attorney, Union Pacific Railroad Company, 101 North Wacker Drive, Room 1920, Chicago, IL 60606.

If the verified notice contains false or misleading information, the exemption is void *ab initio.*

UP has filed an environmental report which addresses the effects, if any, of the abandonment and discontinuance on the environment and historic resources. SEA will issue an environmental assessment (EA) by March 8, 2002. 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) 565–1552. 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), UP shall file a notice of consummation with the Board to signify that it has exercised the authority granted and fully abandoned its line. If consummation has not been effected by UP's filing of a notice of consummation by March 1, 2003, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire.

Board decisions and notices are available on our website at *''WWW.STB.DOT.GOV.''*

Decided: February 21, 2002.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams,

Secretary.

[FR Doc. 02–4833 Filed 2–28–02; 8:45 am]

BILLING CODE 4915–00–P

DEPARTMENT OF THE TREASURY

Submission for OMB Review; Comment Request

February 20, 2002.

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 April 1, 2002, to be assured of consideration.

Internal Revenue Service (IRS)

OMB Number: 1545–1626.

Form Number: IRS Form 1065–B and Schedule K–1 .

Type of Review: Extension.

Title: U.S. Return of Income for Electing Large Partnerships (Form 1065–B); and Partner's Share of Income (Loss) From an Electing Large Partnership (Schedule K–1).

Description: Code sections 771–777 allow large partnerships to elect to file a simplified return which requires fewer items to be reported to partners.

Respondents: Business or other for-profit, farms.

Estimated Number of Respondents/ Recordkeepers: 100.

Estimated Burden Hours Per Respondent/Recordkeeper:

Form	Recordkeeping	Learning about the law or the form	Preparing the form	Copying, assembling, and sending the form to the IRS
Form 1065-B	50 hr., 22 min	21 hr., 1 min	32 hr., 6 min	2 hr., 40 min.
Schedule K–1 (Form 6065–B).	10 hr., 10 min	7 hr., 49 min	11 hr., 56 min.	

Frequency of Response: Annually.

Estimated Total Reporting/ Recordkeeping Burden: 456,151 hours.

OMB Number: 1545–1756.

Revenue Procedure Number: Revenue Procedure 2001–56.

Type of Review: Extension.

Title: Demonstration Automobile Use.

Description: This revenue procedure provides optional simplified methods for determining the value of the sue of demonstration automobiles provided to employees by automobile dealerships.

Respondents: Business or other for-profit.

Estimated Number of Recordkeepers: 20,000.

Estimated Burden Hours Per Recordkeeper: 5 hours.

Estimated Total Recordkeeping Burden: 100,000 hours.

OMB Number: 1545–1758.

Form Number: IRS Form 8879.

Type of Review: Extension.

Title: IRS e-file Signature Authorization.

Description: Form 8879 is used to allow taxpayers to authorize the Electronic Return Originators to enter the taxpayer's PIN on the electronically filed tax return.

Respondents: Individuals or households.

Estimated Number of Respondents/ Recordkeepers: 8,000,000.

Estimated Burden Hours Per Respondent/Recordkeeper:

Learning about the law or the form—8 min.
Preparing the form—15 min.

Frequency of Response: Annually.

Estimated Total Reporting/ Recordkeeping Burden: 5,440,000 hours.

OMB Number: 1545–1760.

Form Number: IRS Form 1099–Q.

Type of Review: Extension.

Title: Qualified Tuition Program Payments (Under Section 529).

Description: Form 1099–Q is used to report distributions from private and state qualified tuition programs as required under Internal Revenue Code section 529.

Respondents: Business or other for-profit.

Estimated Number of Respondents/ Recordkeepers: 150.

Estimated Burden Hours Per Respondent/Recordkeeper: 11 minutes.

Frequency of Response: Annually.

Estimated Total Reporting/ Recordkeeping Burden: 28,500 hours.

[2] 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).

Clearance Officer: George Freeland, Internal Revenue Service, Room 5577, 1111 Constitution Avenue, NW., Washington, DC 20224.

OMB Reviewer: Alexander T. Hunt, Office of Management and Budget, Room 10202, New Executive Office Building, Washington, DC 20503, (202) 395–7860.

Lois K. Holland,

Departmental Reports Management Officer.

[FR Doc. 02–4874 Filed 2–28–02; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Submission for OMB Review; Comment Request

February 22, 2002.

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 April 1, 2002, to be assured of consideration.

Bureau of Alcohol, Tobacco and Firearms (BATF)

OMB Number: 1512–0130.

Form Number: ATF F 4473 (5300.9) Part II.

Type of Review: Extension.

Title: Firearms Transaction Record, Part II Non-Over-The-Counter.

Description: The form is used to determine the eligibility of a person to receive a firearm from a Federal firearms licensee. It is also used to establish the identify of the buyer. The form is also used in law enforcement investigations to trace firearms or to confirm criminal activity.

Respondents: Individuals or households, business or other for-profit.

Estimated Number of Recordkeepers: 20,900.

Estimated Burden Hours Per Recordkeeper: 6 minutes.

Frequency of Response: On occasion.

Estimated Total Recordkeeping Burden: 9,057 hours.

OMB Number: 1512–0490.

Form Number: ATF F 4473 (5300.24) Part (LV) and ATF F 4473 (5300.25) Part II (LV).

Recordkeeping Requirement ID Number: ATF REC 7570/2.

Type of Review: Extension.

Title: Firearms Transaction Record Part I—Low Volume—Over-the-Counter; and Firearms Transaction Record Part II—Low Volume—Intra-State Non-Over-the-Counter.

Description: ATF Form 4473 LV Parts I and II are for use only by Federal firearms licensees disposing of 50 or fewer firearms per 12-month period. It is kept, at the licensee's option, in lieu of ATF F 4473 and records of acquisition and disposition.

Respondents: Individuals or households, business or other for-profit.

Estimated Number of Recordkeepers: 5,000.

Estimated Burden Hours Per Recordkeeper: 6 minutes.

Frequency of Response: On occasion.

Estimated Total Recordkeeping Burden: 1,042 hours.

OMB Number: 1512–0534.

Form Number: ATF F 2103 (5220.5), ATF F 2104 (5200.15), ATF F 2105 (5000.7), ATF F 2490 (5620.10), and ATF F 3070 (5210.13).

Type of Review: Extension.

Title: Bond—Export Warehouse Proprietor (F 2103); Export Bond—Customs Bonded Cigar Manufacturing Warehouse (F2104); Extension of Coverage of Bond (F 2105); Bond Under 26 U.S.C. 6423 (F 2490); and Bond—Manufacturer of Tobacco Products.

Description: ATF F 2103 (5220.5), Bond—Export Warehouse Proprietor is used to establish the qualifications of an applicant for an export warehouse proprietorship, or by current proprietor whose status has changed and must change the information already on file. The applicant certifies the intention of produce and/or store a specified amount of tobacco products and takes certain precautions to protect it from unauthorized use. The completed application and supporting data is a permanent record of the business and its qualifications to operate.

ATF F 2104 (5200.15), Export Bond—Customs Bonded Cigar Manufacturing Warehouse is used to establish the qualifications of an applicant who seeks authorization to manufacture cigars within customs bonded warehouse for subsequent exportation, or by a current manufacturer of such cigars whose status has changed and must change the information already on file. The applicant certifies the intention to produce, store and export a specified quantity of cigar products and takes certain precautions to protect them from unauthorized use. The completed application and supporting data is a permanent record of the business and its qualifications to operate.

ATF F 2105 (5000.7), Extension of Bond Coverage is sued to determine compliance by payment on untax paid commodities.

ATF F 2490 (5620.10), Bond Under 26 U.S.C. 6423, and ATF F 3070 (5210.13), Bond-Manufacturer of Tobacco Products are tobacco products and cigarette papers and tubes bond firms used by the manufacturers or proprietor and a surety company as a contract to ensure tax payment.

Respondents: Business or other for-profit.

Estimated Number of Recordkeepers: 15.

Estimated Burden Hours Per Recordkeeper: 1 hour, 40 minutes.

Frequency of Response: On occasion.

Estimated Total Recordkeeping Burden: 25 hours.

OMB Number: 1512–0529.

Form Number: ATF F 1676 (5110.2).

Type of Review: Extension.

Title: Bond Covering Removal To and Use of Wine At Vinegar Plant.

Description: ATF F 1676 (5510.2) is a bond form which serves as a contact between the proprietor of a vinegar plant and a surety. The bond coverage stated on the form is in an amount sufficient to cover the federal excise tax on wine in transit to and stored on the vinegar plant premises until the wine becomes vinegar.

Respondents: Business or other for-profit.

Estimated Number of Respondents: 25.

Estimated Burden Hours Per Respondent: 1 hour.

Estimated Total Reporting Burden: 25 hours.

OMB Number: 1512–0567.

Form Number: ATF F 7500.1.

Type of Review: Extension.

Title: Computer Security Incident Report.

Description: Recent computer penetration events, involving computer systems belonging to both government and commercial entities, enforce the need for the development and deployment of a computer security incident response capability in ATF.

Respondents: Federal Government, individuals or households.

Estimated Number of Respondents: 5,500.

Estimated Burden Hours Per Respondent: 30 minutes.

Frequency of Response: Other (per hit).

Estimated Total Reporting Burden: 2,750 hours.

OMB Number: 1512–0568.

Form Number: None.

Type of Review: Extension.

Title: Search For Artifacts and Memorabilia.

Description: The Commemorative Artifacts and Memorabilia Program (CAMP) hopes to discover and obtain artifacts and memorabilia pertaining to the history, mission, and spirit of ATF to develop exhibits for the new National Laboratory and Headquarters.

Respondents: Individuals or households.

Estimated Number of Respondents: 1,900.

Estimated Burden Hours Per Respondent: 10 minutes.

Estimated Total Reporting Burden: 317 hours.

Clearance Officer: Frank Bowers, Bureau of Alcohol, Tobacco and Firearms, Room 3200, 650 Massachusetts Avenue, NW., Washington, DC 20226, (202) 927–8930.

OMB Reviewer: Alexander T. Hunt, Office of Management and Budget, Room 10202, New Executive Office Building, Washington, DC 20503, (202) 395–7860.

Lois K. Holland,

Departmental Reports Management Officer.

[FR Doc. 02–4875 Filed 2–28–02; 8:45 am]

BILLING CODE 4810–31–P

DEPARTMENT OF THE TREASURY

Customs Service

[T.D. 02–09]

Notice of Decision of the United States Court of International Trade Sustaining Domestic Interested Party Petition Concerning Tariff Classification of Textile Costumes

AGENCY: Customs Service, Department of the Treasury.

ACTION: Notice of a decision of the United States Court of International Trade sustaining domestic interested party petition concerning tariff classification of textile costumes.

SUMMARY: On February 19, 2002, the United States Court of International Trade (CIT) issued the decision in *Rubie's Costume Company* v. *United States* which held that imported costumes are fancy dress of textile and, therefore, classifiable as wearing apparel. This decision sustained the petition of a domestic interested party under the provisions of section 516, Tariff Act of 1930, as amended (19 U.S.C. 1516). This document provides notice of the court decision and informs the public that imported textile costumes of the character covered by the Customs decision published in the **Federal Register** on December 4, 1998, will be subject to classification and assessment of duty in accordance with the CIT decision.

EFFECTIVE DATES: Imported textile costumes of the character covered by the Customs decision published in the **Federal Register** on December 4, 1998, which are entered for consumption or withdrawn from warehouse for consumption after March 1, 2002, are to be classified when entered as wearing apparel in accordance with the CIT decision in *Rubie's Costume Company* v. *United States.* The Committee for the Implementation of Textile Agreements (CITA) intends to apply quota and visa requirements to these goods exported on and after April 1, 2002.

FOR FURTHER INFORMATION CONTACT: For questions regarding operations, Dick Crichton, Office of Field Operations, (202) 927–0162; for legal questions, Rebecca Hollaway, Office of Regulations and Rulings, (202) 927–2394.

SUPPLEMENTARY INFORMATION:

Background

On June 2, 1997, in response to a domestic manufacturer's request, Customs issued a decision, Headquarters Ruling (HQ) 959545, determining that four costumes and their accessories would be classified under subheading 9505.90.6090, Harmonized Tariff Schedule of the United States (HTSUS), which provides for ''Festive carnival or other entertainment articles, including magic tricks and practical joke articles; parts and accessories thereof; Other: Other: Other.'' This provision provided for duty-free entry under the general column one rate of duty. (Effective August 1, 1997, the provision was amended and now reads as follows: 9505.90.6000, HTSUS, ''Festive, carnival or other entertainment articles, including magic tricks and practical joke articles; parts and accessories thereof: Other: Other,'' which provides for duty-free entry under the general column one rate of duty.)

In July 1997, and in accordance with the procedures of 19 U.S.C. 1516 and 19 CFR part 175, a domestic interested party petition was filed on behalf of an American manufacturer of textile costumes. The petitioner contended that virtually identical costumes to those manufactured by petitioner were being imported into the United States and some of these textile costumes were being erroneously classified by Customs, duty-free, under subheading 9505.90.6090, HTSUS. The petitioner claimed that all imported textile costumes should be classified as wearing apparel in Chapters 61 or 62, HTSUS, are therefore dutiable, and may be subject to quota and visa restraints. Petitioner asserted that all textile costumes are excluded from classification under subheading 9505.90.6090, HTSUS, pursuant to Note 1(e), Chapter 95.

Notice of the domestic interested party petition was published in the **Federal Register** on December 27, 1997 (62 FR 66891). After reviewing comments submitted in response to the notice that were supportive of and opposed to Customs classification position, Customs, in HQ 961447, dated July 22, 1998, denied the petition and affirmed the classification determination set forth in HQ 959545. The decision rejected the domestic interested party petition's argument that all imported costumes made of textiles should be classified under Chapters 61 and 62, HTSUS, as items of apparel.

On July 23, 1998, the domestic manufacturer filed written notice of its desire to contest Customs decision in HQ 961447 (19 U.S.C. 1516(c); 19 CFR 175.23). Subsequently, Customs published in the **Federal Register** (63 FR 67170; December 4, 1998) a notice of its classification decision and of the domestic manufacturer's desire to contest the decision. On June 25, 1999, Customs notified the domestic manufacturer that an entry of a costume had been liquidated in accordance with HQ 961447 on that date (19 U.S.C. 1516(c); 19 CFR 175.25(h)). On June 29, 1999, the domestic manufacturer commenced an action in the United States Court of International Trade (CIT) to challenge Customs classification decision.

The CIT, in *Rubie's Costume Company* v. *United States,* No. 99–06–00388, Slip Op. 02–14, (CIT Feb. 19, 2002), ruled, on a motion for summary judgment decided in favor of plaintiff domestic manufacturer, that the costumes constitute ''fancy dress'' and are thus excluded from classification in Chapter 95, HTSUS, by virtue of Note 1(e) to Chapter 95, HTSUS. Thus, the court held that the costumes are wearing apparel classifiable in Chapter 61, HTSUS. (To view the court's decision, go to *http://www.uscit.gov.* Note also that the *Rubie's* decision will be published in the *Customs Bulletin* issued on March 6, 2002.)

By publication of this notice in the **Federal Register**, Customs notifies the public, in accordance with 19 U.S.C. 1516(f) and 19 CFR 175.31, of the court's decision in *Rubie's.* Customs also informs the public that, effective on the day after publication of this notice

in the **Federal Register**, merchandise of the character covered by the Customs decision published in the **Federal Register** on December 4, 1998, which is entered for consumption or withdrawn from warehouse for consumption will be subject to classification in accordance with the court's decision. Also, as tariff subheadings under Chapters 61 and 62, HTSUS, are subject to quota and visa restraints, Customs notes that CITA intends to apply applicable quota and visa requirements to merchandise of the character covered by the Customs decision published in the **Federal Register** on December 4, 1998, that is exported on and after April 1, 2002.

Dated: February 26, 2002.

Douglas M. Browning,

Acting Assistant Commissioner, Office of Regulations and Rulings.

[FR Doc. 02–4945 Filed 2–26–02; 3:01 pm]

BILLING CODE 4820–02–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[LR–115–72]

Proposed Collection; Comment Request for Regulation Project

AGENCY: Internal Revenue Service (IRS), Treasury.

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 take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104–13(44 U.S.C. 3506(c)(2)(A)). Currently, the IRS is soliciting comments concerning an existing final regulation, LR–115–72 (TD 8043), Manufacturers Excise Taxes on Sporting Goods and Firearms and Other Administrative Provisions of Special Application To Manufacturers and Retailers Excise Taxes (§§ 48.4161, 48.6416, 48.6420, 48.6421, 48.6424, and 48.6427).

DATES: Written comments should be received on or before April 30, 2002, to be assured of consideration.

ADDRESSES: Direct all written comments to George Freeland, Internal Revenue Service, room 5244, 1111 Constitution Avenue NW., Washington, DC 20224.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the regulation should be directed to Larnice Mack (202) 622–3179, or through the internet *(Larnice.Mack@irs.gov),* Internal Revenue Service, room 5244, 1111 Constitution Avenue NW., Washington, DC 20224.

SUPPLEMENTARY INFORMATION:

Title: Manufacturers Excise Taxes on Sporting Goods and Firearms and Other Administrative Provisions of Special Application To Manufacturers and Retailers Excise Taxes.

OMB Number: 1545–0723. Regulation Project Number: LR–115–72.

Abstract: Chapters 31 and 32 of the Internal Revenue Code impose excise taxes on the sale or use of certain articles. Code section 6416 allows a credit or refund of the tax to manufacturers in certain cases. Code section 6420, 6421, and 6427 allow credits or refunds of the tax to certain users of the articles. This regulation contains reporting and recordkeeping requirements that enable the IRS and taxpayers to verify that the proper amount of tax is reported or excluded.

Current Actions: There is no change to this existing regulation.

Type of Review: Extension of currently approved collection.

Affected Public: Individuals, business or other for-profit organizations, not-for-profit institutions, farms, and state, local, or tribal governments.

Estimated Number of Respondents: 1,500,000.

Estimated Time Per Respondent: 19 minutes.

Estimated Total Annual Burden Hours: 475,000.

The following paragraph applies to all of the collections of information covered by this notice:

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number. Books or records relating to a collection of information must be retained as long as their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.

Request for Comments: Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited 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, utility, and clarity of the information to be collected; (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; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Approved: February 22, 2002.

George Freeland,

IRS Reports Clearance Officer.

[FR Doc. 02–4947 Filed 2–28–02; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF VETERANS AFFAIRS

Advisory Committee on Cemeteries and Memorials, Notice of Meeting

The Department of Veterans Affairs (VA) gives notice under Public Law 92–463 that a meeting of the Advisory Committee on Cemeteries and Memorials, authorized by 38 U.S.C. 2401, will be held Wednesday, April 10, and Thursday, April 11, 2002, from 8:30 a.m. until 4:30 p.m., at the Adam's Mark San Antonio, 111 Pecan Street East, San Antonio, TX 78205. This will be the Committee's second meeting of Fiscal Year 2002.

The purpose of the Committee meeting is to review the administration of VA's cemeteries and burial benefits program. On Wednesday, April 10, Committee members will discuss NCA's National Shrine Commitment and tour Fort Sam Houston National Cemetery.

On Thursday, April 11, members of the Committee will be informed about new cemetery construction, the State Cemetery Grants Program, legislative initiatives and issues related to the administration and maintenance of national cemeteries. The meeting will conclude with a review of past unfinished business, program recommendations and a discussion of future meeting sites and agenda topics.

The meeting will be open to the public. Individuals wishing to attend the meeting should contact Mrs. Paige Lowther, Designated Federal Official, National Cemetery Administration, [phone (202) 273–5157] no later than 12 noon (ET), March 29, 2002.

Any interested person may attend, appear before, or file a statement with the Committee. Individuals wishing to appear before the Committee should indicate this in a letter to Mrs. Paige

Lowther, Designated Federal Official, National Cemetery Administration (40), 810 Vermont Avenue, NW., Washington, DC 20420. In any such letters, the writers must fully identify themselves and state the organization, association or person(s) they represent. In addition, to the extent practicable, letters should indicate the subject matter to be discussed. Oral presentations should be limited to 10 minutes in duration. Individuals wishing to file written statements to be submitted to the Committee must also mail or deliver them to Mrs. Lowther.

Letters and written statements as discussed above must be mailed or delivered in time to reach Mrs. Lowther by 12 noon (ET), March 29, 2002. Oral statements will be heard between 10 a.m. and 10:30 a.m. (ET), April 11, 2002, at the Adam's Mark San Antonio, 111 Pecan Street East, San Antonio, TX 78205.

Dated: February 15, 2002.

By Direction of the Secretary.

Noral E. Egan,

Committee Management Officer.

[FR Doc. 02–4893 Filed 2–28–02; 8:45 am]

BILLING CODE 8320–01–M

Corrections

Federal Register

Vol. 67, No. 41

Friday, March 1, 2002

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 DEFENSE

Department of the Army

Armament Retooling and Manufacturing Support Initiative Implementation

Correction

In notice document 02–4178 appearing on page 8010 in the issue of Thursday, February 21, 2001, make the following correction:

On page 8010, in the second column, under the heading ''**FOR FURTHER INFORMATION CONTACT:**'', in the third line, ''COM'' should read, ''CCM''.

[FR Doc. C2–4178 Filed 2–28–02; 8:45 am]

BILLING CODE 1505–01–D

DEPARTMENT OF DEFENSE

Department of the Army

Availability of Non-Exclusive, Exclusive, or Partially Exclusive Licensing of U.S. Patent Concerning Hantavirus Vaccine

Correction

In notice document 02–4181 appearing on page 8011 in the issue of Thursday, February 21, 2001, make the following correction:

On page 8011, in the second column, under the heading ''**SUPPLEMENTARY INFORMATION:**'', in the last line ''tin'' should read, ''tip''.

[FR Doc. C2–4181 Filed 2–28–02; 8:45 am]

BILLING CODE 1505–01–D

DEPARTMENT OF DEFENSE

Department of the Army

Availability of Non-Exclusive, Exclusive, or Partially Exclusive Licensing of U.S. Patent Concerning Temperature-Regulated Cell Perfusion Chamber

Correction

In notice document 02–4182 beginning on page 8011 in the issue of Thursday, February 21, 2001, make the following correction:

On page 8011, in the third column, under the heading ''**SUPPLEMENTARY INFORMATION:**'', in the fourth line, ''change'' should read, ''chain''.

[FR Doc. C2–4182 Filed 2–28–02; 8:45 am]

BILLING CODE 1505–01–D

DEPARTMENT OF TRANSPORTATION

Federal Transit Administration

[FTA Docket No. FTA–2002–11617]

Notice of Request for Revision of a Currently Approved Information Collection

Correction

In notice document 02–4283 appearing on page 8333, in the issue of Friday, February 22, 2002, make the following correction:

On page 8333, in the second column, the docket number is corrected to read as set forth above.

[FR Doc. C2–4283 Filed 2–28–02; 8:45 am]

BILLING CODE 1505–01–D

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[FR Doc. C2–4283 Filed 2–28–02; 8:45 am]

BILLING CODE 1505–01–D

Federal Register

Friday,
March 1, 2002

Part II

Department of Housing and Urban Development

Federal Property Suitable as Facilities To Assist the Homeless; Notice

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–4730–N–09]

Federal Property Suitable as Facilities To Assist the Homeless

AGENCY: Office of the Assistant Secretary for Community Planning and Development, HUD.

ACTION: Notice.

SUMMARY: This Notice identifies unutilized, underutilized, excess, and surplus Federal property reviewed by HUD for suitability for possible use to assist the homeless.

FOR FURTHER INFORMATION CONTACT: Mark Johnston, room 7266, Department of Housing and Urban Development, 451 Seventh Street SW, Washington, DC 20410; telephone (202) 708–1234; TTY number for the hearing- and speech-impaired (202) 708–2565 (these telephone numbers are not toll-free), or call the toll-free Title V information line at 1–800–927–7588.

SUPPLEMENTARY INFORMATION: In accordance with 24 CFR part 581 and section 501 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11411), as amended, HUD is publishing this Notice to identify Federal buildings and other real property that HUD has reviewed for suitability for use to assist the homeless. The properties were reviewed using information provided to HUD by Federal landholding agencies regarding unutilized and underutilized buildings and real property controlled by such agencies or by GSA regarding its inventory of excess or surplus Federal property. This Notice is also published in order to comply with the December 12, 1988 Court Order in *National Coalition for the Homeless* v. *Veterans Administration*, No. 88–2503–OG (D.D.C.).

Properties reviewed are listed in this Notice according to the following categories: Suitable/available, suitable/unavailable, suitable/to be excess, and unsuitable. The properties listed in the three suitable categories have been reviewed by the landholding agencies, and each agency has transmitted to HUD: (1) Its intention to make the property available for use to assist the homeless, (2) its intention to declare the property excess to the agency's needs, or (3) a statement of the reasons that the property cannot be declared excess or made available for use as facilities to assist the homeless.

Properties listed as suitable/available will be available exclusively for homeless use for a period of 60 days from the date of this Notice. Where property is described as for ''off-site use only'' recipients of the property will be required to relocate the building to their own site at their own expense. Homeless assistance providers interested in any such property should send a written expression of interest to HHS, addressed to Brian Rooney, Division of Property Management, Program Support Center, HHS, room 5B–41, 5600 Fishers Lane, Rockville, MD 20857; (301) 443–2265. (This is not a toll-free number.) HHS will mail to the interested provider an application packet, which will include instructions for completing the application. In order to maximize the opportunity to utilize a suitable property, providers should submit their written expressions of interest as soon as possible. For complete details concerning the processing of applications, the reader is encouraged to refer to the interim rule governing this program, 24 CFR part 581.

For properties listed as suitable/to be excess, that property may, if subsequently accepted as excess by GSA, be made available for use by the homeless in accordance with applicable law, subject to screening for other Federal use. At the appropriate time, HUD will publish the property in a Notice showing it as either suitable/available or suitable/unavailable.

For properties listed as suitable/unavailable, the landholding agency has decided that the property cannot be declared excess or made available for use to assist the homeless, and the property will not be available.

Properties listed as unsuitable will not be made available for any other purpose for 20 days from the date of this Notice. Homeless assistance providers interested in a review by HUD of the determination of unsuitability should call the toll free information line at 1–800–927–7588 for detailed instructions or write a letter to Mark Johnston at the address listed at the beginning of this Notice. Included in the request for review should be the property address (including zip code), the date of publication in the **Federal Register**, the landholding agency, and the property number.

For more information regarding particular properties identified in this Notice (i.e., acreage, floor plan, existing sanitary facilities, exact street address), providers should contact the appropriate landholding agencies at the following addresses: AF: Ms. Barbara Jenkins, Air Force Real Estate Agency (Area-MI), Bolling Air Force Base, 112 Luke Avenue, Suite 104, Building 5683, Washington, DC 20332–8020; (202) 767–4184; COE: Ms. Shirley Middleswarth, Army Corps of Engineers, Management & Disposal Division, 441 G Street, Washington, DC 20314–1000; (202) 761–7425; GSA: Mr. Brian K. Polly, Assistant Commissioner, General Services Administration, Office of Property Disposal, 18th and F Streets, NW, Washington, DC 20405; (202) 501–0052; INTERIOR: Ms. Linda Tribby, Acquisition & Property Management, Department of the Interior, 1849 C Street, NW, MS5512, Washington, DC 20240; (202) 219–0728; NAVY: Mr. Charles C. Cocks, Director, Department of the Navy, Real Estate Policy Division, Naval Facilities Engineering Command, Washington Navy Yard, 1322 Patterson Ave., SE, Suite 1000, Washington, DC 20374–5065; (202) 685–9200; (These are not toll-free numbers).

Dated: February 22, 2002.

John D. Garrity,

Director, Office of Special Needs Assistance Programs.

Title V, Federal Surplus Property Program Federal Register Report for 3/1/02

Suitable/Available Properties

Buildings (by State)

Idaho

Ditchrider House 25822 Middleton Rd.
Middleton Co: Canyon ID 83644–
Landholding Agency: Interior
Property Number: 61200140006
Status: Unutilized
Comment: 832 sq. ft. residence, needs rehab, off-site use only

Kentucky

Green River Lock & Dam #3
Rochester Co: Butler KY 42273–
Location: SR 70 west from Morgantown, KY., approximately 7 miles to site
Landholding Agency: COE
Property Number: 31199010022
Status: Unutilized
Comment: 980 sq. ft.; 2 story wood frame; two story residence; potential utilities; needs major rehab

Water Treatment Plant
Rough River Lake
Axtel Recreation Site
McDaniels Co: KY
Landholding Agency: COE
Property Number: 31200210025
Status: Excess
Comment: 412 sq. ft., off-site use only

Massachusetts

Storage Bldg.
Knightville Dam Road
Huntington Co: Hampshire MA 01050–
Landholding Agency: COE
Property Number: 31200030005
Status: Unutilized
Comment: 480 sq. ft., needs rehab, off-site use only

Minnesota

Storage
1 Portland Ave
St. Anthony Falls Lock & Dam

Minneapolis Co: Hennepin MN 55401–2528
Landholding Agency: COE
Property Number: 31200210004
Status: Excess
Comment: 720 sq. ft., must be dismantled prior to moving, off-site use only

Garage/Storage
1 Portland Ave.
St. Anthony Falls Lock & Dam
Minneapolis Co: Hennepin MN 55401–2528
Landholding Agency: COE
Property Number: 31200210005
Status: Excess
Comment: 768 sq. ft., must be dismantled prior to moving, off-site use only

Montana

Bldg. 1
Butte Natl Guard
Butte Co: Silverbow MT 59701–
Landholding Agency: COE
Property Number: 31200040010
Status: Unutilized
Comment: 22799 sq. ft., presence of asbestos, most recent use—cold storage, off-site use only

Bldg. 2
Butte Natl Guard
Butte Co: Silverbow MT 59701–
Landholding Agency: COE
Property Number: 31200040011
Status: Unutilized
Comment: 3292 sq. ft., most recent use—cold storage, off-site use only

Bldg. 3
Butte Natl Guard
Butte Co: Silverbow MT 59701–
Landholding Agency: COE
Property Number: 31200040012
Status: Unutilized
Comment: 964 sq. ft., most recent use—cold storage, off-site use only

Bldg. 4
Butte Natl Guard
Butte Co: Silverbow MT 59701–
Landholding Agency: COE
Property Number: 31200040013
Status: Unutilized
Comment: 72 sq. ft., most recent use—cold storage, off-site use only

Bldg. 5
Butte Natl Guard
Butte Co: Silverbow MT 59701–
Landholding Agency: COE
Property Number: 31200040014
Status: Unutilized
Comment: 1286 sq. ft., most recent use—cold storage, off-site use only

Nevada

6 Cabins
#70, 14, 24, 5, 2, 21
Lake Meade, 601 Nevada Highway
Boulder Co: NV 89005–
Landholding Agency: Interior
Property Number: 61200130011
Status: Unutilized
Comment: vacation cabins, remote location, entrance fee required, presence of asbestos, off-site use only

New York

Bldg. 1452 & 297 acres
AVA Test Annex
Town of Ava Co: Oneida NY 13303–
Landholding Agency: Air Force
Property Number: 18199920030
Status: Unutilized
Comment: 11,000 sq. ft. on 297 acres (67 acres of wetland), most recent use—electronic research testing, presence of asbestos/lead paint

Bldg. 1453
AVA Test Annex
Town of Ava Co: Oneida NY 13303–
Landholding Agency: Air Force
Property Number: 18199920031
Status: Unutilized
Comment: 266 sq. ft., most recent use—generator bldg., presence of asbestos

Bldg. 1454
AVA Test Annex
Town of Ava Co: Oneida NY 13303–
Landholding Agency: Air Force
Property Number: 18199920032
Status: Unutilized
Comment: 53 sq. ft., most recent use—switch station, presence of asbestos

Lockport Comm. Facility
Shawnee Road
Lockport Co: Niagara NY
Landholding Agency: Air Force
Property Number: 18200040004
Status: Excess
Comment: 2 concrete block bldgs., (415 & 2929 sq. ft.) on 7.68 acres

North Dakota

Office Bldg.
Lake Oahe Project 3rd & Main
Ft. Yates Co: Sioux ND 58538–
Landholding Agency: COE
Property Number: 31200020001
Status: Unutilized
Comment: 1200 sq. ft., 2-story wood, off-site use only

Ohio

Barker Historic House
Willow Island Locks and Dam
Newport Co: Washington OH 45768–9801
Location: Located at lock site, downstream of lock and dam structure
Landholding Agency: COE
Property Number: 31199120018
Status: Unutilized
Comment: 1600 sq. ft. bldg. with 1/2 acre of land, 2 story brick frame, needs rehab, on Natl Register of Historic Places, no utilities, off-site use only

Residence
506 Reservoir Rd.
Paint Creek Lake
Bainbridge Co: Highland OH 45612–
Landholding Agency: COE
Property Number: 31200210008
Status: Unutilized
Comment: 1200 sq. ft., needs repair, off-site use only

Residence
4969 Dillon Dam Road
Dillon Lake
Zanesville Co: OH 43701–
Landholding Agency: COE
Property Number: 31200210009
Status: Unutilized
Comment: 1800 sq. ft., off-site use only

Pennsylvania

Mahoning Creek Reservoir
New Bethlehem Co: Armstrong PA 16242–
Landholding Agency: COE
Property Number: 31199210008
Status: Unutilized
Comment: 1015 sq. ft., 2 story brick residence, off-site use only

Dwelling
Lock & Dam 6, Allegheny River, 1260 River Rd.
Freeport Co: Armstrong PA 16229–2023
Landholding Agency: COE
Property Number: 31199620008
Status: Unutilized
Comment: 2652 sq. ft., 3-story brick house, in close proximity to Lock and Dam, available for interim use for nonresidential purposes

Govt. Dwelling
Youghiogheny River Lake
Confluence Co: Fayette PA 15424–9103
Landholding Agency: COE
Property Number: 31199640002
Status: Unutilized
Comment: 1421 sq. ft., 2-story brick w/ basement, most recent use—residential

Dwelling
Lock & Dam 4, Allegheny River
Natrona Co: Allegheny PA 15065–2609
Landholding Agency: COE
Property Number: 31199710009
Status: Unutilized
Comment: 1664 sq. ft., 2-story brick residence, needs repair, off-site use only

Dwelling #1
Crooked Creek Lake
Ford City Co: Armstrong PA 16226–8815
Landholding Agency: COE
Property Number: 31199740002
Status: Excess
Comment: 2030 sq. ft., most recent use—residential, good condition, off-site use only

Dwelling #2
Crooked Creek Lake
Ford City Co: Armstrong PA 16226–8815
Landholding Agency: COE
Property Number: 31199740003
Status: Excess
Comment: 3045 sq. ft., most recent use—residential, good condition, off-site use only

Govt Dwelling
East Branch Lake
Wilcox Co: Elk PA 15870–9709
Landholding Agency: COE
Property Number: 31199740005
Status: Underutilized
Comment: approx. 5299 sq. ft., 1-story, most recent use—residence, off-site use only

Dwelling #1
Loyalhanna Lake
Saltsburg Co: Westmoreland PA 15681–9302
Landholding Agency: COE
Property Number: 31199740006
Status: Excess
Comment: 1996 sq. ft., most recent use—residential, good condition, off-site use only

Dwelling #2
Loyalhanna Lake
Saltsburg Co: Westmoreland PA 15681–9302
Landholding Agency: COE
Property Number: 31199740007
Status: Excess
Comment: 1996 sq. ft., most recent use—residential, good condition, off-site use only

Dwelling #1
Woodcock Creek Lake
Saegertown Co: Crawford PA 16433–0629
Landholding Agency: COE
Property Number: 31199740008
Status: Excess
Comment: 2106 sq. ft., most recent use—residential, good condition, off-site use only

Dwelling #2
Lock & Dam 6, 1260 River Road
Freeport Co: Armstrong PA 16229–2023
Landholding Agency: COE
Property Number: 31199740009
Status: Excess
Comment: 2652 sq. ft., most recent use—residential, good condition, off-site use only

Dwelling #2
Youghiogheny River Lake
Confluence Co: Fayette PA 15424–9103
Landholding Agency: COE
Property Number: 31199830003
Status: Excess
Comment: 1421 sq. ft., 2-story + basement, most recent use—residential

Residence/Office
Cowanesque Lake Project
Lawrenceville Co: Tioga PA 16929–
Landholding Agency: COE
Property Number: 31199940002
Status: Unutilized
Comment: 1653 sq. ft. residence, and 2,640 sq. ft. storage bldg., need major repairs, no operating sanitary facilities

South Dakota

West Communications Annex
Ellsworth Air Force Base
Ellsworth AFB Co: Meade SD 57706–
Landholding Agency:Air Force
Property Number: 18199340051
Status: Unutilized
Comment: 2 bldgs. on 2.37 acres, remote area, lacks infrastructure, road hazardous during winter storms, most recent use—industrial storage

Residence, Tract 115
Oahe Dam/Lake Oahe Project
Pierre Co: SD 57501–
Landholding Agency: COE
Property Number: 31200210010
Status: Excess
Comment: 1037 sq. ft., off-site use only

Residence, Tract 116
Oahe Dam/Lake Oahe Project
Pierre Co: SD 57501–
Landholding Agency: COE
Property Number: 31200210011
Status: Excess
Comment: 1428 sq. ft., off-site use only

Residence, Tract 121
Oahe Dam/Lake Oahe Project
Pierre Co: SD 57501–
Landholding Agency: COE
Property Number: 31200210012
Status: Excess
Comment: 936 sq. ft., off-site use only

Residence, Tract 125
Oahe Dam/Lake Oahe Project
Pierre Co: SD 57501–
Landholding Agency: COE
Property Number: 31200210013
Status: Excess
Comment: 996 sq. ft., off-site use only

Residence, Tract 130
Oahe Dam/Lake Oahe Project
Pierre Co: SD 57501–
Landholding Agency: COE
Property Number: 31200210014
Status: Excess
Comment: 912 sq. ft., off-site use only

Residence, Tract 137
Oahe Dam/Lake Oahe Project
Pierre Co: SD 57501–
Landholding Agency: COE
Property Number: 31200210015
Status: Excess
Comment: 884 sq. ft., off-site use only

Residence, Tract 142
Oahe Dam/Lake Oahe Project
Pierre Co: SD 57501–
Landholding Agency: COE
Property Number: 31200210016
Status: Excess
Comment: 1048 sq. ft., off-site use only

Residence, Tract 303
Oahe Dam/Lake Oahe Project
Pierre Co: SD 57501–
Landholding Agency: COE
Property Number: 31200210017
Status: Excess
Comment: 704 sq. ft., off-site use only

Residence, Tract 404
Oahe Dam/Lake Oahe Project
Pierre Co: SD 57501–
Landholding Agency: COE
Property Number: 31200210018
Status: Excess
Comment: 952 sq. ft., off-site use only

Residence, Tract 406
Oahe Dam/Lake Oahe Project
Pierre Co: SD 57501–
Landholding Agency: COE
Property Number: 31200210019
Status: Excess
Comment: 924 sq. ft., off-site use only

Residence, Tract 409
Oahe Dam/Lake Oahe Project
Pierre Co: SD 57501–
Landholding Agency: COE
Property Number: 31200210020
Status: Excess
Comment: 1368 sq. ft., off-site use only

Residence, Tract 414
Oahe Dam/Lake Oahe Project
Pierre Co: SD 57501–
Landholding Agency: COE
Property Number: 31200210021
Status: Excess
Comment: 912 sq. ft., off-site use only

Residence, Tract 501
Oahe Dam/Lake Oahe Project
Pierre Co: SD 57501–
Landholding Agency: COE
Property Number: 31200210022
Status: Excess
Comment: 942 sq. ft., off-site use only

Residence, Tract 502
Oahe Dam/Lake Oahe Project
Pierre Co: SD 57501–
Landholding Agency: COE
Property Number: 31200210023
Status: Excess
Comment: 1008 sq. ft., off-site use only

Virginia

Metal Bldg.
John H. Kerr Dam & Reservoir
Co: Boydton VA
Landholding Agency: COE
Property Number: 31199620009
Status: Excess
Comment: 800 sq. ft., most recent use—storage, off-site use only

Wisconsin

Former Lockmaster's Dwelling
Cedar Locks
4527 East Wisconsin Road
Appleton Co: Outagamie WI 54911–
Landholding Agency: COE
Property Number: 31199011524
Status: Unutilized
Comment: 1224 sq. ft.; 2 story brick/wood frame residence; needs rehab; secured area with alternate access

Former Lockmaster's Dwelling
Appleton 4th Lock
905 South Lowe Street
Appleton Co: Outagamie WI 54911–
Landholding Agency: COE
Property Number: 31199011525
Status: Unutilized
Comment: 908 sq. ft.; 2 story wood frame residence; needs rehab

Former Lockmaster's Dwelling
Kaukauna 1st Lock
301 Canal Street
Kaukauna Co: Outagamie WI 54131–
Landholding Agency: COE
Property Number: 31199011527
Status: Unutilized
Comment: 1290 sq. ft.; 2 story wood frame residence; needs rehab; secured area with alternate access

Former Lockmaster's Dwelling
Appleton 1st Lock
905 South Oneida Street
Appleton Co: Outagamie WI 54911–
Landholding Agency: COE
Property Number: 31199011531
Status: Unutilized
Comment: 1300 sq. ft.; potential utilities; 2 story wood frame residence; needs rehab; secured area with alternate access

Former Lockmaster's Dwelling
Rapid Croche Lock
Lock Road
Wrightstown Co: Outagamie WI 54180–
Location: 3 miles southwest of intersection State Highway 96 and Canal Road
Landholding Agency: COE
Property Number: 31199011533
Status: Unutilized
Comment: 1952 sq. ft.; 2 story wood frame residence; potential utilities; needs rehab

Former Lockmaster's Dwelling
Little KauKauna Lock
Little KauKauna
Lawrence Co: Brown WI 54130–
Location: 2 miles southeasterly from intersection of Lost Dauphin Road (County Trunk Highway ''D'') and River Street
Landholding Agency: COE
Property Number: 31199011535
Status: Unutilized
Comment: 1224 sq. ft.; 2 story brick/wood frame residence; needs rehab

Former Lockmaster's Dwelling
Little Chute, 2nd Lock
214 Mill Street
Little Chute Co: Outagamie WI 54140–
Landholding Agency: COE
Property Number: 31199011536

Status: Unutilized
Comment: 1224 sq. ft.; 2 story brick/wood frame residence; potential utilities; needs rehab; secured area with alternate access

Land (by State)

Arizona

WC–1–2c & WC–1–2f
Range 1 East
Peoria Co: Maricopa AZ 85382–
Landholding Agency: Interior
Property Number: 61200140007
Status: Excess
Comment: 10 acres, portion of parcels, remote location, no utilities

Unit B
Florence Gardens Subdivision
Florence Co: Pinal AZ 85232–
Landholding Agency: Interior
Property Number: 61200210011
Status: Excess
Comment: 8.12 acres

Arkansas

Parcel 01
DeGray Lake
Section 12
Arkadelphia Co: Clark AR 71923–9361
Landholding Agency: COE
Property Number: 31199010071
Status: Unutilized
Comment: 77.6 acres

Parcel 02
DeGray Lake
Section 13
Arkadelphia Co: Clark AR 71923–9361
Landholding Agency: COE
Property Number: 31199010072
Status: Unutilized
Comment: 198.5 acres

Parcel 03
DeGray Lake
Section 18
Arkadelphia Co: Clark AR 71923–9361
Landholding Agency: COE
Property Number: 31199010073
Status: Unutilized
Comment: 50.46 acres

Parcel 04
DeGray Lake
Section 24, 25, 30 and 31
Arkadelphia Co: Clark AR 71923–9361
Landholding Agency: COE
Property Number: 31199010074
Status: Unutilized
Comment: 236.37 acres

Parcel 05
DeGray Lake
Section 16
Arkadelphia Co: Clark AR 71923–9361
Landholding Agency: COE
Property Number: 31199010075
Status: Unutilized
Comment: 187.30 acres

Parcel 06
DeGray Lake
Section 13
Arkadelphia Co: Clark AR 71923–9361
Landholding Agency: COE
Property Number: 31199010076
Status: Unutilized
Comment: 13.0 acres

Parcel 07
DeGray Lake
Section 34
Arkadelphia Co: Hot Spring AR 71923–9361
Landholding Agency: COE
Property Number: 31199010077
Status: Unutilized
Comment: 0.27 acres

Parcel 08
DeGray Lake
Section 13
Arkadelphia Co: Clark AR 71923–9361
Landholding Agency: COE
Property Number: 31199010078
Status: Unutilized
Comment: 14.6 acres

Parcel 09
DeGray Lake
Section 12
Arkadelphia Co: Hot Spring AR 71923–9361
Landholding Agency: COE
Property Number: 31199010079
Status: Unutilized
Comment: 6.60 acres

Parcel 10
DeGray Lake
Section 12
Arkadelphia Co: Hot Spring AR 71923–9361
Landholding Agency: COE
Property Number: 31199010080
Status: Unutilized
Comment: 4.5 acres

Parcel 11
DeGray Lake
Section 19
Arkadelphia Co: Hot Spring AR 71923–9361
Landholding Agency: COE
Property Number: 31199010081
Status: Unutilized
Comment: 19.50 acres

Lake Greeson
Section 7, 8 and 18
Murfreesboro Co: Pike AR 71958–9720
Landholding Agency: COE
Property Number: 31199010083
Status: Unutilized
Comment: 46 acres

Florida

Homestead Communications Annex
Homestead Co: Dare FL 33033–
Landholding Agency: Air Force
Property Number: 18200210015
Status: Excess
Comment: 20 acres w/concrete bldg., consist of wetlands/100 year floodplain, most recent use—high frequency regional broadcasting system

Kansas

Parcel 1
El Dorado Lake
Section 13, 24, and 18
(See County) Co: Butler KS
Landholding Agency: COE
Property Number: 31199010064
Status: Unutilized
Comment: 61 acres; most recent use—recreation

Kentucky

Tract 2625
Barkley Lake, Kentucky, and Tennessee
Cadiz Co: Trigg KY 42211–
Location: Adjoining the village of Rockcastle
Landholding Agency: COE
Property Number: 31199010025
Status: Excess
Comment: 2.57 acres; rolling and wooded

Tract 2709–10 and 2710–2
Barkley Lake, Kentucky and Tennessee
Cadiz Co: Trigg KY 42211–
Location: 2½ miles in a southerly direction from the village of Rockcastle
Landholding Agency: COE
Property Number: 31199010026
Status: Excess
Comment: 2.00 acres; steep and wooded

Tract 2708–1 and 2709–1
Barkley Lake, Kentucky and Tennessee
Cadiz Co: Trigg KY 42211–
Location: 2½ miles in a southerly direction from the village of Rockcastle
Landholding Agency: COE
Property Number: 31199010027
Status: Excess
Comment: 3.59 acres; rolling and wooded; no utilities

Tract 2800
Barkley Lake, Kentucky and Tennessee
Cadiz Co: Trigg KY 42211–
Location: 4½ miles in a southeasterly direction from the village of Rockcastle
Landholding Agency: COE
Property Number: 31199010028
Status: Excess
Comment: 5.44 acres; steep and wooded

Tract 2915
Barkley Lake, Kentucky and Tennessee
Cadiz Co: Trigg KY 42211–
Location: 6½ miles west of Cadiz.
Landholding Agency: COE
Property Number: 31199010029
Status: Excess
Comment: 5.76 acres; steep and wooded; no utilities

Tract 2702
Barkley Lake, Kentucky and Tennessee
Cadiz Co: Trigg KY 42211–
Location: 1 mile in a southerly direction from the village of Rockcastle
Landholding Agency: COE
Property Number: 31199010031
Status: Excess
Comment: 4.90 acres; wooded; no utilities

Tract 4318
Barkley Lake, Kentucky and Tennessee
Canton Co: Trigg KY 42212–
Location: Trigg Co. adjoining the city of Canton, KY. on the waters of Hopson Creek
Landholding Agency: COE
Property Number: 31199010032
Status: Excess
Comment: 8.24 acres; steep and wooded

Tract 4502
Barkley Lake, Kentucky and Tennessee
Canton Co: Trigg KY 42212–
Location: 3½ miles in a southerly direction from Canton, KY.
Landholding Agency: COE
Property Number: 31199010033
Status: Excess
Comment: 4.26 acres; steep and wooded

Tract 4611
Barkley Lake, Kentucky and Tennessee
Canton Co: Trigg KY 42212–
Location: 5 miles south of Canton, KY
Landholding Agency: COE
Property Number: 31199010034
Status: Excess
Comment: 10.51 acres; steep and wooded; no utilities

Tract 4619

Barkley Lake, Kentucky and Tennessee
Canton Co: Trigg KY 42212–
Location: 4½ miles south from Canton, KY
Landholding Agency: COE
Property Number: 31199010035
Status: Excess
Comment: 2.02 acres; steep and wooded; no utilities

Tract 4817
Barkley Lake, Kentucky and Tennessee
Canton Co: Trigg KY 42212–
Location: 6½ miles south of Canton, KY
Landholding Agency: COE
Property Number: 31199010036
Status: Excess
Comment: 1.75 acres; wooded

Tract 1217
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42030–
Location: On the north side of the Illinois Central Railroad
Landholding Agency: COE
Property Number: 31199010042
Status: Excess
Comment: 5.80 acres; steep and wooded

Tract 1906
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42030–
Location: Approximately 4 miles east of Eddyville, KY
Landholding Agency: COE
Property Number: 31199010044
Status: Excess
Comment: 25.86 acres; rolling steep and partially wooded; no utilities

Tract 1907
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42038–
Location: On the waters of Pilfen Creek, 4 miles east of Eddyville, KY
Landholding Agency: COE
Property Number: 31199010045
Status: Excess
Comment: 8.71 acres; rolling steep and wooded; no utilities

Tract 2001 #1
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42030–
Location: Approximately 4½ miles east of Eddyville, KY
Landholding Agency: COE
Property Number: 31199010046
Status: Excess
Comment: 47.42 acres; steep and wooded; no utilities

Tract 2001 #2
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42030–
Location: Approximately 4½ miles east of Eddyville, KY
Landholding Agency: COE
Property Number: 31199010047
Status: Excess
Comment: 8.64 acres; steep and wooded; no utilities

Tract 2005
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42030–
Location: Approximately 5½ miles east of Eddyville, KY
Landholding Agency: COE
Property Number: 31199010048
Status: Excess
Comment: 4.62 acres; steep and wooded; no utilities

Tract 2307
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42030–
Location: Approximately 7½ miles southeasterly of Eddyville, KY.
Landholding Agency: COE
Property Number: 31199010049
Status: Excess
Comment: 11.43 acres; steep; rolling and wooded; no utilities

Tract 2403
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42030–
Location: 7 miles southeasterly of Eddyville, KY
Landholding Agency: COE
Property Number: 31199010050
Status: Excess
Comment: 1.56 acres; steep and wooded; no utilities

Tract 2504
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42030–
Location: 9 miles southeasterly of Eddyville, KY
Landholding Agency: COE
Property Number: 31199010051
Status: Excess
Comment: 24.46 acres; steep and wooded; no utilities

Tract 214
Barkley Lake, Kentucky and Tennessee
Grand Rivers Co: Lyon KY 42045–
Location: South of the Illinois Central Railroad, 1 mile east of the Cumberland River
Landholding Agency: COE
Property Number: 31199010052
Status: Excess
Comment: 5.5 acres; wooded; no utilities

Tract 215
Barkley Lake, Kentucky and Tennessee
Grand Rivers Co: Lyon KY 42045–
Location: 5 miles southwest of Kuttawa
Landholding Agency: COE
Property Number: 31199010053
Status: Excess
Comment: 1.40 acres; wooded; no utilities

Tract 241
Barkley Lake, Kentucky and Tennessee
Grand Rivers Co: Lyon KY 42045–
Location: Old Henson Ferry Road, 6 miles west of Kuttawa, KY
Landholding Agency: COE
Property Number: 31199010054
Status: Excess
Comment: 1.26 acres; steep and wooded; no utilities

Tracts 306, 311, 315 and 325
Barkley Lake, Kentucky and Tennessee
Grand Rivers Co: Lyon KY 42045–
Location: 2.5 miles southwest of Kuttawa, KY on the waters of Cypress Creek
Landholding Agency: COE
Property Number: 31199010055
Status: Excess
Comment: 38.77 acres; steep and wooded; no utilities

Tracts 2305, 2306, and 2400–1
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42030–
Location: 6½ miles southeasterly of Eddyville, KY
Landholding Agency: COE
Property Number: 31199010056
Status: Excess
Comment: 97.66 acres; steep rolling and wooded; no utilities

Tracts 5203 and 5204
Barkley Lake, Kentucky and Tennessee
Linton Co: Trigg KY 42212–
Location: Village of Linton, KY state highway 1254
Landholding Agency: COE
Property Number: 31199010058
Status: Excess
Comment: 0.93 acres; rolling, partially wooded; no utilities

Tract 5240
Barkley Lake, Kentucky and Tennessee
Linton Co: Trigg KY 42212–
Location: 1 mile northwest of Linton, KY
Landholding Agency: COE
Property Number: 31199010059
Status: Excess
Comment: 2.26 acres; steep and wooded; no utilities

Tract 4628
Barkley Lake, Kentucky and Tennessee
Canton Co: Trigg KY 42212–
Location: 4½ miles south from Canton, KY
Landholding Agency: COE
Property Number: 31199011621
Status: Excess
Comment: 3.71 acres; steep and wooded; subject to utility easements

Tract 4619–B
Barkley Lake, Kentucky and Tennessee
Canton Co: Trigg KY 42212–
Location: 4½ miles south from Canton, KY
Landholding Agency: COE
Property Number: 31199011622
Status: Excess
Comment: 1.73 acres; steep and wooded; subject to utility easements

Tract 2403–B
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42038–
Location: 7 miles southeasterly from Eddyville, KY
Landholding Agency: COE
Property Number: 31199011623
Status: Unutilized
Comment: 0.70 acres, wooded; subject to utility easements

Tract 241–B
Barkley Lake, Kentucky and Tennessee
Grand Rivers Co: Lyon KY 42045–
Location: South of Old Henson Ferry Road, 6 miles west of Kuttawa, KY
Landholding Agency: COE
Property Number: 31199011624
Status: Excess
Comment: 11.16 acres; steep and wooded; subject to utility easements

Tracts 212 and 237
Barkley Lake, Kentucky and Tennessee
Grand Rivers Co: Lyon KY 42045–
Location: Old Henson Ferry Road, 6 miles west of Kuttawa, KY
Landholding Agency: COE
Property Number: 31199011625
Status: Excess
Comment: 2.44 acres; steep and wooded; subject to utility easements

Tract 215–B
Barkley Lake, Kentucky and Tennessee
Grand Rivers Co: Lyon KY 42045–
Location: 5 miles southwest of Kuttawa

Landholding Agency: COE
Property Number: 31199011626
Status: Excess
Comment: 1.00 acres; wooded; subject to utility easements

Tract 233
Barkley Lake, Kentucky and Tennessee
Grand Rivers Co: Lyon KY 42045–
Location: 5 miles southwest of Kuttawa
Landholding Agency: COE
Property Number: 31199011627
Status: Excess
Comment: 1.00 acres; wooded; subject to utility easements

Tract N–819
Dale Hollow Lake & Dam Project
Illwill Creek, Hwy 90
Hobart Co: Clinton KY 42601–
Landholding Agency: COE
Property Number: 31199140009
Status: Underutilized
Comment: 91 acres, most recent use—hunting, subject to existing easements

Portion of Lock & Dam No. 1
Kentucky River
Carrolton Co: Carroll KY 41008–0305
Landholding Agency: COE
Property Number: 31199320003
Status: Unutilized
Comment: approx. 3.5 acres (sloping), access monitored

Louisiana

Wallace Lake Dam and Reservoir
Shreveport Co: Caddo LA 71103–
Landholding Agency: COE
Property Number: 31199011009
Status: Unutilized
Comment: 10.81 acres; wildlife/forestry; no utilities

Bayou Bodcau Dam and Reservoir
Haughton Co: Caddo LA 71037–9707
Location: 35 miles Northeast of Shreveport, LA
Landholding Agency: COE
Property Number: 31199011010
Status: Unutilized
Comment: 203 acres; wildlife/forestry; no utilities

Mississippi

Parcel 7
Grenada Lake
Sections 22, 23, T24N
Grenada Co: Yalobusha MS 38901–0903
Landholding Agency: COE
Property Number: 31199011019
Status: Underutilized
Comment: 100 acres; no utilities; intermittently used under lease—expires 1994

Parcel 8
Grenada Lake
Section 20, T24N
Grenada Co: Yalobusha MS 38901–0903
Landholding Agency: COE
Property Number: 31199011020
Status: Underutilized
Comment: 30 acres; no utilities; intermittently used under lease—expires 1994

Parcel 9
Grenada Lake
Section 20, T24N, R7E
Grenada Co: Yalobusha MS 38901–0903
Landholding Agency: COE
Property Number: 31199011021
Status: Underutilized
Comment: 23 acres; no utilities; intermittently used under lease—expires 1994

Parcel 10
Grenada Lake
Sections 16, 17, 18 T24N R8E
Grenada Co: Calhoun MS 38901–0903
Landholding Agency: COE
Property Number: 31199011022
Status: Underutilized
Comment: 490 acres; no utilities; intermittently used under lease—expires 1994

Parcel 2
Grenada Lake
Section 20 and T23N, R5E
Grenada Co: Grenada MS 38901–0903
Landholding Agency: COE
Property Number: 31199011023
Status: Underutilized
Comment: 60 acres; no utilities; most recent use—wildlife and forestry management

Parcel 3
Grenada Lake
Section 4, T23N, R5E
Grenada Co: Yalobusha MS 38901–0903
Landholding Agency: COE
Property Number: 31199011024
Status: Underutilized
Comment: 120 acres; no utilities; most recent use—wildlife and forestry management; (13.5 acres/agriculture lease)

Parcel 4
Grenada Lake
Section 2 and 3. T23N, R5E
Grenada Co: Yalobusha MS 38901–0903
Landholding Agency: COE
Property Number: 31199011025
Status: Underutilized
Comment: 60 acres; no utilities; most recent use—wildlife and forestry management

Parcel 5
Grenada Lake
Section 7, T24N, R6E
Grenada Co: Yalobusha MS 38901–0903
Landholding Agency: COE
Property Number: 31199011026
Status: Underutilized
Comment: 20 acres; no utilities; most recent use—wildlife and forestry management; (14 acres/agriculture lease)

Parcel 6
Grenada Lake
Section 9, T24N, R6E
Grenada Co: Yalobusha MS 38903–0903
Landholding Agency: COE
Property Number: 31199011027
Status: Underutilized
Comment: 80 acres; no utilities; most recent use—wildlife and forestry management

Parcel 11
Grenada Lake
Section 20, T24N, R8E
Grenada Co: Calhoun MS 38901–0903
Landholding Agency: COE
Property Number: 31199011028
Status: Underutilized
Comment: 30 acres; no utilities; most recent use—wildlife and forestry management

Parcel 12
Grenada Lake
Section 25, T24N, R7E
Grenada Co: Yalobusha MS 38390–10903
Landholding Agency: COE
Property Number: 31199011029
Status: Underutilized
Comment: 30 acres; no utilities; most recent use—wildlife and forestry management

Parcel 13
Grenada Lake
Section 34, T24N, R7E
Grenada Co: Yalobusha MS 38903–0903
Landholding Agency: COE
Property Number: 31199011030
Status: Underutilized
Comment: 35 acres; no utilities; most recent use—wildlife and forestry management; (11 acres/agriculture lease)

Parcel 14
Grenada Lake
Section 3, T23N, R6E
Grenada Co: Yalobusha MS 38901–0903
Landholding Agency: COE
Property Number: 31199011031
Status: Underutilized
Comment: 15 acres; no utilities; most recent use—wildlife and forestry management

Parcel 15
Grenada Lake
Section 4, T24N, R6E
Grenada Co: Yalobusha MS 38901–0903
Landholding Agency: COE
Property Number: 31199011032
Status: Underutilized
Comment: 40 acres; no utilities; most recent use—wildlife and forestry management

Parcel 16
Grenada Lake
Section 9, T23N, R6E
Grenada Co: Yalobusha MS 38901–0903
Landholding Agency: COE
Property Number: 31199011033
Status: Underutilized
Comment: 70 acres; no utilities; most recent use—wildlife and forestry management

Parcel 17
Grenada Lake
Section 17, T23N, R7E
Grenada Co: Grenada MS 28901–0903
Landholding Agency: COE
Property Number: 31199011034
Status: Underutilized
Comment: 35 acres; no utilities; most recent use—wildlife and forestry management

Parcel 18
Grenada Lake
Section 22, T23N, R7E
Grenada Co: Grenada MS 28902–0903
Landholding Agency: COE
Property Number: 31199011035
Status: Underutilized
Comment: 10 acres; no utilities; most recent use—wildlife and forestry management

Parcel 19
Grenada Lake
Section 9, T22N, R7E
Grenada Co: Grenada MS 38901–0903
Landholding Agency: COE
Property Number: 31199011036
Status: Underutilized
Comment: 20 acres; no utilities; most recent use—wildlife and forestry management

Missouri

Harry S Truman Dam & Reservoir
Warsaw Co: Benton MO 65355–
Location: Triangular shaped parcel southwest of access road ''B'', part of Bledsoe Ferry

Park Tract 150.
Landholding Agency: COE
Property Number: 31199030014
Status: Underutilized
Comment: 1.7 acres; potential utilities

Nebraska

Hastings Radar Bomb Scoring
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199810027
Status: Unutilized
Comment: 11 acres

New Jersey

Belle Mead Depot
Rt. 206/Mountain View Rd.
Hillsborough Co: Somerset NJ 08502–
Landholding Agency: GSA
Property Number: 54200210014
Status: Excess
Comment: approx. 400 acres, property will not be subdivided, contaminants of concern present, lease restriction on 7 acres, 44 miles of railroad track, remediation activity, potential restriction of property; GSA Number: 1–G–NJ–0642

Oklahoma

Pine Creek Lake
Section 27 (See County) Co: McCurtain OK
Landholding Agency: COE
Property Number: 31199010923
Status: Unutilized
Comment: 3 acres; no utilities; subject to right of way for Oklahoma State Highway 3

Pennsylvania

Mahoning Creek Lake
New Bethlehem Co: Armstrong PA 16242–9603
Location: Route 28 north to Belknap, Road #4
Landholding Agency: COE
Property Number: 31199010018
Status: Excess
Comment: 2.58 acres; steep and densely wooded

Tracts 610, 611, 612
Shenango River Lake
Sharpsville Co: Mercer PA 16150–
Location: I–79 North, I–80 West, Exit Sharon. R18 North 4 miles, left on R518, right on Mercer Avenue
Landholding Agency: COE
Property Number: 31199011001
Status: Excess
Comment: 24.09 acres; subject to flowage easement

Tracts L24, L26
Crooked Creek Lake
Co: Armstrong PA 03051–
Location: Left bank—55 miles downstream of dam
Landholding Agency: COE
Property Number: 31199011011
Status: Unutilized
Comment: 7.59 acres; potential for utilities

Portion of Tract L–21A
Crooked Creek Lake, LR 03051
Ford City Co: Armstrong PA 16226–
Landholding Agency: COE
Property Number: 31199430012
Status: Unutilized
Comment: Approximately 1.72 acres of undeveloped land, subject to gas rights

Portion of Tract 119
State Rt 969
Curwensville Co: Clearfield PA 16833–
Landholding Agency: COE
Property Number: 31200010005
Status: Unutilized
Comment: approx. 17 acres, hilly wooded terrain

Tennessee

Tract 6827
Barkley Lake
Dover Co: Stewart TN 37058–
Location: 2½ miles west of Dover, TN
Landholding Agency: COE
Property Number: 31199010927
Status: Excess
Comment: .57 acres; subject to existing easements

Tracts 6002–2 and 6010
Barkley Lake
Dover Co: Stewart TN 37058–
Location: 3½ miles south of village of Tabaccoport
Landholding Agency: COE
Property Number: 31199010928
Status: Excess
Comment: 100.86 acres; subject to existing easements

Tract 11516
Barkley Lake
Ashland City Co: Dickson TN 37015–
Location: ½ mile downstream from Cheatham Dam
Landholding Agency: COE
Property Number: 31199010929
Status: Excess
Comment: 26.25 acres; subject to existing easements

Tract 2319
J. Percy Priest Dam and Reservoir
Murfreesboro Co: Rutherford TN 37130–
Location: West of Buckeye Bottom Road
Landholding Agency: COE
Property Number: 31199010930
Status: Excess
Comment: 14.48 acres; subject to existing easements

Tract 2227
J. Percy Priest Dam and Reservoir
Murfreesboro Co: Rutherford TN 37130–
Location: Old Jefferson Pike
Landholding Agency: COE
Property Number: 31199010931
Status: Excess
Comment: 2.27 acres; subject to existing easements

Tract 2107
J. Percy Priest Dam and Reservoir
Murfreesboro Co: Rutherford TN 37130–
Location: Across Fall Creek near Fall Creek camping area
Landholding Agency: COE
Property Number: 31199010932
Status: Excess
Comment: 14.85 acres; subject to existing easements

Tracts 2601, 2602, 2603, 2604
Cordell Hull Lake and Dam Project
Doe Row Creek
Gainesboro Co: Jackson TN 38562–
Location: TN Highway 56
Landholding Agency: COE
Property Number: 31199010933
Status: Unutilized
Comment: 11 acres; subject to existing easements

Tract 1911
J. Percy Priest Dam and Reservoir
Murfreesboro Co: Rutherford TN 37130–
Location: East of Lamar Road
Landholding Agency: COE
Property Number: 31199010934
Status: Excess
Comment: 6.92 acres; subject to existing easements

Tract 2321
J. Percy Priest Dam and Reservoir
Murfreesboro Co: Rutherford TN 37130–
Location: South of Old Jefferson Pike
Landholding Agency: COE
Property Number: 31199010935
Status: Excess
Comment: 12 acres; subject to existing easements

Tract 7206
Barkley Lake
Dover Co: Stewart TN 37058–
Location: 2½ miles SE of Dover, TN,
Landholding Agency: COE
Property Number: 31199010936
Status: Excess
Comment: 10.15 acres; subject to existing easements

Tracts 8813, 8814
Barkley Lake
Cumberland Co: Stewart TN 37050–
Location: 1½ miles East of Cumberland City
Landholding Agency: COE
Property Number: 31199010937
Status: Excess
Comment: 96 acres; subject to existing easements

Tract 8911
Barkley Lake
Cumberland City Co: Montgomery TN 37050–
Location: 4 miles east of Cumberland City
Landholding Agency: COE
Property Number: 31199010938
Status: Excess
Comment: 7.7 acres; subject to existing easements

Tract 11503
Barkley Lake
Ashland City Co: Cheatham TN 37015–
Location: 2 miles downstream from Cheatham Dam
Landholding Agency: COE
Property Number: 31199010939
Status: Excess
Comment: 1.1 acres; subject to existing easements

Tracts 11523, 11524
Barkley Lake
Ashland City Co: Cheatham TN 37015–
Location: 2½ miles downstream from Cheatham Dam
Landholding Agency: COE
Property Number: 31199010940
Status: Excess
Comment: 19.5 acres; subject to existing easements

Tract 6410
Barkley Lake
Bumpus Mills Co: Stewart TN 37028–
Location: 4½ miles SW. of Bumpus Mills
Landholding Agency: COE
Property Number: 31199010941
Status: Excess
Comment: 17 acres; subject to existing easements

Tract 9707
Barkley Lake
Palmyer Co: Montgomery TN 37142–
Location: 3 miles NE of Palmyer, TN, Highway 149
Landholding Agency: COE
Property Number: 31199010943
Status: Excess
Comment: 6.6 acres; subject to existing easements

Tract 6949
Barkley Lake
Dover Co: Stewart TN 37058–
Location: 1½ miles SE of Dover, TN
Landholding Agency: COE
Property Number: 31199010944
Status: Excess
Comment: 29.67 acres; subject to existing easements

Tracts 6005 and 6017
Barkley Lake
Dover Co: Stewart TN 37058–
Location: 3 miles south of Village of Tobaccoport
Landholding Agency: COE
Property Number: 31199011173
Status: Excess
Comment: 5 acres; subject to existing easements

Tracts K–1191, K–1135
Old Hickory Lock and Dam
Hartsville Co: Trousdale TN 37074–
Landholding Agency: COE
Property Number: 31199130007
Status: Underutilized
Comment: 54 acres, (portion in floodway), most recent use—recreation

Tract A–102
Dale Hollow Lake & Dam Project
Canoe Ridge, State Hwy 52
Celina Co: Clay TN 38551–
Landholding Agency: COE
Property Number: 31199140006
Status: Underutilized
Comment: 351 acres, most recent use—hunting, subject to existing easements

Tract A–120
Dale Hollow Lake & Dam Project
Swann Ridge, State Hwy No. 53
Celina Co: Clay TN 38551–
Landholding Agency: COE
Property Number: 31199140007
Status: Underutilized
Comment: 883 acres, most recent use—hunting, subject to existing easements

Tract D–185
Dale Hollow Lake & Dam Project
Ashburn Creek, Hwy No. 53
Livingston Co: Clay TN 38570–
Landholding Agency: COE
Property Number: 31199140010
Status: Underutilized
Comment: 97 acres, most recent use—hunting, subject to existing easements

Suitable/Unavailable Properties

Buildings (by State)

California

Santa Fe Flood Control Basin
Irwindale Co: Los Angeles CA 91706–
Landholding Agency: COE
Property Number: 31199011298
Status: Unutilized
Comment: 1400 sq. ft.; 1 story stucco; needs rehab; termite damage; secured area with alternate access

Idaho

Bldg. 224
Mountain Home Air Force
Co: Elmore ID 83648–
Landholding Agency: Air Force
Property Number: 18199840008
Status: Unutilized
Comment: 1890 sq. ft., no plumbing facilities, possible asbestos/lead paint, most recent use—office

Illinois

Bldg. 7
Ohio River Locks & Dam No. 53
Grand Chain Co: Pulaski IL 62941–9801
Location: Ohio River Locks and Dam No. 53 at Grand Chain
Landholding Agency: COE
Property Number: 31199010001
Status: Unutilized
Comment: 900 sq. ft.; 1 floor wood frame; most recent use—residence

Bldg. 6
Ohio River Locks & Dam No. 53
Grand Chain Co: Pulaski IL 62941–9801
Location: Ohio River Locks and Dam No. 53 at Grand Chain
Landholding Agency: COE
Property Number: 31199010002
Status: Unutilized
Comment: 900 sq. ft.; one floor wood frame; most recent use—residence

Bldg. 5
Ohio River Locks & Dam No. 53
Grand Chain Co: Pulaski IL 62941–9801
Location: Ohio River Locks and Dam No. 53 at Grand Chain
Landholding Agency: COE
Property Number: 31199010003
Status: Unutilized
Comment: 900 sq. ft.; one floor wood frame; most recent use—residence

Bldg. 4
Ohio River Locks & Dam No. 53
Grand Chain Co: Pulaski IL 62941–9801
Location: Ohio River Locks and Dam No. 53 at Grand Chain
Landholding Agency: COE
Property Number: 31199010004
Status: Unutilized
Comment: 900 sq. ft.; one floor wood frame; most recent use—residence

Bldg. 3
Ohio River Locks & Dam No. 53
Grand Chain Co: Pulaski IL 62941–9801
Location: Ohio River Locks and Dam No. 53 at Grand Chain
Landholding Agency: COE
Property Number: 31199010005
Status: Unutilized
Comment: 900 sq. ft.; one floor wood frame.

Bldg. 2
Ohio River Locks & Dam No. 53
Grand Chain Co: Pulaski IL 62941–9801
Location: Ohio River Locks and Dam No. 53 at Grand Chain
Landholding Agency: COE
Property Number: 31199010006
Status: Unutilized
Comment: 900 sq. ft.; one floor wood frame; most recent use—residence

Bldg. 1
Ohio River Locks & Dam No. 53
Grand Chain Co: Pulaski IL 62941–9801
Location: Ohio River Locks and Dam No. 53 at Grand Chain
Landholding Agency: COE
Property Number: 31199010007
Status: Unutilized
Comment: 900 sq. ft.; one floor wood frame; most recent use—residence

Iowa

Bldg. 00669
Sioux Gateway Airport
Sioux City Co: Woodbury IA 51110–
Landholding Agency: Air Force
Property Number: 18199310002
Status: Unutilized
Comment: 1113 sq. ft., 1-story concrete block bldg., contamination clean-up in process

Ohio

Bldg.—Berlin Lake
7400 Bedell Road
Berlin Center Co: Mahoning OH 44401–9797
Landholding Agency: COE
Property Number: 31199640001
Status: Unutilized
Comment: 1420 sq. ft., 2-story brick w/garage and basement, most recent use—residential, secured w/alternate access

Pennsylvania

Tract 353
Grays Landing Lock & Dam Project
Greensboro Co: Greene PA 15338–
Landholding Agency: COE
Property Number: 31199430019
Status: Unutilized
Comment: 812 sq. ft., 2-story, log structure, needs repair, most recent use—residential, if used for habitation must be flood proofed or removed off-site

Tract 403A
Grays Landing Lock & Dam Project
Greensboro Co: Greene PA 15338–
Landholding Agency: COE
Property Number: 31199430021
Status: Unutilized
Comment: 620 sq. ft., 2-story, needs repair, most recent use—residential, if used for habitation must be flood proofed or removed off-site

Tract 403B
Grays Landing Lock & Dam Project
Greensboro Co: Greene PA 15338–
Landholding Agency: COE
Property Number: 31199430022
Status: Unutilized
Comment: 1600 sq. ft., 2-story, brick structure, needs repair, most recent use—residential, if used for habitation must be flood proofed or removed off-site

Tract 403C
Grays Landing Lock & Dam Project
Greensboro Co: Greene PA 15338–
Landholding Agency: COE
Property Number: 31199430023
Status: Unutilized
Comment: 672 sq. ft., 2-story carriage house/stable barn type structure, needs repair, most recent use—storage/garage, if used for habitation must be flood proofed or removed

Tract 434
Grays Landing Lock & Dam Project
Greensboro Co: Greene PA 15338–

Landholding Agency: COE
Property Number: 31199430024
Status: Unutilized
Comment: 1059 sq. ft., 2-story, wood frame, 2 apt. units, historic property, if used for habitation must be flood proofed or removed off-site

Tract No. 224
Grays Landing Lock & Dam Project
Greensboro Co: Green PA 15338–
Landholding Agency: COE
Property Number: 31199440001
Status: Unutilized
Comment: 1040 sq. ft., 2 story bldg., needs repair, historic struct., flowage easement, if habitation is desired property will be required to be flood proofed or removed off site

Wisconsin

Former Lockmaster's Dwelling
DePere Lock
100 James Street
De Pere Co: Brown WI 54115–
Landholding Agency: COE
Property Number: 31199011526
Status: Unutilized
Comment: 1224 sq. ft.; 2 story brick/wood frame residence; needs rehab; secured area with alternate access

Land (by State)

Illinois

Lake Shelbyville
Shelbyville Co: Shelby & Moultrie IL 62565–9804
Landholding Agency: COE
Property Number: 31199240004
Status: Unutilized
Comment: 5 parcels of land equalling 0.70 acres, improved w/4 small equipment storage bldgs. and a small access road, easement restrictions.

Pennsylvania

East Branch Clarion River Lake
Wilcox Co: Elk PA
Location: Free camping area on the right bank off entrance roadway.
Landholding Agency: COE
Property Number: 31199011012
Status: Underutilized
Comment: 1 acre; most recent use—free campground

Dashields Locks and Dam (Glenwillard, PA)
Crescent Twp. Co: Allegheny PA 15046–0475
Landholding Agency: COE
Property Number: 31199210009
Status: Unutilized
Comment: 0.58 acres, most recent use—baseball field

South Dakota

Lots 1A, 2A, 3A, 4A
Gavins Point Dam
Dempsters Cove Addition
Yankton Co: SD
Landholding Agency: COE
Property Number: 31200210024
Status: Unutilized
Comment: 0.35 acres

Suitable/To Be Excessed

Buildings (by State)

New York

Bldg. 1
Hancock Field
Syracuse Co: Onandaga NY 13211–
Landholding Agency: Air Force
Property Number: 18199530048
Status: Excess
Comment: 4955 sq. ft., 2 story concrete block, needs rehab, most recent use—administration

Bldg. 2
Hancock Field
Syracuse Co: Onandaga NY 13211–
Landholding Agency: Air Force
Property Number: 18199530049
Status: Excess
Comment: 1476 sq. ft., 1 story concrete block, needs rehab, most recent use—repair shop

Bldg. 6
Hancock Field
Syracuse Co: Onandaga NY 13211–
Landholding Agency: Air Force
Property Number: 18199530050
Status: Excess
Comment: 2466 sq. ft., 1 story concrete block, needs rehab, most recent use—repair shop

Bldg. 11
Hancock Field
Syracuse Co: Onandaga NY 13211–
Landholding Agency: Air Force
Property Number: 18199530051
Status: Excess
Comment: 1750 sq. ft., 1 story wood frame, needs rehab, most recent use—storage

Bldg. 8
Hancock Field
Syracuse Co: Onandaga NY 13211–
Landholding Agency: Air Force
Property Number: 18199530052
Status: Excess
Comment: 1812 sq. ft., 1 story concrete block, needs rehab, most recent use—repair shop communications

Bldg. 14
Hancock Field
Syracuse Co: Onandaga NY 13211–
Landholding Agency: Air Force
Property Number: 18199530053
Status: Excess
Comment: 156 sq. ft., 1 story wood frame, most recent use—vehicle fuel station

Bldg. 30
Hancock Field
Syracuse Co: Onandaga NY 13211–
Landholding Agency: Air Force
Property Number: 18199530054
Status: Excess
Comment: 3649 sq. ft., 1 story, needs rehab, most recent use—assembly hall

Bldg. 31
Hancock Field
Syracuse Co: Onandaga NY 13211–
Landholding Agency: Air Force
Property Number: 18199530055
Status: Excess
Comment: 8252 sq. ft., 1 story concrete block, most recent use—storage

Bldg. 32
Hancock Field
Syracuse Co: Onandaga NY 13211–
Landholding Agency: Air Force
Property Number: 18199530056
Status: Excess
Comment: 1627 sq. ft., 1 story concrete block, most recent use—storage

South Carolina

5 Bldgs.
Charleston AFB Annex Housing
N. Charleston SC 29404–4827
Location: 101 Vector Ave., 112, 114, 116, 118 Intercept Ave
Landholding Agency: Air Force
Property Number: 18199830035
Status: Unutilized
Comment: 1433 sq. ft. + 345 sq. ft. carport, lead base paint/exterior most recent use—residential 1 Bldg

1 Bldg.
Charleston AFB Annex Housing
N. Charleston SC 29404–4827
Location: 102 Vector Ave
Landholding Agency: Air Force
Property Number: 18199830036
Status: Unutilized
Comment: 1545 sq. ft. + 345 sq. ft. carport, lead base paint/exterior most recent use—residential 1 Bldg

1 Bldg.
Charleston AFB Annex Housing
N. Charleston SC 29404–4827
Location: 103 Vector Ave.
Landholding Agency: Air Force
Property Number: 18199830037
Status: Unutilized
Comment: 1445 sq. ft. + 346 sq. ft. carport, lead base paint/exterior most recent use—residential

18 Bldg
Charleston AFB Annex Housing
N. Charleston SC 29404–4827
Location: 104–107 Vector Ave., 108–111, 113, 115, 117, 119 Intercept Ave., 120–122 Radar Ave
Landholding Agency: Air Force
Property Number: 18199830038
Status: Unutilized
Comment: 1265 sq. ft. + 353 sq. ft. carport, lead base paint/exterior most recent use—residential

Land (by State)

Georgia

Lake Sidney Lanier
Co: Forsyth GA 30130–
Location: Located on Two Mile Creek adj. to State Route 369
Landholding Agency: COE
Property Number: 31199440010
Status: Unutilized
Comment: 0.25 acres, endangered plant species

Lake Sidney Lanier—3 parcels
Gainesville Co: Hall GA 30503–
Location: Between Gainesville H.S. and State Route 53 By-Pass
Landholding Agency: COE
Property Number: 31199440011
Status: Unutilized
Comment: 3 parcels totalling 5.17 acres, most recent use—buffer zone, endangered plant species

Kansas

Parcel #1
Fall River Lake
Section 26
Co: Greenwood KS
Landholding Agency: COE
Property Number: 31199010065
Status: Unutilized

Comment: 126.69 acres; most recent use—recreation and leased cottage sites

Parcel No. 2, El Dorado Lake
Approx. 1 mi east of the town of El Dorado
Co: Butler KS
Landholding Agency: COE
Property Number: 31199210005
Status: Unutilized
Comment: 11 acres, part of a relocated railroad bed, rural area

Massachusetts

Buffumville Dam
Flood Control Project
Gale Road
Carlton Co: Worcester MA 01540–0155
Location: Portion of tracts B–200, B–248, B–251, B–204, B–247, B–200 and B–256
Landholding Agency: COE
Property Number: 31199010016
Status: Excess
Comment: 1.45 acres

Minnesota

Tract #3
Lac Qui Parle Flood Control Project
County Rd. 13
Watson Co: Lac Qui Parle MN 56295–
Landholding Agency: COE
Property Number: 31199340006
Status: Unutilized
Comment: approximately 2.9 acres, fallow land

Tract #34
Lac Qui Parle Flood Control Project
Marsh Lake
Watson Co: Lac Qui Parle MN 56295–
Landholding Agency: COE
Property Number: 31199340007
Status: Unutilized
Comment: approx. 8 acres, fallow land

New York

14.90 Acres
Hancock Field
Syracuse Co: Onandaga NY 13211–
Landholding Agency: Air Force
Property Number: 18199530057
Status: Excess
Comment: Fenced in compound, most recent use—Air Natl. Guard Communication & Electronics Group

Tennessee

Tract D–456
Cheatham Lock and Dam
Ashland Co: Cheatham TN 37015–
Location: Right downstream bank of Sycamore Creek.
Landholding Agency: COE
Property Number: 31199010942
Status: Excess
Comment: 8.93 acres; subject to existing easements

Texas

Corpus Christi Ship Channel
Corpus Christi Co: Neuces TX
Location: East side of Carbon Plant Road, approx. 14 miles NW of downtown Corpus Christi
Landholding Agency: COE
Property Number: 31199240001
Status: Unutilized
Comment: 4.4 acres, most recent use—farm land

Unsuitable Properties

Buildings (by State)

Alaska

Bldg. 203
Tin City Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010296
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 165
Sparrevohn Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010298
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 150
Sparrevohn Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010299
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 130
Sparrevohn Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010300
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 306
King Salmon Airport
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010301
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 11–230
Elmendorf Air Force Base
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010303
Status: Unutilized
Reasons: Contamination, Secured Area

Bldg. 63–320
Elmendorf Air Force Base
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010307
Status: Unutilized
Reasons: Contamination, Secured Area

Bldg. 103
Ft. Yukon Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010309
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 110
Ft. Yukon Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010310
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 112
Ft. Yukon Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010311
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 113
Ft. Yukon Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010312
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 114
Ft. Yukon Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010313
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 115
Ft. Yukon Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010314
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 118
Ft. Yukon Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010315
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 1018
Ft. Yukon Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010317

Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 1025
Ft. Yukon Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Ahcnorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010318
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 1055
Ft. Yukon Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010319
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 107
Cape Lisburne Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010320
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 115
Cape Lisburne Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010321
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 113
Cape Lisburne Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010322
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 150
Cape Lisburne Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 88506–5000
Landholding Agency: Air Force
Property Number: 18199010323
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 152
Cape Lisburne Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010324
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 301
Cape Lisburne Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010325
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 1001
Cape Lisburne Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010326
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 1003
Cape Lisburne Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010327
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 1055
Cape Lisburne Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010328
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 1056
Cape Lisburne Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010329
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 103
Kotzebue Air Force Station 21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010330
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 104
Kotzebue Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010331
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 105
Kotzebue Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010332
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 110
Kotzebue Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010333
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 114
Kotzebue Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010334
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 202
Kotzebue Air Force Station
21 CSG/DEER
Elmendorf Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010335
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 204
Kotzebue Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010336
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 205
Kotzebue Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010337
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 1001
Kotzebue Air Force Station 21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010338
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination Secured Area

Bldg. 1015
Kotzebue Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010339
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 50
Cold Bay Air Force Station

21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010433
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Isolated and remote; Arctic environment

Bldg. 1548, Galena Airport
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199420001
Status: Unutilized
Reasons: Floodway, Secured Area, Extensive deterioration

Bldg. 1568, Galena Airport
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199420002
Status: Unutilized
Reasons: Floodway, Secured Area, Extensive deterioration

Bldg. 1570, Galena Airport
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199420003
Status: Unutilized
Reasons: Floodway, Secured Area, Extensive deterioration

Bldg. 1700, Galena Airport
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199420004
Status: Unutilized
Reasons: Floodway, Secured Area, Extensive deterioration

Bldg. 1832, Galena Airport
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199420005
Status: Unutilized
Reasons: Floodway, Secured Area, Extensive deterioration

Bldg. 1842, Galena Airport
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199420006
Status: Unutilized
Reasons: Floodway, Secured Area, Extensive deterioration

Bldg. 1844, Galena Airport
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199420007
Status: Unutilized
Reasons: Floodway, Secured Area, Extensive deterioration

Bldg. 1853, Galena Airport
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199440011
Status: Unutilized
Reasons: Floodway, Secured Area

Bldg. 142
Tin City Long Range Radar Site
Wales Co: Nome AK
Landholding Agency: Air Force
Property Number: 18199520013
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 110
Tin City Long Range Radar Site
Wales Co: Nome AK
Landholding Agency: Air Force
Property Number: 18199520014
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 646
King Salmon Airport
Naknek Co: Bristol Bay AK
Landholding Agency: Air Force
Property Number: 18199520015
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 2541
Galena Airport
Galena Co: Yukon AK
Landholding Agency: Air Force
Property Number: 18199520016
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 1770
Galena Airport
Galena Co: Yukon AK
Landholding Agency: Air Force
Property Number: 18199520017
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 1
Lonely Dewline Site
Fairbanks Co: Fairbanks NS AK
Landholding Agency: Air Force
Property Number: 18199520024
Status: Unutilized
Reason: Extensive deterioration

Bldg. 2, Lonely Dewline Site
Fairbanks Co: Fairbanks NS AK
Landholding Agency: Air Force
Property Number: 18199520025
Status: Unutilized
Reasons: Not accessible by road, Extensive deterioration

Bldg. 12
Lonely Dewline Site
Fairbanks Co: Fairbanks NS AK
Landholding Agency: Air Force
Property Number: 18199520026
Status: Unutilized
Reasons: Not accessible by road, Extensive deterioration

Bldg. 1
Wainwright Dewline Site
Fairbanks Co: Fairbanks NS AK
Landholding Agency: Air Force
Property Number: 18199520027
Status: Unutilized
Reasons: Not accessible by road, Extensive deterioration

Bldg. 2
Wainwright Dewline Site
Fairbanks Co: Fairbanks NS AK
Landholding Agency: Air Force
Property Number: 18199520028
Status: Unutilized
Reasons: Not accessible by road, Extensive deterioration

Bldg. 3
Wainwright Dewline Site
Fairbanks Co: Fairbanks NS AK
Landholding Agency: Air Force
Property Number: 18199520029
Status: Unutilized
Reasons: Not accessible by road, Extensive deterioration

Bldg. 3045
Tatalina Long Range Radar Site
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199530002
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 18
Lonely Dewline Site
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199530003
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 23
Lonely Dewline Site
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199530004
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 1015
Kotzebue Long Range Radar Site
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199530005
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 1
Flaxman Island DEW Site
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199530006
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 3
Flaxman Island DEW Site
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199530008
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 4100
Cape Romanzof Long Range Radar Site
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199530009
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 200
Cape Newenham Long Range Radar Site
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199530010
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 2166
Cape Newenham Long Range Radar Site
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199530011
Status: Unutilized
Reason: Extensive deterioration

Bldg. 5500

Cape Newenham Long Range Radar Site
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199530012
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 8
Barter Island
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199530013
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 75
Barter Island
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199530014
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 86
Barter Island
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199530015
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 3060
Barter Island
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199530016
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 11–330
Elmendorf Air Force Base
Anchorage AK 99506–3240
Landholding Agency: Air Force
Property Number: 18199530017
Status: Unutilized
Reasons: Within airport runway clear zone, Secured Area, Extensive deterioration

Bldg. 21–737
Elmendorf Air Force Base
Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199540001
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 52–651
Elmendorf AFB
Anchorage AK 99506–3240
Landholding Agency: Air Force
Property Number: 18199740004
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 132
Tin City Long Range Radar Site
Elmendorf AFB AK 99506–2270
Landholding Agency: Air Force
Property Number: 18199810003
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldgs. 1001, 211
Murphy Dome AF Station
Elmendorf AFB AK 99506–2270
Landholding Agency: Air Force
Property Number: 18199810004
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 1551
Galena Airport
Elmendorf AFB AK 99506–2270
Landholding Agency: Air Force
Property Number: 18199810030
Status: Unutilized
Reason: Within airport runway clear zone

Bldg. 1771
Galena Airport
Elmendorf AFB AK 99506–2270
Landholding Agency: Air Force
Property Number: 18199820001
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 3
Oliktok Long Range Radar Site
Elmendorf AFB AK 99506–2270
Landholding Agency: Air Force
Property Number: 18199840010
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 8
Oliktok Long Range Radar Site
Elmendorf AFB AK 99506–2270
Landholding Agency: Air Force
Property Number: 18199840011
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 19
Lonely Short Range Radar Site
Elmendorf AFB AK 99506–2270
Landholding Agency: Air Force
Property Number: 18199840012
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 20
Lonely Short Range Radar Site
Elmendorf AFB AK 99506–2270
Landholding Agency: Air Force
Property Number: 18199840013
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 338
King Salmon Airport
Naknek Co: Bristol Bay AK
Landholding Agency: Air Force
Property Number: 18199840014
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 560
King Salmon Airport
Naknek Co: Bristol Bay AK
Landholding Agency: Air Force
Property Number: 18199840015
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 612
King Salmon Airport
Naknek Co: Bristol Bay AK
Landholding Agency: Air Force
Property Number: 18199840016
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 618
King Salmon Airport
Naknek Co: Bristol Bay AK
Landholding Agency: Air Force
Property Number: 18199840017
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 643
King Salmon Airport
Naknek Co: Bristol Bay AK
Landholding Agency: Air Force
Property Number: 18199840018
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 649
King Salmon Airport
Naknek Co: Bristol Bay AK
Landholding Agency: Air Force
Property Number: 18199840019
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 114
Indian Mountain Long Range Radar Site
Elmendorf AFB AK 99506–2270
Landholding Agency: Air Force
Property Number: 18199840020
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 34–636
Elmendorf AFB
Anchorage AK 99506–3240
Landholding Agency: Air Force
Property Number: 18199840021
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Within airport runway clear zone, Secured Area, Extensive deterioration

Bldg. 34–638
Elmendorf AFB
Anchorage AK 99506–3240
Landholding Agency: Air Force
Property Number: 18199840022
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Within airport runway clear zone, Secured Area, Extensive deterioration

Bldg. 140
Cape Lisburne Long Range Radar Site
Elmendorf AFB AK 99506–3240
Landholding Agency: Air Force
Property Number: 18199840023
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 145
Cape Lisburne Long Range Radar Site
Elmendorf AFB AK 99506–3240
Landholding Agency: Air Force
Property Number: 18199840024
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 310
Cape Lisburne Long Range Radar Site
Elmendorf AFB AK 99506–3240
Landholding Agency: Air Force

Property Number: 18199840025
Status: Unutilized
Reasons: Secured Area, Extensive deterioration
Bldg. 27
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840026
Status: Unutilized
Reasons: Secured Area, Extensive deterioration
Bldg. 30
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840027
Status: Unutilized
Reasons: Secured Area, Extensive deterioration
Bldg. 42
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840028
Status: Unutilized
Reasons: Secured Area, Extensive deterioration
Bldg. 212
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840029
Status: Unutilized
Reasons: Secured Area, Extensive deterioration
Bldg. 213
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840030
Status: Unutilized
Reasons: Secured Area, Extensive deterioration
Bldg. 223
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840031
Status: Unutilized
Reasons: Secured Area, Extensive deterioration
Bldg. 452
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840032
Status: Unutilized
Reasons: Secured Area, Extensive deterioration
Bldg. 502
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840033
Status: Unutilized
Reasons: Secured Area, Extensive deterioration
Bldg. 503
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840034
Status: Unutilized
Reasons: Secured Area, Extensive deterioration
Bldg. 522
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840035
Status: Unutilized
Reasons: Secured Area, Extensive deterioration
Bldg. 587
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840036
Status: Unutilized
Reasons: Secured Area, Extensive deterioration
Bldg. 588
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840037
Status: Unutilized
Reasons: Secured Area, Extensive deterioration
Bldg. 598
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840038
Status: Unutilized
Reasons: Secured Area, Extensive deterioration
Bldg. 605
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840039
Status: Unutilized
Reasons: Secured Area, Extensive deterioration
Bldg. 613
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840040
Status: Unutilized
Reasons: Secured Area, Extensive deterioration
Bldg. 614
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840041
Status: Unutilized
Reasons: Secured Area, Extensive deterioration
Bldg. 615
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840042
Status: Unutilized
Reasons: Secured Area, Extensive deterioration
Bldg. 616
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840043
Status: Unutilized
Reasons: Secured Area, Extensive deterioration
Bldg. 617
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840044
Status: Unutilized
Reasons: Secured Area, Extensive deterioration
Bldg. 624
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840045
Status: Unutilized
Reasons: Secured Area, Extensive deterioration
Bldg. 700
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840046
Status: Unutilized
Reasons: Secured Area, Extensive deterioration
Bldg. 718
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840047
Status: Unutilized
Reasons: Secured Area, Extensive deterioration
Bldg. 727
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840048
Status: Unutilized
Reasons: Secured Area, Extensive deterioration
Bldg. 731
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840049
Status: Unutilized
Reasons: Secured Area, Extensive deterioration
Bldg. 751
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840050
Status: Unutilized
Reasons: Secured Area, Extensive deterioration
Bldg. 753
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840051
Status: Unutilized
Reasons: Secured Area, Extensive deterioration
Bldg. 1001
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840052
Status: Unutilized
Reasons: Secured Area, Extensive deterioration
Bldg. 1005
Eareckson Air Station

Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840053
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 1010
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840054
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 1025
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840055
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 1030
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840056
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 3016
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840057
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 3062
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840058
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 3063
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840059
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 32–189
Elmendorf Air Force Base
Anchorage Co: AK 99506–3230
Landholding Agency: Air Force
Property Number: 18199920001
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area, Extensive deterioration

Bldg. 4893
Elmendorf AFB
Elmendorf AFB Co: AK 99506–
Landholding Agency: Air Force
Property Number: 18199930001
Status: Unutilized
Reason: Within airport runway clear zone

Bldg. 4905
Elmendorf AFB
Elmendorf AFB Co: AK 99506–
Landholding Agency: Air Force
Property Number: 18199930002
Status: Unutilized
Reasons: Within airport runway clear zone, Secured Area

Bldg. 4913
Elmendorf AFB
Elmendorf AFB Co: AK 99506–
Landholding Agency: Air Force
Property Number: 18199930003
Status: Unutilized
Reasons: Within airport runway clear zone, Secured Area

Bldg. 5887
Elmendorf AFB
Elmendorf AFB Co: AK 99506–
Landholding Agency: Air Force
Property Number: 18199930004
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Within airport runway clear zone, Secured Area

Bldg. 10449
Elmendorf AFB
Elmendorf AFB Co: AK 99506–
Landholding Agency: Air Force
Property Number: 18199930005
Status: Unutilized
Reason: Secured Area

Bldg. 12759
Elmendorf AFB
Elmendorf AFB Co: AK 99506–
Landholding Agency: Air Force
Property Number: 18199930006
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area, Extensive deterioration

Bldg. 4305
Elmendorf AFB
Anchorage Co: AK 99506–
Landholding Agency: Air Force
Property Number: 18200030001
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area, Extensive deterioration

Bldg. 15526
Elmendorf AFB
Anchorage Co: AK 99506–
Landholding Agency: Air Force
Property Number: 18200030005
Status: Unutilized
Reasons: Within airport runway clear zone, Secured Area

Bldg. 15534
Elmendorf AFB
Anchorage Co: AK 99506–
Landholding Agency: Air Force
Property Number: 18200030006
Status: Unutilized
Reasons: Within airport runway clear zone, Secured Area

Bldg. 10549
Elmendorf AFB
Elmendorf AFB Co: AK 99506–
Landholding Agency: Air Force
Property Number: 18200120001
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area, Extensive deterioration

Bldg. 11634
Elmendorf AFB
Elmendorf AFB Co: AK 99506–
Landholding Agency: Air Force
Property Number: 18200120002
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area, Extensive deterioration

Bldg. 14545
Elmendorf AFB
Elmendorf AFB Co: AK 99506–
Landholding Agency: Air Force
Property Number: 18200120003
Status: Unutilized
Reason: Secured Area

Bldg. 16504
Elmendorf AFB
Elmendorf AFB Co: AK 99506–
Landholding Agency: Air Force
Property Number: 18200120004
Status: Unutilized
Reasons: Within airport runway clear zone, Secured Area

Arizona

Facility 90002
Holbrook Radar Site
Holbrook Co: Navajo AZ 86025–
Landholding Agency: Air Force
Property Number: 18199340049
Status: Unutilized
Reason: Within airport runway clear zone

Bldgs. 301, 302, 303, 304
Lake Mead
Willow Beach Co: Mojave AZ
Landholding Agency: Interior
Property Number: 61200130012
Status: Unutilized
Reason: Extensive deterioration

Arkansas

Dwelling
Bull Shoals Lake/Dry Run Road
Oakland Co: Marion AR 72661–
Landholding Agency: COE
Property Number: 31199820001
Status: Unutilized
Reason: Extensive deterioration

Antenna Tower Site
FAA
Pine Bluff Co: Jefferson AR 71601–
Landholding Agency: GSA
Property Number: 54200210015
Status: Surplus
Reason: Secured Area
GSA Number: 7 D–AR–0558–2

California

Bldg. 707 63 ABG/DE
Norton Air Force Base
Norton Co: San Bernadino CA 92409–5045
Landholding Agency: Air Force
Property Number: 18199010193
Status: Excess
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 575 63 ABG/DE
Norton Air Force Base
Norton Co: San Bernadino CA 92409–5045
Landholding Agency: Air Force
Property Number: 18199010195
Status: Excess
Reason: Within 2000 ft. of flammable or explosive material

Bldg. 502 63 ABG/DE
Norton Air Force Base
Lorton Co: San Bernadino CA 92409–5045

Landholding Agency: Air Force
Property Number: 18199010196
Status: Excess
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 23 63 ABG/DE
Norton Air Force Base
Norton Co: San Bernadino CA 92409–5045
Landholding Agency: Air Force
Property Number: 18199010197
Status: Excess
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area.

Bldg. 100
Point Arena Air Force Station
(See County) Co: Mendocino CA 95468–5000
Landholding Agency: Air Force
Property Number: 18199010233
Status: Unutilized
Reason: Secured Area

Bldg. 101
Point Arena Air Force Station
(See County) Co: Mendocino CA 95468–5000
Landholding Agency: Air Force
Property Number: 18199010234
Status: Underutilized
Reason: Secured Area

Bldg. 116
Point Arena Air Force Station
(See County) Co: Mendocino CA 95468–5000
Landholding Agency: Air Force
Property Number: 18199010235
Status: Unutilized
Reason: Secured Area

Bldg. 202
Point Arena Air Force Station
(See County) Co: Mendocino CA 95468–5000
Landholding Agency: Air Force
Property Number: 18199010236
Status: Unutilized
Reason: Secured Area

Bldg. 201
Vandenberg Air Force Base
Point Arguello
Vandenberg AFB Co: Santa Barbara CA 93437–
Location: Highway 1, Highway 246, Coast Road, Pt Sal Road, Miguelito Cyn
Landholding Agency: Air Force
Property Number: 18199010546
Status: Unutilized
Reason:
Secured Area

Bldg. 202
Vandenberg Air Force Base
Point Arguello
Vandenberg AFB Co: Santa Barbara CA 93437–
Location: Highway 1, Highway 246, Coast Road, Pt Sal Road, Miguelito Cyn
Landholding Agency: Air Force
Property Number: 18199010547
Status: Unutilized
Reason: Secured Area

Bldg. 203
Vandenberg Air Force Base
Point Arguello
Vandenberg AFB Co: Santa Barbara CA 93437–
Location: Highway 1, Highway 246, Coast Road, Pt Sal Road, Miguelito Cyn.
Landholding Agency: Air Force
Property Number: 18199010548
Status: Unutilized
Reason: Secured Area

Bldg. 204
Vandenberg Air Force Base
Point Arguello
Vandenberg AFB Co: Santa Barbara CA 93437–
Location: Highway 1, Highway 246, Coast Road, Pt SaFPL Road, Miguelito Cyn.
Landholding Agency: Air Force
Property Number: 18199010549
Status: Unutilized
Reason: Secured Area

Bldg. 1823
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Location: Hwy 1, Hwy 246, Coast Road, PT Sal Rd., Miguelito CYN
Landholding Agency: Air Force
Property Number: 18199130360
Status: Excess
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 16104, Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Location: Hwy 1, Hwy 246; Coast Rd., Pt Sal Rd.; Miguelito Cyn
Landholding Agency: Air Force
Property Number: 18199230020
Status: Underutilized
Reason: Secured Area

Bldg. 5428, Vandenberg AFB
Vandenberg Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199310015
Status: Unutilized
Reason: Secured Area

Bldg. 7304, Vandenberg AFB
Vandenberg Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199310030
Status: Unutilized
Reason: Secured Area

Bldg. 8215
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199330016
Status: Unutilized
Reason: Secured Area

Bldg. 1988
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199340003
Status: Unutilized
Reasons: Electrical Power Generator Bldg, Secured Area

Bldg. 1324
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199340006
Status: Unutilized
Reason: Secured Area

Bldg. 1341
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199340007
Status: Unutilized
Reason: Secured Area

Bldg. 1955
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199340008
Status: Unutilized
Reason: Secured Area

Bldg. 16164
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199340028
Status: Unutilized
Reason: Secured Area

Bldg. 422
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199530029
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 431
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199530030
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 470
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199530031
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 480
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199530032
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 6606
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199530037
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 10717
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199530041
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 10722

Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199530043
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 13003
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199620031
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 13222
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199620032
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 815
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199630040
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 1850
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199630041
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 1853
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199630042
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 1856
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199630043
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 1865
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199630044
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 1874
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199630045
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 1875
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199630046
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 1877
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199630047
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 1879
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199630048
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 1885
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199630049
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 1898
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199630050
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 06445
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199630052
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 21160
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199630055
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 06437
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199710014
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 10715
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199710016
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 00879
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199720009
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 01630
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199720011
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 01797
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199720012
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 01830
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199720013
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 01852
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199720014
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 11345
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199720019
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 14019
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199720022
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 14026
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199720023
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 22300
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199730002
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 08412
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199740006
Status: Unutilized
Reason: Secured Area

Bldg. 11153
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199740007
Status: Unutilized
Reason: Secured Area

Bldgs. 2–11, 20–21
Edwards AFB
P-Area Housing
Edwards AFB Co: Kern CA 93524–
Landholding Agency: Air Force
Property Number: 18199810029
Status: Unutilized
Reason: Extensive deterioration

Bldg. 1681
Vandenberg AFB
Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199820003
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 01839
Vandenberg AFB
Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199820004
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 06519
Vandenberg AFB
Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199820005
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 06526
Vandenberg AFB
Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199820006
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 11167
Vandenberg AFB
Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199820007
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 11168
Vandenberg AFB
Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199820008
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 13024
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18200030010
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 6436
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18200040001
Status: Unutilized
Reason: Extensive deterioration

Bldg. 10600
Vandenberg AFB
Santa Barbara Co: CA 93437–
Landholding Agency: Air Force
Property Number: 18200120005
Status: Unutilized
Reason: Secured Area

Bldg. 10605
Vandenberg AFB
Santa Barbara Co: CA 93437–
Landholding Agency: Air Force
Property Number: 18200120006
Status: Unutilized
Reason: Secured Area

Bldg. 16109
Vandenberg AFB
Santa Barbara Co: CA 93437–
Landholding Agency: Air Force
Property Number: 18200120007
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 00884
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18200130001
Status: Unutilized
Reason: Extensive deterioration

Bldg. 13607
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18200130002
Status: Unutilized
Reason: Extensive deterioration

Soil & Materials Testing Lab
Sausalito Co: CA 00000–
Landholding Agency: COE
Property Number: 31199920002
Status: Excess
Reason: Contamination

Parker Dam Govt Housing Camp
Township 2 North
San Bernardino Co: CA 92401–
Landholding Agency: Interior
Property Number: 61199930001
Status: Excess
Reason: Extensive deterioration

Brock Research Center
Range 19E
Imperial Valley Co: Imperial CA
Landholding Agency: Interior
Property Number: 61200140001
Status: Excess
Reason: Extensive deterioration

Bldg. 799
Naval Air Station
North Island Co: CA
Landholding Agency: Navy
Property Number: 77200210064
Status: Excess
Reason: Extensive deterioration

Colorado

Bldg. 00910
''Blue Barn''—Falcon Air Force Base
Falcon Co: El Paso CO 80912–
Landholding Agency: Air Force
Property Number: 18199530046
Status: Underutilized
Reason: Secured Area

Bldg. 9214
U.S. Air Force Academy
Colorado Springs Co: El Paso CO 80814–2400
Landholding Agency: Air Force
Property Number: 18199730012
Status: Underutilized
Reasons: Within airport runway clear zone, Secured Area

Bldg. 8412
Air Force Academy
El Paso Co: CO 80840–2400
Landholding Agency: Air Force
Property Number: 18200120008
Status: Unutilized
Reason: Within airport runway clear zone

Bldg. 440
Buckley AFB
Aurora Co: Arapahoe CO 80011–
Landholding Agency: Air Force
Property Number: 18200130003
Status: Unutilized
Reason: Secured Area

Bldg. 441
Buckley AFB
Aurora Co: Arapahoe CO 80011–
Landholding Agency: Air Force
Property Number: 18200130004
Status: Unutilized
Reason: Secured Area

Connecticut

Bldg. 13
Bradley International Airport
East Granby Co: Hartford CT 06026–9309
Landholding Agency: Air Force
Property Number: 18199640002
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 10
Bradley International Airport
East Granby Co: Hartford CT 06026–9309

Landholding Agency: Air Force
Property Number: 18199640003
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 5
Bradley International Airport
East Granby Co: Hartford CT 06026–9309
Landholding Agency: Air Force
Property Number: 18199640004
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material

Bldg. 4
Bradley International Airport
East Granby Co: Hartford CT 06026–9309
Landholding Agency: Air Force
Property Number: 18199640005
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material

Hezekiah S. Ramsdell Farm
West Thompson Lake
North Grosvenordale Co: Windham CT 06255–9801
Landholding Agency: COE
Property Number: 31199740001
Status: Unutilized
Reasons: Floodway, Extensive deterioration

Florida

Bldg. 575
Patrick Air Force Base
Co: Brevard FL 32925–
Landholding Agency: Air Force
Property Number: 18199320004
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Within airport runway clear zone, Extensive Deterioration, Secured Area

23 Family Housing
MacDill Auxiliary Airfield No. 1
Avon Park Co: Polk FL 33825–
Location: Include Bldgs: 448, 451 thru 470, 472 and 474
Landholding Agency: Air Force
Property Number: 18199520006
Status: Excess
Reason: Within airport runway clear zone

Bldg. 240
MacDill Auxiliary Airfield No. 1
Avon Park Co: Polk FL 33825–
Landholding Agency: Air Force
Property Number: 18199520007
Status: Excess
Reason: Extensive deterioration

Bldg. 315
Patrick Air Force Base
Patrick AFB Co: Brevard FL
Landholding Agency: Air Force
Property Number: 18199710023
Status: Unutilized
Reason: Secured Area

Bldg. 317
Patrick Air Force Base
Patrick AFB Co: Brevard FL
Landholding Agency: Air Force
Property Number: 18199710024
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 318
Patrick Air Force Base
Patrick AFB Co: Brevard FL
Landholding Agency: Air Force
Property Number: 18199710025
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Facility No. 10831
Cape Canaveral Air Station
Cape Canaveral AS Co: Brevard FL 32925–
Landholding Agency: Air Force
Property Number: 18199710033
Status: Unutilized
Reason: Secured Area

Facility No. 70662
Cape Canaveral Air Station
Cape Canaveral AS Co: Brevard FL 32925–
Landholding Agency: Air Force
Property Number: 18199710037
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 895, Eglin AFB
Eglin AFB Co: Okaloosa FL 32542–5133
Landholding Agency: Air Force
Property Number: 18199710045
Status: Unutilized
Reason: Extensive deterioration

Bldg. 744
Eglin AFB
Co: Okaloosa FL 32542–5133
Landholding Agency: Air Force
Property Number: 18199820009
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 3008
Eglin AFB
Co: Okaloosa FL 32542–5133
Landholding Agency: Air Force
Property Number: 18199820010
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 3010
Eglin AFB
Co: Okaloosa FL 32542–5133
Landholding Agency: Air Force
Property Number: 18199820011
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 12709
Eglin AFB
Co: Okaloosa FL 32542–5133
Landholding Agency: Air Force
Property Number: 18199820012
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 08807
Cape Canaveral Air Station
Co: Brevard FL 32925–
Landholding Agency: Air Force
Property Number: 18199820013
Status: Unutilized
Reason: Secured Area

Facility 44608
Cape Canaveral Air Station
Co: Brevard FL 32925–
Landholding Agency: Air Force
Property Number: 18199830006
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 12577
Eglin AFB
Santa Rosa Island
Okaloosa Co: FL 32542–5133
Landholding Agency: Air Force
Property Number: 18199910001
Status: Unutilized
Reasons: Floodway, Secured Area, Extensive deterioration

Bldg. 12576
Eglin AFB
Santa Rosa Island
Okaloosa Co: FL 32542–5133
Landholding Agency: Air Force
Property Number: 18199910002
Status: Unutilized
Reasons: Floodway, Secured Area, Extensive deterioration

Bldg. 12534
Eglin AFB
Santa Rosa Island
Okaloosa Co: FL 32542–5133
Landholding Agency: Air Force
Property Number: 18199910003
Status: Unutilized
Reasons: Floodway, Secured Area, Extensive deterioration

Bldg. 12533
Eglin AFB
Santa Rosa Island
Okaloosa Co: FL 32542–5133
Landholding Agency: Air Force
Property Number: 18199910004
Status: Unutilized
Reasons: Floodway, Secured Area, Extensive deterioration

Bldg. 12528
Eglin AFB
Santa Rosa Island
Okaloosa Co: FL 32542–5133
Landholding Agency: Air Force
Property Number: 18199910005
Status: Unutilized
Reasons: Floodway, Secured Area, Extensive deterioration

Bldg. 9281
Eglin AFB
Santa Rosa Island
Okaloosa Co: FL 32542–5133
Landholding Agency: Air Force
Property Number: 18199910006
Status: Unutilized
Reasons: Floodway, Secured Area, Extensive deterioration

Bldg. 9280
Eglin AFB
Santa Rosa Island
Okaloosa Co: FL 32542–5133
Landholding Agency: Air Force
Property Number: 18199910007
Status: Unutilized
Reasons: Floodway, Secured Area, Extensive deterioration

Bldg. 609
Eglin AFB
Okaloosa Co: FL 32542–5133
Landholding Agency: Air Force
Property Number: 18199910008
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Facility 1737
Cape Canaveral Air Station
Cape Canaveral Co: Brevard FL 32907–
Landholding Agency: Air Force

Property Number: 18199920002
Status: Underutilized
Reason: Secured Area

Bldg. 1704
Eglin AFB
Eglin AFB Co: Okaloosa FL 32542–
Landholding Agency: Air Force
Property Number: 18199930007
Status: Unutilized
Reasons: Floodway, Secured Area, Extensive deterioration

Facility 90330
Cape Canaveral Air Station
Cape Canaveral Co: Brevard FL 32907–
Landholding Agency: Air Force
Property Number: 18199940008
Status: Unutilized
Reason: Secured Area

Bldg. 72905
Cape Canaveral AFS
Brevard Co: FL 32907–
Landholding Agency: Air Force
Property Number: 18200020006
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 935
Patrick AFB
Patrick AFB Co: Brevard FL 32925–
Landholding Agency: Air Force
Property Number: 18200030011
Status: Unutilized
Reason: Secured Area

Facility 990
Patrick AFB
Patrick AFB Co: FL 32925–
Landholding Agency: Air Force
Property Number: 18200030012
Status: Unutilized
Reason: Secured Area

Key Largo Beacon Annex
Key Largo Co: Monroe FL 33037–
Landholding Agency: Air Force
Property Number: 18200210001
Status: Unutilized
Reason: Extensive deterioration

Georgia

Bldgs. 1180–1185
Robins AFB
Warner Robins Co: GA 31098–2207
Landholding Agency: Air Force
Property Number: 18200010005
Status: Unutilized
Reason: Extensive deterioration

Bldg. 274
Robins AFB
Warner Robins Co: GA
Landholding Agency: Air Force
Property Number: 18200130005
Status: Unutilized
Reason: Extensive deterioration

Bldg. 311
Robins AFB
Warner Robins Co: GA
Landholding Agency: Air Force
Property Number: 18200130006
Status: Unutilized
Reason: Extensive deterioration

Bldg. 930
Robins AFB
Warner Robins Co: GA
Landholding Agency: Air Force
Property Number: 18200130007
Status: Unutilized
Reason: Extensive deterioration

Bldg. 2071
Robins AFB
Warner Robins Co: GA
Landholding Agency: Air Force
Property Number: 18200130008
Status: Unutilized
Reason: Extensive deterioration

Bldg. 811
Robins AFB
Warner Robins Co: GA 31098–
Landholding Agency: Air Force
Property Number: 18200130017
Status: Unutilized
Reason: Extensive deterioration

Guam

Andersen South
Andersen Admin. Annex
360 housing units & a commercial structure
Mangilao GU 96923–
Landholding Agency: Air Force
Property Number: 18199840009
Status: Underutilized
Reason: Secured Area

68 Units
Naval Forces
South Tipalao Area
Marianas Co: GU
Landholding Agency: Navy
Property Number: 77200210065
Status: Excess
Reason: Secured Area

36 Units
Naval Forces
North Tipalao Area
Marianas Co: GU
Landholding Agency: Navy
Property Number: 77200210066
Status: Excess
Reason: Secured Area

130 Units
Naval Forces
South Finegayan Area
Marianas Co: GU
Landholding Agency: Navy
Property Number: 77200210067
Status: Excess
Reason: Secured Area

64 Units
Naval Forces
North Finegayan Area
Marianas Co: GU
Landholding Agency: Navy
Property Number: 77200210068
Status: Excess
Reason: Secured Area

158 Units
Naval Forces
North Finegayan Area
Marianas Co: GU
Landholding Agency: Navy
Property Number: 77200210069
Status: Excess
Reason: Secured Area

Idaho

Bldg. 1012
Mountain Home Air Force Base
7th Avenue
(See County) Co: Elmore ID 83648–
Landholding Agency: Air Force
Property Number: 18199030004
Status: Excess
Reason: Within 2000 ft. of flammable or explosive material

Bldg. 923
Mountain Home Air Force Base
7th Avenue
(See County) Co: Elmore ID 83648–
Landholding Agency: Air Force
Property Number: 18199030005
Status: Excess
Reason: Within 2000 ft. of flammable or explosive material

Bldg. 604
Mountain Home Air Force Base
Pine Street
(See County) Co: Elmore ID 83648–
Landholding Agency: Air Force
Property Number: 18199030006
Status: Excess
Reason: Within 2000 ft. of flammable or explosive material

Bldg. 229
Mt. Home Air Force Base
1st Avenue and A Street
Mt. Home AFB Co: Elmore ID 83648–
Landholding Agency: Air Force
Property Number: 18199040857
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Within airport runway clear zone

Bldg. 4403
Mountain Home Air Force Base
Mountain Home Co: Elmore ID 83647–
Landholding Agency: Air Force
Property Number: 18199520008
Status: Unutilized
Reason: Extensive deterioration

Bldg. 101
Mountain Home Air Force Base
Co: Elmore ID 83648–
Landholding Agency: Air Force
Property Number: 18199840001
Status: Unutilized
Reason: Extensive deterioration

Bldg. 105
Mountain Home Air Force Base
Co: Elmore ID 83648–
Landholding Agency: Air Force
Property Number: 18199840002
Status: Unutilized
Reason: Extensive deterioration

Bldg. AFD0070
Albeni Falls Dam
Oldtown Co: Bonner ID 83822–
Landholding Agency: COE
Property Number: 31199910001
Status: Unutilized
Reason: Extensive deterioration

Iowa

Bldg. 00671
Sioux Gateway Airport
Sioux Co: Woodbury IA 51110–
Landholding Agency: Air Force
Property Number: 18199310009
Status: Unutilized
Reason: Fuel pump station

Bldg. 00736
Sioux Gateway Airport
Sioux Co: Woodbury IA 51110–
Landholding Agency: Air Force
Property Number: 18199310010
Status: Unutilized
Reason: Pump station

Kansas

Bldg. 2703
Forbes Field
Topeka KS
Landholding Agency: Air Force
Property Number: 18199820018
Status: Unutilized
Reason: Extensive deterioration

No. 01017
Kanopolis Project
Marquette Co: Ellsworth KS 67456–
Landholding Agency: COE
Property Number: 31200210001
Status: Unutilized
Reason: Extensive deterioration

No. 01020
Kanopolis Project
Marquette Co: Ellsworth KS 67456–
Landholding Agency: COE
Property Number: 31200210002
Status: Unutilized
Reason: Extensive deterioration

No. 61001
Kanopolis Project
Marquette Co: Ellsworth KS 67456–
Landholding Agency: COE
Property Number: 31200210003
Status: Unutilized
Reason: Extensive deterioration

Kentucky

Spring House
Kentucky River Lock and Dam No. 1
Highway 320
Carrollton Co: Carroll KY 41008–
Landholding Agency: COE
Property Number: 21199040416
Status: Unutilized
Reason: Spring House

6-Room Dwelling
Green River Lock and Dam No. 3
Rochester Co: Butler KY 42273–
Location: Off State Hwy 369, which runs off of Western Ky. Parkway
Landholding Agency: COE
Property Number: 31199120010
Status: Unutilized
Reason: Floodway

2-Car Garage
Green River Lock and Dam No. 3
Rochester Co: Butler KY 42273–
Location: Off State Hwy 369, which runs off of Western Ky. Parkway
Landholding Agency: COE
Property Number: 31199120011
Status: Unutilized
Reason: Floodway

Office and Warehouse
Green River Lock and Dam No. 3
Rochester Co: Butler KY 42273–
Location: Off State Hwy 369, which runs off of Western Ky. Parkway
Landholding Agency: COE
Property Number: 31199120012
Status: Unutilized
Reason: Floodway

2 Pit Toilets
Green River Lock and Dam No. 3
Rochester Co: Butler KY 42273–
Landholding Agency: COE
Property Number: 31199120013
Status: Unutilized
Reason: Floodway

Louisiana

Bldg. 3477
Barksdale Air Force Base
Davis Avenue
Barksdale AFB Co: Bossier LA 71110–5000
Landholding Agency: Air Force
Property Number: 18199140015
Status: Unutilized
Reason: Secured Area

Maryland

Bldg. 3542
Andrews AFB
Andrews AFB MD 20652–25177
Landholding Agency: Air Force
Property Number: 18199810010
Status: Unutilized
Reason: Secured Area

Bldg. 3543
Andrews AFB
Andrews AFB MD 20652–25177
Landholding Agency: Air Force
Property Number: 18199810011
Status: Unutilized
Reason: Secured Area

Bldg. 1226
Andrews AFB
Camp Springs Co: Prince George's MD 20762–
Landholding Agency: Air Force
Property Number: 18200040002
Status: Unutilized
Reason: Secured Area

Bldg. 3781
Andrews AFB
Andrews AFB Co: Princes George's MD 20762–
Landholding Agency: Air Force
Property Number: 18200130009
Status: Excess
Reasons: Secured Area, Extensive deterioration

Bldg. 3782
Andrews AFB
Andrews AFB Co: Princes George's MD 20762–
Landholding Agency: Air Force
Property Number: 18200130010
Status: Excess
Reasons: Secured Area, Extensive deterioration

Bldgs. 3783–1, 3783–2
Andrews AFB
Andrews AFB Co: Princes George's MD 20762–
Landholding Agency: Air Force
Property Number: 18200130011
Status: Excess
Reasons: Secured Area, Extensive deterioration

5 Bldgs.
Andrews AFB
#13001, 13017, 13019, 13035, 13037
Brandywine Co: Prince George's MD
Landholding Agency: Air Force
Property Number: 18200210002
Status: Excess
Reason: Within 2000 ft. of flammable or explosive material

7 Bldgs.
Andrews AFB
Brandywine Co: Prince George's MD
Location: #13003, 13005, 13015, 13021, 13033, 13039, 13041
Landholding Agency: Air Force
Property Number: 18200210003
Status: Excess
Reason: Within 2000 ft. of flammable or explosive material

Michigan

Bldg. 71
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 18199010810
Status: Excess
Reason: Sewage treatment and disposal facility

Bldg. 99 (WATER WELL)
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 18199010831
Status: Excess
Reason: Water well

Bldg. 100 (WATER WELL)
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 18199010832
Status: Excess
Reason: Water well

Bldg. 118
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 18199010875
Status: Excess
Reason: Gasoline Station

Bldg. 120
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 18199010876
Status: Excess
Reason: Gasoline Station

Bldg. 166
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 18199010877
Status: Excess
Reason: Pump lift station

Bldg. 168
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 18199010878
Status: Excess
Reason: Gasoline station

Bldg. 69
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 18199010889
Status: Excess
Reason: Sewer pump facility

Bldg. 2
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 18199010890
Status: Excess
Reason: Water pump station

Facility 20
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force

Property Number: 18199630001
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 21
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630002
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 30
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630003
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 98
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630004
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 103
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630005
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 116
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630006
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 129
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630007
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 152
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630008
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 156
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630009
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 181
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630010
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 509
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630011
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 562
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630012
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 573
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630013
Status: Unutilized
Reason: Secured Area

Facility 801
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630014
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 827
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630015
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 832
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630016
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 833
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630017
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 1005
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630018
Status: Unutilized
Reason: Secured Area

Facility 1012
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630019
Status: Unutilized
Reason: Secured Area

Facility 1017
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630020
Status: Unutilized
Reason:
Secured Area

Facility 1025
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630021
Status: Unutilized
Reason: Secured Area

Facility 1031
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630022
Status: Unutilized
Reason: Secured Area

Facility 1041
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630023
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 1445
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630024
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 1514
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630025
Status: Unutilized
Reason: Secured Area

Facility 1575
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630026
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 1576
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630027
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 1578
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630028
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 1580
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630029
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 1582
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630030
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 1583
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630031
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 1584
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630032
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 1585
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630033
Status: Unutilized
Reason: Secured Area

Facilities 246, 248, 252–254
Selfridge Air National Guard
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199710039
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

7 Facilities
Selfridge Air National Guard
#240, 242, 244, 245, 247, 250, 251
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199710040
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Facilities 237, 238
Selfridge Air National Guard
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199710041
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

5 Facilities
Selfridge Air National Guard
#228, 230, 232, 234, 236
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199710042
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 114
Selfridge Air National Guard
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199710043
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 114
Alpena CRTC
Alpena Co: MI 49707–
Landholding Agency: Air Force
Property Number: 18199930009
Status: Unutilized
Reason: Secured Area

Missouri

Rec Office
Harry S. Truman Dam & Reservoir
Osceola Co: St. Clair MO 64776–
Landholding Agency: COE
Property Number: 31200110001
Status: Unutilized
Reason: Extensive deterioration

Privy/Nemo Park
Pomme de Terre Lake
Hermitage Co: MO 65668–
Landholding Agency: COE
Property Number: 31200120001
Status: Excess
Reason: Extensive deterioration

Privy No. 1/Bolivar Park
Pomme de Terre Lake
Hermitage Co: MO 65668–
Landholding Agency: COE
Property Number: 31200120002
Status: Excess
Reason: Extensive deterioration

Privy No. 2/Bolivar Park
Pomme de Terre Lake
Hermitage Co: MO 65668–
Landholding Agency: COE
Property Number: 31200120003
Status: Excess
Reason: Extensive deterioration

Montana

Bldg. 23
Great Falls ANG Station
Great Falls Co: Cascade MT 59404–
Landholding Agency: Air Force
Property Number: 18199720030
Status: Excess
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 24
Great Falls ANG Station
Great Falls Co: Cascade MT 59404–
Landholding Agency: Air Force
Property Number: 18199720031
Status: Excess
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 35
Great Falls ANG Station
Great Falls Co: Cascade MT 59404–
Landholding Agency: Air Force
Property Number: 18199720033
Status: Excess
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 22
Great Falls IAP
Great Falls Co: Cascade MT 59404–5570
Landholding Agency: Air Force
Property Number: 18199820019
Status: Underutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 1881
Malmstrom AFB
Malmstrom AFB Co: Cascade MT 59402–
Landholding Agency: Air Force
Property Number: 18200130012
Status: Unutilized
Reason: Secured Area

Bldg. 1085
Malmstrom AFB
Malmstrom AFB Co: Cascade MT 59402–
Landholding Agency: Air Force
Property Number: 18200210004
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Nebraska

Offutt Communications Annex–#3
Offutt Air Force Base
Scribner Co: Dodge NE 68031–
Landholding Agency: Air Force
Property Number: 18199210006
Status: Unutilized
Reason: former sewage lagoon

Bldg. 637
Lincoln Municipal Airport
2301 West Adams
Lincoln Co: Lancaster NE 68524–
Landholding Agency: Air Force
Property Number: 18199230021
Status: Unutilized
Reason: Extensive deterioration

Bldg. 639
Lincoln Municipal Airport
2301 West Adams
Lincoln Co: Lancaster NE 68524–
Landholding Agency: Air Force
Property Number: 18199230022
Status: Unutilized
Reason: Extensive deterioration

Bldg. 31
Offutt Air Force Base
Sac Boulevard
Offutt Co: Sarpy NE 68113–
Landholding Agency: Air Force
Property Number: 18199240007
Status: Unutilized
Reason: Secured Area

Bldg. 311
Offutt Air Force Base
Nelson Drive
Offutt Co: Sarpy NE 68113–
Landholding Agency: Air Force
Property Number: 18199240008
Status: Unutilized
Reason: Secured Area

Bldg. 401
Offutt Air Force Base
Custer Drive
Offutt Co: Sarpy NE 68113–
Landholding Agency: Air Force
Property Number: 18199240009
Status: Unutilized
Reason: Secured Area

Bldg. 416
Offutt Air Force Base
Sherman Turnpike
Offutt Co: Sarpy NE 68113–
Landholding Agency: Air Force
Property Number: 18199240010
Status: Unutilized
Reason: Secured Area

Bldg. 417
Offutt Air Force Base
Sherman Turnpike
Offutt Co: Sarpy NE 68113–
Landholding Agency: Air Force
Property Number: 18199240011
Status: Unutilized
Reason: Secured Area

Bldg. 545
Offutt Air Force Base
Offutt Co: Sarpy NE 68113–
Landholding Agency: Air Force
Property Number: 18199240012
Status: Unutilized
Reason: Secured Area

Bldg. 21
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320058
Status: Excess
Reason: Generator

Bldg. 4, Hastings Family Hsg.
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320059
Status: Excess
Reason: Contamination

Bldg. 500
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320060
Status: Excess
Reason: Contamination

Bldg. 502
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320061
Status: Excess
Reason: Contamination

Bldg. 504
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320062
Status: Excess
Reason: Contamination

Bldg. 506
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320063
Status: Excess
Reason: Contamination

Bldg. 507
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320064
Status: Excess
Reason: Contamination

Bldg. 509
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320065
Status: Excess
Reason: Contamination

Bldg. 511
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320066
Status: Excess
Reason: Contamination

Bldg. 512
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320067
Status: Excess
Reason: Contamination

Bldg. 515
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320068
Status: Excess
Reason: Contamination

Bldg. 517
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320069
Status: Excess
Reason: Contamination

Bldg. 519
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320070
Status: Excess
Reason: Contamination

Bldg. 521
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320071
Status: Excess
Reason: Contamination

Bldg. 523
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320072
Status: Excess
Reason: Contamination

Bldg. 525
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320073
Status: Excess
Reason: Contamination

Bldg. 526
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320074
Status: Excess
Reason: Contamination

Bldg. 529
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320075
Status: Excess
Reason: Contamination

Bldg. 531
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320076
Status: Excess
Reason: Contamination

Bldg. 533
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320077
Status: Excess
Reason: Contamination

Bldg. 534
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320078
Status: Excess
Reason: Contamination

Bldg. 536
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320079
Status: Excess
Reason: Contamination

Bldg. 538
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320080
Status: Excess
Reason: Contamination

Bldg. 541
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320081
Status: Excess
Reason: Contamination

Bldg. 542
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320082
Status: Excess
Reason: Contamination

Bldg. 544
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320083
Status: Excess
Reason: Contamination

Bldg. 546
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320084
Status: Excess
Reason: Contamination

Bldg. 549

Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320085
Status: Excess
Reason: Contamination

Bldg. 550
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320086
Status: Excess
Reason: Contamination

Bldg. 552
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320087
Status: Excess
Reason: Contamination

Bldg. 553
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320088
Status: Excess
Reason: Contamination

Bldg. 555
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320089
Status: Excess
Reason: Contamination

Bldg. 557
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320090
Status: Excess
Reason: Contamination

Bldg. 558
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320091
Status: Excess
Reason: Contamination

Bldg. 560
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320092
Status: Excess
Reason: Contamination

27 Detached Garages
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320093
Status: Excess
Reason: Contamination

Bldg. 17
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320094
Status: Excess
Reason: Contamination

Bldg. 16
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320095
Status: Excess
Reason: Contamination

Bldg. 18
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320096
Status: Excess
Reason: Contamination

Bldg. 6
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320097
Status: Excess
Reason: Contamination

Bldg. 547
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320098
Status: Excess
Reason: Contamination

Bldg. 604
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320099
Status: Excess
Reason: Contamination

Bldg. 686
Offutt Air Force Base
Offutt Co: Sarpy NE 68113–
Landholding Agency: Air Force
Property Number: 18199510021
Status: Unutilized
Reason: Secured Area

Bldg. 439
Offutt Air Force Base
Offutt Co: Sarpy NE 68113–
Landholding Agency: Air Force
Property Number: 18199510022
Status: Unutilized
Reason: Secured Area

Bldg. 606
NE Air National Guard
Lincoln Co: Lancaster NE 68524–1888
Landholding Agency: Air Force
Property Number: 18199720028
Status: Underutilized
Reasons: Floodway, Secured Area

Bldg. 675
NE Air National Guard
Lincoln Co: Lancaster NE 68524–1888
Landholding Agency: Air Force
Property Number: 18199720029
Status: Unutilized
Reasons: Floodway, Secured Area

Vault Toilets
Harlan County Project
Republican Co: NE 68971–
Landholding Agency: COE
Property Number: 31200210006
Status: Unutilized
Reason: Extensive deterioration

Patterson Treatment Plant
Harlan County Project
Republican Co: NE 68971–
Landholding Agency: COE
Property Number: 31200210007
Status: Unutilized
Reason: Extensive deterioration

New Hampshire

Bldg. 117
New Boston Air Force Station
Amherst Co: Hillsborough NH 03031–1514
Landholding Agency: Air Force
Property Number: 18199920008
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 129
New Boston Air Force Station
Amherst Co: Hillsborough NH 03031–1514
Landholding Agency: Air Force
Property Number: 18199920009
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 5210
Newington POL DFS
Newington Co: Rockingham NH 03801–
Landholding Agency: Air Force
Property Number: 18199920010
Status: Excess
Reason: Within 2000 ft. of flammable or explosive material

Bldg. 155
Pease Air National Guard
Newington Co: Rockingham NH 03803–
Landholding Agency: Air Force
Property Number: 18199930011
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material

Bldg. 124
New Boston Air Force Station
New Boston Co: Hilsboro NH 03070–5125
Landholding Agency: Air Force
Property Number: 18200030013
Status: Unutilized
Reason: Secured Area

Bldg. 125
New Boston Air Force Station
New Boston Co: Hilsboro NH 03070–5125
Landholding Agency: Air Force
Property Number: 18200030014
Status: Unutilized
Reason: Secured Area

New Mexico

Bldg. 831
833 CSG/DEER
Holloman AFB Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199130333
Status: Unutilized
Reason: Secured Area

Bldg. 21
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199240032
Status: Unutilized
Reason: Secured Area

Bldg. 98

Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199240034
Status: Unutilized
Reason: Secured Area

Bldg. 324
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199240035
Status: Unutilized
Reason: Secured Area

Bldg. 598
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199240036
Status: Unutilized
Reason: Secured Area

Bldg. 801
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199240037
Status: Unutilized
Reason: Secured Area

Bldg. 802
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199240038
Status: Unutilized
Reason: Secured Area

Bldg. 1095
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199240039
Status: Unutilized
Reason: Secured Area

Bldg. 1096
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199240040
Status: Unutilized
Reason: Secured Area

Facility 321
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199240041
Status: Unutilized
Reason: Secured Area

Facility 75115
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199240042
Status: Unutilized
Reason: Secured Area

Bldg. 874
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199320041
Status: Unutilized
Reasons: Extensive Deterioration, Secured Area

Bldg. 1258
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199320042
Status: Unutilized
Reasons: Extensive Deterioration, Secured Area

Bldg. 134
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199430014
Status: Unutilized
Reason: Secured Area

Bldg. 640
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199430015
Status: Unutilized
Reason: Secured Area

Bldg. 703
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199430016
Status: Unutilized
Reasons: Within airport runway clear zone, Secured Area

Bldg. 813
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199430017
Status: Unutilized
Reason: Secured Area

Bldg. 821
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199430018
Status: Unutilized
Reason: Secured Area

Bldg. 829
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199430019
Status: Unutilized
Reasons: Within airport runway clear zone, Secured Area

Bldg. 867
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199430020
Status: Unutilized
Reason: Secured Area

Bldg. 884
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199430021
Status: Unutilized
Reasons: Within airport runway clear zone, Secured Area

Bldg. 886
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199430022
Status: Unutilized
Reasons: Within airport runway clear zone, Secured Area

Bldg. 908
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199430023
Status: Unutilized
Reason: Secured Area

Bldg. 599
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199510001
Status: Unutilized
Reason: Secured Area

Bldg. 600
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199510002
Status: Unutilized
Reason: Secured Area

Bldg. 599
Holloman AFB
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199610007
Status: Unutilized
Reason: Secured Area

Bldg. 600
Holloman AFB
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199610008
Status: Unutilized
Reason: Secured Area

Bldg. 995
Holloman AFB
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199610009
Status: Unutilized
Reason: Secured Area

Bldg. 1257
Holloman AFB
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199740012
Status: Unutilized
Reason: Secured Area

Bldg. 332
Holloman AFB
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199740013
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 205
Holloman AFB
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199740014
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 1089
Holloman AFB
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199830009
Status: Unutilized
Reason: Secured Area

Bldg. 2149
Holloman AFB
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199830010

Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 2151
Holloman AFB
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199830011
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 2176
Holloman AFB
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199830012
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 2178
Holloman AFB
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199830013
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 197
Holloman AFB
Holloman AFB Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18200040003
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 1021
Holloman AFB
Otero Co: NM 88330–
Landholding Agency: Air Force
Property Number: 18200110001
Status: Unutilized
Reason: Secured Area

Bldg. 1025
Holloman AFB
Otero Co: NM 88330–
Landholding Agency: Air Force
Property Number: 18200110002
Status: Unutilized
Reason: Secured Area

Bldg. 571
Holloman AFB
Holloman AFB Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18200130013
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 1029
Holloman AFB
Holloman AFB Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18200130014
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 1191
Holloman AFB
Holloman AFB Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18200130015
Status: Unutilized
Reason: Secured Area

New York

Bldg. 626 (Pin: RVKQ)
Niagara Falls International Airport
914th Tactical Airlift Group
Niagara Falls Co: Niagara NY 14303–5000
Landholding Agency: Air Force
Property Number: 18199010075
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 272
Griffiss Air Force Base
Rome Co: Oneida NY 13441–
Landholding Agency: Air Force
Property Number: 18199140022
Status: Excess
Reason: Secured Area

Bldg. 888
Griffiss Air Force Base
Rome Co: Oneida NY 13441–
Landholding Agency: Air Force
Property Number: 18199140023
Status: Excess
Reason: Secured Area

Facility 814, Griffiss AFB
NE of Weapons Storage Area
Rome Co: Oneida NY 13441–
Landholding Agency: Air Force
Property Number: 18199230001
Status: Excess
Reasons: Within airport runway clear zone, Secured Area

Facility 808, Griffiss AFB
Perimeter Road
Rome Co: Oneida NY 13441–
Landholding Agency: Air Force
Property Number: 18199230002
Status: Excess
Reasons: Within airport runway clear zone, Secured Area

Facility 807, Griffiss AFB
Perimeter Road
Rome Co: Oneida NY 13441–
Landholding Agency: Air Force
Property Number: 18199230003
Status: Excess
Reasons: Within airport runway clear zone, Secured Area

Facility 126
Griffiss Air Force Base
Hanger Road
Rome Co: Oneida NY 13441–4520
Landholding Agency: Air Force
Property Number: 18199240020
Status: Unutilized
Reason: Secured Area

Facility 127
Griffiss Air Force Base
Hanger Road
Rome Co: Oneida NY 13441–4520
Landholding Agency: Air Force
Property Number: 18199240021
Status: Unutilized
Reason: Secured Area

Facility 135
Griffiss Air Force Base
Hanger Road
Rome Co: Oneida NY 13441–4520
Landholding Agency: Air Force
Property Number: 18199240022
Status: Unutilized
Reason: Secured Area

Facility 137
Griffiss Air Force Base
Otis Street
Rome Co: Oneida NY 13441–4520
Landholding Agency: Air Force
Property Number: 18199240023
Status: Unutilized
Reason: Secured Area

Facility 138
Griffiss Air Force Base
Otis Street
Rome Co: Oneida NY 13441–4520
Landholding Agency: Air Force
Property Number: 18199240024
Status: Unutilized
Reason: Secured Area

Facility 173
Griffiss Air Force Base
Selfridge Street
Rome Co: Oneida NY 13441–4520
Landholding Agency: Air Force
Property Number: 18199240025
Status: Unutilized
Reason: Secured Area

Facility 261
Griffiss Air Force Base
McDill Street
Rome Co: Oneida NY 13441–4520
Landholding Agency: Air Force
Property Number: 18199240026
Status: Unutilized
Reason: Secured Area

Facility 308
Griffiss Air Force Base
205 Chanute Street
Rome Co: Oneida NY 13441–4520
Landholding Agency: Air Force
Property Number: 18199240027
Status: Unutilized
Reason: Secured Area

Facility 1200
Griffiss Air Force Base
Donaldson Road
Rome Co: Oneida NY 13441–4520
Landholding Agency: Air Force
Property Number: 18199240028
Status: Unutilized
Reason: Secured Area

Facility 841
Griffiss Air Force Base
Rome Co: Oneida NY 13441–4520
Landholding Agency: Air Force
Property Number: 18199330097
Status: Unutilized
Reason: Secured Area

Bldg. 740
Niagara Falls Air Force Reserve
Niagara Falls Co: Niagara NY 14304–5001
Landholding Agency: Air Force
Property Number: 18199720026
Status: Unutilized
Reasons: Within airport runway clear zone, Floodway, Secured Area

Bldg. 629
Hancock Field
Syracuse Co: Onondaga NY 13211–
Landholding Agency: Air Force
Property Number: 18199730006
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 514
Niagara Falls ARS
Niagara Falls Co: Niagara NY 14304–5001
Landholding Agency: Air Force
Property Number: 18199810024
Status: Unutilized
Reasons: Floodway, Secured Area, Extensive deterioration

Bldg. 614
Niagara Falls AFR
Niagara Falls Co: Niagara NY 14305–5001
Landholding Agency: Air Force
Property Number: 18199830014
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area, Extensive deterioration

Bldg. 722
Niagara Falls AFR
Niagara Falls Co: Niagara NY 14305–5001
Landholding Agency: Air Force
Property Number: 18199830015
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area, Extensive deterioration

Bldg. 750
Niagara Falls AFR
Niagara Falls Co: Niagara NY 14305–5001
Landholding Agency: Air Force
Property Number: 18199830016
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area, Extensive deterioration

Bldg. 751
Niagara Falls AFR
Niagara Falls Co: Niagara NY 14305–5001
Landholding Agency: Air Force
Property Number: 18199830017
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area, Extensive deterioration

Facility 1200
Verona Test Annex
Town of Verona Co: Oneida NY 13478–
Landholding Agency: Air Force
Property Number: 18199920011
Status: Unutilized
Reason: No public access

Facility 1202
Verona Test Annex
Town of Verona Co: Oneida NY 13478–
Landholding Agency: Air Force
Property Number: 18199920012
Status: Unutilized
Reason: No public access

Facility 1203
Verona Test Annex
Town of Verona Co: Oneida NY 13478–
Landholding Agency: Air Force
Property Number: 18199920013
Status: Unutilized
Reason: No public access

Facility 1204
Verona Test Annex
Town of Verona Co: Oneida NY 13478–
Landholding Agency: Air Force
Property Number: 18199920014
Status: Unutilized
Reason: No public access

Facility 1206
Verona Test Annex
Town of Verona Co: Oneida NY 13478–
Landholding Agency: Air Force
Property Number: 18199920016
Status: Unutilized
Reason: No public access

Facility 1207
Verona Test Annex
Town of Verona Co: Oneida NY 13478–
Landholding Agency: Air Force
Property Number: 18199920017
Status: Unutilized
Reason: No public access

Facility 1208
Verona Test Annex
Town of Verona Co: Oneida NY 13478–
Landholding Agency: Air Force
Property Number: 18199920018
Status: Unutilized
Reason: No public access

Facility 1209
Verona Test Annex
Town of Verona Co: Oneida NY 13478–
Landholding Agency: Air Force
Property Number: 18199920019
Status: Unutilized
Reason: No public access

Facility 1210
Verona Test Annex
Town of Verona Co: Oneida NY 13478–
Landholding Agency: Air Force
Property Number: 18199920020
Status: Unutilized
Reason: No public access

Facility 1259
Verona Test Annex
Town of Verona Co: Oneida NY 13478–
Landholding Agency: Air Force
Property Number: 18199920021
Status: Unutilized
Reason: No public access

Facility 1260
Verona Test Annex
Town of Verona Co: Oneida NY 13478–
Landholding Agency: Air Force
Property Number: 18199920022
Status: Unutilized
Reason: No public access

Warehouse
Whitney Lake Project
Whitney Point Co: Broome NY 13862–0706
Landholding Agency: COE
Property Number: 31199630007
Status: Unutilized
Reason: Extensive deterioration

North Carolina

Bldg. 4230—Youth Center
Cannon Ave.
Goldsboro Co: Wayne NC 27531–5005
Landholding Agency: Air Force
Property Number: 18199120233
Status: Underutilized
Reason: Secured Area

Bldg. 607, Pope Air Force Base
Fayetteville Co: Cumberland NC 28308–2890
Landholding Agency: Air Force
Property Number: 18199330041
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 910, Pope Air Force Base
Fayetteville Co: Cumberland NC 28308–2003
Landholding Agency: Air Force
Property Number: 18199420022
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 912, Pope Air Force Base
Fayetteville Co: Cumberland NC 28308–2003
Landholding Agency: Air Force
Property Number: 18199420023
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 914, Pope Air Force Base
Fayetteville Co: Cumberland NC 28308–2003
Landholding Agency: Air Force
Property Number: 18199420024
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 633, Pope Air Force Base
Fayetteville Co: Cumberland NC 28308–
Landholding Agency: Air Force
Property Number: 18199540019
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

North Dakota

Bldg. 422
Minot Air Force Base
Minot Co: Ward ND 58705–
Landholding Agency: Air Force
Property Number: 18199010724
Status: Underutilized
Reason: Secured Area

Bldg. 50
Fortuna Air Force Station
Extreme northwestern corner of North Dakota
Fortuna Co: Divide ND 58844–
Landholding Agency: Air Force
Property Number: 18199310107
Status: Excess
Reason: Garbage incinerator

Bldg. 119
Minot Air Force Base
Minot Co: Ward ND 58701–
Landholding Agency: Air Force
Property Number: 18199320034
Status: Unutilized
Reason: Secured Area

Bldg. 526
Minot Air Force Base
Minot Co: Ward ND 58701–
Landholding Agency: Air Force
Property Number: 18199320038
Status: Unutilized
Reason: Secured Area

B–B–548Shp
Grand Forks AFB
Emerado Co: Grand Forks ND 58205–
Landholding Agency: Air Force
Property Number: 18200110003
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area, Extensive deterioration

Bldg. 548
Grand Forks AFB
Grand Forks AFB Co: ND 58205–
Landholding Agency: Air Force
Property Number: 18200120009
Status: Excess
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area, Extensive deterioration

Bldg. B–138
Grand Forks AFB
Emerado Co: Grand Forks ND 58205–
Landholding Agency: Air Force
Property Number: 18200210005
Status: Excess
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Ohio

14 Bldgs.

Area B, Wright-Patterson AFB
Co: Montgomery OH 45433–
Location: 6036, 38, 42, 44, 45, 49, 54, 64, 65, 69, 75
Landholding Agency: Air Force
Property Number: 18199820030
Status: Unutilized
Reason: Within airport runway clear zone

Bldg. 6104, 08, 09
Area B, Wright-Patterson AFB
Co: Montgomery OH 45433–
Landholding Agency: Air Force
Property Number: 18199820044
Status: Unutilized
Reason: Within airport runway clear zone

Bldg. 522
Youngstown Air Reserve
Vienna Co: Trumbull OH 44473–0910
Landholding Agency: Air Force
Property Number: 18200010007
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area, Extensive deterioration

Bldgs. 1, 2, 3, 5, 8
Cincinnati Petroleum Distribution Station
Cincinnati Co: Hamilton OH –
Landholding Agency: Air Force
Property Number: 18200210006
Status: Excess
Reasons: Within 2000 ft. of flammable or explosive material, Floodway

Oklahoma

Bldg. 010
Tulsa IAP Base
Tulsa OK 74115–1699
Landholding Agency: Air Force
Property Number: 18199820031
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 305
Tulsa IAP Base
Tulsa OK 74115–1699
Landholding Agency: Air Force
Property Number: 18199820032
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Oregon

Bldg.
366 E. Hurlburt
Hermiston Co: Umatilla OR 97838–
Landholding Agency: Interior
Property Number: 61200110007
Status: Unutilized
Reason: Extensive deterioration

Bldg. 0320–00
Klamath Irrigation District
Klamath Falls Co: Klamath OR 97603–
Landholding Agency: Interior
Property Number: 61200140002
Status: Unutilized
Reason: Extensive deterioration

Bldg. 30
Naval Weapons Systems Training
Boardman Co: Morrow OR
Landholding Agency: Navy
Property Number: 77200210070
Status: Unutilized
Reason: Secured Area

Bldg. 31
Naval Weapons Systems Training
Boardman Co: Morrow OR
Landholding Agency: Navy
Property Number: 77200210071
Status: Unutilized
Reason: Secured Area

Bldg. 32
Naval Weapons Systems Training
Boardman Co: Morrow OR
Landholding Agency: Navy
Property Number: 77200210072
Status: Unutilized
Reason: Secured Area

Bldg. 33
Naval Weapons Systems Training
Boardman Co: Morrow OR
Landholding Agency: Navy
Property Number: 77200210073
Status: Unutilized
Reason: Secured Area

Bldg. 35
Naval Weapons Systems Training
Boardman Co: Morrow OR
Landholding Agency: Navy
Property Number: 77200210074
Status: Unutilized
Reason: Secured Area

Bldg. 37
Naval Weapons Systems Training
Boardman Co: Morrow OR
Landholding Agency: Navy
Property Number: 77200210075
Status: Unutilized
Reason: Secured Area

South Dakota

Bldg. 7506
Ellsworth Air Force Base
Ellsworth AFB Co: Meade SD 57706–
Landholding Agency: Air Force
Property Number: 18199340037
Status: Unutilized
Reason: Secured Area

Bldg. 111
Ellsworth Air Force Base
Ellsworth AFB Co: Meade SD 57706–
Landholding Agency: Air Force
Property Number: 18199730007
Status: Unutilized
Reason: Secured Area

Bldg. 7504
Ellsworth AFB
Co: Meade SD 57706–
Landholding Agency: Air Force
Property Number: 18199820034
Status: Underutilized
Reasons: Within 2000 ft. of flammable or explosive material, Within airport runway clear zone, Secured Area

Bldg. 7239
Ellsworth AFB
Co: Meade SD 57706–
Landholding Agency: Air Force
Property Number: 18199820036
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Within airport runway clear zone, Secured Area

Bldg. 1102
Ellsworth AFB
Co: Meade SD 57706–
Landholding Agency: Air Force
Property Number: 18199820037
Status: Unutilized
Reason: Secured Area

Bldg. 88307
Ellsworth AFB
Co: Meade SD 57706–
Landholding Agency: Air Force
Property Number: 18199820038
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 88320
Ellsworth AFB
Co: Meade SD 57706–
Landholding Agency: Air Force
Property Number: 18199820039
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 8001
Ellsworth Air Force Base
Ellsworth AFB Co: Pennington SD 57706–
Landholding Agency: Air Force
Property Number: 18199920026
Status: Unutilized
Reason: Secured Area

Bldg. 805
Ellsworth AFB
Ellsworth AFB Co: Meade SD 57706–
Landholding Agency: Air Force
Property Number: 18200110004
Status: Unutilized
Reason: Secured Area

Bldg. 7140
Ellsworth AFB
Ellsworth AFB Co: Meade SD 57706–
Landholding Agency: Air Force
Property Number: 18200110005
Status: Unutilized
Reason: Secured Area

Bldg. 7426
Ellsworth AFB
Ellsworth AFB Co: Meade SD 57706–
Landholding Agency: Air Force
Property Number: 18200110006
Status: Unutilized
Reason: Secured Area

Bldg. 12880
Ellsworth AFB
Ellsworth AFB Co: Meade SD 57706–
Landholding Agency: Air Force
Property Number: 18200110007
Status: Unutilized
Reason: Secured Area

Bldg. 88512
Ellsworth AFB
Ellsworth AFB Co: Meade SD 57706–
Landholding Agency: Air Force
Property Number: 18200110008
Status: Unutilized
Reason: Secured Area

Sundance Nuclear Reactor Site
Ellsworth AFB
Warren Peak Co: Crook SD 57706–
Landholding Agency: Air Force
Property Number: 18200110009
Status: Unutilized
Reason: Secured Area

Mobile Home
Tract L–1295
Oahe Dam
Potter Co: SD 00000–
Landholding Agency: COE
Property Number: 31200030001
Status: Excess
Reason: Extensive deterioration

Tennessee

Bldg. 204

Cordell Hull Lake and Dam Project.
Defeated Creek Recreation Area
Carthage Co: Smith TN 37030–
Location: US Highway 85
Landholding Agency: COE
Property Number: 31199011499
Status: Unutilized
Reason: Floodway

Tract 2618 (Portion)
Cordell Hull Lake and Dam Project
Roaring River Recreation Area
Gainesboro Co: Jackson TN 38562–
Location: TN Highway 135
Landholding Agency: COE
Property Number: 31199011503
Status: Underutilized
Reason: Floodway

Water Treatment Plant
Dale Hollow Lake & Dam Project
Obey River Park, State Hwy 42
Livingston Co: Clay TN 38351–
Landholding Agency: COE
Property Number: 31199140011
Status: Excess
Reason: Water treatment plant

Water Treatment Plant
Dale Hollow Lake & Dam Project
Lillydale Recreation Area, State Hwy 53
Livingston Co: Clay TN 38351–
Landholding Agency: COE
Property Number: 31199140012
Status: Excess
Reason: Water treatment plant

Water Treatment Plant
Dale Hollow Lake & Dam Project
Willow Grove Recreational Area, Hwy No. 53
Livingston Co: Clay TN 38351–
Landholding Agency: COE
Property Number: 31199140013
Status: Excess
Reason: Water treatment plant

Utah

Bldg. 789
Hill Air Force Base
(See County) Co: Davis UT 84056–
Landholding Agency: Air Force
Property Number: 18199040859
Status: Unutilized
Reasons: Within airport runway clear zone, Secured Area

Vermont

Facility 100
Burlington IAP
Burlington Co: Chittenden VT 05403–5872
Landholding Agency: Air Force
Property Number: 18199730008
Status: Excess
Reason: Within 2000 ft. of flammable or explosive material

Facility 110
Burlington IAP
Burlington Co: Chittenden VT 05403–5872
Landholding Agency: Air Force
Property Number: 18200030016
Status: Excess
Reason: Within 2000 ft. of flammable or explosive material

Virginia

Bldg. 417
Camp Pendleton
Virginia Beach VA 23451–
Landholding Agency: Air Force
Property Number: 18199710003
Status: Unutilized
Reason: Extensive deterioration

Bldg. 418
Camp Pendleton
Virginia Beach VA 23451–
Landholding Agency: Air Force
Property Number: 18199710004
Status: Unutilized
Reason: Extensive deterioration

Washington

Bldg. 100, Geiger Heights
Grove and Hallet Streets
Fairchild AFB Co: Spokane WA 99204–
Landholding Agency: Air Force
Property Number: 18199210004
Status: Unutilized
Reason: Extensive deterioration

Bldg. 2000
Fairchild Air Force Base
Fairchild AFB Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 18199310058
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 2450
Fairchild Air Force Base
Fairchild AFB Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 18199310065
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 1, Waste Annex
West of Craig Road
Co: Spokane WA 99022–
Landholding Agency: Air Force
Property Number: 18199320043
Status: Unutilized
Reason: Secured Area

Bldgs. 109, 117
Fairchild AFB
Cheney Annex
Cheney Co: Spokane WA 99004–
Landholding Agency: Air Force
Property Number: 18200210007
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material

Bldgs. 110, 116, 126
Fairchild AFB
Cheney Annex
Cheney Co: Spokane WA 99004–
Landholding Agency: Air Force
Property Number: 18200210008
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material

Bldgs. 125, 203
Fairchild AFB
Cheney Annex
Cheney Co: Spokane WA 99004–
Landholding Agency: Air Force
Property Number: 18200210009
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material

Bldg. 204
Fairchild AFB
Cheney Annex
Cheney Co: Spokane WA 99004–
Landholding Agency: Air Force
Property Number: 18200210010
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material

Bldgs. 207, 213
Fairchild AFB
Cheney Annex
Cheney Co: Spokane WA 99004–
Landholding Agency: Air Force
Property Number: 18200210011
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material

Bldgs. 208, 214
Fairchild AFB
Cheney Annex
Cheney Co: Spokane WA 99004–
Landholding Agency: Air Force
Property Number: 18200210012
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material

Bldgs. 809, 817
Fairchild AFB
Cheney Annex
Cheney Co: Spokane WA 99004–
Landholding Agency: Air Force
Property Number: 18200210013
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material

Bldgs. 810, 818
Fairchild AFB
Cheney Annex
Cheney Co: Spokane WA 99004–
Landholding Agency: Air Force
Property Number: 18200210014
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material

Wyoming

Bldg. 31
F.E. Warren Air Force Base
Cheyenne Co: Laramie WY 82005–
Landholding Agency: Air Force
Property Number: 18199010198
Status: Unutilized
Reason: Secured Area

Bldg. 284
F.E. Warren Air Force Base
Cheyenne Co: Laramie WY 82005–
Landholding Agency: Air Force
Property Number: 18199010201
Status: Unutilized
Reason: Secured Area

Bldg. 385
F.E. Warren Air Force Base
Cheyenne Co: Laramie WY 82005–
Landholding Agency: Air Force
Property Number: 18199010202
Status: Unutilized
Reason: Secured Area

Bldg. 919
F.E. Warren AFB
Cheyenne Co: Laramie WY 82005–5000
Landholding Agency: Air Force
Property Number: 18199930015
Status: Unutilized
Reason: Secured Area

Bldg. 39
F.E. Warren AFB
Cheyenne Co: Laramie WY 82005–2788
Landholding Agency: Air Force
Property Number: 18200110010
Status: Unutilized

Reason: Secured Area

Bldg. 400
F.E. Warren AFB
Cheyenne Co: Laramie WY 82005–2788
Landholding Agency: Air Force
Property Number: 18200110011
Status: Unutilized
Reason: Secured Area

Bldg. 2110
F.E. Warren AFB
Cheyenne Co: Laramie WY 82005–5000
Landholding Agency: Air Force
Property Number: 18200120010
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 607
F.E. Warren AFB
Cheyenne Co: Laramie WY 82005–5000
Landholding Agency: Air Force
Property Number: 18200130016
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Land (by State)

Alaska

Campion Air Force Station 21 CSG–DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010430
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Isolated and remote area; Arctic environ

Lake Louise Recreation
21 CSG–DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010431
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Isolated and remote area; Arctic coast

Nikolski Radio Relay Site
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010432
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Isolated and remote area; Arctic coast

Florida

Land
MacDill Air Force Base
6601 S. Manhattan Avenue
Tampa Co: Hillsborough FL 33608–
Landholding Agency: Air Force
Property Number: 18199030003
Status: Excess
Reason: Floodway

Kentucky

Tract 4626
Barkley, Lake, Kentucky and Tennessee
Donaldson Creek Launching Area
Cadiz Co: Trigg KY 42211–
Location: 14 miles from US Highway 68
Landholding Agency: COE
Property Number: 31199010030
Status: Underutilized
Reason: Floodway

Tract AA–2747
Wolf Creek Dam and Lake Cumberland
US HWY. 27 to Blue John Road
Burnside Co: Pulaski KY 42519–
Landholding Agency: COE
Property Number: 31199010038
Status: Underutilized
Reason: Floodway

Tract AA–2726
Wolf Creek Dam and Lake Cumberland
KY HWY. 80 to Route 769
Burnside Co: Pulaski KY 42519–
Landholding Agency: COE
Property Number: 31199010039
Status: Underutilized
Reason: Floodway

Tract 1358
Barkley Lake, Kentucky and Tennessee
Eddyville Recreation Area
Eddyville Co: Lyon KY 42038–
Location: US Highway 62 to state highway 93
Landholding Agency: COE
Property Number: 31199010043
Status: Excess
Reason: Floodway

Red River Lake Project
Stanton Co: Powell KY 40380–
Location: Exit Mr. Parkway at the Stanton and Slade Interchange, then take SR Hand 15 north to SR 613
Landholding Agency: COE
Property Number: 31199011684
Status: Unutilized
Reason: Floodway

Barren River Lock & Dam No. 1
Richardsville Co: Warren KY 42270–
Landholding Agency: COE
Property Number: 31199120008
Status: Unutilized
Reason: Floodway

Green River Lock & Dam No. 3
Rochester Co: Butler KY 42273–
Location: Off State Hwy. 369, which runs off of Western Ky. Parkway
Landholding Agency: COE
Property Number: 31199120009
Status: Unutilized
Reason: Floodway

Green River Lock & Dam No. 4
Woodbury Co: Butler KY 42288–
Location: Off State Hwy 403, which is off State Hwy 231
Landholding Agency: COE
Property Number: 31199120014
Status: Underutilized
Reason: Floodway

Green River Lock & Dam No. 5
Readville Co: Butler KY 42275–
Location: Off State Highway 185
Landholding Agency: COE
Property Number: 31199120015
Status: Unutilized
Reason: Floodway

Green River Lock & Dam No. 6
Brownsville Co: Edmonson KY 42210–
Location: Off State Highway 259
Landholding Agency: COE
Property Number: 31199120016
Status: Underutilized
Reason: Floodway

Vacant land west of locksite
Greenup Locks and Dam
5121 New Dam Road
Rural Co: Greenup KY 41144–
Landholding Agency: COE
Property Number: 31199120017
Status: Unutilized
Reason: Floodway

Maryland

Land
Brandywine Storage Annex
1776 ABW/DE Brandywine Road, Route 381
Andrews AFB Co: Prince Georges MD 20613–
Landholding Agency: Air Force
Property Number: 18199010263
Status: Unutilized
Reason: Secured Area

Tract 131R
Youghiogheny River Lake, Rt. 2, Box 100
Friendsville Co: Garrett MD
Landholding Agency: COE
Property Number: 31199240007
Status: Underutilized
Reason: Floodway

Minnesota

Parcel G
Pine River
Cross Lake Co: Crow Wing MN 56442–
Location: 3 miles from city of Cross Lake between highways 6 and 371.
Landholding Agency: COE
Property Number: 31199011037
Status: Excess
Reason: Highway right of way

Mississippi

Parcel 1
Grenada Lake
Section 20
Grenada Co: Grenada MS 38901–0903
Landholding Agency: COE
Property Number: 31199011018
Status: Underutilized
Reason: Within airport runway clear zone

Missouri

Ditch 19, Item 2, Tract No. 230
St. Francis Basin Project
2½ miles west of Malden
Co: Dunklin MO
Landholding Agency: COE
Property Number: 31199130001
Status: Unutilized
Reason: Floodway

New Mexico

Facility 75100
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199240043
Status: Unutilized
Reason: Secured Area

North Carolina

0.52 acres
Summerall TACAN Annex
Seymour Johnson AFB
Wayne Co: NC 27530–
Landholding Agency: Air Force
Property Number: 18200020008
Status: Unutilized
Reason: Within airport runway clear zone

1.84 acres
Neuse Middle Marker Annex
Seymour Johnson AFB
Wayne Co: NC 27531–
Landholding Agency: Air Force
Property Number: 18200120011
Status: Unutilized

Reasons: Floodway, inaccessible

North Dakota

0.23 acres
Minot Middle Marker Annex
Co: Ward ND 58705–
Landholding Agency: Air Force
Property Number: 18199810001
Status: Unutilized
Reason: Within airport runway clear zone

Ohio

Mosquito Creek Lake
Everett Hull Road Boat Launch
Cortland Co: Trumbull OH 44410–9321
Landholding Agency: COE
Property Number: 31199440007
Status: Underutilized
Reason: Floodway

Mosquito Creek Lake
Housel—Craft Rd., Boat Launch
Cortland Co: Trumbull OH 44410–9321
Landholding Agency: COE
Property Number: 31199440008
Status: Underutilized
Reason: Floodway

36 Site Campground
German Church Campground
Berlin Center Co: Portage OH 44401–9707
Landholding Agency: COE
Property Number: 31199810001
Status: Unutilized
Reason: Floodway

Pennsylvania

Lock and Dam #7
Monongahela River
Greensboro Co: Greene PA
Location: Left hand side of entrance roadway to project
Landholding Agency: COE
Property Number: 31199011564
Status: Unutilized
Reason: Floodway

Mercer Recreation Area
Shenango Lake
Transfer Co: Mercer PA 16154–
Landholding Agency: COE
Property Number: 31199810002
Status: Unutilized
Reason: Floodway

Tract No. B–212C
Upstream from Gen. Jadwin Dam & Reservoir
Honesdale Co: Wayne PA 18431–
Landholding Agency: COE
Property Number: 31200020005
Status: Unutilized
Reason: Floodway

Puerto Rico

119.3 acres
Culebra Island PR 00775–
Landholding Agency: Interior
Property Number: 61199210001
Status: Excess
Reason: Floodway

South Dakota

Badlands Bomb Range
60 miles southeast of Rapid City, SD
1½ miles south of Highway 44 Co: Shannon SD
Landholding Agency: Air Force
Property Number: 18199210003
Status: Unutilized
Reason: Secured Area

Tennessee

Brooks Bend
Cordell Hull Dam and Reservoir
Highway 85 to Brooks Bend Road
Gainesboro Co: Jackson TN 38562–
Location: Tracts 800, 802–806, 835–837, 900–902, 1000–1003, 1025
Landholding Agency: COE
Property Number: 21199040413
Status: Underutilized
Reason: Floodway

Cheatham Lock and Dam
Highway 12
Ashland City Co: Cheatham TN 37015–
Location: Tracts E–513, E–512–1 and E–512–2
Landholding Agency: COE
Property Number: 21199040415
Status: Underutilized
Reason: Floodway

Tract 6737
Blue Creek Recreation Area
Barkley Lake, Kentucky and Tennessee
Dover Co: Stewart TN 37058–
Location: U.S. Highway 79/TN Highway 761
Landholding Agency: COE
Property Number: 31199011478
Status: Underutilized
Reason: Floodway

Tracts 3102, 3105, and 3106
Brimstone Launching Area
Cordell Hull Lake and Dam Project
Gainesboro Co: Jackson TN 38562–
Location: Big Bottom Road
Landholding Agency: COE
Property Number: 31199011479
Status: Excess
Reason: Floodway

Tract 3507
Proctor Site
Cordell Hull Lake and Dam Project
Celina Co: Clay TN 38551–
Location: TN Highway 52
Landholding Agency: COE
Property Number: 31199011480
Status: Unutilized
Reason: Floodway

Tract 3721
Obey
Cordell Hull Lake and Dam Project
Celina Co: Clay TN 38551–
Location: TN Highway 53
Landholding Agency: COE
Property Number: 31199011481
Status: Unutilized
Reason: Floodway

Tracts 608, 609, 611 and 612
Sullivan Bend Launching Area
Cordell Hull Lake and Dam Project
Carthage Co: Smith TN 37030–
Location: Sullivan Bend Road
Landholding Agency: COE
Property Number: 31199011482
Status: Underutilized
Reason: Floodway

Tract 920
Indian Creek Camping Area
Cordell Hull Lake and Dam Project
Granville Co: Smith TN 38564–
Location: TN Highway 53
Landholding Agency: COE
Property Number: 31199011483
Status: Underutilized
Reason: Floodway

Tracts 1710, 1716 and 1703
Flynns Lick Launching Ramp
Cordell Hull Lake and Dam Project
Gainesboro Co: Jackson TN 38562–
Location: Whites Bend Road
Landholding Agency: COE
Property Number: 31199011484
Status: Underutilized
Reason: Floodway

Tract 1810
Wartrace Creek Launching Ramp
Cordell Hull Lake and Dam Project
Gainesboro Co: Jackson TN 38551–
Location: TN Highway 85
Landholding Agency: COE
Property Number: 31199011485
Status: Underutilized
Reason: Floodway

Tract 2524
Jennings Creek
Cordell Hull Lake and Dam Project
Gainesboro Co: Jackson TN 38562–
Location: TN Highway 85
Landholding Agency: COE
Property Number: 31199011486
Status: Unutilized
Reason: Floodway

Tracts 2905 and 2907
Webster
Cordell Hull Lake and Dam Project
Gainesboro Co: Jackson TN 38551–
Location: Big Bottom Road
Landholding Agency: COE
Property Number: 31199011487
Status: Unutilized
Reason: Floodway

Tracts 2200 and 2201
Gainesboro Airport
Cordell Hull Lake and Dam Project
Gainesboro Co: Jackson TN 38562–
Location: Big Bottom Road
Landholding Agency: COE
Property Number: 31199011488
Status: Underutilized
Reasons: Within airport runway clear zone, Floodway

Tracts 710C and 712C
Sullivan Island
Cordell Hull Lake and Dam Project
Carthage Co: Smith TN 37030–
Location: Sullivan Bend Road
Landholding Agency: COE
Property Number: 31199011489
Status: Unutilized
Reason: Floodway

Tract 2403, Hensley Creek
Cordell Hull Lake and Dam Project
Gainesboro Co: Jackson TN 38562–
Location: TN Highway 85
Landholding Agency: COE
Property Number: 31199011490
Status: Unutilized
Reason: Floodway

Tracts 2117C, 2118 and 2120
Cordell Hull Lake and Dam Project
Trace Creek
Gainesboro Co: Jackson TN 38562–
Location: Brooks Ferry Road
Landholding Agency: COE
Property Number: 31199011491
Status: Unutilized
Reason: Floodway

Tracts 424, 425 and 426
Cordell Hull Lake and Dam Project

Stone Bridge
Carthage Co: Smith TN 37030–
Location: Sullivan Bend Road
Landholding Agency: COE
Property Number: 31199011492
Status: Unutilized
Reason: Floodway

Tract 517
J. Percy Priest Dam and Reservoir
Suggs Creek Embayment
Nashville Co: Davidson TN 37214–
Location: Interstate 40 to S. Mount Juliet Road.
Landholding Agency: COE
Property Number: 31199011493
Status: Underutilized
Reason: Floodway

Tract 1811
West Fork Launching Area
Smyrna Co: Rutherford TN 37167–
Location: Florence Road near Enon Springs Road
Landholding Agency: COE
Property Number: 31199011494
Status: Underutilized
Reason: Floodway

Tract 1504
J. Perry Priest Dam and Reservoir
Lamon Hill Recreation Area
Smyrna Co: Rutherford TN 37167–
Location: Lamon Road
Landholding Agency: COE
Property Number: 31199011495
Status: Underutilized
Reason: Floodway

Tract 1500
J. Perry Priest Dam and Reservoir
Pools Knob Recreation
Smyrna Co: Rutherford TN 37167–
Location: Jones Mill Road
Landholding Agency: COE
Property Number: 31199011496
Status: Underutilized
Reason: Floodway

Tracts 245, 257, and 256
J. Perry Priest Dam and Reservoir
Cook Recreation Area
Nashville Co: Davidson TN 37214–
Location: 2.2 miles south of Interstate 40 near Saunders Ferry Pike.
Landholding Agency: COE
Property Number: 31199011497
Status: Underutilized
Reason: Floodway

Tracts 107, 109 and 110
Cordell Hull Lake and Dam Project
Two Prong
Carthage Co: Smith TN 37030–
Location: US Highway 85
Landholding Agency: COE
Property Number: 31199011498
Status: Unutilized
Reason: Floodway

Tracts 2919 and 2929
Cordell Hull Lake and Dam Project
Sugar Creek
Gainesboro Co: Jackson TN 38562–
Location: Sugar Creek Road
Landholding Agency: COE
Property Number: 31199011500
Status: Unutilized
Reason: Floodway

Tracts 1218 and 1204
Cordell Hull Lake and Dam Project
Granville—Alvin Yourk Road
Granville Co: Jackson TN 38564–
Landholding Agency: COE
Property Number: 31199011501
Status: Unutilized
Reason: Floodway

Tract 2100
Cordell Hull Lake and Dam Project
Galbreaths Branch
Gainesboro Co: Jackson TN 38562–
Location: TN Highway 53
Landholding Agency: COE
Property Number: 31199011502
Status: Unutilized
Reason: Floodway

Tract 104 et. al.
Cordell Hull Lake and Dam Project
Horshoe Bend Launching Area
Carthage Co: Smith TN 37030–
Location: Highway 70 N
Landholding Agency: COE
Property Number: 31199011504
Status: Underutilized
Reason: Floodway

Tracts 510, 511, 513 and 514
J. Percy Priest Dam and Reservoir Project
Lebanon Co: Wilson TN 37087–
Location: Vivrett Creek Launching Area, Alvin Sperry Road
Landholding Agency: COE
Property Number: 31199120007
Status: Underutilized
Reason: Floodway

Tract A–142, Old Hickory Beach
Old Hickory Blvd.
Old Hickory Co: Davidson TN 37138–
Landholding Agency: COE
Property Number: 31199130008
Status: Underutilized
Reason: Floodway

Tract D, 7 acres
Cheatham Lock & Dam
Nashville Co: Davidson TN 37207–
Landholding Agency: COE
Property Number: 31200020006
Status: Underutilized
Reason: Floodway

Texas

Tracts 104, 105–1, 105–2 & 118
Joe Pool Lake
Co: Dallas TX
Landholding Agency: COE
Property Number: 31199010397
Status: Underutilized
Reason: Floodway

Part of Tract 201–3
Joe Pool Lake
Co: Dallas TX
Landholding Agency: COE
Property Number: 31199010398
Status: Underutilized
Reason: Floodway

Part of Tract 323
Joe Pool Lake
Co: Dallas TX
Landholding Agency: COE
Property Number: 31199010399
Status: Underutilized
Reason: Floodway

Tract 702–3
Granger Lake
Route 1, Box 172
Granger Co: Williamson TX 76530–9801
Landholding Agency: COE
Property Number: 31199010401
Status: Unutilized
Reason: Floodway

Tract 706
Granger Lake
Route 1, Box 172
Granger Co: Williamson TX 76530–9801
Landholding Agency: COE
Property Number: 31199010402
Status: Unutilized
Reason: Floodway

Utah

10.24 acres
Southern Utah Communication Site
Salt Lake UT
Landholding Agency: Air Force
Property Number: 18199810002
Status: Unutilized
Reason: Inaccessible

Washington

Fairchild AFB
SE corner of base
Fairchild AFB Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 18199010137
Status: Unutilized
Reason: Secured Area

Fairchild AFB
Fairchild AFB Co: Spokane WA 99011–
Location: NW corner of base
Landholding Agency: Air Force
Property Number: 18199010138
Status: Unutilized
Reason: Secured Area

West Virginia

Morgantown Lock and Dam
Box 3 RD # 2
Morgantown Co: Monongahelia WV 26505–
Landholding Agency: COE
Property Number: 31199011530
Status: Unutilized
Reason: Floodway

London Lock and Dam
Route 60 East
Rural Co: Kanawha WV 25126–
Location: 20 miles east of Charleston, W. Virginia.
Landholding Agency: COE
Property Number: 31199011690
Status: Unutilized
Reason: .03 acres; very narrow strip of land

Portion of Tract #101
Buckeye Creek
Sutton Co: Braxton WV 26601–
Landholding Agency: COE
Property Number: 31199810006
Status: Excess
Reason: Inaccessible

[FR Doc. 02–4715 Filed 2–28–02; 8:45 am]

BILLING CODE 4210–29–P

Federal Register

Friday,
March 1, 2002

Part II

Department of Housing and Urban Development

Federal Property Suitable as Facilities To Assist the Homeless; Notice

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–4730–N–09]

Federal Property Suitable as Facilities To Assist the Homeless

AGENCY: Office of the Assistant Secretary for Community Planning and Development, HUD.

ACTION: Notice.

SUMMARY: This Notice identifies unutilized, underutilized, excess, and surplus Federal property reviewed by HUD for suitability for possible use to assist the homeless.

FOR FURTHER INFORMATION CONTACT: Mark Johnston, room 7266, Department of Housing and Urban Development, 451 Seventh Street SW, Washington, DC 20410; telephone (202) 708–1234; TTY number for the hearing- and speech-impaired (202) 708–2565 (these telephone numbers are not toll-free), or call the toll-free Title V information line at 1–800–927–7588.

SUPPLEMENTARY INFORMATION: In accordance with 24 CFR part 581 and section 501 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11411), as amended, HUD is publishing this Notice to identify Federal buildings and other real property that HUD has reviewed for suitability for use to assist the homeless. The properties were reviewed using information provided to HUD by Federal landholding agencies regarding unutilized and underutilized buildings and real property controlled by such agencies or by GSA regarding its inventory of excess or surplus Federal property. This Notice is also published in order to comply with the December 12, 1988 Court Order in *National Coalition for the Homeless* v. *Veterans Administration*, No. 88–2503–OG (D.D.C.).

Properties reviewed are listed in this Notice according to the following categories: Suitable/available, suitable/unavailable, suitable/to be excess, and unsuitable. The properties listed in the three suitable categories have been reviewed by the landholding agencies, and each agency has transmitted to HUD: (1) Its intention to make the property available for use to assist the homeless, (2) its intention to declare the property excess to the agency's needs, or (3) a statement of the reasons that the property cannot be declared excess or made available for use as facilities to assist the homeless.

Properties listed as suitable/available will be available exclusively for homeless use for a period of 60 days from the date of this Notice. Where property is described as for ''off-site use only'' recipients of the property will be required to relocate the building to their own site at their own expense. Homeless assistance providers interested in any such property should send a written expression of interest to HHS, addressed to Brian Rooney, Division of Property Management, Program Support Center, HHS, room 5B–41, 5600 Fishers Lane, Rockville, MD 20857; (301) 443–2265. (This is not a toll-free number.) HHS will mail to the interested provider an application packet, which will include instructions for completing the application. In order to maximize the opportunity to utilize a suitable property, providers should submit their written expressions of interest as soon as possible. For complete details concerning the processing of applications, the reader is encouraged to refer to the interim rule governing this program, 24 CFR part 581.

For properties listed as suitable/to be excess, that property may, if subsequently accepted as excess by GSA, be made available for use by the homeless in accordance with applicable law, subject to screening for other Federal use. At the appropriate time, HUD will publish the property in a Notice showing it as either suitable/available or suitable/unavailable.

For properties listed as suitable/unavailable, the landholding agency has decided that the property cannot be declared excess or made available for use to assist the homeless, and the property will not be available.

Properties listed as unsuitable will not be made available for any other purpose for 20 days from the date of this Notice. Homeless assistance providers interested in a review by HUD of the determination of unsuitability should call the toll free information line at 1–800–927–7588 for detailed instructions or write a letter to Mark Johnston at the address listed at the beginning of this Notice. Included in the request for review should be the property address (including zip code), the date of publication in the **Federal Register**, the landholding agency, and the property number.

For more information regarding particular properties identified in this Notice (i.e., acreage, floor plan, existing sanitary facilities, exact street address), providers should contact the appropriate landholding agencies at the following addresses: AF: Ms. Barbara Jenkins, Air Force Real Estate Agency (Area-MI), Bolling Air Force Base, 112 Luke Avenue, Suite 104, Building 5683, Washington, DC 20332–8020; (202) 767–4184; COE: Ms. Shirley Middleswarth, Army Corps of Engineers, Management & Disposal Division, 441 G Street, Washington, DC 20314–1000; (202) 761–7425; GSA: Mr. Brian K. Polly, Assistant Commissioner, General Services Administration, Office of Property Disposal, 18th and F Streets, NW, Washington, DC 20405; (202) 501–0052; INTERIOR: Ms. Linda Tribby, Acquisition & Property Management, Department of the Interior, 1849 C Street, NW, MS5512, Washington, DC 20240; (202) 219–0728; NAVY: Mr. Charles C. Cocks, Director, Department of the Navy, Real Estate Policy Division, Naval Facilities Engineering Command, Washington Navy Yard, 1322 Patterson Ave., SE, Suite 1000, Washington, DC 20374–5065; (202) 685–9200; (These are not toll-free numbers).

Dated: February 22, 2002.

John D. Garrity,

Director, Office of Special Needs Assistance Programs.

Title V, Federal Surplus Property Program Federal Register Report for 3/1/02

Suitable/Available Properties

Buildings (by State)

Idaho

Ditchrider House 25822 Middleton Rd.
Middleton Co: Canyon ID 83644–
Landholding Agency: Interior
Property Number: 61200140006
Status: Unutilized
Comment: 832 sq. ft. residence, needs rehab, off-site use only

Kentucky

Green River Lock & Dam #3
Rochester Co: Butler KY 42273–
Location: SR 70 west from Morgantown, KY., approximately 7 miles to site
Landholding Agency: COE
Property Number: 31199010022
Status: Unutilized
Comment: 980 sq. ft.; 2 story wood frame; two story residence; potential utilities; needs major rehab

Water Treatment Plant
Rough River Lake
Axtel Recreation Site
McDaniels Co: KY
Landholding Agency: COE
Property Number: 31200210025
Status: Excess
Comment: 412 sq. ft., off-site use only

Massachusetts

Storage Bldg.
Knightville Dam Road
Huntington Co: Hampshire MA 01050–
Landholding Agency: COE
Property Number: 31200030005
Status: Unutilized
Comment: 480 sq. ft., needs rehab, off-site use only

Minnesota

Storage
1 Portland Ave
St. Anthony Falls Lock & Dam

Minneapolis Co: Hennepin MN 55401–2528
Landholding Agency: COE
Property Number: 31200210004
Status: Excess
Comment: 720 sq. ft., must be dismantled prior to moving, off-site use only

Garage/Storage
1 Portland Ave.
St. Anthony Falls Lock & Dam
Minneapolis Co: Hennepin MN 55401–2528
Landholding Agency: COE
Property Number: 31200210005
Status: Excess
Comment: 768 sq. ft., must be dismantled prior to moving, off-site use only

Montana

Bldg. 1
Butte Natl Guard
Butte Co: Silverbow MT 59701–
Landholding Agency: COE
Property Number: 31200040010
Status: Unutilized
Comment: 22799 sq. ft., presence of asbestos, most recent use—cold storage, off-site use only

Bldg. 2
Butte Natl Guard
Butte Co: Silverbow MT 59701–
Landholding Agency: COE
Property Number: 31200040011
Status: Unutilized
Comment: 3292 sq. ft., most recent use—cold storage, off-site use only

Bldg. 3
Butte Natl Guard
Butte Co: Silverbow MT 59701–
Landholding Agency: COE
Property Number: 31200040012
Status: Unutilized
Comment: 964 sq. ft., most recent use—cold storage, off-site use only

Bldg. 4
Butte Natl Guard
Butte Co: Silverbow MT 59701–
Landholding Agency: COE
Property Number: 31200040013
Status: Unutilized
Comment: 72 sq. ft., most recent use—cold storage, off-site use only

Bldg. 5
Butte Natl Guard
Butte Co: Silverbow MT 59701–
Landholding Agency: COE
Property Number: 31200040014
Status: Unutilized
Comment: 1286 sq. ft., most recent use—cold storage, off-site use only

Nevada

6 Cabins
#70, 14, 24, 5, 2, 21
Lake Meade, 601 Nevada Highway
Boulder Co: NV 89005–
Landholding Agency: Interior
Property Number: 61200130011
Status: Unutilized
Comment: vacation cabins, remote location, entrance fee required, presence of asbestos, off-site use only

New York

Bldg. 1452 & 297 acres
AVA Test Annex
Town of Ava Co: Oneida NY 13303–
Landholding Agency: Air Force
Property Number: 18199920030
Status: Unutilized
Comment: 11,000 sq. ft. on 297 acres (67 acres of wetland), most recent use—electronic research testing, presence of asbestos/lead paint

Bldg. 1453
AVA Test Annex
Town of Ava Co: Oneida NY 13303–
Landholding Agency: Air Force
Property Number: 18199920031
Status: Unutilized
Comment: 266 sq. ft., most recent use—generator bldg., presence of asbestos

Bldg. 1454
AVA Test Annex
Town of Ava Co: Oneida NY 13303–
Landholding Agency: Air Force
Property Number: 18199920032
Status: Unutilized
Comment: 53 sq. ft., most recent use—switch station, presence of asbestos

Lockport Comm. Facility
Shawnee Road
Lockport Co: Niagara NY
Landholding Agency: Air Force
Property Number: 18200040004
Status: Excess
Comment: 2 concrete block bldgs., (415 & 2929 sq. ft.) on 7.68 acres

North Dakota

Office Bldg.
Lake Oahe Project 3rd & Main
Ft. Yates Co: Sioux ND 58538–
Landholding Agency: COE
Property Number: 31200020001
Status: Unutilized
Comment: 1200 sq. ft., 2-story wood, off-site use only

Ohio

Barker Historic House
Willow Island Locks and Dam
Newport Co: Washington OH 45768–9801
Location: Located at lock site, downstream of lock and dam structure
Landholding Agency: COE
Property Number: 31199120018
Status: Unutilized
Comment: 1600 sq. ft. bldg. with 1/2 acre of land, 2 story brick frame, needs rehab, on Natl Register of Historic Places, no utilities, off-site use only

Residence
506 Reservoir Rd.
Paint Creek Lake
Bainbridge Co: Highland OH 45612–
Landholding Agency: COE
Property Number: 31200210008
Status: Unutilized
Comment: 1200 sq. ft., needs repair, off-site use only

Residence
4969 Dillon Dam Road
Dillon Lake
Zanesville Co: OH 43701–
Landholding Agency: COE
Property Number: 31200210009
Status: Unutilized
Comment: 1800 sq. ft., off-site use only

Pennsylvania

Mahoning Creek Reservoir
New Bethlehem Co: Armstrong PA 16242–
Landholding Agency: COE
Property Number: 31199210008
Status: Unutilized
Comment: 1015 sq. ft., 2 story brick residence, off-site use only

Dwelling
Lock & Dam 6, Allegheny River, 1260 River Rd.
Freeport Co: Armstrong PA 16229–2023
Landholding Agency: COE
Property Number: 31199620008
Status: Unutilized
Comment: 2652 sq. ft., 3-story brick house, in close proximity to Lock and Dam, available for interim use for nonresidential purposes

Govt. Dwelling
Youghiogheny River Lake
Confluence Co: Fayette PA 15424–9103
Landholding Agency: COE
Property Number: 31199640002
Status: Unutilized
Comment: 1421 sq. ft., 2-story brick w/ basement, most recent use—residential

Dwelling
Lock & Dam 4, Allegheny River
Natrona Co: Allegheny PA 15065–2609
Landholding Agency: COE
Property Number: 31199710009
Status: Unutilized
Comment: 1664 sq. ft., 2-story brick residence, needs repair, off-site use only

Dwelling #1
Crooked Creek Lake
Ford City Co: Armstrong PA 16226–8815
Landholding Agency: COE
Property Number: 31199740002
Status: Excess
Comment: 2030 sq. ft., most recent use—residential, good condition, off-site use only

Dwelling #2
Crooked Creek Lake
Ford City Co: Armstrong PA 16226–8815
Landholding Agency: COE
Property Number: 31199740003
Status: Excess
Comment: 3045 sq. ft., most recent use—residential, good condition, off-site use only

Govt Dwelling
East Branch Lake
Wilcox Co: Elk PA 15870–9709
Landholding Agency: COE
Property Number: 31199740005
Status: Underutilized
Comment: approx. 5299 sq. ft., 1-story, most recent use—residence, off-site use only

Dwelling #1
Loyalhanna Lake
Saltsburg Co: Westmoreland PA 15681–9302
Landholding Agency: COE
Property Number: 31199740006
Status: Excess
Comment: 1996 sq. ft., most recent use—residential, good condition, off-site use only

Dwelling #2
Loyalhanna Lake
Saltsburg Co: Westmoreland PA 15681–9302
Landholding Agency: COE
Property Number: 31199740007
Status: Excess
Comment: 1996 sq. ft., most recent use—residential, good condition, off-site use only

Dwelling #1
Woodcock Creek Lake
Saegertown Co: Crawford PA 16433–0629
Landholding Agency: COE
Property Number: 31199740008
Status: Excess
Comment: 2106 sq. ft., most recent use—residential, good condition, off-site use only

Dwelling #2
Lock & Dam 6, 1260 River Road
Freeport Co: Armstrong PA 16229–2023
Landholding Agency: COE
Property Number: 31199740009
Status: Excess
Comment: 2652 sq. ft., most recent use—residential, good condition, off-site use only

Dwelling #2
Youghiogheny River Lake
Confluence Co: Fayette PA 15424–9103
Landholding Agency: COE
Property Number: 31199830003
Status: Excess
Comment: 1421 sq. ft., 2-story + basement, most recent use—residential

Residence/Office
Cowanesque Lake Project
Lawrenceville Co: Tioga PA 16929–
Landholding Agency: COE
Property Number: 31199940002
Status: Unutilized
Comment: 1653 sq. ft. residence, and 2,640 sq. ft. storage bldg., need major repairs, no operating sanitary facilities

South Dakota

West Communications Annex
Ellsworth Air Force Base
Ellsworth AFB Co: Meade SD 57706–
Landholding Agency:Air Force
Property Number: 18199340051
Status: Unutilized
Comment: 2 bldgs. on 2.37 acres, remote area, lacks infrastructure, road hazardous during winter storms, most recent use—industrial storage

Residence, Tract 115
Oahe Dam/Lake Oahe Project
Pierre Co: SD 57501–
Landholding Agency: COE
Property Number: 31200210010
Status: Excess
Comment: 1037 sq. ft., off-site use only

Residence, Tract 116
Oahe Dam/Lake Oahe Project
Pierre Co: SD 57501–
Landholding Agency: COE
Property Number: 31200210011
Status: Excess
Comment: 1428 sq. ft., off-site use only

Residence, Tract 121
Oahe Dam/Lake Oahe Project
Pierre Co: SD 57501–
Landholding Agency: COE
Property Number: 31200210012
Status: Excess
Comment: 936 sq. ft., off-site use only

Residence, Tract 125
Oahe Dam/Lake Oahe Project
Pierre Co: SD 57501–
Landholding Agency: COE
Property Number: 31200210013
Status: Excess
Comment: 996 sq. ft., off-site use only

Residence, Tract 130
Oahe Dam/Lake Oahe Project
Pierre Co: SD 57501–
Landholding Agency: COE
Property Number: 31200210014
Status: Excess
Comment: 912 sq. ft., off-site use only

Residence, Tract 137
Oahe Dam/Lake Oahe Project
Pierre Co: SD 57501–
Landholding Agency: COE
Property Number: 31200210015
Status: Excess
Comment: 884 sq. ft., off-site use only

Residence, Tract 142
Oahe Dam/Lake Oahe Project
Pierre Co: SD 57501–
Landholding Agency: COE
Property Number: 31200210016
Status: Excess
Comment: 1048 sq. ft., off-site use only

Residence, Tract 303
Oahe Dam/Lake Oahe Project
Pierre Co: SD 57501–
Landholding Agency: COE
Property Number: 31200210017
Status: Excess
Comment: 704 sq. ft., off-site use only

Residence, Tract 404
Oahe Dam/Lake Oahe Project
Pierre Co: SD 57501–
Landholding Agency: COE
Property Number: 31200210018
Status: Excess
Comment: 952 sq. ft., off-site use only

Residence, Tract 406
Oahe Dam/Lake Oahe Project
Pierre Co: SD 57501–
Landholding Agency: COE
Property Number: 31200210019
Status: Excess
Comment: 924 sq. ft., off-site use only

Residence, Tract 409
Oahe Dam/Lake Oahe Project
Pierre Co: SD 57501–
Landholding Agency: COE
Property Number: 31200210020
Status: Excess
Comment: 1368 sq. ft., off-site use only

Residence, Tract 414
Oahe Dam/Lake Oahe Project
Pierre Co: SD 57501–
Landholding Agency: COE
Property Number: 31200210021
Status: Excess
Comment: 912 sq. ft., off-site use only

Residence, Tract 501
Oahe Dam/Lake Oahe Project
Pierre Co: SD 57501–
Landholding Agency: COE
Property Number: 31200210022
Status: Excess
Comment: 942 sq. ft., off-site use only

Residence, Tract 502
Oahe Dam/Lake Oahe Project
Pierre Co: SD 57501–
Landholding Agency: COE
Property Number: 31200210023
Status: Excess
Comment: 1008 sq. ft., off-site use only

Virginia

Metal Bldg.
John H. Kerr Dam & Reservoir
Co: Boydton VA
Landholding Agency: COE
Property Number: 31199620009
Status: Excess
Comment: 800 sq. ft., most recent use—storage, off-site use only

Wisconsin

Former Lockmaster's Dwelling
Cedar Locks
4527 East Wisconsin Road
Appleton Co: Outagamie WI 54911–
Landholding Agency: COE
Property Number: 31199011524
Status: Unutilized
Comment: 1224 sq. ft.; 2 story brick/wood frame residence; needs rehab; secured area with alternate access

Former Lockmaster's Dwelling
Appleton 4th Lock
905 South Lowe Street
Appleton Co: Outagamie WI 54911–
Landholding Agency: COE
Property Number: 31199011525
Status: Unutilized
Comment: 908 sq. ft.; 2 story wood frame residence; needs rehab

Former Lockmaster's Dwelling
Kaukauna 1st Lock
301 Canal Street
Kaukauna Co: Outagamie WI 54131–
Landholding Agency: COE
Property Number: 31199011527
Status: Unutilized
Comment: 1290 sq. ft.; 2 story wood frame residence; needs rehab; secured area with alternate access

Former Lockmaster's Dwelling
Appleton 1st Lock
905 South Oneida Street
Appleton Co: Outagamie WI 54911–
Landholding Agency: COE
Property Number: 31199011531
Status: Unutilized
Comment: 1300 sq. ft.; potential utilities; 2 story wood frame residence; needs rehab; secured area with alternate access

Former Lockmaster's Dwelling
Rapid Croche Lock
Lock Road
Wrightstown Co: Outagamie WI 54180–
Location: 3 miles southwest of intersection State Highway 96 and Canal Road
Landholding Agency: COE
Property Number: 31199011533
Status: Unutilized
Comment: 1952 sq. ft.; 2 story wood frame residence; potential utilities; needs rehab

Former Lockmaster's Dwelling
Little KauKauna Lock
Little KauKauna
Lawrence Co: Brown WI 54130–
Location: 2 miles southeasterly from intersection of Lost Dauphin Road (County Trunk Highway ''D'') and River Street
Landholding Agency: COE
Property Number: 31199011535
Status: Unutilized
Comment: 1224 sq. ft.; 2 story brick/wood frame residence; needs rehab

Former Lockmaster's Dwelling
Little Chute, 2nd Lock
214 Mill Street
Little Chute Co: Outagamie WI 54140–
Landholding Agency: COE
Property Number: 31199011536

Status: Unutilized
Comment: 1224 sq. ft.; 2 story brick/wood frame residence; potential utilities; needs rehab; secured area with alternate access

Land (by State)

Arizona

WC–1–2c & WC–1–2f
Range 1 East
Peoria Co: Maricopa AZ 85382–
Landholding Agency: Interior
Property Number: 61200140007
Status: Excess
Comment: 10 acres, portion of parcels, remote location, no utilities

Unit B
Florence Gardens Subdivision
Florence Co: Pinal AZ 85232–
Landholding Agency: Interior
Property Number: 61200210011
Status: Excess
Comment: 8.12 acres

Arkansas

Parcel 01
DeGray Lake
Section 12
Arkadelphia Co: Clark AR 71923–9361
Landholding Agency: COE
Property Number: 31199010071
Status: Unutilized
Comment: 77.6 acres

Parcel 02
DeGray Lake
Section 13
Arkadelphia Co: Clark AR 71923–9361
Landholding Agency: COE
Property Number: 31199010072
Status: Unutilized
Comment: 198.5 acres

Parcel 03
DeGray Lake
Section 18
Arkadelphia Co: Clark AR 71923–9361
Landholding Agency: COE
Property Number: 31199010073
Status: Unutilized
Comment: 50.46 acres

Parcel 04
DeGray Lake
Section 24, 25, 30 and 31
Arkadelphia Co: Clark AR 71923–9361
Landholding Agency: COE
Property Number: 31199010074
Status: Unutilized
Comment: 236.37 acres

Parcel 05
DeGray Lake
Section 16
Arkadelphia Co: Clark AR 71923–9361
Landholding Agency: COE
Property Number: 31199010075
Status: Unutilized
Comment: 187.30 acres

Parcel 06
DeGray Lake
Section 13
Arkadelphia Co: Clark AR 71923–9361
Landholding Agency: COE
Property Number: 31199010076
Status: Unutilized
Comment: 13.0 acres

Parcel 07
DeGray Lake
Section 34
Arkadelphia Co: Hot Spring AR 71923–9361
Landholding Agency: COE
Property Number: 31199010077
Status: Unutilized
Comment: 0.27 acres

Parcel 08
DeGray Lake
Section 13
Arkadelphia Co: Clark AR 71923–9361
Landholding Agency: COE
Property Number: 31199010078
Status: Unutilized
Comment: 14.6 acres

Parcel 09
DeGray Lake
Section 12
Arkadelphia Co: Hot Spring AR 71923–9361
Landholding Agency: COE
Property Number: 31199010079
Status: Unutilized
Comment: 6.60 acres

Parcel 10
DeGray Lake
Section 12
Arkadelphia Co: Hot Spring AR 71923–9361
Landholding Agency: COE
Property Number: 31199010080
Status: Unutilized
Comment: 4.5 acres

Parcel 11
DeGray Lake
Section 19
Arkadelphia Co: Hot Spring AR 71923–9361
Landholding Agency: COE
Property Number: 31199010081
Status: Unutilized
Comment: 19.50 acres

Lake Greeson
Section 7, 8 and 18
Murfreesboro Co: Pike AR 71958–9720
Landholding Agency: COE
Property Number: 31199010083
Status: Unutilized
Comment: 46 acres

Florida

Homestead Communications Annex
Homestead Co: Dare FL 33033–
Landholding Agency: Air Force
Property Number: 18200210015
Status: Excess
Comment: 20 acres w/concrete bldg., consist of wetlands/100 year floodplain, most recent use—high frequency regional broadcasting system

Kansas

Parcel 1
El Dorado Lake
Section 13, 24, and 18
(See County) Co: Butler KS
Landholding Agency: COE
Property Number: 31199010064
Status: Unutilized
Comment: 61 acres; most recent use—recreation

Kentucky

Tract 2625
Barkley Lake, Kentucky, and Tennessee
Cadiz Co: Trigg KY 42211–
Location: Adjoining the village of Rockcastle
Landholding Agency: COE
Property Number: 31199010025
Status: Excess
Comment: 2.57 acres; rolling and wooded

Tract 2709–10 and 2710–2
Barkley Lake, Kentucky and Tennessee
Cadiz Co: Trigg KY 42211–
Location: 2½ miles in a southerly direction from the village of Rockcastle
Landholding Agency: COE
Property Number: 31199010026
Status: Excess
Comment: 2.00 acres; steep and wooded

Tract 2708–1 and 2709–1
Barkley Lake, Kentucky and Tennessee
Cadiz Co: Trigg KY 42211–
Location: 2½ miles in a southerly direction from the village of Rockcastle
Landholding Agency: COE
Property Number: 31199010027
Status: Excess
Comment: 3.59 acres; rolling and wooded; no utilities

Tract 2800
Barkley Lake, Kentucky and Tennessee
Cadiz Co: Trigg KY 42211–
Location: 4½ miles in a southeasterly direction from the village of Rockcastle
Landholding Agency: COE
Property Number: 31199010028
Status: Excess
Comment: 5.44 acres; steep and wooded

Tract 2915
Barkley Lake, Kentucky and Tennessee
Cadiz Co: Trigg KY 42211–
Location: 6½ miles west of Cadiz.
Landholding Agency: COE
Property Number: 31199010029
Status: Excess
Comment: 5.76 acres; steep and wooded; no utilities

Tract 2702
Barkley Lake, Kentucky and Tennessee
Cadiz Co: Trigg KY 42211–
Location: 1 mile in a southerly direction from the village of Rockcastle
Landholding Agency: COE
Property Number: 31199010031
Status: Excess
Comment: 4.90 acres; wooded; no utilities

Tract 4318
Barkley Lake, Kentucky and Tennessee
Canton Co: Trigg KY 42212–
Location: Trigg Co. adjoining the city of Canton, KY. on the waters of Hopson Creek
Landholding Agency: COE
Property Number: 31199010032
Status: Excess
Comment: 8.24 acres; steep and wooded

Tract 4502
Barkley Lake, Kentucky and Tennessee
Canton Co: Trigg KY 42212–
Location: 3½ miles in a southerly direction from Canton, KY.
Landholding Agency: COE
Property Number: 31199010033
Status: Excess
Comment: 4.26 acres; steep and wooded

Tract 4611
Barkley Lake, Kentucky and Tennessee
Canton Co: Trigg KY 42212–
Location: 5 miles south of Canton, KY
Landholding Agency: COE
Property Number: 31199010034
Status: Excess
Comment: 10.51 acres; steep and wooded; no utilities

Tract 4619

Barkley Lake, Kentucky and Tennessee
Canton Co: Trigg KY 42212–
Location: 4½ miles south from Canton, KY
Landholding Agency: COE
Property Number: 31199010035
Status: Excess
Comment: 2.02 acres; steep and wooded; no utilities

Tract 4817
Barkley Lake, Kentucky and Tennessee
Canton Co: Trigg KY 42212–
Location: 6½ miles south of Canton, KY
Landholding Agency: COE
Property Number: 31199010036
Status: Excess
Comment: 1.75 acres; wooded

Tract 1217
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42030–
Location: On the north side of the Illinois Central Railroad
Landholding Agency: COE
Property Number: 31199010042
Status: Excess
Comment: 5.80 acres; steep and wooded

Tract 1906
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42030–
Location: Approximately 4 miles east of Eddyville, KY
Landholding Agency: COE
Property Number: 31199010044
Status: Excess
Comment: 25.86 acres; rolling steep and partially wooded; no utilities

Tract 1907
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42038–
Location: On the waters of Pilfen Creek, 4 miles east of Eddyville, KY
Landholding Agency: COE
Property Number: 31199010045
Status: Excess
Comment: 8.71 acres; rolling steep and wooded; no utilities

Tract 2001 #1
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42030–
Location: Approximately 4½ miles east of Eddyville, KY
Landholding Agency: COE
Property Number: 31199010046
Status: Excess
Comment: 47.42 acres; steep and wooded; no utilities

Tract 2001 #2
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42030–
Location: Approximately 4½ miles east of Eddyville, KY
Landholding Agency: COE
Property Number: 31199010047
Status: Excess
Comment: 8.64 acres; steep and wooded; no utilities

Tract 2005
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42030–
Location: Approximately 5½ miles east of Eddyville, KY
Landholding Agency: COE
Property Number: 31199010048
Status: Excess
Comment: 4.62 acres; steep and wooded; no utilities

Tract 2307
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42030–
Location: Approximately 7½ miles southeasterly of Eddyville, KY.
Landholding Agency: COE
Property Number: 31199010049
Status: Excess
Comment: 11.43 acres; steep; rolling and wooded; no utilities

Tract 2403
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42030–
Location: 7 miles southeasterly of Eddyville, KY
Landholding Agency: COE
Property Number: 31199010050
Status: Excess
Comment: 1.56 acres; steep and wooded; no utilities

Tract 2504
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42030–
Location: 9 miles southeasterly of Eddyville, KY
Landholding Agency: COE
Property Number: 31199010051
Status: Excess
Comment: 24.46 acres; steep and wooded; no utilities

Tract 214
Barkley Lake, Kentucky and Tennessee
Grand Rivers Co: Lyon KY 42045–
Location: South of the Illinois Central Railroad, 1 mile east of the Cumberland River
Landholding Agency: COE
Property Number: 31199010052
Status: Excess
Comment: 5.5 acres; wooded; no utilities

Tract 215
Barkley Lake, Kentucky and Tennessee
Grand Rivers Co: Lyon KY 42045–
Location: 5 miles southwest of Kuttawa
Landholding Agency: COE
Property Number: 31199010053
Status: Excess
Comment: 1.40 acres; wooded; no utilities

Tract 241
Barkley Lake, Kentucky and Tennessee
Grand Rivers Co: Lyon KY 42045–
Location: Old Henson Ferry Road, 6 miles west of Kuttawa, KY
Landholding Agency: COE
Property Number: 31199010054
Status: Excess
Comment: 1.26 acres; steep and wooded; no utilities

Tracts 306, 311, 315 and 325
Barkley Lake, Kentucky and Tennessee
Grand Rivers Co: Lyon KY 42045–
Location: 2.5 miles southwest of Kuttawa, KY on the waters of Cypress Creek
Landholding Agency: COE
Property Number: 31199010055
Status: Excess
Comment: 38.77 acres; steep and wooded; no utilities

Tracts 2305, 2306, and 2400–1
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42030–
Location: 6½ miles southeasterly of Eddyville, KY
Landholding Agency: COE
Property Number: 31199010056
Status: Excess
Comment: 97.66 acres; steep rolling and wooded; no utilities

Tracts 5203 and 5204
Barkley Lake, Kentucky and Tennessee
Linton Co: Trigg KY 42212–
Location: Village of Linton, KY state highway 1254
Landholding Agency: COE
Property Number: 31199010058
Status: Excess
Comment: 0.93 acres; rolling, partially wooded; no utilities

Tract 5240
Barkley Lake, Kentucky and Tennessee
Linton Co: Trigg KY 42212–
Location: 1 mile northwest of Linton, KY
Landholding Agency: COE
Property Number: 31199010059
Status: Excess
Comment: 2.26 acres; steep and wooded; no utilities

Tract 4628
Barkley Lake, Kentucky and Tennessee
Canton Co: Trigg KY 42212–
Location: 4½ miles south from Canton, KY
Landholding Agency: COE
Property Number: 31199011621
Status: Excess
Comment: 3.71 acres; steep and wooded; subject to utility easements

Tract 4619–B
Barkley Lake, Kentucky and Tennessee
Canton Co: Trigg KY 42212–
Location: 4½ miles south from Canton, KY
Landholding Agency: COE
Property Number: 31199011622
Status: Excess
Comment: 1.73 acres; steep and wooded; subject to utility easements

Tract 2403–B
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42038–
Location: 7 miles southeasterly from Eddyville, KY
Landholding Agency: COE
Property Number: 31199011623
Status: Unutilized
Comment: 0.70 acres, wooded; subject to utility easements

Tract 241–B
Barkley Lake, Kentucky and Tennessee
Grand Rivers Co: Lyon KY 42045–
Location: South of Old Henson Ferry Road, 6 miles west of Kuttawa, KY
Landholding Agency: COE
Property Number: 31199011624
Status: Excess
Comment: 11.16 acres; steep and wooded; subject to utility easements

Tracts 212 and 237
Barkley Lake, Kentucky and Tennessee
Grand Rivers Co: Lyon KY 42045–
Location: Old Henson Ferry Road, 6 miles west of Kuttawa, KY
Landholding Agency: COE
Property Number: 31199011625
Status: Excess
Comment: 2.44 acres; steep and wooded; subject to utility easements

Tract 215–B
Barkley Lake, Kentucky and Tennessee
Grand Rivers Co: Lyon KY 42045–
Location: 5 miles southwest of Kuttawa

Landholding Agency: COE
Property Number: 31199011626
Status: Excess
Comment: 1.00 acres; wooded; subject to utility easements

Tract 233
Barkley Lake, Kentucky and Tennessee
Grand Rivers Co: Lyon KY 42045–
Location: 5 miles southwest of Kuttawa
Landholding Agency: COE
Property Number: 31199011627
Status: Excess
Comment: 1.00 acres; wooded; subject to utility easements

Tract N–819
Dale Hollow Lake & Dam Project
Illwill Creek, Hwy 90
Hobart Co: Clinton KY 42601–
Landholding Agency: COE
Property Number: 31199140009
Status: Underutilized
Comment: 91 acres, most recent use—hunting, subject to existing easements

Portion of Lock & Dam No. 1
Kentucky River
Carrolton Co: Carroll KY 41008–0305
Landholding Agency: COE
Property Number: 31199320003
Status: Unutilized
Comment: approx. 3.5 acres (sloping), access monitored

Louisiana

Wallace Lake Dam and Reservoir
Shreveport Co: Caddo LA 71103–
Landholding Agency: COE
Property Number: 31199011009
Status: Unutilized
Comment: 10.81 acres; wildlife/forestry; no utilities

Bayou Bodcau Dam and Reservoir
Haughton Co: Caddo LA 71037–9707
Location: 35 miles Northeast of Shreveport, LA
Landholding Agency: COE
Property Number: 31199011010
Status: Unutilized
Comment: 203 acres; wildlife/forestry; no utilities

Mississippi

Parcel 7
Grenada Lake
Sections 22, 23, T24N
Grenada Co: Yalobusha MS 38901–0903
Landholding Agency: COE
Property Number: 31199011019
Status: Underutilized
Comment: 100 acres; no utilities; intermittently used under lease—expires 1994

Parcel 8
Grenada Lake
Section 20, T24N
Grenada Co: Yalobusha MS 38901–0903
Landholding Agency: COE
Property Number: 31199011020
Status: Underutilized
Comment: 30 acres; no utilities; intermittently used under lease—expires 1994

Parcel 9
Grenada Lake
Section 20, T24N, R7E
Grenada Co: Yalobusha MS 38901–0903
Landholding Agency: COE
Property Number: 31199011021
Status: Underutilized
Comment: 23 acres; no utilities; intermittently used under lease—expires 1994

Parcel 10
Grenada Lake
Sections 16, 17, 18 T24N R8E
Grenada Co: Calhoun MS 38901–0903
Landholding Agency: COE
Property Number: 31199011022
Status: Underutilized
Comment: 490 acres; no utilities; intermittently used under lease—expires 1994

Parcel 2
Grenada Lake
Section 20 and T23N, R5E
Grenada Co: Grenada MS 38901–0903
Landholding Agency: COE
Property Number: 31199011023
Status: Underutilized
Comment: 60 acres; no utilities; most recent use—wildlife and forestry management

Parcel 3
Grenada Lake
Section 4, T23N, R5E
Grenada Co: Yalobusha MS 38901–0903
Landholding Agency: COE
Property Number: 31199011024
Status: Underutilized
Comment: 120 acres; no utilities; most recent use—wildlife and forestry management; (13.5 acres/agriculture lease)

Parcel 4
Grenada Lake
Section 2 and 3. T23N, R5E
Grenada Co: Yalobusha MS 38901–0903
Landholding Agency: COE
Property Number: 31199011025
Status: Underutilized
Comment: 60 acres; no utilities; most recent use—wildlife and forestry management

Parcel 5
Grenada Lake
Section 7, T24N, R6E
Grenada Co: Yalobusha MS 38901–0903
Landholding Agency: COE
Property Number: 31199011026
Status: Underutilized
Comment: 20 acres; no utilities; most recent use—wildlife and forestry management; (14 acres/agriculture lease)

Parcel 6
Grenada Lake
Section 9, T24N, R6E
Grenada Co: Yalobusha MS 38903–0903
Landholding Agency: COE
Property Number: 31199011027
Status: Underutilized
Comment: 80 acres; no utilities; most recent use—wildlife and forestry management

Parcel 11
Grenada Lake
Section 20, T24N, R8E
Grenada Co: Calhoun MS 38901–0903
Landholding Agency: COE
Property Number: 31199011028
Status: Underutilized
Comment: 30 acres; no utilities; most recent use—wildlife and forestry management

Parcel 12
Grenada Lake
Section 25, T24N, R7E
Grenada Co: Yalobusha MS 38390–10903
Landholding Agency: COE
Property Number: 31199011029
Status: Underutilized
Comment: 30 acres; no utilities; most recent use—wildlife and forestry management

Parcel 13
Grenada Lake
Section 34, T24N, R7E
Grenada Co: Yalobusha MS 38903–0903
Landholding Agency: COE
Property Number: 31199011030
Status: Underutilized
Comment: 35 acres; no utilities; most recent use—wildlife and forestry management; (11 acres/agriculture lease)

Parcel 14
Grenada Lake
Section 3, T23N, R6E
Grenada Co: Yalobusha MS 38901–0903
Landholding Agency: COE
Property Number: 31199011031
Status: Underutilized
Comment: 15 acres; no utilities; most recent use—wildlife and forestry management

Parcel 15
Grenada Lake
Section 4, T24N, R6E
Grenada Co: Yalobusha MS 38901–0903
Landholding Agency: COE
Property Number: 31199011032
Status: Underutilized
Comment: 40 acres; no utilities; most recent use—wildlife and forestry management

Parcel 16
Grenada Lake
Section 9, T23N, R6E
Grenada Co: Yalobusha MS 38901–0903
Landholding Agency: COE
Property Number: 31199011033
Status: Underutilized
Comment: 70 acres; no utilities; most recent use—wildlife and forestry management

Parcel 17
Grenada Lake
Section 17, T23N, R7E
Grenada Co: Grenada MS 28901–0903
Landholding Agency: COE
Property Number: 31199011034
Status: Underutilized
Comment: 35 acres; no utilities; most recent use—wildlife and forestry management

Parcel 18
Grenada Lake
Section 22, T23N, R7E
Grenada Co: Grenada MS 28902–0903
Landholding Agency: COE
Property Number: 31199011035
Status: Underutilized
Comment: 10 acres; no utilities; most recent use—wildlife and forestry management

Parcel 19
Grenada Lake
Section 9, T22N, R7E
Grenada Co: Grenada MS 38901–0903
Landholding Agency: COE
Property Number: 31199011036
Status: Underutilized
Comment: 20 acres; no utilities; most recent use—wildlife and forestry management

Missouri

Harry S Truman Dam & Reservoir
Warsaw Co: Benton MO 65355–
Location: Triangular shaped parcel southwest of access road ''B'', part of Bledsoe Ferry

Park Tract 150.
Landholding Agency: COE
Property Number: 31199030014
Status: Underutilized
Comment: 1.7 acres; potential utilities

Nebraska

Hastings Radar Bomb Scoring
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199810027
Status: Unutilized
Comment: 11 acres

New Jersey

Belle Mead Depot
Rt. 206/Mountain View Rd.
Hillsborough Co: Somerset NJ 08502–
Landholding Agency: GSA
Property Number: 54200210014
Status: Excess
Comment: approx. 400 acres, property will not be subdivided, contaminants of concern present, lease restriction on 7 acres, 44 miles of railroad track, remediation activity, potential restriction of property; GSA Number: 1–G–NJ–0642

Oklahoma

Pine Creek Lake
Section 27 (See County) Co: McCurtain OK
Landholding Agency: COE
Property Number: 31199010923
Status: Unutilized
Comment: 3 acres; no utilities; subject to right of way for Oklahoma State Highway 3

Pennsylvania

Mahoning Creek Lake
New Bethlehem Co: Armstrong PA 16242–9603
Location: Route 28 north to Belknap, Road #4
Landholding Agency: COE
Property Number: 31199010018
Status: Excess
Comment: 2.58 acres; steep and densely wooded

Tracts 610, 611, 612
Shenango River Lake
Sharpsville Co: Mercer PA 16150–
Location: I–79 North, I–80 West, Exit Sharon. R18 North 4 miles, left on R518, right on Mercer Avenue
Landholding Agency: COE
Property Number: 31199011001
Status: Excess
Comment: 24.09 acres; subject to flowage easement

Tracts L24, L26
Crooked Creek Lake
Co: Armstrong PA 03051–
Location: Left bank—55 miles downstream of dam
Landholding Agency: COE
Property Number: 31199011011
Status: Unutilized
Comment: 7.59 acres; potential for utilities

Portion of Tract L–21A
Crooked Creek Lake, LR 03051
Ford City Co: Armstrong PA 16226–
Landholding Agency: COE
Property Number: 31199430012
Status: Unutilized
Comment: Approximately 1.72 acres of undeveloped land, subject to gas rights

Portion of Tract 119
State Rt 969
Curwensville Co: Clearfield PA 16833–
Landholding Agency: COE
Property Number: 31200010005
Status: Unutilized
Comment: approx. 17 acres, hilly wooded terrain

Tennessee

Tract 6827
Barkley Lake
Dover Co: Stewart TN 37058–
Location: 2½ miles west of Dover, TN
Landholding Agency: COE
Property Number: 31199010927
Status: Excess
Comment: .57 acres; subject to existing easements

Tracts 6002–2 and 6010
Barkley Lake
Dover Co: Stewart TN 37058–
Location: 3½ miles south of village of Tabaccoport
Landholding Agency: COE
Property Number: 31199010928
Status: Excess
Comment: 100.86 acres; subject to existing easements

Tract 11516
Barkley Lake
Ashland City Co: Dickson TN 37015–
Location: ½ mile downstream from Cheatham Dam
Landholding Agency: COE
Property Number: 31199010929
Status: Excess
Comment: 26.25 acres; subject to existing easements

Tract 2319
J. Percy Priest Dam and Reservoir
Murfreesboro Co: Rutherford TN 37130–
Location: West of Buckeye Bottom Road
Landholding Agency: COE
Property Number: 31199010930
Status: Excess
Comment: 14.48 acres; subject to existing easements

Tract 2227
J. Percy Priest Dam and Reservoir
Murfreesboro Co: Rutherford TN 37130–
Location: Old Jefferson Pike
Landholding Agency: COE
Property Number: 31199010931
Status: Excess
Comment: 2.27 acres; subject to existing easements

Tract 2107
J. Percy Priest Dam and Reservoir
Murfreesboro Co: Rutherford TN 37130–
Location: Across Fall Creek near Fall Creek camping area
Landholding Agency: COE
Property Number: 31199010932
Status: Excess
Comment: 14.85 acres; subject to existing easements

Tracts 2601, 2602, 2603, 2604
Cordell Hull Lake and Dam Project
Doe Row Creek
Gainesboro Co: Jackson TN 38562–
Location: TN Highway 56
Landholding Agency: COE
Property Number: 31199010933
Status: Unutilized
Comment: 11 acres; subject to existing easements

Tract 1911
J. Percy Priest Dam and Reservoir
Murfreesboro Co: Rutherford TN 37130–
Location: East of Lamar Road
Landholding Agency: COE
Property Number: 31199010934
Status: Excess
Comment: 6.92 acres; subject to existing easements

Tract 2321
J. Percy Priest Dam and Reservoir
Murfreesboro Co: Rutherford TN 37130–
Location: South of Old Jefferson Pike
Landholding Agency: COE
Property Number: 31199010935
Status: Excess
Comment: 12 acres; subject to existing easements

Tract 7206
Barkley Lake
Dover Co: Stewart TN 37058–
Location: 2½ miles SE of Dover, TN,
Landholding Agency: COE
Property Number: 31199010936
Status: Excess
Comment: 10.15 acres; subject to existing easements

Tracts 8813, 8814
Barkley Lake
Cumberland Co: Stewart TN 37050–
Location: 1½ miles East of Cumberland City
Landholding Agency: COE
Property Number: 31199010937
Status: Excess
Comment: 96 acres; subject to existing easements

Tract 8911
Barkley Lake
Cumberland City Co: Montgomery TN 37050–
Location: 4 miles east of Cumberland City
Landholding Agency: COE
Property Number: 31199010938
Status: Excess
Comment: 7.7 acres; subject to existing easements

Tract 11503
Barkley Lake
Ashland City Co: Cheatham TN 37015–
Location: 2 miles downstream from Cheatham Dam
Landholding Agency: COE
Property Number: 31199010939
Status: Excess
Comment: 1.1 acres; subject to existing easements

Tracts 11523, 11524
Barkley Lake
Ashland City Co: Cheatham TN 37015–
Location: 2½ miles downstream from Cheatham Dam
Landholding Agency: COE
Property Number: 31199010940
Status: Excess
Comment: 19.5 acres; subject to existing easements

Tract 6410
Barkley Lake
Bumpus Mills Co: Stewart TN 37028–
Location: 4½ miles SW. of Bumpus Mills
Landholding Agency: COE
Property Number: 31199010941
Status: Excess
Comment: 17 acres; subject to existing easements

Tract 9707
Barkley Lake
Palmyer Co: Montgomery TN 37142–
Location: 3 miles NE of Palmyer, TN, Highway 149
Landholding Agency: COE
Property Number: 31199010943
Status: Excess
Comment: 6.6 acres; subject to existing easements

Tract 6949
Barkley Lake
Dover Co: Stewart TN 37058–
Location: 1½ miles SE of Dover, TN
Landholding Agency: COE
Property Number: 31199010944
Status: Excess
Comment: 29.67 acres; subject to existing easements

Tracts 6005 and 6017
Barkley Lake
Dover Co: Stewart TN 37058–
Location: 3 miles south of Village of Tobaccoport
Landholding Agency: COE
Property Number: 31199011173
Status: Excess
Comment: 5 acres; subject to existing easements

Tracts K–1191, K–1135
Old Hickory Lock and Dam
Hartsville Co: Trousdale TN 37074–
Landholding Agency: COE
Property Number: 31199130007
Status: Underutilized
Comment: 54 acres, (portion in floodway), most recent use—recreation

Tract A–102
Dale Hollow Lake & Dam Project
Canoe Ridge, State Hwy 52
Celina Co: Clay TN 38551–
Landholding Agency: COE
Property Number: 31199140006
Status: Underutilized
Comment: 351 acres, most recent use—hunting, subject to existing easements

Tract A–120
Dale Hollow Lake & Dam Project
Swann Ridge, State Hwy No. 53
Celina Co: Clay TN 38551–
Landholding Agency: COE
Property Number: 31199140007
Status: Underutilized
Comment: 883 acres, most recent use—hunting, subject to existing easements

Tract D–185
Dale Hollow Lake & Dam Project
Ashburn Creek, Hwy No. 53
Livingston Co: Clay TN 38570–
Landholding Agency: COE
Property Number: 31199140010
Status: Underutilized
Comment: 97 acres, most recent use—hunting, subject to existing easements

Suitable/Unavailable Properties

Buildings (by State)

California

Santa Fe Flood Control Basin
Irwindale Co: Los Angeles CA 91706–
Landholding Agency: COE
Property Number: 31199011298
Status: Unutilized
Comment: 1400 sq. ft.; 1 story stucco; needs rehab; termite damage; secured area with alternate access

Idaho

Bldg. 224
Mountain Home Air Force
Co: Elmore ID 83648–
Landholding Agency: Air Force
Property Number: 18199840008
Status: Unutilized
Comment: 1890 sq. ft., no plumbing facilities, possible asbestos/lead paint, most recent use—office

Illinois

Bldg. 7
Ohio River Locks & Dam No. 53
Grand Chain Co: Pulaski IL 62941–9801
Location: Ohio River Locks and Dam No. 53 at Grand Chain
Landholding Agency: COE
Property Number: 31199010001
Status: Unutilized
Comment: 900 sq. ft.; 1 floor wood frame; most recent use—residence

Bldg. 6
Ohio River Locks & Dam No. 53
Grand Chain Co: Pulaski IL 62941–9801
Location: Ohio River Locks and Dam No. 53 at Grand Chain
Landholding Agency: COE
Property Number: 31199010002
Status: Unutilized
Comment: 900 sq. ft.; one floor wood frame; most recent use—residence

Bldg. 5
Ohio River Locks & Dam No. 53
Grand Chain Co: Pulaski IL 62941–9801
Location: Ohio River Locks and Dam No. 53 at Grand Chain
Landholding Agency: COE
Property Number: 31199010003
Status: Unutilized
Comment: 900 sq. ft.; one floor wood frame; most recent use—residence

Bldg. 4
Ohio River Locks & Dam No. 53
Grand Chain Co: Pulaski IL 62941–9801
Location: Ohio River Locks and Dam No. 53 at Grand Chain
Landholding Agency: COE
Property Number: 31199010004
Status: Unutilized
Comment: 900 sq. ft.; one floor wood frame; most recent use—residence

Bldg. 3
Ohio River Locks & Dam No. 53
Grand Chain Co: Pulaski IL 62941–9801
Location: Ohio River Locks and Dam No. 53 at Grand Chain
Landholding Agency: COE
Property Number: 31199010005
Status: Unutilized
Comment: 900 sq. ft.; one floor wood frame.

Bldg. 2
Ohio River Locks & Dam No. 53
Grand Chain Co: Pulaski IL 62941–9801
Location: Ohio River Locks and Dam No. 53 at Grand Chain
Landholding Agency: COE
Property Number: 31199010006
Status: Unutilized
Comment: 900 sq. ft.; one floor wood frame; most recent use—residence

Bldg. 1
Ohio River Locks & Dam No. 53
Grand Chain Co: Pulaski IL 62941–9801
Location: Ohio River Locks and Dam No. 53 at Grand Chain
Landholding Agency: COE
Property Number: 31199010007
Status: Unutilized
Comment: 900 sq. ft.; one floor wood frame; most recent use—residence

Iowa

Bldg. 00669
Sioux Gateway Airport
Sioux City Co: Woodbury IA 51110–
Landholding Agency: Air Force
Property Number: 18199310002
Status: Unutilized
Comment: 1113 sq. ft., 1-story concrete block bldg., contamination clean-up in process

Ohio

Bldg.—Berlin Lake
7400 Bedell Road
Berlin Center Co: Mahoning OH 44401–9797
Landholding Agency: COE
Property Number: 31199640001
Status: Unutilized
Comment: 1420 sq. ft., 2-story brick w/garage and basement, most recent use—residential, secured w/alternate access

Pennsylvania

Tract 353
Grays Landing Lock & Dam Project
Greensboro Co: Greene PA 15338–
Landholding Agency: COE
Property Number: 31199430019
Status: Unutilized
Comment: 812 sq. ft., 2-story, log structure, needs repair, most recent use—residential, if used for habitation must be flood proofed or removed off-site

Tract 403A
Grays Landing Lock & Dam Project
Greensboro Co: Greene PA 15338–
Landholding Agency: COE
Property Number: 31199430021
Status: Unutilized
Comment: 620 sq. ft., 2-story, needs repair, most recent use—residential, if used for habitation must be flood proofed or removed off-site

Tract 403B
Grays Landing Lock & Dam Project
Greensboro Co: Greene PA 15338–
Landholding Agency: COE
Property Number: 31199430022
Status: Unutilized
Comment: 1600 sq. ft., 2-story, brick structure, needs repair, most recent use—residential, if used for habitation must be flood proofed or removed off-site

Tract 403C
Grays Landing Lock & Dam Project
Greensboro Co: Greene PA 15338–
Landholding Agency: COE
Property Number: 31199430023
Status: Unutilized
Comment: 672 sq. ft., 2-story carriage house/stable barn type structure, needs repair, most recent use—storage/garage, if used for habitation must be flood proofed or removed

Tract 434
Grays Landing Lock & Dam Project
Greensboro Co: Greene PA 15338–

Landholding Agency: COE
Property Number: 31199430024
Status: Unutilized
Comment: 1059 sq. ft., 2-story, wood frame, 2 apt. units, historic property, if used for habitation must be flood proofed or removed off-site

Tract No. 224
Grays Landing Lock & Dam Project
Greensboro Co: Green PA 15338–
Landholding Agency: COE
Property Number: 31199440001
Status: Unutilized
Comment: 1040 sq. ft., 2 story bldg., needs repair, historic struct., flowage easement, if habitation is desired property will be required to be flood proofed or removed off site

Wisconsin

Former Lockmaster's Dwelling
DePere Lock
100 James Street
De Pere Co: Brown WI 54115–
Landholding Agency: COE
Property Number: 31199011526
Status: Unutilized
Comment: 1224 sq. ft.; 2 story brick/wood frame residence; needs rehab; secured area with alternate access

Land (by State)

Illinois

Lake Shelbyville
Shelbyville Co: Shelby & Moultrie IL 62565–9804
Landholding Agency: COE
Property Number: 31199240004
Status: Unutilized
Comment: 5 parcels of land equalling 0.70 acres, improved w/4 small equipment storage bldgs. and a small access road, easement restrictions.

Pennsylvania

East Branch Clarion River Lake
Wilcox Co: Elk PA
Location: Free camping area on the right bank off entrance roadway.
Landholding Agency: COE
Property Number: 31199011012
Status: Underutilized
Comment: 1 acre; most recent use—free campground

Dashields Locks and Dam (Glenwillard, PA)
Crescent Twp. Co: Allegheny PA 15046–0475
Landholding Agency: COE
Property Number: 31199210009
Status: Unutilized
Comment: 0.58 acres, most recent use—baseball field

South Dakota

Lots 1A, 2A, 3A, 4A
Gavins Point Dam
Dempsters Cove Addition
Yankton Co: SD
Landholding Agency: COE
Property Number: 31200210024
Status: Unutilized
Comment: 0.35 acres

Suitable/To Be Excessed

Buildings (by State)

New York

Bldg. 1
Hancock Field
Syracuse Co: Onandaga NY 13211–
Landholding Agency: Air Force
Property Number: 18199530048
Status: Excess
Comment: 4955 sq. ft., 2 story concrete block, needs rehab, most recent use—administration

Bldg. 2
Hancock Field
Syracuse Co: Onandaga NY 13211–
Landholding Agency: Air Force
Property Number: 18199530049
Status: Excess
Comment: 1476 sq. ft., 1 story concrete block, needs rehab, most recent use—repair shop

Bldg. 6
Hancock Field
Syracuse Co: Onandaga NY 13211–
Landholding Agency: Air Force
Property Number: 18199530050
Status: Excess
Comment: 2466 sq. ft., 1 story concrete block, needs rehab, most recent use—repair shop

Bldg. 11
Hancock Field
Syracuse Co: Onandaga NY 13211–
Landholding Agency: Air Force
Property Number: 18199530051
Status: Excess
Comment: 1750 sq. ft., 1 story wood frame, needs rehab, most recent use—storage

Bldg. 8
Hancock Field
Syracuse Co: Onandaga NY 13211–
Landholding Agency: Air Force
Property Number: 18199530052
Status: Excess
Comment: 1812 sq. ft., 1 story concrete block, needs rehab, most recent use—repair shop communications

Bldg. 14
Hancock Field
Syracuse Co: Onandaga NY 13211–
Landholding Agency: Air Force
Property Number: 18199530053
Status: Excess
Comment: 156 sq. ft., 1 story wood frame, most recent use—vehicle fuel station

Bldg. 30
Hancock Field
Syracuse Co: Onandaga NY 13211–
Landholding Agency: Air Force
Property Number: 18199530054
Status: Excess
Comment: 3649 sq. ft., 1 story, needs rehab, most recent use—assembly hall

Bldg. 31
Hancock Field
Syracuse Co: Onandaga NY 13211–
Landholding Agency: Air Force
Property Number: 18199530055
Status: Excess
Comment: 8252 sq. ft., 1 story concrete block, most recent use—storage

Bldg. 32
Hancock Field
Syracuse Co: Onandaga NY 13211–
Landholding Agency: Air Force
Property Number: 18199530056
Status: Excess
Comment: 1627 sq. ft., 1 story concrete block, most recent use—storage

South Carolina

5 Bldgs.
Charleston AFB Annex Housing
N. Charleston SC 29404–4827
Location: 101 Vector Ave., 112, 114, 116, 118 Intercept Ave
Landholding Agency: Air Force
Property Number: 18199830035
Status: Unutilized
Comment: 1433 sq. ft. + 345 sq. ft. carport, lead base paint/exterior most recent use—residential 1 Bldg

1 Bldg.
Charleston AFB Annex Housing
N. Charleston SC 29404–4827
Location: 102 Vector Ave
Landholding Agency: Air Force
Property Number: 18199830036
Status: Unutilized
Comment: 1545 sq. ft. + 345 sq. ft. carport, lead base paint/exterior most recent use—residential 1 Bldg

1 Bldg.
Charleston AFB Annex Housing
N. Charleston SC 29404–4827
Location: 103 Vector Ave.
Landholding Agency: Air Force
Property Number: 18199830037
Status: Unutilized
Comment: 1445 sq. ft. + 346 sq. ft. carport, lead base paint/exterior most recent use—residential

18 Bldg
Charleston AFB Annex Housing
N. Charleston SC 29404–4827
Location: 104–107 Vector Ave., 108–111, 113, 115, 117, 119 Intercept Ave., 120–122 Radar Ave
Landholding Agency: Air Force
Property Number: 18199830038
Status: Unutilized
Comment: 1265 sq. ft. + 353 sq. ft. carport, lead base paint/exterior most recent use—residential

Land (by State)

Georgia

Lake Sidney Lanier
Co: Forsyth GA 30130–
Location: Located on Two Mile Creek adj. to State Route 369
Landholding Agency: COE
Property Number: 31199440010
Status: Unutilized
Comment: 0.25 acres, endangered plant species

Lake Sidney Lanier—3 parcels
Gainesville Co: Hall GA 30503–
Location: Between Gainesville H.S. and State Route 53 By-Pass
Landholding Agency: COE
Property Number: 31199440011
Status: Unutilized
Comment: 3 parcels totalling 5.17 acres, most recent use—buffer zone, endangered plant species

Kansas

Parcel #1
Fall River Lake
Section 26
Co: Greenwood KS
Landholding Agency: COE
Property Number: 31199010065
Status: Unutilized

Comment: 126.69 acres; most recent use—recreation and leased cottage sites

Parcel No. 2, El Dorado Lake
Approx. 1 mi east of the town of El Dorado
Co: Butler KS
Landholding Agency: COE
Property Number: 31199210005
Status: Unutilized
Comment: 11 acres, part of a relocated railroad bed, rural area

Massachusetts

Buffumville Dam
Flood Control Project
Gale Road
Carlton Co: Worcester MA 01540–0155
Location: Portion of tracts B–200, B–248, B–251, B–204, B–247, B–200 and B–256
Landholding Agency: COE
Property Number: 31199010016
Status: Excess
Comment: 1.45 acres

Minnesota

Tract #3
Lac Qui Parle Flood Control Project
County Rd. 13
Watson Co: Lac Qui Parle MN 56295–
Landholding Agency: COE
Property Number: 31199340006
Status: Unutilized
Comment: approximately 2.9 acres, fallow land

Tract #34
Lac Qui Parle Flood Control Project
Marsh Lake
Watson Co: Lac Qui Parle MN 56295–
Landholding Agency: COE
Property Number: 31199340007
Status: Unutilized
Comment: approx. 8 acres, fallow land

New York

14.90 Acres
Hancock Field
Syracuse Co: Onandaga NY 13211–
Landholding Agency: Air Force
Property Number: 18199530057
Status: Excess
Comment: Fenced in compound, most recent use—Air Natl. Guard Communication & Electronics Group

Tennessee

Tract D–456
Cheatham Lock and Dam
Ashland Co: Cheatham TN 37015–
Location: Right downstream bank of Sycamore Creek.
Landholding Agency: COE
Property Number: 31199010942
Status: Excess
Comment: 8.93 acres; subject to existing easements

Texas

Corpus Christi Ship Channel
Corpus Christi Co: Neuces TX
Location: East side of Carbon Plant Road, approx. 14 miles NW of downtown Corpus Christi
Landholding Agency: COE
Property Number: 31199240001
Status: Unutilized
Comment: 4.4 acres, most recent use—farm land

Unsuitable Properties

Buildings (by State)

Alaska

Bldg. 203
Tin City Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010296
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 165
Sparrevohn Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010298
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 150
Sparrevohn Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010299
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 130
Sparrevohn Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010300
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 306
King Salmon Airport
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010301
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 11–230
Elmendorf Air Force Base
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010303
Status: Unutilized
Reasons: Contamination, Secured Area

Bldg. 63–320
Elmendorf Air Force Base
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010307
Status: Unutilized
Reasons: Contamination, Secured Area

Bldg. 103
Ft. Yukon Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010309
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 110
Ft. Yukon Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010310
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 112
Ft. Yukon Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010311
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 113
Ft. Yukon Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010312
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 114
Ft. Yukon Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010313
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 115
Ft. Yukon Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010314
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 118
Ft. Yukon Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010315
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 1018
Ft. Yukon Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010317

Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 1025
Ft. Yukon Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Ahcnorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010318
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 1055
Ft. Yukon Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010319
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 107
Cape Lisburne Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010320
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 115
Cape Lisburne Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010321
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 113
Cape Lisburne Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010322
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 150
Cape Lisburne Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 88506–5000
Landholding Agency: Air Force
Property Number: 18199010323
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 152
Cape Lisburne Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010324
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 301
Cape Lisburne Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010325
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 1001
Cape Lisburne Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010326
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 1003
Cape Lisburne Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010327
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 1055
Cape Lisburne Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010328
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 1056
Cape Lisburne Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010329
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 103
Kotzebue Air Force Station 21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010330
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 104
Kotzebue Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010331
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 105
Kotzebue Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010332
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 110
Kotzebue Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010333
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 114
Kotzebue Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010334
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 202
Kotzebue Air Force Station
21 CSG/DEER
Elmendorf Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010335
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 204
Kotzebue Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010336
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 205
Kotzebue Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010337
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 1001
Kotzebue Air Force Station 21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010338
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination Secured Area

Bldg. 1015
Kotzebue Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010339
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Contamination, Secured Area

Bldg. 50
Cold Bay Air Force Station

21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010433
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Isolated and remote; Arctic environment

Bldg. 1548, Galena Airport
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199420001
Status: Unutilized
Reasons: Floodway, Secured Area, Extensive deterioration

Bldg. 1568, Galena Airport
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199420002
Status: Unutilized
Reasons: Floodway, Secured Area, Extensive deterioration

Bldg. 1570, Galena Airport
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199420003
Status: Unutilized
Reasons: Floodway, Secured Area, Extensive deterioration

Bldg. 1700, Galena Airport
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199420004
Status: Unutilized
Reasons: Floodway, Secured Area, Extensive deterioration

Bldg. 1832, Galena Airport
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199420005
Status: Unutilized
Reasons: Floodway, Secured Area, Extensive deterioration

Bldg. 1842, Galena Airport
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199420006
Status: Unutilized
Reasons: Floodway, Secured Area, Extensive deterioration

Bldg. 1844, Galena Airport
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199420007
Status: Unutilized
Reasons: Floodway, Secured Area, Extensive deterioration

Bldg. 1853, Galena Airport
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199440011
Status: Unutilized
Reasons: Floodway, Secured Area

Bldg. 142
Tin City Long Range Radar Site
Wales Co: Nome AK
Landholding Agency: Air Force
Property Number: 18199520013
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 110
Tin City Long Range Radar Site
Wales Co: Nome AK
Landholding Agency: Air Force
Property Number: 18199520014
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 646
King Salmon Airport
Naknek Co: Bristol Bay AK
Landholding Agency: Air Force
Property Number: 18199520015
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 2541
Galena Airport
Galena Co: Yukon AK
Landholding Agency: Air Force
Property Number: 18199520016
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 1770
Galena Airport
Galena Co: Yukon AK
Landholding Agency: Air Force
Property Number: 18199520017
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 1
Lonely Dewline Site
Fairbanks Co: Fairbanks NS AK
Landholding Agency: Air Force
Property Number: 18199520024
Status: Unutilized
Reason: Extensive deterioration

Bldg. 2, Lonely Dewline Site
Fairbanks Co: Fairbanks NS AK
Landholding Agency: Air Force
Property Number: 18199520025
Status: Unutilized
Reasons: Not accessible by road, Extensive deterioration

Bldg. 12
Lonely Dewline Site
Fairbanks Co: Fairbanks NS AK
Landholding Agency: Air Force
Property Number: 18199520026
Status: Unutilized
Reasons: Not accessible by road, Extensive deterioration

Bldg. 1
Wainwright Dewline Site
Fairbanks Co: Fairbanks NS AK
Landholding Agency: Air Force
Property Number: 18199520027
Status: Unutilized
Reasons: Not accessible by road, Extensive deterioration

Bldg. 2
Wainwright Dewline Site
Fairbanks Co: Fairbanks NS AK
Landholding Agency: Air Force
Property Number: 18199520028
Status: Unutilized
Reasons: Not accessible by road, Extensive deterioration

Bldg. 3
Wainwright Dewline Site
Fairbanks Co: Fairbanks NS AK
Landholding Agency: Air Force
Property Number: 18199520029
Status: Unutilized
Reasons: Not accessible by road, Extensive deterioration

Bldg. 3045
Tatalina Long Range Radar Site
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199530002
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 18
Lonely Dewline Site
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199530003
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 23
Lonely Dewline Site
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199530004
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 1015
Kotzebue Long Range Radar Site
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199530005
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 1
Flaxman Island DEW Site
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199530006
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 3
Flaxman Island DEW Site
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199530008
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 4100
Cape Romanzof Long Range Radar Site
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199530009
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 200
Cape Newenham Long Range Radar Site
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199530010
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 2166
Cape Newenham Long Range Radar Site
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199530011
Status: Unutilized
Reason: Extensive deterioration

Bldg. 5500

Cape Newenham Long Range Radar Site
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199530012
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 8
Barter Island
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199530013
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 75
Barter Island
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199530014
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 86
Barter Island
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199530015
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 3060
Barter Island
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199530016
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 11–330
Elmendorf Air Force Base
Anchorage AK 99506–3240
Landholding Agency: Air Force
Property Number: 18199530017
Status: Unutilized
Reasons: Within airport runway clear zone, Secured Area, Extensive deterioration

Bldg. 21–737
Elmendorf Air Force Base
Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199540001
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 52–651
Elmendorf AFB
Anchorage AK 99506–3240
Landholding Agency: Air Force
Property Number: 18199740004
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 132
Tin City Long Range Radar Site
Elmendorf AFB AK 99506–2270
Landholding Agency: Air Force
Property Number: 18199810003
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldgs. 1001, 211
Murphy Dome AF Station
Elmendorf AFB AK 99506–2270
Landholding Agency: Air Force
Property Number: 18199810004
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 1551
Galena Airport
Elmendorf AFB AK 99506–2270
Landholding Agency: Air Force
Property Number: 18199810030
Status: Unutilized
Reason: Within airport runway clear zone

Bldg. 1771
Galena Airport
Elmendorf AFB AK 99506–2270
Landholding Agency: Air Force
Property Number: 18199820001
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 3
Oliktok Long Range Radar Site
Elmendorf AFB AK 99506–2270
Landholding Agency: Air Force
Property Number: 18199840010
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 8
Oliktok Long Range Radar Site
Elmendorf AFB AK 99506–2270
Landholding Agency: Air Force
Property Number: 18199840011
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 19
Lonely Short Range Radar Site
Elmendorf AFB AK 99506–2270
Landholding Agency: Air Force
Property Number: 18199840012
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 20
Lonely Short Range Radar Site
Elmendorf AFB AK 99506–2270
Landholding Agency: Air Force
Property Number: 18199840013
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 338
King Salmon Airport
Naknek Co: Bristol Bay AK
Landholding Agency: Air Force
Property Number: 18199840014
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 560
King Salmon Airport
Naknek Co: Bristol Bay AK
Landholding Agency: Air Force
Property Number: 18199840015
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 612
King Salmon Airport
Naknek Co: Bristol Bay AK
Landholding Agency: Air Force
Property Number: 18199840016
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 618
King Salmon Airport
Naknek Co: Bristol Bay AK
Landholding Agency: Air Force
Property Number: 18199840017
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 643
King Salmon Airport
Naknek Co: Bristol Bay AK
Landholding Agency: Air Force
Property Number: 18199840018
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 649
King Salmon Airport
Naknek Co: Bristol Bay AK
Landholding Agency: Air Force
Property Number: 18199840019
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 114
Indian Mountain Long Range Radar Site
Elmendorf AFB AK 99506–2270
Landholding Agency: Air Force
Property Number: 18199840020
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 34–636
Elmendorf AFB
Anchorage AK 99506–3240
Landholding Agency: Air Force
Property Number: 18199840021
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Within airport runway clear zone, Secured Area, Extensive deterioration

Bldg. 34–638
Elmendorf AFB
Anchorage AK 99506–3240
Landholding Agency: Air Force
Property Number: 18199840022
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Within airport runway clear zone, Secured Area, Extensive deterioration

Bldg. 140
Cape Lisburne Long Range Radar Site
Elmendorf AFB AK 99506–3240
Landholding Agency: Air Force
Property Number: 18199840023
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 145
Cape Lisburne Long Range Radar Site
Elmendorf AFB AK 99506–3240
Landholding Agency: Air Force
Property Number: 18199840024
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 310
Cape Lisburne Long Range Radar Site
Elmendorf AFB AK 99506–3240
Landholding Agency: Air Force

Property Number: 18199840025
Status: Unutilized
Reasons: Secured Area, Extensive deterioration
Bldg. 27
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840026
Status: Unutilized
Reasons: Secured Area, Extensive deterioration
Bldg. 30
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840027
Status: Unutilized
Reasons: Secured Area, Extensive deterioration
Bldg. 42
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840028
Status: Unutilized
Reasons: Secured Area, Extensive deterioration
Bldg. 212
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840029
Status: Unutilized
Reasons: Secured Area, Extensive deterioration
Bldg. 213
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840030
Status: Unutilized
Reasons: Secured Area, Extensive deterioration
Bldg. 223
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840031
Status: Unutilized
Reasons: Secured Area, Extensive deterioration
Bldg. 452
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840032
Status: Unutilized
Reasons: Secured Area, Extensive deterioration
Bldg. 502
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840033
Status: Unutilized
Reasons: Secured Area, Extensive deterioration
Bldg. 503
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840034
Status: Unutilized
Reasons: Secured Area, Extensive deterioration
Bldg. 522
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840035
Status: Unutilized
Reasons: Secured Area, Extensive deterioration
Bldg. 587
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840036
Status: Unutilized
Reasons: Secured Area, Extensive deterioration
Bldg. 588
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840037
Status: Unutilized
Reasons: Secured Area, Extensive deterioration
Bldg. 598
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840038
Status: Unutilized
Reasons: Secured Area, Extensive deterioration
Bldg. 605
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840039
Status: Unutilized
Reasons: Secured Area, Extensive deterioration
Bldg. 613
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840040
Status: Unutilized
Reasons: Secured Area, Extensive deterioration
Bldg. 614
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840041
Status: Unutilized
Reasons: Secured Area, Extensive deterioration
Bldg. 615
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840042
Status: Unutilized
Reasons: Secured Area, Extensive deterioration
Bldg. 616
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840043
Status: Unutilized
Reasons: Secured Area, Extensive deterioration
Bldg. 617
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840044
Status: Unutilized
Reasons: Secured Area, Extensive deterioration
Bldg. 624
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840045
Status: Unutilized
Reasons: Secured Area, Extensive deterioration
Bldg. 700
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840046
Status: Unutilized
Reasons: Secured Area, Extensive deterioration
Bldg. 718
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840047
Status: Unutilized
Reasons: Secured Area, Extensive deterioration
Bldg. 727
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840048
Status: Unutilized
Reasons: Secured Area, Extensive deterioration
Bldg. 731
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840049
Status: Unutilized
Reasons: Secured Area, Extensive deterioration
Bldg. 751
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840050
Status: Unutilized
Reasons: Secured Area, Extensive deterioration
Bldg. 753
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840051
Status: Unutilized
Reasons: Secured Area, Extensive deterioration
Bldg. 1001
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840052
Status: Unutilized
Reasons: Secured Area, Extensive deterioration
Bldg. 1005
Eareckson Air Station

Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840053
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 1010
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840054
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 1025
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840055
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 1030
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840056
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 3016
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840057
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 3062
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840058
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 3063
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840059
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 32–189
Elmendorf Air Force Base
Anchorage Co: AK 99506–3230
Landholding Agency: Air Force
Property Number: 18199920001
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area, Extensive deterioration

Bldg. 4893
Elmendorf AFB
Elmendorf AFB Co: AK 99506–
Landholding Agency: Air Force
Property Number: 18199930001
Status: Unutilized
Reason: Within airport runway clear zone

Bldg. 4905
Elmendorf AFB
Elmendorf AFB Co: AK 99506–
Landholding Agency: Air Force
Property Number: 18199930002
Status: Unutilized
Reasons: Within airport runway clear zone, Secured Area

Bldg. 4913
Elmendorf AFB
Elmendorf AFB Co: AK 99506–
Landholding Agency: Air Force
Property Number: 18199930003
Status: Unutilized
Reasons: Within airport runway clear zone, Secured Area

Bldg. 5887
Elmendorf AFB
Elmendorf AFB Co: AK 99506–
Landholding Agency: Air Force
Property Number: 18199930004
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Within airport runway clear zone, Secured Area

Bldg. 10449
Elmendorf AFB
Elmendorf AFB Co: AK 99506–
Landholding Agency: Air Force
Property Number: 18199930005
Status: Unutilized
Reason: Secured Area

Bldg. 12759
Elmendorf AFB
Elmendorf AFB Co: AK 99506–
Landholding Agency: Air Force
Property Number: 18199930006
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area, Extensive deterioration

Bldg. 4305
Elmendorf AFB
Anchorage Co: AK 99506–
Landholding Agency: Air Force
Property Number: 18200030001
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area, Extensive deterioration

Bldg. 15526
Elmendorf AFB
Anchorage Co: AK 99506–
Landholding Agency: Air Force
Property Number: 18200030005
Status: Unutilized
Reasons: Within airport runway clear zone, Secured Area

Bldg. 15534
Elmendorf AFB
Anchorage Co: AK 99506–
Landholding Agency: Air Force
Property Number: 18200030006
Status: Unutilized
Reasons: Within airport runway clear zone, Secured Area

Bldg. 10549
Elmendorf AFB
Elmendorf AFB Co: AK 99506–
Landholding Agency: Air Force
Property Number: 18200120001
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area, Extensive deterioration

Bldg. 11634
Elmendorf AFB
Elmendorf AFB Co: AK 99506–
Landholding Agency: Air Force
Property Number: 18200120002
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area, Extensive deterioration

Bldg. 14545
Elmendorf AFB
Elmendorf AFB Co: AK 99506–
Landholding Agency: Air Force
Property Number: 18200120003
Status: Unutilized
Reason: Secured Area

Bldg. 16504
Elmendorf AFB
Elmendorf AFB Co: AK 99506–
Landholding Agency: Air Force
Property Number: 18200120004
Status: Unutilized
Reasons: Within airport runway clear zone, Secured Area

Arizona

Facility 90002
Holbrook Radar Site
Holbrook Co: Navajo AZ 86025–
Landholding Agency: Air Force
Property Number: 18199340049
Status: Unutilized
Reason: Within airport runway clear zone

Bldgs. 301, 302, 303, 304
Lake Mead
Willow Beach Co: Mojave AZ
Landholding Agency: Interior
Property Number: 61200130012
Status: Unutilized
Reason: Extensive deterioration

Arkansas

Dwelling
Bull Shoals Lake/Dry Run Road
Oakland Co: Marion AR 72661–
Landholding Agency: COE
Property Number: 31199820001
Status: Unutilized
Reason: Extensive deterioration

Antenna Tower Site
FAA
Pine Bluff Co: Jefferson AR 71601–
Landholding Agency: GSA
Property Number: 54200210015
Status: Surplus
Reason: Secured Area
GSA Number: 7 D–AR–0558–2

California

Bldg. 707 63 ABG/DE
Norton Air Force Base
Norton Co: San Bernadino CA 92409–5045
Landholding Agency: Air Force
Property Number: 18199010193
Status: Excess
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 575 63 ABG/DE
Norton Air Force Base
Norton Co: San Bernadino CA 92409–5045
Landholding Agency: Air Force
Property Number: 18199010195
Status: Excess
Reason: Within 2000 ft. of flammable or explosive material

Bldg. 502 63 ABG/DE
Norton Air Force Base
Lorton Co: San Bernadino CA 92409–5045

Landholding Agency: Air Force
Property Number: 18199010196
Status: Excess
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 23 63 ABG/DE
Norton Air Force Base
Norton Co: San Bernadino CA 92409–5045
Landholding Agency: Air Force
Property Number: 18199010197
Status: Excess
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area.

Bldg. 100
Point Arena Air Force Station
(See County) Co: Mendocino CA 95468–5000
Landholding Agency: Air Force
Property Number: 18199010233
Status: Unutilized
Reason: Secured Area

Bldg. 101
Point Arena Air Force Station
(See County) Co: Mendocino CA 95468–5000
Landholding Agency: Air Force
Property Number: 18199010234
Status: Underutilized
Reason: Secured Area

Bldg. 116
Point Arena Air Force Station
(See County) Co: Mendocino CA 95468–5000
Landholding Agency: Air Force
Property Number: 18199010235
Status: Unutilized
Reason: Secured Area

Bldg. 202
Point Arena Air Force Station
(See County) Co: Mendocino CA 95468–5000
Landholding Agency: Air Force
Property Number: 18199010236
Status: Unutilized
Reason: Secured Area

Bldg. 201
Vandenberg Air Force Base
Point Arguello
Vandenberg AFB Co: Santa Barbara CA 93437–
Location: Highway 1, Highway 246, Coast Road, Pt Sal Road, Miguelito Cyn
Landholding Agency: Air Force
Property Number: 18199010546
Status: Unutilized
Reason:
Secured Area

Bldg. 202
Vandenberg Air Force Base
Point Arguello
Vandenberg AFB Co: Santa Barbara CA 93437–
Location: Highway 1, Highway 246, Coast Road, Pt Sal Road, Miguelito Cyn
Landholding Agency: Air Force
Property Number: 18199010547
Status: Unutilized
Reason: Secured Area

Bldg. 203
Vandenberg Air Force Base
Point Arguello
Vandenberg AFB Co: Santa Barbara CA 93437–
Location: Highway 1, Highway 246, Coast Road, Pt Sal Road, Miguelito Cyn.
Landholding Agency: Air Force
Property Number: 18199010548
Status: Unutilized
Reason: Secured Area

Bldg. 204
Vandenberg Air Force Base
Point Arguello
Vandenberg AFB Co: Santa Barbara CA 93437–
Location: Highway 1, Highway 246, Coast Road, Pt SaFPL Road, Miguelito Cyn.
Landholding Agency: Air Force
Property Number: 18199010549
Status: Unutilized
Reason: Secured Area

Bldg. 1823
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Location: Hwy 1, Hwy 246, Coast Road, PT Sal Rd., Miguelito CYN
Landholding Agency: Air Force
Property Number: 18199130360
Status: Excess
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 16104, Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Location: Hwy 1, Hwy 246; Coast Rd., Pt Sal Rd.; Miguelito Cyn
Landholding Agency: Air Force
Property Number: 18199230020
Status: Underutilized
Reason: Secured Area

Bldg. 5428, Vandenberg AFB
Vandenberg Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199310015
Status: Unutilized
Reason: Secured Area

Bldg. 7304, Vandenberg AFB
Vandenberg Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199310030
Status: Unutilized
Reason: Secured Area

Bldg. 8215
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199330016
Status: Unutilized
Reason: Secured Area

Bldg. 1988
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199340003
Status: Unutilized
Reasons: Electrical Power Generator Bldg, Secured Area

Bldg. 1324
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199340006
Status: Unutilized
Reason: Secured Area

Bldg. 1341
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199340007
Status: Unutilized
Reason: Secured Area

Bldg. 1955
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199340008
Status: Unutilized
Reason: Secured Area

Bldg. 16164
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199340028
Status: Unutilized
Reason: Secured Area

Bldg. 422
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199530029
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 431
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199530030
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 470
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199530031
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 480
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199530032
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 6606
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199530037
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 10717
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199530041
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 10722

Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199530043
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 13003
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199620031
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 13222
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199620032
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 815
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199630040
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 1850
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199630041
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 1853
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199630042
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 1856
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199630043
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 1865
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199630044
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 1874
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199630045
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 1875
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199630046
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 1877
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199630047
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 1879
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199630048
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 1885
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199630049
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 1898
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199630050
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 06445
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199630052
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 21160
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199630055
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 06437
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199710014
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 10715
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199710016
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 00879
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199720009
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 01630
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199720011
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 01797
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199720012
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 01830
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199720013
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 01852
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199720014
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 11345
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199720019
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 14019
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199720022
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 14026
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199720023
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 22300
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199730002
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 08412
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199740006
Status: Unutilized
Reason: Secured Area

Bldg. 11153
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199740007
Status: Unutilized
Reason: Secured Area

Bldgs. 2–11, 20–21
Edwards AFB
P-Area Housing
Edwards AFB Co: Kern CA 93524–
Landholding Agency: Air Force
Property Number: 18199810029
Status: Unutilized
Reason: Extensive deterioration

Bldg. 1681
Vandenberg AFB
Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199820003
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 01839
Vandenberg AFB
Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199820004
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 06519
Vandenberg AFB
Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199820005
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 06526
Vandenberg AFB
Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199820006
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 11167
Vandenberg AFB
Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199820007
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 11168
Vandenberg AFB
Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199820008
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 13024
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18200030010
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 6436
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18200040001
Status: Unutilized
Reason: Extensive deterioration

Bldg. 10600
Vandenberg AFB
Santa Barbara Co: CA 93437–
Landholding Agency: Air Force
Property Number: 18200120005
Status: Unutilized
Reason: Secured Area

Bldg. 10605
Vandenberg AFB
Santa Barbara Co: CA 93437–
Landholding Agency: Air Force
Property Number: 18200120006
Status: Unutilized
Reason: Secured Area

Bldg. 16109
Vandenberg AFB
Santa Barbara Co: CA 93437–
Landholding Agency: Air Force
Property Number: 18200120007
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 00884
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18200130001
Status: Unutilized
Reason: Extensive deterioration

Bldg. 13607
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18200130002
Status: Unutilized
Reason: Extensive deterioration

Soil & Materials Testing Lab
Sausalito Co: CA 00000–
Landholding Agency: COE
Property Number: 31199920002
Status: Excess
Reason: Contamination

Parker Dam Govt Housing Camp
Township 2 North
San Bernardino Co: CA 92401–
Landholding Agency: Interior
Property Number: 61199930001
Status: Excess
Reason: Extensive deterioration

Brock Research Center
Range 19E
Imperial Valley Co: Imperial CA
Landholding Agency: Interior
Property Number: 61200140001
Status: Excess
Reason: Extensive deterioration

Bldg. 799
Naval Air Station
North Island Co: CA
Landholding Agency: Navy
Property Number: 77200210064
Status: Excess
Reason: Extensive deterioration

Colorado

Bldg. 00910
''Blue Barn''—Falcon Air Force Base
Falcon Co: El Paso CO 80912–
Landholding Agency: Air Force
Property Number: 18199530046
Status: Underutilized
Reason: Secured Area

Bldg. 9214
U.S. Air Force Academy
Colorado Springs Co: El Paso CO 80814–2400
Landholding Agency: Air Force
Property Number: 18199730012
Status: Underutilized
Reasons: Within airport runway clear zone, Secured Area

Bldg. 8412
Air Force Academy
El Paso Co: CO 80840–2400
Landholding Agency: Air Force
Property Number: 18200120008
Status: Unutilized
Reason: Within airport runway clear zone

Bldg. 440
Buckley AFB
Aurora Co: Arapahoe CO 80011–
Landholding Agency: Air Force
Property Number: 18200130003
Status: Unutilized
Reason: Secured Area

Bldg. 441
Buckley AFB
Aurora Co: Arapahoe CO 80011–
Landholding Agency: Air Force
Property Number: 18200130004
Status: Unutilized
Reason: Secured Area

Connecticut

Bldg. 13
Bradley International Airport
East Granby Co: Hartford CT 06026–9309
Landholding Agency: Air Force
Property Number: 18199640002
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 10
Bradley International Airport
East Granby Co: Hartford CT 06026–9309

Landholding Agency: Air Force
Property Number: 18199640003
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 5
Bradley International Airport
East Granby Co: Hartford CT 06026–9309
Landholding Agency: Air Force
Property Number: 18199640004
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material

Bldg. 4
Bradley International Airport
East Granby Co: Hartford CT 06026–9309
Landholding Agency: Air Force
Property Number: 18199640005
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material

Hezekiah S. Ramsdell Farm
West Thompson Lake
North Grosvenordale Co: Windham CT 06255–9801
Landholding Agency: COE
Property Number: 31199740001
Status: Unutilized
Reasons: Floodway, Extensive deterioration

Florida

Bldg. 575
Patrick Air Force Base
Co: Brevard FL 32925–
Landholding Agency: Air Force
Property Number: 18199320004
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Within airport runway clear zone, Extensive Deterioration, Secured Area

23 Family Housing
MacDill Auxiliary Airfield No. 1
Avon Park Co: Polk FL 33825–
Location: Include Bldgs: 448, 451 thru 470, 472 and 474
Landholding Agency: Air Force
Property Number: 18199520006
Status: Excess
Reason: Within airport runway clear zone

Bldg. 240
MacDill Auxiliary Airfield No. 1
Avon Park Co: Polk FL 33825–
Landholding Agency: Air Force
Property Number: 18199520007
Status: Excess
Reason: Extensive deterioration

Bldg. 315
Patrick Air Force Base
Patrick AFB Co: Brevard FL
Landholding Agency: Air Force
Property Number: 18199710023
Status: Unutilized
Reason: Secured Area

Bldg. 317
Patrick Air Force Base
Patrick AFB Co: Brevard FL
Landholding Agency: Air Force
Property Number: 18199710024
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 318
Patrick Air Force Base
Patrick AFB Co: Brevard FL
Landholding Agency: Air Force
Property Number: 18199710025
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Facility No. 10831
Cape Canaveral Air Station
Cape Canaveral AS Co: Brevard FL 32925–
Landholding Agency: Air Force
Property Number: 18199710033
Status: Unutilized
Reason: Secured Area

Facility No. 70662
Cape Canaveral Air Station
Cape Canaveral AS Co: Brevard FL 32925–
Landholding Agency: Air Force
Property Number: 18199710037
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 895, Eglin AFB
Eglin AFB Co: Okaloosa FL 32542–5133
Landholding Agency: Air Force
Property Number: 18199710045
Status: Unutilized
Reason: Extensive deterioration

Bldg. 744
Eglin AFB
Co: Okaloosa FL 32542–5133
Landholding Agency: Air Force
Property Number: 18199820009
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 3008
Eglin AFB
Co: Okaloosa FL 32542–5133
Landholding Agency: Air Force
Property Number: 18199820010
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 3010
Eglin AFB
Co: Okaloosa FL 32542–5133
Landholding Agency: Air Force
Property Number: 18199820011
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 12709
Eglin AFB
Co: Okaloosa FL 32542–5133
Landholding Agency: Air Force
Property Number: 18199820012
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 08807
Cape Canaveral Air Station
Co: Brevard FL 32925–
Landholding Agency: Air Force
Property Number: 18199820013
Status: Unutilized
Reason: Secured Area

Facility 44608
Cape Canaveral Air Station
Co: Brevard FL 32925–
Landholding Agency: Air Force
Property Number: 18199830006
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 12577
Eglin AFB
Santa Rosa Island
Okaloosa Co: FL 32542–5133
Landholding Agency: Air Force
Property Number: 18199910001
Status: Unutilized
Reasons: Floodway, Secured Area, Extensive deterioration

Bldg. 12576
Eglin AFB
Santa Rosa Island
Okaloosa Co: FL 32542–5133
Landholding Agency: Air Force
Property Number: 18199910002
Status: Unutilized
Reasons: Floodway, Secured Area, Extensive deterioration

Bldg. 12534
Eglin AFB
Santa Rosa Island
Okaloosa Co: FL 32542–5133
Landholding Agency: Air Force
Property Number: 18199910003
Status: Unutilized
Reasons: Floodway, Secured Area, Extensive deterioration

Bldg. 12533
Eglin AFB
Santa Rosa Island
Okaloosa Co: FL 32542–5133
Landholding Agency: Air Force
Property Number: 18199910004
Status: Unutilized
Reasons: Floodway, Secured Area, Extensive deterioration

Bldg. 12528
Eglin AFB
Santa Rosa Island
Okaloosa Co: FL 32542–5133
Landholding Agency: Air Force
Property Number: 18199910005
Status: Unutilized
Reasons: Floodway, Secured Area, Extensive deterioration

Bldg. 9281
Eglin AFB
Santa Rosa Island
Okaloosa Co: FL 32542–5133
Landholding Agency: Air Force
Property Number: 18199910006
Status: Unutilized
Reasons: Floodway, Secured Area, Extensive deterioration

Bldg. 9280
Eglin AFB
Santa Rosa Island
Okaloosa Co: FL 32542–5133
Landholding Agency: Air Force
Property Number: 18199910007
Status: Unutilized
Reasons: Floodway, Secured Area, Extensive deterioration

Bldg. 609
Eglin AFB
Okaloosa Co: FL 32542–5133
Landholding Agency: Air Force
Property Number: 18199910008
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Facility 1737
Cape Canaveral Air Station
Cape Canaveral Co: Brevard FL 32907–
Landholding Agency: Air Force

Property Number: 18199920002
Status: Underutilized
Reason: Secured Area

Bldg. 1704
Eglin AFB
Eglin AFB Co: Okaloosa FL 32542–
Landholding Agency: Air Force
Property Number: 18199930007
Status: Unutilized
Reasons: Floodway, Secured Area, Extensive deterioration

Facility 90330
Cape Canaveral Air Station
Cape Canaveral Co: Brevard FL 32907–
Landholding Agency: Air Force
Property Number: 18199940008
Status: Unutilized
Reason: Secured Area

Bldg. 72905
Cape Canaveral AFS
Brevard Co: FL 32907–
Landholding Agency: Air Force
Property Number: 18200020006
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 935
Patrick AFB
Patrick AFB Co: Brevard FL 32925–
Landholding Agency: Air Force
Property Number: 18200030011
Status: Unutilized
Reason: Secured Area

Facility 990
Patrick AFB
Patrick AFB Co: FL 32925–
Landholding Agency: Air Force
Property Number: 18200030012
Status: Unutilized
Reason: Secured Area

Key Largo Beacon Annex
Key Largo Co: Monroe FL 33037–
Landholding Agency: Air Force
Property Number: 18200210001
Status: Unutilized
Reason: Extensive deterioration

Georgia

Bldgs. 1180–1185
Robins AFB
Warner Robins Co: GA 31098–2207
Landholding Agency: Air Force
Property Number: 18200010005
Status: Unutilized
Reason: Extensive deterioration

Bldg. 274
Robins AFB
Warner Robins Co: GA
Landholding Agency: Air Force
Property Number: 18200130005
Status: Unutilized
Reason: Extensive deterioration

Bldg. 311
Robins AFB
Warner Robins Co: GA
Landholding Agency: Air Force
Property Number: 18200130006
Status: Unutilized
Reason: Extensive deterioration

Bldg. 930
Robins AFB
Warner Robins Co: GA
Landholding Agency: Air Force
Property Number: 18200130007
Status: Unutilized
Reason: Extensive deterioration

Bldg. 2071
Robins AFB
Warner Robins Co: GA
Landholding Agency: Air Force
Property Number: 18200130008
Status: Unutilized
Reason: Extensive deterioration

Bldg. 811
Robins AFB
Warner Robins Co: GA 31098–
Landholding Agency: Air Force
Property Number: 18200130017
Status: Unutilized
Reason: Extensive deterioration

Guam

Andersen South
Andersen Admin. Annex
360 housing units & a commercial structure
Mangilao GU 96923–
Landholding Agency: Air Force
Property Number: 18199840009
Status: Underutilized
Reason: Secured Area

68 Units
Naval Forces
South Tipalao Area
Marianas Co: GU
Landholding Agency: Navy
Property Number: 77200210065
Status: Excess
Reason: Secured Area

36 Units
Naval Forces
North Tipalao Area
Marianas Co: GU
Landholding Agency: Navy
Property Number: 77200210066
Status: Excess
Reason: Secured Area

130 Units
Naval Forces
South Finegayan Area
Marianas Co: GU
Landholding Agency: Navy
Property Number: 77200210067
Status: Excess
Reason: Secured Area

64 Units
Naval Forces
North Finegayan Area
Marianas Co: GU
Landholding Agency: Navy
Property Number: 77200210068
Status: Excess
Reason: Secured Area

158 Units
Naval Forces
North Finegayan Area
Marianas Co: GU
Landholding Agency: Navy
Property Number: 77200210069
Status: Excess
Reason: Secured Area

Idaho

Bldg. 1012
Mountain Home Air Force Base
7th Avenue
(See County) Co: Elmore ID 83648–
Landholding Agency: Air Force
Property Number: 18199030004
Status: Excess
Reason: Within 2000 ft. of flammable or explosive material

Bldg. 923
Mountain Home Air Force Base
7th Avenue
(See County) Co: Elmore ID 83648–
Landholding Agency: Air Force
Property Number: 18199030005
Status: Excess
Reason: Within 2000 ft. of flammable or explosive material

Bldg. 604
Mountain Home Air Force Base
Pine Street
(See County) Co: Elmore ID 83648–
Landholding Agency: Air Force
Property Number: 18199030006
Status: Excess
Reason: Within 2000 ft. of flammable or explosive material

Bldg. 229
Mt. Home Air Force Base
1st Avenue and A Street
Mt. Home AFB Co: Elmore ID 83648–
Landholding Agency: Air Force
Property Number: 18199040857
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Within airport runway clear zone

Bldg. 4403
Mountain Home Air Force Base
Mountain Home Co: Elmore ID 83647–
Landholding Agency: Air Force
Property Number: 18199520008
Status: Unutilized
Reason: Extensive deterioration

Bldg. 101
Mountain Home Air Force Base
Co: Elmore ID 83648–
Landholding Agency: Air Force
Property Number: 18199840001
Status: Unutilized
Reason: Extensive deterioration

Bldg. 105
Mountain Home Air Force Base
Co: Elmore ID 83648–
Landholding Agency: Air Force
Property Number: 18199840002
Status: Unutilized
Reason: Extensive deterioration

Bldg. AFD0070
Albeni Falls Dam
Oldtown Co: Bonner ID 83822–
Landholding Agency: COE
Property Number: 31199910001
Status: Unutilized
Reason: Extensive deterioration

Iowa

Bldg. 00671
Sioux Gateway Airport
Sioux Co: Woodbury IA 51110–
Landholding Agency: Air Force
Property Number: 18199310009
Status: Unutilized
Reason: Fuel pump station

Bldg. 00736
Sioux Gateway Airport
Sioux Co: Woodbury IA 51110–
Landholding Agency: Air Force
Property Number: 18199310010
Status: Unutilized
Reason: Pump station

Kansas

Bldg. 2703
Forbes Field
Topeka KS
Landholding Agency: Air Force
Property Number: 18199820018
Status: Unutilized
Reason: Extensive deterioration

No. 01017
Kanopolis Project
Marquette Co: Ellsworth KS 67456–
Landholding Agency: COE
Property Number: 31200210001
Status: Unutilized
Reason: Extensive deterioration

No. 01020
Kanopolis Project
Marquette Co: Ellsworth KS 67456–
Landholding Agency: COE
Property Number: 31200210002
Status: Unutilized
Reason: Extensive deterioration

No. 61001
Kanopolis Project
Marquette Co: Ellsworth KS 67456–
Landholding Agency: COE
Property Number: 31200210003
Status: Unutilized
Reason: Extensive deterioration

Kentucky

Spring House
Kentucky River Lock and Dam No. 1
Highway 320
Carrollton Co: Carroll KY 41008–
Landholding Agency: COE
Property Number: 21199040416
Status: Unutilized
Reason: Spring House

6-Room Dwelling
Green River Lock and Dam No. 3
Rochester Co: Butler KY 42273–
Location: Off State Hwy 369, which runs off of Western Ky. Parkway
Landholding Agency: COE
Property Number: 31199120010
Status: Unutilized
Reason: Floodway

2-Car Garage
Green River Lock and Dam No. 3
Rochester Co: Butler KY 42273–
Location: Off State Hwy 369, which runs off of Western Ky. Parkway
Landholding Agency: COE
Property Number: 31199120011
Status: Unutilized
Reason: Floodway

Office and Warehouse
Green River Lock and Dam No. 3
Rochester Co: Butler KY 42273–
Location: Off State Hwy 369, which runs off of Western Ky. Parkway
Landholding Agency: COE
Property Number: 31199120012
Status: Unutilized
Reason: Floodway

2 Pit Toilets
Green River Lock and Dam No. 3
Rochester Co: Butler KY 42273–
Landholding Agency: COE
Property Number: 31199120013
Status: Unutilized
Reason: Floodway

Louisiana

Bldg. 3477
Barksdale Air Force Base
Davis Avenue
Barksdale AFB Co: Bossier LA 71110–5000
Landholding Agency: Air Force
Property Number: 18199140015
Status: Unutilized
Reason: Secured Area

Maryland

Bldg. 3542
Andrews AFB
Andrews AFB MD 20652–25177
Landholding Agency: Air Force
Property Number: 18199810010
Status: Unutilized
Reason: Secured Area

Bldg. 3543
Andrews AFB
Andrews AFB MD 20652–25177
Landholding Agency: Air Force
Property Number: 18199810011
Status: Unutilized
Reason: Secured Area

Bldg. 1226
Andrews AFB
Camp Springs Co: Prince George's MD 20762–
Landholding Agency: Air Force
Property Number: 18200040002
Status: Unutilized
Reason: Secured Area

Bldg. 3781
Andrews AFB
Andrews AFB Co: Princes George's MD 20762–
Landholding Agency: Air Force
Property Number: 18200130009
Status: Excess
Reasons: Secured Area, Extensive deterioration

Bldg. 3782
Andrews AFB
Andrews AFB Co: Princes George's MD 20762–
Landholding Agency: Air Force
Property Number: 18200130010
Status: Excess
Reasons: Secured Area, Extensive deterioration

Bldgs. 3783–1, 3783–2
Andrews AFB
Andrews AFB Co: Princes George's MD 20762–
Landholding Agency: Air Force
Property Number: 18200130011
Status: Excess
Reasons: Secured Area, Extensive deterioration

5 Bldgs.
Andrews AFB
#13001, 13017, 13019, 13035, 13037
Brandywine Co: Prince George's MD
Landholding Agency: Air Force
Property Number: 18200210002
Status: Excess
Reason: Within 2000 ft. of flammable or explosive material

7 Bldgs.
Andrews AFB
Brandywine Co: Prince George's MD
Location: #13003, 13005, 13015, 13021, 13033, 13039, 13041
Landholding Agency: Air Force
Property Number: 18200210003
Status: Excess
Reason: Within 2000 ft. of flammable or explosive material

Michigan

Bldg. 71
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 18199010810
Status: Excess
Reason: Sewage treatment and disposal facility

Bldg. 99 (WATER WELL)
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 18199010831
Status: Excess
Reason: Water well

Bldg. 100 (WATER WELL)
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 18199010832
Status: Excess
Reason: Water well

Bldg. 118
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 18199010875
Status: Excess
Reason: Gasoline Station

Bldg. 120
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 18199010876
Status: Excess
Reason: Gasoline Station

Bldg. 166
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 18199010877
Status: Excess
Reason: Pump lift station

Bldg. 168
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 18199010878
Status: Excess
Reason: Gasoline station

Bldg. 69
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 18199010889
Status: Excess
Reason: Sewer pump facility

Bldg. 2
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 18199010890
Status: Excess
Reason: Water pump station

Facility 20
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force

Property Number: 18199630001
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 21
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630002
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 30
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630003
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 98
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630004
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 103
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630005
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 116
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630006
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 129
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630007
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 152
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630008
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 156
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630009
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 181
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630010
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 509
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630011
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 562
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630012
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 573
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630013
Status: Unutilized
Reason: Secured Area

Facility 801
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630014
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 827
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630015
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 832
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630016
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 833
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630017
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 1005
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630018
Status: Unutilized
Reason: Secured Area

Facility 1012
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630019
Status: Unutilized
Reason: Secured Area

Facility 1017
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630020
Status: Unutilized
Reason:
Secured Area

Facility 1025
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630021
Status: Unutilized
Reason: Secured Area

Facility 1031
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630022
Status: Unutilized
Reason: Secured Area

Facility 1041
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630023
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 1445
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630024
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 1514
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630025
Status: Unutilized
Reason: Secured Area

Facility 1575
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630026
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 1576
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630027
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 1578
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630028
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 1580
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630029
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 1582
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630030
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 1583
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630031
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 1584
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630032
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 1585
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630033
Status: Unutilized
Reason: Secured Area

Facilities 246, 248, 252–254
Selfridge Air National Guard
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199710039
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

7 Facilities
Selfridge Air National Guard
#240, 242, 244, 245, 247, 250, 251
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199710040
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Facilities 237, 238
Selfridge Air National Guard
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199710041
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

5 Facilities
Selfridge Air National Guard
#228, 230, 232, 234, 236
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199710042
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 114
Selfridge Air National Guard
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199710043
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 114
Alpena CRTC
Alpena Co: MI 49707–
Landholding Agency: Air Force
Property Number: 18199930009
Status: Unutilized
Reason: Secured Area

Missouri

Rec Office
Harry S. Truman Dam & Reservoir
Osceola Co: St. Clair MO 64776–
Landholding Agency: COE
Property Number: 31200110001
Status: Unutilized
Reason: Extensive deterioration

Privy/Nemo Park
Pomme de Terre Lake
Hermitage Co: MO 65668–
Landholding Agency: COE
Property Number: 31200120001
Status: Excess
Reason: Extensive deterioration

Privy No. 1/Bolivar Park
Pomme de Terre Lake
Hermitage Co: MO 65668–
Landholding Agency: COE
Property Number: 31200120002
Status: Excess
Reason: Extensive deterioration

Privy No. 2/Bolivar Park
Pomme de Terre Lake
Hermitage Co: MO 65668–
Landholding Agency: COE
Property Number: 31200120003
Status: Excess
Reason: Extensive deterioration

Montana

Bldg. 23
Great Falls ANG Station
Great Falls Co: Cascade MT 59404–
Landholding Agency: Air Force
Property Number: 18199720030
Status: Excess
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 24
Great Falls ANG Station
Great Falls Co: Cascade MT 59404–
Landholding Agency: Air Force
Property Number: 18199720031
Status: Excess
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 35
Great Falls ANG Station
Great Falls Co: Cascade MT 59404–
Landholding Agency: Air Force
Property Number: 18199720033
Status: Excess
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 22
Great Falls IAP
Great Falls Co: Cascade MT 59404–5570
Landholding Agency: Air Force
Property Number: 18199820019
Status: Underutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 1881
Malmstrom AFB
Malmstrom AFB Co: Cascade MT 59402–
Landholding Agency: Air Force
Property Number: 18200130012
Status: Unutilized
Reason: Secured Area

Bldg. 1085
Malmstrom AFB
Malmstrom AFB Co: Cascade MT 59402–
Landholding Agency: Air Force
Property Number: 18200210004
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Nebraska

Offutt Communications Annex–#3
Offutt Air Force Base
Scribner Co: Dodge NE 68031–
Landholding Agency: Air Force
Property Number: 18199210006
Status: Unutilized
Reason: former sewage lagoon

Bldg. 637
Lincoln Municipal Airport
2301 West Adams
Lincoln Co: Lancaster NE 68524–
Landholding Agency: Air Force
Property Number: 18199230021
Status: Unutilized
Reason: Extensive deterioration

Bldg. 639
Lincoln Municipal Airport
2301 West Adams
Lincoln Co: Lancaster NE 68524–
Landholding Agency: Air Force
Property Number: 18199230022
Status: Unutilized
Reason: Extensive deterioration

Bldg. 31
Offutt Air Force Base
Sac Boulevard
Offutt Co: Sarpy NE 68113–
Landholding Agency: Air Force
Property Number: 18199240007
Status: Unutilized
Reason: Secured Area

Bldg. 311
Offutt Air Force Base
Nelson Drive
Offutt Co: Sarpy NE 68113–
Landholding Agency: Air Force
Property Number: 18199240008
Status: Unutilized
Reason: Secured Area

Bldg. 401
Offutt Air Force Base
Custer Drive
Offutt Co: Sarpy NE 68113–
Landholding Agency: Air Force
Property Number: 18199240009
Status: Unutilized
Reason: Secured Area

Bldg. 416
Offutt Air Force Base
Sherman Turnpike
Offutt Co: Sarpy NE 68113–
Landholding Agency: Air Force
Property Number: 18199240010
Status: Unutilized
Reason: Secured Area

Bldg. 417
Offutt Air Force Base
Sherman Turnpike
Offutt Co: Sarpy NE 68113–
Landholding Agency: Air Force
Property Number: 18199240011
Status: Unutilized
Reason: Secured Area

Bldg. 545
Offutt Air Force Base
Offutt Co: Sarpy NE 68113–
Landholding Agency: Air Force
Property Number: 18199240012
Status: Unutilized
Reason: Secured Area

Bldg. 21
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320058
Status: Excess
Reason: Generator

Bldg. 4, Hastings Family Hsg.
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320059
Status: Excess
Reason: Contamination

Bldg. 500
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320060
Status: Excess
Reason: Contamination

Bldg. 502
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320061
Status: Excess
Reason: Contamination

Bldg. 504
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320062
Status: Excess
Reason: Contamination

Bldg. 506
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320063
Status: Excess
Reason: Contamination

Bldg. 507
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320064
Status: Excess
Reason: Contamination

Bldg. 509
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320065
Status: Excess
Reason: Contamination

Bldg. 511
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320066
Status: Excess
Reason: Contamination

Bldg. 512
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320067
Status: Excess
Reason: Contamination

Bldg. 515
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320068
Status: Excess
Reason: Contamination

Bldg. 517
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320069
Status: Excess
Reason: Contamination

Bldg. 519
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320070
Status: Excess
Reason: Contamination

Bldg. 521
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320071
Status: Excess
Reason: Contamination

Bldg. 523
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320072
Status: Excess
Reason: Contamination

Bldg. 525
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320073
Status: Excess
Reason: Contamination

Bldg. 526
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320074
Status: Excess
Reason: Contamination

Bldg. 529
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320075
Status: Excess
Reason: Contamination

Bldg. 531
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320076
Status: Excess
Reason: Contamination

Bldg. 533
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320077
Status: Excess
Reason: Contamination

Bldg. 534
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320078
Status: Excess
Reason: Contamination

Bldg. 536
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320079
Status: Excess
Reason: Contamination

Bldg. 538
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320080
Status: Excess
Reason: Contamination

Bldg. 541
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320081
Status: Excess
Reason: Contamination

Bldg. 542
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320082
Status: Excess
Reason: Contamination

Bldg. 544
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320083
Status: Excess
Reason: Contamination

Bldg. 546
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320084
Status: Excess
Reason: Contamination

Bldg. 549

Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320085
Status: Excess
Reason: Contamination

Bldg. 550
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320086
Status: Excess
Reason: Contamination

Bldg. 552
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320087
Status: Excess
Reason: Contamination

Bldg. 553
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320088
Status: Excess
Reason: Contamination

Bldg. 555
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320089
Status: Excess
Reason: Contamination

Bldg. 557
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320090
Status: Excess
Reason: Contamination

Bldg. 558
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320091
Status: Excess
Reason: Contamination

Bldg. 560
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320092
Status: Excess
Reason: Contamination

27 Detached Garages
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320093
Status: Excess
Reason: Contamination

Bldg. 17
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320094
Status: Excess
Reason: Contamination

Bldg. 16
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320095
Status: Excess
Reason: Contamination

Bldg. 18
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320096
Status: Excess
Reason: Contamination

Bldg. 6
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320097
Status: Excess
Reason: Contamination

Bldg. 547
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320098
Status: Excess
Reason: Contamination

Bldg. 604
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320099
Status: Excess
Reason: Contamination

Bldg. 686
Offutt Air Force Base
Offutt Co: Sarpy NE 68113–
Landholding Agency: Air Force
Property Number: 18199510021
Status: Unutilized
Reason: Secured Area

Bldg. 439
Offutt Air Force Base
Offutt Co: Sarpy NE 68113–
Landholding Agency: Air Force
Property Number: 18199510022
Status: Unutilized
Reason: Secured Area

Bldg. 606
NE Air National Guard
Lincoln Co: Lancaster NE 68524–1888
Landholding Agency: Air Force
Property Number: 18199720028
Status: Underutilized
Reasons: Floodway, Secured Area

Bldg. 675
NE Air National Guard
Lincoln Co: Lancaster NE 68524–1888
Landholding Agency: Air Force
Property Number: 18199720029
Status: Unutilized
Reasons: Floodway, Secured Area

Vault Toilets
Harlan County Project
Republican Co: NE 68971–
Landholding Agency: COE
Property Number: 31200210006
Status: Unutilized
Reason: Extensive deterioration

Patterson Treatment Plant
Harlan County Project
Republican Co: NE 68971–
Landholding Agency: COE
Property Number: 31200210007
Status: Unutilized
Reason: Extensive deterioration

New Hampshire

Bldg. 117
New Boston Air Force Station
Amherst Co: Hillsborough NH 03031–1514
Landholding Agency: Air Force
Property Number: 18199920008
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 129
New Boston Air Force Station
Amherst Co: Hillsborough NH 03031–1514
Landholding Agency: Air Force
Property Number: 18199920009
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 5210
Newington POL DFS
Newington Co: Rockingham NH 03801–
Landholding Agency: Air Force
Property Number: 18199920010
Status: Excess
Reason: Within 2000 ft. of flammable or explosive material

Bldg. 155
Pease Air National Guard
Newington Co: Rockingham NH 03803–
Landholding Agency: Air Force
Property Number: 18199930011
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material

Bldg. 124
New Boston Air Force Station
New Boston Co: Hilsboro NH 03070–5125
Landholding Agency: Air Force
Property Number: 18200030013
Status: Unutilized
Reason: Secured Area

Bldg. 125
New Boston Air Force Station
New Boston Co: Hilsboro NH 03070–5125
Landholding Agency: Air Force
Property Number: 18200030014
Status: Unutilized
Reason: Secured Area

New Mexico

Bldg. 831
833 CSG/DEER
Holloman AFB Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199130333
Status: Unutilized
Reason: Secured Area

Bldg. 21
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199240032
Status: Unutilized
Reason: Secured Area

Bldg. 98

Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199240034
Status: Unutilized
Reason: Secured Area

Bldg. 324
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199240035
Status: Unutilized
Reason: Secured Area

Bldg. 598
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199240036
Status: Unutilized
Reason: Secured Area

Bldg. 801
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199240037
Status: Unutilized
Reason: Secured Area

Bldg. 802
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199240038
Status: Unutilized
Reason: Secured Area

Bldg. 1095
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199240039
Status: Unutilized
Reason: Secured Area

Bldg. 1096
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199240040
Status: Unutilized
Reason: Secured Area

Facility 321
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199240041
Status: Unutilized
Reason: Secured Area

Facility 75115
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199240042
Status: Unutilized
Reason: Secured Area

Bldg. 874
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199320041
Status: Unutilized
Reasons: Extensive Deterioration, Secured Area

Bldg. 1258
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199320042
Status: Unutilized
Reasons: Extensive Deterioration, Secured Area

Bldg. 134
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199430014
Status: Unutilized
Reason: Secured Area

Bldg. 640
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199430015
Status: Unutilized
Reason: Secured Area

Bldg. 703
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199430016
Status: Unutilized
Reasons: Within airport runway clear zone, Secured Area

Bldg. 813
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199430017
Status: Unutilized
Reason: Secured Area

Bldg. 821
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199430018
Status: Unutilized
Reason: Secured Area

Bldg. 829
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199430019
Status: Unutilized
Reasons: Within airport runway clear zone, Secured Area

Bldg. 867
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199430020
Status: Unutilized
Reason: Secured Area

Bldg. 884
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199430021
Status: Unutilized
Reasons: Within airport runway clear zone, Secured Area

Bldg. 886
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199430022
Status: Unutilized
Reasons: Within airport runway clear zone, Secured Area

Bldg. 908
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199430023
Status: Unutilized
Reason: Secured Area

Bldg. 599
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199510001
Status: Unutilized
Reason: Secured Area

Bldg. 600
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199510002
Status: Unutilized
Reason: Secured Area

Bldg. 599
Holloman AFB
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199610007
Status: Unutilized
Reason: Secured Area

Bldg. 600
Holloman AFB
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199610008
Status: Unutilized
Reason: Secured Area

Bldg. 995
Holloman AFB
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199610009
Status: Unutilized
Reason: Secured Area

Bldg. 1257
Holloman AFB
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199740012
Status: Unutilized
Reason: Secured Area

Bldg. 332
Holloman AFB
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199740013
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 205
Holloman AFB
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199740014
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 1089
Holloman AFB
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199830009
Status: Unutilized
Reason: Secured Area

Bldg. 2149
Holloman AFB
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199830010

Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 2151
Holloman AFB
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199830011
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 2176
Holloman AFB
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199830012
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 2178
Holloman AFB
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199830013
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 197
Holloman AFB
Holloman AFB Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18200040003
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 1021
Holloman AFB
Otero Co: NM 88330–
Landholding Agency: Air Force
Property Number: 18200110001
Status: Unutilized
Reason: Secured Area

Bldg. 1025
Holloman AFB
Otero Co: NM 88330–
Landholding Agency: Air Force
Property Number: 18200110002
Status: Unutilized
Reason: Secured Area

Bldg. 571
Holloman AFB
Holloman AFB Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18200130013
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 1029
Holloman AFB
Holloman AFB Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18200130014
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 1191
Holloman AFB
Holloman AFB Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18200130015
Status: Unutilized
Reason: Secured Area

New York

Bldg. 626 (Pin: RVKQ)
Niagara Falls International Airport
914th Tactical Airlift Group
Niagara Falls Co: Niagara NY 14303–5000
Landholding Agency: Air Force
Property Number: 18199010075
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 272
Griffiss Air Force Base
Rome Co: Oneida NY 13441–
Landholding Agency: Air Force
Property Number: 18199140022
Status: Excess
Reason: Secured Area

Bldg. 888
Griffiss Air Force Base
Rome Co: Oneida NY 13441–
Landholding Agency: Air Force
Property Number: 18199140023
Status: Excess
Reason: Secured Area

Facility 814, Griffiss AFB
NE of Weapons Storage Area
Rome Co: Oneida NY 13441–
Landholding Agency: Air Force
Property Number: 18199230001
Status: Excess
Reasons: Within airport runway clear zone, Secured Area

Facility 808, Griffiss AFB
Perimeter Road
Rome Co: Oneida NY 13441–
Landholding Agency: Air Force
Property Number: 18199230002
Status: Excess
Reasons: Within airport runway clear zone, Secured Area

Facility 807, Griffiss AFB
Perimeter Road
Rome Co: Oneida NY 13441–
Landholding Agency: Air Force
Property Number: 18199230003
Status: Excess
Reasons: Within airport runway clear zone, Secured Area

Facility 126
Griffiss Air Force Base
Hanger Road
Rome Co: Oneida NY 13441–4520
Landholding Agency: Air Force
Property Number: 18199240020
Status: Unutilized
Reason: Secured Area

Facility 127
Griffiss Air Force Base
Hanger Road
Rome Co: Oneida NY 13441–4520
Landholding Agency: Air Force
Property Number: 18199240021
Status: Unutilized
Reason: Secured Area

Facility 135
Griffiss Air Force Base
Hanger Road
Rome Co: Oneida NY 13441–4520
Landholding Agency: Air Force
Property Number: 18199240022
Status: Unutilized
Reason: Secured Area

Facility 137
Griffiss Air Force Base
Otis Street
Rome Co: Oneida NY 13441–4520
Landholding Agency: Air Force
Property Number: 18199240023
Status: Unutilized
Reason: Secured Area

Facility 138
Griffiss Air Force Base
Otis Street
Rome Co: Oneida NY 13441–4520
Landholding Agency: Air Force
Property Number: 18199240024
Status: Unutilized
Reason: Secured Area

Facility 173
Griffiss Air Force Base
Selfridge Street
Rome Co: Oneida NY 13441–4520
Landholding Agency: Air Force
Property Number: 18199240025
Status: Unutilized
Reason: Secured Area

Facility 261
Griffiss Air Force Base
McDill Street
Rome Co: Oneida NY 13441–4520
Landholding Agency: Air Force
Property Number: 18199240026
Status: Unutilized
Reason: Secured Area

Facility 308
Griffiss Air Force Base
205 Chanute Street
Rome Co: Oneida NY 13441–4520
Landholding Agency: Air Force
Property Number: 18199240027
Status: Unutilized
Reason: Secured Area

Facility 1200
Griffiss Air Force Base
Donaldson Road
Rome Co: Oneida NY 13441–4520
Landholding Agency: Air Force
Property Number: 18199240028
Status: Unutilized
Reason: Secured Area

Facility 841
Griffiss Air Force Base
Rome Co: Oneida NY 13441–4520
Landholding Agency: Air Force
Property Number: 18199330097
Status: Unutilized
Reason: Secured Area

Bldg. 740
Niagara Falls Air Force Reserve
Niagara Falls Co: Niagara NY 14304–5001
Landholding Agency: Air Force
Property Number: 18199720026
Status: Unutilized
Reasons: Within airport runway clear zone, Floodway, Secured Area

Bldg. 629
Hancock Field
Syracuse Co: Onondaga NY 13211–
Landholding Agency: Air Force
Property Number: 18199730006
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 514
Niagara Falls ARS
Niagara Falls Co: Niagara NY 14304–5001
Landholding Agency: Air Force
Property Number: 18199810024
Status: Unutilized
Reasons: Floodway, Secured Area, Extensive deterioration

Bldg. 614
Niagara Falls AFR
Niagara Falls Co: Niagara NY 14305–5001
Landholding Agency: Air Force
Property Number: 18199830014
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area, Extensive deterioration

Bldg. 722
Niagara Falls AFR
Niagara Falls Co: Niagara NY 14305–5001
Landholding Agency: Air Force
Property Number: 18199830015
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area, Extensive deterioration

Bldg. 750
Niagara Falls AFR
Niagara Falls Co: Niagara NY 14305–5001
Landholding Agency: Air Force
Property Number: 18199830016
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area, Extensive deterioration

Bldg. 751
Niagara Falls AFR
Niagara Falls Co: Niagara NY 14305–5001
Landholding Agency: Air Force
Property Number: 18199830017
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area, Extensive deterioration

Facility 1200
Verona Test Annex
Town of Verona Co: Oneida NY 13478–
Landholding Agency: Air Force
Property Number: 18199920011
Status: Unutilized
Reason: No public access

Facility 1202
Verona Test Annex
Town of Verona Co: Oneida NY 13478–
Landholding Agency: Air Force
Property Number: 18199920012
Status: Unutilized
Reason: No public access

Facility 1203
Verona Test Annex
Town of Verona Co: Oneida NY 13478–
Landholding Agency: Air Force
Property Number: 18199920013
Status: Unutilized
Reason: No public access

Facility 1204
Verona Test Annex
Town of Verona Co: Oneida NY 13478–
Landholding Agency: Air Force
Property Number: 18199920014
Status: Unutilized
Reason: No public access

Facility 1206
Verona Test Annex
Town of Verona Co: Oneida NY 13478–
Landholding Agency: Air Force
Property Number: 18199920016
Status: Unutilized
Reason: No public access

Facility 1207
Verona Test Annex
Town of Verona Co: Oneida NY 13478–
Landholding Agency: Air Force
Property Number: 18199920017
Status: Unutilized
Reason: No public access

Facility 1208
Verona Test Annex
Town of Verona Co: Oneida NY 13478–
Landholding Agency: Air Force
Property Number: 18199920018
Status: Unutilized
Reason: No public access

Facility 1209
Verona Test Annex
Town of Verona Co: Oneida NY 13478–
Landholding Agency: Air Force
Property Number: 18199920019
Status: Unutilized
Reason: No public access

Facility 1210
Verona Test Annex
Town of Verona Co: Oneida NY 13478–
Landholding Agency: Air Force
Property Number: 18199920020
Status: Unutilized
Reason: No public access

Facility 1259
Verona Test Annex
Town of Verona Co: Oneida NY 13478–
Landholding Agency: Air Force
Property Number: 18199920021
Status: Unutilized
Reason: No public access

Facility 1260
Verona Test Annex
Town of Verona Co: Oneida NY 13478–
Landholding Agency: Air Force
Property Number: 18199920022
Status: Unutilized
Reason: No public access

Warehouse
Whitney Lake Project
Whitney Point Co: Broome NY 13862–0706
Landholding Agency: COE
Property Number: 31199630007
Status: Unutilized
Reason: Extensive deterioration

North Carolina

Bldg. 4230—Youth Center
Cannon Ave.
Goldsboro Co: Wayne NC 27531–5005
Landholding Agency: Air Force
Property Number: 18199120233
Status: Underutilized
Reason: Secured Area

Bldg. 607, Pope Air Force Base
Fayetteville Co: Cumberland NC 28308–2890
Landholding Agency: Air Force
Property Number: 18199330041
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 910, Pope Air Force Base
Fayetteville Co: Cumberland NC 28308–2003
Landholding Agency: Air Force
Property Number: 18199420022
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 912, Pope Air Force Base
Fayetteville Co: Cumberland NC 28308–2003
Landholding Agency: Air Force
Property Number: 18199420023
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 914, Pope Air Force Base
Fayetteville Co: Cumberland NC 28308–2003
Landholding Agency: Air Force
Property Number: 18199420024
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 633, Pope Air Force Base
Fayetteville Co: Cumberland NC 28308–
Landholding Agency: Air Force
Property Number: 18199540019
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

North Dakota

Bldg. 422
Minot Air Force Base
Minot Co: Ward ND 58705–
Landholding Agency: Air Force
Property Number: 18199010724
Status: Underutilized
Reason: Secured Area

Bldg. 50
Fortuna Air Force Station
Extreme northwestern corner of North Dakota
Fortuna Co: Divide ND 58844–
Landholding Agency: Air Force
Property Number: 18199310107
Status: Excess
Reason: Garbage incinerator

Bldg. 119
Minot Air Force Base
Minot Co: Ward ND 58701–
Landholding Agency: Air Force
Property Number: 18199320034
Status: Unutilized
Reason: Secured Area

Bldg. 526
Minot Air Force Base
Minot Co: Ward ND 58701–
Landholding Agency: Air Force
Property Number: 18199320038
Status: Unutilized
Reason: Secured Area

B–B–548Shp
Grand Forks AFB
Emerado Co: Grand Forks ND 58205–
Landholding Agency: Air Force
Property Number: 18200110003
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area, Extensive deterioration

Bldg. 548
Grand Forks AFB
Grand Forks AFB Co: ND 58205–
Landholding Agency: Air Force
Property Number: 18200120009
Status: Excess
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area, Extensive deterioration

Bldg. B–138
Grand Forks AFB
Emerado Co: Grand Forks ND 58205–
Landholding Agency: Air Force
Property Number: 18200210005
Status: Excess
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Ohio

14 Bldgs.

Area B, Wright-Patterson AFB
Co: Montgomery OH 45433–
Location: 6036, 38, 42, 44, 45, 49, 54, 64, 65, 69, 75
Landholding Agency: Air Force
Property Number: 18199820030
Status: Unutilized
Reason: Within airport runway clear zone

Bldg. 6104, 08, 09
Area B, Wright-Patterson AFB
Co: Montgomery OH 45433–
Landholding Agency: Air Force
Property Number: 18199820044
Status: Unutilized
Reason: Within airport runway clear zone

Bldg. 522
Youngstown Air Reserve
Vienna Co: Trumbull OH 44473–0910
Landholding Agency: Air Force
Property Number: 18200010007
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area, Extensive deterioration

Bldgs. 1, 2, 3, 5, 8
Cincinnati Petroleum Distribution Station
Cincinnati Co: Hamilton OH –
Landholding Agency: Air Force
Property Number: 18200210006
Status: Excess
Reasons: Within 2000 ft. of flammable or explosive material, Floodway

Oklahoma

Bldg. 010
Tulsa IAP Base
Tulsa OK 74115–1699
Landholding Agency: Air Force
Property Number: 18199820031
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 305
Tulsa IAP Base
Tulsa OK 74115–1699
Landholding Agency: Air Force
Property Number: 18199820032
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Oregon

Bldg.
366 E. Hurlburt
Hermiston Co: Umatilla OR 97838–
Landholding Agency: Interior
Property Number: 61200110007
Status: Unutilized
Reason: Extensive deterioration

Bldg. 0320–00
Klamath Irrigation District
Klamath Falls Co: Klamath OR 97603–
Landholding Agency: Interior
Property Number: 61200140002
Status: Unutilized
Reason: Extensive deterioration

Bldg. 30
Naval Weapons Systems Training
Boardman Co: Morrow OR
Landholding Agency: Navy
Property Number: 77200210070
Status: Unutilized
Reason: Secured Area

Bldg. 31
Naval Weapons Systems Training
Boardman Co: Morrow OR
Landholding Agency: Navy
Property Number: 77200210071
Status: Unutilized
Reason: Secured Area

Bldg. 32
Naval Weapons Systems Training
Boardman Co: Morrow OR
Landholding Agency: Navy
Property Number: 77200210072
Status: Unutilized
Reason: Secured Area

Bldg. 33
Naval Weapons Systems Training
Boardman Co: Morrow OR
Landholding Agency: Navy
Property Number: 77200210073
Status: Unutilized
Reason: Secured Area

Bldg. 35
Naval Weapons Systems Training
Boardman Co: Morrow OR
Landholding Agency: Navy
Property Number: 77200210074
Status: Unutilized
Reason: Secured Area

Bldg. 37
Naval Weapons Systems Training
Boardman Co: Morrow OR
Landholding Agency: Navy
Property Number: 77200210075
Status: Unutilized
Reason: Secured Area

South Dakota

Bldg. 7506
Ellsworth Air Force Base
Ellsworth AFB Co: Meade SD 57706–
Landholding Agency: Air Force
Property Number: 18199340037
Status: Unutilized
Reason: Secured Area

Bldg. 111
Ellsworth Air Force Base
Ellsworth AFB Co: Meade SD 57706–
Landholding Agency: Air Force
Property Number: 18199730007
Status: Unutilized
Reason: Secured Area

Bldg. 7504
Ellsworth AFB
Co: Meade SD 57706–
Landholding Agency: Air Force
Property Number: 18199820034
Status: Underutilized
Reasons: Within 2000 ft. of flammable or explosive material, Within airport runway clear zone, Secured Area

Bldg. 7239
Ellsworth AFB
Co: Meade SD 57706–
Landholding Agency: Air Force
Property Number: 18199820036
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Within airport runway clear zone, Secured Area

Bldg. 1102
Ellsworth AFB
Co: Meade SD 57706–
Landholding Agency: Air Force
Property Number: 18199820037
Status: Unutilized
Reason: Secured Area

Bldg. 88307
Ellsworth AFB
Co: Meade SD 57706–
Landholding Agency: Air Force
Property Number: 18199820038
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 88320
Ellsworth AFB
Co: Meade SD 57706–
Landholding Agency: Air Force
Property Number: 18199820039
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 8001
Ellsworth Air Force Base
Ellsworth AFB Co: Pennington SD 57706–
Landholding Agency: Air Force
Property Number: 18199920026
Status: Unutilized
Reason: Secured Area

Bldg. 805
Ellsworth AFB
Ellsworth AFB Co: Meade SD 57706–
Landholding Agency: Air Force
Property Number: 18200110004
Status: Unutilized
Reason: Secured Area

Bldg. 7140
Ellsworth AFB
Ellsworth AFB Co: Meade SD 57706–
Landholding Agency: Air Force
Property Number: 18200110005
Status: Unutilized
Reason: Secured Area

Bldg. 7426
Ellsworth AFB
Ellsworth AFB Co: Meade SD 57706–
Landholding Agency: Air Force
Property Number: 18200110006
Status: Unutilized
Reason: Secured Area

Bldg. 12880
Ellsworth AFB
Ellsworth AFB Co: Meade SD 57706–
Landholding Agency: Air Force
Property Number: 18200110007
Status: Unutilized
Reason: Secured Area

Bldg. 88512
Ellsworth AFB
Ellsworth AFB Co: Meade SD 57706–
Landholding Agency: Air Force
Property Number: 18200110008
Status: Unutilized
Reason: Secured Area

Sundance Nuclear Reactor Site
Ellsworth AFB
Warren Peak Co: Crook SD 57706–
Landholding Agency: Air Force
Property Number: 18200110009
Status: Unutilized
Reason: Secured Area

Mobile Home
Tract L–1295
Oahe Dam
Potter Co: SD 00000–
Landholding Agency: COE
Property Number: 31200030001
Status: Excess
Reason: Extensive deterioration

Tennessee

Bldg. 204

Cordell Hull Lake and Dam Project.
Defeated Creek Recreation Area
Carthage Co: Smith TN 37030–
Location: US Highway 85
Landholding Agency: COE
Property Number: 31199011499
Status: Unutilized
Reason: Floodway

Tract 2618 (Portion)
Cordell Hull Lake and Dam Project
Roaring River Recreation Area
Gainesboro Co: Jackson TN 38562–
Location: TN Highway 135
Landholding Agency: COE
Property Number: 31199011503
Status: Underutilized
Reason: Floodway

Water Treatment Plant
Dale Hollow Lake & Dam Project
Obey River Park, State Hwy 42
Livingston Co: Clay TN 38351–
Landholding Agency: COE
Property Number: 31199140011
Status: Excess
Reason: Water treatment plant

Water Treatment Plant
Dale Hollow Lake & Dam Project
Lillydale Recreation Area, State Hwy 53
Livingston Co: Clay TN 38351–
Landholding Agency: COE
Property Number: 31199140012
Status: Excess
Reason: Water treatment plant

Water Treatment Plant
Dale Hollow Lake & Dam Project
Willow Grove Recreational Area, Hwy No. 53
Livingston Co: Clay TN 38351–
Landholding Agency: COE
Property Number: 31199140013
Status: Excess
Reason: Water treatment plant

Utah

Bldg. 789
Hill Air Force Base
(See County) Co: Davis UT 84056–
Landholding Agency: Air Force
Property Number: 18199040859
Status: Unutilized
Reasons: Within airport runway clear zone, Secured Area

Vermont

Facility 100
Burlington IAP
Burlington Co: Chittenden VT 05403–5872
Landholding Agency: Air Force
Property Number: 18199730008
Status: Excess
Reason: Within 2000 ft. of flammable or explosive material

Facility 110
Burlington IAP
Burlington Co: Chittenden VT 05403–5872
Landholding Agency: Air Force
Property Number: 18200030016
Status: Excess
Reason: Within 2000 ft. of flammable or explosive material

Virginia

Bldg. 417
Camp Pendleton
Virginia Beach VA 23451–
Landholding Agency: Air Force
Property Number: 18199710003
Status: Unutilized
Reason: Extensive deterioration

Bldg. 418
Camp Pendleton
Virginia Beach VA 23451–
Landholding Agency: Air Force
Property Number: 18199710004
Status: Unutilized
Reason: Extensive deterioration

Washington

Bldg. 100, Geiger Heights
Grove and Hallet Streets
Fairchild AFB Co: Spokane WA 99204–
Landholding Agency: Air Force
Property Number: 18199210004
Status: Unutilized
Reason: Extensive deterioration

Bldg. 2000
Fairchild Air Force Base
Fairchild AFB Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 18199310058
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 2450
Fairchild Air Force Base
Fairchild AFB Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 18199310065
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 1, Waste Annex
West of Craig Road
Co: Spokane WA 99022–
Landholding Agency: Air Force
Property Number: 18199320043
Status: Unutilized
Reason: Secured Area

Bldgs. 109, 117
Fairchild AFB
Cheney Annex
Cheney Co: Spokane WA 99004–
Landholding Agency: Air Force
Property Number: 18200210007
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material

Bldgs. 110, 116, 126
Fairchild AFB
Cheney Annex
Cheney Co: Spokane WA 99004–
Landholding Agency: Air Force
Property Number: 18200210008
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material

Bldgs. 125, 203
Fairchild AFB
Cheney Annex
Cheney Co: Spokane WA 99004–
Landholding Agency: Air Force
Property Number: 18200210009
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material

Bldg. 204
Fairchild AFB
Cheney Annex
Cheney Co: Spokane WA 99004–
Landholding Agency: Air Force
Property Number: 18200210010
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material

Bldgs. 207, 213
Fairchild AFB
Cheney Annex
Cheney Co: Spokane WA 99004–
Landholding Agency: Air Force
Property Number: 18200210011
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material

Bldgs. 208, 214
Fairchild AFB
Cheney Annex
Cheney Co: Spokane WA 99004–
Landholding Agency: Air Force
Property Number: 18200210012
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material

Bldgs. 809, 817
Fairchild AFB
Cheney Annex
Cheney Co: Spokane WA 99004–
Landholding Agency: Air Force
Property Number: 18200210013
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material

Bldgs. 810, 818
Fairchild AFB
Cheney Annex
Cheney Co: Spokane WA 99004–
Landholding Agency: Air Force
Property Number: 18200210014
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material

Wyoming

Bldg. 31
F.E. Warren Air Force Base
Cheyenne Co: Laramie WY 82005–
Landholding Agency: Air Force
Property Number: 18199010198
Status: Unutilized
Reason: Secured Area

Bldg. 284
F.E. Warren Air Force Base
Cheyenne Co: Laramie WY 82005–
Landholding Agency: Air Force
Property Number: 18199010201
Status: Unutilized
Reason: Secured Area

Bldg. 385
F.E. Warren Air Force Base
Cheyenne Co: Laramie WY 82005–
Landholding Agency: Air Force
Property Number: 18199010202
Status: Unutilized
Reason: Secured Area

Bldg. 919
F.E. Warren AFB
Cheyenne Co: Laramie WY 82005–5000
Landholding Agency: Air Force
Property Number: 18199930015
Status: Unutilized
Reason: Secured Area

Bldg. 39
F.E. Warren AFB
Cheyenne Co: Laramie WY 82005–2788
Landholding Agency: Air Force
Property Number: 18200110010
Status: Unutilized

Reason: Secured Area

Bldg. 400
F.E. Warren AFB
Cheyenne Co: Laramie WY 82005–2788
Landholding Agency: Air Force
Property Number: 18200110011
Status: Unutilized
Reason: Secured Area

Bldg. 2110
F.E. Warren AFB
Cheyenne Co: Laramie WY 82005–5000
Landholding Agency: Air Force
Property Number: 18200120010
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Bldg. 607
F.E. Warren AFB
Cheyenne Co: Laramie WY 82005–5000
Landholding Agency: Air Force
Property Number: 18200130016
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Land (by State)

Alaska

Campion Air Force Station 21 CSG–DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010430
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Isolated and remote area; Arctic environ

Lake Louise Recreation
21 CSG–DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010431
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Isolated and remote area; Arctic coast

Nikolski Radio Relay Site
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010432
Status: Unutilized
Reasons: Isolated area, Not accessible by road, Isolated and remote area; Arctic coast

Florida

Land
MacDill Air Force Base
6601 S. Manhattan Avenue
Tampa Co: Hillsborough FL 33608–
Landholding Agency: Air Force
Property Number: 18199030003
Status: Excess
Reason: Floodway

Kentucky

Tract 4626
Barkley, Lake, Kentucky and Tennessee
Donaldson Creek Launching Area
Cadiz Co: Trigg KY 42211–
Location: 14 miles from US Highway 68
Landholding Agency: COE
Property Number: 31199010030
Status: Underutilized
Reason: Floodway

Tract AA–2747
Wolf Creek Dam and Lake Cumberland
US HWY. 27 to Blue John Road
Burnside Co: Pulaski KY 42519–
Landholding Agency: COE
Property Number: 31199010038
Status: Underutilized
Reason: Floodway

Tract AA–2726
Wolf Creek Dam and Lake Cumberland
KY HWY. 80 to Route 769
Burnside Co: Pulaski KY 42519–
Landholding Agency: COE
Property Number: 31199010039
Status: Underutilized
Reason: Floodway

Tract 1358
Barkley Lake, Kentucky and Tennessee
Eddyville Recreation Area
Eddyville Co: Lyon KY 42038–
Location: US Highway 62 to state highway 93
Landholding Agency: COE
Property Number: 31199010043
Status: Excess
Reason: Floodway

Red River Lake Project
Stanton Co: Powell KY 40380–
Location: Exit Mr. Parkway at the Stanton and Slade Interchange, then take SR Hand 15 north to SR 613
Landholding Agency: COE
Property Number: 31199011684
Status: Unutilized
Reason: Floodway

Barren River Lock & Dam No. 1
Richardsville Co: Warren KY 42270–
Landholding Agency: COE
Property Number: 31199120008
Status: Unutilized
Reason: Floodway

Green River Lock & Dam No. 3
Rochester Co: Butler KY 42273–
Location: Off State Hwy. 369, which runs off of Western Ky. Parkway
Landholding Agency: COE
Property Number: 31199120009
Status: Unutilized
Reason: Floodway

Green River Lock & Dam No. 4
Woodbury Co: Butler KY 42288–
Location: Off State Hwy 403, which is off State Hwy 231
Landholding Agency: COE
Property Number: 31199120014
Status: Underutilized
Reason: Floodway

Green River Lock & Dam No. 5
Readville Co: Butler KY 42275–
Location: Off State Highway 185
Landholding Agency: COE
Property Number: 31199120015
Status: Unutilized
Reason: Floodway

Green River Lock & Dam No. 6
Brownsville Co: Edmonson KY 42210–
Location: Off State Highway 259
Landholding Agency: COE
Property Number: 31199120016
Status: Underutilized
Reason: Floodway

Vacant land west of locksite
Greenup Locks and Dam
5121 New Dam Road
Rural Co: Greenup KY 41144–
Landholding Agency: COE
Property Number: 31199120017
Status: Unutilized
Reason: Floodway

Maryland

Land
Brandywine Storage Annex
1776 ABW/DE Brandywine Road, Route 381
Andrews AFB Co: Prince Georges MD 20613–
Landholding Agency: Air Force
Property Number: 18199010263
Status: Unutilized
Reason: Secured Area

Tract 131R
Youghiogheny River Lake, Rt. 2, Box 100
Friendsville Co: Garrett MD
Landholding Agency: COE
Property Number: 31199240007
Status: Underutilized
Reason: Floodway

Minnesota

Parcel G
Pine River
Cross Lake Co: Crow Wing MN 56442–
Location: 3 miles from city of Cross Lake between highways 6 and 371.
Landholding Agency: COE
Property Number: 31199011037
Status: Excess
Reason: Highway right of way

Mississippi

Parcel 1
Grenada Lake
Section 20
Grenada Co: Grenada MS 38901–0903
Landholding Agency: COE
Property Number: 31199011018
Status: Underutilized
Reason: Within airport runway clear zone

Missouri

Ditch 19, Item 2, Tract No. 230
St. Francis Basin Project
2½ miles west of Malden
Co: Dunklin MO
Landholding Agency: COE
Property Number: 31199130001
Status: Unutilized
Reason: Floodway

New Mexico

Facility 75100
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199240043
Status: Unutilized
Reason: Secured Area

North Carolina

0.52 acres
Summerall TACAN Annex
Seymour Johnson AFB
Wayne Co: NC 27530–
Landholding Agency: Air Force
Property Number: 18200020008
Status: Unutilized
Reason: Within airport runway clear zone

1.84 acres
Neuse Middle Marker Annex
Seymour Johnson AFB
Wayne Co: NC 27531–
Landholding Agency: Air Force
Property Number: 18200120011
Status: Unutilized

Reasons: Floodway, inaccessible

North Dakota

0.23 acres
Minot Middle Marker Annex
Co: Ward ND 58705–
Landholding Agency: Air Force
Property Number: 18199810001
Status: Unutilized
Reason: Within airport runway clear zone

Ohio

Mosquito Creek Lake
Everett Hull Road Boat Launch
Cortland Co: Trumbull OH 44410–9321
Landholding Agency: COE
Property Number: 31199440007
Status: Underutilized
Reason: Floodway

Mosquito Creek Lake
Housel—Craft Rd., Boat Launch
Cortland Co: Trumbull OH 44410–9321
Landholding Agency: COE
Property Number: 31199440008
Status: Underutilized
Reason: Floodway

36 Site Campground
German Church Campground
Berlin Center Co: Portage OH 44401–9707
Landholding Agency: COE
Property Number: 31199810001
Status: Unutilized
Reason: Floodway

Pennsylvania

Lock and Dam #7
Monongahela River
Greensboro Co: Greene PA
Location: Left hand side of entrance roadway to project
Landholding Agency: COE
Property Number: 31199011564
Status: Unutilized
Reason: Floodway

Mercer Recreation Area
Shenango Lake
Transfer Co: Mercer PA 16154–
Landholding Agency: COE
Property Number: 31199810002
Status: Unutilized
Reason: Floodway

Tract No. B–212C
Upstream from Gen. Jadwin Dam & Reservoir
Honesdale Co: Wayne PA 18431–
Landholding Agency: COE
Property Number: 31200020005
Status: Unutilized
Reason: Floodway

Puerto Rico

119.3 acres
Culebra Island PR 00775–
Landholding Agency: Interior
Property Number: 61199210001
Status: Excess
Reason: Floodway

South Dakota

Badlands Bomb Range
60 miles southeast of Rapid City, SD
1½ miles south of Highway 44 Co: Shannon SD
Landholding Agency: Air Force
Property Number: 18199210003
Status: Unutilized
Reason: Secured Area

Tennessee

Brooks Bend
Cordell Hull Dam and Reservoir
Highway 85 to Brooks Bend Road
Gainesboro Co: Jackson TN 38562–
Location: Tracts 800, 802–806, 835–837, 900–902, 1000–1003, 1025
Landholding Agency: COE
Property Number: 21199040413
Status: Underutilized
Reason: Floodway

Cheatham Lock and Dam
Highway 12
Ashland City Co: Cheatham TN 37015–
Location: Tracts E–513, E–512–1 and E–512–2
Landholding Agency: COE
Property Number: 21199040415
Status: Underutilized
Reason: Floodway

Tract 6737
Blue Creek Recreation Area
Barkley Lake, Kentucky and Tennessee
Dover Co: Stewart TN 37058–
Location: U.S. Highway 79/TN Highway 761
Landholding Agency: COE
Property Number: 31199011478
Status: Underutilized
Reason: Floodway

Tracts 3102, 3105, and 3106
Brimstone Launching Area
Cordell Hull Lake and Dam Project
Gainesboro Co: Jackson TN 38562–
Location: Big Bottom Road
Landholding Agency: COE
Property Number: 31199011479
Status: Excess
Reason: Floodway

Tract 3507
Proctor Site
Cordell Hull Lake and Dam Project
Celina Co: Clay TN 38551–
Location: TN Highway 52
Landholding Agency: COE
Property Number: 31199011480
Status: Unutilized
Reason: Floodway

Tract 3721
Obey
Cordell Hull Lake and Dam Project
Celina Co: Clay TN 38551–
Location: TN Highway 53
Landholding Agency: COE
Property Number: 31199011481
Status: Unutilized
Reason: Floodway

Tracts 608, 609, 611 and 612
Sullivan Bend Launching Area
Cordell Hull Lake and Dam Project
Carthage Co: Smith TN 37030–
Location: Sullivan Bend Road
Landholding Agency: COE
Property Number: 31199011482
Status: Underutilized
Reason: Floodway

Tract 920
Indian Creek Camping Area
Cordell Hull Lake and Dam Project
Granville Co: Smith TN 38564–
Location: TN Highway 53
Landholding Agency: COE
Property Number: 31199011483
Status: Underutilized
Reason: Floodway

Tracts 1710, 1716 and 1703
Flynns Lick Launching Ramp
Cordell Hull Lake and Dam Project
Gainesboro Co: Jackson TN 38562–
Location: Whites Bend Road
Landholding Agency: COE
Property Number: 31199011484
Status: Underutilized
Reason: Floodway

Tract 1810
Wartrace Creek Launching Ramp
Cordell Hull Lake and Dam Project
Gainesboro Co: Jackson TN 38551–
Location: TN Highway 85
Landholding Agency: COE
Property Number: 31199011485
Status: Underutilized
Reason: Floodway

Tract 2524
Jennings Creek
Cordell Hull Lake and Dam Project
Gainesboro Co: Jackson TN 38562–
Location: TN Highway 85
Landholding Agency: COE
Property Number: 31199011486
Status: Unutilized
Reason: Floodway

Tracts 2905 and 2907
Webster
Cordell Hull Lake and Dam Project
Gainesboro Co: Jackson TN 38551–
Location: Big Bottom Road
Landholding Agency: COE
Property Number: 31199011487
Status: Unutilized
Reason: Floodway

Tracts 2200 and 2201
Gainesboro Airport
Cordell Hull Lake and Dam Project
Gainesboro Co: Jackson TN 38562–
Location: Big Bottom Road
Landholding Agency: COE
Property Number: 31199011488
Status: Underutilized
Reasons: Within airport runway clear zone, Floodway

Tracts 710C and 712C
Sullivan Island
Cordell Hull Lake and Dam Project
Carthage Co: Smith TN 37030–
Location: Sullivan Bend Road
Landholding Agency: COE
Property Number: 31199011489
Status: Unutilized
Reason: Floodway

Tract 2403, Hensley Creek
Cordell Hull Lake and Dam Project
Gainesboro Co: Jackson TN 38562–
Location: TN Highway 85
Landholding Agency: COE
Property Number: 31199011490
Status: Unutilized
Reason: Floodway

Tracts 2117C, 2118 and 2120
Cordell Hull Lake and Dam Project
Trace Creek
Gainesboro Co: Jackson TN 38562–
Location: Brooks Ferry Road
Landholding Agency: COE
Property Number: 31199011491
Status: Unutilized
Reason: Floodway

Tracts 424, 425 and 426
Cordell Hull Lake and Dam Project

Stone Bridge
Carthage Co: Smith TN 37030–
Location: Sullivan Bend Road
Landholding Agency: COE
Property Number: 31199011492
Status: Unutilized
Reason: Floodway

Tract 517
J. Percy Priest Dam and Reservoir
Suggs Creek Embayment
Nashville Co: Davidson TN 37214–
Location: Interstate 40 to S. Mount Juliet Road.
Landholding Agency: COE
Property Number: 31199011493
Status: Underutilized
Reason: Floodway

Tract 1811
West Fork Launching Area
Smyrna Co: Rutherford TN 37167–
Location: Florence Road near Enon Springs Road
Landholding Agency: COE
Property Number: 31199011494
Status: Underutilized
Reason: Floodway

Tract 1504
J. Perry Priest Dam and Reservoir
Lamon Hill Recreation Area
Smyrna Co: Rutherford TN 37167–
Location: Lamon Road
Landholding Agency: COE
Property Number: 31199011495
Status: Underutilized
Reason: Floodway

Tract 1500
J. Perry Priest Dam and Reservoir
Pools Knob Recreation
Smyrna Co: Rutherford TN 37167–
Location: Jones Mill Road
Landholding Agency: COE
Property Number: 31199011496
Status: Underutilized
Reason: Floodway

Tracts 245, 257, and 256
J. Perry Priest Dam and Reservoir
Cook Recreation Area
Nashville Co: Davidson TN 37214–
Location: 2.2 miles south of Interstate 40 near Saunders Ferry Pike.
Landholding Agency: COE
Property Number: 31199011497
Status: Underutilized
Reason: Floodway

Tracts 107, 109 and 110
Cordell Hull Lake and Dam Project
Two Prong
Carthage Co: Smith TN 37030–
Location: US Highway 85
Landholding Agency: COE
Property Number: 31199011498
Status: Unutilized
Reason: Floodway

Tracts 2919 and 2929
Cordell Hull Lake and Dam Project
Sugar Creek
Gainesboro Co: Jackson TN 38562–
Location: Sugar Creek Road
Landholding Agency: COE
Property Number: 31199011500
Status: Unutilized
Reason: Floodway

Tracts 1218 and 1204
Cordell Hull Lake and Dam Project
Granville—Alvin Yourk Road
Granville Co: Jackson TN 38564–
Landholding Agency: COE
Property Number: 31199011501
Status: Unutilized
Reason: Floodway

Tract 2100
Cordell Hull Lake and Dam Project
Galbreaths Branch
Gainesboro Co: Jackson TN 38562–
Location: TN Highway 53
Landholding Agency: COE
Property Number: 31199011502
Status: Unutilized
Reason: Floodway

Tract 104 et. al.
Cordell Hull Lake and Dam Project
Horshoe Bend Launching Area
Carthage Co: Smith TN 37030–
Location: Highway 70 N
Landholding Agency: COE
Property Number: 31199011504
Status: Underutilized
Reason: Floodway

Tracts 510, 511, 513 and 514
J. Percy Priest Dam and Reservoir Project
Lebanon Co: Wilson TN 37087–
Location: Vivrett Creek Launching Area, Alvin Sperry Road
Landholding Agency: COE
Property Number: 31199120007
Status: Underutilized
Reason: Floodway

Tract A–142, Old Hickory Beach
Old Hickory Blvd.
Old Hickory Co: Davidson TN 37138–
Landholding Agency: COE
Property Number: 31199130008
Status: Underutilized
Reason: Floodway

Tract D, 7 acres
Cheatham Lock & Dam
Nashville Co: Davidson TN 37207–
Landholding Agency: COE
Property Number: 31200020006
Status: Underutilized
Reason: Floodway

Texas

Tracts 104, 105–1, 105–2 & 118
Joe Pool Lake
Co: Dallas TX
Landholding Agency: COE
Property Number: 31199010397
Status: Underutilized
Reason: Floodway

Part of Tract 201–3
Joe Pool Lake
Co: Dallas TX
Landholding Agency: COE
Property Number: 31199010398
Status: Underutilized
Reason: Floodway

Part of Tract 323
Joe Pool Lake
Co: Dallas TX
Landholding Agency: COE
Property Number: 31199010399
Status: Underutilized
Reason: Floodway

Tract 702–3
Granger Lake
Route 1, Box 172
Granger Co: Williamson TX 76530–9801
Landholding Agency: COE
Property Number: 31199010401
Status: Unutilized
Reason: Floodway

Tract 706
Granger Lake
Route 1, Box 172
Granger Co: Williamson TX 76530–9801
Landholding Agency: COE
Property Number: 31199010402
Status: Unutilized
Reason: Floodway

Utah

10.24 acres
Southern Utah Communication Site
Salt Lake UT
Landholding Agency: Air Force
Property Number: 18199810002
Status: Unutilized
Reason: Inaccessible

Washington

Fairchild AFB
SE corner of base
Fairchild AFB Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 18199010137
Status: Unutilized
Reason: Secured Area

Fairchild AFB
Fairchild AFB Co: Spokane WA 99011–
Location: NW corner of base
Landholding Agency: Air Force
Property Number: 18199010138
Status: Unutilized
Reason: Secured Area

West Virginia

Morgantown Lock and Dam
Box 3 RD # 2
Morgantown Co: Monongahelia WV 26505–
Landholding Agency: COE
Property Number: 31199011530
Status: Unutilized
Reason: Floodway

London Lock and Dam
Route 60 East
Rural Co: Kanawha WV 25126–
Location: 20 miles east of Charleston, W. Virginia.
Landholding Agency: COE
Property Number: 31199011690
Status: Unutilized
Reason: .03 acres; very narrow strip of land

Portion of Tract #101
Buckeye Creek
Sutton Co: Braxton WV 26601–
Landholding Agency: COE
Property Number: 31199810006
Status: Excess
Reason: Inaccessible

[FR Doc. 02–4715 Filed 2–28–02; 8:45 am]

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Federal Register

Friday,
March 1, 2002

Part III

Department of Commerce

Economic Development Administration

Economic Development Assistance Programs—Availability of Funds Under the Public Works and Economic Development Act of 1965, as Amended and the Trade Act of 1974, as Amended; Notice

DEPARTMENT OF COMMERCE

Economic Development Adminstration

[Docket No. 991215339–2014–03]

RIN–0610–ZA14

Economic Development Assistance Programs—Availability of Funds Under the Public Works and Economic Development Act of 1965, as Amended and the Trade Act of 1974, as Amended

AGENCY: Economic Development Administration (EDA), Department of Commerce (DOC).

ACTION: Notice of Funding Availability (NOFA).

SUMMARY: The role of government is to create conditions in which jobs are created, and in which people can find work. The Economic Development Administration (EDA) announces general policies and application procedures for investments that will help our partners across the nation (states, regions and communities) create wealth and minimize poverty by promoting a favorable business environment to attract private capital investment and high skill, high wage jobs through world-class capacity building, infrastructure, business assistance, research grants and strategic initiatives. EDA will fulfill this mission by promoting progressive domestic business policies and growth, and by assisting states, communities, and individuals to achieve their highest economic potential.

DATES: Unless otherwise noted below, proposals are accepted on a continuing basis and applications are invited and processed as received. Normally, two months are required for a final decision after the receipt of a completed application invited by EDA that meets all requirements.

ADDRESSES: Addresses for EDA's six regional offices and Washington, DC, office are provided in Part XVI. Addresses for Economic Development Representatives (EDRs) are listed under each regional office.

FOR FURTHER INFORMATION CONTACT: For national technical assistance, research, and trade adjustment assistance investments, please contact the appropriate program office as shown in Parts X, XII, and XIII, respectively. For community and regional economic development investments, contact EDA's regional office or the EDR for your area as shown in Part XVI.

SUPPLEMENTARY INFORMATION:

I. Funding Availability

Funding appropriated under Public Law 107–77 is available for economic development assistance programs authorized by the Public Works and Economic Development Act of 1965, as amended (Public Law 89–136, 42 U.S.C. 3121, et seq and as further amended by Public Law 105–393) and for trade adjustment assistance authorized under Title II, Chapters 3 and 5 of the Trade Act of 1974, as amended, (19 U.S.C. 2341–2355; 2391) (Trade Act), as amended by Public Law 105–119. Funds in the amount of $335,000,000 have been appropriated for FY 2002 and shall remain available until expended.

EDA receives and processes requests for funding on an ongoing basis, and has begun processing requests under the FY 2002 appropriation. New requests submitted that require approval during this fiscal year will face substantial competition. EDA will focus on outcomes such as value-added employment and private sector investment.

II. Authority

The authority for programs listed below in Parts VIII through XII is the Public Works and Economic Development Act of 1965, as amended (Public Law 89–136, 42 U.S.C. 3121, *et seq.*) and as further amended by Public Law 105–393. The authority for the program listed in Part XIII is Title II Chapters 3 and 5 of the Trade Act of 1974, as amended by Public Law 93–618, 98–120, 98–369, 99–272, 99–514, 100–418, 103–66, 105–277; (19 U.S.C. 2341–2391) (Trade Act).

III. Eligibility

Eligible recipients of EDA financial assistance are defined at 13 CFR 300.2 and eligible applicants are specified at 13 CFR 301.1. An ''area'' is an eligible recipient and is defined at 13 CFR 301.2. One category of the areas eligible for financial assistance are those areas meeting the ''special needs'' criteria. The special needs criteria are published each year by this notice and are provided at Part XV.

IV. Proposal Format

Preapplication proposals must be submitted on EDA's Preapplication for Federal Assistance, Form ED–900P. This form contains both questions and a narrative statement. The narrative statement need not exceed four pages. The narrative statement must address the following topics in the order listed:

1. Project Area
2. Project Description
3. Proponent's Capability
4. Problem
5. Project Impact
6. Project Beneficiaries
7. Civil Rights Issues
8. Funding
9. Identify Sources of Non-EDA Funding
10. Title/Ownership/Operation and Maintenance (Construction Projects)
11. Environmental Issues

Proposals for Public Works and Economic Development Facilities assistance and Economic Adjustment assistance must also include Form ED–900P, Exhibit A, Area Eligibility for Grants under 13 CFR parts 305 (Public Works) and 308 (Economic Adjustment) and the necessary documentation and narrative statement.

Proposals for projects on which EDA is requested to fund more than 50 percent of project costs may be required to include Form ED–900P, Exhibit B, EDA Grant Rate Determination, and the necessary documentation and narrative statement.

An original and two copies must be submitted to the appropriate Economic Development Representative or regional office.

Unless otherwise provided herein, eligibility, program objectives, application procedures, selection process, evaluation criteria and other requirements for all programs are set forth in EDA regulations at 13 CFR chapter III and applicants must address those requirements. The Department of Commerce Pre-Award Notification Requirements for Grants and Cooperative Agreements contained in the **Federal Register** notice of October 1, 2001 (66 FR 49917) is incorporated by reference into this notice and is available on EDA's Web site (www.eda.doc.gov). However, please note that the Department of Commerce will not implement the requirements of Executive Order 13202 (66 FR 49921), pursuant to guidance issued by the Office of Management and Budget in light of a court opinion which found that the Executive Order was not legally authorized. *See Building and Construction Trades Department* v. *Allbaugh*, 172 F. Supp. 2d 138 (D.D.C. 2001). This decision is currently on appeal. When the case has been finally resolved, the Department will provide further information on implementation of Executive Order 13202.

For Public Works (13 CFR Part 305) and Economic Adjustment Investments (13 CFR part 308) (CFDA No. 11.300 and 11.307 respectively), EDA reviews area eligibility at the time an application is invited and again at the time an application is received. This review is

based on the most recent Federal data available for the area where the project will be located or where the substantial direct benefits will be received. If no Federal data are available to determine eligibility, an applicant must submit to EDA the most recent data available for the area through the government of the state in which the area is located, i.e., conducted by or at the direction of the state government. Other data may be submitted, as appropriate, to substantiate eligibility based on ''special need'' (see Part XV of this notice). Project areas must be eligible on the date of receipt of the application. In the case of any application received by EDA more than six months prior to the time of award, EDA will reevaluate the project to determine that the area remains eligible for EDA assistance before making the award. EDA will reject any documentation of eligibility that it determines is inaccurate and the application may be rejected.

V. General Policies

EDA encourages only those investment proposals that will significantly benefit areas experiencing or threatened with substantial economic distress. Distress may exist in a variety of forms, including, but not limited to: High levels of unemployment, low income levels, large concentrations of low-income families, significant declines in per capita income, substantial loss of population because of the lack of employment opportunities, large numbers (or high rates) of business failures, sudden major layoffs or plant closures, military base closures, natural or other major disasters, depletion of natural resources, and/or reduced tax bases.

Communities affected by the 1988, 1991, 1993 or 1995 Base Realignment and Closure (BRAC) actions, and which qualify for either regular Public Works or regular Economic Adjustment funding, may apply for investments under one or both of those programs. EDA anticipates that construction proposals would seek funding from the regular Public Works program and credit enhancement or other innovative financing proposals would compete under the regular Economic Adjustment authority.

Potential applicants are responsible for demonstrating to EDA, by providing statistics and other appropriate information, the nature and level of the distress their project efforts are intended to alleviate. EDA provides funding for eligible investment activities through direct grants and cooperative agreements. EDA is not authorized to provide grants directly to individuals or to other for-profit entities seeking to start or expand a business. Such requests may be referred to state or local agencies, or to non-profit economic development organizations serving the project area.

VI. Evaluation and Selection Process

To apply for an award under this notice, an eligible recipient must submit a pre-application proposal to the appropriate Economic Development Representative for the area or regional office. Each pre-application proposal is circulated by a project officer to the appropriate regional office staff for review, comments, and recommendations. When the necessary input and information are obtained, the pre-application proposal is considered by the regional office Investment Review Committee (IRC) made up of regional office staff. The IRC discusses the proposal and all pertinent documentation and evaluates it using the general evaluation criteria set forth at 13 CFR 304.1 and 304.2 as further defined by the Supplementary Evaluation Criteria set forth in this notice below, and the program specific criteria provided under 13 CFR 305.2 for Public Works, 13 CFR 306.2 for Planning Assistance, 13 CFR 307.2 for Technical Assistance, 13 CFR 307.6 for University Centers, 13 CFR 307.10 for National Technical Assistance, Training, Research, and Evaluation, and 13 CFR 308.2 and 308.4 for Economic Adjustment. In addition, each proposal is evaluated for consistency with the Funding Priorities set forth below. After completing its evaluation, the IRC recommends whether or not an application should be invited, documenting its recommendation in the meeting minutes and/or in the Investment Proposal Summary and Evaluation Form. The IRC action is reviewed at headquarters for quality assurance. After receiving quality control clearance, the Selecting Official (depending on the program, either the Regional Director or the Assistant Secretary) selects the applications to be invited. In the case of a continuation grant, no pre-application proposal is required. Proposals received after the date of this notice will be processed in accordance with the requirements set forth herein until the next annual NOFA is published.

Supplemental Evaluation Criteria

EDA will invest in applicants who are entrepreneurial in spirit and in action. Potential investments will be analyzed using the following seven supplemental evaluation criteria of approximate equal weight, which further define the criteria provided at 13 CFR 304.2:

1. Extent that proposed investments are market-based.
2. Extent that proposed investments are pro-active in nature and scope.
3. Extent that proposed investments look beyond the immediate economic horizon, anticipate economic changes, and diversify the local and regional economy.
4. Likelihood that proposed investments maximize the attraction of private sector investment and would not otherwise come to fruition absent EDA's investment.
5. Likelihood that proposed investments have a high probability of success.
6. Likelihood that proposed investments result in an environment where high skill, high wage jobs are created.
7. Likelihood that proposed investments maximize Return on Taxpayer Investment.

Funding Priorities

The Selecting Official considers the evaluations provided by the IRC and the degree to which one or more of the following funding priorities are included (or packaged together) in making his/her decisions as to which preapplication proposals should be invited. Highly rated pre-application proposals may or may not be invited to submit full applications based upon the following Funding Priorities:

A. Proposals that enhance regional competitiveness and support long-term development of the regional economy; for example:

1. Upgrade core business infrastructure
   a. Transportation infrastructure
   b. Communications infrastructure
   c. Specialized training program infrastructure
2. Reflect and implement a regional strategy that involves all stakeholders
   a. Support regional benchmarking initiatives;
   b. Encourage a common vision and collaboration among firms, universities, and training centers to implement a regional strategy;
   c. Reflect strong leadership committed to regional economic development; and
   d. Encourage a formal organization structure and process for working on economic issues and maintaining consensus.
3. Encourage cluster development
   a. Establish research and industrial parks that encourage innovation-based competition; and
   b. Implement cluster-focused and innovation-focused business development efforts.

B. Proposals to help communities plan and implement economic adjustment strategies in response to sudden and severe economic dislocations (e.g., major lay-offs and/or plant closures, trade impacts, defense restructuring, or disasters).

C. Proposals that support technology-led economic development; for example, proposals that:

1. Reflect the important role of research and development capacity of universities in regional economic development; and

2. Create and support technology transfers.

D. Proposals that advance community and faith-based social entrepreneurship in redevelopment strategies for areas of chronic economic distress.

VII. Process for Invited Applications and Awards

If the Selecting Official declines to invite a full application, he/she provides written notice to the applicant. If an application has been invited by the Selecting Official, it is reviewed by EDA program officials to determine whether it contains any deficiencies under EDA regulations at 13 CFR chapter III and the requirements of this notice. If deficiencies are noted, the applicant is provided a written request to amend the application to resolve any deficiencies. If deficiencies are not resolved 30 days after receipt of the written notice, the application may be rejected. If the full application is accepted, the recipient and EDR are notified and it is forwarded for final reviews and processing in accordance with EDA and DOC procedures.

VIII. Program: Public Works and Economic Development Facilities Assistance—(Pub. L. 89–136, as amended by Pub. L. 105–393, 42 U.S.C. 3141)

(Catalog of Federal Domestic Assistance: 11.300 Economic Development-Grants for Public Works and Economic Development Facilities)

Funds in the amount of $250,000,000 have been appropriated for this program. The average funding level for an investment in FY 2001 was $1,007,300. This amount is not intended to restrict the size of future awards.

EDA will provide Public Works investments to support the construction or rehabilitation of essential public infrastructure and development facilities necessary to generate private sector jobs and investment, including investments that support technology-led development, redevelopment of brownfield sites, and eco-industrial development.

IX. Program: Planning—Planning Assistance for Economic Development Districts, Indian Tribes, States, and Other Planning Organizations—(Pub. L. 89–136, as amended by Pub. L. 105–393, 42 U.S.C. 3143)

(Catalog of Federal Domestic Assistance: 11.302 Economic Development—Support for Planning Organizations)

Funds in the amount of $24,000,000 have been appropriated for the Planning Program. In FY 2001, the average Economic Development District planning investment was $55,500; the average Indian planning investment was $46,000; and the average state and other planning organization investment was $68,800. These amounts are not intended to restrict the size of future awards. EDA expects the majority of planning funds will be used for support to existing Economic Development District and Indian Tribe grantees. Continuation grants are not competed. Any new planning grants shall be solicited and evaluated in compliance with this notice.

X. Program: Technical Assistance-Local Technical Assistance; National Technical Assistance; and University Centers—(Pub. L. 89–136, as amended by Pub. L. 105–393, 42 U.S.C. 3147)

(Catalog of Federal Domestic Assistance: 11.303 Economic Development-Technical Assistance)

Funds in the amount of $9,100,000 have been appropriated for the Technical Assistance programs of which approximately $1,500,000 is available for the Local Technical Assistance program; $1,101,000 for the National Technical Assistance program; and $6,499,000 for the University Center program. The average funding level in FY 2001 for Local Technical Assistance investments was $31,000; for National Technical Assistance investments, $108,000; and for University Center investments, the typical range was $75,000 to $110,000. These amounts are not intended to restrict the size of future awards.

EDA expects that most University Center funds will be used for support to existing University Centers. Continuation grants are not competed. Any new University Centers shall be evaluated and selected in compliance with this notice.

A separate **Federal Register** Notice will set forth the specific funding priorities, application process, and time frames for certain National Technical Assistance projects.

XI. Program: Economic Adjustment Assistance—(Pub. L. 89–136, as amended by Pub. L. 105–393, 42 U.S.C. 3149)

(Catalog of Federal Domestic Assistance: 11.307 Economic Adjustment Assistance)

Funds in the amount of $40,900,000 have been appropriated for funding under the Economic Adjustment Assistance program. Of this amount, $13,500,000 is available for economic adjustment projects located in regions impacted by coal industry downsizing and timber industry issues and $3,400,000 is available to respond to regionally significant economic transitions involving actual or threatened sudden and severe job dislocation.

The $3,400,000 will be used to: (1) address the immediate needs of businesses and communities presently undergoing transition due to a sudden and severe job loss; and (2) demonstrate new and proactive approaches for economic competitiveness and innovative capacity for threatened regions and communities.

The average funding level for an Economic Adjustment investment in FY 2001 was $281,000. This amount is not intended to restrict the size of future awards.

XII. Program: Research and Evaluation—(Pub. L. 89–136, as amended by Pub. L. 105–393, 42 U.S.C. 3147)

(Catalog of Federal Domestic Assistance: 11.312 Economic Development—Research and Evaluation Program)

Funds in the amount of $500,000 have been appropriated for this program. The average funding level for an investment in FY 2001 was $43,000. This amount is not intended to restrict the size of future awards.

A separate **Federal Register** Notice will set forth the application process, specific funding priorities, and time frames for certain research and evaluation investments. For further information, contact: John J. McNamee, Director, Research and National Technical Assistance Division, Economic Development Administration, Room 7019, U.S. Department of Commerce, Washington, DC 20230, Telephone: (202) 482–2309.

XIII. Program: Trade Adjustment Assistance—Title II Chapters 3 and 5 of the Trade Act of 1974, as amended by Pub. L. 93–618, 98–120, 98–369, 99–272, 99–514, 100–418, 103–66, 105–277; 19 U.S.C. 2341-2391)

(Catalog of Federal Domestic Assistance: 11.313 Economic Development—Trade Adjustment Assistance)

Funds in the amount of $10,500,000 have been appropriated for this program. EDA expects these funds will be used to support the existing network of Trade Adjustment Assistance Centers (TAACs). The average funding level for a TAAC in FY 2001 was $875,000. This amount is not intended to restrict the size of future awards. Continuation grants will not be competed. No new TAACs are expected this fiscal year. For further information on this program contact: Anthony J. Meyer, Coordinator, Trade Adjustment and Technical Assistance, Planning and Development Assistance Division, Economic Development Administration, Room 7317, U.S. Department of Commerce, Washington, DC 20230, Telephone: (202) 482–2127.

XIV. Other Information and Requirements

EDA regulations at 13 CFR chapter III are available on the EDA Web site *www.doc.gov/eda.* The Department of Commerce Pre-Award Notification Requirements for Grants and Cooperative Agreements contained in the **Federal Register** notice of October 1, 2001 (66 FR 49917) are applicable to this solicitation and can be found on EDA's Web site *www.doc.gov/eda.* Certain Departmental and other requirements are noted below:

A. Projects are expected to be completed in a timely manner consistent with the nature of the project. For Public Works and most Economic Adjustment implementation investments, the maximum period for which assistance will be made available is generally not more than five years from the date of award.

B. Notwithstanding any other provision of law, no person is required to respond to, nor shall a 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 Office of Management and Budget (OMB) control number. This notice involves a collection of information requirements subject to the provisions of the PRA and has been approved by OMB under Control Number 0610–0094. The EDA preapplication (ED–900P) and application (ED–900A), which incorporates the SF–424, are the forms in the EDA application kit, approved under the aforementioned OMB control number.

C. The implementing regulations of the National Environmental Policy Act (NEPA) require EDA to provide public notice of the availability of project specific environmental documents such as environmental impact statements, environmental assessments, findings of no significant impact, records of decision etc., to the affected public as specified in 40 CFR 1506.6(b).

Depending on the project location, environmental information concerning specific projects can be obtained from the Regional Environmental Officer (REO) in the appropriate EDA regional office listed in Part XVI.

D. If an application is selected for funding, EDA has no obligation to provide any additional future funding in connection with an award. Renewal of an award to increase funding or extend the period of performance is at the sole discretion of EDA.

E. EDA will notify unsuccessful applicants in writing and unsuccessful applications will be maintained in the regional office files for not more than three years from the date of receipt.

F. EDA is committed to a policy of non-discrimination in the administration of all its programs.

G. EDA applications proposed for funding are subject to the requirements of Executive Order 12372, ''Intergovernmental Review of Federal Programs,'' as referenced in EDA's regulations at 13 CFR chapter III.

H. This Notice has been determined to be ''not significant'' for purposes of Executive Order 12866.

I. It has been determined that this notice does not contain policies with Federalism implications as that term is defined in Executive Order 13132.

J. Because notice and comment are not required under 5 U.S.C. 553, or any other law, for this notice relating to public property, loans, grants benefits or contracts (5 U.S.C. 553(a)), a Regulatory Flexibility Analysis is not required and has not been prepared for this notice, 5 U.S.C. 601 *et seq.*

XV. Special Need Criteria

These criteria are published in accordance with 13 CFR 301.2 (h) and define what constitutes a special need sufficient to make an area eligible for Public Works and Economic Development Facilities assistance and Economic Adjustment assistance as described in Part III above. An area is eligible pursuant to ''Special Need'' (13 CFR 301.2 (b) (3)), if the area meets one of the criteria described below:

A. Closure or restructuring of industrial firms essential to area economies. An area has experienced either: (1) an actual closure or restructuring of a firm(s), within the past twelve months, resulting in sudden job losses and meeting the following dislocation criteria; or (2) a threat that results from a public announcement of an impending closure or restructuring of a firm(s), expected to occur within two years of application, and result in sudden job losses meeting the following dislocation criteria:

1. For areas over 100,000 population, the actual or threatened dislocation is 500 jobs, or 1 percent of the civilian labor force (CLF), whichever is less.

2. For areas up to 100,000 population, the actual or threatened dislocation is 200 jobs, or 1 percent of the CLF, whichever is less.

B. Substantial out-migration or population loss. Applicants seeking eligibility under this criterion will be asked to present appropriate and compelling economic and/or demographic data to demonstrate the special need.

C. Underemployment, that is, employment of workers at less than full time or at less skilled tasks than their training or abilities permit. Applicants seeking eligibility under this criterion will be asked to present appropriate and compelling economic and/or demographic data to demonstrate the special need.

D. Military base closures or realignments, defense contractor reductions-in-force, or Department of Energy defense-related funding reductions.

1. A military base closure refers to a military base that was closed or is scheduled for closure or realignment pursuant to a Base Realignment and Closure Act (BRAC) process or other Department of Defense (DoD) process. Unless further extended by the Assistant Secretary for Economic Development, the area is eligible from the date of Defense Department recommendation for closure until five years after the actual date of closing of the installation.

2. A defense contractor reduction-in-force refers to a defense contractor(s) experiencing defense contract cancellations or reductions resulting from official DoD announcements and having aggregate value of at least $10 million per year. Actual dislocations must have occurred within one year of application to EDA and threatened dislocations must be anticipated to occur within two years of application to EDA. Defense contracts that expire in

the normal course of business will not be considered in meeting this criterion.

3. A Department of Energy defense-related funding reduction refers to a Department of Energy facility that has experienced or will experience a reduction of employment resulting from its defense mission change. The area is eligible from the date of the Department of Energy announcement of reductions until five years after the actual date of reduced operations at the installation.

E. Natural or other major disasters or emergencies, including terrorist's attacks. Unless further extended by the Assistant Secretary, an area that has received one of the following disaster declarations is eligible to apply for EDA assistance for a period of 18 months after the date of declaration.

1. A Presidential Disaster Declaration pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended (Pub. L. 93–288), 42 U.S.C. 5121 et.seq), or

2. A Federally-Declared Disaster pursuant to the Magnuson-Stevens Fishery Conservation and Management Act (Pub. L. 94–265) as amended by the Sustainable Fisheries Act (Pub. L. 104–297), or

3. A Federal Declaration pursuant to the Consolidated Farm and Rural Development Act, as amended (Pub. L. 92–419, 96–438, 97–35, 98–258, 99–198, 100–233, 100–387, and 101–624), or

4. A Federally Declared Disaster pursuant to the Small Business Act, as amended (Pub. L. 85–536).

F. Extraordinary depletion of natural resources. EDA presently recognizes the following conditions of extraordinary natural resource depletion:

1. Fisheries
2. Coal
3. Timber

Modifications to the above listing of conditions of extraordinary natural resource depletion, as they may occur, will be announced in subsequent public notices.

G. Communities undergoing transition of their economic base as a result of changing trade patterns. An area certified as eligible by the North American Development Bank (NADBank) Program or the Community Adjustment and Investment Program (CAIP).

H. Other special need. The area is experiencing other special and/or extraordinary economic adjustment needs as determined by the Assistant Secretary.

The applicant will be asked to present appropriate economic or demographic statistics to demonstrate a special need.

XVI. EDA Regional Offices and Economic Development Representatives

EDA regional offices and the Economic Development Representatives and the areas served are listed below:

	States covered
ATLANTA REGIONAL OFFICE William J. Day, Jr., Regional Director 401 West Peachtree Street, N.W., Suite 1820 Atlanta, Georgia 30308–3510 Telephone: (404) 730–3002 Fax: (404) 730–3025 Internet Address: *wday1@eda.doc.gov*	
Economic Development Representatives	
Patterson, Gilbert, 401 West Peachtree Street, N.W., Suite 1820, Atlanta, GA 30308–3510; Telephone: (404) 730–3000; Internet Address: *gpatterson@eda.doc.gov*.	Mississippi.
Trader, Philip, 401 West Peachtree Street, N.W., Suite 1820, Atlanta, GA 30308–3510; Telephone: (404) 730–3017; Internet Address: *ptrader@eda.doc.gov*.	Georgia.
Hunter, Bobby D., 771 Corporate Drive, Suite 200, Lexington, KY 40503–5477; Telephone: (859) 224–7426; Internet Address: *bhunter@eda.doc.gov*.	Kentucky, North Carolina, (Western).
Dixon, Patricia M., U.S. Department of Commerce-EDA, P.O. Box 1707 Lugoff, SC 29078; Telephone: (803) 408–2513; Internet Address: *pdixon@eda.doc.gov*.	South Carolina, North Carolina, (Eastern).
Dennis, Bobby, 401 West Peachtree Street, N.W., Suite 1820, Atlanta; GA 30308–3510; Telephone: (404) 730–3020; Internet Address: *bdennis@eda.doc.gov*.	Alabama.
Taylor, Willie C., 401 West Peachtree Street, N.W., Suite 1820, Atlanta, GA 30308–3510; Telephone: (404) 730–3032; Internet Address: *wtaylor5@eda.doc.gov*.	Florida
Reed, Tonia, 401 West Peachtree Street, N.W., Suite 1820, Atlanta, Georgia 30308–3510; Telephone: (404) 730–3026; Internet Address: *treed@eda.doc.gov*.	Tennessee.
AUSTIN REGIONAL OFFICE Pedro R. Garza, Regional Director 327 Congress Avenue, Suite 200 Austin, Texas 78701–4037 Telephone: (512) 381–8144 Fax: (512) 381–8177 Internet Address: *pgarza@eda.doc.gov*	
Area Directors	
Ayala, Jorge D., Austin Regional Office, 327 Congress Avenue, Suite 200, Austin, TX 78701–4037; Telephone: (512) 381–8150; Internet Address: *jayala@eda.doc.gov*.	Arkansas, New Mexico, Oklahoma, Texas (North).
Frerking, Sharon T., Austin Regional Office, 327 Congress Avenue, Suite 200, Austin, Texas 78701–4037; Telephone: (512) 381–8176; Internet Address: *sfrerking@eda.doc.gov*.	Louisiana, Texas (South).
Economic Development Representatives	
Spearman, Sam, 700 West Capital, Room 2509, Little Rock, AR 72201; Telephone: (501) 324–5637; Internet Address: *sspearma@eda.doc.gov*.	Arkansas, New Mexico, Oklahoma, Texas (North).
Davidson-Ehlers, Pamela, 501 Magazine Street, Room 1025, New Orleans, LA 70130; Telephone: (504) 589–4179; Internet Address: *pdavidso@eda.doc.gov*.	Louisiana, Texas (South).

	States covered
CHICAGO REGIONAL OFFICE C. Robert Sawyer, Regional Director 111 North Canal Street, Suite 855 Chicago, IL 60606 Telephone: (312) 353–7706 Fax: (312) 353–8575 Internet Address: *rsawyer@eda.doc.gov*	
Economic Development Representatives	
Arnold, John B. III, 104 Federal Building, 515 West First Street, Duluth, MN 55802; Telephone: (888) 865–5719 (Illinois), (218) 720–5326 (Minnesota); Internet Address: *jarnold1@eda.doc.gov*.	Illinois, Minnesota.
Hickey, Robert F., Federal Building, Room 740, 200 North High Street, Columbus, Ohio 43215; Telephone: (800) 686–2603 (Indiana), (614) 469–7314 (Ohio); Internet Address: *rhickey@eda.doc.gov*.	Ohio, Indiana.
Peck, John E., P.O. Box 517, Acme, Michigan 49610–0517; Telephone: (231) 938–1712; Internet Address: *jpeck@eda.doc.gov*.	Michigan, Wisconsin.
DENVER REGIONAL OFFICE Anthony J. Preite, Regional Director 1244 Speer Boulevard, Room 670 Denver, Colorado 80204 Telephone: (303) 844–4715 Fax: (303) 844–3968 Internet Address: *apreite@eda.doc.gov*	
Economic Development Representatives	
Zender, John P., 1244 Speer Boulevard, Room 632, Denver, CO 80204; Telephone: (303) 844–4902; Internet Address: *jzender@eda.doc.gov*.	Colorado, Utah.
Cecil, Robert, Federal Building, Room 823, 2l0 Walnut Street, Des Moines, IA 50309; Telephone: (515) 284–4746; Internet Address: *bcecil@eda.doc.gov*.	Iowa, Nebraska.
Hildebrandt, Paul, Federal Building, Room B–2, 608 East Cherry Street, Columbia, MO 65201 Telephone: (573) 442–8084 Internet Address: *phildebrandt@eda.doc.gov*.	Missouri, Kansas.
Rogers, John C., P.O. Box 578, Helena, MT 59624; Telephone: (406) 449–5380; Internet Address: *jrogers6@eda.doc.gov*.	Montana, Wyoming.
Jungberg, Cip, Post Office/Courthouse, 102 4th Avenue, SE, Room 216, P.O. Box 190, Aberdeen, South Dakota 57401; Telephone: (605) 226–7315; Internet Address: *cjungberg@eda.doc.gov*.	South Dakota, North Dakota.
PHILADELPHIA REGIONAL OFFICE, Paul M. Raetsch, Regional Director, Curtis Center, Independence Square West, Suite 140 South, Philadelphia, PA 19106; Telephone: (215) 597–4603, Fax: (215) 597–6669; Internet Address: *PRaetsch@eda.doc.gov*	
Economic Development Representatives and Regional Office Contacts	
Good, William A. Philadelphia Regional Office, The Curtis Center—Suite 140 South, Independence Square West, Philadelphia, PA 19106; Telephone: (215) 597–0405; Internet Address: *wgood@eda.doc.gov*.	Delaware, District of Columbia.
Beach, Tyrone, Philadelphia Regional Office, The Curtis Center—Suite 140 South, Independence Square West, Philadelphia, PA 19106; Telephone: (215) 597–7883; Internet Address: *tbeachl@eda.doc.gov*.	Maine, Rhode Island.
Potter, Rita V., 143 North Main Street, Suite 209, Concord, NH 03301–5089; Telephone: (603) 225–1624; Internet Address: *rpotter@eda.doc.gov*.	New Hampshire, Massachusetts.
Hummel, Edward L., Philadelphia Regional Office, The Curtis Center—Suite 140 South, Independence Square West, Philadelphia, PA 19106; Telephone: (215) 597–6767; Internet Address: *ehummel@eda.doc.gov*.	New Jersey, New York City/Long Island.
Marshall, Harold J., 620 Erie Boulevard West, Suite 104, Syracuse, NY 13204–2442; Telephone: (315) 448–0938; Internet Address: *hmarshal@eda.doc.gov*.	New York, Vermont.
Pecone, Anthony M., 523 North Broad Street, West Hazleton, PA 18202–1107; Telephone: (570) 459–6861; Internet Address: *apecone@eda.doc.gov*.	Pennsylvania, Connecticut.
Cruz, Ernesto L., IBM Building, Room 602, 654 Munoz Rivera Avenue, Hato Rey, PR 00918–1738; Telephone: (787) 766–5187; Internet Address: *ecruz@eda.doc.gov*.	Puerto Rico, Virgin Islands.
Noyes, Neal E., Federal Building, Room 474, 400 North 8th Street, P.O. Box 10229, Richmond, VA 23240–1001; Telephone: (804) 771–2061; Internet Address: *nnoyes@eda.doc.gov*.	Virginia, Maryland.
Davis, R. Byron, 405 Capital Street, Room 411, Charleston, WV 25301–1727, Telephone: (304) 347–5252; Internet Address: *bdavis3@eda.doc.gov*.	West Virginia.

	States covered
SEATTLE REGIONAL OFFICE A. Leonard Smith, Regional Director Jackson Federal Building, Room 1890 915 Second Avenue Seattle, Washington 98174 Telephone: (206) 220–7660 Fax: (206) 220–7669 Internet Address: *LSmith7@eda.doc.gov.*	
Economic Development Representatives	
Richert, Bernhard E. Jr., 550 West 7th Avenue, Suite 1780, Anchorage, AK 99501–7594, Telephone: (907) 271–2272; Internet Address: *brichert@eda.doc.gov*.	Alaska.
Sosson, Deena R,. 801 I Street, Suite 411, Sacramento, CA 95814, Telephone: (916) 498–5285; Internet Address: *dsosson@eda.doc.gov*.	California (Central).
Church, Dianne V., 280 South First Street, #135–B, San Jose, CA 95113; Telephone: (408) 535–5550; Internet Address: *dchurch@eda.doc.gov*.	California (Central Coastal).
Fujita, Gail S., Federal Building, Room 5180, 300 Ala Moana Boulevard, P.O. Box 50264, Honolulu, HI 96850; Telephone: (808) 541–3391; Internet Address: *gfugita@eda.doc.gov*.	Hawaii, Guam, American Samoa, Marshall Islands, Micronesia, Northern Marianas, Republic of Palau.
Ames, Aldred, F., Borah Federal Building, Room 146, 304 North 8th Street, Boise, ID 83702; Telephone: (208) 334–1521 (Idaho), (888) 693–1370 (Nevada), Internet Address: *aames@eda.doc.gov*.	Idaho, Nevada.
Berblinger, Anne, S., One World Trade Center, 121 S.W. Salmon Street, Suite 244, Portland, OR 97204; Telephone: (503) 326–3078; Internet Address: *aberlin@eda.doc.gov*.	Orgon, California (Northern).
Marshall, Wilfred, 5777 West Century Boulevard, Suite 1675, Los Angeles, CA 90045; Telephone: (310) 348–5386; Internet Address: *wmarshall@eda.doc.gov*.	California (Southern).
Kirry, Lloyd P., Seattle Regional Office, Jackson Federal Building, 915 Second Avenue, Room 1890, Seattle, WA 98174; Telephone: (206) 220–7682; Internet Address: *lkirry@eda.doc.gov*.	Washington.
Macias, Jacob (Acting), Seattle Regional Office, Jackson Federal Building, 915 Second Avenue, Room 1890, Seattle, WA 98174; Telephone: (206) 220–7666; Internet Address: *imacias@eda.doc.gov*.	Arizona.

For general information on EDA contact the appropriate Regional Office listed above or EDA's Office of Congressional Liaison, Program Research and Evaluation: Economic Development Administration, Room7814A, U.S. Department of Commerce, Washington, DC 20230, Telephone: (202) 482–2309, EDA Web site: *www.doc.gov/eda.*

Dated: February 25, 2002.

David A. Sampson,

Assistant Secretary for Economic Development.

[FR Doc. 02–4882 Filed 2–28–02; 8:45 am]

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Federal Register

Friday,
March 1, 2002

Part III

Department of Commerce

Economic Development Administration

Economic Development Assistance Programs—Availability of Funds Under the Public Works and Economic Development Act of 1965, as Amended and the Trade Act of 1974, as Amended; Notice

DEPARTMENT OF COMMERCE

Economic Development Adminstration

[Docket No. 991215339–2014–03]

RIN–0610–ZA14

Economic Development Assistance Programs—Availability of Funds Under the Public Works and Economic Development Act of 1965, as Amended and the Trade Act of 1974, as Amended

AGENCY: Economic Development Administration (EDA), Department of Commerce (DOC).

ACTION: Notice of Funding Availability (NOFA).

SUMMARY: The role of government is to create conditions in which jobs are created, and in which people can find work. The Economic Development Administration (EDA) announces general policies and application procedures for investments that will help our partners across the nation (states, regions and communities) create wealth and minimize poverty by promoting a favorable business environment to attract private capital investment and high skill, high wage jobs through world-class capacity building, infrastructure, business assistance, research grants and strategic initiatives. EDA will fulfill this mission by promoting progressive domestic business policies and growth, and by assisting states, communities, and individuals to achieve their highest economic potential.

DATES: Unless otherwise noted below, proposals are accepted on a continuing basis and applications are invited and processed as received. Normally, two months are required for a final decision after the receipt of a completed application invited by EDA that meets all requirements.

ADDRESSES: Addresses for EDA's six regional offices and Washington, DC, office are provided in Part XVI. Addresses for Economic Development Representatives (EDRs) are listed under each regional office.

FOR FURTHER INFORMATION CONTACT: For national technical assistance, research, and trade adjustment assistance investments, please contact the appropriate program office as shown in Parts X, XII, and XIII, respectively. For community and regional economic development investments, contact EDA's regional office or the EDR for your area as shown in Part XVI.

SUPPLEMENTARY INFORMATION:

I. Funding Availability

Funding appropriated under Public Law 107–77 is available for economic development assistance programs authorized by the Public Works and Economic Development Act of 1965, as amended (Public Law 89–136, 42 U.S.C. 3121, et seq and as further amended by Public Law 105–393) and for trade adjustment assistance authorized under Title II, Chapters 3 and 5 of the Trade Act of 1974, as amended, (19 U.S.C. 2341–2355; 2391) (Trade Act), as amended by Public Law 105–119. Funds in the amount of $335,000,000 have been appropriated for FY 2002 and shall remain available until expended.

EDA receives and processes requests for funding on an ongoing basis, and has begun processing requests under the FY 2002 appropriation. New requests submitted that require approval during this fiscal year will face substantial competition. EDA will focus on outcomes such as value-added employment and private sector investment.

II. Authority

The authority for programs listed below in Parts VIII through XII is the Public Works and Economic Development Act of 1965, as amended (Public Law 89–136, 42 U.S.C. 3121, *et seq.*) and as further amended by Public Law 105–393. The authority for the program listed in Part XIII is Title II Chapters 3 and 5 of the Trade Act of 1974, as amended by Public Law 93–618, 98–120, 98–369, 99–272, 99–514, 100–418, 103–66, 105–277; (19 U.S.C. 2341–2391) (Trade Act).

III. Eligibility

Eligible recipients of EDA financial assistance are defined at 13 CFR 300.2 and eligible applicants are specified at 13 CFR 301.1. An ''area'' is an eligible recipient and is defined at 13 CFR 301.2. One category of the areas eligible for financial assistance are those areas meeting the ''special needs'' criteria. The special needs criteria are published each year by this notice and are provided at Part XV.

IV. Proposal Format

Preapplication proposals must be submitted on EDA's Preapplication for Federal Assistance, Form ED–900P. This form contains both questions and a narrative statement. The narrative statement need not exceed four pages. The narrative statement must address the following topics in the order listed:

1. Project Area
2. Project Description
3. Proponent's Capability
4. Problem
5. Project Impact
6. Project Beneficiaries
7. Civil Rights Issues
8. Funding
9. Identify Sources of Non-EDA Funding
10. Title/Ownership/Operation and Maintenance (Construction Projects)
11. Environmental Issues

Proposals for Public Works and Economic Development Facilities assistance and Economic Adjustment assistance must also include Form ED–900P, Exhibit A, Area Eligibility for Grants under 13 CFR parts 305 (Public Works) and 308 (Economic Adjustment) and the necessary documentation and narrative statement.

Proposals for projects on which EDA is requested to fund more than 50 percent of project costs may be required to include Form ED–900P, Exhibit B, EDA Grant Rate Determination, and the necessary documentation and narrative statement.

An original and two copies must be submitted to the appropriate Economic Development Representative or regional office.

Unless otherwise provided herein, eligibility, program objectives, application procedures, selection process, evaluation criteria and other requirements for all programs are set forth in EDA regulations at 13 CFR chapter III and applicants must address those requirements. The Department of Commerce Pre-Award Notification Requirements for Grants and Cooperative Agreements contained in the **Federal Register** notice of October 1, 2001 (66 FR 49917) is incorporated by reference into this notice and is available on EDA's Web site (www.eda.doc.gov). However, please note that the Department of Commerce will not implement the requirements of Executive Order 13202 (66 FR 49921), pursuant to guidance issued by the Office of Management and Budget in light of a court opinion which found that the Executive Order was not legally authorized. *See Building and Construction Trades Department* v. *Allbaugh*, 172 F. Supp. 2d 138 (D.D.C. 2001). This decision is currently on appeal. When the case has been finally resolved, the Department will provide further information on implementation of Executive Order 13202.

For Public Works (13 CFR Part 305) and Economic Adjustment Investments (13 CFR part 308) (CFDA No. 11.300 and 11.307 respectively), EDA reviews area eligibility at the time an application is invited and again at the time an application is received. This review is

based on the most recent Federal data available for the area where the project will be located or where the substantial direct benefits will be received. If no Federal data are available to determine eligibility, an applicant must submit to EDA the most recent data available for the area through the government of the state in which the area is located, i.e., conducted by or at the direction of the state government. Other data may be submitted, as appropriate, to substantiate eligibility based on ''special need'' (see Part XV of this notice). Project areas must be eligible on the date of receipt of the application. In the case of any application received by EDA more than six months prior to the time of award, EDA will reevaluate the project to determine that the area remains eligible for EDA assistance before making the award. EDA will reject any documentation of eligibility that it determines is inaccurate and the application may be rejected.

V. General Policies

EDA encourages only those investment proposals that will significantly benefit areas experiencing or threatened with substantial economic distress. Distress may exist in a variety of forms, including, but not limited to: High levels of unemployment, low income levels, large concentrations of low-income families, significant declines in per capita income, substantial loss of population because of the lack of employment opportunities, large numbers (or high rates) of business failures, sudden major layoffs or plant closures, military base closures, natural or other major disasters, depletion of natural resources, and/or reduced tax bases.

Communities affected by the 1988, 1991, 1993 or 1995 Base Realignment and Closure (BRAC) actions, and which qualify for either regular Public Works or regular Economic Adjustment funding, may apply for investments under one or both of those programs. EDA anticipates that construction proposals would seek funding from the regular Public Works program and credit enhancement or other innovative financing proposals would compete under the regular Economic Adjustment authority.

Potential applicants are responsible for demonstrating to EDA, by providing statistics and other appropriate information, the nature and level of the distress their project efforts are intended to alleviate. EDA provides funding for eligible investment activities through direct grants and cooperative agreements. EDA is not authorized to provide grants directly to individuals or to other for-profit entities seeking to start or expand a business. Such requests may be referred to state or local agencies, or to non-profit economic development organizations serving the project area.

VI. Evaluation and Selection Process

To apply for an award under this notice, an eligible recipient must submit a pre-application proposal to the appropriate Economic Development Representative for the area or regional office. Each pre-application proposal is circulated by a project officer to the appropriate regional office staff for review, comments, and recommendations. When the necessary input and information are obtained, the pre-application proposal is considered by the regional office Investment Review Committee (IRC) made up of regional office staff. The IRC discusses the proposal and all pertinent documentation and evaluates it using the general evaluation criteria set forth at 13 CFR 304.1 and 304.2 as further defined by the Supplementary Evaluation Criteria set forth in this notice below, and the program specific criteria provided under 13 CFR 305.2 for Public Works, 13 CFR 306.2 for Planning Assistance, 13 CFR 307.2 for Technical Assistance, 13 CFR 307.6 for University Centers, 13 CFR 307.10 for National Technical Assistance, Training, Research, and Evaluation, and 13 CFR 308.2 and 308.4 for Economic Adjustment. In addition, each proposal is evaluated for consistency with the Funding Priorities set forth below. After completing its evaluation, the IRC recommends whether or not an application should be invited, documenting its recommendation in the meeting minutes and/or in the Investment Proposal Summary and Evaluation Form. The IRC action is reviewed at headquarters for quality assurance. After receiving quality control clearance, the Selecting Official (depending on the program, either the Regional Director or the Assistant Secretary) selects the applications to be invited. In the case of a continuation grant, no pre-application proposal is required. Proposals received after the date of this notice will be processed in accordance with the requirements set forth herein until the next annual NOFA is published.

Supplemental Evaluation Criteria

EDA will invest in applicants who are entrepreneurial in spirit and in action. Potential investments will be analyzed using the following seven supplemental evaluation criteria of approximate equal weight, which further define the criteria provided at 13 CFR 304.2:

1. Extent that proposed investments are market-based.
2. Extent that proposed investments are pro-active in nature and scope.
3. Extent that proposed investments look beyond the immediate economic horizon, anticipate economic changes, and diversify the local and regional economy.
4. Likelihood that proposed investments maximize the attraction of private sector investment and would not otherwise come to fruition absent EDA's investment.
5. Likelihood that proposed investments have a high probability of success.
6. Likelihood that proposed investments result in an environment where high skill, high wage jobs are created.
7. Likelihood that proposed investments maximize Return on Taxpayer Investment.

Funding Priorities

The Selecting Official considers the evaluations provided by the IRC and the degree to which one or more of the following funding priorities are included (or packaged together) in making his/her decisions as to which preapplication proposals should be invited. Highly rated pre-application proposals may or may not be invited to submit full applications based upon the following Funding Priorities:

A. Proposals that enhance regional competitiveness and support long-term development of the regional economy; for example:

1. Upgrade core business infrastructure
   a. Transportation infrastructure
   b. Communications infrastructure
   c. Specialized training program infrastructure
2. Reflect and implement a regional strategy that involves all stakeholders
   a. Support regional benchmarking initiatives;
   b. Encourage a common vision and collaboration among firms, universities, and training centers to implement a regional strategy;
   c. Reflect strong leadership committed to regional economic development; and
   d. Encourage a formal organization structure and process for working on economic issues and maintaining consensus.
3. Encourage cluster development
   a. Establish research and industrial parks that encourage innovation-based competition; and
   b. Implement cluster-focused and innovation-focused business development efforts.

B. Proposals to help communities plan and implement economic adjustment strategies in response to sudden and severe economic dislocations (e.g., major lay-offs and/or plant closures, trade impacts, defense restructuring, or disasters).

C. Proposals that support technology-led economic development; for example, proposals that:

1. Reflect the important role of research and development capacity of universities in regional economic development; and

2. Create and support technology transfers.

D. Proposals that advance community and faith-based social entrepreneurship in redevelopment strategies for areas of chronic economic distress.

VII. Process for Invited Applications and Awards

If the Selecting Official declines to invite a full application, he/she provides written notice to the applicant. If an application has been invited by the Selecting Official, it is reviewed by EDA program officials to determine whether it contains any deficiencies under EDA regulations at 13 CFR chapter III and the requirements of this notice. If deficiencies are noted, the applicant is provided a written request to amend the application to resolve any deficiencies. If deficiencies are not resolved 30 days after receipt of the written notice, the application may be rejected. If the full application is accepted, the recipient and EDR are notified and it is forwarded for final reviews and processing in accordance with EDA and DOC procedures.

VIII. Program: Public Works and Economic Development Facilities Assistance—(Pub. L. 89–136, as amended by Pub. L. 105–393, 42 U.S.C. 3141)

(Catalog of Federal Domestic Assistance: 11.300 Economic Development-Grants for Public Works and Economic Development Facilities)

Funds in the amount of $250,000,000 have been appropriated for this program. The average funding level for an investment in FY 2001 was $1,007,300. This amount is not intended to restrict the size of future awards.

EDA will provide Public Works investments to support the construction or rehabilitation of essential public infrastructure and development facilities necessary to generate private sector jobs and investment, including investments that support technology-led development, redevelopment of brownfield sites, and eco-industrial development.

IX. Program: Planning—Planning Assistance for Economic Development Districts, Indian Tribes, States, and Other Planning Organizations—(Pub. L. 89–136, as amended by Pub. L. 105–393, 42 U.S.C. 3143)

(Catalog of Federal Domestic Assistance: 11.302 Economic Development—Support for Planning Organizations)

Funds in the amount of $24,000,000 have been appropriated for the Planning Program. In FY 2001, the average Economic Development District planning investment was $55,500; the average Indian planning investment was $46,000; and the average state and other planning organization investment was $68,800. These amounts are not intended to restrict the size of future awards. EDA expects the majority of planning funds will be used for support to existing Economic Development District and Indian Tribe grantees. Continuation grants are not competed. Any new planning grants shall be solicited and evaluated in compliance with this notice.

X. Program: Technical Assistance-Local Technical Assistance; National Technical Assistance; and University Centers—(Pub. L. 89–136, as amended by Pub. L. 105–393, 42 U.S.C. 3147)

(Catalog of Federal Domestic Assistance: 11.303 Economic Development-Technical Assistance)

Funds in the amount of $9,100,000 have been appropriated for the Technical Assistance programs of which approximately $1,500,000 is available for the Local Technical Assistance program; $1,101,000 for the National Technical Assistance program; and $6,499,000 for the University Center program. The average funding level in FY 2001 for Local Technical Assistance investments was $31,000; for National Technical Assistance investments, $108,000; and for University Center investments, the typical range was $75,000 to $110,000. These amounts are not intended to restrict the size of future awards.

EDA expects that most University Center funds will be used for support to existing University Centers. Continuation grants are not competed. Any new University Centers shall be evaluated and selected in compliance with this notice.

A separate **Federal Register** Notice will set forth the specific funding priorities, application process, and time frames for certain National Technical Assistance projects.

XI. Program: Economic Adjustment Assistance—(Pub. L. 89–136, as amended by Pub. L. 105–393, 42 U.S.C. 3149)

(Catalog of Federal Domestic Assistance: 11.307 Economic Adjustment Assistance)

Funds in the amount of $40,900,000 have been appropriated for funding under the Economic Adjustment Assistance program. Of this amount, $13,500,000 is available for economic adjustment projects located in regions impacted by coal industry downsizing and timber industry issues and $3,400,000 is available to respond to regionally significant economic transitions involving actual or threatened sudden and severe job dislocation.

The $3,400,000 will be used to: (1) address the immediate needs of businesses and communities presently undergoing transition due to a sudden and severe job loss; and (2) demonstrate new and proactive approaches for economic competitiveness and innovative capacity for threatened regions and communities.

The average funding level for an Economic Adjustment investment in FY 2001 was $281,000. This amount is not intended to restrict the size of future awards.

XII. Program: Research and Evaluation—(Pub. L. 89–136, as amended by Pub. L. 105–393, 42 U.S.C. 3147)

(Catalog of Federal Domestic Assistance: 11.312 Economic Development—Research and Evaluation Program)

Funds in the amount of $500,000 have been appropriated for this program. The average funding level for an investment in FY 2001 was $43,000. This amount is not intended to restrict the size of future awards.

A separate **Federal Register** Notice will set forth the application process, specific funding priorities, and time frames for certain research and evaluation investments. For further information, contact: John J. McNamee, Director, Research and National Technical Assistance Division, Economic Development Administration, Room 7019, U.S. Department of Commerce, Washington, DC 20230, Telephone: (202) 482–2309.

XIII. Program: Trade Adjustment Assistance—Title II Chapters 3 and 5 of the Trade Act of 1974, as amended by Pub. L. 93–618, 98–120, 98–369, 99–272, 99–514, 100–418, 103–66, 105–277; 19 U.S.C. 2341-2391)

(Catalog of Federal Domestic Assistance: 11.313 Economic Development—Trade Adjustment Assistance)

Funds in the amount of $10,500,000 have been appropriated for this program. EDA expects these funds will be used to support the existing network of Trade Adjustment Assistance Centers (TAACs). The average funding level for a TAAC in FY 2001 was $875,000. This amount is not intended to restrict the size of future awards. Continuation grants will not be competed. No new TAACs are expected this fiscal year. For further information on this program contact: Anthony J. Meyer, Coordinator, Trade Adjustment and Technical Assistance, Planning and Development Assistance Division, Economic Development Administration, Room 7317, U.S. Department of Commerce, Washington, DC 20230, Telephone: (202) 482–2127.

XIV. Other Information and Requirements

EDA regulations at 13 CFR chapter III are available on the EDA Web site *www.doc.gov/eda.* The Department of Commerce Pre-Award Notification Requirements for Grants and Cooperative Agreements contained in the **Federal Register** notice of October 1, 2001 (66 FR 49917) are applicable to this solicitation and can be found on EDA's Web site *www.doc.gov/eda.* Certain Departmental and other requirements are noted below:

A. Projects are expected to be completed in a timely manner consistent with the nature of the project. For Public Works and most Economic Adjustment implementation investments, the maximum period for which assistance will be made available is generally not more than five years from the date of award.

B. Notwithstanding any other provision of law, no person is required to respond to, nor shall a 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 Office of Management and Budget (OMB) control number. This notice involves a collection of information requirements subject to the provisions of the PRA and has been approved by OMB under Control Number 0610–0094. The EDA preapplication (ED–900P) and application (ED–900A), which incorporates the SF–424, are the forms in the EDA application kit, approved under the aforementioned OMB control number.

C. The implementing regulations of the National Environmental Policy Act (NEPA) require EDA to provide public notice of the availability of project specific environmental documents such as environmental impact statements, environmental assessments, findings of no significant impact, records of decision etc., to the affected public as specified in 40 CFR 1506.6(b).

Depending on the project location, environmental information concerning specific projects can be obtained from the Regional Environmental Officer (REO) in the appropriate EDA regional office listed in Part XVI.

D. If an application is selected for funding, EDA has no obligation to provide any additional future funding in connection with an award. Renewal of an award to increase funding or extend the period of performance is at the sole discretion of EDA.

E. EDA will notify unsuccessful applicants in writing and unsuccessful applications will be maintained in the regional office files for not more than three years from the date of receipt.

F. EDA is committed to a policy of non-discrimination in the administration of all its programs.

G. EDA applications proposed for funding are subject to the requirements of Executive Order 12372, ''Intergovernmental Review of Federal Programs,'' as referenced in EDA's regulations at 13 CFR chapter III.

H. This Notice has been determined to be ''not significant'' for purposes of Executive Order 12866.

I. It has been determined that this notice does not contain policies with Federalism implications as that term is defined in Executive Order 13132.

J. Because notice and comment are not required under 5 U.S.C. 553, or any other law, for this notice relating to public property, loans, grants benefits or contracts (5 U.S.C. 553(a)), a Regulatory Flexibility Analysis is not required and has not been prepared for this notice, 5 U.S.C. 601 *et seq.*

XV. Special Need Criteria

These criteria are published in accordance with 13 CFR 301.2 (h) and define what constitutes a special need sufficient to make an area eligible for Public Works and Economic Development Facilities assistance and Economic Adjustment assistance as described in Part III above. An area is eligible pursuant to ''Special Need'' (13 CFR 301.2 (b) (3)), if the area meets one of the criteria described below:

A. Closure or restructuring of industrial firms essential to area economies. An area has experienced either: (1) an actual closure or restructuring of a firm(s), within the past twelve months, resulting in sudden job losses and meeting the following dislocation criteria; or (2) a threat that results from a public announcement of an impending closure or restructuring of a firm(s), expected to occur within two years of application, and result in sudden job losses meeting the following dislocation criteria:

1. For areas over 100,000 population, the actual or threatened dislocation is 500 jobs, or 1 percent of the civilian labor force (CLF), whichever is less.

2. For areas up to 100,000 population, the actual or threatened dislocation is 200 jobs, or 1 percent of the CLF, whichever is less.

B. Substantial out-migration or population loss. Applicants seeking eligibility under this criterion will be asked to present appropriate and compelling economic and/or demographic data to demonstrate the special need.

C. Underemployment, that is, employment of workers at less than full time or at less skilled tasks than their training or abilities permit. Applicants seeking eligibility under this criterion will be asked to present appropriate and compelling economic and/or demographic data to demonstrate the special need.

D. Military base closures or realignments, defense contractor reductions-in-force, or Department of Energy defense-related funding reductions.

1. A military base closure refers to a military base that was closed or is scheduled for closure or realignment pursuant to a Base Realignment and Closure Act (BRAC) process or other Department of Defense (DoD) process. Unless further extended by the Assistant Secretary for Economic Development, the area is eligible from the date of Defense Department recommendation for closure until five years after the actual date of closing of the installation.

2. A defense contractor reduction-in-force refers to a defense contractor(s) experiencing defense contract cancellations or reductions resulting from official DoD announcements and having aggregate value of at least $10 million per year. Actual dislocations must have occurred within one year of application to EDA and threatened dislocations must be anticipated to occur within two years of application to EDA. Defense contracts that expire in

the normal course of business will not be considered in meeting this criterion.

3. A Department of Energy defense-related funding reduction refers to a Department of Energy facility that has experienced or will experience a reduction of employment resulting from its defense mission change. The area is eligible from the date of the Department of Energy announcement of reductions until five years after the actual date of reduced operations at the installation.

E. Natural or other major disasters or emergencies, including terrorist's attacks. Unless further extended by the Assistant Secretary, an area that has received one of the following disaster declarations is eligible to apply for EDA assistance for a period of 18 months after the date of declaration.

1. A Presidential Disaster Declaration pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended (Pub. L. 93–288), 42 U.S.C. 5121 et.seq), or

2. A Federally-Declared Disaster pursuant to the Magnuson-Stevens Fishery Conservation and Management Act (Pub. L. 94–265) as amended by the Sustainable Fisheries Act (Pub. L. 104–297), or

3. A Federal Declaration pursuant to the Consolidated Farm and Rural Development Act, as amended (Pub. L. 92–419, 96–438, 97–35, 98–258, 99–198, 100–233, 100–387, and 101–624), or

4. A Federally Declared Disaster pursuant to the Small Business Act, as amended (Pub. L. 85–536).

F. Extraordinary depletion of natural resources. EDA presently recognizes the following conditions of extraordinary natural resource depletion:

1. Fisheries
2. Coal
3. Timber

Modifications to the above listing of conditions of extraordinary natural resource depletion, as they may occur, will be announced in subsequent public notices.

G. Communities undergoing transition of their economic base as a result of changing trade patterns. An area certified as eligible by the North American Development Bank (NADBank) Program or the Community Adjustment and Investment Program (CAIP).

H. Other special need. The area is experiencing other special and/or extraordinary economic adjustment needs as determined by the Assistant Secretary.

The applicant will be asked to present appropriate economic or demographic statistics to demonstrate a special need.

XVI. EDA Regional Offices and Economic Development Representatives

EDA regional offices and the Economic Development Representatives and the areas served are listed below:

	States covered
ATLANTA REGIONAL OFFICE William J. Day, Jr., Regional Director 401 West Peachtree Street, N.W., Suite 1820 Atlanta, Georgia 30308–3510 Telephone: (404) 730–3002 Fax: (404) 730–3025 Internet Address: *wday1@eda.doc.gov*	
Economic Development Representatives	
Patterson, Gilbert, 401 West Peachtree Street, N.W., Suite 1820, Atlanta, GA 30308–3510; Telephone: (404) 730–3000; Internet Address: *gpatterson@eda.doc.gov*.	Mississippi.
Trader, Philip, 401 West Peachtree Street, N.W., Suite 1820, Atlanta, GA 30308–3510; Telephone: (404) 730–3017; Internet Address: *ptrader@eda.doc.gov*.	Georgia.
Hunter, Bobby D., 771 Corporate Drive, Suite 200, Lexington, KY 40503–5477; Telephone: (859) 224–7426; Internet Address: *bhunter@eda.doc.gov*.	Kentucky, North Carolina, (Western).
Dixon, Patricia M., U.S. Department of Commerce-EDA, P.O. Box 1707 Lugoff, SC 29078; Telephone: (803) 408–2513; Internet Address: *pdixon@eda.doc.gov*.	South Carolina, North Carolina, (Eastern).
Dennis, Bobby, 401 West Peachtree Street, N.W., Suite 1820, Atlanta; GA 30308–3510; Telephone: (404) 730–3020; Internet Address: *bdennis@eda.doc.gov*.	Alabama.
Taylor, Willie C., 401 West Peachtree Street, N.W., Suite 1820, Atlanta, GA 30308–3510; Telephone: (404) 730–3032; Internet Address: *wtaylor5@eda.doc.gov*.	Florida
Reed, Tonia, 401 West Peachtree Street, N.W., Suite 1820, Atlanta, Georgia 30308–3510; Telephone: (404) 730–3026; Internet Address: *treed@eda.doc.gov*.	Tennessee.
AUSTIN REGIONAL OFFICE Pedro R. Garza, Regional Director 327 Congress Avenue, Suite 200 Austin, Texas 78701–4037 Telephone: (512) 381–8144 Fax: (512) 381–8177 Internet Address: *pgarza@eda.doc.gov*	
Area Directors	
Ayala, Jorge D., Austin Regional Office, 327 Congress Avenue, Suite 200, Austin, TX 78701–4037; Telephone: (512) 381–8150; Internet Address: *jayala@eda.doc.gov*.	Arkansas, New Mexico, Oklahoma, Texas (North).
Frerking, Sharon T., Austin Regional Office, 327 Congress Avenue, Suite 200, Austin, Texas 78701–4037; Telephone: (512) 381–8176; Internet Address: *sfrerking@eda.doc.gov*.	Louisiana, Texas (South).
Economic Development Representatives	
Spearman, Sam, 700 West Capital, Room 2509, Little Rock, AR 72201; Telephone: (501) 324–5637; Internet Address: *sspearma@eda.doc.gov*.	Arkansas, New Mexico, Oklahoma, Texas (North).
Davidson-Ehlers, Pamela, 501 Magazine Street, Room 1025, New Orleans, LA 70130; Telephone: (504) 589–4179; Internet Address: *pdavidso@eda.doc.gov*.	Louisiana, Texas (South).

	States covered
CHICAGO REGIONAL OFFICE C. Robert Sawyer, Regional Director 111 North Canal Street, Suite 855 Chicago, IL 60606 Telephone: (312) 353–7706 Fax: (312) 353–8575 Internet Address: *rsawyer@eda.doc.gov*	
Economic Development Representatives	
Arnold, John B. III, 104 Federal Building, 515 West First Street, Duluth, MN 55802; Telephone: (888) 865–5719 (Illinois), (218) 720–5326 (Minnesota); Internet Address: *jarnold1@eda.doc.gov*.	Illinois, Minnesota.
Hickey, Robert F., Federal Building, Room 740, 200 North High Street, Columbus, Ohio 43215; Telephone: (800) 686–2603 (Indiana), (614) 469–7314 (Ohio); Internet Address: *rhickey@eda.doc.gov*.	Ohio, Indiana.
Peck, John E., P.O. Box 517, Acme, Michigan 49610–0517; Telephone: (231) 938–1712; Internet Address: *jpeck@eda.doc.gov*.	Michigan, Wisconsin.
DENVER REGIONAL OFFICE Anthony J. Preite, Regional Director 1244 Speer Boulevard, Room 670 Denver, Colorado 80204 Telephone: (303) 844–4715 Fax: (303) 844–3968 Internet Address: *apreite@eda.doc.gov*	
Economic Development Representatives	
Zender, John P., 1244 Speer Boulevard, Room 632, Denver, CO 80204; Telephone: (303) 844–4902; Internet Address: *jzender@eda.doc.gov*.	Colorado, Utah.
Cecil, Robert, Federal Building, Room 823, 2l0 Walnut Street, Des Moines, IA 50309; Telephone: (515) 284–4746; Internet Address: *bcecil@eda.doc.gov*.	Iowa, Nebraska.
Hildebrandt, Paul, Federal Building, Room B–2, 608 East Cherry Street, Columbia, MO 65201 Telephone: (573) 442–8084 Internet Address: *phildebrandt@eda.doc.gov*.	Missouri, Kansas.
Rogers, John C., P.O. Box 578, Helena, MT 59624; Telephone: (406) 449–5380; Internet Address: *jrogers6@eda.doc.gov*.	Montana, Wyoming.
Jungberg, Cip, Post Office/Courthouse, 102 4th Avenue, SE, Room 216, P.O. Box 190, Aberdeen, South Dakota 57401; Telephone: (605) 226–7315; Internet Address: *cjungberg@eda.doc.gov*.	South Dakota, North Dakota.
PHILADELPHIA REGIONAL OFFICE, Paul M. Raetsch, Regional Director, Curtis Center, Independence Square West, Suite 140 South, Philadelphia, PA 19106; Telephone: (215) 597–4603, Fax: (215) 597–6669; Internet Address: *PRaetsch@eda.doc.gov*	
Economic Development Representatives and Regional Office Contacts	
Good, William A. Philadelphia Regional Office, The Curtis Center—Suite 140 South, Independence Square West, Philadelphia, PA 19106; Telephone: (215) 597–0405; Internet Address: *wgood@eda.doc.gov*.	Delaware, District of Columbia.
Beach, Tyrone, Philadelphia Regional Office, The Curtis Center—Suite 140 South, Independence Square West, Philadelphia, PA 19106; Telephone: (215) 597–7883; Internet Address: *tbeachl@eda.doc.gov*.	Maine, Rhode Island.
Potter, Rita V., 143 North Main Street, Suite 209, Concord, NH 03301–5089; Telephone: (603) 225–1624; Internet Address: *rpotter@eda.doc.gov*.	New Hampshire, Massachusetts.
Hummel, Edward L., Philadelphia Regional Office, The Curtis Center—Suite 140 South, Independence Square West, Philadelphia, PA 19106; Telephone: (215) 597–6767; Internet Address: *ehummel@eda.doc.gov*.	New Jersey, New York City/Long Island.
Marshall, Harold J., 620 Erie Boulevard West, Suite 104, Syracuse, NY 13204–2442; Telephone: (315) 448–0938; Internet Address: *hmarshal@eda.doc.gov*.	New York, Vermont.
Pecone, Anthony M., 523 North Broad Street, West Hazleton, PA 18202–1107; Telephone: (570) 459–6861; Internet Address: *apecone@eda.doc.gov*.	Pennsylvania, Connecticut.
Cruz, Ernesto L., IBM Building, Room 602, 654 Munoz Rivera Avenue, Hato Rey, PR 00918–1738; Telephone: (787) 766–5187; Internet Address: *ecruz@eda.doc.gov*.	Puerto Rico, Virgin Islands.
Noyes, Neal E., Federal Building, Room 474, 400 North 8th Street, P.O. Box 10229, Richmond, VA 23240–1001; Telephone: (804) 771–2061; Internet Address: *nnoyes@eda.doc.gov*.	Virginia, Maryland.
Davis, R. Byron, 405 Capital Street, Room 411, Charleston, WV 25301–1727, Telephone: (304) 347–5252; Internet Address: *bdavis3@eda.doc.gov*.	West Virginia.

	States covered
SEATTLE REGIONAL OFFICE A. Leonard Smith, Regional Director Jackson Federal Building, Room 1890 915 Second Avenue Seattle, Washington 98174 Telephone: (206) 220–7660 Fax: (206) 220–7669 Internet Address: *LSmith7@eda.doc.gov.*	
Economic Development Representatives	
Richert, Bernhard E. Jr., 550 West 7th Avenue, Suite 1780, Anchorage, AK 99501–7594, Telephone: (907) 271–2272; Internet Address: *brichert@eda.doc.gov*.	Alaska.
Sosson, Deena R,. 801 I Street, Suite 411, Sacramento, CA 95814, Telephone: (916) 498–5285; Internet Address: *dsosson@eda.doc.gov*.	California (Central).
Church, Dianne V., 280 South First Street, #135–B, San Jose, CA 95113; Telephone: (408) 535–5550; Internet Address: *dchurch@eda.doc.gov*.	California (Central Coastal).
Fujita, Gail S., Federal Building, Room 5180, 300 Ala Moana Boulevard, P.O. Box 50264, Honolulu, HI 96850; Telephone: (808) 541–3391; Internet Address: *gfugita@eda.doc.gov*.	Hawaii, Guam, American Samoa, Marshall Islands, Micronesia, Northern Marianas, Republic of Palau.
Ames, Aldred, F., Borah Federal Building, Room 146, 304 North 8th Street, Boise, ID 83702; Telephone: (208) 334–1521 (Idaho), (888) 693–1370 (Nevada), Internet Address: *aames@eda.doc.gov*.	Idaho, Nevada.
Berblinger, Anne, S., One World Trade Center, 121 S.W. Salmon Street, Suite 244, Portland, OR 97204; Telephone: (503) 326–3078; Internet Address: *aberlin@eda.doc.gov*.	Orgon, California (Northern).
Marshall, Wilfred, 5777 West Century Boulevard, Suite 1675, Los Angeles, CA 90045; Telephone: (310) 348–5386; Internet Address: *wmarshall@eda.doc.gov*.	California (Southern).
Kirry, Lloyd P., Seattle Regional Office, Jackson Federal Building, 915 Second Avenue, Room 1890, Seattle, WA 98174; Telephone: (206) 220–7682; Internet Address: *lkirry@eda.doc.gov*.	Washington.
Macias, Jacob (Acting), Seattle Regional Office, Jackson Federal Building, 915 Second Avenue, Room 1890, Seattle, WA 98174; Telephone: (206) 220–7666; Internet Address: *imacias@eda.doc.gov*.	Arizona.

For general information on EDA contact the appropriate Regional Office listed above or EDA's Office of Congressional Liaison, Program Research and Evaluation: Economic Development Administration, Room7814A, U.S. Department of Commerce, Washington, DC 20230, Telephone: (202) 482–2309, EDA Web site: *www.doc.gov/eda.*

Dated: February 25, 2002.

David A. Sampson,

Assistant Secretary for Economic Development.

[FR Doc. 02–4882 Filed 2–28–02; 8:45 am]

BILLING CODE 3510–24–P

Federal Register

Friday,
March 1, 2002

Part IV

Department of Transportation

Federal Aviation Administration

14 CFR Parts 11, et al.
Removal of Expired Special Federal Aviation Regulations; Final Rule

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Parts 11, 21, 23, 36, 63, 65, 73, 91, 119, 121, 125, 129, and 135

[Docket No. FAA–2002–11670; Amdt. Nos. 11–47, 21–80, 23–55, 36–23, 63–31, 65–43, 73–9, 91–273, 119–5, 121–290, 125–38, 129–32, 135–84]

Removal of Expired Special Federal Aviation Regulations

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; technical amendment.

SUMMARY: The Federal Aviation Administration (FAA) is making minor technical changes to its regulations by removing Special Federal Aviation Regulations (SFARs) that have expired, as well as references to them, from the Code of Federal Regulations. None of these changes are substantive in nature since the regulations in question have expired and are not currently in effect. This technical amendment is necessary to update our regulations. The rule will not impose any additional burden or restriction on persons or organizations affected by these regulations.

EFFECTIVE DATE: Effective on March 1, 2002.

FOR FURTHER INFORMATION CONTACT: Bonnie Fritts, (202) 267–7037; Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; e-mail *bonnie.fritts@faa.gov.*

SUPPLEMENTARY INFORMATION:

Background

The FAA periodically issues temporary regulations called Special Federal Aviation Regulations (SFARs). These SFARs are typically expected to be necessary for a finite period of time, and therefore, usually specify an expiration date within the regulatory text of the SFAR. Title 14 of the Code of Federal Regulations currently contains several SFARs with expiration dates that have passed. To maintain an accurate body of regulations, we are removing those expired SFARs, as well as references to them, which are now obsolete. This document makes the appropriate technical changes to remove SFAR Nos. 26, 38–2, 41, 52, 53, 62, 63, 64, 66–2, and 67, and corresponding references to them from the Code of Federal Regulations. In one instance of corresponding reference, the entire section pertains to the expired SFAR. That section, § 119.2, is removed in its entirety. The following table of expired SFARs is presented for the reader's convenience.

EXPIRED SFARS AND CONFORMING AMENDMENTS

Part containing SFAR	SFAR to be removed	Expiration date	Conforming amendments
11			11.201(b) OMB Table (SFAR 64 reference).
21	26	12–01–1977	
	41	09–13–1983	
23			Editorial note to SFAR 41.
36			Editorial note to SFAR 41.
63	63	12–31–1992	
65	63	12–31–1992	
73	53	01–15–1996	
91	62	12–30–1993	
	64	12–31–1999	
	66–2	Suspended indefinitely on 01–09–1996	
	67	05–10–2000	
119			119.1(e)(2) (SFAR 38–2 reference). 119.2 entire section obsolete (SFAR 38–2 references).
121	38–2	03–20–1997	
			Editorial note to SFAR 52.
125			Editorial note to SFAR 38–2.
129			Editorial note to SFAR 38–2.
135			Editorial note to SFAR 38–2.
	52	12–01–1988.	

Under the Administrative Procedure Act, an agency doesn't have to issue a notice of proposed rulemaking when the agency for good cause finds that notice and public procedure are ''impracticable, unnecessary, or contrary to the public interest.'' See 5 U.S.C. 553(b). Because this technical amendment simply removes obsolete regulations and references, we find that publishing the changes for public notice and comment is necessary.

The Administrative Procedure Act also states that an agency must publish a substantive rule not less than 30 days before its effective date, except as otherwise provided by the agency for good cause. See 5 U.S.C. 553(b). We find that this technical amendment imposes no additional burden or requirement on the regulated industry, and is not substantive in nature. Moreover, We find that there is good cause to make the changes effective immediately upon publication in the **Federal Register**. It is in the public interest to remove these obsolete references from regulations immediately.

This regulation is editorial in nature and imposes no additional burden on any person or organization. Therefore, we have determined the action: (1) Is not a significant rule under Executive Order 12866; and (2) is not a significant rule under Department of Transportation Regulatory Policies and Procedures. No impact is expected to result, and a full regulatory evaluation is not required. In addition, the FAA certifies that rule 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.

List of Subjects

14 CFR Part 11

Administrative practice and procedure, Reporting and recordkeeping requirements.

14 CFR Part 21

Aircraft, Aviation safety, Exports, Imports, Reporting and recordkeeping requirements.

14 CFR Part 23

Aircraft, Aviation safety, Signs and symbols.

14 CFR Part 36

Aircraft, Noise control.

14 CFR Part 63

Aircraft, Airmen, Alcohol abuse, Drug abuse, Navigation (air), Reporting and recordkeeping requirements.

14 CFR Part 65

Air traffic controllers, Aircraft, Airmen, Airports, Alcohol abuse, Drug abuse, Reporting and recordkeeping requirements.

14 CFR Part 73

Airspace, Navigation (air), Security measures.

14 CFR Part 91

Afghanistan, Agriculture, Air traffic control, Aircraft, Airmen, Airports, Aviation safety, Canada, Cuba, Former Yugoslavia, Freight, Mexico, Noise control, Political candidates, Reporting and recordkeeping requirements.

14 CFR Part 119

Administrative practice and procedure, Air carriers, Aircraft, Aviation safety, Charter flights, Reporting and recordkeeping requirements.

14 CFR Part 121

Air carriers, Aircraft, Airmen, Alcohol abuse, Aviation safety, Charter flights, Drug abuse, Drug testing, Reporting and recordkeeping requirements, Safety, Transportation.

14 CFR Part 125

Aircraft, Airmen, Aviation safety, Reporting and recordkeeping requirements.

14 CFR Part 129

Air carriers, Aircraft, Aviation safety, Reporting and recordkeeping requirements, Security measures, Smoking.

14 CFR Part 135

Air taxis, Aircraft, Airmen, Alcohol abuse, Aviation safety, Drug abuse, Drug testing, Reporting and recordkeeping requirements.

In consideration of the foregoing, the Federal Aviation Administration amends parts 11, 21, 23, 36, 63, 65, 73, 91, 119, 121, 125, 129, and 135 of title 14 of the Code of Federal Regulations as follows:

PART 11—GENERAL RULEMAKING PROCEDURES

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

Authority: 49 U.S.C. 106(g), 40101, 40103, 40105, 40109, 40113, 44110, 44502, 44701–44702, 44711, and 46102.

§ 11.201 [Amended]

2. Amend § 11.201(b) by removing the penultimate entry for SFAR 64 from the table.

PART 21—CERTIFICATION PROCEDURES FOR PRODUCTS AND PARTS

3. The authority citation for part 21 continues to read as follows:

Authority: 42 U.S.C. 7572; 49 U.S.C. 106(g), 40105, 40113, 44701–44702, 44707, 44709, 44711, 44713, 44715, 45303.

Special Federal Aviation Regulation No. 26 [Removed]

4. Remove SFAR No. 26 from part 21.

Special Federal Aviation Regulation No. 41 [Removed]

5. Remove SFAR No. 41 from part 21.

PART 23—AIRWORTHINESS STANDARDS: NORMAL, UTILITY, ACROBATIC, AND COMMUTER CATEGORY AIRPLANES

6. The authority citation for part 23 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701–44702, 44704.

Special Federal Aviation Regulation No. 41 [Removed]

7. Remove SFAR No. 41 editorial note from part 23.

PART 36—NOISE STANDARDS: AIRCRAFT TYPE AND AIRWORTHINESS CERTIFICATION

8. The authority citation for part 36 continues to read as follows:

Authority: 42 U.S.C. 4321 et seq.; 49 U.S.C. 106(g), 40113, 44701–44702, 44704, 44715; sec. 305, Pub. L. 96–193, 94 Stat. 50, 57; E.O. 11514, 35 FR 4247, 3 CFR, 1966–1970 Comp., p. 902.

Special Federal Aviation Regulation No. 41 [Removed]

9. Remove SFAR No. 41 editorial note from part 36.

PART 63—CERTIFICATION: FLIGHT CREWMEMBERS OTHER THAN PILOTS

10. The authority citation for part 63 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701–44703, 44707, 44709–44711, 45102–45103, 45301–45302.

Special Federal Aviation Regulation No. 63 [Removed]

11. Remove SFAR No. 63 from part 63.

PART 65—CERTIFICATION: AIRMEN OTHER THAN FLIGHT CREWMEMBERS

12. The authority citation for part 65 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701–44703, 44707, 44709–44711, 45102–45103, 45301–45302.

Special Federal Aviation Regulation No. 65 [Removed]

13. Remove SFAR No. 63 from part 65.

PART 73—SPECIAL USE AIRSPACE

14. The authority citation for part 73 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.

Special Federal Aviation Regulation No. 53 [Removed]

15. Remove SFAR No. 53 from part 73.

PART 91—GENERAL OPERATING AND FLIGHT RULES

16. The authority citation for part 91 continues to read as follows:

Authority: 49 U.S.C. 106(g), 1155, 40103, 40113, 40120, 44101, 44111, 44701, 44709, 44711, 44712, 44715, 44716, 44717, 44722, 46306, 46315, 46316, 46504, 46506–46507, 47122, 47508, 47528–47531, articles 12 and 29 of the Convention on International Civil Aviation (61 stat. 1180).

Special Federal Aviation Regulation No. 62 [Removed]

17. Remove SFAR No. 62 from part 91.

Special Federal Aviation Regulation No. 64 [Removed]

18. Remove SFAR No. 64 from part 91.

Special Federal Aviation Regulation No. 66–2 [Removed]

19. Remove SFAR No. 66–2 from part 91.

Special Federal Aviation Regulation No. 67 [Removed]

20. Remove SFAR No. 67 from part 91.

PART 119—CERTIFICATION: AIR CARRIERS AND COMMERCIAL OPERATORS

21. The authority citation for part 119 continues to read as follows:

Authority: 49 U.S.C. 106(g), 1153, 40101, 40102, 40103, 40113, 44105, 44106, 44111, 44701–44717, 44722, 44901, 44903, 44904, 44906, 44912, 44914, 44936, 44938, 46103, 46105.

§ 119.1 [Amended]

22. Amend § 119.1(e)(2) by removing the words ''and SFAR 38–2 of 14 CFR part 121''.

§ 119.2 [Removed]

23. Remove § 119.2.

PART 121—OPERATING REQUIREMENTS: DOMESTIC, FLAG, AND SUPPLEMENTAL OPERATIONS

24. The authority citation for part 121 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 40119, 41706, 44101, 44710–44702, 44705, 44709–44711, 44713, 44716–44717, 44722, 44901, 44903–44904, 44912, 46105.

Special Federal Aviation Regulation No. 38–2 [Removed]

25. Remove SFAR No. 38–2 from part 121.

Special Federal Aviation Regulation No. 52 [Removed]

26. Remove SFAR No. 52 editorial note from part 121.

PART 125—CERTIFICATION AND OPERATIONS: AIRPLANES HAVING A SEATING CAPACITY OF 20 OR MORE PASSENGERS OR A MAXIMUM PAYLOAD CAPACITY OF 6,000 POUNDS OR MORE; AND RULES GOVERNING PERSONS ON BOARD SUCH AIRCRAFT

27. The authority citation for part 125 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701–44702, 44705, 44710–44711, 44713, 44716–44717, 44722.

Special Federal Aviation Regulation No. 38–2 [Removed]

28. Remove SFAR No. 38–2 editorial note from part 125.

PART 129—OPERATIONS: FOREIGN AIR CARRIERS AND FOREIGN OPERATORS OF U.S.-REGISTERED AIRCRAFT ENGAGED IN COMMON CARRIAGE

29. The authority citation for part 129 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40104–40105, 40113, 40119, 41706, 44701–44702, 44712, 44716–44717, 44722, 44901–44904, 44906.

Special Federal Aviation Regulation No. 38–2 [Removed]

30. Remove SFAR No. 38–2 editorial note from part 129.

PART 135—OPERATING REQUIREMENTS: COMMUTER AND ON DEMAND OPERATIONS AND RULES GOVERNING PERSONS ON BOARD SUCH AIRCRAFT

31. The authority citation for part 135 continues to read as follows:

Authority: 49 U.S.C. 106(g), 41706, 44113, 44701–44702, 44705, 44709, 44711–44713, 44715–44717, 44722.

Special Federal Aviation Regulation No. 38–2 [Removed]

32. Remove SFAR No. 38–2 editorial note from part 135.

Special Federal Aviation Regulation No. 52 [Removed]

33. Remove SFAR No. 52 from part 135.

Issued in Washington, DC on February 22, 2002.

Donald P. Byrne,

Assistant Chief Counsel for Regulations.

[FR Doc. 02–4846 Filed 2–28–02; 8:45 am]

BILLING CODE 4910–13–M

Federal Register

Friday,
March 1, 2002

Part IV

Department of Transportation

Federal Aviation Administration

14 CFR Parts 11, et al.
Removal of Expired Special Federal Aviation Regulations; Final Rule

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Parts 11, 21, 23, 36, 63, 65, 73, 91, 119, 121, 125, 129, and 135

[Docket No. FAA–2002–11670; Amdt. Nos. 11–47, 21–80, 23–55, 36–23, 63–31, 65–43, 73–9, 91–273, 119–5, 121–290, 125–38, 129–32, 135–84]

Removal of Expired Special Federal Aviation Regulations

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; technical amendment.

SUMMARY: The Federal Aviation Administration (FAA) is making minor technical changes to its regulations by removing Special Federal Aviation Regulations (SFARs) that have expired, as well as references to them, from the Code of Federal Regulations. None of these changes are substantive in nature since the regulations in question have expired and are not currently in effect. This technical amendment is necessary to update our regulations. The rule will not impose any additional burden or restriction on persons or organizations affected by these regulations.

EFFECTIVE DATE: Effective on March 1, 2002.

FOR FURTHER INFORMATION CONTACT: Bonnie Fritts, (202) 267–7037; Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; e-mail *bonnie.fritts@faa.gov.*

SUPPLEMENTARY INFORMATION:

Background

The FAA periodically issues temporary regulations called Special Federal Aviation Regulations (SFARs). These SFARs are typically expected to be necessary for a finite period of time, and therefore, usually specify an expiration date within the regulatory text of the SFAR. Title 14 of the Code of Federal Regulations currently contains several SFARs with expiration dates that have passed. To maintain an accurate body of regulations, we are removing those expired SFARs, as well as references to them, which are now obsolete. This document makes the appropriate technical changes to remove SFAR Nos. 26, 38–2, 41, 52, 53, 62, 63, 64, 66–2, and 67, and corresponding references to them from the Code of Federal Regulations. In one instance of corresponding reference, the entire section pertains to the expired SFAR. That section, § 119.2, is removed in its entirety. The following table of expired SFARs is presented for the reader's convenience.

EXPIRED SFARS AND CONFORMING AMENDMENTS

Part containing SFAR	SFAR to be removed	Expiration date	Conforming amendments
11			11.201(b) OMB Table (SFAR 64 reference).
21	26	12–01–1977	
	41	09–13–1983	
23			Editorial note to SFAR 41.
36			Editorial note to SFAR 41.
63	63	12–31–1992	
65	63	12–31–1992	
73	53	01–15–1996	
91	62	12–30–1993	
	64	12–31–1999	
	66–2	Suspended indefinitely on 01–09–1996	
	67	05–10–2000	
119			119.1(e)(2) (SFAR 38–2 reference). 119.2 entire section obsolete (SFAR 38–2 references).
121	38–2	03–20–1997	
			Editorial note to SFAR 52.
125			Editorial note to SFAR 38–2.
129			Editorial note to SFAR 38–2.
135			Editorial note to SFAR 38–2.
	52	12–01–1988.	

Under the Administrative Procedure Act, an agency doesn't have to issue a notice of proposed rulemaking when the agency for good cause finds that notice and public procedure are ''impracticable, unnecessary, or contrary to the public interest.'' See 5 U.S.C. 553(b). Because this technical amendment simply removes obsolete regulations and references, we find that publishing the changes for public notice and comment is necessary.

The Administrative Procedure Act also states that an agency must publish a substantive rule not less than 30 days before its effective date, except as otherwise provided by the agency for good cause. See 5 U.S.C. 553(b). We find that this technical amendment imposes no additional burden or requirement on the regulated industry, and is not substantive in nature. Moreover, We find that there is good cause to make the changes effective immediately upon publication in the **Federal Register**. It is in the public interest to remove these obsolete references from regulations immediately.

This regulation is editorial in nature and imposes no additional burden on any person or organization. Therefore, we have determined the action: (1) Is not a significant rule under Executive Order 12866; and (2) is not a significant rule under Department of Transportation Regulatory Policies and Procedures. No impact is expected to result, and a full regulatory evaluation is not required. In addition, the FAA certifies that rule 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.

List of Subjects

14 CFR Part 11

Administrative practice and procedure, Reporting and recordkeeping requirements.

14 CFR Part 21

Aircraft, Aviation safety, Exports, Imports, Reporting and recordkeeping requirements.

14 CFR Part 23

Aircraft, Aviation safety, Signs and symbols.

14 CFR Part 36

Aircraft, Noise control.

14 CFR Part 63

Aircraft, Airmen, Alcohol abuse, Drug abuse, Navigation (air), Reporting and recordkeeping requirements.

14 CFR Part 65

Air traffic controllers, Aircraft, Airmen, Airports, Alcohol abuse, Drug abuse, Reporting and recordkeeping requirements.

14 CFR Part 73

Airspace, Navigation (air), Security measures.

14 CFR Part 91

Afghanistan, Agriculture, Air traffic control, Aircraft, Airmen, Airports, Aviation safety, Canada, Cuba, Former Yugoslavia, Freight, Mexico, Noise control, Political candidates, Reporting and recordkeeping requirements.

14 CFR Part 119

Administrative practice and procedure, Air carriers, Aircraft, Aviation safety, Charter flights, Reporting and recordkeeping requirements.

14 CFR Part 121

Air carriers, Aircraft, Airmen, Alcohol abuse, Aviation safety, Charter flights, Drug abuse, Drug testing, Reporting and recordkeeping requirements, Safety, Transportation.

14 CFR Part 125

Aircraft, Airmen, Aviation safety, Reporting and recordkeeping requirements.

14 CFR Part 129

Air carriers, Aircraft, Aviation safety, Reporting and recordkeeping requirements, Security measures, Smoking.

14 CFR Part 135

Air taxis, Aircraft, Airmen, Alcohol abuse, Aviation safety, Drug abuse, Drug testing, Reporting and recordkeeping requirements.

In consideration of the foregoing, the Federal Aviation Administration amends parts 11, 21, 23, 36, 63, 65, 73, 91, 119, 121, 125, 129, and 135 of title 14 of the Code of Federal Regulations as follows:

PART 11—GENERAL RULEMAKING PROCEDURES

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

Authority: 49 U.S.C. 106(g), 40101, 40103, 40105, 40109, 40113, 44110, 44502, 44701–44702, 44711, and 46102.

§ 11.201 [Amended]

2. Amend § 11.201(b) by removing the penultimate entry for SFAR 64 from the table.

PART 21—CERTIFICATION PROCEDURES FOR PRODUCTS AND PARTS

3. The authority citation for part 21 continues to read as follows:

Authority: 42 U.S.C. 7572; 49 U.S.C. 106(g), 40105, 40113, 44701–44702, 44707, 44709, 44711, 44713, 44715, 45303.

Special Federal Aviation Regulation No. 26 [Removed]

4. Remove SFAR No. 26 from part 21.

Special Federal Aviation Regulation No. 41 [Removed]

5. Remove SFAR No. 41 from part 21.

PART 23—AIRWORTHINESS STANDARDS: NORMAL, UTILITY, ACROBATIC, AND COMMUTER CATEGORY AIRPLANES

6. The authority citation for part 23 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701–44702, 44704.

Special Federal Aviation Regulation No. 41 [Removed]

7. Remove SFAR No. 41 editorial note from part 23.

PART 36—NOISE STANDARDS: AIRCRAFT TYPE AND AIRWORTHINESS CERTIFICATION

8. The authority citation for part 36 continues to read as follows:

Authority: 42 U.S.C. 4321 et seq.; 49 U.S.C. 106(g), 40113, 44701–44702, 44704, 44715; sec. 305, Pub. L. 96–193, 94 Stat. 50, 57; E.O. 11514, 35 FR 4247, 3 CFR, 1966–1970 Comp., p. 902.

Special Federal Aviation Regulation No. 41 [Removed]

9. Remove SFAR No. 41 editorial note from part 36.

PART 63—CERTIFICATION: FLIGHT CREWMEMBERS OTHER THAN PILOTS

10. The authority citation for part 63 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701–44703, 44707, 44709–44711, 45102–45103, 45301–45302.

Special Federal Aviation Regulation No. 63 [Removed]

11. Remove SFAR No. 63 from part 63.

PART 65—CERTIFICATION: AIRMEN OTHER THAN FLIGHT CREWMEMBERS

12. The authority citation for part 65 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701–44703, 44707, 44709–44711, 45102–45103, 45301–45302.

Special Federal Aviation Regulation No. 65 [Removed]

13. Remove SFAR No. 63 from part 65.

PART 73—SPECIAL USE AIRSPACE

14. The authority citation for part 73 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.

Special Federal Aviation Regulation No. 53 [Removed]

15. Remove SFAR No. 53 from part 73.

PART 91—GENERAL OPERATING AND FLIGHT RULES

16. The authority citation for part 91 continues to read as follows:

Authority: 49 U.S.C. 106(g), 1155, 40103, 40113, 40120, 44101, 44111, 44701, 44709, 44711, 44712, 44715, 44716, 44717, 44722, 46306, 46315, 46316, 46504, 46506–46507, 47122, 47508, 47528–47531, articles 12 and 29 of the Convention on International Civil Aviation (61 stat. 1180).

Special Federal Aviation Regulation No. 62 [Removed]

17. Remove SFAR No. 62 from part 91.

Special Federal Aviation Regulation No. 64 [Removed]

18. Remove SFAR No. 64 from part 91.

Special Federal Aviation Regulation No. 66–2 [Removed]

19. Remove SFAR No. 66–2 from part 91.

Special Federal Aviation Regulation No. 67 [Removed]

20. Remove SFAR No. 67 from part 91.

PART 119—CERTIFICATION: AIR CARRIERS AND COMMERCIAL OPERATORS

21. The authority citation for part 119 continues to read as follows:

Authority: 49 U.S.C. 106(g), 1153, 40101, 40102, 40103, 40113, 44105, 44106, 44111, 44701–44717, 44722, 44901, 44903, 44904, 44906, 44912, 44914, 44936, 44938, 46103, 46105.

§ 119.1 [Amended]

22. Amend § 119.1(e)(2) by removing the words ''and SFAR 38–2 of 14 CFR part 121''.

§ 119.2 [Removed]

23. Remove § 119.2.

PART 121—OPERATING REQUIREMENTS: DOMESTIC, FLAG, AND SUPPLEMENTAL OPERATIONS

24. The authority citation for part 121 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 40119, 41706, 44101, 44710–44702, 44705, 44709–44711, 44713, 44716–44717, 44722, 44901, 44903–44904, 44912, 46105.

Special Federal Aviation Regulation No. 38–2 [Removed]

25. Remove SFAR No. 38–2 from part 121.

Special Federal Aviation Regulation No. 52 [Removed]

26. Remove SFAR No. 52 editorial note from part 121.

PART 125—CERTIFICATION AND OPERATIONS: AIRPLANES HAVING A SEATING CAPACITY OF 20 OR MORE PASSENGERS OR A MAXIMUM PAYLOAD CAPACITY OF 6,000 POUNDS OR MORE; AND RULES GOVERNING PERSONS ON BOARD SUCH AIRCRAFT

27. The authority citation for part 125 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701–44702, 44705, 44710–44711, 44713, 44716–44717, 44722.

Special Federal Aviation Regulation No. 38–2 [Removed]

28. Remove SFAR No. 38–2 editorial note from part 125.

PART 129—OPERATIONS: FOREIGN AIR CARRIERS AND FOREIGN OPERATORS OF U.S.-REGISTERED AIRCRAFT ENGAGED IN COMMON CARRIAGE

29. The authority citation for part 129 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40104–40105, 40113, 40119, 41706, 44701–44702, 44712, 44716–44717, 44722, 44901–44904, 44906.

Special Federal Aviation Regulation No. 38–2 [Removed]

30. Remove SFAR No. 38–2 editorial note from part 129.

PART 135—OPERATING REQUIREMENTS: COMMUTER AND ON DEMAND OPERATIONS AND RULES GOVERNING PERSONS ON BOARD SUCH AIRCRAFT

31. The authority citation for part 135 continues to read as follows:

Authority: 49 U.S.C. 106(g), 41706, 44113, 44701–44702, 44705, 44709, 44711–44713, 44715–44717, 44722.

Special Federal Aviation Regulation No. 38–2 [Removed]

32. Remove SFAR No. 38–2 editorial note from part 135.

Special Federal Aviation Regulation No. 52 [Removed]

33. Remove SFAR No. 52 from part 135.

Issued in Washington, DC on February 22, 2002.

Donald P. Byrne,

Assistant Chief Counsel for Regulations.

[FR Doc. 02–4846 Filed 2–28–02; 8:45 am]

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Federal Register

Friday,
March 1, 2002

Part V

Department of Health and Human Services

Centers for Medicare & Medicaid Services

42 CFR Parts 413, 419, and 489

Medicare Program; Correction of Certain Calendar Year 2002 Payment Rates Under the Hospital Outpatient Prospective Payment System and the Pro Rata Reduction on Transitional Pass-Through Payments; Correction of Technical and Typographical Errors; Final Rule

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

42 CFR Parts 413, 419, and 489

[CMS–1159–F4]

RIN 0938–AK54

Medicare Program; Correction of Certain Calendar Year 2002 Payment Rates Under the Hospital Outpatient Prospective Payment System and the Pro Rata Reduction on Transitional Pass-Through Payments; Correction of Technical and Typographical Errors

AGENCY: Centers for Medicare & Medicaid Services (CMS), HHS.

ACTION: Final rule.

SUMMARY: This final rule corrects inadvertent technical errors that affect the amounts and factors used to determine the payment rates for services paid under the Medicare hospital outpatient prospective payment system as published in the November 30, 2001 final rule entitled ''Changes to the Hospital Outpatient Prospective Payment System for Calendar Year 2002.'' In addition, this final rule corrects the amount of the uniform reduction to be applied to transitional pass-through payments for CY 2002. This final rule also corrects other technical and typographical errors that appeared in the November 30, 2001 final rule.

EFFECTIVE DATE: This final rule is effective on April 1, 2002. The effective date for § 419.32(b)(1)(iii), revised at 66 FR 59856, published on November 30, 2001 and § 419.62(d), added at 66 FR 55865, published on November 2, 2001, is April 1, 2002.

FOR FURTHER INFORMATION CONTACT: Robert Braver, (410) 786–0378.

SUPPLEMENTARY INFORMATION:

Availability of Copies and Electronic Access

Copies: To order copies of the **Federal Register** containing this document, send your request to: New Orders, Superintendent of Documents, P.O. Box 371954, Pittsburgh, PA 15250–7954. Specify the date of the issue requested and enclose a check or money order payable to the Superintendent of Documents, or enclose your Visa or Master Card number and expiration date. Credit card orders can also be placed by calling the order desk at (202) 512–1800 or by faxing to (202) 512–2250. The cost for each copy is $9. As an alternative, you can view and photocopy the **Federal Register** document at most libraries designated as Federal Depository Libraries and at many other public and academic libraries throughout the country that receive the **Federal Register**.

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I. Background

On November 30, 2001, we published a final rule announcing the final ambulatory payment classification (APC) groups, relative weights, and payment rates under the hospital outpatient prospective payment system (OPPS) for calendar year (CY) 2002 (66 FR 59856). As discussed in detail in that final rule, in setting the APC relative weights, we incorporated 75 percent of the estimated transitional pass-through costs for devices eligible for transitional pass-through payments in CY 2002 into the costs of the APC groups associated with the use of the devices (66 FR 59906).

After publication of the November 30, 2001 final rule, we discovered that the final rule reflected several inadvertent technical errors in which we incorrectly associated specific devices approved for transitional pass-through payments with particular procedures. The magnitude of these errors was significant enough to affect not only the estimate of total transitional pass-through payments and the uniform reduction percentage to be applied to transitional pass-through payments in 2002, but also the payment rates for all procedure-related APCs. (Procedure-related APCs are those other than the APCs for pass-through drugs and devices, new technology, and partial hospitalization.) Using rates that reflected these errors would have inappropriately affected payments to hospitals. Thus, we determined that it would be inappropriate to allow the payment rates published on November 30, 2001 to become effective without further changes. In order to ensure that there were no other errors that might also have significant implications for OPPS payments, we decided to undertake an intensive review of the relevant data files. Because of the time needed for this review, we were unable to complete it and recalculate the rates before the previously published effective date of January 1, 2002 announced in the November 30, 2001 final rule. We therefore decided to continue to pay for services covered under the OPPS after January 1, 2002 and until no later than April 1, 2002 under the rates in effect on December 31, 2001. In addition, we decided to make transitional pass-through payments during that period without applying the uniform reduction announced on November 30, 2001.

Therefore, on December 31, 2001, we published a final rule, entitled ''Prospective Payment System for Hospital Outpatient Services; Delay in Effective Date of Calendar Year 2002 Payment Rates and the Pro Rata Reduction on Transitional Pass-Through Payments' (66 FR 67494), that announced we would indefinitely delay the effective date for §§ 419.32(b)(1)(iii) and 419.62(d) of the regulations. We also announced that we were delaying until no later than April 1, 2002, the effective date of the updated OPPS payment rates and the uniform reduction of transitional pass-through payments that we published in the preamble and addenda of the November 30, 2001 final rule.

We did not delay the following provisions of the November 30, 2001 final rule:

- Medicare, Medicaid, and SCHIP Benefits Improvement and Protection Act of 2000 coinsurance limit.
- Limitation of copayment amount to inpatient hospital deductible amount.
- Changes in services covered within the scope of OPPS.
- Categories of hospitals subject to, and excluded from, the OPPS.
- Criteria for new technology APCs.
- Provider-based issues.
- Change to the definition of ''single-use devices'' for transitional pass-through payments.

We have also discovered typographical and other technical errors in the preamble and addenda to the November 30, 2001 final rule. These errors involve the incorrect assignment of status indicators (SIs) to certain Physicians' Current Procedural Terminology (CPT) codes, inconsistencies between the preamble and addenda in the assignment of codes to APC groups, and similar matters. Correction of these typographical and technical errors does not involve any changes in the policies announced in the November 30, 2001 final rule. Corrections to the preamble text are listed below. The appropriate corrections are incorporated into the new addenda A, B, C, and D. The corrected addenda A and D are printed at the end of this rule. Addenda B and C are available on our Web site: *http://www.cms.hhs.gov.* Tables 2 and 3 below summarize the corrections to the errors in addenda A and B.

II. Correction of Errors

In the FR Doc. 01–29621 published November 30, 2001 (66 FR 59856), we are making the corrections described below.

A. Corrections of Device Cost Assignments to APCs

Since publication of the December 31, 2001 final rule, we have conducted an intensive internal review of device costs associated with specific CPT codes. We have also considered information concerning the use of devices brought to our attention from hospitals, manufacturers, and other such sources. As a result of this review, we determined that we had inadvertently associated device(s) with certain procedures for which no devices are used, incorrectly identified device(s) used with certain other procedures, or failed to associate one or more devices with procedures requiring the use of those devices. The following APCs were affected:

- APC 0084 Level I Electrophysiologic Evaluation
- APC 0085 Level II Electrophysiologic Evaluation
- APC 0090 Insertion/Replacement of Pacemaker/Pulse Generator
- APC 0091 Level I Vascular Ligation
- APC 0104 Transcatheter Placement of Intracoronary Stents
- APC 0229 Transcatheter Placement of Intravascular Shunts
- APC 0237 Level III Posterior Segment Eye Procedures
- APC 0241 Level IV Repair and Plastic Eye Procedures
- APC 0242 Level V Repair and Plastic Eye Procedures
- APC 0246 Cataract Procedures with IOL Insert
- APC 0248 Laser Retinal Procedures
- APC 0312 Radioelement Applications
- APC 0313 Brachytherapy

The changes in the assignment of device costs associated with these 13 APCs resulted in a net reduction in the estimate of total transitional pass-through payments for CY 2002.

In addition, the changes in the assignment of device costs associated with these 13 APCs have caused changes to the median costs for these APCs. (Median costs are used to set the relative weights of each APC. The relative weight of each APC is the ratio of its median cost to the median cost of APC 601, Mid-level clinic visit, adjusted by the ''scalar'' that is discussed below.) We found that the changes in the assignment of device costs and the resulting changes in the median costs of the 13 associated APC groups affected the relative payment weights for all procedure-related APCs as well as the estimate of aggregate CY 2002 payments.

The changes in relative payment weights resulting from revisions in the assignment of device costs associated with the 13 APCs identified above required that we recalculate the ''scalar,'' which is the factor that we use to ensure compliance with section 1833(t)(9)(B) of the Social Security Act (the Act). That section of the Act provides that APC reclassification and recalibration changes (and wage index changes) must be made in a manner so that the estimated aggregate payments under the OPPS for a particular year are neither greater nor less than the estimated aggregate payments would have been without these changes. The corrections, as well as appropriate adjustments made under the authority of section 1833(t)(2)(E) of the Act, have the overall effect of revising the scalar from 0.945, which we announced in the November 30, 2001 final rule (66 FR 59886), to 0.951. This revised scalar has the effect of slightly increasing the relative weights of the procedure-related APCs (except for those for which we revised the device-associated costs).

We are also revising the target that we set for outlier payments in the November 30, 2001 final rule from 2.0 percent to 1.5 percent, and thus we are revising the threshold for outlier payments from 3 times the applicable APC payment for a service to 3.5 times the applicable payment amount for a service. These adjustments ensure that the payment rate for every procedure-related APC is at least equal to and in no case lower than the rate published in the November 30, 2001 final rule (except for those APCs for which we revised the device-associated costs). The conversion factor is reduced by 1.5 percent (rather than 2.0 percent) to reflect the revised outlier target and 0.5 percent for the adjustments described above that are due to changes in relative payment weights resulting from revisions in the assignment of device costs. The overall effect of these adjustments does not change the conversion factor announced in the November 2, 2001 final rule. The conversion factor remains $50.904.

Recalculation of the scalar changes the offset amounts that we published in Table 5 in the November 30, 2001 final rule. Certain APC rates increased as a result of the incorporation of 75 percent of the pass-through costs of devices eligible for pass-through payments. Those amounts were deducted from the pass-through payments for those devices, so that the increases to the APC rates were offset by the simultaneous reduction of the associated pass-through costs, as described in the November 30, 2001 final rule (66 FR 59904–59906). The recalculated offset amounts are listed in Table 1 below, which parallels Table 5 of the November 30, 2001 final rule (66 FR 59907). Column 3 shows the device costs already included in the rates for 25 APCs before we incorporated 75 percent of the pass-through device costs into the rates. The label ''NA'' in column 3 means that there were no device costs associated with the APC before incorporating 75 percent of pass-through device costs into the rates. In Table 1, the amounts in column 3 have not changed since the November 30, 2001 final rule. In Table 1, the amounts in column 5, which are the sum of columns 3 and 4, have changed to account for the corrections in column 4.

TABLE 1.—OFFSETS TO BE APPLIED FOR EACH APC THAT CONTAINS DEVICE COSTS

APC	Description	Device costs (before fold-in) reflected in APC rate	Additional device costs folded into APC rate	Total offset for device costs
1	2	3	4	5
0032	Insertion of Central Venous/Arterial Catheter	$73.79	$279.97	$353.76
0046	Open/Percutaneous Treatment Fracture or Dislocation	NA	100.29	100.29
0048	Arthroplasty with Prosthesis	NA	514.64	514.64
0057	Bunion Procedures	NA	162.89	162.89
0070	Thoracentesis/Lavage Procedures	NA	26.47	26.47
0080	Diagnostic Cardiac Catheterization	164.27	134.39	298.66

TABLE 1.—OFFSETS TO BE APPLIED FOR EACH APC THAT CONTAINS DEVICE COSTS—Continued

APC	Description	Device costs (before fold-in) reflected in APC rate	Additional device costs folded into APC rate	Total offset for device costs
1	2	3	4	5
0081	Non-Coronary Angioplasty or Atherectomy	307.06	362.95	670.01
0082	Coronary Atherectomy	242.95	1,214.06	1,457.01
0083	Coronary Angioplasty	528.64	383.31	911.95
0085	Level II Electrophysiologic Evaluation	NA	1,578.03	1,578.03
0086	Ablate Heart Dysrhythm Focus	NA	1,320.96	1,320.96
0087	Cardiac Electrophysiologic Recording/Mapping	NA	1,980.16	1,980.16
0088	Thrombectomy	162.72	261.14	423.86
0089	Insertion/Replacement of Permanent Pacemaker and Electrodes	3,175.70	3,286.36	6,462.06
0090	Insertion/Replacement of Pacemaker Pulse Generator	2,921.06	2,123.20	5,044.26
0094	Resuscitation and Cardioversion	NA	19.34	19.34
0103	Miscellaneous Vascular Procedures	NA	207.18	207.18
0104	Transcatheter Placement of Intracoronary Stents	428.16	1,256.31	1,684.47
0106	Insertion/Replacement/Repair of Pacemaker and/or Electrodes	657.59	1,049.13	1,706.72
0107	Insertion of Cardioverter-Defibrillator	6,803.85	11,099.62	17,903.47
0108	Insertion/Replacement/Repair of Cardioverter-Defibrillator Leads	6,940.27	19,607.20	26,547.47
0111	Blood Product Exchange	NA	209.72	209.72
0115	Cannula/Access Device Procedures	NA	127.26	127.26
0117	Chemotherapy Administration by Infusion Only	NA	30.03	30.03
0118	Chemotherapy Administration by Both Infusion and Other Technique	NA	28.50	28.50
0119	Implantation of Devices	NA	3,348.98	3,348.98
0120	Infusion Therapy Except Chemotherapy	NA	35.12	35.12
0121	Level I Tube Changes and Repositioning	NA	6.10	6.10
0122	Level II Tube Changes and Repositioning	72.55	214.82	287.37
0124	Revision of Implanted Infusion Pump	NA	3,308.76	3,308.76
0144	Diagnostic Anoscopy	NA	128.28	128.28
0151	Endoscopic Retrograde Cholangio-Pancreatography (ERCP)	60.92	0.00	60.92
0152	Percutaneous Biliary Endoscopic Procedures	107.61	0.00	107.61
0153	Peritoneal and Abdominal Procedures	NA	41.23	41.23
0154	Hernia/Hydrocele Procedures	108.11	378.73	486.84
0161	Level II Cystourethroscopy and other Genitourinary Procedures	NA	11.20	11.20
0162	Level III Cystourethroscopy and other Genitourinary Procedures	NA	319.68	319.68
0163	Level IV Cystourethroscopy and other Genitourinary Procedures	NA	901.51	901.51
0179	Urinary Incontinence Procedures	NA	3,400.90	3,400.90
0182	Insertion of Penile Prosthesis	2,238.90	569.11	2,808.14
0202	Level VIII Female Reproductive Proc	505.32	1,233.41	1,738.73
0203	Level V Nerve Injections	NA	420.98	420.98
0207	Level IV Nerve Injections	NA	63.63	63.63
0222	Implantation of Neurological Device	4,458.57	9,599.99	14,058.56
0223	Implantation of Pain Management Device	421.33	3,330.14	3,751.47
0225	Implantation of Neurostimulator Electrodes	1,182.00	11,941.06	13,123.06
0226	Implantation of Drug Infusion Reservoir	NA	3,363.74	3,363.74
0227	Implantation of Drug Infusion Device	3,810.46	2,395.55	6,206.01
0229	Transcatherter Placement of Intravascular Shunts	1,074.41	842.97	1,917.38
0246	Cataract Procedures with IOL Insert	146.82	0.00	146.82
0259	Level VI ENT Procedures	12,407.52	3,836.13	16,243.65
0264	Level II Miscellaneous Radiology Procedures	NA	61.59	61.59
0312	Radioelement Applications	NA	5,897.22	5,897.22
0313	Brachytherapy	NA	998.23	998.23
0685	Level III Needle Biopsy/Aspiration Except Bone Marrow	NA	210.75	210.75
0686	Level V Skin Repair	NA	465.77	465.77
0687	Revision/Removal of Neurostimulator Electrodes	NA	1,444.65	1,444.65
0688	Revision/Removal of Neurostimulator Pulse Generator Receiver	NA	6,238.79	6,238.79
0692	Electronic Analysis of Neurostimulator Pulse Generators	NA	644.44	644.44

As noted above, the estimates of transitional pass-through payments for devices, and of total pass-through payments for all eligible items, have decreased because of the corrections of device costs associated with specific procedures. After we incorporated 75 percent of the estimated pass-through device costs into the APCs, the remaining estimate of total pass-through payments for CY 2002 is 1.20 billion, which results in a uniform reduction in pass-through payments for 2002 of 63.6 percent.

During the first quarter of CY 2002, payments to hospitals for outpatient services are based on the rates and Healthcare Common Procedure Coding System (HCPCS) codes that were in effect for CY 2001, and a uniform reduction of transitional pass-through payments does not apply. Hospitals have thus received the advantage of much higher pass-through payments during the first quarter of CY 2002 than they would have, had we proceeded with implementation of the revised CY 2002 rates and the requisite uniform reduction for services furnished on or after January 1, 2002.

We are making four revised addenda available. Revised Addendum A and Addendum D are printed at the end of this preamble. Addendum A shows the corrected relative weights and payment rates, as well as the national unadjusted copayment and minimum unadjusted copayment amounts that are effective April 1, 2002. Addendum D incorporates several corrections to the payment status indicator addendum that was published on November 30, 2001.

Revised Addendum B and Addendum C are available on our Web site at *http://www.cms.hhs.gov.* Addendum B shows payment rates, weights, APC assignment, and payment status by HCPCS code. Addendum C lists the HCPCS codes in each APC group.

On December 31, 2001, we published a final rule that delayed the effective date of the payment rates and the uniform reduction to the transitional pass-through payments under the OPPS announced in the November 30, 2001 final rule until no later than April 1, 2002. We also announced that payment under the OPPS would continue to be made under the payment rates in effect on December 31, 2001, and that we would not apply a uniform reduction to payments for transitional pass-through items. This final rule implements the revised payment rates in Addendum A effective for services furnished on or after April 1, 2002. Also, effective for services furnished on or after April 1, 2002, a uniform reduction of 63.6 percent applies to transitional pass-through payments made under the OPPS. In addition, effective for services furnished on or after April 1, 2002, the threshold for determining outlier payments is when service costs are 3.5 times greater than the applicable APC payment amount. Also, effective for services furnished on or after April 1, 2002, payment will be made for new 2002 HCPCS codes and modifiers that are payable under the OPPS.

B. Correction of Technical and Typographical Errors in the Preamble and the Regulations Text of the November 30, 2001 Final Rule

We are correcting the following typographical and technical errors in the preamble and regulations text of the November 30, 2001 final rule. As we have stated previously, these corrections do not involve any changes in the policies announced in that rule.

1. On page 59863, in column two, the heading ''Level I Nerve Injections (to include Trigger Point, Joint, Other Injections, and Lower Complexity Nerve Blocks)'' is corrected to read ''Level VI Nerve Injections (APC 204) (to include Trigger Point, Joint, Other Injections, and Lower Complexity Nerve Blocks).''

2. On page 59863, in column two, the chart that will be under the revised heading (see item 1 above) ''Level VI Nerve Injections (APC 204) (to include Trigger Point, Joint, Other Injections, and Lower Complexity Nerve Blocks)'' is revised to read:

	Reassigned CPT Code from APC
27096	(1)
62270	0210
62272	0210
62273	0212
62310–62319	0212

[1] Currently packaged.

3. On page 59863, in column two, the heading ''Level II Nerve Injections (to include Moderate Complexity Nerve Blocks and Epidurals):'' is corrected to read ''Level III Nerve Injections (APC 206) (to include Moderate Complexity Nerve Blocks and Epidurals):''.

4. On page 59863, in column two and continuing to the top of column three, the heading ''Level III Nerve Injections (to include Moderately High Complexity Epidurals, Facet Blocks, and Disk Injections):'' is corrected to read ''Level IV Nerve Injections (APC 207) (to include Moderately High Complexity Epidurals, Facet Blocks, and Disk Injections):''.

5. On page 59863, in column three, the heading ''Level IV Nerve Injections (to include High Complexity Lysis of Adhesions, Neurolytic Procedures, Removal of Implantable Pumps and Stimulators):'' is corrected to read ''Level V Nerve Injections (APC 203) (to include High Complexity Lysis of Adhesions, Neurolytic Procedures, Removal of Implantable Pumps and Stimulators):''.

6. On page 59868, in column two, the first and second complete sentences beginning at line five from the top of the page are corrected to read ''We would note that payment for IMRT planning includes payment for the following CPT codes: 77300, 77336, 77370, 77280–77295, 77305–77321. The only CPT codes that may be billed in addition to 77301 (IMRT planning) are the CPT codes 77332–77334.''

7. On page 59870, in column one, the last sentence is corrected to read ''According to our methodology for pricing new technology services, these services will be reassigned to APC 0714, New Technology—Level IX ($1250–$1500), which results in a payment rate of $1,375 with a status indicator of 'S,' indicating that the multiple procedure discount is not applied.''

8. On page 59883, in column two, on line 17 from the top of the page, ''G0224,'' is corrected to read ''G0244.''

9. On page 59883, in column two, beginning at the bottom of the page and continuing to the top of column three, the list of acceptable diagnosis codes for chest pain is corrected to read as follows:

For Chest Pain:

411.1 Intermediate coronary syndrome
411.81 Coronary occlusion without myocardial infarction
411.0 Postmyocardial infarction syndrome
411.89 Other acute ischemic heart disease
413.0 Angina decubitus
413.1 Prinzmetal angina
413.9 Other and unspecified angina pectoris
786.05 Shortness of breath
786.50 Chest pain, unspecified
786.51 Precordial pain
786.52 Painful respiration
786.59 Other chest pain

10. On page 59883, in column three, the list of acceptable diagnosis codes for congestive heart failure is corrected to read as follows:

For Congestive Heart Failure:

391.8 Other acute rheumatic heart disease
398.91 Rheumatic heart failure (congestive)
402.01 Malignant hypertensive heart disease with congestive heart failure
402.11 Benign hypertensive heart disease with congestive heart failure
402.91 Unspecified hypertensive heart disease with congestive heart failure
404.01 Malignant hypertensive heart and renal disease with congestive heart failure
404.03 Malignant hypertensive heart and renal disease with congestive heart and renal failure
404.11 Benign hypertensive heart and renal disease with congestive heart failure
404.13 Benign hypertensive heart and renal disease with congestive heart and renal failure
404.91 Unspecified hypertensive heart and renal disease with congestive heart failure
404.93 Unspecified hypertensive heart and renal disease with congestive heart and renal failure
428.0 Congestive heart failure
428.1 Left heart failure
428.9 Heart failure, unspecified

11. On page 59883, in column three, the second-to-last sentence is corrected to read ''For asthma, a peak expiratory flow rate (PEFR) (CPT code 94010), or pulse oximetry (CPT codes 94760 or 94761).''

12. We are also making revisions to our regulations under 42 CFR Part 419, specifically § 419.32 ''Calculation of prospective payment rates for hospital outpatient services,'' and § 419.62 ''Transitional pass-through payments: General rules.'' At §§ 419.32(b)(1)(iii) and 419.62(d), we are revising our language to specify that the provisions

under these sections are applicable to a portion of CY 2002 and not necessarily the entire year for 2002.

C. Correction of Technical and Typographical Errors in Addenda A, B, C, and D

Addenda A, B, and D as published in the November 30, 2001 final rule contain a number of typographical and technical errors that do not involve any changes in the policies announced in that rule. Addenda A and D at the end of this document reflect the corrections of these errors. Corrected addenda B and C are available on our Web site at http://www.cms.hhs.gov.

1. Corrections to Addendum A

Table 2, Corrections to Addendum A of the November 30, 2001 final rule, shows the APC listings for which corrections are required. It provides the data as published in that final rule and the additions and corrections to these data.

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TABLE 2--CORRECTIONS TO ADDENDUM A OF THE NOVEMBER 30, 2001 FINAL RULE

CORRECTIONS TO THE LIST OF AMBULATORY CLASSIFICATIONS (APCs) WITH STATUS INDICATORS, RELATIVE WEIGHTS, PAYMENT RATES, AND COPAYMENT AMOUNTS													
As Published in the November 30, 2001 Final Rule							Corrections to the November 30, 2001 Final Rule						
APC	Group Title	Status Indicator	Relative Weight	Payment Rate	National Unadjusted Copayment	Minimum Unadjusted Copayment	APC	Group Title	Status Indicator	Relative Weight	Payment Rate	National Unadjusted Copayment	Minimum Unadjusted Copayment
0097	Cardiac monitoring for 30 days	X	0.84	$42.76	$23.52	$8.55	------	Cardiac and ambulatory blood pressure monitoring	------	------	------	------	------
0339	Observation	X	6.85	$348.69	------	$69.74	------	------	S	------	------	------	------
0352	Level II Injections	X	0.41	$20.87	------	$4.17	------	Level I Injections	------	------	------	------	------
------	------	------		------	------	------	0843	Pegaspargase, singl dose vial	G	-------	$1,225.57	------	$179.74
0903	Cytomegalovirus imm IV/vial	G	------	$370.50	------	$47.58	------	------	------	-------	$638.48	------	$91.40
0931	Factor IX non-recombinant, per iu	G	------	$26.13	------	$3.74	------	------			$0.71	------	$0.09
------	-------	------		------	------	------	1002	Cochlear implant system	H				
-------	----------	----------	----------	----------	----------	----------	1616	Histrelin acatate, 10 mgs	G	---------- --	14.16	----------	2.03
1624	Sodium Phosphate P32	G	------	$54.34	------	$7.78	------	------	------	------	$81.10	------	------
	-------	------		------	------	------	7047	Droperidol/fentanyl inj	G	------	$6.67	------	$0.95
------	------	------		------	------	------	7052	Somatrem injection	G	------	$41.90	------	$6.00
7315	Sodium hyaluronate injection, 5mg	G	------	$26.13	------	$3.74	------	Sodium hyaluronate injection, 20mg	------	------	$130.63	------	$18.70
	------	------		------	------	------	7316	Sodium hyaluron	G	------	$26.13	------	$3.74

CORRECTIONS TO THE LIST OF AMBULATORY CLASSIFICATIONS (APCs) WITH STATUS INDICATORS, RELATIVE WEIGHTS, PAYMENT RATES, AND COPAYMENT AMOUNTS

As Published in the November 30, 2001 Final Rule							Corrections to the November 30, 2001 Final Rule						
APC	Group Title	Status Indicator	Relative Weight	Payment Rate	National Unadjusted Copayment	Minimum Unadjusted Copayment	APC	Group Title	Status Indicator	Relative Weight	Payment Rate	National Unadjusted Copayment	Minimum Unadjusted Copayment
								ate injection 5mg					
	------	------		------	------	------	0734	Darbepoetin alfa, 1 mcg	G	------	$4.74	------	$0.68
	------	------		------	------	------	1775	FDG per dose (4-40 mCi/ml)	G	------	$475.00		$68.00

2. Corrections to Addendum B of the November 30, 2001 Final Rule

Table 3, Corrections to Addendum B of the November 30, 2001 final rule shows the APC assignments for which corrections are required. It provides the data as published in that final rule and the additions and corrections to these data.

Table 3—CORRECTIONS TO ADDENDUM B OF THE NOVEMBER 30, 2001 FINAL RULE

TABLE 3 -- CORRECTIONS TO ADDENDUM B.—PAYMENT BY HCPCS CODE AND RELATED INFORMATION CALENDAR YEAR 2002													
As Published in the in the November 30, 2001 Final Rule							Corrections to the November 30, 2001 Final Rule						
CPT/ HCPCS	Status Indicator	Description	APC	Payment Rate	National Unadjusted Copayment	Minimum Unadjusted Copayment	CPT/ HCPCS	Status Indicator	Description	APC	Payment Rate	National Unadjusted Copayment	Minimum Unadjusted Copayment
47382	T	Percut ablate liver rf	0152	$821.08	$207.38	$164.22	------	T	------	0980	$1,875.00	------	$375.00
48511	S	Drain pancreatic pseudocyst	0005	$205.14	------	$41.03	------	T	------	0005	------	------	------
50021	S	Renal abscess, percut drain	0005	$205.14	------	$41.03	------	T	------	------	------	------	------
61793	S	Focus radiation beam	0302	$568.09	------	$113.62	------	E	------	------	------	------	------
62355	T	Remove spinal canal catheter	0105	$751.34	------	$150.27	------	------	------	0203	------	------	------
62365	T	Remove spine infusion device	0105	$751.34	------	$150.27	------	------	------	0203	------	------	------
64614	T	Destroy nerve, extrem musc	0206	$182.75	------	$36.55	------	------	------	0204	------	------	------
76873	N	Echograp trans r, pros study	------	------	------	------	------	S	------	0266	------	------	------
93786	E	Ambulatory BP recording	------	------	------	------	------	X	------	097	------	------	------
96000	T	Motion analysis, video/3d	0972	$150.00	------	$30.00	------	S	------	0708	------	------	------
96001	T	Motion test w/ft press meas	0972	$150.00	------	$30.00	------	S	------	0708	------	------	------
96002	T	Dynamic surface emg	0972	$150.00	------	$30.00	------	S	------	0708	------	------	------
96003	T	Dynamic fine wire emg	0972	$150.00	------	$30.00	------	S	------	0708	------	------	------
C1300	T	Hyperbaric oxygen	0971	$75.00	------	$15.00	------	S	------	0707	$75.00	------	$15.00
------	------	------	------	------	------	------	C1774	G	Non esrd darbepoetin alfa	0734	$4.74	------	$0.68
							C1775	G	FDG, per dose (4-40 mCi/ml)	1775	$475.00	------	$68.00
G0210	S	PET img wholebody dx lung ca	0712	$875.00	------	$175.00	------		PET img WhBD ring dxlung ca	0714	$1,375.00	------	$275.00
G0211	S	PET img wholebody init lung	0712	$875.00	------	$175.00	------		PET img WhBD ring init lung	0714	$1,375.00	------	$275.00
G0212	S	PET img wholebod restag lung	0712	$875.00	------	$175.00	------		PET img WhBD ring restag lun	0714	$1,375.00	------	$275.00
G0213	S	PET img wholebody dx colorec	0712	$875.00	------	$175.00	------		PET img WhBD ring dx colorec	0714	$1,375.00	------	$275.00
G0214	S	PET img wholebod init colore	0712	$875.00	------	$175.00	------		PET img WhBD ring init colore	0714	$1,375.00	------	$275.00
G0215	S	PETimg wholebod restag colre	0712	$875.00	------	$175.00	------		PET img whbd restag col	0714	$1,375.00	------	$275.00
G0216	S	PET img wholebod dx melanoma	0712	$875.00	------	$175.00	------		PET img WhBD ring dx melanom	0714	$1,375.00	------	$275.00

TABLE 3 -- CORRECTIONS TO ADDENDUM B.—PAYMENT BY HCPCS CODE AND RELATED INFORMATION CALENDAR YEAR 2002

As Published in the in the November 30, 2001 Final Rule							Corrections to the November 30, 2001 Final Rule						
CPT/ HCPCS	Status Indicator	Description	APC	Payment Rate	National Unadjusted Copayment	Minimum Unadjusted Copayment	CPT/ HCPCS	Status Indicator	Description	APC	Payment Rate	National Unadjusted Copayment	Minimum Unadjusted Copayment
G0217	S	PET img wholebod init melano	0712	$875.00	------	$175.00	------		PET img WhBD ring init melan	0714	$1,375.00	------	$275.00
G0218	S	PET img wholebod restag mela	0712	$875.00	------	$175.00	------		PET img WhBD ring restag mel	0714	$1,375.00	------	$275.00
G0219	S	PET img wholbod melano nonco	0712	$875.00	------	$175.00	------	E	PET img WhBD ring noncov ind	------	------	------	------
G0220	S	PET img wholebod dx lymphoma	0712	$875.00	------	$175.00	------		PET img WhBD ring dx lymphom	0714	$1,375.00	------	$275.00
G0221	S	PET imag wholbod init lympho	0712	$875.00	------	$175.00	------		PET img WhBD ring init lymph	0714	$1,375.00	------	$275.00
G0222	S	PET imag wholbod resta lymph	0712	$875.00	------	$175.00	------		PET img WhBD ring resta lymp	0714	$1,375.00	------	$275.00
G0223	S	PET imag wholbod reg dx head	0712	$875.00	------	$175.00	------		PET imag WhBD reg ring dx head	0714	$1,375.00	------	$275.00
G0224	S	PET imag wholbod reg ini hea	0712	$875.00	------	$175.00	------		PET img WhBD reg ring ini hea	0714	$1,375.00	------	$275.00
G0225	S	PET whol restag headneck onl	0712	$875.00	------	$175.00	------		PET img WhBD ring restag hea	0714	$1,375.00	------	$275.00
G0226	S	PET img wholbody dx esophagl	0712	$875.00	------	$175.00	------		PET img WhBD dx esophag	0714	$1,375.00	------	$275.00
G0227	S	PET img wholbod ini esophage	0712	$875.00	------	$175.00	------		PET img whbd ini esopha	0714	$1,375.00	------	275.00
G0228	S	PET img wholbod restg esopha	0712	$875.00	------	$175.00	------		Pet img WhBD ring restg esop	0714	$1,375.00	------	$275.00
G0229	S	PET img metabolic brain pres	0712	$875.00	------	$175.00	------		PET img metabolic brain ring	0714	$1,375.00	------	$275.00
G0230	S	PET myocard viability post s	0712	$875.00	------	$175.00	------		Pet myocard viability ring	0714	$1,375.00	------	$275.00
G0231	S	PET WhBD colorec; gamma cam	0712	$875.00	------	$175.00	------		------	0714	$1,375.00	------	$275.00
G0232	S	PET WhBD lymphoma; gamma cam	0712	$875.00	------	$175.00	------		------	0714	$1,375.00	------	$275.00
G0233	S	PET WhBD melanoma; gamma cam	0712	$875.00	------	$175.00	------		------	0714	$1,375.00	------	$275.00
G0234	S	PET WhBD pulm nod; gamma cam	0712	$875.00	------	$175.00	------		------	0714	$1,375.00	------	$275.00
G0244	X	Observ care by facility topt	0339	$348.69	------	$69.74	------	S	------	------	------	------	------
J0850	G	Cytomegalovirus imm IV /vial	0903	$370.50	------	$47.58	------		------	------	$638.48	------	$91.40
J1810	E	Droperidol/fentanyl inj, up to 2 ml	------	------	------	------	------	G	------	7047	$6.67	------	$0.95
J2940	G	Somatrem injection	7033	$209.48	------	$29.99	------	G	------	7052	$41.90		$6.00

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TABLE 3 -- CORRECTIONS TO ADDENDUM B.—PAYMENT BY HCPCS CODE AND RELATED INFORMATION CALENDAR YEAR 2002													
As Published in the in the November 30, 2001 Final Rule							Corrections to the November 30, 2001 Final Rule						
CPT/ HCPCS	Status Indicator	Description	APC	Payment Rate	National Unadjusted Copayment	Minimum Unadjusted Copayment	CPT/ HCPCS	Status Indicator	Description	APC	Payment Rate	National Unadjusted Copayment	Minimum Unadjusted Copayment
J7193	G	Factor IX non-recombinant	0931	$26.13	------	$3.74	------		------	------	$0.71		$0.09
J7315	D	Sodium hyaluronate injection	7315	$26.13	------	$3.74	------		------	------	$130.63		$18.70
J7316	G	Sodium hyaluronate injection	7315	$26.13	------	$3.74	------		------	7316	$26.13		$3.74
J9266	E	Pegaspargase/singl dose vial	------	------	------	------	------	G	------	0843	$1,225.57	------	$179.74
L2102	A	Afo tibial fx cast plstr mol	------	------	------	------	------	E	------	------	------	------	------
L2104	A	Afo tib fx cast synthetic mo	------	------	------	------	------	E	------	------	------	------	------
L2122	A	Kafo fem fx cast plaster mol	------	------	------	------	------	E	------	------	------	------	------
L2124	A	Kafo fem fx cast synthet mol	------	------	------	------	------	E	------	------	------	------	------
L3760	E	EO withjoint, Prefabricated	------	------	------	------	------	A	------	------	------	------	------
L8614	E	Cochlear device/system	------	------	------	------	------	H	------	1002	------	------	------
Q0081	D	Infusion ther other than che	0120	$156.78	------	$31.36	------	T	------	------	------	------	------
Q0086	D	Physical therapy evaluation/	------	------	$42.67	------	------	A	------	------	------	------	------
Q0160	D	Factor IX non-recombinant	0931	$26.13	------	$3.74	------		------	------	$0.71		$0.09
Q2020	E	Histrelin acetate, 10 mg	------	------	------	------	------	G	------	1616	$14.16	------	$2.03
Q3007	G	Sodium Phosphate P32	1624	$54.34	------	$7.78	------		------	------	$81.10	------	$11.61
Q3017	A	Ambsrv, ALS assmt, no other a/s	------	------	------	------	------	E	------	------	------	------	------
------	------	------	------	------	------	------	Q3019	A	ALS emer trans no ALS service	------	------	------	------
------	------	------	------	------	------	------	Q3020	A	ALS nonemer trans no als service	------	------	------	------

3. Corrections to Addendum D of the November 30, 2001 Final Rule

On page 60091, there are two corrections to Addendum D as published in the November 30, 2001 final rule.

a. Under the status column for Screening Mammography, ''Lower of Charges or National Rate'' is revised to read ''Physician Fee Schedule.''

b. We are adding a status indicator that was inadvertently omitted. In the indicator column we are adding, where it should appear alphabetically, status indicator ''D'', ''Deleted Code'' under the service column, and ''Codes Are Deleted Effective with the Beginning of the Calendar Year'' under the status column.

III. Waiver of Notice of Proposed Rulemaking

We ordinarily publish a notice of proposed rulemaking in the **Federal Register** and invite public comment on the proposed rule. The notice of proposed rulemaking includes a reference to the legal authority under which the rule is proposed, and the terms and substances of the proposed rule or a description of the subjects and issues involved. This procedure can be waived, however, if an agency finds good cause that a notice-and-comment procedure is impracticable, unnecessary, or contrary to the public interest and incorporates a statement of the finding and its reasons in the rule issued. The rates in this final rule incorporate the correction of errors that were identified in connection with the rates published in the November 30, 2001 final rule.

We find that it is in the general public interest to proceed with implementing the corrected rates without proposed rulemaking and public comment. The delay in implementing the 2002 rates was necessary to correct identified inadvertent technical errors and to allow us to review our data files to ensure that other errors could also be identified and corrected. As a matter of good public policy, we do not believe that the necessary delay in implementing the CY 2002 OPPS rates should result in continued uncertainty among hospitals, beneficiaries, and others regarding CY 2002 payment rates for OPPS services. The public is expecting the corrected OPPS update for CY 2002 to be made effective no later than April 1, 2002. Thus, there is an urgent need, effective for services furnished on or after April 1, 2002, to implement the corrected rate update and new 2002 HCPCS codes for Medicare payments under the OPPS. There is not sufficient time to provide notice of proposed rulemaking without further delaying the effective date of the rates. Therefore, we find that it is contrary to the public interest to continue to delay the effective date of the rates.

IV. Collection of Information Requirements

This document does not impose information collection and record-keeping requirements. Consequently, the Office of Management and Budget need not review it under the authority of the Paperwork Reduction Act of 1995.

V. Regulatory Impact Statement

We have examined the impacts of this rule as required by Executive Order 12866 (September 1993, Regulatory Planning and Review) and the Regulatory Flexibility Act (RFA) (September 19, 1980 Pub. L. 96–354). Executive Order 12866 directs agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). A regulatory impact analysis (RIA) must be prepared for major rules with economically significant effects ($100 million or more annually).

As discussed above in this preamble, this final rule corrects inadvertent technical errors in the November 30, 2001 final rule that implemented the CY 2002 payments for the hospital OPPS. We note that the November 30, 2001 final rule was not a major rule. As we also discussed above in the preamble, this final rule corrects the estimate of the transitional pass-through payments for CY 2002 and the resulting uniform reduction that is required for that year, the median costs for several APCs, the scalar used to adjust the relative payment weights for the effects of recalibration, and device cost assignment to device-related APCs. We also note that on November 2, 2001, we published a final rule that announced the updated conversion factor for payments under the OPPS (66 FR 55857).

The RFA requires agencies to analyze options for regulatory relief of small businesses. For purposes of the RFA, small entities include small businesses, nonprofit organizations, and government agencies. Most hospitals and most other providers and suppliers are small entities, either by nonprofit status or by having revenues between $5 million and $25 million (for details see the Small Business Administration's final rule that set forth size standards for health care industries at 65 FR 69432). Individuals and States are not included in the definition of a small entity.

In addition, section 1102(b) of the Act requires us to prepare a regulatory impact analysis for any final rule that may have a significant impact on the operations of a substantial number of small rural hospitals. Such an analysis must conform to the provisions of section 604 of the RFA. With the exception of hospitals located in certain New England counties, for purposes of section 1102(b) of the Act, we define a small rural hospital as a hospital with not more than 100 beds that is located outside of a Metropolitan Statistical Area (MSA) or New England County Metropolitan Area (NECMA). Section 601(g) of the Social Security Amendments of 1983 (Pub. L. 98–21) designated hospitals in certain New England counties as belonging to the adjacent NECMA. Thus, for purposes of the PPS, we classify these hospitals as urban hospitals. See the November 30, 2001 final rule for the regulatory impact analysis related to the updated CY 2002 hospital OPPS payments.

Section 202 of the Unfunded Mandates Reform Act of 1995 also requires that agencies assess anticipated costs and benefits before issuing any rule that may result in an expenditure in any 1 year by State, local, or tribal governments, in the aggregate, or by the private sector, of $110 million. This final rule will not have a significant economic effect on these governments or the private sector.

Executive Order 13132 establishes certain requirements that an agency must meet when it promulgates a final rule that imposes substantial direct compliance costs on State and local governments, preempts State law, or otherwise has Federalism implications. This final rule will not have a substantial effect on States or local governments.

Because the November 30, 2001 final rule includes the relevant impact analysis for the changes to the hospital OPPS, we are not preparing analyses for either the RFA or section 1102(b) of the Act.

In accordance with the provisions of Executive Order 12866, this regulation was reviewed by the Office of Management and Budget.

List of Subjects 42 CFR Part 419

Hospitals, Medicare, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, 42 CFR part 419 is corrected

by making the following correcting amendments:

PART 419—PROSPECTIVE PAYMENT SYSTEM FOR HOSPITAL OUTPATIENT DEPARTMENT SERVICES

1. The authority citation continues to read as follows:

Authority: Secs. 1102, 1833(t), and 1871 of the Social Security Act (42 U.S.C. 1302, 1395l(t), and 1395hh).

§ 419.32 [Corrected]

2. In § 419.32, paragraph (b)(1)(iii) is corrected by removing the phrase ''For calendar year 2002,'' and adding in its place the phrase ''For the portion of calendar year 2002 that is affected by these rules,''.

§ 419.62 [Corrected]

In § 419.62, paragraph (d) is corrected by removing the phrase ''For CY 2002'' and adding in its place ''For the portion of CY 2002 affected by these rules,''.

(Catalog of Federal Domestic Assistance Program No. 93.773, Medicare—Hospital Insurance; and Program No. 93.774, Medicare—Supplementary Medical Insurance Program)

Dated: February 27, 2002.

Thomas A. Scully,

Administrator, Centers for Medicare & Medicaid Services.

Approved: February 27, 2002.

Tommy G. Thompson,

Secretary.

ADDENDUM A.—LIST OF AMBULATORY PAYMENT CLASSIFICATIONS (APCS) WITH STATUS INDICATORS, RELATIVE WEIGHTS, PAYMENT RATES, AND COPAYMENT AMOUNTS CALENDAR YEAR 2002

APC	Group title	Status indicator	Relative weight	Payment rate	National unadjusted copayment	Minimum unadjusted copayment
0001	Photochemotherapy	S	0.43	$21.89	$7.88	$4.38
0002	Fine needle Biopsy/Aspiration	T	0.42	$21.38	$11.76	$4.28
0003	Bone Marrow Biopsy/Aspiration	T	1.04	$52.94	$27.08	$10.59
0004	Level I Needle Biopsy/ Aspiration Except Bone Marrow	T	2.48	$126.24	$32.57	$25.25
0005	Level II Needle Biopsy /Aspiration Except Bone Marrow	T	4.05	$206.16	$90.71	$41.23
0006	Level I Incision & Drainage	T	2.19	$111.48	$33.95	$22.30
0007	Level II Incision & Drainage	T	6.79	$345.64	$72.03	$69.13
0008	Level III Incision and Drainage	T	10.99	$559.43	$113.67	$111.89
0009	Nail Procedures	T	0.63	$32.07	$8.34	$6.41
0010	Level I Destruction of Lesion	T	0.66	$33.60	$9.86	$6.72
0011	Level II Destruction of Lesion	T	1.48	$75.34	$27.88	$15.07
0012	Level I Debridement & Destruction	T	0.66	$33.60	$9.18	$6.72
0013	Level II Debridement & Destruction	T	1.37	$69.74	$17.66	$13.95
0015	Level IV Debridement & Destruction	T	2.08	$105.88	$31.20	$21.18
0016	Level V Debridement & Destruction	T	3.04	$154.75	$65.00	$30.95
0017	Level VI Debridement & Destruction	T	9.73	$495.30	$227.84	$99.06
0018	Biopsy of Skin/Puncture of Lesion	T	1.06	$53.96	$17.66	$10.79
0019	Level I Excision/ Biopsy	T	4.24	$215.83	$78.91	$43.17
0020	Level II Excision/ Biopsy	T	8.49	$432.17	$130.53	$86.43
0021	Level IV Excision/ Biopsy	T	11.89	$605.25	$236.51	$121.05
0022	Level V Excision/ Biopsy	T	13.99	$712.15	$292.94	$142.43
0023	Exploration Penetrating Wound	T	2.09	$106.39	$40.37	$21.28
0024	Level I Skin Repair	T	2.29	$116.57	$41.97	$23.31
0025	Level II Skin Repair	T	3.41	$173.58	$65.57	$34.72
0026	Level III Skin Repair	T	12.69	$645.97	$277.92	$129.19
0027	Level IV Skin Repair	T	18.12	$922.38	$383.10	$184.48
0028	Level I Breast Surgery	T	14.08	$716.73	$303.74	$143.35
0029	Level II Breast Surgery	T	23.90	$1,216.61	$632.64	$243.32
0030	Level III Breast Surgery	T	34.40	$1,751.10	$763.55	$350.22
0032	Insertion of Central Venous/Arterial Catheter	T	12.71	$646.99	.....	$129.40
0033	Partial Hospitalization	P	4.17	$212.27	$48.17	$42.45
0035	Placement of Arterial or Central Venous Catheter	T	0.13	$6.62	$2.91	$1.32
0041	Level I Arthroscopy	T	23.74	$1,208.46	$580.06	$241.69
0042	Level II Arthroscopy	T	35.97	$1,831.02	$804.74	$366.20
0043	Closed Treatment Fracture Finger/Toe/Trunk	T	4.07	$207.18	.....	$41.44
0044	Closed Treatment Fracture/Dislocation Except Finger/Toe/ Trunk.	T	2.54	$129.30	$38.08	$25.86
0045	Bone/Joint Manipulation Under Anesthesia	T	11.74	$597.61	$277.12	$119.52
0046	Open/Percutaneous Treatment Fracture or Dislocation	T	27.86	$1,418.19	$535.76	$283.64
0047	Arthroplasty without Prosthesis	T	26.51	$1,349.47	$537.03	$269.89
0048	Arthroplasty with Prosthesis	T	43.44	$2,211.27	$725.94	$442.25
0049	Level I Musculoskeletal Procedures Except Hand and Foot	T	15.93	$810.90	$356.95	$162.18
0050	Level II Musculoskeletal Procedures Except Hand and Foot	T	20.75	$1,056.26	$507.15	$211.25
0051	Level III Musculoskeletal Procedures Except Hand and Foot	T	28.73	$1,462.47	$675.24	$292.49
0052	Level IV Musculoskeletal Procedures Except Hand and Foot	T	36.15	$1,840.18	$930.91	$368.04
0053	Level I Hand Musculoskeletal Procedures	T	11.76	$598.63	$253.49	$119.73
0054	Level II Hand Musculoskeletal Procedures	T	19.95	$1,015.53	$472.33	$203.11
0055	Level I Foot Musculoskeletal Procedures	T	15.52	$790.03	$355.34	$158.01
0056	Level II Foot Musculoskeletal Procedures	T	18.95	$964.63	$405.81	$192.93
0057	Bunion Procedures	T	24.49	$1,246.64	$496.65	$249.33
0058	Level I Strapping and Cast Application	S	1.28	$65.16	$19.27	$13.03
0059	Level II Strapping and Cast Application	S	2.23	$113.52	$29.59	$22.70
0060	Manipulation Therapy	S	0.23	$11.71	.....	$2.34
0068	CPAP Initiation	S	3.04	$154.75	$85.11	$30.95

ADDENDUM A.—LIST OF AMBULATORY PAYMENT CLASSIFICATIONS (APCS) WITH STATUS INDICATORS, RELATIVE WEIGHTS, PAYMENT RATES, AND COPAYMENT AMOUNTS CALENDAR YEAR 2002—Continued

APC	Group title	Status indicator	Relative weight	Payment rate	National unadjusted copayment	Minimum unadjusted copayment
0069	Thoracoscopy	T	23.72	$1,207.44	$591.64	$241.49
0070	Thoracentesis/Lavage Procedures	T	4.61	$234.67	$79.60	$46.93
0071	Level I Endoscopy Upper Airway	T	1.04	$52.94	$14.22	$10.59
0072	Level II Endoscopy Upper Airway	T	1.22	$62.10	$34.16	$12.42
0073	Level III Endoscopy Upper Airway	T	3.31	$168.49	$74.14	$33.70
0074	Level IV Endoscopy Upper Airway	T	11.39	$579.80	$295.70	$115.96
0075	Level V Endoscopy Upper Airway	T	17.52	$891.84	$445.92	$178.37
0076	Endoscopy Lower Airway	T	7.61	$387.38	$189.82	$77.48
0077	Level I Pulmonary Treatment	S	0.39	$19.85	$10.92	$3.97
0078	Level II Pulmonary Treatment	S	0.87	$44.29	$19.04	$8.86
0079	Ventilation Initiation and Management	S	0.60	$30.54	$16.80	$6.11
0080	Diagnostic Cardiac Catheterization	T	34.93	$1,778.08	$838.92	$355.62
0081	Non-Coronary Angioplasty or Atherectomy	T	29.42	$1,497.60	$710.91	$299.52
0082	Coronary Atherectomy	T	92.53	$4,710.15	$1,351.74	$942.03
0083	Coronary Angioplasty	T	59.84	$3,046.10	$794.30	$609.22
0084	Level I Electrophysiologic Evaluation	S	6.90	$351.24	$115.91	$70.25
0085	Level II Electrophysiologic Evaluation	T	58.28	$2,966.69	$654.48	$593.34
0086	Ablate Heart Dysrhythm Focus	T	73.14	$3,723.12	$1,265.37	$744.62
0087	Cardiac Electrophysiologic Recording/Mapping	T	52.77	$2,686.20	.....	$537.24
0088	Thrombectomy	T	34.57	$1,759.75	$678.68	$351.95
0089	Insertion/Replacement of Permanent Pacemaker and Electrodes.	T	150.39	$7,655.45	$2,246.59	$1,531.09
0090	Insertion/Replacement of Pacemaker Pulse Generator	T	116.11	$5,910.46	$2,133.88	$1,182.09
0091	Level I Vascular Ligation	T	21.15	$1,076.62	$348.23	$215.32
0092	Level II Vascular Ligation	T	20.02	$1,019.10	$505.37	$203.82
0093	Vascular Repair/Fistula Construction	T	14.24	$724.87	$277.34	$144.97
0094	Resuscitation and Cardioversion	S	6.12	$311.53	$105.29	$62.31
0095	Cardiac Rehabilitation	S	0.62	$31.56	$16.73	$6.31
0096	Non-Invasive Vascular Studies	S	1.72	$87.55	$48.15	$17.51
0097	Cardiac and Ambulatory Blood Pressure Monitoring	X	0.85	$43.27	$23.80	$8.65
0098	Injection of Sclerosing Solution	T	1.25	$63.63	$20.88	$12.73
0099	Electrocardiograms	S	0.36	$18.33	$10.08	$3.67
0100	Stress Tests and Continuous ECG	X	1.48	$75.34	$41.44	$15.07
0101	Tilt Table Evaluation	S	3.76	$191.40	$105.27	$38.28
0103	Miscellaneous Vascular Procedures	T	16.04	$816.50	$295.70	$163.30
0104	Transcatheter Placement of Intracoronary Stents	T	96.97	$4,936.16	.....	$987.23
0105	Revision/Removal of Pacemakers, AICD, or Vascular	T	14.85	$755.92	$370.40	$151.18
0106	Insertion/Replacement/Repair of Pacemaker and/or Electrodes	T	36.85	$1,875.81	$503.07	$375.16
0107	Insertion of Cardioverter-Defibrillator	T	381.66	$19,428.02	$4,224.27	$3,885.60
0108	Insertion/Replacement/Repair of Cardioverter-Defibrillator Leads.	T	576.78	$29,360.41	.....	$5,872.08
0109	Removal of Implanted Devices	T	6.30	$320.70	$131.49	$64.14
0110	Transfusion	S	5.34	$271.83	$114.17	$54.37
0111	Blood Product Exchange	S	21.21	$1,079.67	$300.74	$215.93
0112	Apheresis, Photopheresis, and Plasmapheresis	S	36.46	$1,855.96	$612.47	$371.19
0113	Excision Lymphatic System	T	15.62	$795.12	$326.55	$159.02
0114	Thyroid/Lymphadenectomy Procedures	T	29.46	$1,499.63	$493.78	$299.93
0115	Cannula/Access Device Procedures	T	21.47	$1,092.91	$506.74	$218.58
0116	Chemotherapy Administration by Other Technique Except Infusion.	S	0.91	$46.32	.....	$9.26
0117	Chemotherapy Administration by Infusion Only	S	4.03	$205.14	$52.69	$41.03
0118	Chemotherapy Administration by Both Infusion and Other Technique.	S	4.22	$214.81	$72.03	$42.96
0119	Implantation of Devices	T	80.14	$4,079.45	.....	$815.89
0120	Infusion Therapy Except Chemotherapy	T	3.10	$157.80	$42.67	$31.56
0121	Level I Tube changes and Repositioning	T	2.56	$130.31	$52.53	$26.06
0122	Level II Tube changes and Repositioning	T	9.94	$505.99	$114.93	$101.20
0123	Bone Marrow Harvesting and Bone Marrow/Stem Cell Transplant.	S	8.62	$438.79	.....	$87.76
0124	Revision of Implanted Infusion Pump	T	89.58	$4,559.98	.....	$912.00
0125	Refilling of Infusion Pump	T	3.01	$153.22	.....	$30.64
0130	Level I Laparoscopy	T	26.06	$1,326.56	$659.53	$265.31
0131	Level II Laparoscopy	T	37.85	$1,926.72	$1,001.89	$385.34
0132	Level III Laparoscopy	T	56.38	$2,869.97	$1,239.22	$573.99
0140	Esophageal Dilation without Endoscopy	T	5.68	$289.13	$107.24	$57.83
0141	Upper GI Procedures	T	7.25	$369.05	$184.67	$73.81
0142	Small Intestine Endoscopy	T	6.98	$355.31	$152.78	$71.06
0143	Lower GI Endoscopy	T	7.31	$372.11	$186.06	$74.42
0144	Diagnostic Anoscopy	T	4.46	$227.03	$49.32	$45.41

ADDENDUM A.—LIST OF AMBULATORY PAYMENT CLASSIFICATIONS (APCS) WITH STATUS INDICATORS, RELATIVE WEIGHTS, PAYMENT RATES, AND COPAYMENT AMOUNTS CALENDAR YEAR 2002—Continued

APC	Group title	Status indicator	Relative weight	Payment rate	National unadjusted copayment	Minimum unadjusted copayment
0145	Therapeutic Anoscopy	T	10.88	$553.84	$179.39	$110.77
0146	Level I Sigmoidoscopy	T	2.75	$139.99	$64.40	$28.00
0147	Level II Sigmoidoscopy	T	5.74	$292.19	$137.33	$58.44
0148	Level I Anal/Rectal Procedure	T	2.41	$122.68	$43.59	$24.54
0149	Level III Anal/Rectal Procedure	T	13.61	$692.80	$293.06	$138.56
0150	Level IV Anal/Rectal Procedure	T	18.19	$925.94	$437.12	$185.19
0151	Endoscopic Retrograde Cholangio-Pancreatography (ERCP)	T	15.39	$783.41	$245.46	$156.68
0152	Percutaneous Biliary Endoscopic Procedures	T	16.23	$826.17	$207.38	$165.23
0153	Peritoneal and Abdominal Procedures	T	23.70	$1,206.42	$496.31	$241.28
0154	Hernia/Hydrocele Procedures	T	31.58	$1,607.55	$556.98	$321.51
0155	Level II Anal/Rectal Procedure	T	5.30	$269.79	$99.82	$53.96
0156	Level II Urinary and Anal Procedures	T	2.46	$125.22	$37.57	$25.04
0157	Colorectal Cancer Screening: Barium Enema	S	1.99	$101.30	$22.19	$20.26
0158	Colorectal Cancer Screening: Colonoscopy	T	6.59	$335.46	$83.87	$67.09
0159	Colorectal Cancer Screening: Flexible Sigmoidoscopy	S	2.34	$119.12	$29.78	$23.82
0160	Level I Cystourethroscopy and other Genitourinary Procedures	T	5.16	$262.66	$105.06	$52.53
0161	Level II Cystourethroscopy and other Genitourinary Procedures	T	13.80	$702.48	$249.36	$140.50
0162	Level III Cystourethroscopy and other Genitourinary Procedures.	T	25.23	$1,284.31	$427.49	$256.86
0163	Level IV Cystourethroscopy and other Genitourinary Procedures.	T	40.63	$2,068.23	$792.58	$413.65
0164	Level I Urinary and Anal Procedures	T	1.02	$51.92	$15.58	$10.38
0165	Level III Urinary and Anal Procedures	T	5.25	$267.25	$91.76	$53.45
0166	Level I Urethral Procedures	T	12.27	$624.59	$218.73	$124.92
0167	Level II Urethral Procedures	T	22.41	$1,140.76	$555.84	$228.15
0168	Level III Urethral Procedures	T	18.53	$943.25	$405.60	$188.65
0169	Lithotripsy	T	39.85	$2,028.52	$1,115.69	$405.70
0170	Dialysis for Other Than ESRD Patients	S	0.29	$14.76	$3.25	$2.95
0179	Urinary Incontinence Procedures	T	140.14	$7,133.69	$3,067.48	$1,426.74
0180	Circumcision	T	15.11	$769.16	$304.87	$153.83
0181	Penile Procedures	T	22.21	$1,130.58	$621.82	$226.12
0182	Insertion of Penile Prosthesis	T	88.04	$4,481.59	$1,492.28	$896.32
0183	Testes/Epididymis Procedures	T	18.97	$965.65	$448.94	$193.13
0184	Prostate Biopsy	T	4.86	$247.39	$123.70	$49.48
0187	Miscellaneous Placement/Repositioning	X	4.24	$215.83	$94.96	$43.17
0188	Level II Female Reproductive Proc	T	0.81	$41.23	$11.95	$8.25
0189	Level III Female Reproductive Proc	T	1.26	$64.14	$18.60	$12.83
0190	Surgical Hysteroscopy	T	17.01	$865.88	$424.28	$173.18
0191	Level I Female Reproductive Proc	T	0.23	$11.71	$3.40	$2.34
0192	Level IV Female Reproductive Proc	T	2.52	$128.28	$35.33	$25.66
0193	Level V Female Reproductive Proc	T	11.23	$571.65	$171.13	$114.33
0194	Level VI Female Reproductive Proc	T	15.95	$811.92	$397.84	$162.38
0195	Level VII Female Reproductive Proc	T	20.74	$1,055.75	$483.80	$211.15
0196	Dilation and Curettage	T	13.56	$690.26	$338.23	$138.05
0197	Infertility Procedures	T	2.41	$122.68	$49.55	$24.54
0198	Pregnancy and Neonatal Care Procedures	T	1.32	$67.19	$32.92	$13.44
0199	Vaginal Delivery	T	5.12	$260.63	$72.98	$52.13
0200	Therapeutic Abortion	T	11.41	$580.81	$307.83	$116.16
0201	Spontaneous Abortion	T	14.42	$734.04	$329.65	$146.81
0202	Level VIII Female Reproductive Proc	T	63.90	$3,252.77	$1,593.85	$650.55
0203	Level V Nerve Injections	T	15.88	$808.36	$363.78	$161.67
0204	Level VI Nerve Injections	T	2.25	$114.53	$43.52	$22.91
0206	Level III Nerve Injections	T	3.62	$184.27	$75.55	$36.85
0207	Level IV Nerve Injections	T	5.40	$274.88	$123.69	$54.98
0208	Laminotomies and Laminectomies	T	29.29	$1,490.98	.....	$298.20
0209	Extended EEG Studies and Sleep Studies, Level II	S	10.60	$539.58	$280.58	$107.92
0212	Level II Nervous System Injections	T	3.79	$192.93	$88.78	$38.59
0213	Extended EEG Studies and Sleep Studies, Level I	S	2.66	$135.40	$70.41	$27.08
0214	Electroencephalogram	S	2.11	$107.41	$53.71	$21.48
0215	Level I Nerve and Muscle Tests	S	0.66	$33.60	$17.47	$6.72
0216	Level III Nerve and Muscle Tests	S	2.63	$133.88	$60.25	$26.78
0218	Level II Nerve and Muscle Tests	S	1.04	$52.94	$23.82	$10.59
0220	Level I Nerve Procedures	T	13.68	$696.37	$327.29	$139.27
0221	Level II Nerve Procedures	T	21.55	$1,096.98	$463.62	$219.40
0222	Implantation of Neurological Device	T	304.29	$15,489.58	.....	$3,097.92
0223	Implantation of Pain Management Device	T	75.83	$3,860.05	.....	$772.01
0224	Implantation of Reservoir/Pump/Shunt	T	28.65	$1,458.40	$453.41	$291.68
0225	Implantation of Neurostimulator Electrodes	T	269.11	$13,698.78	.....	$2,739.76
0226	Implantation of Drug Infusion Reservoir	T	76.24	$3,880.92	.....	$776.18

ADDENDUM A.—LIST OF AMBULATORY PAYMENT CLASSIFICATIONS (APCS) WITH STATUS INDICATORS, RELATIVE WEIGHTS, PAYMENT RATES, AND COPAYMENT AMOUNTS CALENDAR YEAR 2002—Continued

APC	Group title	Status indicator	Relative weight	Payment rate	National unadjusted copayment	Minimum unadjusted copayment
0227	Implantation of Drug Infusion Device	T	140.36	$7,144.89	.....	$1,428.98
0228	Creation of Lumbar Subarachnoid Shunt	T	54.08	$2,752.89	$696.46	$550.58
0229	Transcatherter Placement of Intravascular Shunts	T	76.09	$3,873.29	$996.86	$774.66
0230	Level I Eye Tests & Treatments	S	0.62	$31.56	$14.52	$6.31
0231	Level III Eye Tests & Treatments	S	2.05	$104.35	$46.96	$20.87
0232	Level I Anterior Segment Eye Procedures	T	3.52	$179.18	$78.84	$35.84
0233	Level II Anterior Segment Eye Procedures	T	10.90	$554.85	$266.33	$110.97
0234	Level III Anterior Segment Eye Procedures	T	19.20	$977.36	$469.13	$195.47
0235	Level I Posterior Segment Eye Procedures	T	5.60	$285.06	$78.91	$57.01
0236	Level II Posterior Segment Eye Procedures	T	16.30	$829.74	.....	$165.95
0237	Level III Posterior Segment Eye Procedures	T	32.16	$1,637.07	$818.54	$327.41
0238	Level I Repair and Plastic Eye Procedures	T	3.02	$153.73	$58.96	$30.75
0239	Level II Repair and Plastic Eye Procedures	T	5.84	$297.28	$115.94	$59.46
0240	Level III Repair and Plastic Eye Procedures	T	13.91	$708.07	$315.31	$141.61
0241	Level IV Repair and Plastic Eye Procedures	T	17.84	$908.13	$384.47	$181.63
0242	Level V Repair and Plastic Eye Procedures	T	24.26	$1,234.93	$597.36	$246.99
0243	Strabismus/Muscle Procedures	T	17.81	$906.60	$431.39	$181.32
0244	Corneal Transplant	T	38.69	$1,969.48	$851.42	$393.90
0245	Level I Cataract Procedures without IOL Insert	T	10.50	$534.49	$251.21	$106.90
0246	Cataract Procedures with IOL Insert	T	20.73	$1,055.24	$495.96	$211.05
0247	Laser Eye Procedures Except Retinal	T	4.05	$206.16	$94.83	$41.23
0248	Laser Retinal Procedures	T	4.35	$221.43	$94.05	$44.29
0249	Level II Cataract Procedures without IOL Insert	T	21.93	$1,116.32	$524.67	$223.26
0250	Nasal Cauterization/Packing	T	2.11	$107.41	$37.59	$21.48
0251	Level I ENT Procedures	T	2.44	$124.21	$27.99	$24.84
0252	Level II ENT Procedures	T	5.99	$304.91	$114.24	$60.98
0253	Level III ENT Procedures	T	12.40	$631.21	$284.00	$126.24
0254	Level IV ENT Procedures	T	17.47	$889.29	$272.41	$177.86
0256	Level V ENT Procedures	T	26.76	$1,362.19	$623.05	$272.44
0258	Tonsil and Adenoid Procedures	T	17.53	$892.35	$437.25	$178.47
0259	Level VI ENT Procedures	T	378.75	$19,279.89	$9,447.14	$3,855.98
0260	Level I Plain Film Except Teeth	X	0.70	$35.63	$19.60	$7.13
0261	Level II Plain Film Except Teeth Including Bone Density Measurement.	X	1.22	$62.10	$34.15	$12.42
0262	Plain Film of Teeth	X	0.65	$33.09	$10.90	$6.62
0263	Level I Miscellaneous Radiology Procedures	X	1.62	$82.46	$44.53	$16.49
0264	Level II Miscellaneous Radiology Procedures	X	3.74	$190.38	$104.71	$38.08
0265	Level I Diagnostic Ultrasound Except Vascular	S	0.95	$48.36	$26.60	$9.67
0266	Level II Diagnostic Ultrasound Except Vascular	S	1.55	$78.90	$43.40	$15.78
0267	Vascular Ultrasound	S	2.34	$119.12	$65.52	$23.82
0269	Level I Echocardiogram Except Transesophageal	S	3.87	$197.00	$102.44	$39.40
0270	Transesophageal Echocardiogram	S	5.34	$271.83	$146.79	$54.37
0271	Mammography	S	0.60	$30.54	$16.80	$6.11
0272	Level I Fluoroscopy	X	1.38	$70.25	$38.64	$14.05
0274	Myelography	S	5.27	$268.26	$128.12	$53.65
0275	Arthrography	S	2.61	$132.86	$69.09	$26.57
0276	Level I Digestive Radiology	S	1.49	$75.85	$41.72	$15.17
0277	Level II Digestive Radiology	S	2.16	$109.95	$60.47	$21.99
0278	Diagnostic Urography	S	2.36	$120.13	$66.07	$24.03
0279	Level I Angiography and Venography except Extremity	S	7.77	$395.52	$174.57	$79.10
0280	Level II Angiography and Venography except Extremity	S	13.63	$693.82	$353.85	$138.76
0281	Venography of Extremity	S	4.35	$221.43	$115.16	$44.29
0282	Miscellaneous Computerized Axial Tomography	S	1.59	$80.94	$44.51	$16.19
0283	Computerized Axial Tomography with Contrast Material	S	4.51	$229.58	$126.27	$45.92
0284	Magnetic Resonance Imaging and Magnetic Resonance Angiography with Contrast Material.	S	7.18	$365.49	$201.02	$73.10
0285	Positron Emission Tomography (PET)	S	18.83	$958.52	$415.21	$191.70
0286	Myocardial Scans	S	5.43	$276.41	$152.03	$55.28
0287	Complex Venography	S	4.09	$208.20	$114.51	$41.64
0288	CT, Bone Density	S	1.18	$60.07	$33.03	$12.01
0289	Needle Localization for Breast Biopsy	X	1.63	$82.97	$44.80	$16.59
0290	Standard Non-Imaging Nuclear Medicine	S	1.76	$89.59	$49.27	$17.92
0291	Level I Diagnostic Nuclear Medicine Excluding Myocardial Scans.	S	3.52	$179.18	$90.20	$35.84
0292	Level II Diagnostic Nuclear Medicine Excluding Myocardial Scans.	S	4.22	$214.81	$118.15	$42.96
0294	Level I Therapeutic Nuclear Medicine	S	5.04	$256.56	$141.11	$51.31
0295	Level II Therapeutic Nuclear Medicine	S	12.17	$619.50	$340.73	$123.90
0296	Level I Therapeutic Radiologic Procedures	S	3.41	$173.58	$95.47	$34.72

ADDENDUM A.—LIST OF AMBULATORY PAYMENT CLASSIFICATIONS (APCS) WITH STATUS INDICATORS, RELATIVE WEIGHTS, PAYMENT RATES, AND COPAYMENT AMOUNTS CALENDAR YEAR 2002—Continued

APC	Group title	Status indicator	Relative weight	Payment rate	National unadjusted copayment	Minimum unadjusted copayment
0297	Level II Therapeutic Radiologic Procedures	S	7.11	$361.93	$172.51	$72.39
0299	Miscellaneous Radiation Treatment	S	0.21	$10.69	$5.66	$2.14
0300	Level I Radiation Therapy	S	2.08	$105.88	$47.72	$21.18
0301	Level II Radiation Therapy	S	5.18	$263.68	.....	$52.74
0302	Level III Radiation Therapy	S	11.23	$571.65	$216.55	$114.33
0303	Treatment Device Construction	X	3.01	$153.22	$69.28	$30.64
0304	Level I Therapeutic Radiation Treatment Preparation	X	1.63	$82.97	$41.52	$16.59
0305	Level II Therapeutic Radiation Treatment Preparation	X	3.74	$190.38	$91.38	$38.08
0310	Level III Therapeutic Radiation Treatment Preparation	X	14.59	$742.69	$339.05	$148.54
0312	Radioelement Applications	S	124.64	$6,344.67	.....	$1,268.93
0313	Brachytherapy	S	35.74	$1,819.31	.....	$363.86
0314	Hyperthermic Therapies	S	3.92	$199.54	$101.77	$39.91
0320	Electroconvulsive Therapy	S	3.90	$198.53	$80.06	$39.71
0321	Biofeedback and Other Training	S	0.93	$47.34	$21.78	$9.47
0322	Brief Individual Psychotherapy	S	1.16	$59.05	$12.40	$11.81
0323	Extended Individual Psychotherapy	S	1.74	$88.57	$21.26	$17.71
0324	Family Psychotherapy	S	2.71	$137.95	.....	$27.59
0325	Group Psychotherapy	S	1.38	$70.25	$18.27	$14.05
0330	Dental Procedures	S	11.04	$561.98	.....	$112.40
0332	Computerized Axial Tomography and Computerized Angiography without Contrast Material.	S	3.26	$165.95	$91.27	$33.19
0333	Computerized Axial Tomography and Computerized Angio w/o Contrast Material followed by Contrast.	S	5.25	$267.25	$146.98	$53.45
0335	Magnetic Resonance Imaging, Miscellaneous	S	5.41	$275.39	$151.46	$55.08
0336	Magnetic Resonance Imaging and Magnetic Resonance Angiography without Contrast.	S	6.32	$321.71	$176.94	$64.34
0337	MRI and Magnetic Resonance Angiography without Contrast Material followed by Contrast Material.	S	8.60	$437.77	$240.77	$87.55
0339	Observation	S	6.90	$351.24	.....	$70.25
0340	Minor Ancillary Procedures	X	0.85	$43.27	$10.82	$8.65
0341	Skin Tests and Miscellaneous Red Blood Cell Tests	X	0.11	$5.60	$3.08	$1.12
0342	Level I Pathology	X	0.21	$10.69	$5.88	$2.14
0343	Level II Pathology	X	0.39	$19.85	$10.72	$3.97
0344	Level III Pathology	X	0.56	$28.51	$15.68	$5.70
0345	Level I Transfusion Laboratory Procedures	X	0.27	$13.74	$5.37	$2.75
0346	Level II Transfusion Laboratory Procedures	X	0.77	$39.20	$12.03	$7.84
0347	Level III Transfusion Laboratory Procedures	X	1.57	$79.92	$20.13	$15.98
0348	Fertility Laboratory Procedures	X	0.77	$39.20	.....	$7.84
0352	Level I Injections	X	0.41	$20.87	.....	$4.17
0353	Level II Allergy Injections	X	0.25	$12.73	$2.92	$2.55
0354	Administration of Influenza/Pneumonia Vaccine	K	0.11	$5.60	.....	.....
0355	Level I Immunizations	K	0.19	$9.67	$5.05	$1.93
0356	Level II Immunizations	K	1.12	$57.01	.....	$11.40
0359	Level II Injections	X	1.80	$91.63	.....	$18.33
0360	Level I Alimentary Tests	X	1.36	$69.23	$34.62	$13.85
0361	Level II Alimentary Tests	X	3.27	$166.46	$83.23	$33.29
0362	Fitting of Vision Aids	X	0.87	$44.29	$9.63	$8.86
0363	Otorhinolaryngologic Function Tests	X	1.74	$88.57	$32.77	$17.71
0364	Level I Audiometry	X	0.58	$29.52	$11.51	$5.90
0365	Level II Audiometry	X	1.32	$67.19	$20.16	$13.44
0367	Level I Pulmonary Test	X	0.70	$35.63	$17.82	$7.13
0368	Level II Pulmonary Tests	X	1.48	$75.34	$38.42	$15.07
0369	Level III Pulmonary Tests	X	3.51	$178.67	$58.50	$35.73
0370	Allergy Tests	X	0.81	$41.23	$11.81	$8.25
0371	Level I Allergy Injections	X	0.70	$35.63	.....	$7.13
0372	Therapeutic Phlebotomy	X	0.53	$26.98	$10.09	$5.40
0373	Neuropsychological Testing	X	1.01	$51.41	$14.39	$10.28
0374	Monitoring Psychiatric Drugs	X	0.89	$45.30	$9.97	$9.06
0600	Low Level Clinic Visits	V	0.87	$44.29	.....	$8.86
0601	Mid Level Clinic Visits	V	0.95	$48.36	.....	$9.67
0602	High Level Clinic Visits	V	1.38	$70.25	.....	$14.05
0610	Low Level Emergency Visits	V	1.24	$63.12	$19.57	$12.62
0611	Mid Level Emergency Visits	V	2.16	$109.95	$36.47	$21.99
0612	High Level Emergency Visits	V	3.51	$178.67	$54.14	$35.73
0620	Critical Care	S	8.45	$430.14	$150.55	$86.03
0685	Level III Needle Biopsy/Aspiration Except Bone Marrow	T	9.21	$468.83	$206.28	$93.77
0686	Level V Skin Repair	T	24.15	$1,229.33	$565.49	$245.87
0687	Revision/Removal of Neurostimulator Electrodes	T	42.58	$2,167.49	$997.05	$433.50

ADDENDUM A.—LIST OF AMBULATORY PAYMENT CLASSIFICATIONS (APCS) WITH STATUS INDICATORS, RELATIVE WEIGHTS, PAYMENT RATES, AND COPAYMENT AMOUNTS CALENDAR YEAR 2002—Continued

APC	Group title	Status indicator	Relative weight	Payment rate	National unadjusted copayment	Minimum unadjusted copayment
0688	Revision/Removal of Neurostimulator Pulse Generator Receiver.	T	146.12	$7,438.09	$3,644.66	$1,487.62
0689	Electronic Analysis of Cardioverter-defibrillators	S	0.43	$21.89	$12.03	$4.38
0690	Electronic Analysis of Pacemakers and other Cardiac Devices	S	0.38	$19.34	$10.63	$3.87
0691	Electronic Analysis of Programmable Shunts/Pumps	S	3.18	$161.87	$89.02	$32.37
0692	Electronic Analysis of Neurostimulator Pulse Generators	S	14.43	$734.54	$403.99	$146.91
0693	Level II Breast Reconstruction	T	32.00	$1,628.93	$798.17	$325.79
0694	Level III Excision/Biopsy	T	4.01	$204.13	$81.65	$40.83
0695	Level VII Debridement & Destruction	T	15.87	$807.85	$266.59	$161.57
0697	Level II Echocardiogram Except Transesophageal	S	2.09	$106.39	$55.32	$21.28
0698	Level II Eye Tests & Treatments	S	1.04	$52.94	$20.64	$10.59
0699	Level IV Eye Tests & Treatment	T	6.49	$330.37	$148.66	$66.07
0701	SR 89 chloride, per mCi	G		$963.42		$137.92
0702	SM 153 lexidronam, 50 mCi	G		$1,020.00		$146.02
0704	IN 111 Satumomab pendetide per dose	G		$1,591.25		$227.80
0705	TC 99M tetrofosmin, per dose	G		$114.00		$16.32
0706	New Technology—Level I ($0–$50)	S		$25.00		$5.00
0707	New Technology—Level II ($50–$100)	S		$75.00		$15.00
0708	New Technology—Level III ($100–$200)	S		$150.00		$30.00
0709	New Technology—Level IV ($200–$300)	S		$250.00		$50.00
0710	New Technology—Level V ($300–$500)	S		$400.00		$80.00
0711	New Technology—Level VI ($500–$750)	S		$625.00		$125.00
0712	New Technology—Level VII ($750–$1000)	S		$875.00		$175.00
0713	New Technology—Level VIII ($1000–$1250)	S		$1,125.00		$225.00
0714	New Technology—Level IX ($1250–$1500)	S		$1,375.00		$275.00
0715	New Technology—Level X ($1500–$1750)	S		$1,625.00		$325.00
0716	New Technology—Level XI ($1750–$2000)	S		$1,875.00		$375.00
0717	New Technology—Level XII ($2000–$2500)	S		$2,250.00		$450.00
0718	New Technology—Level XIII ($2500–$3000)	S		$2,750.00		$550.00
0719	New Technology—Level XIV ($3000–$3500)	S		$3,250.00		$650.00
0720	New Technology—Level XV ($3500–$5000)	S		$4,250.00		$850.00
0721	New Technology—Level XVI ($5000–$6000)	S		$5,500.00		$1,100.00
0725	Leucovorin calcium inj, 50 mg	G		$4.15		$0.38
0726	Dexrazoxane hcl injection, 250 mg	G		$194.52		$24.98
0727	Etidronate disodium inj 300 mg	G		$63.65		$9.11
0728	Filgrastim 300 mcg injection	G		$179.08		$23.00
0730	Pamidronate disodium , 30 mg	G		$265.87		$38.06
0731	Sargramostim injection 50 mcg	G		$29.06		$4.16
0732	Mesna injection 200 mg	G		$36.48		$3.30
0733	Non esrd epoetin alpha inj, 1000 u	G		$12.26		$1.57
0734	Darepoetin alfa, 1 MCG	G		$4.74		$0.68
0750	Dolasetron mesylate, 10 mg	G		$16.45		$2.11
0754	Metoclopramide hcl injection up to 10 mg	G		$1.17		$0.11
0755	Thiethylperazine maleate inj up to 10 mg	G		$4.60		$0.66
0762	Dronabinol 2.5mg oral	G		$3.28		$0.42
0763	Dolasetron mesylate oral, 100 mg	G		$69.64		$8.94
0764	Granisetron hcl injection 10 mcg	G		$18.54		$2.65
0765	Granisetron hcl 1 mg oral	G		$44.69		$6.40
0768	Ondansetron hcl injection 1 mg	G		$6.09		$0.78
0769	Ondansetron hcl 8mg oral	G		$26.41		$3.39
0800	Leuprolide acetate, 3.75 mg	G		$93.47		$12.00
0801	Cyclophosphamide oral 25 mg	G		$2.03		$0.18
0802	Etoposide oral 50 mg	G		$52.43		$6.73
0803	Melphalan oral 2 mg	G		$2.29		$0.33
0807	Aldesleukin/single use vial	G		$672.60		$96.29
0809	Bcg live intravesical vac	G		$166.49		$21.38
0810	Goserelin acetate implant 3.6 mg	G		$446.49		$63.92
0811	Carboplatin injection 50 mg	G		$114.46		$16.39
0812	Carmus bischl nitro inj 100 mg	G		$117.84		$16.87
0813	Cisplatin 10 mg injection	G		$42.18		$3.82
0814	Asparaginase injection 10,000 u	G		$62.61		$8.96
0815	Cyclophosphamide 100 mg inj	G		$5.82		$0.75
0816	Cyclophosphamide lyophilized 100 mg	G		$4.89		$0.63
0817	Cytarabine hcl 100 mg inj	G		$6.10		$0.55
0818	Dactinomycin 0.5 mg	G		$13.87		$1.99
0819	Dacarbazine 100 mg inj	G		$12.68		$1.15
0820	Daunorubicin 10 mg	G		$76.62		$6.94
0821	Daunorubicin citrate liposom 10 mg	G		$64.60		$9.25
0822	Diethylstilbestrol injection 250 mg	G		$14.41		$1.30

ADDENDUM A.—LIST OF AMBULATORY PAYMENT CLASSIFICATIONS (APCS) WITH STATUS INDICATORS, RELATIVE WEIGHTS, PAYMENT RATES, AND COPAYMENT AMOUNTS CALENDAR YEAR 2002—Continued

APC	Group title	Status indicator	Relative weight	Payment rate	National unadjusted copayment	Minimum unadjusted copayment
0823	Docetaxel, 20 mg	G		$297.83		$42.64
0824	Etoposide 10 mg inj	G		$10.45		$0.95
0826	Methotrexate Oral 2.5 mg	G		$3.45		$0.31
0827	Floxuridine injection 500 mg	G		$129.56		$16.64
0828	Gemcitabine HCL 200 mg	G		$106.72		$15.28
0830	Irinotecan injection 20 mg	G		$134.25		$19.22
0831	Ifosfomide injection 1 gm	G		$156.64		$22.42
0832	Idarubicin hcl injection 5 mg	G		$412.21		$59.01
0833	Interferon alfacon-1, 1 mcg	G		$4.10		$0.59
0834	Interferon alfa-2a inj recombinant 3 million u	G		$34.86		$4.99
0836	Interferon alfa-2b inj recombinant, 1 million	G		$11.28		$1.45
0838	Interferon gamma 1-b inj, 3 million u	G		$285.65		$40.89
0839	Mechlorethamine hcl inj 10 mg	G		$12.01		$1.72
0840	Melphalan hydrochl 50 mg	G		$400.74		$57.37
0841	Methotrexate sodium inj 5 mg	G		$0.45		$0.04
0842	Fludarabine phosphate inj 50 mg	G		$271.82		$38.91
0843	Pegaspargase, singl dose vial	G		$1,225.57		$179.74
0844	Pentostatin injection, 10 mg	G		$1,654.14		$236.80
0847	Doxorubicin hcl 10 mg vl chemo	G		$37.46		$4.81
0849	Rituximab, 100 mg	G		$454.55		$65.07
0850	Streptozocin injection, 1 gm	G		$117.64		$16.84
0851	Thiotepa injection, 15 mg	G		$116.97		$10.59
0852	Topotecan, 4 mg	G		$664.19		$95.08
0853	Vinblastine sulfate inj, 1 mg	G		$4.11		$0.37
0854	Vincristine sulfate 1 mg inj	G		$30.16		$3.87
0855	Vinorelbine tartrate, 10 mg	G		$88.83		$12.72
0856	Porfimer sodium, 75 mg	G		$2,603.66		$372.74
0857	Bleomycin sulfate injection 15 u	G		$289.37		$37.16
0858	Cladribine, 1mg	G		$53.39		$4.83
0859	Fluorouracil injection 500 mg	G		$2.73		$0.25
0860	Plicamycin (mithramycin) inj 2.5 mg	G		$93.80		$13.43
0861	Leuprolide acetate injection 1 mg	G		$69.79		$6.32
0862	Mitomycin 5 mg inj	G		$121.65		$11.01
0863	Paclitaxel injection, 30 mg	G		$173.50		$22.28
0864	Mitoxantrone hcl, 5 mg	G		$244.21		$34.96
0865	Interferon alfa-n3 inj, human leukocyte derived, 2	G		$7.86		$1.12
0884	Rho d immune globulin inj, 1 dose pkg	G		$34.11		$4.38
0886	Azathioprine oral 50mg	G		$1.25		$0.11
0887	Azathioprine parenteral 100 mg	G		$1.06		$0.10
0888	Cyclosporine oral 100 mg	G		$5.22		$0.67
0889	Cyclosporin parenteral 250mg	G		$25.08		$3.22
0890	Lymphocyte immune globulin 250 mg	G		$269.06		$38.52
0891	Tacrolimus oral per 1 mg	G		$2.91		$0.42
0900	Alglucerase injection, per 10 u	G		$37.53		$5.37
0901	Alpha 1 proteinase inhibitor, 10 mg	G		$2.09		$0.30
0902	Botulinum toxin a, per unit	G		$4.39		$0.63
0903	Cytomegalovirus imm IV/vial	G		$638.48		$91.40
0905	Immune globulin 500 mg	G		$35.63		$3.23
0906	RSV-ivig, 50 mg	G		$15.51		$1.99
0907	Ganciclovir Sodium 500 mg injection	K	0.42	$21.38		$4.28
0908	Tetanus immune globulin inj up to 250 u	G		$102.60		$13.18
0909	Interferon beta-1a, 33 mcg	G		$225.22		$32.24
0910	Interferon beta-1b/0.25 mg	G		$68.40		$9.79
0911	Streptokinase per 250,000 iu	K	1.67	$85.01		$17.00
0913	Ganciclovir long act implant 4.5 mg	G		$4,750.00		$680.00
0916	Injection imiglucerase/unit	G		$3.75		$0.54
0917	Pharmacologic stressors	K	0.35	$17.82		$3.56
0925	Factor viii per iu	G		$0.87		$0.08
0926	Factor VIII (porcine) per iu	G		$2.09		$0.30
0927	Factor viii recombinant per iu	G		$1.12		$0.14
0928	Factor ix complex per iu	G		$0.48		$0.04
0929	Anti-inhibitor per iu	G		$1.43		$0.18
0930	Antithrombin iii injection per iu	G		$1.05		$0.15
0931	Factor IX non-recombinant, per iu	G		$0.71		$0.09
0932	Factor IX recombinant, per iu	G		$1.12		$0.16
0949	Plasma, Pooled Multiple Donor, Solvent/Detergent T	K	2.80	$142.53		$28.51
0950	Blood (Whole) For Transfusion	K	1.98	$100.79		$20.16
0952	Cryoprecipitate	K	0.66	$33.60		$6.72
0954	RBC leukocytes reduced	K	2.69	$136.93		$27.39

ADDENDUM A.—LIST OF AMBULATORY PAYMENT CLASSIFICATIONS (APCS) WITH STATUS INDICATORS, RELATIVE WEIGHTS, PAYMENT RATES, AND COPAYMENT AMOUNTS CALENDAR YEAR 2002—Continued

APC	Group title	Status indicator	Relative weight	Payment rate	National unadjusted copayment	Minimum unadjusted copayment
0955	Plasma, Fresh Frozen	K	2.14	$108.93		$21.79
0956	Plasma Protein Fraction	K	1.20	$61.08		$12.22
0957	Platelet Concentrate	K	0.93	$47.34		$9.47
0958	Platelet Rich Plasma	K	1.11	$56.50		$11.30
0959	Red Blood Cells	K	1.95	$99.26		$19.85
0960	Washed Red Blood Cells	K	3.62	$184.27		$36.85
0961	Infusion, Albumin (Human) 5%, 50 ml	K	2.08	$105.88		$21.18
0962	Infusion, Albumin (Human) 25%, 50 ml	K	1.05	$53.45		$10.69
0963	Albumin (human), 5%, 250 ml	K	10.35	$526.86		$105.37
0964	Albumin (human), 25%, 20 ml	K	2.08	$105.88		$21.18
0965	Albumin (human), 25%, 50ml	K	5.20	$264.70		$52.94
0966	Plasmaprotein fract, 5%, 250ml	K	5.95	$302.88		$60.58
0970	New Technology—Level I ($0–$50)	T		$25.00		$5.00
0971	New Technology—Level II ($50–$100)	T		$75.00		$15.00
0972	New Technology—Level III ($100–$200)	T		$150.00		$30.00
0973	New Technology—Level IV ($200–$300)	T		$250.00		$50.00
0974	New Technology—Level V ($300–$500)	T		$400.00		$80.00
0975	New Technology—Level VI ($500–$750)	T		$625.00		$125.00
0976	New Technology—Level VII ($750–$1000)	T		$875.00		$175.00
0977	New Technology—Level VIII ($1000–$1250)	T		$1,125.00		$225.00
0978	New Technology—Level IX ($1250–$1500)	T		$1,375.00		$275.00
0979	New Technology—Level X ($1500–$1750)	T		$1,625.00		$325.00
0980	New Technology—Level XI ($1750–$2000)	T		$1,875.00		$375.00
0981	New Technology—Level XII ($2000–$2500)	T		$2,250.00		$450.00
0982	New Technology—Level XIII ($2500–$3000)	T		$2,750.00		$550.00
0983	New Technology—Level XIV ($3000@ndash;$3500)	T		$3,250.00		$650.00
0984	New Technology—Level XV ($3500–$5000)	T		$4,250.00		$850.00
0985	New Technology—Level XVI ($5000–$6000)	T		$5,500.00		$1,100.00
1002	Cochlear implant system	H				
1009	Cryoprecip reduced plasma	K	0.82	$41.74		$8.35
1010	Blood, L/R, CMV-neg	K	2.74	$139.48		$27.90
1011	Platelets, HLA-m, L/R, unit	K	11.27	$573.69		$114.74
1012	Platelet concentrate, L/R, irradiated, unit	K	1.83	$93.15		$18.63
1013	Platelet concentrate, L/R, unit	K	1.12	$57.01		$11.40
1014	Platelets, aph/pher, L/R, unit	K	8.50	$432.68		$86.54
1016	Blood, L/R, froz/deglycerol/washed	K	6.80	$346.15		$69.23
1017	Platelets, aph/pher, L/R, CMV-neg, unit	K	8.86	$451.01		$90.20
1018	Blood, L/R, irradiated	K	2.98	$151.69		$30.34
1019	Platelets, aph/pher, L/R, irradiated, unit	K	9.16	$466.28		$93.26
1024	Quinupristin/dalfopristin 500 mg (150/350)	G		$102.05		$13.11
1045	Iobenguane sulfate I–131	G		$495.65		$70.96
1058	TC 99M oxidronate, per vial	G		$36.74		$5.26
1059	Cultured chondrocytes implnt	G		$14,250.00		$2,040.00
1064	I-131 cap, each add mCi	G		$5.86		$0.75
1065	I-131 sol, each add mCi	G		$15.81		$2.03
1066	IN 111 satumomab pendetide	G		$1,591.25		$227.80
1079	CO 57/58 0.5 mCi	G		$253.84		$36.34
1084	Denileukin diftitox, 300 MCG	G		$999.88		$143.14
1086	Temozolomide, oral 5 mg	G		$6.05		$0.87
1087	I-123 per 100 uci	G		$0.65		$0.06
1089	Coo 57, 0.5 Mci	G		$81.10		$10.41
1091	IN 111 Oxyquinoline, per .5 mCi	G		$427.50		$61.20
1092	IN 111 Pentetate, per 0.5 mCi	G		$256.50		$23.22
1094	TC 99M Albumin aggr,1.0 cmCi	G		$33.09		$4.25
1095	Technetium TC 99M Depreotide	G		$38.00		$5.44
1096	TC 99M Exametazime, per dose	G		$445.31		$63.75
1097	TC 99M Mebrofenin, per vial	G		$51.44		$7.36
1098	TC 99M Pentetate, per vial	G		$22.43		$2.88
1099	TC 99M Pyrophosphate, per vial	G		$39.11		$5.60
1122	TC 99M arcitumomab, per vial	G		$1,235.00		$176.80
1166	Cytarabine liposomal, 10 mg	G		$371.45		$53.18
1167	Epirubicin hcl, 2 mg	G		$24.94		$3.57
1178	Busulfan IV, 6 mg	G		$26.48		$3.79
1188	I-131 cap, per 1-5 mCi	G		$117.25		$15.06
1200	TC 99M Sodium Glucoheptonate	G		$22.61		$3.24
1201	TC 99M succimer, per vial	G		$135.66		$19.42
1202	TC 99M Sulfur Colloid, per dose	G		$76.00		$9.76
1203	Verteporfin for injection	G		$1,458.25		$208.76
1205	Technetium Tc 99m disofenin	G		$79.17		$11.33

ADDENDUM A.—LIST OF AMBULATORY PAYMENT CLASSIFICATIONS (APCS) WITH STATUS INDICATORS, RELATIVE WEIGHTS, PAYMENT RATES, AND COPAYMENT AMOUNTS CALENDAR YEAR 2002—Continued

APC	Group title	Status indicator	Relative weight	Payment rate	National unadjusted copayment	Minimum unadjusted copayment
1207	Octreotide acetate depot 1mg	G		$138.08		$19.77
1305	Apligraf	G		$1,157.81		$165.75
1348	I-131 sol, per 1–6 mCi	G		$146.57		$18.82
1400	Diphenhydramine hcl 50mg	G		$0.23		$0.02
1401	Prochlorperazine maleate 5mg	G		$0.65		$0.06
1402	Promethazine hcl 12.5mg oral	G		$0.01		
1403	Chlorpromazine hcl 10mg oral	G		$0.27		$0.02
1404	Trimethobenzamide hcl 250mg	G		$0.38		$0.03
1405	Thiethylperazine maleate10mg	G		$0.56		$0.08
1406	Perphenazine 4mg oral	G		$0.62		$0.06
1407	Hydroxyzine pamoate 25mg	G		$0.28		$0.03
1409	Factor viia recombinant, per 1.2 mg	G		$1,596.00		$228.48
1600	Technetium TC 99M sestamibi	G		$121.70		$17.42
1601	Technetium TC 99M medronate	G		$42.18		$5.42
1602	Technetium TC 99M apcitide	G		$475.00		$68.00
1603	Thallous chloride TL 201, per mCi	G		$78.16		$7.08
1604	IN 111 capromab pendetide, per dose	G		$2,192.13		$313.82
1605	Abciximab injection, 10 mg	G		$513.02		$73.44
1606	Anistreplase, 30 u	G		$2,693.80		$385.64
1607	Eptifibatide injection, 5 mg	G		$11.31		$1.45
1608	Etanercept injection, 25 mg	G		$141.01		$20.19
1609	Rho(D) immune globulin h, sd, 100 iu	G		$20.55		$2.64
1611	Hylan G–F 20 injection, 16 mg	G		$213.87		$27.47
1612	Daclizumab, parenteral, 25 mg	G		$397.29		$56.88
1613	Trastuzumab, 10 mg	G		$52.83		$7.56
1614	Valrubicin, 200 mg	G		$423.22		$60.59
1615	Basiliximab, 20 mg	G		$1,437.78		$205.83
1616	Histrelin acetate, 10 mgs	G		$14.16		$2.03
1617	Lepirudin	G		$131.96		$18.89
1618	Vonwillebrandfactrcmplx, per iu	G		$0.95		$0.14
1619	Ga 67, per mCi	G		$25.62		$2.32
1620	Technetium tc99m bicisate	G		$403.99		$57.83
1621	Xenin xe 133	G		$29.93		$2.71
1622	Technetium tc99m mertiatide	G		$137.75		$19.72
1623	Technetium tc99m glucepatate	G		$22.61		$3.24
1624	Sodium phosphate p32	G		$81.10		$7.78
1625	Indium 111-in pentetreotide	G		$935.75		$133.96
1626	Technetium tc99m oxidronate	G		$1.47		$0.21
1627	Technetium tc99mlabeled rbcs	G		$40.90		$5.85
1628	Chromic phosphate p32	G		$150.86		$21.60
1713	Anchor/screw bn/bn,tis/bn	H				
1714	Cath, trans atherectomy, dir	H				
1715	Brachytherapy needle	H				
1716	Brachytx seed, Gold 198	H				
1717	Brachytx seed, HDR Ir-192	H				
1718	Brachytx seed, Iodine 125	H				
1719	Brachytxseed, Non-HDR Ir-192	H				
1720	Brachytx seed, Palladium 103	H				
1721	AICD, dual chamber	H				
1722	AICD, single chamber	H				
1724	Cath, trans atherec,rotation	H				
1725	Cath, translumin non-laser	H				
1726	Cath, bal dil, non-vascular	H				
1727	Cath, bal tis dis, non-vas	H				
1728	Cath, brachytx seed adm	H				
1729	Cath, drainage	H				
1730	Cath, EP, 19 or fewer elect	H				
1731	Cath, EP, 20 or more elec	H				
1732	Cath, EP, diag/abl, 3D/vect	H				
1733	Cath, EP, othr than cool-tip	H				
1750	Cath, hemodialysis,long-term	H				
1751	Cath, inf, per/cent/midline	H				
1752	Cath, hemodialysis,short-term	H				
1753	Cath, intravas ultrasound	H				
1754	Catheter, intradiscal	H				
1755	Catheter, intraspinal	H				
1756	Cath, pacing, transesoph	H				
1757	Cath, thrombectomy/embolect	H				
1758	Cath, ureteral	H				

ADDENDUM A.—LIST OF AMBULATORY PAYMENT CLASSIFICATIONS (APCS) WITH STATUS INDICATORS, RELATIVE WEIGHTS, PAYMENT RATES, AND COPAYMENT AMOUNTS CALENDAR YEAR 2002—Continued

APC	Group title	Status indicator	Relative weight	Payment rate	National unadjusted copayment	Minimum unadjusted copayment
1759	Cath, intra echocardiography	H				
1760	Closure dev, vasc, imp/insert	H				
1762	Conn tiss, human (inc fascia)	H				
1763	Conn tiss, non-human	H				
1764	Event recorder, cardiac	H				
1765	Adhesion barrier	H				
1766	Intro/sheath, strble, non-peel	H				
1767	Generator, neurostim, imp	H				
1768	Graft, vascular	H				
1769	Guide wire	H				
1770	Imaging coil, MR, insertable	H				
1771	Rep dev, urinary, w/sling	H				
1772	Infusion pump, programmable	H				
1773	Retrieval dev, insert	H				
1775	FDG, per dose (4–40 mCi/ml)	G		$475.00		$68.00
1776	Joint device (implantable)	H				
1777	Lead, AICD, endo single coil	H				
1778	Lead, neurostimulator	H				
1779	Lead, pmkr, transvenous VDD	H				
1780	Lens, intraocular	H				
1781	Mesh (implantable)	H				
1782	Morcellator	H				
1784	Ocular dev, intraop, det ret	H				
1785	Pmkr, dual, rate-resp	H				
1786	Pmkr, single, rate-resp	H				
1787	Patient progr, neurostim	H				
1788	Port, indwelling, imp	H				
1789	Prosthesis, breast, imp	H				
1813	Prosthesis, penile, inflatab	H				
1815	Pros, urinary sph, imp	H				
1816	Receiver/transmitter, neuro	H				
1817	Septal defect imp sys	H				
1874	Stent, coated/cov w/del sys	H				
1875	Stent, coated/cov w/o del sy	H				
1876	Stent, non-coa/no-cov w/del	H				
1877	Stent, non-coat/cov w/o del	H				
1878	Matrl for vocal cord	H				
1879	Tissue marker, imp	H				
1880	Vena cava filter	H				
1881	Dialysis access system	H				
1882	AICD, other than sing/dual	H				
1883	Adapt/ext, pacing/neuro lead	H				
1885	Cath, translumin angio laser	H				
1887	Catheter, guiding	H				
1891	Infusion pump, non-prog, perm	H				
1892	Intro/sheath, fixed, peel-away	H				
1893	Intro/sheath, fixed, non-peel	H				
1894	Intro/sheath, non-laser	H				
1895	Lead, AICD, endo dual coil	H				
1896	Lead, AICD, non sing/dual	H				
1897	Lead, neurostim test kit	H				
1898	Lead, pmkr, other than trans	H				
1899	Lead, pmkr/AICD combination	H				
2615	Sealant, pulmonary, liquid	H				
2616	Brachytx seed, Yttrium-90	H				
2617	Stent, non-cor, tem w/o del	H				
2618	Probe, cryoablation	H				
2619	Pmkr, dual, non rate-resp	H				
2620	Pmkr, single, non rate-resp	H				
2621	Pmkr, other than sing/dual	H				
2622	Prosthesis, penile, non-inf	H				
2625	Stent, non-cor, tem w/del sys	H				
2626	Infusion pump, non-prog, temp	H				
2627	Cath, suprapubic/cystoscopic	H				
2628	Catheter, occlusion	H				
2629	Intro/sheath, laser	H				
2630	Cath, EP, cool-tip	H				
2631	Rep dev, urinary, w/o sling	H				
7000	Amifostine, 500 mg	G		$392.06		$56.13

ADDENDUM A.—LIST OF AMBULATORY PAYMENT CLASSIFICATIONS (APCS) WITH STATUS INDICATORS, RELATIVE WEIGHTS, PAYMENT RATES, AND COPAYMENT AMOUNTS CALENDAR YEAR 2002—Continued

APC	Group title	Status indicator	Relative weight	Payment rate	National unadjusted copayment	Minimum unadjusted copayment
7001	Amphotericin B lipid complex, 50 mg	G		$109.25		$15.64
7003	Epoprostenol injection 0.5 mg	G		$12.04		$1.72
7005	Gonadorelin hydroch, 100 mcg	G		$192.37		$27.54
7007	Milrinone lactate, per 5 ml, inj	K	0.44	$22.40		$4.48
7010	Morphine sulfate (preservative free) 10 mg	G		$1.02		$0.09
7011	Oprelvekin injection, 5 mg	G		$245.81		$35.19
7014	Fentanyl citrate injection	G		$1.23		$0.11
7015	Busulfan, oral, 2 mg	G		$1.91		$0.27
7019	Aprotinin, 10,000 kiu	G		$2.16		$0.31
7022	Elliot's B solution, per ml	G		$1.43		$0.20
7023	Bladder calculi irrig sol	G		$24.70		$3.54
7024	Corticorelin ovine triflutat	G		$368.03		$52.69
7025	Digoxin immune FAB (ovine)	G		$551.66		$78.97
7026	Ethanolamine oleate, 100 mg	G		$39.73		$5.69
7027	Fomepizole, 15 mg	G		$10.93		$1.56
7028	Fosphenytoin, 50 mg	G		$5.73		$0.82
7029	Glatiramer acetate, per dose	G		$30.07		$4.30
7030	Hemin, per 1 mg	G		$0.99		$0.14
7031	Octreotide acetate injection	G		$138.08		$19.77
7032	Sermorelin acetate, 0.5 mg	G		$13.60		$1.95
7033	Somatrem, 5mg	G		$209.48		$29.99
7034	Somatropin injection	G		$39.90		$5.12
7035	Teniposide, 50 mg	G		$222.80		$31.90
7036	Urokinase 250,000 iu inj	K	6.44	$327.82		$65.56
7037	Urofollitropin, 75 iu	G		$73.29		$10.49
7038	Muromonab-CD3, 5 mg	G		$269.06		$38.52
7039	Pegademase bovine inj 25 I.U	G		$139.33		$19.95
7040	Pentastarch 10% solution	G		$15.11		$2.16
7041	Tirofiban hydrochloride 12.5 mg	G		$436.41		$62.48
7042	Capecitabine, oral, 150 mg	G		$2.43		$0.35
7043	Infliximab injection 10 mg	G		$63.24		$9.05
7045	Trimetrexate glucoronate	G		$118.75		$17.00
7046	Doxorubicin hcl liposome inj 10 mg	G		$358.95		$51.39
7047	Droperidol/fentanyl inj	G		$6.67		$0.95
7048	Alteplase recombinant	K	0.36	$18.33		$3.67
7049	Filgrastim 480 mcg injection	G		$285.38		$36.65
7050	Prednisone oral	G		$0.07		$0.01
7051	Leuprolide acetate implant, 65 mg	G		$5,399.80		$773.02
7052	Somatrem injection	G		$41.90		$6.00
7315	Sodium hyaluronate injection, 20mg	G		$130.63		$18.70
7316	Sodium hyaluronate injection, 5mg	G		$26.13		$3.74
9000	Na chromate Cr51, per 0.25mCi	G		$0.52		$0.07
9001	Linezolid inj, 200mg	G		$24.13		$3.45
9002	Tenecteplase, 50mg/vial	G		$2,612.50		$374.00
9003	Palivizumab, per 50mg	G		$664.49		$95.13
9004	Gemtuzumab ozogamicin inj, 5mg	G		$1,929.69		$276.25
9005	Reteplase injection	G		$1,306.25		$187.00
9006	Tacrolimus inj	G		$113.15		$16.20
9007	Baclofen Intrathecal kit-1amp	G		$79.80		$11.42
9008	Baclofen refill kit—per 500 mcg	G		$11.69		$1.67
9009	Baclofen refill kit—per 2000 mcg	G		$49.12		$7.03
9010	Baclofen refill kit—per 4000 mcg	G		$43.08		$6.17
9011	Caffeine Citrate, inj,	G		$3.05		$0.44
9012	Arsenic Trioxide	G		$23.75		$3.40
9013	Co 57 Cobaltous Cl	G		$81.10		$10.41
9015	Mycophenolate mofetil oral 250 mg	G		$2.40		$0.34
9016	Echocardiography contrast	G		$118.75		$17.00
9018	Botulinum tox B, per 100 u	G		$8.79		$1.26
9019	Caspofungin acetate, 5 mg	G		$34.20		$4.90
9020	Sirolimus tablet, 1 mg	G		$6.51		$0.93
9100	Iodinated I-131 albumin	G		$10.34		$1.48
9102	51 na chromate, per 50mCi	G		$64.84		$9.28
9103	Na iothalamate I-125, per 10 uci	G		$17.18		$2.46
9104	Anti-thymocycte globulin rabbit	G		$325.09		$46.54
9105	Hep B imm glob, per 1 ml	G		$133.00		$17.08
9106	Sirolimus, 1 mg	G		$6.51		$0.93
9108	Thyrotropin alfa, per 1.1 mg	G		$531.05		$76.02
9109	Tirofliban hcl, per 6.25 mg	G		$207.81		$29.75
9110	Alemtuzumab, per ml	G		$486.88		$69.70

ADDENDUM A.—LIST OF AMBULATORY PAYMENT CLASSIFICATIONS (APCS) WITH STATUS INDICATORS, RELATIVE WEIGHTS, PAYMENT RATES, AND COPAYMENT AMOUNTS CALENDAR YEAR 2002—Continued

APC	Group title	Status indicator	Relative weight	Payment rate	National unadjusted copayment	Minimum unadjusted copayment
9111	Inj, bivalirudin, per 250mg vial	G		$397.81		$56.95
9112	Perflutren lipid micro, per 2ml	G		$148.20		$21.22
9113	Inj pantoprazole sodium, vial	G		$22.80		$3.26
9114	Nesiritide, per 1.5 mg vial	G		$433.20		$62.02
9115	Inj, zoledronic acid, per 2 mg	G		$406.78		$58.23
9200	Orcel, per 36 cm2	G		$1,135.25		$162.52
9201	Dermagraft, per 37.5 sq cm	G		$577.60		$82.69
9217	Leuprolide acetate suspnsion, 7.5 mg	G		$592.60		$84.84
9500	Platelets, irradiated	K	1.69	$86.03		$17.21
9501	Platelets, pheresis	K	9.22	$469.33		$93.87
9502	Platelet pheresis irradiated	K	10.00	$509.04		$101.81
9503	Fresh frozen plasma, ea unit	K	1.57	$79.92		$15.98
9504	RBC deglycerolized	K	4.14	$210.74		$42.15
9505	RBC irradiated	K	2.45	$124.71		$24.94
9506	Granulocytes, pheresis	K	28.14	$1,432.44		$286.49

ADDENDUM D.—PAYMENT STATUS INDICATORS FOR THE HOSPITAL OUTPATIENT PROSPECTIVE PAYMENT SYSTEM

Indicator	Service	Status
A	Pulmonary Rehabilitation Clinical Trial	Not Paid Under Outpatient PPS.
A	Durable Medical Equipment, Prosthetics and Orthotics	DMEPOS Fee Schedule.
A	Physical, Occupational and Speech Therapy	Physician Fee Schedule.
A	Ambulance	Ambulance Fee Schedule.
A	EPO for ESRD Patients	National Rate.
A	Clinical Diagnostic Laboratory Services	Laboratory Fee Schedule.
A	Physician Services for ESRD Patients	Physician Fee Schedule.
A	Screening Mammography	Physician Fee Schedule.
C	Inpatient Procedures	Admit Patient; Bill as Inpatient.
D	Deleted Code	Codes are deleted effective with the beginning of the calendar year.
E	Non-Covered Items and Services	Not Paid Under Outpatient PPS.
F	Acquisition of Corneal Tissue	Paid at Reasonable Cost.
G	Drug/Biological Pass-Through	Additional Payment.
H	Device Pass-Through	Additional Payment.
K	Non Pass-Through Drug/Biological	Paid Under Outpatient PPS.
N	Incidental Services, packaged into APC Rate	Packaged.
P	Partial Hospitalization	Paid Per Diem APC.
S	Significant Procedure, Not Discounted When Multiple	Paid Under Outpatient PPS.
T	Significant Procedure, Multiple Procedure Reduction Applies	Paid Under Outpatient PPS.
V	Visit to Clinic or Emergency Department	Paid Under Outpatient PPS.
X	Ancillary Service	Paid Under Outpatient PPS.

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Part V

Department of Health and Human Services

Centers for Medicare & Medicaid Services

42 CFR Parts 413, 419, and 489

Medicare Program; Correction of Certain Calendar Year 2002 Payment Rates Under the Hospital Outpatient Prospective Payment System and the Pro Rata Reduction on Transitional Pass-Through Payments; Correction of Technical and Typographical Errors; Final Rule

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

42 CFR Parts 413, 419, and 489

[CMS–1159–F4]

RIN 0938–AK54

Medicare Program; Correction of Certain Calendar Year 2002 Payment Rates Under the Hospital Outpatient Prospective Payment System and the Pro Rata Reduction on Transitional Pass-Through Payments; Correction of Technical and Typographical Errors

AGENCY: Centers for Medicare & Medicaid Services (CMS), HHS.

ACTION: Final rule.

SUMMARY: This final rule corrects inadvertent technical errors that affect the amounts and factors used to determine the payment rates for services paid under the Medicare hospital outpatient prospective payment system as published in the November 30, 2001 final rule entitled ''Changes to the Hospital Outpatient Prospective Payment System for Calendar Year 2002.'' In addition, this final rule corrects the amount of the uniform reduction to be applied to transitional pass-through payments for CY 2002. This final rule also corrects other technical and typographical errors that appeared in the November 30, 2001 final rule.

EFFECTIVE DATE: This final rule is effective on April 1, 2002. The effective date for § 419.32(b)(1)(iii), revised at 66 FR 59856, published on November 30, 2001 and § 419.62(d), added at 66 FR 55865, published on November 2, 2001, is April 1, 2002.

FOR FURTHER INFORMATION CONTACT: Robert Braver, (410) 786–0378.

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I. Background

On November 30, 2001, we published a final rule announcing the final ambulatory payment classification (APC) groups, relative weights, and payment rates under the hospital outpatient prospective payment system (OPPS) for calendar year (CY) 2002 (66 FR 59856). As discussed in detail in that final rule, in setting the APC relative weights, we incorporated 75 percent of the estimated transitional pass-through costs for devices eligible for transitional pass-through payments in CY 2002 into the costs of the APC groups associated with the use of the devices (66 FR 59906).

After publication of the November 30, 2001 final rule, we discovered that the final rule reflected several inadvertent technical errors in which we incorrectly associated specific devices approved for transitional pass-through payments with particular procedures. The magnitude of these errors was significant enough to affect not only the estimate of total transitional pass-through payments and the uniform reduction percentage to be applied to transitional pass-through payments in 2002, but also the payment rates for all procedure-related APCs. (Procedure-related APCs are those other than the APCs for pass-through drugs and devices, new technology, and partial hospitalization.) Using rates that reflected these errors would have inappropriately affected payments to hospitals. Thus, we determined that it would be inappropriate to allow the payment rates published on November 30, 2001 to become effective without further changes. In order to ensure that there were no other errors that might also have significant implications for OPPS payments, we decided to undertake an intensive review of the relevant data files. Because of the time needed for this review, we were unable to complete it and recalculate the rates before the previously published effective date of January 1, 2002 announced in the November 30, 2001 final rule. We therefore decided to continue to pay for services covered under the OPPS after January 1, 2002 and until no later than April 1, 2002 under the rates in effect on December 31, 2001. In addition, we decided to make transitional pass-through payments during that period without applying the uniform reduction announced on November 30, 2001.

Therefore, on December 31, 2001, we published a final rule, entitled ''Prospective Payment System for Hospital Outpatient Services; Delay in Effective Date of Calendar Year 2002 Payment Rates and the Pro Rata Reduction on Transitional Pass-Through Payments' (66 FR 67494), that announced we would indefinitely delay the effective date for §§ 419.32(b)(1)(iii) and 419.62(d) of the regulations. We also announced that we were delaying until no later than April 1, 2002, the effective date of the updated OPPS payment rates and the uniform reduction of transitional pass-through payments that we published in the preamble and addenda of the November 30, 2001 final rule.

We did not delay the following provisions of the November 30, 2001 final rule:

- Medicare, Medicaid, and SCHIP Benefits Improvement and Protection Act of 2000 coinsurance limit.
- Limitation of copayment amount to inpatient hospital deductible amount.
- Changes in services covered within the scope of OPPS.
- Categories of hospitals subject to, and excluded from, the OPPS.
- Criteria for new technology APCs.
- Provider-based issues.
- Change to the definition of ''single-use devices'' for transitional pass-through payments.

We have also discovered typographical and other technical errors in the preamble and addenda to the November 30, 2001 final rule. These errors involve the incorrect assignment of status indicators (SIs) to certain Physicians' Current Procedural Terminology (CPT) codes, inconsistencies between the preamble and addenda in the assignment of codes to APC groups, and similar matters. Correction of these typographical and technical errors does not involve any changes in the policies announced in the November 30, 2001 final rule. Corrections to the preamble text are listed below. The appropriate corrections are incorporated into the new addenda A, B, C, and D. The corrected addenda A and D are printed at the end of this rule. Addenda B and C are available on our Web site: *http://www.cms.hhs.gov.* Tables 2 and 3 below summarize the corrections to the errors in addenda A and B.

II. Correction of Errors

In the FR Doc. 01–29621 published November 30, 2001 (66 FR 59856), we are making the corrections described below.

A. Corrections of Device Cost Assignments to APCs

Since publication of the December 31, 2001 final rule, we have conducted an intensive internal review of device costs associated with specific CPT codes. We have also considered information concerning the use of devices brought to our attention from hospitals, manufacturers, and other such sources. As a result of this review, we determined that we had inadvertently associated device(s) with certain procedures for which no devices are used, incorrectly identified device(s) used with certain other procedures, or failed to associate one or more devices with procedures requiring the use of those devices. The following APCs were affected:

- APC 0084 Level I Electrophysiologic Evaluation
- APC 0085 Level II Electrophysiologic Evaluation
- APC 0090 Insertion/Replacement of Pacemaker/Pulse Generator
- APC 0091 Level I Vascular Ligation
- APC 0104 Transcatheter Placement of Intracoronary Stents
- APC 0229 Transcatheter Placement of Intravascular Shunts
- APC 0237 Level III Posterior Segment Eye Procedures
- APC 0241 Level IV Repair and Plastic Eye Procedures
- APC 0242 Level V Repair and Plastic Eye Procedures
- APC 0246 Cataract Procedures with IOL Insert
- APC 0248 Laser Retinal Procedures
- APC 0312 Radioelement Applications
- APC 0313 Brachytherapy

The changes in the assignment of device costs associated with these 13 APCs resulted in a net reduction in the estimate of total transitional pass-through payments for CY 2002.

In addition, the changes in the assignment of device costs associated with these 13 APCs have caused changes to the median costs for these APCs. (Median costs are used to set the relative weights of each APC. The relative weight of each APC is the ratio of its median cost to the median cost of APC 601, Mid-level clinic visit, adjusted by the ''scalar'' that is discussed below.) We found that the changes in the assignment of device costs and the resulting changes in the median costs of the 13 associated APC groups affected the relative payment weights for all procedure-related APCs as well as the estimate of aggregate CY 2002 payments.

The changes in relative payment weights resulting from revisions in the assignment of device costs associated with the 13 APCs identified above required that we recalculate the ''scalar,'' which is the factor that we use to ensure compliance with section 1833(t)(9)(B) of the Social Security Act (the Act). That section of the Act provides that APC reclassification and recalibration changes (and wage index changes) must be made in a manner so that the estimated aggregate payments under the OPPS for a particular year are neither greater nor less than the estimated aggregate payments would have been without these changes. The corrections, as well as appropriate adjustments made under the authority of section 1833(t)(2)(E) of the Act, have the overall effect of revising the scalar from 0.945, which we announced in the November 30, 2001 final rule (66 FR 59886), to 0.951. This revised scalar has the effect of slightly increasing the relative weights of the procedure-related APCs (except for those for which we revised the device-associated costs).

We are also revising the target that we set for outlier payments in the November 30, 2001 final rule from 2.0 percent to 1.5 percent, and thus we are revising the threshold for outlier payments from 3 times the applicable APC payment for a service to 3.5 times the applicable payment amount for a service. These adjustments ensure that the payment rate for every procedure-related APC is at least equal to and in no case lower than the rate published in the November 30, 2001 final rule (except for those APCs for which we revised the device-associated costs). The conversion factor is reduced by 1.5 percent (rather than 2.0 percent) to reflect the revised outlier target and 0.5 percent for the adjustments described above that are due to changes in relative payment weights resulting from revisions in the assignment of device costs. The overall effect of these adjustments does not change the conversion factor announced in the November 2, 2001 final rule. The conversion factor remains $50.904.

Recalculation of the scalar changes the offset amounts that we published in Table 5 in the November 30, 2001 final rule. Certain APC rates increased as a result of the incorporation of 75 percent of the pass-through costs of devices eligible for pass-through payments. Those amounts were deducted from the pass-through payments for those devices, so that the increases to the APC rates were offset by the simultaneous reduction of the associated pass-through costs, as described in the November 30, 2001 final rule (66 FR 59904–59906). The recalculated offset amounts are listed in Table 1 below, which parallels Table 5 of the November 30, 2001 final rule (66 FR 59907). Column 3 shows the device costs already included in the rates for 25 APCs before we incorporated 75 percent of the pass-through device costs into the rates. The label ''NA'' in column 3 means that there were no device costs associated with the APC before incorporating 75 percent of pass-through device costs into the rates. In Table 1, the amounts in column 3 have not changed since the November 30, 2001 final rule. In Table 1, the amounts in column 5, which are the sum of columns 3 and 4, have changed to account for the corrections in column 4.

TABLE 1.—OFFSETS TO BE APPLIED FOR EACH APC THAT CONTAINS DEVICE COSTS

APC	Description	Device costs (before fold-in) reflected in APC rate	Additional device costs folded into APC rate	Total offset for device costs
1	2	3	4	5
0032	Insertion of Central Venous/Arterial Catheter	$73.79	$279.97	$353.76
0046	Open/Percutaneous Treatment Fracture or Dislocation	NA	100.29	100.29
0048	Arthroplasty with Prosthesis	NA	514.64	514.64
0057	Bunion Procedures	NA	162.89	162.89
0070	Thoracentesis/Lavage Procedures	NA	26.47	26.47
0080	Diagnostic Cardiac Catheterization	164.27	134.39	298.66

TABLE 1.—OFFSETS TO BE APPLIED FOR EACH APC THAT CONTAINS DEVICE COSTS—Continued

APC	Description	Device costs (before fold-in) reflected in APC rate	Additional device costs folded into APC rate	Total offset for device costs
1	2	3	4	5
0081	Non-Coronary Angioplasty or Atherectomy	307.06	362.95	670.01
0082	Coronary Atherectomy	242.95	1,214.06	1,457.01
0083	Coronary Angioplasty	528.64	383.31	911.95
0085	Level II Electrophysiologic Evaluation	NA	1,578.03	1,578.03
0086	Ablate Heart Dysrhythm Focus	NA	1,320.96	1,320.96
0087	Cardiac Electrophysiologic Recording/Mapping	NA	1,980.16	1,980.16
0088	Thrombectomy	162.72	261.14	423.86
0089	Insertion/Replacement of Permanent Pacemaker and Electrodes	3,175.70	3,286.36	6,462.06
0090	Insertion/Replacement of Pacemaker Pulse Generator	2,921.06	2,123.20	5,044.26
0094	Resuscitation and Cardioversion	NA	19.34	19.34
0103	Miscellaneous Vascular Procedures	NA	207.18	207.18
0104	Transcatheter Placement of Intracoronary Stents	428.16	1,256.31	1,684.47
0106	Insertion/Replacement/Repair of Pacemaker and/or Electrodes	657.59	1,049.13	1,706.72
0107	Insertion of Cardioverter-Defibrillator	6,803.85	11,099.62	17,903.47
0108	Insertion/Replacement/Repair of Cardioverter-Defibrillator Leads	6,940.27	19,607.20	26,547.47
0111	Blood Product Exchange	NA	209.72	209.72
0115	Cannula/Access Device Procedures	NA	127.26	127.26
0117	Chemotherapy Administration by Infusion Only	NA	30.03	30.03
0118	Chemotherapy Administration by Both Infusion and Other Technique	NA	28.50	28.50
0119	Implantation of Devices	NA	3,348.98	3,348.98
0120	Infusion Therapy Except Chemotherapy	NA	35.12	35.12
0121	Level I Tube Changes and Repositioning	NA	6.10	6.10
0122	Level II Tube Changes and Repositioning	72.55	214.82	287.37
0124	Revision of Implanted Infusion Pump	NA	3,308.76	3,308.76
0144	Diagnostic Anoscopy	NA	128.28	128.28
0151	Endoscopic Retrograde Cholangio-Pancreatography (ERCP)	60.92	0.00	60.92
0152	Percutaneous Biliary Endoscopic Procedures	107.61	0.00	107.61
0153	Peritoneal and Abdominal Procedures	NA	41.23	41.23
0154	Hernia/Hydrocele Procedures	108.11	378.73	486.84
0161	Level II Cystourethroscopy and other Genitourinary Procedures	NA	11.20	11.20
0162	Level III Cystourethroscopy and other Genitourinary Procedures	NA	319.68	319.68
0163	Level IV Cystourethroscopy and other Genitourinary Procedures	NA	901.51	901.51
0179	Urinary Incontinence Procedures	NA	3,400.90	3,400.90
0182	Insertion of Penile Prosthesis	2,238.90	569.11	2,808.14
0202	Level VIII Female Reproductive Proc	505.32	1,233.41	1,738.73
0203	Level V Nerve Injections	NA	420.98	420.98
0207	Level IV Nerve Injections	NA	63.63	63.63
0222	Implantation of Neurological Device	4,458.57	9,599.99	14,058.56
0223	Implantation of Pain Management Device	421.33	3,330.14	3,751.47
0225	Implantation of Neurostimulator Electrodes	1,182.00	11,941.06	13,123.06
0226	Implantation of Drug Infusion Reservoir	NA	3,363.74	3,363.74
0227	Implantation of Drug Infusion Device	3,810.46	2,395.55	6,206.01
0229	Transcatherter Placement of Intravascular Shunts	1,074.41	842.97	1,917.38
0246	Cataract Procedures with IOL Insert	146.82	0.00	146.82
0259	Level VI ENT Procedures	12,407.52	3,836.13	16,243.65
0264	Level II Miscellaneous Radiology Procedures	NA	61.59	61.59
0312	Radioelement Applications	NA	5,897.22	5,897.22
0313	Brachytherapy	NA	998.23	998.23
0685	Level III Needle Biopsy/Aspiration Except Bone Marrow	NA	210.75	210.75
0686	Level V Skin Repair	NA	465.77	465.77
0687	Revision/Removal of Neurostimulator Electrodes	NA	1,444.65	1,444.65
0688	Revision/Removal of Neurostimulator Pulse Generator Receiver	NA	6,238.79	6,238.79
0692	Electronic Analysis of Neurostimulator Pulse Generators	NA	644.44	644.44

As noted above, the estimates of transitional pass-through payments for devices, and of total pass-through payments for all eligible items, have decreased because of the corrections of device costs associated with specific procedures. After we incorporated 75 percent of the estimated pass-through device costs into the APCs, the remaining estimate of total pass-through payments for CY 2002 is 1.20 billion, which results in a uniform reduction in pass-through payments for 2002 of 63.6 percent.

During the first quarter of CY 2002, payments to hospitals for outpatient services are based on the rates and Healthcare Common Procedure Coding System (HCPCS) codes that were in effect for CY 2001, and a uniform reduction of transitional pass-through payments does not apply. Hospitals have thus received the advantage of much higher pass-through payments during the first quarter of CY 2002 than they would have, had we proceeded with implementation of the revised CY 2002 rates and the requisite uniform reduction for services furnished on or after January 1, 2002.

We are making four revised addenda available. Revised Addendum A and Addendum D are printed at the end of this preamble. Addendum A shows the corrected relative weights and payment rates, as well as the national unadjusted copayment and minimum unadjusted copayment amounts that are effective April 1, 2002. Addendum D incorporates several corrections to the payment status indicator addendum that was published on November 30, 2001.

Revised Addendum B and Addendum C are available on our Web site at *http://www.cms.hhs.gov.* Addendum B shows payment rates, weights, APC assignment, and payment status by HCPCS code. Addendum C lists the HCPCS codes in each APC group.

On December 31, 2001, we published a final rule that delayed the effective date of the payment rates and the uniform reduction to the transitional pass-through payments under the OPPS announced in the November 30, 2001 final rule until no later than April 1, 2002. We also announced that payment under the OPPS would continue to be made under the payment rates in effect on December 31, 2001, and that we would not apply a uniform reduction to payments for transitional pass-through items. This final rule implements the revised payment rates in Addendum A effective for services furnished on or after April 1, 2002. Also, effective for services furnished on or after April 1, 2002, a uniform reduction of 63.6 percent applies to transitional pass-through payments made under the OPPS. In addition, effective for services furnished on or after April 1, 2002, the threshold for determining outlier payments is when service costs are 3.5 times greater than the applicable APC payment amount. Also, effective for services furnished on or after April 1, 2002, payment will be made for new 2002 HCPCS codes and modifiers that are payable under the OPPS.

B. Correction of Technical and Typographical Errors in the Preamble and the Regulations Text of the November 30, 2001 Final Rule

We are correcting the following typographical and technical errors in the preamble and regulations text of the November 30, 2001 final rule. As we have stated previously, these corrections do not involve any changes in the policies announced in that rule.

1. On page 59863, in column two, the heading ''Level I Nerve Injections (to include Trigger Point, Joint, Other Injections, and Lower Complexity Nerve Blocks)'' is corrected to read ''Level VI Nerve Injections (APC 204) (to include Trigger Point, Joint, Other Injections, and Lower Complexity Nerve Blocks).''

2. On page 59863, in column two, the chart that will be under the revised heading (see item 1 above) ''Level VI Nerve Injections (APC 204) (to include Trigger Point, Joint, Other Injections, and Lower Complexity Nerve Blocks)'' is revised to read:

	Reassigned CPT Code from APC
27096	(1)
62270	0210
62272	0210
62273	0212
62310–62319	0212

[1] Currently packaged.

3. On page 59863, in column two, the heading ''Level II Nerve Injections (to include Moderate Complexity Nerve Blocks and Epidurals):'' is corrected to read ''Level III Nerve Injections (APC 206) (to include Moderate Complexity Nerve Blocks and Epidurals):''.

4. On page 59863, in column two and continuing to the top of column three, the heading ''Level III Nerve Injections (to include Moderately High Complexity Epidurals, Facet Blocks, and Disk Injections):'' is corrected to read ''Level IV Nerve Injections (APC 207) (to include Moderately High Complexity Epidurals, Facet Blocks, and Disk Injections):''.

5. On page 59863, in column three, the heading ''Level IV Nerve Injections (to include High Complexity Lysis of Adhesions, Neurolytic Procedures, Removal of Implantable Pumps and Stimulators):'' is corrected to read ''Level V Nerve Injections (APC 203) (to include High Complexity Lysis of Adhesions, Neurolytic Procedures, Removal of Implantable Pumps and Stimulators):''.

6. On page 59868, in column two, the first and second complete sentences beginning at line five from the top of the page are corrected to read ''We would note that payment for IMRT planning includes payment for the following CPT codes: 77300, 77336, 77370, 77280–77295, 77305–77321. The only CPT codes that may be billed in addition to 77301 (IMRT planning) are the CPT codes 77332–77334.''

7. On page 59870, in column one, the last sentence is corrected to read ''According to our methodology for pricing new technology services, these services will be reassigned to APC 0714, New Technology—Level IX ($1250–$1500), which results in a payment rate of $1,375 with a status indicator of 'S,' indicating that the multiple procedure discount is not applied.''

8. On page 59883, in column two, on line 17 from the top of the page, ''G0224,'' is corrected to read ''G0244.''

9. On page 59883, in column two, beginning at the bottom of the page and continuing to the top of column three, the list of acceptable diagnosis codes for chest pain is corrected to read as follows:

For Chest Pain:

411.1 Intermediate coronary syndrome
411.81 Coronary occlusion without myocardial infarction
411.0 Postmyocardial infarction syndrome
411.89 Other acute ischemic heart disease
413.0 Angina decubitus
413.1 Prinzmetal angina
413.9 Other and unspecified angina pectoris
786.05 Shortness of breath
786.50 Chest pain, unspecified
786.51 Precordial pain
786.52 Painful respiration
786.59 Other chest pain

10. On page 59883, in column three, the list of acceptable diagnosis codes for congestive heart failure is corrected to read as follows:

For Congestive Heart Failure:

391.8 Other acute rheumatic heart disease
398.91 Rheumatic heart failure (congestive)
402.01 Malignant hypertensive heart disease with congestive heart failure
402.11 Benign hypertensive heart disease with congestive heart failure
402.91 Unspecified hypertensive heart disease with congestive heart failure
404.01 Malignant hypertensive heart and renal disease with congestive heart failure
404.03 Malignant hypertensive heart and renal disease with congestive heart and renal failure
404.11 Benign hypertensive heart and renal disease with congestive heart failure
404.13 Benign hypertensive heart and renal disease with congestive heart and renal failure
404.91 Unspecified hypertensive heart and renal disease with congestive heart failure
404.93 Unspecified hypertensive heart and renal disease with congestive heart and renal failure
428.0 Congestive heart failure
428.1 Left heart failure
428.9 Heart failure, unspecified

11. On page 59883, in column three, the second-to-last sentence is corrected to read ''For asthma, a peak expiratory flow rate (PEFR) (CPT code 94010), or pulse oximetry (CPT codes 94760 or 94761).''

12. We are also making revisions to our regulations under 42 CFR Part 419, specifically § 419.32 ''Calculation of prospective payment rates for hospital outpatient services,'' and § 419.62 ''Transitional pass-through payments: General rules.'' At §§ 419.32(b)(1)(iii) and 419.62(d), we are revising our language to specify that the provisions

under these sections are applicable to a portion of CY 2002 and not necessarily the entire year for 2002.

C. Correction of Technical and Typographical Errors in Addenda A, B, C, and D

Addenda A, B, and D as published in the November 30, 2001 final rule contain a number of typographical and technical errors that do not involve any changes in the policies announced in that rule. Addenda A and D at the end of this document reflect the corrections of these errors. Corrected addenda B and C are available on our Web site at http://www.cms.hhs.gov.

1. Corrections to Addendum A

Table 2, Corrections to Addendum A of the November 30, 2001 final rule, shows the APC listings for which corrections are required. It provides the data as published in that final rule and the additions and corrections to these data.

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TABLE 2--CORRECTIONS TO ADDENDUM A OF THE NOVEMBER 30, 2001 FINAL RULE

CORRECTIONS TO THE LIST OF AMBULATORY CLASSIFICATIONS (APCs) WITH STATUS INDICATORS, RELATIVE WEIGHTS, PAYMENT RATES, AND COPAYMENT AMOUNTS													
As Published in the November 30, 2001 Final Rule							Corrections to the November 30, 2001 Final Rule						
APC	Group Title	Status Indicator	Relative Weight	Payment Rate	National Unadjusted Copayment	Minimum Unadjusted Copayment	APC	Group Title	Status Indicator	Relative Weight	Payment Rate	National Unadjusted Copayment	Minimum Unadjusted Copayment
0097	Cardiac monitoring for 30 days	X	0.84	$42.76	$23.52	$8.55	------	Cardiac and ambulatory blood pressure monitoring	------	------	------	------	------
0339	Observation	X	6.85	$348.69	------	$69.74	------	------	S	------	------	------	------
0352	Level II Injections	X	0.41	$20.87	------	$4.17	------	Level I Injections	------	------	------	------	------
------	------	------		------	------	------	0843	Pegaspargase, singl dose vial	G	-------	$1,225.57	------	$179.74
0903	Cytomegalovirus imm IV/vial	G	------	$370.50	------	$47.58	------	------	------	-------	$638.48	------	$91.40
0931	Factor IX non-recombinant, per iu	G	------	$26.13	------	$3.74	------	------			$0.71	------	$0.09
------	-------	------		------	------	------	1002	Cochlear implant system	H				
-------	----------	----------	----------	----------	----------	----------	1616	Histrelin acatate, 10 mgs	G	---------- --	14.16	----------	2.03
1624	Sodium Phosphate P32	G	------	$54.34	------	$7.78	------	------	------	------	$81.10	------	------
	-------	------		------	------	------	7047	Droperidol/fentanyl inj	G	------	$6.67	------	$0.95
------	------	------		------	------	------	7052	Somatrem injection	G	------	$41.90	------	$6.00
7315	Sodium hyaluronate injection, 5mg	G	------	$26.13	------	$3.74	------	Sodium hyaluronate injection, 20mg	------	------	$130.63	------	$18.70
	------	------		------	------	------	7316	Sodium hyaluron	G	------	$26.13	------	$3.74

CORRECTIONS TO THE LIST OF AMBULATORY CLASSIFICATIONS (APCs) WITH STATUS INDICATORS, RELATIVE WEIGHTS, PAYMENT RATES, AND COPAYMENT AMOUNTS

As Published in the November 30, 2001 Final Rule							Corrections to the November 30, 2001 Final Rule						
APC	Group Title	Status Indicator	Relative Weight	Payment Rate	National Unadjusted Copayment	Minimum Unadjusted Copayment	APC	Group Title	Status Indicator	Relative Weight	Payment Rate	National Unadjusted Copayment	Minimum Unadjusted Copayment
								ate injection 5mg					
	------	------		------	------	------	0734	Darbepoetin alfa, 1 mcg	G	------	$4.74	------	$0.68
	------	------		------	------	------	1775	FDG per dose (4-40 mCi/ml)	G	------	$475.00		$68.00

2. Corrections to Addendum B of the November 30, 2001 Final Rule

Table 3, Corrections to Addendum B of the November 30, 2001 final rule shows the APC assignments for which corrections are required. It provides the data as published in that final rule and the additions and corrections to these data.

Table 3—CORRECTIONS TO ADDENDUM B OF THE NOVEMBER 30, 2001 FINAL RULE

TABLE 3 -- CORRECTIONS TO ADDENDUM B.—PAYMENT BY HCPCS CODE AND RELATED INFORMATION CALENDAR YEAR 2002													
As Published in the in the November 30, 2001 Final Rule							Corrections to the November 30, 2001 Final Rule						
CPT/ HCPCS	Status Indicator	Description	APC	Payment Rate	National Unadjusted Copayment	Minimum Unadjusted Copayment	CPT/ HCPCS	Status Indicator	Description	APC	Payment Rate	National Unadjusted Copayment	Minimum Unadjusted Copayment
47382	T	Percut ablate liver rf	0152	$821.08	$207.38	$164.22	------	T	------	0980	$1,875.00	------	$375.00
48511	S	Drain pancreatic pseudocyst	0005	$205.14	------	$41.03	------	T	------	0005	------	------	------
50021	S	Renal abscess, percut drain	0005	$205.14	------	$41.03	------	T	------	------	------	------	------
61793	S	Focus radiation beam	0302	$568.09	------	$113.62	------	E	------	------	------	------	------
62355	T	Remove spinal canal catheter	0105	$751.34	------	$150.27	------	------	------	0203	------	------	------
62365	T	Remove spine infusion device	0105	$751.34	------	$150.27	------	------	------	0203	------	------	------
64614	T	Destroy nerve, extrem musc	0206	$182.75	------	$36.55	------	------	------	0204	------	------	------
76873	N	Echograp trans r, pros study	------	------	------	------	------	S	------	0266	------	------	------
93786	E	Ambulatory BP recording	------	------	------	------	------	X	------	097	------	------	------
96000	T	Motion analysis, video/3d	0972	$150.00	------	$30.00	------	S	------	0708	------	------	------
96001	T	Motion test w/ft press meas	0972	$150.00	------	$30.00	------	S	------	0708	------	------	------
96002	T	Dynamic surface emg	0972	$150.00	------	$30.00	------	S	------	0708	------	------	------
96003	T	Dynamic fine wire emg	0972	$150.00	------	$30.00	------	S	------	0708	------	------	------
C1300	T	Hyperbaric oxygen	0971	$75.00	------	$15.00	------	S	------	0707	$75.00	------	$15.00
------	------	------	------	------	------	------	C1774	G	Non esrd darbepoetin alfa	0734	$4.74	------	$0.68
							C1775	G	FDG, per dose (4-40 mCi/ml)	1775	$475.00	------	$68.00
G0210	S	PET img wholebody dx lung ca	0712	$875.00	------	$175.00	------		PET img WhBD ring dxlung ca	0714	$1,375.00	------	$275.00
G0211	S	PET img wholebody init lung	0712	$875.00	------	$175.00	------		PET img WhBD ring init lung	0714	$1,375.00	------	$275.00
G0212	S	PET img wholebod restag lung	0712	$875.00	------	$175.00	------		PET img WhBD ring restag lun	0714	$1,375.00	------	$275.00
G0213	S	PET img wholebody dx colorec	0712	$875.00	------	$175.00	------		PET img WhBD ring dx colorec	0714	$1,375.00	------	$275.00
G0214	S	PET img wholebod init colore	0712	$875.00	------	$175.00	------		PET img WhBD ring init colore	0714	$1,375.00	------	$275.00
G0215	S	PETimg wholebod restag colre	0712	$875.00	------	$175.00	------		PET img whbd restag col	0714	$1,375.00	------	$275.00
G0216	S	PET img wholebod dx melanoma	0712	$875.00	------	$175.00	------		PET img WhBD ring dx melanom	0714	$1,375.00	------	$275.00

TABLE 3 -- CORRECTIONS TO ADDENDUM B.—PAYMENT BY HCPCS CODE AND RELATED INFORMATION CALENDAR YEAR 2002

As Published in the in the November 30, 2001 Final Rule							Corrections to the November 30, 2001 Final Rule						
CPT/ HCPCS	Status Indicator	Description	APC	Payment Rate	National Unadjusted Copayment	Minimum Unadjusted Copayment	CPT/ HCPCS	Status Indicator	Description	APC	Payment Rate	National Unadjusted Copayment	Minimum Unadjusted Copayment
G0217	S	PET img wholebod init melano	0712	$875.00	------	$175.00	------		PET img WhBD ring init melan	0714	$1,375.00	------	$275.00
G0218	S	PET img wholebod restag mela	0712	$875.00	------	$175.00	------		PET img WhBD ring restag mel	0714	$1,375.00	------	$275.00
G0219	S	PET img wholbod melano nonco	0712	$875.00	------	$175.00	------	E	PET img WhBD ring noncov ind	------	------	------	------
G0220	S	PET img wholebod dx lymphoma	0712	$875.00	------	$175.00	------		PET img WhBD ring dx lymphom	0714	$1,375.00	------	$275.00
G0221	S	PET imag wholbod init lympho	0712	$875.00	------	$175.00	------		PET img WhBD ring init lymph	0714	$1,375.00	------	$275.00
G0222	S	PET imag wholbod resta lymph	0712	$875.00	------	$175.00	------		PET img WhBD ring resta lymp	0714	$1,375.00	------	$275.00
G0223	S	PET imag wholbod reg dx head	0712	$875.00	------	$175.00	------		PET imag WhBD reg ring dx head	0714	$1,375.00	------	$275.00
G0224	S	PET imag wholbod reg ini hea	0712	$875.00	------	$175.00	------		PET img WhBD reg ring ini hea	0714	$1,375.00	------	$275.00
G0225	S	PET whol restag headneck onl	0712	$875.00	------	$175.00	------		PET img WhBD ring restag hea	0714	$1,375.00	------	$275.00
G0226	S	PET img wholbody dx esophagl	0712	$875.00	------	$175.00	------		PET img WhBD dx esophag	0714	$1,375.00	------	$275.00
G0227	S	PET img wholbod ini esophage	0712	$875.00	------	$175.00	------		PET img whbd ini esopha	0714	$1,375.00	------	275.00
G0228	S	PET img wholbod restg esopha	0712	$875.00	------	$175.00	------		Pet img WhBD ring restg esop	0714	$1,375.00	------	$275.00
G0229	S	PET img metabolic brain pres	0712	$875.00	------	$175.00	------		PET img metabolic brain ring	0714	$1,375.00	------	$275.00
G0230	S	PET myocard viability post s	0712	$875.00	------	$175.00	------		Pet myocard viability ring	0714	$1,375.00	------	$275.00
G0231	S	PET WhBD colorec; gamma cam	0712	$875.00	------	$175.00	------		------	0714	$1,375.00	------	$275.00
G0232	S	PET WhBD lymphoma; gamma cam	0712	$875.00	------	$175.00	------		------	0714	$1,375.00	------	$275.00
G0233	S	PET WhBD melanoma; gamma cam	0712	$875.00	------	$175.00	------		------	0714	$1,375.00	------	$275.00
G0234	S	PET WhBD pulm nod; gamma cam	0712	$875.00	------	$175.00	------		------	0714	$1,375.00	------	$275.00
G0244	X	Observ care by facility topt	0339	$348.69	------	$69.74	------	S	------	------	------	------	------
J0850	G	Cytomegalovirus imm IV /vial	0903	$370.50	------	$47.58	------		------	------	$638.48	------	$91.40
J1810	E	Droperidol/fentanyl inj, up to 2 ml	------	------	------	------	------	G	------	7047	$6.67	------	$0.95
J2940	G	Somatrem injection	7033	$209.48	------	$29.99	------	G	------	7052	$41.90		$6.00

BILLING CODE 4120–01–C

TABLE 3 -- CORRECTIONS TO ADDENDUM B.—PAYMENT BY HCPCS CODE AND RELATED INFORMATION CALENDAR YEAR 2002													
As Published in the in the November 30, 2001 Final Rule							Corrections to the November 30, 2001 Final Rule						
CPT/ HCPCS	Status Indicator	Description	APC	Payment Rate	National Unadjusted Copayment	Minimum Unadjusted Copayment	CPT/ HCPCS	Status Indicator	Description	APC	Payment Rate	National Unadjusted Copayment	Minimum Unadjusted Copayment
J7193	G	Factor IX non-recombinant	0931	$26.13	------	$3.74	------		------	------	$0.71		$0.09
J7315	D	Sodium hyaluronate injection	7315	$26.13	------	$3.74	------		------	------	$130.63		$18.70
J7316	G	Sodium hyaluronate injection	7315	$26.13	------	$3.74	------		------	7316	$26.13		$3.74
J9266	E	Pegaspargase/singl dose vial	------	------	------	------	------	G	------	0843	$1,225.57	------	$179.74
L2102	A	Afo tibial fx cast plstr mol	------	------	------	------	------	E	------	------	------	------	------
L2104	A	Afo tib fx cast synthetic mo	------	------	------	------	------	E	------	------	------	------	------
L2122	A	Kafo fem fx cast plaster mol	------	------	------	------	------	E	------	------	------	------	------
L2124	A	Kafo fem fx cast synthet mol	------	------	------	------	------	E	------	------	------	------	------
L3760	E	EO withjoint, Prefabricated	------	------	------	------	------	A	------	------	------	------	------
L8614	E	Cochlear device/system	------	------	------	------	------	H	------	1002	------	------	------
Q0081	D	Infusion ther other than che	0120	$156.78	------	$31.36	------	T	------	------	------	------	------
Q0086	D	Physical therapy evaluation/	------	------	$42.67	------	------	A	------	------	------	------	------
Q0160	D	Factor IX non-recombinant	0931	$26.13	------	$3.74	------		------	------	$0.71		$0.09
Q2020	E	Histrelin acetate, 10 mg	------	------	------	------	------	G	------	1616	$14.16	------	$2.03
Q3007	G	Sodium Phosphate P32	1624	$54.34	------	$7.78	------		------	------	$81.10	------	$11.61
Q3017	A	Ambsrv, ALS assmt, no other a/s	------	------	------	------	------	E	------	------	------	------	------
------	------	------	------	------	------	------	Q3019	A	ALS emer trans no ALS service	------	------	------	------
------	------	------	------	------	------	------	Q3020	A	ALS nonemer trans no als service	------	------	------	------

3. Corrections to Addendum D of the November 30, 2001 Final Rule

On page 60091, there are two corrections to Addendum D as published in the November 30, 2001 final rule.

a. Under the status column for Screening Mammography, ''Lower of Charges or National Rate'' is revised to read ''Physician Fee Schedule.''

b. We are adding a status indicator that was inadvertently omitted. In the indicator column we are adding, where it should appear alphabetically, status indicator ''D'', ''Deleted Code'' under the service column, and ''Codes Are Deleted Effective with the Beginning of the Calendar Year'' under the status column.

III. Waiver of Notice of Proposed Rulemaking

We ordinarily publish a notice of proposed rulemaking in the **Federal Register** and invite public comment on the proposed rule. The notice of proposed rulemaking includes a reference to the legal authority under which the rule is proposed, and the terms and substances of the proposed rule or a description of the subjects and issues involved. This procedure can be waived, however, if an agency finds good cause that a notice-and-comment procedure is impracticable, unnecessary, or contrary to the public interest and incorporates a statement of the finding and its reasons in the rule issued. The rates in this final rule incorporate the correction of errors that were identified in connection with the rates published in the November 30, 2001 final rule.

We find that it is in the general public interest to proceed with implementing the corrected rates without proposed rulemaking and public comment. The delay in implementing the 2002 rates was necessary to correct identified inadvertent technical errors and to allow us to review our data files to ensure that other errors could also be identified and corrected. As a matter of good public policy, we do not believe that the necessary delay in implementing the CY 2002 OPPS rates should result in continued uncertainty among hospitals, beneficiaries, and others regarding CY 2002 payment rates for OPPS services. The public is expecting the corrected OPPS update for CY 2002 to be made effective no later than April 1, 2002. Thus, there is an urgent need, effective for services furnished on or after April 1, 2002, to implement the corrected rate update and new 2002 HCPCS codes for Medicare payments under the OPPS. There is not sufficient time to provide notice of proposed rulemaking without further delaying the effective date of the rates. Therefore, we find that it is contrary to the public interest to continue to delay the effective date of the rates.

IV. Collection of Information Requirements

This document does not impose information collection and record-keeping requirements. Consequently, the Office of Management and Budget need not review it under the authority of the Paperwork Reduction Act of 1995.

V. Regulatory Impact Statement

We have examined the impacts of this rule as required by Executive Order 12866 (September 1993, Regulatory Planning and Review) and the Regulatory Flexibility Act (RFA) (September 19, 1980 Pub. L. 96–354). Executive Order 12866 directs agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). A regulatory impact analysis (RIA) must be prepared for major rules with economically significant effects ($100 million or more annually).

As discussed above in this preamble, this final rule corrects inadvertent technical errors in the November 30, 2001 final rule that implemented the CY 2002 payments for the hospital OPPS. We note that the November 30, 2001 final rule was not a major rule. As we also discussed above in the preamble, this final rule corrects the estimate of the transitional pass-through payments for CY 2002 and the resulting uniform reduction that is required for that year, the median costs for several APCs, the scalar used to adjust the relative payment weights for the effects of recalibration, and device cost assignment to device-related APCs. We also note that on November 2, 2001, we published a final rule that announced the updated conversion factor for payments under the OPPS (66 FR 55857).

The RFA requires agencies to analyze options for regulatory relief of small businesses. For purposes of the RFA, small entities include small businesses, nonprofit organizations, and government agencies. Most hospitals and most other providers and suppliers are small entities, either by nonprofit status or by having revenues between $5 million and $25 million (for details see the Small Business Administration's final rule that set forth size standards for health care industries at 65 FR 69432). Individuals and States are not included in the definition of a small entity.

In addition, section 1102(b) of the Act requires us to prepare a regulatory impact analysis for any final rule that may have a significant impact on the operations of a substantial number of small rural hospitals. Such an analysis must conform to the provisions of section 604 of the RFA. With the exception of hospitals located in certain New England counties, for purposes of section 1102(b) of the Act, we define a small rural hospital as a hospital with not more than 100 beds that is located outside of a Metropolitan Statistical Area (MSA) or New England County Metropolitan Area (NECMA). Section 601(g) of the Social Security Amendments of 1983 (Pub. L. 98–21) designated hospitals in certain New England counties as belonging to the adjacent NECMA. Thus, for purposes of the PPS, we classify these hospitals as urban hospitals. See the November 30, 2001 final rule for the regulatory impact analysis related to the updated CY 2002 hospital OPPS payments.

Section 202 of the Unfunded Mandates Reform Act of 1995 also requires that agencies assess anticipated costs and benefits before issuing any rule that may result in an expenditure in any 1 year by State, local, or tribal governments, in the aggregate, or by the private sector, of $110 million. This final rule will not have a significant economic effect on these governments or the private sector.

Executive Order 13132 establishes certain requirements that an agency must meet when it promulgates a final rule that imposes substantial direct compliance costs on State and local governments, preempts State law, or otherwise has Federalism implications. This final rule will not have a substantial effect on States or local governments.

Because the November 30, 2001 final rule includes the relevant impact analysis for the changes to the hospital OPPS, we are not preparing analyses for either the RFA or section 1102(b) of the Act.

In accordance with the provisions of Executive Order 12866, this regulation was reviewed by the Office of Management and Budget.

List of Subjects 42 CFR Part 419

Hospitals, Medicare, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, 42 CFR part 419 is corrected

by making the following correcting amendments:

PART 419—PROSPECTIVE PAYMENT SYSTEM FOR HOSPITAL OUTPATIENT DEPARTMENT SERVICES

1. The authority citation continues to read as follows:

Authority: Secs. 1102, 1833(t), and 1871 of the Social Security Act (42 U.S.C. 1302, 1395l(t), and 1395hh).

§ 419.32 [Corrected]

2. In § 419.32, paragraph (b)(1)(iii) is corrected by removing the phrase ''For calendar year 2002,'' and adding in its place the phrase ''For the portion of calendar year 2002 that is affected by these rules,''.

§ 419.62 [Corrected]

In § 419.62, paragraph (d) is corrected by removing the phrase ''For CY 2002'' and adding in its place ''For the portion of CY 2002 affected by these rules,''.

(Catalog of Federal Domestic Assistance Program No. 93.773, Medicare—Hospital Insurance; and Program No. 93.774, Medicare—Supplementary Medical Insurance Program)

Dated: February 27, 2002.

Thomas A. Scully,

Administrator, Centers for Medicare & Medicaid Services.

Approved: February 27, 2002.

Tommy G. Thompson,

Secretary.

ADDENDUM A.—LIST OF AMBULATORY PAYMENT CLASSIFICATIONS (APCS) WITH STATUS INDICATORS, RELATIVE WEIGHTS, PAYMENT RATES, AND COPAYMENT AMOUNTS CALENDAR YEAR 2002

APC	Group title	Status indicator	Relative weight	Payment rate	National unadjusted copayment	Minimum unadjusted copayment
0001	Photochemotherapy	S	0.43	$21.89	$7.88	$4.38
0002	Fine needle Biopsy/Aspiration	T	0.42	$21.38	$11.76	$4.28
0003	Bone Marrow Biopsy/Aspiration	T	1.04	$52.94	$27.08	$10.59
0004	Level I Needle Biopsy/ Aspiration Except Bone Marrow	T	2.48	$126.24	$32.57	$25.25
0005	Level II Needle Biopsy /Aspiration Except Bone Marrow	T	4.05	$206.16	$90.71	$41.23
0006	Level I Incision & Drainage	T	2.19	$111.48	$33.95	$22.30
0007	Level II Incision & Drainage	T	6.79	$345.64	$72.03	$69.13
0008	Level III Incision and Drainage	T	10.99	$559.43	$113.67	$111.89
0009	Nail Procedures	T	0.63	$32.07	$8.34	$6.41
0010	Level I Destruction of Lesion	T	0.66	$33.60	$9.86	$6.72
0011	Level II Destruction of Lesion	T	1.48	$75.34	$27.88	$15.07
0012	Level I Debridement & Destruction	T	0.66	$33.60	$9.18	$6.72
0013	Level II Debridement & Destruction	T	1.37	$69.74	$17.66	$13.95
0015	Level IV Debridement & Destruction	T	2.08	$105.88	$31.20	$21.18
0016	Level V Debridement & Destruction	T	3.04	$154.75	$65.00	$30.95
0017	Level VI Debridement & Destruction	T	9.73	$495.30	$227.84	$99.06
0018	Biopsy of Skin/Puncture of Lesion	T	1.06	$53.96	$17.66	$10.79
0019	Level I Excision/ Biopsy	T	4.24	$215.83	$78.91	$43.17
0020	Level II Excision/ Biopsy	T	8.49	$432.17	$130.53	$86.43
0021	Level IV Excision/ Biopsy	T	11.89	$605.25	$236.51	$121.05
0022	Level V Excision/ Biopsy	T	13.99	$712.15	$292.94	$142.43
0023	Exploration Penetrating Wound	T	2.09	$106.39	$40.37	$21.28
0024	Level I Skin Repair	T	2.29	$116.57	$41.97	$23.31
0025	Level II Skin Repair	T	3.41	$173.58	$65.57	$34.72
0026	Level III Skin Repair	T	12.69	$645.97	$277.92	$129.19
0027	Level IV Skin Repair	T	18.12	$922.38	$383.10	$184.48
0028	Level I Breast Surgery	T	14.08	$716.73	$303.74	$143.35
0029	Level II Breast Surgery	T	23.90	$1,216.61	$632.64	$243.32
0030	Level III Breast Surgery	T	34.40	$1,751.10	$763.55	$350.22
0032	Insertion of Central Venous/Arterial Catheter	T	12.71	$646.99	.....	$129.40
0033	Partial Hospitalization	P	4.17	$212.27	$48.17	$42.45
0035	Placement of Arterial or Central Venous Catheter	T	0.13	$6.62	$2.91	$1.32
0041	Level I Arthroscopy	T	23.74	$1,208.46	$580.06	$241.69
0042	Level II Arthroscopy	T	35.97	$1,831.02	$804.74	$366.20
0043	Closed Treatment Fracture Finger/Toe/Trunk	T	4.07	$207.18	.....	$41.44
0044	Closed Treatment Fracture/Dislocation Except Finger/Toe/ Trunk.	T	2.54	$129.30	$38.08	$25.86
0045	Bone/Joint Manipulation Under Anesthesia	T	11.74	$597.61	$277.12	$119.52
0046	Open/Percutaneous Treatment Fracture or Dislocation	T	27.86	$1,418.19	$535.76	$283.64
0047	Arthroplasty without Prosthesis	T	26.51	$1,349.47	$537.03	$269.89
0048	Arthroplasty with Prosthesis	T	43.44	$2,211.27	$725.94	$442.25
0049	Level I Musculoskeletal Procedures Except Hand and Foot	T	15.93	$810.90	$356.95	$162.18
0050	Level II Musculoskeletal Procedures Except Hand and Foot	T	20.75	$1,056.26	$507.15	$211.25
0051	Level III Musculoskeletal Procedures Except Hand and Foot	T	28.73	$1,462.47	$675.24	$292.49
0052	Level IV Musculoskeletal Procedures Except Hand and Foot	T	36.15	$1,840.18	$930.91	$368.04
0053	Level I Hand Musculoskeletal Procedures	T	11.76	$598.63	$253.49	$119.73
0054	Level II Hand Musculoskeletal Procedures	T	19.95	$1,015.53	$472.33	$203.11
0055	Level I Foot Musculoskeletal Procedures	T	15.52	$790.03	$355.34	$158.01
0056	Level II Foot Musculoskeletal Procedures	T	18.95	$964.63	$405.81	$192.93
0057	Bunion Procedures	T	24.49	$1,246.64	$496.65	$249.33
0058	Level I Strapping and Cast Application	S	1.28	$65.16	$19.27	$13.03
0059	Level II Strapping and Cast Application	S	2.23	$113.52	$29.59	$22.70
0060	Manipulation Therapy	S	0.23	$11.71	.....	$2.34
0068	CPAP Initiation	S	3.04	$154.75	$85.11	$30.95

ADDENDUM A.—LIST OF AMBULATORY PAYMENT CLASSIFICATIONS (APCS) WITH STATUS INDICATORS, RELATIVE WEIGHTS, PAYMENT RATES, AND COPAYMENT AMOUNTS CALENDAR YEAR 2002—Continued

APC	Group title	Status indicator	Relative weight	Payment rate	National unadjusted copayment	Minimum unadjusted copayment
0069	Thoracoscopy	T	23.72	$1,207.44	$591.64	$241.49
0070	Thoracentesis/Lavage Procedures	T	4.61	$234.67	$79.60	$46.93
0071	Level I Endoscopy Upper Airway	T	1.04	$52.94	$14.22	$10.59
0072	Level II Endoscopy Upper Airway	T	1.22	$62.10	$34.16	$12.42
0073	Level III Endoscopy Upper Airway	T	3.31	$168.49	$74.14	$33.70
0074	Level IV Endoscopy Upper Airway	T	11.39	$579.80	$295.70	$115.96
0075	Level V Endoscopy Upper Airway	T	17.52	$891.84	$445.92	$178.37
0076	Endoscopy Lower Airway	T	7.61	$387.38	$189.82	$77.48
0077	Level I Pulmonary Treatment	S	0.39	$19.85	$10.92	$3.97
0078	Level II Pulmonary Treatment	S	0.87	$44.29	$19.04	$8.86
0079	Ventilation Initiation and Management	S	0.60	$30.54	$16.80	$6.11
0080	Diagnostic Cardiac Catheterization	T	34.93	$1,778.08	$838.92	$355.62
0081	Non-Coronary Angioplasty or Atherectomy	T	29.42	$1,497.60	$710.91	$299.52
0082	Coronary Atherectomy	T	92.53	$4,710.15	$1,351.74	$942.03
0083	Coronary Angioplasty	T	59.84	$3,046.10	$794.30	$609.22
0084	Level I Electrophysiologic Evaluation	S	6.90	$351.24	$115.91	$70.25
0085	Level II Electrophysiologic Evaluation	T	58.28	$2,966.69	$654.48	$593.34
0086	Ablate Heart Dysrhythm Focus	T	73.14	$3,723.12	$1,265.37	$744.62
0087	Cardiac Electrophysiologic Recording/Mapping	T	52.77	$2,686.20	.....	$537.24
0088	Thrombectomy	T	34.57	$1,759.75	$678.68	$351.95
0089	Insertion/Replacement of Permanent Pacemaker and Electrodes.	T	150.39	$7,655.45	$2,246.59	$1,531.09
0090	Insertion/Replacement of Pacemaker Pulse Generator	T	116.11	$5,910.46	$2,133.88	$1,182.09
0091	Level I Vascular Ligation	T	21.15	$1,076.62	$348.23	$215.32
0092	Level II Vascular Ligation	T	20.02	$1,019.10	$505.37	$203.82
0093	Vascular Repair/Fistula Construction	T	14.24	$724.87	$277.34	$144.97
0094	Resuscitation and Cardioversion	S	6.12	$311.53	$105.29	$62.31
0095	Cardiac Rehabilitation	S	0.62	$31.56	$16.73	$6.31
0096	Non-Invasive Vascular Studies	S	1.72	$87.55	$48.15	$17.51
0097	Cardiac and Ambulatory Blood Pressure Monitoring	X	0.85	$43.27	$23.80	$8.65
0098	Injection of Sclerosing Solution	T	1.25	$63.63	$20.88	$12.73
0099	Electrocardiograms	S	0.36	$18.33	$10.08	$3.67
0100	Stress Tests and Continuous ECG	X	1.48	$75.34	$41.44	$15.07
0101	Tilt Table Evaluation	S	3.76	$191.40	$105.27	$38.28
0103	Miscellaneous Vascular Procedures	T	16.04	$816.50	$295.70	$163.30
0104	Transcatheter Placement of Intracoronary Stents	T	96.97	$4,936.16	.....	$987.23
0105	Revision/Removal of Pacemakers, AICD, or Vascular	T	14.85	$755.92	$370.40	$151.18
0106	Insertion/Replacement/Repair of Pacemaker and/or Electrodes	T	36.85	$1,875.81	$503.07	$375.16
0107	Insertion of Cardioverter-Defibrillator	T	381.66	$19,428.02	$4,224.27	$3,885.60
0108	Insertion/Replacement/Repair of Cardioverter-Defibrillator Leads.	T	576.78	$29,360.41	.....	$5,872.08
0109	Removal of Implanted Devices	T	6.30	$320.70	$131.49	$64.14
0110	Transfusion	S	5.34	$271.83	$114.17	$54.37
0111	Blood Product Exchange	S	21.21	$1,079.67	$300.74	$215.93
0112	Apheresis, Photopheresis, and Plasmapheresis	S	36.46	$1,855.96	$612.47	$371.19
0113	Excision Lymphatic System	T	15.62	$795.12	$326.55	$159.02
0114	Thyroid/Lymphadenectomy Procedures	T	29.46	$1,499.63	$493.78	$299.93
0115	Cannula/Access Device Procedures	T	21.47	$1,092.91	$506.74	$218.58
0116	Chemotherapy Administration by Other Technique Except Infusion.	S	0.91	$46.32	.....	$9.26
0117	Chemotherapy Administration by Infusion Only	S	4.03	$205.14	$52.69	$41.03
0118	Chemotherapy Administration by Both Infusion and Other Technique.	S	4.22	$214.81	$72.03	$42.96
0119	Implantation of Devices	T	80.14	$4,079.45	.....	$815.89
0120	Infusion Therapy Except Chemotherapy	T	3.10	$157.80	$42.67	$31.56
0121	Level I Tube changes and Repositioning	T	2.56	$130.31	$52.53	$26.06
0122	Level II Tube changes and Repositioning	T	9.94	$505.99	$114.93	$101.20
0123	Bone Marrow Harvesting and Bone Marrow/Stem Cell Transplant.	S	8.62	$438.79	.....	$87.76
0124	Revision of Implanted Infusion Pump	T	89.58	$4,559.98	.....	$912.00
0125	Refilling of Infusion Pump	T	3.01	$153.22	.....	$30.64
0130	Level I Laparoscopy	T	26.06	$1,326.56	$659.53	$265.31
0131	Level II Laparoscopy	T	37.85	$1,926.72	$1,001.89	$385.34
0132	Level III Laparoscopy	T	56.38	$2,869.97	$1,239.22	$573.99
0140	Esophageal Dilation without Endoscopy	T	5.68	$289.13	$107.24	$57.83
0141	Upper GI Procedures	T	7.25	$369.05	$184.67	$73.81
0142	Small Intestine Endoscopy	T	6.98	$355.31	$152.78	$71.06
0143	Lower GI Endoscopy	T	7.31	$372.11	$186.06	$74.42
0144	Diagnostic Anoscopy	T	4.46	$227.03	$49.32	$45.41

ADDENDUM A.—LIST OF AMBULATORY PAYMENT CLASSIFICATIONS (APCS) WITH STATUS INDICATORS, RELATIVE WEIGHTS, PAYMENT RATES, AND COPAYMENT AMOUNTS CALENDAR YEAR 2002—Continued

APC	Group title	Status indicator	Relative weight	Payment rate	National unadjusted copayment	Minimum unadjusted copayment
0145	Therapeutic Anoscopy	T	10.88	$553.84	$179.39	$110.77
0146	Level I Sigmoidoscopy	T	2.75	$139.99	$64.40	$28.00
0147	Level II Sigmoidoscopy	T	5.74	$292.19	$137.33	$58.44
0148	Level I Anal/Rectal Procedure	T	2.41	$122.68	$43.59	$24.54
0149	Level III Anal/Rectal Procedure	T	13.61	$692.80	$293.06	$138.56
0150	Level IV Anal/Rectal Procedure	T	18.19	$925.94	$437.12	$185.19
0151	Endoscopic Retrograde Cholangio-Pancreatography (ERCP)	T	15.39	$783.41	$245.46	$156.68
0152	Percutaneous Biliary Endoscopic Procedures	T	16.23	$826.17	$207.38	$165.23
0153	Peritoneal and Abdominal Procedures	T	23.70	$1,206.42	$496.31	$241.28
0154	Hernia/Hydrocele Procedures	T	31.58	$1,607.55	$556.98	$321.51
0155	Level II Anal/Rectal Procedure	T	5.30	$269.79	$99.82	$53.96
0156	Level II Urinary and Anal Procedures	T	2.46	$125.22	$37.57	$25.04
0157	Colorectal Cancer Screening: Barium Enema	S	1.99	$101.30	$22.19	$20.26
0158	Colorectal Cancer Screening: Colonoscopy	T	6.59	$335.46	$83.87	$67.09
0159	Colorectal Cancer Screening: Flexible Sigmoidoscopy	S	2.34	$119.12	$29.78	$23.82
0160	Level I Cystourethroscopy and other Genitourinary Procedures	T	5.16	$262.66	$105.06	$52.53
0161	Level II Cystourethroscopy and other Genitourinary Procedures	T	13.80	$702.48	$249.36	$140.50
0162	Level III Cystourethroscopy and other Genitourinary Procedures.	T	25.23	$1,284.31	$427.49	$256.86
0163	Level IV Cystourethroscopy and other Genitourinary Procedures.	T	40.63	$2,068.23	$792.58	$413.65
0164	Level I Urinary and Anal Procedures	T	1.02	$51.92	$15.58	$10.38
0165	Level III Urinary and Anal Procedures	T	5.25	$267.25	$91.76	$53.45
0166	Level I Urethral Procedures	T	12.27	$624.59	$218.73	$124.92
0167	Level II Urethral Procedures	T	22.41	$1,140.76	$555.84	$228.15
0168	Level III Urethral Procedures	T	18.53	$943.25	$405.60	$188.65
0169	Lithotripsy	T	39.85	$2,028.52	$1,115.69	$405.70
0170	Dialysis for Other Than ESRD Patients	S	0.29	$14.76	$3.25	$2.95
0179	Urinary Incontinence Procedures	T	140.14	$7,133.69	$3,067.48	$1,426.74
0180	Circumcision	T	15.11	$769.16	$304.87	$153.83
0181	Penile Procedures	T	22.21	$1,130.58	$621.82	$226.12
0182	Insertion of Penile Prosthesis	T	88.04	$4,481.59	$1,492.28	$896.32
0183	Testes/Epididymis Procedures	T	18.97	$965.65	$448.94	$193.13
0184	Prostate Biopsy	T	4.86	$247.39	$123.70	$49.48
0187	Miscellaneous Placement/Repositioning	X	4.24	$215.83	$94.96	$43.17
0188	Level II Female Reproductive Proc	T	0.81	$41.23	$11.95	$8.25
0189	Level III Female Reproductive Proc	T	1.26	$64.14	$18.60	$12.83
0190	Surgical Hysteroscopy	T	17.01	$865.88	$424.28	$173.18
0191	Level I Female Reproductive Proc	T	0.23	$11.71	$3.40	$2.34
0192	Level IV Female Reproductive Proc	T	2.52	$128.28	$35.33	$25.66
0193	Level V Female Reproductive Proc	T	11.23	$571.65	$171.13	$114.33
0194	Level VI Female Reproductive Proc	T	15.95	$811.92	$397.84	$162.38
0195	Level VII Female Reproductive Proc	T	20.74	$1,055.75	$483.80	$211.15
0196	Dilation and Curettage	T	13.56	$690.26	$338.23	$138.05
0197	Infertility Procedures	T	2.41	$122.68	$49.55	$24.54
0198	Pregnancy and Neonatal Care Procedures	T	1.32	$67.19	$32.92	$13.44
0199	Vaginal Delivery	T	5.12	$260.63	$72.98	$52.13
0200	Therapeutic Abortion	T	11.41	$580.81	$307.83	$116.16
0201	Spontaneous Abortion	T	14.42	$734.04	$329.65	$146.81
0202	Level VIII Female Reproductive Proc	T	63.90	$3,252.77	$1,593.85	$650.55
0203	Level V Nerve Injections	T	15.88	$808.36	$363.78	$161.67
0204	Level VI Nerve Injections	T	2.25	$114.53	$43.52	$22.91
0206	Level III Nerve Injections	T	3.62	$184.27	$75.55	$36.85
0207	Level IV Nerve Injections	T	5.40	$274.88	$123.69	$54.98
0208	Laminotomies and Laminectomies	T	29.29	$1,490.98	.....	$298.20
0209	Extended EEG Studies and Sleep Studies, Level II	S	10.60	$539.58	$280.58	$107.92
0212	Level II Nervous System Injections	T	3.79	$192.93	$88.78	$38.59
0213	Extended EEG Studies and Sleep Studies, Level I	S	2.66	$135.40	$70.41	$27.08
0214	Electroencephalogram	S	2.11	$107.41	$53.71	$21.48
0215	Level I Nerve and Muscle Tests	S	0.66	$33.60	$17.47	$6.72
0216	Level III Nerve and Muscle Tests	S	2.63	$133.88	$60.25	$26.78
0218	Level II Nerve and Muscle Tests	S	1.04	$52.94	$23.82	$10.59
0220	Level I Nerve Procedures	T	13.68	$696.37	$327.29	$139.27
0221	Level II Nerve Procedures	T	21.55	$1,096.98	$463.62	$219.40
0222	Implantation of Neurological Device	T	304.29	$15,489.58	.....	$3,097.92
0223	Implantation of Pain Management Device	T	75.83	$3,860.05	.....	$772.01
0224	Implantation of Reservoir/Pump/Shunt	T	28.65	$1,458.40	$453.41	$291.68
0225	Implantation of Neurostimulator Electrodes	T	269.11	$13,698.78	.....	$2,739.76
0226	Implantation of Drug Infusion Reservoir	T	76.24	$3,880.92	.....	$776.18

ADDENDUM A.—LIST OF AMBULATORY PAYMENT CLASSIFICATIONS (APCS) WITH STATUS INDICATORS, RELATIVE WEIGHTS, PAYMENT RATES, AND COPAYMENT AMOUNTS CALENDAR YEAR 2002—Continued

APC	Group title	Status indicator	Relative weight	Payment rate	National unadjusted copayment	Minimum unadjusted copayment
0227	Implantation of Drug Infusion Device	T	140.36	$7,144.89	.....	$1,428.98
0228	Creation of Lumbar Subarachnoid Shunt	T	54.08	$2,752.89	$696.46	$550.58
0229	Transcatherter Placement of Intravascular Shunts	T	76.09	$3,873.29	$996.86	$774.66
0230	Level I Eye Tests & Treatments	S	0.62	$31.56	$14.52	$6.31
0231	Level III Eye Tests & Treatments	S	2.05	$104.35	$46.96	$20.87
0232	Level I Anterior Segment Eye Procedures	T	3.52	$179.18	$78.84	$35.84
0233	Level II Anterior Segment Eye Procedures	T	10.90	$554.85	$266.33	$110.97
0234	Level III Anterior Segment Eye Procedures	T	19.20	$977.36	$469.13	$195.47
0235	Level I Posterior Segment Eye Procedures	T	5.60	$285.06	$78.91	$57.01
0236	Level II Posterior Segment Eye Procedures	T	16.30	$829.74	.....	$165.95
0237	Level III Posterior Segment Eye Procedures	T	32.16	$1,637.07	$818.54	$327.41
0238	Level I Repair and Plastic Eye Procedures	T	3.02	$153.73	$58.96	$30.75
0239	Level II Repair and Plastic Eye Procedures	T	5.84	$297.28	$115.94	$59.46
0240	Level III Repair and Plastic Eye Procedures	T	13.91	$708.07	$315.31	$141.61
0241	Level IV Repair and Plastic Eye Procedures	T	17.84	$908.13	$384.47	$181.63
0242	Level V Repair and Plastic Eye Procedures	T	24.26	$1,234.93	$597.36	$246.99
0243	Strabismus/Muscle Procedures	T	17.81	$906.60	$431.39	$181.32
0244	Corneal Transplant	T	38.69	$1,969.48	$851.42	$393.90
0245	Level I Cataract Procedures without IOL Insert	T	10.50	$534.49	$251.21	$106.90
0246	Cataract Procedures with IOL Insert	T	20.73	$1,055.24	$495.96	$211.05
0247	Laser Eye Procedures Except Retinal	T	4.05	$206.16	$94.83	$41.23
0248	Laser Retinal Procedures	T	4.35	$221.43	$94.05	$44.29
0249	Level II Cataract Procedures without IOL Insert	T	21.93	$1,116.32	$524.67	$223.26
0250	Nasal Cauterization/Packing	T	2.11	$107.41	$37.59	$21.48
0251	Level I ENT Procedures	T	2.44	$124.21	$27.99	$24.84
0252	Level II ENT Procedures	T	5.99	$304.91	$114.24	$60.98
0253	Level III ENT Procedures	T	12.40	$631.21	$284.00	$126.24
0254	Level IV ENT Procedures	T	17.47	$889.29	$272.41	$177.86
0256	Level V ENT Procedures	T	26.76	$1,362.19	$623.05	$272.44
0258	Tonsil and Adenoid Procedures	T	17.53	$892.35	$437.25	$178.47
0259	Level VI ENT Procedures	T	378.75	$19,279.89	$9,447.14	$3,855.98
0260	Level I Plain Film Except Teeth	X	0.70	$35.63	$19.60	$7.13
0261	Level II Plain Film Except Teeth Including Bone Density Measurement.	X	1.22	$62.10	$34.15	$12.42
0262	Plain Film of Teeth	X	0.65	$33.09	$10.90	$6.62
0263	Level I Miscellaneous Radiology Procedures	X	1.62	$82.46	$44.53	$16.49
0264	Level II Miscellaneous Radiology Procedures	X	3.74	$190.38	$104.71	$38.08
0265	Level I Diagnostic Ultrasound Except Vascular	S	0.95	$48.36	$26.60	$9.67
0266	Level II Diagnostic Ultrasound Except Vascular	S	1.55	$78.90	$43.40	$15.78
0267	Vascular Ultrasound	S	2.34	$119.12	$65.52	$23.82
0269	Level I Echocardiogram Except Transesophageal	S	3.87	$197.00	$102.44	$39.40
0270	Transesophageal Echocardiogram	S	5.34	$271.83	$146.79	$54.37
0271	Mammography	S	0.60	$30.54	$16.80	$6.11
0272	Level I Fluoroscopy	X	1.38	$70.25	$38.64	$14.05
0274	Myelography	S	5.27	$268.26	$128.12	$53.65
0275	Arthrography	S	2.61	$132.86	$69.09	$26.57
0276	Level I Digestive Radiology	S	1.49	$75.85	$41.72	$15.17
0277	Level II Digestive Radiology	S	2.16	$109.95	$60.47	$21.99
0278	Diagnostic Urography	S	2.36	$120.13	$66.07	$24.03
0279	Level I Angiography and Venography except Extremity	S	7.77	$395.52	$174.57	$79.10
0280	Level II Angiography and Venography except Extremity	S	13.63	$693.82	$353.85	$138.76
0281	Venography of Extremity	S	4.35	$221.43	$115.16	$44.29
0282	Miscellaneous Computerized Axial Tomography	S	1.59	$80.94	$44.51	$16.19
0283	Computerized Axial Tomography with Contrast Material	S	4.51	$229.58	$126.27	$45.92
0284	Magnetic Resonance Imaging and Magnetic Resonance Angiography with Contrast Material.	S	7.18	$365.49	$201.02	$73.10
0285	Positron Emission Tomography (PET)	S	18.83	$958.52	$415.21	$191.70
0286	Myocardial Scans	S	5.43	$276.41	$152.03	$55.28
0287	Complex Venography	S	4.09	$208.20	$114.51	$41.64
0288	CT, Bone Density	S	1.18	$60.07	$33.03	$12.01
0289	Needle Localization for Breast Biopsy	X	1.63	$82.97	$44.80	$16.59
0290	Standard Non-Imaging Nuclear Medicine	S	1.76	$89.59	$49.27	$17.92
0291	Level I Diagnostic Nuclear Medicine Excluding Myocardial Scans.	S	3.52	$179.18	$90.20	$35.84
0292	Level II Diagnostic Nuclear Medicine Excluding Myocardial Scans.	S	4.22	$214.81	$118.15	$42.96
0294	Level I Therapeutic Nuclear Medicine	S	5.04	$256.56	$141.11	$51.31
0295	Level II Therapeutic Nuclear Medicine	S	12.17	$619.50	$340.73	$123.90
0296	Level I Therapeutic Radiologic Procedures	S	3.41	$173.58	$95.47	$34.72

ADDENDUM A.—LIST OF AMBULATORY PAYMENT CLASSIFICATIONS (APCS) WITH STATUS INDICATORS, RELATIVE WEIGHTS, PAYMENT RATES, AND COPAYMENT AMOUNTS CALENDAR YEAR 2002—Continued

APC	Group title	Status indicator	Relative weight	Payment rate	National unadjusted copayment	Minimum unadjusted copayment
0297	Level II Therapeutic Radiologic Procedures	S	7.11	$361.93	$172.51	$72.39
0299	Miscellaneous Radiation Treatment	S	0.21	$10.69	$5.66	$2.14
0300	Level I Radiation Therapy	S	2.08	$105.88	$47.72	$21.18
0301	Level II Radiation Therapy	S	5.18	$263.68	.....	$52.74
0302	Level III Radiation Therapy	S	11.23	$571.65	$216.55	$114.33
0303	Treatment Device Construction	X	3.01	$153.22	$69.28	$30.64
0304	Level I Therapeutic Radiation Treatment Preparation	X	1.63	$82.97	$41.52	$16.59
0305	Level II Therapeutic Radiation Treatment Preparation	X	3.74	$190.38	$91.38	$38.08
0310	Level III Therapeutic Radiation Treatment Preparation	X	14.59	$742.69	$339.05	$148.54
0312	Radioelement Applications	S	124.64	$6,344.67	.....	$1,268.93
0313	Brachytherapy	S	35.74	$1,819.31	.....	$363.86
0314	Hyperthermic Therapies	S	3.92	$199.54	$101.77	$39.91
0320	Electroconvulsive Therapy	S	3.90	$198.53	$80.06	$39.71
0321	Biofeedback and Other Training	S	0.93	$47.34	$21.78	$9.47
0322	Brief Individual Psychotherapy	S	1.16	$59.05	$12.40	$11.81
0323	Extended Individual Psychotherapy	S	1.74	$88.57	$21.26	$17.71
0324	Family Psychotherapy	S	2.71	$137.95	.....	$27.59
0325	Group Psychotherapy	S	1.38	$70.25	$18.27	$14.05
0330	Dental Procedures	S	11.04	$561.98	.....	$112.40
0332	Computerized Axial Tomography and Computerized Angiography without Contrast Material.	S	3.26	$165.95	$91.27	$33.19
0333	Computerized Axial Tomography and Computerized Angio w/o Contrast Material followed by Contrast.	S	5.25	$267.25	$146.98	$53.45
0335	Magnetic Resonance Imaging, Miscellaneous	S	5.41	$275.39	$151.46	$55.08
0336	Magnetic Resonance Imaging and Magnetic Resonance Angiography without Contrast.	S	6.32	$321.71	$176.94	$64.34
0337	MRI and Magnetic Resonance Angiography without Contrast Material followed by Contrast Material.	S	8.60	$437.77	$240.77	$87.55
0339	Observation	S	6.90	$351.24	.....	$70.25
0340	Minor Ancillary Procedures	X	0.85	$43.27	$10.82	$8.65
0341	Skin Tests and Miscellaneous Red Blood Cell Tests	X	0.11	$5.60	$3.08	$1.12
0342	Level I Pathology	X	0.21	$10.69	$5.88	$2.14
0343	Level II Pathology	X	0.39	$19.85	$10.72	$3.97
0344	Level III Pathology	X	0.56	$28.51	$15.68	$5.70
0345	Level I Transfusion Laboratory Procedures	X	0.27	$13.74	$5.37	$2.75
0346	Level II Transfusion Laboratory Procedures	X	0.77	$39.20	$12.03	$7.84
0347	Level III Transfusion Laboratory Procedures	X	1.57	$79.92	$20.13	$15.98
0348	Fertility Laboratory Procedures	X	0.77	$39.20	.....	$7.84
0352	Level I Injections	X	0.41	$20.87	.....	$4.17
0353	Level II Allergy Injections	X	0.25	$12.73	$2.92	$2.55
0354	Administration of Influenza/Pneumonia Vaccine	K	0.11	$5.60	.....	.....
0355	Level I Immunizations	K	0.19	$9.67	$5.05	$1.93
0356	Level II Immunizations	K	1.12	$57.01	.....	$11.40
0359	Level II Injections	X	1.80	$91.63	.....	$18.33
0360	Level I Alimentary Tests	X	1.36	$69.23	$34.62	$13.85
0361	Level II Alimentary Tests	X	3.27	$166.46	$83.23	$33.29
0362	Fitting of Vision Aids	X	0.87	$44.29	$9.63	$8.86
0363	Otorhinolaryngologic Function Tests	X	1.74	$88.57	$32.77	$17.71
0364	Level I Audiometry	X	0.58	$29.52	$11.51	$5.90
0365	Level II Audiometry	X	1.32	$67.19	$20.16	$13.44
0367	Level I Pulmonary Test	X	0.70	$35.63	$17.82	$7.13
0368	Level II Pulmonary Tests	X	1.48	$75.34	$38.42	$15.07
0369	Level III Pulmonary Tests	X	3.51	$178.67	$58.50	$35.73
0370	Allergy Tests	X	0.81	$41.23	$11.81	$8.25
0371	Level I Allergy Injections	X	0.70	$35.63	.....	$7.13
0372	Therapeutic Phlebotomy	X	0.53	$26.98	$10.09	$5.40
0373	Neuropsychological Testing	X	1.01	$51.41	$14.39	$10.28
0374	Monitoring Psychiatric Drugs	X	0.89	$45.30	$9.97	$9.06
0600	Low Level Clinic Visits	V	0.87	$44.29	.....	$8.86
0601	Mid Level Clinic Visits	V	0.95	$48.36	.....	$9.67
0602	High Level Clinic Visits	V	1.38	$70.25	.....	$14.05
0610	Low Level Emergency Visits	V	1.24	$63.12	$19.57	$12.62
0611	Mid Level Emergency Visits	V	2.16	$109.95	$36.47	$21.99
0612	High Level Emergency Visits	V	3.51	$178.67	$54.14	$35.73
0620	Critical Care	S	8.45	$430.14	$150.55	$86.03
0685	Level III Needle Biopsy/Aspiration Except Bone Marrow	T	9.21	$468.83	$206.28	$93.77
0686	Level V Skin Repair	T	24.15	$1,229.33	$565.49	$245.87
0687	Revision/Removal of Neurostimulator Electrodes	T	42.58	$2,167.49	$997.05	$433.50

ADDENDUM A.—LIST OF AMBULATORY PAYMENT CLASSIFICATIONS (APCS) WITH STATUS INDICATORS, RELATIVE WEIGHTS, PAYMENT RATES, AND COPAYMENT AMOUNTS CALENDAR YEAR 2002—Continued

APC	Group title	Status indicator	Relative weight	Payment rate	National unadjusted copayment	Minimum unadjusted copayment
0688	Revision/Removal of Neurostimulator Pulse Generator Receiver.	T	146.12	$7,438.09	$3,644.66	$1,487.62
0689	Electronic Analysis of Cardioverter-defibrillators	S	0.43	$21.89	$12.03	$4.38
0690	Electronic Analysis of Pacemakers and other Cardiac Devices	S	0.38	$19.34	$10.63	$3.87
0691	Electronic Analysis of Programmable Shunts/Pumps	S	3.18	$161.87	$89.02	$32.37
0692	Electronic Analysis of Neurostimulator Pulse Generators	S	14.43	$734.54	$403.99	$146.91
0693	Level II Breast Reconstruction	T	32.00	$1,628.93	$798.17	$325.79
0694	Level III Excision/Biopsy	T	4.01	$204.13	$81.65	$40.83
0695	Level VII Debridement & Destruction	T	15.87	$807.85	$266.59	$161.57
0697	Level II Echocardiogram Except Transesophageal	S	2.09	$106.39	$55.32	$21.28
0698	Level II Eye Tests & Treatments	S	1.04	$52.94	$20.64	$10.59
0699	Level IV Eye Tests & Treatment	T	6.49	$330.37	$148.66	$66.07
0701	SR 89 chloride, per mCi	G		$963.42		$137.92
0702	SM 153 lexidronam, 50 mCi	G		$1,020.00		$146.02
0704	IN 111 Satumomab pendetide per dose	G		$1,591.25		$227.80
0705	TC 99M tetrofosmin, per dose	G		$114.00		$16.32
0706	New Technology—Level I ($0–$50)	S		$25.00		$5.00
0707	New Technology—Level II ($50–$100)	S		$75.00		$15.00
0708	New Technology—Level III ($100–$200)	S		$150.00		$30.00
0709	New Technology—Level IV ($200–$300)	S		$250.00		$50.00
0710	New Technology—Level V ($300–$500)	S		$400.00		$80.00
0711	New Technology—Level VI ($500–$750)	S		$625.00		$125.00
0712	New Technology—Level VII ($750–$1000)	S		$875.00		$175.00
0713	New Technology—Level VIII ($1000–$1250)	S		$1,125.00		$225.00
0714	New Technology—Level IX ($1250–$1500)	S		$1,375.00		$275.00
0715	New Technology—Level X ($1500–$1750)	S		$1,625.00		$325.00
0716	New Technology—Level XI ($1750–$2000)	S		$1,875.00		$375.00
0717	New Technology—Level XII ($2000–$2500)	S		$2,250.00		$450.00
0718	New Technology—Level XIII ($2500–$3000)	S		$2,750.00		$550.00
0719	New Technology—Level XIV ($3000–$3500)	S		$3,250.00		$650.00
0720	New Technology—Level XV ($3500–$5000)	S		$4,250.00		$850.00
0721	New Technology—Level XVI ($5000–$6000)	S		$5,500.00		$1,100.00
0725	Leucovorin calcium inj, 50 mg	G		$4.15		$0.38
0726	Dexrazoxane hcl injection, 250 mg	G		$194.52		$24.98
0727	Etidronate disodium inj 300 mg	G		$63.65		$9.11
0728	Filgrastim 300 mcg injection	G		$179.08		$23.00
0730	Pamidronate disodium , 30 mg	G		$265.87		$38.06
0731	Sargramostim injection 50 mcg	G		$29.06		$4.16
0732	Mesna injection 200 mg	G		$36.48		$3.30
0733	Non esrd epoetin alpha inj, 1000 u	G		$12.26		$1.57
0734	Darepoetin alfa, 1 MCG	G		$4.74		$0.68
0750	Dolasetron mesylate, 10 mg	G		$16.45		$2.11
0754	Metoclopramide hcl injection up to 10 mg	G		$1.17		$0.11
0755	Thiethylperazine maleate inj up to 10 mg	G		$4.60		$0.66
0762	Dronabinol 2.5mg oral	G		$3.28		$0.42
0763	Dolasetron mesylate oral, 100 mg	G		$69.64		$8.94
0764	Granisetron hcl injection 10 mcg	G		$18.54		$2.65
0765	Granisetron hcl 1 mg oral	G		$44.69		$6.40
0768	Ondansetron hcl injection 1 mg	G		$6.09		$0.78
0769	Ondansetron hcl 8mg oral	G		$26.41		$3.39
0800	Leuprolide acetate, 3.75 mg	G		$93.47		$12.00
0801	Cyclophosphamide oral 25 mg	G		$2.03		$0.18
0802	Etoposide oral 50 mg	G		$52.43		$6.73
0803	Melphalan oral 2 mg	G		$2.29		$0.33
0807	Aldesleukin/single use vial	G		$672.60		$96.29
0809	Bcg live intravesical vac	G		$166.49		$21.38
0810	Goserelin acetate implant 3.6 mg	G		$446.49		$63.92
0811	Carboplatin injection 50 mg	G		$114.46		$16.39
0812	Carmus bischl nitro inj 100 mg	G		$117.84		$16.87
0813	Cisplatin 10 mg injection	G		$42.18		$3.82
0814	Asparaginase injection 10,000 u	G		$62.61		$8.96
0815	Cyclophosphamide 100 mg inj	G		$5.82		$0.75
0816	Cyclophosphamide lyophilized 100 mg	G		$4.89		$0.63
0817	Cytarabine hcl 100 mg inj	G		$6.10		$0.55
0818	Dactinomycin 0.5 mg	G		$13.87		$1.99
0819	Dacarbazine 100 mg inj	G		$12.68		$1.15
0820	Daunorubicin 10 mg	G		$76.62		$6.94
0821	Daunorubicin citrate liposom 10 mg	G		$64.60		$9.25
0822	Diethylstilbestrol injection 250 mg	G		$14.41		$1.30

ADDENDUM A.—LIST OF AMBULATORY PAYMENT CLASSIFICATIONS (APCS) WITH STATUS INDICATORS, RELATIVE WEIGHTS, PAYMENT RATES, AND COPAYMENT AMOUNTS CALENDAR YEAR 2002—Continued

APC	Group title	Status indicator	Relative weight	Payment rate	National unadjusted copayment	Minimum unadjusted copayment
0823	Docetaxel, 20 mg	G		$297.83		$42.64
0824	Etoposide 10 mg inj	G		$10.45		$0.95
0826	Methotrexate Oral 2.5 mg	G		$3.45		$0.31
0827	Floxuridine injection 500 mg	G		$129.56		$16.64
0828	Gemcitabine HCL 200 mg	G		$106.72		$15.28
0830	Irinotecan injection 20 mg	G		$134.25		$19.22
0831	Ifosfomide injection 1 gm	G		$156.64		$22.42
0832	Idarubicin hcl injection 5 mg	G		$412.21		$59.01
0833	Interferon alfacon-1, 1 mcg	G		$4.10		$0.59
0834	Interferon alfa-2a inj recombinant 3 million u	G		$34.86		$4.99
0836	Interferon alfa-2b inj recombinant, 1 million	G		$11.28		$1.45
0838	Interferon gamma 1-b inj, 3 million u	G		$285.65		$40.89
0839	Mechlorethamine hcl inj 10 mg	G		$12.01		$1.72
0840	Melphalan hydrochl 50 mg	G		$400.74		$57.37
0841	Methotrexate sodium inj 5 mg	G		$0.45		$0.04
0842	Fludarabine phosphate inj 50 mg	G		$271.82		$38.91
0843	Pegaspargase, singl dose vial	G		$1,225.57		$179.74
0844	Pentostatin injection, 10 mg	G		$1,654.14		$236.80
0847	Doxorubicin hcl 10 mg vl chemo	G		$37.46		$4.81
0849	Rituximab, 100 mg	G		$454.55		$65.07
0850	Streptozocin injection, 1 gm	G		$117.64		$16.84
0851	Thiotepa injection, 15 mg	G		$116.97		$10.59
0852	Topotecan, 4 mg	G		$664.19		$95.08
0853	Vinblastine sulfate inj, 1 mg	G		$4.11		$0.37
0854	Vincristine sulfate 1 mg inj	G		$30.16		$3.87
0855	Vinorelbine tartrate, 10 mg	G		$88.83		$12.72
0856	Porfimer sodium, 75 mg	G		$2,603.66		$372.74
0857	Bleomycin sulfate injection 15 u	G		$289.37		$37.16
0858	Cladribine, 1mg	G		$53.39		$4.83
0859	Fluorouracil injection 500 mg	G		$2.73		$0.25
0860	Plicamycin (mithramycin) inj 2.5 mg	G		$93.80		$13.43
0861	Leuprolide acetate injection 1 mg	G		$69.79		$6.32
0862	Mitomycin 5 mg inj	G		$121.65		$11.01
0863	Paclitaxel injection, 30 mg	G		$173.50		$22.28
0864	Mitoxantrone hcl, 5 mg	G		$244.21		$34.96
0865	Interferon alfa-n3 inj, human leukocyte derived, 2	G		$7.86		$1.12
0884	Rho d immune globulin inj, 1 dose pkg	G		$34.11		$4.38
0886	Azathioprine oral 50mg	G		$1.25		$0.11
0887	Azathioprine parenteral 100 mg	G		$1.06		$0.10
0888	Cyclosporine oral 100 mg	G		$5.22		$0.67
0889	Cyclosporin parenteral 250mg	G		$25.08		$3.22
0890	Lymphocyte immune globulin 250 mg	G		$269.06		$38.52
0891	Tacrolimus oral per 1 mg	G		$2.91		$0.42
0900	Alglucerase injection, per 10 u	G		$37.53		$5.37
0901	Alpha 1 proteinase inhibitor, 10 mg	G		$2.09		$0.30
0902	Botulinum toxin a, per unit	G		$4.39		$0.63
0903	Cytomegalovirus imm IV/vial	G		$638.48		$91.40
0905	Immune globulin 500 mg	G		$35.63		$3.23
0906	RSV-ivig, 50 mg	G		$15.51		$1.99
0907	Ganciclovir Sodium 500 mg injection	K	0.42	$21.38		$4.28
0908	Tetanus immune globulin inj up to 250 u	G		$102.60		$13.18
0909	Interferon beta-1a, 33 mcg	G		$225.22		$32.24
0910	Interferon beta-1b/0.25 mg	G		$68.40		$9.79
0911	Streptokinase per 250,000 iu	K	1.67	$85.01		$17.00
0913	Ganciclovir long act implant 4.5 mg	G		$4,750.00		$680.00
0916	Injection imiglucerase/unit	G		$3.75		$0.54
0917	Pharmacologic stressors	K	0.35	$17.82		$3.56
0925	Factor viii per iu	G		$0.87		$0.08
0926	Factor VIII (porcine) per iu	G		$2.09		$0.30
0927	Factor viii recombinant per iu	G		$1.12		$0.14
0928	Factor ix complex per iu	G		$0.48		$0.04
0929	Anti-inhibitor per iu	G		$1.43		$0.18
0930	Antithrombin iii injection per iu	G		$1.05		$0.15
0931	Factor IX non-recombinant, per iu	G		$0.71		$0.09
0932	Factor IX recombinant, per iu	G		$1.12		$0.16
0949	Plasma, Pooled Multiple Donor, Solvent/Detergent T	K	2.80	$142.53		$28.51
0950	Blood (Whole) For Transfusion	K	1.98	$100.79		$20.16
0952	Cryoprecipitate	K	0.66	$33.60		$6.72
0954	RBC leukocytes reduced	K	2.69	$136.93		$27.39

ADDENDUM A.—LIST OF AMBULATORY PAYMENT CLASSIFICATIONS (APCS) WITH STATUS INDICATORS, RELATIVE WEIGHTS, PAYMENT RATES, AND COPAYMENT AMOUNTS CALENDAR YEAR 2002—Continued

APC	Group title	Status indicator	Relative weight	Payment rate	National unadjusted copayment	Minimum unadjusted copayment
0955	Plasma, Fresh Frozen	K	2.14	$108.93		$21.79
0956	Plasma Protein Fraction	K	1.20	$61.08		$12.22
0957	Platelet Concentrate	K	0.93	$47.34		$9.47
0958	Platelet Rich Plasma	K	1.11	$56.50		$11.30
0959	Red Blood Cells	K	1.95	$99.26		$19.85
0960	Washed Red Blood Cells	K	3.62	$184.27		$36.85
0961	Infusion, Albumin (Human) 5%, 50 ml	K	2.08	$105.88		$21.18
0962	Infusion, Albumin (Human) 25%, 50 ml	K	1.05	$53.45		$10.69
0963	Albumin (human), 5%, 250 ml	K	10.35	$526.86		$105.37
0964	Albumin (human), 25%, 20 ml	K	2.08	$105.88		$21.18
0965	Albumin (human), 25%, 50ml	K	5.20	$264.70		$52.94
0966	Plasmaprotein fract, 5%, 250ml	K	5.95	$302.88		$60.58
0970	New Technology—Level I ($0–$50)	T		$25.00		$5.00
0971	New Technology—Level II ($50–$100)	T		$75.00		$15.00
0972	New Technology—Level III ($100–$200)	T		$150.00		$30.00
0973	New Technology—Level IV ($200–$300)	T		$250.00		$50.00
0974	New Technology—Level V ($300–$500)	T		$400.00		$80.00
0975	New Technology—Level VI ($500–$750)	T		$625.00		$125.00
0976	New Technology—Level VII ($750–$1000)	T		$875.00		$175.00
0977	New Technology—Level VIII ($1000–$1250)	T		$1,125.00		$225.00
0978	New Technology—Level IX ($1250–$1500)	T		$1,375.00		$275.00
0979	New Technology—Level X ($1500–$1750)	T		$1,625.00		$325.00
0980	New Technology—Level XI ($1750–$2000)	T		$1,875.00		$375.00
0981	New Technology—Level XII ($2000–$2500)	T		$2,250.00		$450.00
0982	New Technology—Level XIII ($2500–$3000)	T		$2,750.00		$550.00
0983	New Technology—Level XIV ($3000@ndash;$3500)	T		$3,250.00		$650.00
0984	New Technology—Level XV ($3500–$5000)	T		$4,250.00		$850.00
0985	New Technology—Level XVI ($5000–$6000)	T		$5,500.00		$1,100.00
1002	Cochlear implant system	H				
1009	Cryoprecip reduced plasma	K	0.82	$41.74		$8.35
1010	Blood, L/R, CMV-neg	K	2.74	$139.48		$27.90
1011	Platelets, HLA-m, L/R, unit	K	11.27	$573.69		$114.74
1012	Platelet concentrate, L/R, irradiated, unit	K	1.83	$93.15		$18.63
1013	Platelet concentrate, L/R, unit	K	1.12	$57.01		$11.40
1014	Platelets, aph/pher, L/R, unit	K	8.50	$432.68		$86.54
1016	Blood, L/R, froz/deglycerol/washed	K	6.80	$346.15		$69.23
1017	Platelets, aph/pher, L/R, CMV-neg, unit	K	8.86	$451.01		$90.20
1018	Blood, L/R, irradiated	K	2.98	$151.69		$30.34
1019	Platelets, aph/pher, L/R, irradiated, unit	K	9.16	$466.28		$93.26
1024	Quinupristin/dalfopristin 500 mg (150/350)	G		$102.05		$13.11
1045	Iobenguane sulfate I–131	G		$495.65		$70.96
1058	TC 99M oxidronate, per vial	G		$36.74		$5.26
1059	Cultured chondrocytes implnt	G		$14,250.00		$2,040.00
1064	I-131 cap, each add mCi	G		$5.86		$0.75
1065	I-131 sol, each add mCi	G		$15.81		$2.03
1066	IN 111 satumomab pendetide	G		$1,591.25		$227.80
1079	CO 57/58 0.5 mCi	G		$253.84		$36.34
1084	Denileukin diftitox, 300 MCG	G		$999.88		$143.14
1086	Temozolomide, oral 5 mg	G		$6.05		$0.87
1087	I-123 per 100 uci	G		$0.65		$0.06
1089	Coo 57, 0.5 Mci	G		$81.10		$10.41
1091	IN 111 Oxyquinoline, per .5 mCi	G		$427.50		$61.20
1092	IN 111 Pentetate, per 0.5 mCi	G		$256.50		$23.22
1094	TC 99M Albumin aggr,1.0 cmCi	G		$33.09		$4.25
1095	Technetium TC 99M Depreotide	G		$38.00		$5.44
1096	TC 99M Exametazime, per dose	G		$445.31		$63.75
1097	TC 99M Mebrofenin, per vial	G		$51.44		$7.36
1098	TC 99M Pentetate, per vial	G		$22.43		$2.88
1099	TC 99M Pyrophosphate, per vial	G		$39.11		$5.60
1122	TC 99M arcitumomab, per vial	G		$1,235.00		$176.80
1166	Cytarabine liposomal, 10 mg	G		$371.45		$53.18
1167	Epirubicin hcl, 2 mg	G		$24.94		$3.57
1178	Busulfan IV, 6 mg	G		$26.48		$3.79
1188	I-131 cap, per 1-5 mCi	G		$117.25		$15.06
1200	TC 99M Sodium Glucoheptonate	G		$22.61		$3.24
1201	TC 99M succimer, per vial	G		$135.66		$19.42
1202	TC 99M Sulfur Colloid, per dose	G		$76.00		$9.76
1203	Verteporfin for injection	G		$1,458.25		$208.76
1205	Technetium Tc 99m disofenin	G		$79.17		$11.33

ADDENDUM A.—LIST OF AMBULATORY PAYMENT CLASSIFICATIONS (APCS) WITH STATUS INDICATORS, RELATIVE WEIGHTS, PAYMENT RATES, AND COPAYMENT AMOUNTS CALENDAR YEAR 2002—Continued

APC	Group title	Status indicator	Relative weight	Payment rate	National unadjusted copayment	Minimum unadjusted copayment
1207	Octreotide acetate depot 1mg	G		$138.08		$19.77
1305	Apligraf	G		$1,157.81		$165.75
1348	I-131 sol, per 1–6 mCi	G		$146.57		$18.82
1400	Diphenhydramine hcl 50mg	G		$0.23		$0.02
1401	Prochlorperazine maleate 5mg	G		$0.65		$0.06
1402	Promethazine hcl 12.5mg oral	G		$0.01		
1403	Chlorpromazine hcl 10mg oral	G		$0.27		$0.02
1404	Trimethobenzamide hcl 250mg	G		$0.38		$0.03
1405	Thiethylperazine maleate10mg	G		$0.56		$0.08
1406	Perphenazine 4mg oral	G		$0.62		$0.06
1407	Hydroxyzine pamoate 25mg	G		$0.28		$0.03
1409	Factor viia recombinant, per 1.2 mg	G		$1,596.00		$228.48
1600	Technetium TC 99M sestamibi	G		$121.70		$17.42
1601	Technetium TC 99M medronate	G		$42.18		$5.42
1602	Technetium TC 99M apcitide	G		$475.00		$68.00
1603	Thallous chloride TL 201, per mCi	G		$78.16		$7.08
1604	IN 111 capromab pendetide, per dose	G		$2,192.13		$313.82
1605	Abciximab injection, 10 mg	G		$513.02		$73.44
1606	Anistreplase, 30 u	G		$2,693.80		$385.64
1607	Eptifibatide injection, 5 mg	G		$11.31		$1.45
1608	Etanercept injection, 25 mg	G		$141.01		$20.19
1609	Rho(D) immune globulin h, sd, 100 iu	G		$20.55		$2.64
1611	Hylan G–F 20 injection, 16 mg	G		$213.87		$27.47
1612	Daclizumab, parenteral, 25 mg	G		$397.29		$56.88
1613	Trastuzumab, 10 mg	G		$52.83		$7.56
1614	Valrubicin, 200 mg	G		$423.22		$60.59
1615	Basiliximab, 20 mg	G		$1,437.78		$205.83
1616	Histrelin acetate, 10 mgs	G		$14.16		$2.03
1617	Lepirudin	G		$131.96		$18.89
1618	Vonwillebrandfactrcmplx, per iu	G		$0.95		$0.14
1619	Ga 67, per mCi	G		$25.62		$2.32
1620	Technetium tc99m bicisate	G		$403.99		$57.83
1621	Xenin xe 133	G		$29.93		$2.71
1622	Technetium tc99m mertiatide	G		$137.75		$19.72
1623	Technetium tc99m glucepatate	G		$22.61		$3.24
1624	Sodium phosphate p32	G		$81.10		$7.78
1625	Indium 111-in pentetreotide	G		$935.75		$133.96
1626	Technetium tc99m oxidronate	G		$1.47		$0.21
1627	Technetium tc99mlabeled rbcs	G		$40.90		$5.85
1628	Chromic phosphate p32	G		$150.86		$21.60
1713	Anchor/screw bn/bn,tis/bn	H				
1714	Cath, trans atherectomy, dir	H				
1715	Brachytherapy needle	H				
1716	Brachytx seed, Gold 198	H				
1717	Brachytx seed, HDR Ir-192	H				
1718	Brachytx seed, Iodine 125	H				
1719	Brachytxseed, Non-HDR Ir-192	H				
1720	Brachytx seed, Palladium 103	H				
1721	AICD, dual chamber	H				
1722	AICD, single chamber	H				
1724	Cath, trans atherec,rotation	H				
1725	Cath, translumin non-laser	H				
1726	Cath, bal dil, non-vascular	H				
1727	Cath, bal tis dis, non-vas	H				
1728	Cath, brachytx seed adm	H				
1729	Cath, drainage	H				
1730	Cath, EP, 19 or fewer elect	H				
1731	Cath, EP, 20 or more elec	H				
1732	Cath, EP, diag/abl, 3D/vect	H				
1733	Cath, EP, othr than cool-tip	H				
1750	Cath, hemodialysis,long-term	H				
1751	Cath, inf, per/cent/midline	H				
1752	Cath, hemodialysis,short-term	H				
1753	Cath, intravas ultrasound	H				
1754	Catheter, intradiscal	H				
1755	Catheter, intraspinal	H				
1756	Cath, pacing, transesoph	H				
1757	Cath, thrombectomy/embolect	H				
1758	Cath, ureteral	H				

ADDENDUM A.—LIST OF AMBULATORY PAYMENT CLASSIFICATIONS (APCS) WITH STATUS INDICATORS, RELATIVE WEIGHTS, PAYMENT RATES, AND COPAYMENT AMOUNTS CALENDAR YEAR 2002—Continued

APC	Group title	Status indicator	Relative weight	Payment rate	National unadjusted copayment	Minimum unadjusted copayment
1759	Cath, intra echocardiography	H				
1760	Closure dev, vasc, imp/insert	H				
1762	Conn tiss, human (inc fascia)	H				
1763	Conn tiss, non-human	H				
1764	Event recorder, cardiac	H				
1765	Adhesion barrier	H				
1766	Intro/sheath, strble, non-peel	H				
1767	Generator, neurostim, imp	H				
1768	Graft, vascular	H				
1769	Guide wire	H				
1770	Imaging coil, MR, insertable	H				
1771	Rep dev, urinary, w/sling	H				
1772	Infusion pump, programmable	H				
1773	Retrieval dev, insert	H				
1775	FDG, per dose (4–40 mCi/ml)	G		$475.00		$68.00
1776	Joint device (implantable)	H				
1777	Lead, AICD, endo single coil	H				
1778	Lead, neurostimulator	H				
1779	Lead, pmkr, transvenous VDD	H				
1780	Lens, intraocular	H				
1781	Mesh (implantable)	H				
1782	Morcellator	H				
1784	Ocular dev, intraop, det ret	H				
1785	Pmkr, dual, rate-resp	H				
1786	Pmkr, single, rate-resp	H				
1787	Patient progr, neurostim	H				
1788	Port, indwelling, imp	H				
1789	Prosthesis, breast, imp	H				
1813	Prosthesis, penile, inflatab	H				
1815	Pros, urinary sph, imp	H				
1816	Receiver/transmitter, neuro	H				
1817	Septal defect imp sys	H				
1874	Stent, coated/cov w/del sys	H				
1875	Stent, coated/cov w/o del sy	H				
1876	Stent, non-coa/no-cov w/del	H				
1877	Stent, non-coat/cov w/o del	H				
1878	Matrl for vocal cord	H				
1879	Tissue marker, imp	H				
1880	Vena cava filter	H				
1881	Dialysis access system	H				
1882	AICD, other than sing/dual	H				
1883	Adapt/ext, pacing/neuro lead	H				
1885	Cath, translumin angio laser	H				
1887	Catheter, guiding	H				
1891	Infusion pump, non-prog, perm	H				
1892	Intro/sheath, fixed, peel-away	H				
1893	Intro/sheath, fixed, non-peel	H				
1894	Intro/sheath, non-laser	H				
1895	Lead, AICD, endo dual coil	H				
1896	Lead, AICD, non sing/dual	H				
1897	Lead, neurostim test kit	H				
1898	Lead, pmkr, other than trans	H				
1899	Lead, pmkr/AICD combination	H				
2615	Sealant, pulmonary, liquid	H				
2616	Brachytx seed, Yttrium-90	H				
2617	Stent, non-cor, tem w/o del	H				
2618	Probe, cryoablation	H				
2619	Pmkr, dual, non rate-resp	H				
2620	Pmkr, single, non rate-resp	H				
2621	Pmkr, other than sing/dual	H				
2622	Prosthesis, penile, non-inf	H				
2625	Stent, non-cor, tem w/del sys	H				
2626	Infusion pump, non-prog, temp	H				
2627	Cath, suprapubic/cystoscopic	H				
2628	Catheter, occlusion	H				
2629	Intro/sheath, laser	H				
2630	Cath, EP, cool-tip	H				
2631	Rep dev, urinary, w/o sling	H				
7000	Amifostine, 500 mg	G		$392.06		$56.13

ADDENDUM A.—LIST OF AMBULATORY PAYMENT CLASSIFICATIONS (APCS) WITH STATUS INDICATORS, RELATIVE WEIGHTS, PAYMENT RATES, AND COPAYMENT AMOUNTS CALENDAR YEAR 2002—Continued

APC	Group title	Status indicator	Relative weight	Payment rate	National unadjusted copayment	Minimum unadjusted copayment
7001	Amphotericin B lipid complex, 50 mg	G		$109.25		$15.64
7003	Epoprostenol injection 0.5 mg	G		$12.04		$1.72
7005	Gonadorelin hydroch, 100 mcg	G		$192.37		$27.54
7007	Milrinone lactate, per 5 ml, inj	K	0.44	$22.40		$4.48
7010	Morphine sulfate (preservative free) 10 mg	G		$1.02		$0.09
7011	Oprelvekin injection, 5 mg	G		$245.81		$35.19
7014	Fentanyl citrate injection	G		$1.23		$0.11
7015	Busulfan, oral, 2 mg	G		$1.91		$0.27
7019	Aprotinin, 10,000 kiu	G		$2.16		$0.31
7022	Elliot's B solution, per ml	G		$1.43		$0.20
7023	Bladder calculi irrig sol	G		$24.70		$3.54
7024	Corticorelin ovine triflutat	G		$368.03		$52.69
7025	Digoxin immune FAB (ovine)	G		$551.66		$78.97
7026	Ethanolamine oleate, 100 mg	G		$39.73		$5.69
7027	Fomepizole, 15 mg	G		$10.93		$1.56
7028	Fosphenytoin, 50 mg	G		$5.73		$0.82
7029	Glatiramer acetate, per dose	G		$30.07		$4.30
7030	Hemin, per 1 mg	G		$0.99		$0.14
7031	Octreotide acetate injection	G		$138.08		$19.77
7032	Sermorelin acetate, 0.5 mg	G		$13.60		$1.95
7033	Somatrem, 5mg	G		$209.48		$29.99
7034	Somatropin injection	G		$39.90		$5.12
7035	Teniposide, 50 mg	G		$222.80		$31.90
7036	Urokinase 250,000 iu inj	K	6.44	$327.82		$65.56
7037	Urofollitropin, 75 iu	G		$73.29		$10.49
7038	Muromonab-CD3, 5 mg	G		$269.06		$38.52
7039	Pegademase bovine inj 25 I.U	G		$139.33		$19.95
7040	Pentastarch 10% solution	G		$15.11		$2.16
7041	Tirofiban hydrochloride 12.5 mg	G		$436.41		$62.48
7042	Capecitabine, oral, 150 mg	G		$2.43		$0.35
7043	Infliximab injection 10 mg	G		$63.24		$9.05
7045	Trimetrexate glucoronate	G		$118.75		$17.00
7046	Doxorubicin hcl liposome inj 10 mg	G		$358.95		$51.39
7047	Droperidol/fentanyl inj	G		$6.67		$0.95
7048	Alteplase recombinant	K	0.36	$18.33		$3.67
7049	Filgrastim 480 mcg injection	G		$285.38		$36.65
7050	Prednisone oral	G		$0.07		$0.01
7051	Leuprolide acetate implant, 65 mg	G		$5,399.80		$773.02
7052	Somatrem injection	G		$41.90		$6.00
7315	Sodium hyaluronate injection, 20mg	G		$130.63		$18.70
7316	Sodium hyaluronate injection, 5mg	G		$26.13		$3.74
9000	Na chromate Cr51, per 0.25mCi	G		$0.52		$0.07
9001	Linezolid inj, 200mg	G		$24.13		$3.45
9002	Tenecteplase, 50mg/vial	G		$2,612.50		$374.00
9003	Palivizumab, per 50mg	G		$664.49		$95.13
9004	Gemtuzumab ozogamicin inj, 5mg	G		$1,929.69		$276.25
9005	Reteplase injection	G		$1,306.25		$187.00
9006	Tacrolimus inj	G		$113.15		$16.20
9007	Baclofen Intrathecal kit-1amp	G		$79.80		$11.42
9008	Baclofen refill kit—per 500 mcg	G		$11.69		$1.67
9009	Baclofen refill kit—per 2000 mcg	G		$49.12		$7.03
9010	Baclofen refill kit—per 4000 mcg	G		$43.08		$6.17
9011	Caffeine Citrate, inj,	G		$3.05		$0.44
9012	Arsenic Trioxide	G		$23.75		$3.40
9013	Co 57 Cobaltous Cl	G		$81.10		$10.41
9015	Mycophenolate mofetil oral 250 mg	G		$2.40		$0.34
9016	Echocardiography contrast	G		$118.75		$17.00
9018	Botulinum tox B, per 100 u	G		$8.79		$1.26
9019	Caspofungin acetate, 5 mg	G		$34.20		$4.90
9020	Sirolimus tablet, 1 mg	G		$6.51		$0.93
9100	Iodinated I-131 albumin	G		$10.34		$1.48
9102	51 na chromate, per 50mCi	G		$64.84		$9.28
9103	Na iothalamate I-125, per 10 uci	G		$17.18		$2.46
9104	Anti-thymocycte globulin rabbit	G		$325.09		$46.54
9105	Hep B imm glob, per 1 ml	G		$133.00		$17.08
9106	Sirolimus, 1 mg	G		$6.51		$0.93
9108	Thyrotropin alfa, per 1.1 mg	G		$531.05		$76.02
9109	Tirofliban hcl, per 6.25 mg	G		$207.81		$29.75
9110	Alemtuzumab, per ml	G		$486.88		$69.70

ADDENDUM A.—LIST OF AMBULATORY PAYMENT CLASSIFICATIONS (APCS) WITH STATUS INDICATORS, RELATIVE WEIGHTS, PAYMENT RATES, AND COPAYMENT AMOUNTS CALENDAR YEAR 2002—Continued

APC	Group title	Status indicator	Relative weight	Payment rate	National unadjusted copayment	Minimum unadjusted copayment
9111	Inj, bivalirudin, per 250mg vial	G		$397.81		$56.95
9112	Perflutren lipid micro, per 2ml	G		$148.20		$21.22
9113	Inj pantoprazole sodium, vial	G		$22.80		$3.26
9114	Nesiritide, per 1.5 mg vial	G		$433.20		$62.02
9115	Inj, zoledronic acid, per 2 mg	G		$406.78		$58.23
9200	Orcel, per 36 cm2	G		$1,135.25		$162.52
9201	Dermagraft, per 37.5 sq cm	G		$577.60		$82.69
9217	Leuprolide acetate suspnsion, 7.5 mg	G		$592.60		$84.84
9500	Platelets, irradiated	K	1.69	$86.03		$17.21
9501	Platelets, pheresis	K	9.22	$469.33		$93.87
9502	Platelet pheresis irradiated	K	10.00	$509.04		$101.81
9503	Fresh frozen plasma, ea unit	K	1.57	$79.92		$15.98
9504	RBC deglycerolized	K	4.14	$210.74		$42.15
9505	RBC irradiated	K	2.45	$124.71		$24.94
9506	Granulocytes, pheresis	K	28.14	$1,432.44		$286.49

ADDENDUM D.—PAYMENT STATUS INDICATORS FOR THE HOSPITAL OUTPATIENT PROSPECTIVE PAYMENT SYSTEM

Indicator	Service	Status
A	Pulmonary Rehabilitation Clinical Trial	Not Paid Under Outpatient PPS.
A	Durable Medical Equipment, Prosthetics and Orthotics	DMEPOS Fee Schedule.
A	Physical, Occupational and Speech Therapy	Physician Fee Schedule.
A	Ambulance	Ambulance Fee Schedule.
A	EPO for ESRD Patients	National Rate.
A	Clinical Diagnostic Laboratory Services	Laboratory Fee Schedule.
A	Physician Services for ESRD Patients	Physician Fee Schedule.
A	Screening Mammography	Physician Fee Schedule.
C	Inpatient Procedures	Admit Patient; Bill as Inpatient.
D	Deleted Code	Codes are deleted effective with the beginning of the calendar year.
E	Non-Covered Items and Services	Not Paid Under Outpatient PPS.
F	Acquisition of Corneal Tissue	Paid at Reasonable Cost.
G	Drug/Biological Pass-Through	Additional Payment.
H	Device Pass-Through	Additional Payment.
K	Non Pass-Through Drug/Biological	Paid Under Outpatient PPS.
N	Incidental Services, packaged into APC Rate	Packaged.
P	Partial Hospitalization	Paid Per Diem APC.
S	Significant Procedure, Not Discounted When Multiple	Paid Under Outpatient PPS.
T	Significant Procedure, Multiple Procedure Reduction Applies	Paid Under Outpatient PPS.
V	Visit to Clinic or Emergency Department	Paid Under Outpatient PPS.
X	Ancillary Service	Paid Under Outpatient PPS.

[FR Doc. 02–5071 Filed 2–28–02; 8:45 am]

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REMINDERS

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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Fish and shellfish; subsistence taking; published 2-7-02

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H.J. Res. 82/P.L. 107–143
Recognizing the 91st birthday of Ronald Reagan. (Feb. 14, 2002; 116 Stat. 17)

S. 737/P.L. 107–144
To designate the facility of the United States Postal Service located at 811 South Main Street in Yerington, Nevada, as the ''Joseph E. Dini, Jr. Post Office''. (Feb. 14, 2002; 116 Stat. 18)

S. 970/P.L. 107–145

To designate the facility of the United States Postal Service located at 39 Tremont Street, Paris Hill, Maine, as the ''Horatio King Post Office Building''. (Feb. 14, 2002; 116 Stat. 19)

S. 1026/P.L. 107–146

To designate the United States Post Office located at 60 Third Avenue in Long Branch, New Jersey, as the ''Pat King Post Office Building''. (Feb. 14, 2002; 116 Stat. 20)

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