

Four states do not participate in the Executive Order 12372 process; therefore, their addresses are not included. A short description of the SBDC program follows in the supplementary information below.

The SBA is publishing this notice at least 120 days before the expected refunding date. The SBDCs and their mailing addresses are listed below in the address section. A copy of this notice also is being furnished to the respective State single points of contact designated under the Executive Order. Each SBDC application must be consistent with any area-wide small business assistance plan adopted by a State-authorized agency.

**DATES:** A State single point of contact and other interested State or local entities may submit written comments regarding an SBDC refunding within 30 days from the date of publication of this notice to the SBDC.

**ADDRESSES:**

*Addresses of Relevant SBDC State Directors*

- Mr. Robert McKinley, Region Director, Univ. of Texas at San Antonio, 1222 North Main Street, San Antonio, TX 78212, (210) 458-2450
- Mr. Conley Salyer, State Director, West Virginia Development Office 950 Kanawha Boulevard, East, Charleston, WV 25301, (304) 558-2960
- Mr. Dennis Gruell, State Director, University of Connecticut, 2100 Hillside Road, U Box 1094, Storrs, CT 06269-1094, (860) 486-4135
- Mr. Clinton Tymes, State Director, University of Delaware, One Innovation Way, Suite 301, Newark, DE 19711, (302) 831-2747
- Mr. Michael Young, Region Director, University of Houston, 2302 Fannin, Suite 200, Houston, TX 77002, (713) 752-8425
- Ms. Becky Naugle, State Director, University of Kentucky, 225 Gatton College of Business Economics, Lexington, KY 40506-0034, (859) 257-7668
- Ms. Liz Klimback, Region Director, Dallas Community College, 1402 Corinth Street, Dallas, TX 75212, (214) 860-5835
- Ms. Rene Sprow, State Director, Univ. of Maryland @ College Park, 7100 Baltimore Avenue, Suite 401, Baltimore, MD 20742-1815, (301) 403-8300
- Mr. Craig Bean, Region Director, Texas Tech University, 2579 South Loop 289, Suite 114, Lubbock, TX 79423-1637, (806) 745-3973
- Ms. Diane Wolverton, State Director, University of Wyoming, P.O. 3922, Laramie, WY 82071, (307) 766-3505

Mr. Max Summers, State Director, University of Missouri, Suite 300, University Place, Columbia, MO 65211 (573) 882-0344

Mr. Ronald Manning, State Director, Iowa State University, 137 Lynn Avenue, Ames, IA 50010, (515) 292-6351

Mr. James L. King, State Director, State University of New York, SUNY Plaza, S-523, Albany, NY 12246, (518) 443-5398

Ms. Holly Schick State Director, State Director, Ohio Department of Development, 77 South High Street, Columbus, OH 43226-1001, (614) 466-2711

Mr. Donald L. Kelpinski, State Director, Vermont Technical College, P.O. Box 188, Randolph Center, VT 05061-0188, (802) 728-9101

Mr. Warren Bush, SBDC Director, University of the Virgin Islands, 8000 Nisky Center, Suite 720, St. Thomas, US VI 00802-5804, (340) 776-3206

Ms. Carmen Marti, SBDC Director, Inter American University, Ponce de Leon Avenue, #416, Edificio Union Plaza, Suite 7-A, Hato Rey, PR 00918, (787) 763-6811

**FOR FURTHER INFORMATION CONTACT:**

Johnnie L. Albertson, Associate Administrator for SBDCs, U.S. Small Business Administration, 409 Third Street, SW, Suite 4600, Washington, DC 20416.

**SUPPLEMENTARY INFORMATION:**

**Description of the SBDC Program**

A partnership exists between SBA and an SBDC. SBDCs offer training, counseling and other business development assistance to small businesses. Each SBDC provides services under a negotiated Cooperative Agreement with SBA, the general management and oversight of SBA, and a state plan initially approved by the Governor. Non-Federal funds must match Federal funds. An SBDC must operate according to law, the Cooperative Agreement, SBA's regulations, the annual Program Announcement, and program guidance.

**Program Objectives**

The SBDC program uses Federal funds to leverage the resources of states, academic institutions and the private sector to:

- (a) strengthen the small business community;
- (b) increase economic growth;
- (c) assist more small businesses; and
- (d) broaden the delivery system to more small businesses.

**SBDC Program Organization**

The lead SBDC operates a statewide or regional network of SBDC service centers. An SBDC must have a full-time Director. SBDCs must use at least 80 percent of the Federal funds to provide services to small businesses. SBDCs use volunteers and other low cost resources as much as possible.

**SBDC Services**

An SBDC must have a full range of business development and technical assistance services in its area of operations, depending upon local needs, SBA priorities and SBDC program objectives. Services include training and counseling to existing and prospective small business owners in management, marketing, finance, operations, planning, taxes, and any other general or technical area of assistance that supports small business growth.

The SBA district office and the SBDC must agree upon the specific mix of services. They should give particular attention to SBA's priority and special emphasis groups, including veterans, women, exporters, the disabled, and minorities.

**SBDC Program Requirements**

An SBDC must meet programmatic and financial requirements imposed by statute, regulations or its Cooperative Agreement. The SBDC must:

- (a) locate service centers so that they are as accessible as possible to small businesses;
- (b) open all service centers at least 40 hours per week, or during the normal business hours of its state or academic Host Organization, throughout the year;
- (c) develop working relationships with financial institutions, the investment community, professional associations, private consultants and small business groups; and
- (d) maintain lists of private consultants at each service center.

Dated: April 2, 2002.

**Johnnie L. Albertson,**  
Associate Administrator for Small Business Development Centers.

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**SMALL BUSINESS ADMINISTRATION**

**Public Federal Regulatory Enforcement Fairness Roundtable; Region III Regulatory Fairness Board**

The Small Business Administration Region III Regulatory Fairness Board and the SBA Office of the National Ombudsman will hold a Public Roundtable on Wednesday, April 17,

2002 at 1 p.m. at the Mezzanine, 405 Capitol Street, Charleston, West Virginia, to provide small business owners and representatives of trade associations with an opportunity to share information concerning the federal regulatory enforcement and compliance environment.

Anyone wishing to attend or to make a presentation must contact Stephen M. Glass in writing or by fax, in order to be put on the agenda. Stephen M. Glass, District Counsel for the U.S. Small Business Administration, West Virginia District Office, 320 West Pike Street, Suite 330, Clarksburg, WV 26301, phone 1 (800) 767-8052 press 8 for West Virginia and then ext. 229, fax (304) 623-0023, e-mail: [stephen.glass@sba.gov](mailto:stephen.glass@sba.gov).

For more information, see our Web site at [www.sba.gov/ombudsman](http://www.sba.gov/ombudsman).

Dated: March 29, 2002.

**Michael L. Barrera,**  
National Ombudsman.  
[FR Doc. 02-8458 Filed 4-8-02; 8:45 am]

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## SMALL BUSINESS ADMINISTRATION

### Public Federal Regulatory Enforcement Fairness Hearing; Region VII Regulatory Fairness Board

The Small Business Administration Region VII Regulatory Fairness Board and the SBA Office of the National Ombudsman will hold a Public Hearing on Monday, April 29, 2002 at 12:30 p.m. at the Wichita Area Chamber of Commerce, 350 W. Douglas, Wichita, Kansas 67202-2970, to receive comments and testimony from small business owners, small government entities, and small non-profit organizations concerning the regulatory enforcement and compliance actions taken by federal agencies.

Anyone wishing to attend or to make a presentation must contact Edgar Poindexter in writing or by fax, in order to be put on the agenda. Edgar Poindexter, U.S. Small Business Administration, Wichita District Office, 271 West Third Street North, Suite 2500, Wichita, KS 67202-1212, phone (316) 269-6631, fax (316) 269-6618, e-mail: [edgar.poindexter@sba.gov](mailto:edgar.poindexter@sba.gov)

For more information, see our Web site at [www.sba.gov/ombudsman](http://www.sba.gov/ombudsman).

Dated: March 29, 2002.

**Michael L. Barrera,**  
National Ombudsman.  
[FR Doc. 02-8459 Filed 4-8-02; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

[Docket No. OST-01-10380]

### Hazardous Materials: Knowledge Required for Civil Penalty Enforcement Proceedings

**AGENCY:** Office of the Secretary, DOT.

**ACTION:** Notice of public meeting and invitation to comment.

**SUMMARY:** Interested parties are invited to submit comments for consideration by DOT in developing additional guidance as to when a reasonable person offering, accepting or transporting a hazardous material in commerce would be deemed to have knowledge of facts giving rise to a violation of Federal hazardous material transportation law or the Hazardous Materials Regulations.

**DATES:** *Public meeting.* The public meeting will be held on June 19, 2002, from 9 a.m. to 4 p.m. The meeting will end before 4:00 p.m. if all topics have been addressed and all participants heard.

*Comments.* Written comments must be received by July 19, 2002.

**ADDRESSES:** *Public meeting.* The public meeting will be held in Room 2201 of the U.S. Department of Transportation headquarters building (Nassif Building), 400 Seventh Street, SW, Washington, DC 20590-0001. Any person desiring to attend the public meeting must notify LCDR Thomas Sherman by telephone or e-mail (see **FOR FURTHER INFORMATION CONTACT** below) no later than June 5, 2002, in order to facilitate entry to the Nassif Building. It is recommended attendees arrive early to facilitate new enhanced building security procedures. Each person should indicate which of the four topics described at the end of this notice that he or she wishes to discuss.

For information on facilities or services for individuals with disabilities or to request special assistance at the meeting, contact LCDR Sherman as soon as possible.

*Comments.* You must address comments to the Dockets Management System, U.S. Department of Transportation, Room PL-401, 400 Seventh Street, SW, Washington, DC 20590-0001. You must identify the docket number (OST-01-10380) and submit two copies of your comments. If you want to confirm that we received your comments, include a self-addressed, stamped postcard.

You may also submit comments by e-mail by accessing the DOT Dockets

Management System website at: <http://dms.dot.gov>. Click on "Help," "DMS Web Help," or "DMS Frequently Asked Questions" to obtain instructions for filing a document electronically.

The Dockets Management System is located on the Plaza Level of the Nassif Building at the above address. You may review public dockets there between the hours of 9:00 a.m. and 5:00 p.m., Monday through Friday, except public holidays. You may also review comments on-line at the DOT Dockets Management System website at: <http://dms.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:** LCDR Thomas Sherman, Intermodal Hazardous Materials Programs, Office of the Associate Deputy Secretary, U.S. Department of Transportation, 400 Seventh Street, SW, Washington, DC 20009. Telephone: 202-366-5846; Fax: 202-366-0263; or E-mail (preferred): [Tom.Sherman@ost.dot.gov](mailto:Tom.Sherman@ost.dot.gov).

### SUPPLEMENTARY INFORMATION:

Federal hazardous material transportation law provides that DOT may assess a civil penalty against a person that "knowingly violates" that law or the HMR. 49 U.S.C. 5123(a)(1). The same section of the law also states that

A person acts knowingly when—  
(A) the person has actual knowledge of the facts giving rise to the violation; or  
(B) a reasonable person acting in the circumstances and exercising reasonable care would have that knowledge.

This statutory definition of "knowingly" was added in the Hazardous Materials Transportation Uniform Safety Act of 1990 (HMTUSA), Public Law 101-615, section 12, 104 Stat. 3259 (Nov. 16, 1990), to "cover violations that are committed negligently" and to "negate any inference that the term only encompasses actions based on actual knowledge or reckless actions." H. Report No. 101-444, Part 1, Committee on Energy and Commerce, p. 47 (Apr. 3, 1990) (emphasis in original).<sup>1</sup>

<sup>1</sup> In its regulations, the Research and Special Programs Administration (RSPA) had implemented the "knowingly" standard for assessment of a civil penalty in the original Hazardous Material Transportation Act, Pub. L. 93-633, section 110, 88 Stat. 2160 (Jan. 3, 1975), and defined "knowingly" to mean that a person (1) has actual knowledge of the facts that give rise to the violation, or (2) should have known of the facts that give rise to the violation. A person knowingly commits an act if the act is done voluntarily and intentionally.

Former 49 CFR 107.299, added 48 FR 2653 (Jan. 20, 1983), revised 56 FR 8624 (Feb. 28, 1991), moved to 49 CFR 107.3 (Definitions), 61 FR 21094 (May 9, 1996). When RSPA revised § 107.299 in 1991 to define "knowingly" consistent with the language adopted in HMTUSA, it noted that