

third-party custodial accounts will be considered subject to the customary provisions in a commodity customer account agreement to the effect that all money, securities or property in the customer's account, or held for the customer by the FCM or by any clearing organization for a contract market upon which trades of the customer are executed, are pledged with the FCM and the subject to a security. Interest in the FCM's favor to secure any indebtedness at any time owed by the customer to the FCM.

Fourth, a third-party custodial account may not be located at an affiliate of the customer or a fiduciary thereof. Thus, for example, a fund may not maintain a third-party custodial account at a bank with which the fund has other relationships that make the bank an affiliate or fiduciary of the fund.

These conditions are designed to ensure, among other things, that the FCM has free and ready access to margin funds held in a third-party custodial account, with the customer restricted from access to such funds except through the FCM. If the conditions are met, and only in the case of an affiliate FCM for so long as SEC prohibitions exist, a third-party custodial account for a RIC will be deemed to be a segregated account of the FCM within the meaning of Section 4d(a)(2) of the CEA or permissible under Regulation 30.7, as the case may be, and the FCM may include the funds in such account in the calculation of the total amount of customer funds on deposit in segregated accounts or Regulation 30.7 accounts, as the case may be.

#### IV. Transition Period

In order to ensure that impacted parties, including the FCMs and RICs, are provided with adequate time to make necessary adjustments to their existing custodial arrangements, the amendment to Interpretation No. 10 will not be made effective until nine months following publication in the **Federal Register**.<sup>27</sup>

Issued in Washington, DC on May 5, 2005, by the Division of Clearing and Intermediary Oversight.

**James L. Carley,**  
Director.

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making a margin payment or any other required deposit.

<sup>27</sup> ICI requested that in the event that Interpretation No. 10 is withdrawn, such withdrawal should be made effective no less than nine months following the publication of a final notice. See Comment Letter of ICI, note 6, *supra*.

## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### Revision of the Department of Defense 6055.9-Standard, Department of Defense Ammunition and Explosives Safety Standards

**AGENCY:** Department of Defense.

**ACTION:** Notice of change.

**SUMMARY:** The Department of Defense Explosives Safety Board (DDESB) is announcing several changes to Department of Defense 6055.9-Standard, dated July 1999. The DDESB is republishing the Standard dated 5 October 2004 with all changes adopted by the Board since the 1999 edition.

The DDESB is taking this action pursuant to its statutory authority as set forth in Title 10, United States Code, Section 172 (10 U.S.C. 172) and DoD Directive 6055.9, "DoD Explosives Safety Board (DDESB) and DoD Component Explosives Safety Responsibilities," 29 Jul 1996. The Standard to the Office of the Secretary of Defense, the Military Departments (including the Army and Air Force National Guards), the Defense Threat Reduction Agency, the Defense Logistics Agency, the Defense Contract Management Agency, the Coast Guard (when under DoD control), and other parties who produce or manage ammunition and explosives under contract to the DoD. Through DoD 6055.9-STD the DDESB establishes minimum explosives safety requirements for storing and handling ammunition and explosives.

**ADDRESSES:** Copies of this Standard may be downloaded from the DDESB Web page: <http://www.ddesb.pentagon.mil/>.

**FOR FURTHER INFORMATION CONTACT:** For more detailed information on specific aspects of this Standard, contact Dr. Jerry M. Ward, phone: (703) 325-2525; e-mail: [Jerry.Ward@ddesb.osd.mil](mailto:Jerry.Ward@ddesb.osd.mil) DDESB, 2461 Eisenhower Avenue, Room 856C, Alexandria, VA 22331-0600.

**SUPPLEMENTARY INFORMATION:** Dating back to 1928 when Congress directed the Secretaries of the military departments to establish a joint board of officers to "keep informed on stored supplies of ammunition and components thereof \* \* \*, with particular regard to keeping those supplies properly dispersed and stored and to preventing hazardous conditions from arising to endanger life and property inside or outside of storage reservations," the DDESB (formerly known as the Ammunition Safety Board) has periodically revised or

updated the Standard based on new scientific or technical information and explosives safety experience. The implementation of a change to DoD 6055.9-STD depends on a formal publication of a change to DoD 6055.9-STD. In order to ensure compliance, the Services and Defense Agencies modify their Service or Agency implementing procedures and standards accordingly.

This revision to the July 1999 version of DoD 6055.9-STD incorporates decisions made by the DDESB at the 31 6th meeting held on 20 August 1998 up to and including the 326th meeting held on 3 March 2004 and votes by DDESB votes by correspondence memoranda dated 3 December 1998, 5 July 2000, 2 November 2000, 28 December 2001, 26 March 2002, 21 November 2002, 27 February 2003, 9 June 2003, and 25 September 2003. Although the decisions adopted by the Board up through the 31 7th meeting held on 25 February 1998 pre-date the July 1999 version, the Standard was in the publication process, and those changes were not included.

The changes included herein address the following:

- Rewrites the Standard in Plain English, expands the glossary to include additional terms used in the Standard, reorganizes the content of the chapters with no changes in explosives safety criteria, incorporates both metric and English units, and provides equations (forward and back calculations) for all tabulated variables.

- Completely revises the Hazard Division (HD) 1.2 quantity-distance (Q-D) criteria and related HD 1.1 minimum hazardous fragment distance criteria as well as incorporates editorial changes taking into account new hazard subdivisions (HD) 1.2.1, and HD 1.2.2). (Corresponding changes were made to HD 1.2.1 and HD 1.2.2 criteria in NATO).

- Redefines "Unit Risk HD 1.2" munitions as "HD 1.2.3," and expands and clarifies the criteria for HD 1.2.3 munitions.

- Replaces Chapter 10 "Theater of Operations" with completely revised Chapter 10 "Military Operations Other than War, Contingency, and Combat," includes new Q-D criteria for asset preservation, provides site planning process for subject operations, defines field storage and handling areas and associated Q-D criteria, expands Glossary to include new terms included in the revised chapter.

- Clarifies that hardened aircraft shelter criteria in chapter 10 are applicable to peacetime operations as well as contingency and combat.

- Clarifies the application of barricaded intraline criteria (18W 1/3) from ammunition and explosives storage facilities to runways and taxiways (used only by DoD Components).
- Establishes criteria for high performance magazines and defines "high performance magazine," "non-robust munitions," "robust munitions," "fragmenting munitions," and "sensitivity groups" (for HD 1.1 and HD 1.2 ammunition in the Joint Hazard Classification System).
- Establishes criteria for non-DoD explosives activities on DoD installations and expands Glossary to include new terms associated with criteria.
- Establishes criteria for permissible exposure to on-base roads from HD 1.1 airblast overpressure and defines "general public" and "installation related personnel".
- Clarifies minimum design requirements for earth-covered magazines and the expected (design) blast loads.
- Expands and clarifies safe separation distances for primary fragments.
- Replaces and expands the liquid propellant criteria with criteria for energetic liquids to include: Energetic Liquid Compatibility Groups and associated mixing rules, summary of hazard classifications and minimum Q-D for energetic liquids used by DoD, criteria for Occupational Safety and Health Administration National Fire Prevention Association Class I through Class III flammable and combustible energetic liquids, criteria for energetic liquid oxidizers, and defines "Energetic Liquid" and "Hybrid propellants".
- Clarifies Q-D criteria and mixing rules for HD 1.4 ammunition, and harmonizes criteria for quantities less than 3,000 lb with HD 1.3 criteria for like quantities.
- Expands and clarifies criteria for piers and wharfs that are restricted loading and unloading ammunition and explosives to and from barges.
- Establishes criteria for handling limited amounts of HD 1.3 and HD 1.4 safety-at-sea and security items.
- Clarifies Q-D criteria for aircraft loaded with HD 1.4 ammunition and selected HD 1.2.2 and HD 1.3 munitions.
- Removes the list of approved earth-covered magazines (ECM) from Chapter 5 and placed in DDESB Technical Paper 15 "Approved Protective Construction," added reference for HNDED-CS-95-01 "Guide for Evaluating Blast Resistance of Non-Standard Magazines," and added definitions for "Aboveground

Magazine" and "Earth-Covered Magazine (ECM)".

- Revises HD mixing rules in Chapter 9.
- Clarifies criteria for application of barricaded intermagazine distance and intraline distance separation.
- Revises criteria for separation of non-explosives ships from explosives ships at anchorages.
- Revises the list of approved munitions for ARMCO revetments.
- Clarifies siting criteria for small quantities of HD 1.1 (<450 lbs), use of ECM distances for other than 7-bar and 3-bar ECM, and application of HD 1.1 of HD 1.2.1 items under certain situations involving small quantities (<450 lbs).
- Defines "Secure Explosives Holding Area" and "Secure Non-Explosives Holding Area" and establishes explosives safety criteria associated with them.
- Clarifies situations where explosives safety site submissions are not required.
- Completely revises Chapter 3 "Hazard Classification, Storage and Compatibility Principles, and Mixing Rules".
- Revises storage criteria for inert items in explosives areas.
- Establishes explosives safety criteria for demilitarization processing equipment and operations for expended .50-caliber and smaller cartridge casings.
- Establishes Hazards of Electromagnetic Radiation to ordnance (HERO) criteria.
- Defines roll-on roll-off (RORO) operations and establishes limits and controls for RORO operations.
- Clarifies conveyance, such as International Standardization Organization (ISO) container, loading and unloading operations permitted at magazines.

In adopting these changes, the DDESB has determined that the Standards, as changed, are at least as protective as the previous Standards.

Dated: May 5, 2005.

**L.M. Bynum,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

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**BILLING CODE 5001-06-M**

## DEPARTMENT OF DEFENSE

### GENERAL SERVICES ADMINISTRATION

### NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[OMB Control No. 9000-0054]

### Federal Acquisition Regulation; Information Collection; U.S. Flag Air Carriers Certification

**AGENCIES:** Department of Defense (DOD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

**ACTION:** Notice of request for public comments regarding an extension to an existing OMB clearance.

**SUMMARY:** Under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the Federal Acquisition Regulation (FAR) Secretariat will be submitting to the Office of Management and Budget (OMB) a request to review and approve an extension of a currently approved information collection requirement concerning U.S. Flag Air Carriers Certification. The clearance currently expires on August 31, 2005.

Public comments are particularly invited on: Whether this collection of information is necessary for the proper performance of functions of the FAR, and whether it will have practical utility; whether our estimate of the public burden of this collection of information is accurate, and based on valid assumptions and methodology; ways to enhance the quality, utility, and clarity of the information to be collected; and ways in which we can minimize the burden of the collection of information on those who are to respond, through the use of appropriate technological collection techniques or other forms of information technology.

**DATES:** Submit comments on or before July 11, 2005.

**ADDRESSES:** Submit comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to the General Services Administration, FAR Secretariat (VIR), 1800 F Street, NW, Room 4035, Washington, DC 20405.

**FOR FURTHER INFORMATION CONTACT:** Ms. Jeritta Parnell, Contract Policy Division, GSA, at (202) 501-4082.

#### SUPPLEMENTARY INFORMATION:

#### A. Purpose

Section 5 of the International Air Transportation Fair Competitive