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WHEN: Tuesday, June 10, 2008
9:00 a.m.–Noon

WHERE: Office of the Federal Register
Conference Room, Suite 700
800 North Capitol Street, NW.
Washington, DC 20002

RESERVATIONS: (202) 741-6008



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Federal Register

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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.

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

Agricultural Marketing Service

7 CFR Part 47

[Docket Number AMS-FV-06-0217; FV07-376]

RIN 0581-AC72

Amendments to Rules of Practice Regulations Under the Perishable Agricultural Commodities Act (PACA) To Increase Reparation Complaint Filing and Handling Fees

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: The Department of Agriculture (USDA) is amending the Rules of Practice under the Perishable Agricultural Commodities Act (PACA) to increase from \$60 to \$100 the fee for filing an informal complaint; and to increase from \$300 to \$500 the fee for handling a formal complaint.

DATES: *Effective Date:* June 30, 2008.

FOR FURTHER INFORMATION CONTACT: John Koller, Director, Dispute Resolution Section, 202-720-1442.

SUPPLEMENTARY INFORMATION: This final rule is issued under authority of Section 15 of the PACA (7 U.S.C. 499o).

The Perishable Agricultural Commodities Act (PACA or Act) establishes a code of fair trade practices covering the marketing of fresh and frozen fruits and vegetables in interstate and foreign commerce. The PACA protects growers, shippers, distributors, and retailers dealing in those commodities by prohibiting unfair and fraudulent trade practices. In this way, the law fosters an efficient nationwide distribution system for fresh and frozen fruits and vegetables, benefiting the whole marketing chain from farmer to consumer. USDA's Agricultural Marketing Service (AMS) administers and enforces the PACA.

The PACA program is financed by license and user fees and has an annual operating budget of approximately \$10 million. Currently, annual expenses exceed revenue by \$3 million, a disparity that is projected to increase each year by another 3 to 5 percent. Greater than half of the program's expenditures are payroll and related expenses, followed at a distant second by the cost of maintaining office space through rent, communications, and utility expenses. The PACA license and complaint filing fees have remained unchanged since 1995, in part due to a one-time Congressional appropriation of \$30.45 million deposited into the PACA reserve fund on October 1, 2000.

One of the most important functions of the Act is to require that PACA licensees fulfill their contractual obligations, and the Act provides a forum, before the Secretary, where firms that buy and sell fruits and vegetables can settle commercial disputes outside of the civil court system and recover damages for losses they have suffered. These cases are called "reparation cases." In 1995, Section 6 of the PACA (7 U.S.C. 499f) was amended to require a \$60 filing fee for filing an informal reparation complaint and a \$300 handling fee for filing a formal reparation complaint with USDA under the PACA. Section 6 of the PACA also authorized the Secretary of Agriculture to alter the filing and handling fees by rulemaking. During its January 2007 meeting, the Fruit and Vegetable Industry Advisory Committee (Committee) recommended to the Secretary that the fee for filing an informal reparation complaint be increased to \$100, and the handling fee for filing a formal reparation complaint be increased to \$500. The Secretary accepted the Committee's recommendation. This final rule implements the recommendation by increasing from \$60 to \$100 the fee for filing an informal reparation complaint; and increasing from \$300 to \$500 the fee for handling a formal reparation complaint.

PACA Rules of Practice applicable to reparation complaint proceedings inform the industry of USDA's procedures and requirements for the handling of informal and formal complaints under the Act (7 CFR part 47). Section 47.3(a) of the current Rules of Practice (7 CFR 47.3(a)) requires that

a \$60 filing fee accompany any written correspondence and related documents pertaining to the transaction(s) involved in the dispute before AMS can process and open an informal reparation complaint on behalf of the complainant.

When an informal reparation complaint is filed, AMS makes every effort to assist the parties in reaching a settlement of their dispute while gathering documents as part of its investigation. Mediation services are also offered to the parties throughout the informal handling of the complaint. If an informal settlement cannot be reached, however, the complainant is given the opportunity to file a formal reparation complaint. Section 47.6(c) of the current Rules of Practice (7 CFR 47.6(c)) requires that a complainant filing a formal reparation complaint pay a \$300 handling fee to AMS to initiate formal complaint proceedings. Under formal complaint procedures, USDA's Judicial Officer issues a binding decision in the case.

In Fiscal Year 2007, there were 1575 informal reparation complaints and 347 formal reparation complaints filed with AMS under the PACA. Over 91 percent of the informal complaints filed under the Act were resolved informally within 4 months. These complaints involved produce transactions valued at over \$18.4 million. USDA issued formal decision and orders in 347 cases involving award amounts totaling approximately \$5.8 million. The largest award issued by USDA in Fiscal Year 2007 ordered payment of over \$257,000 to a fruit and vegetable dealer.

In Fiscal Year 2006, AMS received 1483 informal reparation complaints of which 92 percent were resolved informally within a 4-month timeframe. In Fiscal Year 2006, informal settlements exceeded \$18.7 million. There were 300 formal reparation complaints filed under the Act that year.

AMS does not expect this final rule to raise a significant amount of revenue for the PACA program (estimated at \$144,000 annually), but by increasing the fees for filing informal and formal reparation complaints, AMS believes that the burden for financing the PACA program will be shifted more towards those who benefit directly from using PACA program services.

Comments

A proposed rule was published in the **Federal Register** on November 1, 2007

(72 FR 61820) seeking to amend the PACA Rules of Practice (7 CFR part 47) to increase informal complaint filing fees from \$60 to \$100 and formal complaint handling fees from \$300 to \$500. Before the comment period ended on December 31, 2007, we received three timely comments on the proposed rule.

One negative comment was received via e-mail from Mr. Tom O'Brien, a Florida vegetable grower. Mr. O'Brien stated his belief that the PACA program is just another government program losing money and already over charges for its services. While he would preserve the PACA as law, his advice would be to abolish the PACA Branch. His suggestion would leave an already overburdened court system as the produce industry's only forum in which to resolve commercial disputes. AMS believes that the PACA reparation program is generally well received within the produce industry since many produce traders rely on the program for assistance in resolving commercial disputes. Given the overall industry support of the program's commercial dispute resolution services, AMS is making no change to the final rule based on Mr. O'Brien's comment.

An e-mail comment was received from Jennifer Jambor, a staff attorney for Farmers' Legal Action Group, Inc. (FLAG), of Saint Paul, Minnesota, on behalf of the Farmworker Association of Florida, Inc., which represents more than 6,330 farmer worker families from predominately Mexican, Haitian, African American, Guatemalan, and Salvadorian communities. FLAG works with beginning fruit and vegetable farmers from these and other communities in Florida to assist them in understanding their legal rights under the PACA. Ms. Jambor urged that as USDA considers increasing the PACA filing fees, it also implement a provision waiving the filing fee for lower-income farmers who cannot afford to pay the fees to ensure that PACA services are available to all. It is important to point out that farmers that sell and ship produce of their own raising (regardless of their income level) are not required to be licensed and are therefore exempt from paying a license fee.

As stated in the proposed rule, Congress amended Section 6 of the PACA (7 U.S.C. 499f) in 1995 to require that complaint filing and handling fees be paid. While the statute authorizes the Secretary to alter such fees, AMS does not believe that the Secretary has the statutory authority to waive the fees in total. We continue to believe that the proposed increase in the current filing and handling fees are insignificant as

indicated in the proposed rule and therefore no change is being made to the final rule based on Ms. Jambor's comment.

A third comment was received from Thomas R. Oliveri, Director of Trade Practices and Commodity Services, Western Growers Association (WGA), Irvine, California. WGA is an agricultural trade association whose nearly 3,000 members grow, pack, and ship approximately 90 percent of the fresh vegetables and nearly 70 percent of the fresh fruits grown in California, which accounts for more than 50 percent of U.S. fresh produce production. In his comments, Mr. Oliveri states that WGA is a strong advocate of the PACA program and considers its forum for dispute resolution to be fundamental in expediting disputed contract matters outside of the court system. Mr. Oliveri also noted that the PACA program has undertaken endeavors to minimize program costs and stated WGA's belief that financing of the PACA program needs to be shared by all those who benefit directly from utilizing the program's services. Mr. Oliveri's comment on behalf of WGA was in support of the increase in filing and handling fees as outlined in the proposed rule.

Again, based upon the above comments, AMS is making no change to the final rule.

However, there is one change that will be made to the final rule. In the proposal, we proposed to revise the authority citation for part 47, by adding reference to 5 U.S.C. 553 and 7 U.S.C. 499f, and by removing reference to 7 U.S.C. 499o. This was an error. The proposal should have sought to revise the authority citation to include 7 U.S.C. 499f, not substitute it for 7 U.S.C. 499o. The correct authority citation should include both 7 U.S.C. 499f and 7 U.S.C. 499o. Since the wording of the proposal contained an error, and correction of the error does not affect the substance of the regulations, public comment on this change is unnecessary. We revise the authority citation to read: 5 U.S.C. 553; 7 U.S.C. 499f; 7 U.S.C. 499o; 7 CFR 2.22(a)(1)(vii)(L), 2.79(a)(8)(xiii).

Executive Orders 12866 and 12988

This final rule has been determined to be not significant for the purposes of Executive Order 12866, and therefore, has not been reviewed by the Office of Management and Budget.

This final rule has been reviewed under Executive Order 12988, Civil Justice Reform, and is not intended to have retroactive effect. This final rule will not preempt any State or local laws,

regulations, or policies, unless they present an irreconcilable conflict with this rule. There are no administrative procedures that must be exhausted prior to any judicial challenge to the provisions of this final rule.

Effects on Small Businesses

Pursuant to requirements set forth in the Regulatory Flexibility Act (RFA) (5 U.S.C. 601 *et seq.*), USDA has considered the economic impact of this final rule on small entities. The purpose of the RFA is to fit regulatory actions to the scale of businesses subject to such actions in order that small businesses will not be unduly or disproportionately burdened. The Small Business Administration defines, in 13 CFR part 121, small agricultural producers as those having annual receipts of no more than \$750,000 and small agricultural service firms (handlers and importers) as those having annual receipts of no more than \$6.5 million. The PACA requires all businesses that operate subject to its provisions maintain a license issued by USDA. There are approximately 14,500 PACA licensees, a majority of which may be classified as small entities.

Over the past 4 years, the number of informal and formal reparation complaints filed with AMS under the PACA has gradually decreased. AMS believes that this decrease is due in part to enhanced PACA customer service focused on educating members of the produce industry of their rights and responsibilities under the PACA, as well as increased efforts to settle informal reparation complaints through mediation.

It is doubtful that any barrier to the use of USDA's PACA reparation procedure will be created by raising the filing and handling fees for informal and formal reparation complaints. Most complaints involve produce transactions valued in the thousands of dollars, making the increase from \$60 to \$100 for filing an informal reparation complaint insignificant by comparison. In addition, the handling fee for filing a formal reparation complaint is recoverable as part of the amount awarded by USDA if the complainant prevails in the case. AMS believes that those who wish to initiate formal proceedings in a reparation case will consider the increase in the formal reparation complaint handling fee from \$300 to \$500 to be insignificant as well.

Given the preceding discussion, AMS has determined that the provisions of the final rule would not have a significant economic impact on a substantial number of small entities.

Paperwork Reduction Act

In accordance with OMB regulations (5 CFR part 1320) that implement the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the information collection and record keeping requirements that are covered by this final rule were approved under OMB number 0581-0031 on December 7, 2007, and expire on December 31, 2010.

E-Government Act Compliance

AMS is committed to complying with the E-Government Act, to promote the use of the Internet and other information technologies to provide increased opportunities for citizen access to Government information and services, and for other purposes.

List of Subjects in 7 CFR Part 47

Administrative practice and procedure, Agricultural commodities, Brokers.

■ For the reasons set forth in the preamble, AMS amends 7 CFR part 47 as follows:

PART 47—[AMENDED]

■ 1. The authority citation for part 47 is revised to read as follows:

Authority: 5 U.S.C 553; 7 U.S.C. 499f; 7 U.S.C. 499o; 7 CFR 2.22(a)(1)(viii)(L), 2.79(a)(8)(xiii).

■ 2. In § 47.3, paragraph (a)(4) is revised to read as follows.

§ 46.3 Institution of proceedings.

(a) * * *

(4) The informal complaint shall be accompanied by a filing fee of \$100 as authorized by the Act.

* * * * *

■ 3. In § 47.6, paragraph (c) is revised to read as follows.

§ 47.6 Formal complaints.

* * * * *

(c) Service upon respondent; proof of service. Upon receipt by the Fruit and Vegetable Programs of the formal complaint, the accompanying papers and the \$500 handling fee authorized by the Act, a copy thereof shall be served by the Fruit and Vegetable Programs upon the respondent in accordance with § 47.4 of this part. If the complaint is not in the proper form, the Fruit and Vegetable Programs shall return it and inform the complainant of the deficiencies therein.

* * * * *

Dated: May 27, 2008.

Lloyd C. Day,

Administrator, Agricultural Marketing Service.

[FR Doc. E8-12130 Filed 5-29-08; 8:45 am]

BILLING CODE 3410-02-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2007-27955; Directorate Identifier 2007-NE-15-AD; Amendment 39-15539; AD 2008-11-16]

RIN 2120-AA64

Airworthiness Directives; Rolls-Royce plc (RR) RB211 Trent 500 Series Turbofan Engines

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Final rule; request for comments.

SUMMARY: The FAA is superseding an existing airworthiness directive (AD) for RR RB211 Trent 553-61, 553A2-61, 556-61, 556A2-61, 556B-61, 556B2-61, 560-61, and 560A2-61 turbofan engines. That AD currently requires removing certain serial-numbered intermediate pressure compressor (IPC) drums, part number (P/N) FK30102. This AD requires removing those same IPC drums, and requires a new reduced life limit for all other IPC drums, P/N FK30102. This AD results from an RR engineering assessment that it is necessary to reduce the cyclic lives of the other drums with the same P/N. We are issuing this AD to prevent uncontained loss of IPC stage 1 blades, which could result in damage to the airplane.

DATES: Effective July 7, 2008.

We must receive any comments on this AD by July 29, 2008.

ADDRESSES: Use one of the following addresses to comment on this AD.

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov> and follow the instructions for sending your comments electronically.

- *Mail:* Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Avenue, SE., West Building Ground Floor, Room W12-140, Washington, DC 20590-0001.

- *Hand Delivery:* Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

- *Fax:* (202) 493-2251.

Contact Rolls-Royce plc, P.O. Box 31, Derby, DE24 8BJ, United Kingdom; telephone: 44 (0) 1332 242424; fax: 44 (0) 1332 249936; e-mail <http://tech.help@rolls-royce.com> for the service information identified in this AD, or download the service information from <https://www.aeromanager.com>.

FOR FURTHER INFORMATION CONTACT:

James Lawrence, Aerospace Engineer, Engine Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803; e-mail: james.lawrence@faa.gov; telephone (781) 238-7176, fax (781) 238-7199.

SUPPLEMENTARY INFORMATION: On September 11, 2007, the FAA issued AD 2007-19-10, Amendment 39-15201 (72 FR 53108, September 18, 2007). That AD requires replacing certain IPC drums, listed in that AD by serial number, before exceeding 2,910 cycles-since-new (CSN). That AD was the result of a discovery of strain-induced porosity in a Trent 500 IPC drum forging. That condition, if not corrected, could result in uncontained loss of IPC stage 1 blades, which could result in damage to the airplane.

Actions Since AD 2007-19-10 Was Issued

Since that AD was issued, the European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Union, recently notified us that an unsafe condition may exist on RR RB211 Trent 553-61, 553A2-61, 556-61, 556A2-61, 556B-61, 556B2-61, 560-61, and 560A2-61 turbofan engines. The EASA advises that it is necessary to reduce the cyclic lives of the other drums with the same P/N. This AD requires:

- Removing IPC drums, P/N FK30102, that have a serial number (SN) specified in this AD, within 2,910 CSN or the next overhaul after the effective date of this AD, whichever occurs first; and

- Removing all other IPC drums, P/N FK30102, within 5,830 CSN.

We are issuing this AD to prevent uncontained loss of IPC stage 1 blades, which could result in damage to the airplane.

Bilateral Airworthiness Agreement

This engine model is manufactured in the United Kingdom and is type certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness

agreement. Under this bilateral airworthiness agreement, the EASA has kept the FAA informed of the situation described above. We have examined the findings of the EASA, reviewed all available information, and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

FAA's Determination and Requirements of This AD

Although no airplanes that are registered in the United States use these engines, the possibility exists that the engines could be used on airplanes that are registered in the United States in the future. The unsafe condition described previously is likely to exist or develop on other RR RB211 Trent 553–61, 553A2–61, 556–61, 556A2–61, 556B–61, 556B2–61, 560–61, and 560A2–61 turbofan engines of the same type design. We are issuing this AD to prevent uncontained loss of IPC stage 1 blades, which could result in damage to the airplane. This AD requires:

- Removing IPC drums, P/N FK30102, that have an SN specified in this AD, within 2,910 CSN or the next overhaul after the effective date of this AD, whichever occurs first, and
- Removing all other IPC drums, P/N FK30102, within 5,830 CSN.

FAA's Determination of the Effective Date

Since there are currently no domestic operators of this engine model, notice and opportunity for public comment before issuing this AD are unnecessary. Therefore, a situation exists that allows the immediate adoption of this regulation.

Comments Invited

This AD is a final rule that involves requirements affecting flight safety and was not preceded by notice and an opportunity for public comment; however, we invite you to send us any written relevant data, views, or arguments regarding this AD. Send your comments to an address listed under **ADDRESSES**. Include "AD Docket No. FAA–2007–27955; Directorate Identifier 2007–NE–15–AD" in the subject line of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify it.

We will post all comments we receive, without change, to <http://www.regulations.gov>, including any personal information you provide. We will also post a report summarizing each substantive verbal contact with FAA personnel concerning this AD. Using the

search function of the Web site, anyone can find and read the comments in any of our dockets, including the name, if provided, of the individual who sent the comment (or signed the comment on behalf of an association, business, labor union, etc.). You may review the DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477–78).

Examining the AD Docket

You may examine the AD docket on the Internet at <http://www.regulations.gov>; or in person at the Docket Operations office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Operations office (telephone (800) 647–5527) is the same as the Mail address provided in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, Section 106, describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701, "General requirements." Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

We have determined that this AD will not have federalism implications under Executive Order 13132. This AD 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.

For the reasons discussed above, I certify that this AD:

1. Is not a "significant regulatory action" under Executive Order 12866;
2. Is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and

3. 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.

We prepared a summary of the costs to comply with this AD and placed it in the AD Docket. You may get a copy of this summary at the address listed under **ADDRESSES**.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

Adoption of the Amendment

■ Under 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. The FAA amends § 39.13 by removing Amendment 39–15201 72 FR 53108, September 18, 2007, and by adding a new airworthiness directive, Amendment 39–15539, to read as follows:

2008–11–16 Rolls-Royce plc: Amendment 39–15539. Docket No. FAA–2007–27955; Directorate Identifier 2007–NE–15–AD.

Effective Date

(a) This airworthiness directive (AD) becomes effective July 7, 2008.

Affected ADs

(b) This AD supersedes AD 2007–19–10, Amendment 39–15201.

Applicability

(c) This AD applies to Rolls-Royce plc (RR) RB211 Trent 553–61, 553A2–61, 556–61, 556A2–61, 556B–61, 556B2–61, 560–61, and 560A2–61 turbofan engines with an intermediate pressure compressor (IPC) drum, part number (P/N) FK30102, installed. These engines are installed on, but not limited to, Airbus A340–500 and 600 series airplanes.

Unsafe Condition

(d) This AD results from an RR engineering assessment that it is necessary to reduce the cyclic lives of the other drums with the same P/N. We are issuing this AD to prevent uncontained loss of IPC stage 1 blades, which could result in damage to the airplane.

Compliance

(e) You are responsible for having the actions required by this AD performed within the compliance times specified unless the actions have already been done.

Removing IPC drums, P/N FK30102, With Certain Serial Numbers (SNs)

(f) For engines with an IPC drum, P/N FK30102, that has an SN specified in Table 1 of this AD, remove the IPC within 2,910 cycles-since-new (CSN) or the next overhaul after the effective date of this AD, whichever occurs first.

TABLE 1.—IPC DRUMS BY SN

MW0134967	MW0131219	MW0156891
MW0158192	MW0164840	MW0168864
MW0168190	MW0171399	KH100012

Removing All Other IPC Drums, P/N FK30102

(g) For engines with an IPC drum, P/N FK30102, that doesn't have an SN specified in Table 1 of this AD, remove the IPC drum within 5,830 CSN.

Prohibited Installation of IPC Drums, P/N FK30102

(h) After the effective date of this AD, do not install the following:

(1) IPC drums, P/N FK30102, that have an SN specified in Table 1 of this AD, and have accumulated or exceeded 2,910 CSN.

(2) IPC drums, P/N FK30102, that don't have an SN specified in Table 1 of this AD, and have accumulated or exceeded 5,830 CSN.

Alternative Methods of Compliance

(i) The Manager, Engine Certification Office, has the authority to approve alternative methods of compliance for this AD if requested using the procedures found in 14 CFR 39.19.

Material Incorporated by Reference

(j) None.

Related Information

(k) EASA airworthiness directive 2008–0042, dated February 27, 2008, and RR Alert Service Bulletins RB.211–72–AF258, Revision 1, dated March 29, 2007; and RB.211–72–AF431, dated January 14, 2008, also address the subject of this AD.

(l) Contact James Lawrence, Aerospace Engineer, Engine Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803; e-mail: james.lawrence@faa.gov; telephone (781) 238–7176; fax (781) 238–7199, for more information about this AD.

Issued in Burlington, Massachusetts, on May 21, 2008.

Robert G. Mann,

Acting Manager, Engine and Propeller Directorate, Aircraft Certification Service.
[FR Doc. E8–11946 Filed 5–29–08; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 39**

[Docket No. FAA–2008–0597; Directorate Identifier 2008–NE–12–AD; Amendment 39–15542; AD 2008–11–19]

RIN 2120–AA64

Airworthiness Directives; Rolls-Royce plc (RR) Models Trent 768–60, 772–60, 772B–60, and 772C–60 Turbofan Engines

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Final rule; request for comments.

SUMMARY: We are adopting a new airworthiness directive (AD) for the products listed above. This AD results from mandatory continuing airworthiness information (MCAI) issued by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as:

Three Trent 700 IP Turbine discs that exhibited signs of wear at the bore following failure of the bearing chamber sealing sleeve were returned to service. This was based on the fact that Non-Destructive Testing (NDT) did not reveal micro cracking on the affected disc areas. Further engineering investigation considered that, although no micro cracking had been found, the worn disc bore surfaces would have an associated fatigue penalty compared to an unaffected bore. A crack developing from these rubbed surfaces could potentially lead to a disc burst.

As the described wear, present at the bores of those three discs, presents a potential unsafe condition, this Airworthiness Directive requires identification of the three affected serial numbers of IP Turbine Discs (P/N FK20795) and removal from service prior to attaining a certain number of cycles, as indicated.

We are issuing this AD to prevent a failure of the intermediate pressure (IP) turbine disc that could result in an uncontained failure of the engine and possible damage to the airplane.

DATES: This AD becomes effective June 16, 2008.

We must receive comments on this AD by June 30, 2008.

ADDRESSES: You may send comments by any of the following methods:

- **Federal eRulemaking Portal:** Go to <http://www.regulations.gov> and follow the instructions for sending your comments electronically.

- **Mail:** U.S. Department of Transportation, 1200 New Jersey

Avenue, SE., West Building Ground Floor, Room W12–140, Washington, DC 20590–0001.

- **Hand Delivery:** Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

- **Fax:** (202) 493–2251.

Examining the AD Docket

You may examine the AD docket on the Internet at <http://www.regulations.gov>; or in person at the Docket Operations office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Operations office (telephone (800) 647–5527) is the same as the Mail address provided in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT:

James Lawrence, Aerospace Engineer, Engine Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803; e-mail: james.lawrence@faa.gov; telephone (781) 238–7176; fax (781) 238–7199.

SUPPLEMENTARY INFORMATION:**Discussion**

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Community, has issued EASA Airworthiness Directive 2007–0267–E, dated October 8, 2007 (referred to after this as “the MCAI”), to correct an unsafe condition for the specified products. The MCAI states:

Three Trent 700 IP Turbine discs that exhibited signs of wear at the bore following failure of the bearing chamber sealing sleeve were returned to service. This was based on the fact that Non-Destructive Testing (NDT) did not reveal micro cracking on the affected disc areas. Further engineering investigation considered that, although no micro cracking had been found, the worn disc bore surfaces would have an associated fatigue penalty compared to an unaffected bore. A crack developing from these rubbed surfaces could potentially lead to a disc burst.

As the described wear, present at the bores of those three discs, presents a potential unsafe condition, this Airworthiness Directive requires identification of the three affected serial numbers of IP Turbine Discs (P/N FK20795) and removal from service prior to attaining a certain number of cycles, as indicated.

You may obtain further information by examining the MCAI in the AD docket.

Relevant Service Information

Rolls-Royce has issued Alert Service Bulletin RB.211-72-AF734, dated October 3, 2007. The actions described in this service information are intended to correct the unsafe condition identified in the MCAI.

FAA's Determination and Requirements of This AD

This product has been approved by the aviation authority of the United Kingdom, and is approved for operation in the United States. Pursuant to our bilateral agreement with the United Kingdom, they have notified us of the unsafe condition described in the EASA AD and service information referenced above. We are proposing this AD because we evaluated all information provided by EASA and determined the unsafe condition exists and is likely to exist or develop on other products of the same type design.

FAA's Determination of the Effective Date

Since there are currently no domestic operators of this engine model, notice and opportunity for public comment before issuing this AD are unnecessary. A situation exists that allows the immediate adoption of this regulation.

Comments Invited

This AD is a final rule that involves requirements affecting flight safety, and we did not precede it by notice and opportunity for public comment. We invite you to send any written relevant data, views, or arguments about this AD. Send your comments to an address listed under the **ADDRESSES** section. Include "Docket No. FAA-2008-0597; Directorate Identifier 2008-NE-12-AD" at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this AD. We will consider all comments received by the closing date and may amend this AD because of those comments.

We will post all comments we receive, without change, to <http://www.regulations.gov>, including any personal information you provide. We will also post a report summarizing each substantive verbal contact we receive about this AD. Using the search function of the Web site, anyone can find and read the comments in any of our dockets, including, if provided, the name of the individual who sent the comment (or signed the comment on behalf of an association, business, labor union, etc.). You may review the DOT's complete Privacy Act Statement in the

Federal Register published on April 11, 2000 (65 FR 19477-78).

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. "Subtitle VII: Aviation Programs," describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in "Subtitle VII, Part A, Subpart III, Section 44701: General requirements." Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

We determined that this AD will not have federalism implications under Executive Order 13132. This AD 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.

For the reasons discussed above, I certify this AD:

1. Is not a "significant regulatory action" under Executive Order 12866;
2. Is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and
3. 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.

We prepared a regulatory evaluation of the estimated costs to comply with this AD and placed it in the AD docket.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

Adoption of the Amendment

■ Accordingly, under the authority delegated to me by the Administrator, the FAA amends 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. The FAA amends § 39.13 by adding the following new AD:

2008-11-19 Rolls-Royce plc: Amendment 39-15542; Docket No. FAA-2008-0597; Directorate Identifier 2008-NE-12-AD.

Effective Date

(a) This airworthiness directive (AD) becomes effective June 16, 2008.

Affected ADs

(b) None.

Applicability

(c) This AD applies to Rolls-Royce plc models Trent 768-60, 772-60, 772B-60, 772C-60 turbofan engines with intermediate pressure (IP) turbine discs, part number (P/N) FK20795, that have a serial number specified in Table 1 of this AD, installed. These engines are installed on, but not limited to, Airbus 330 series airplanes.

Reason

(d) Three Trent 700 IP Turbine discs that exhibited signs of wear at the bore following failure of the bearing chamber sealing sleeve were returned to service. This was based on the fact that Non-Destructive testing (NDT) did not reveal micro cracking on the affected disc areas. Further engineering investigation considered that, although no micro cracking had been found, the worn disc bore surfaces would have an associated fatigue penalty compared to an unaffected bore. A crack developing from these rubbed surfaces could potentially lead to a disc burst.

As the described wear, present at the bores of those three discs, presents a potentially unsafe condition, this Airworthiness Directive requires identification of the three affected serial numbers of IP Turbine Discs (P/N FK20795) and removal from service prior to attaining a certain number of cycles, as indicated.

We are issuing this AD to prevent a failure of the IP turbine disc that could result in an uncontained failure of the engine and possible damage to the airplane.

Actions and Compliance

(e) Unless already done, do the following actions.

(1) The affected IP Turbine Discs, P/N FK20795, must be removed from service prior to attaining the following number of Cycles Since New (CSN):

TABLE 1.—IP TURBINE DISCS BY ENGINE SERIAL NUMBER AND DISC SERIAL NUMBER

Serial No.	Removal limit in CSN
CREB452	7,960
CREB216	7,930
CREB322	7,500

(2) For detailed instructions, refer to Rolls-Royce RB211 Propulsion System Non-Modification Service Bulletin RB211-72-

AF734 original issue, section 3.
Accomplishment Instructions.

FAA AD Differences

(f) None.

Other FAA AD Provisions

(g) Alternative Methods of Compliance (AMOCs): The Manager, Engine Certification Office, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19.

Related Information

(h) Refer to MCAI EASA Airworthiness Directive 2007-0267-E, dated October 8, 2007, and RR Alert Service Bulletin RB.211-72-AF734, dated October 3, 2007, for related information.

(i) Contact James Lawrence, Aerospace Engineer, Engine Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803; e-mail: james.lawrence@faa.gov; telephone (781) 238-7176; fax (781) 238-7199, for more information about this AD.

Material Incorporated by Reference

(j) None.

Issued in Burlington, Massachusetts, on May 23, 2008.

Robert G. Mann,

Acting Manager, Engine and Propeller Directorate, Aircraft Certification Service.

[FR Doc. E8-12061 Filed 5-29-08; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2008-0037; Airspace
Docket No. 07-AWP-6]

Establishment of Low Altitude Area Navigation Routes (T-Routes); Sacramento and San Francisco, CA

AGENCY: Federal Aviation
Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action establishes four low altitude Area Navigation (RNAV) T-routes, designated T-257, T-259, T-261 and T-263, in the Sacramento and San Francisco, CA, terminal areas. T-routes are low altitude Air Traffic Service (ATS) routes, based on RNAV, for use by aircraft having instrument flight rules (IFR)-approved Global Positioning System (GPS)/Global Navigation Satellite System (GNSS) equipment. The FAA is taking this action to enhance safety and improve the efficient use of the navigable airspace in the Sacramento and San Francisco, CA, terminal areas.

DATES: *Effective Date:* 0901 UTC, July 31, 2008. The Director of the Federal

Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

FOR FURTHER INFORMATION CONTACT: Ken McElroy, Airspace and Rules Group, Office of System Operations Airspace and AIM, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267-8783.

SUPPLEMENTARY INFORMATION:

History

On February 19, 2008, the FAA published in the **Federal Register** a notice of proposed rulemaking (NPRM) to establish four low altitude T-routes in the San Francisco terminal area (73 FR 9060). Interested parties were invited to participate in this rulemaking effort by submitting written comments on this proposal to the FAA. Three comments were received in response to the NPRM and are discussed below. With the exception of minor adjustments to the longitude position of the Very High Frequency Omnidirectional Range/ Tactical Air Navigation (VORTACs) at Point Reyes, Sacramento, and Woodside, this amendment is the same as that proposed in the NPRM.

Analysis of Comments

The Aircraft Owners and Pilots Association supports the establishment of the low level area navigation routes. One commenter requested that T-259 be moved further south to avoid a heavily used VFR flight training area or the floor of the airway be raised to 6,500 feet for separation from the training area.

FAA Response: The proposed T-259 overlies the existing Risti Four Arrival route into San Francisco, which is heavily used daily. Operation in the Tracy practice area will continue. Currently, participants in the practice area contact the Northern California TRACON (NCT) when the practice area is being utilized. The exact location and altitudes are coordinated at that time. NCT avoids the area when routing IFR traffic and the current practice will continue.

Another commenter raised four questions concerning operations on the T-routes.

(1) Are there defined entry/exit points other than the end points of the routes?

FAA Response: These routes are available to Air Traffic Control (ATC) the same as other airways and the T-routes will be utilized in the same fashion.

(2) How would a pilot destined for Half Moon Bay (HAF) from the south

describe their desire to leave T-257 at an appropriate point?

FAA Response: The T-routes, as described, are to be utilized by aircraft overflying the terminal area, not landing within it. An aircraft inbound to HAF from the south would not be assigned this route.

(3) Is it expected that a pilot from Watsonville (WVI) could file and receive a direct clearance to San Jose in order to join T-259?

FAA Response: T-259 is designed to facilitate Palo Alto and San Carlos departures through the Class B Terminal Area. The NCT does not plan to make this route available to WVI departures due to operations in and out of SJC.

(4) Will these routes be available in all wind conditions?

FAA Response: These routes will be available in all wind configurations. However, dynamic re-routes based on weather conditions is a tool always available to ATC.

The Rule

The FAA is amending to Title 14 Code of Federal Regulations (14 CFR) part 71 to establish four low altitude RNAV T-routes in the Sacramento and San Francisco, CA, terminal areas. The routes would be designated T-257, T-259, T-261 and T-263, and would be depicted on the appropriate IFR En Route Low Altitude charts. T-routes are low altitude RNAV ATS routes, similar to Very High Frequency Omnidirectional Range Federal airways, but based on GNSS navigation. RNAV-equipped aircraft capable of filing flight plan equipment suffix "G" may file for these routes.

The T-routes described in this notice are being established to enhance safety and to facilitate the more flexible and efficient use of the navigable airspace for en route IFR operations transitioning through and around the Sacramento and San Francisco, CA, terminal areas.

Low altitude RNAV T-routes are published in paragraph 6011 of FAA Order 7400.9R signed August 15, 2007, and effective September 15, 2007, which is incorporated by reference in 14 CFR 71.1. The low altitude RNAV T-routes listed in this document would be published subsequently in the Order.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this regulation: (1) Is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under Department of Transportation (DOT) Regulatory Policies and Procedures (44 FR 11034;

February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority.

This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation

is within the scope of that authority as it establishes RNAV T-Routes at Sacramento and San Francisco, CA.

Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1E, "Environmental Impacts: Policies and Procedures," paragraph 311a, 311b, and 311k. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

Adoption of the Amendment

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

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

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

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

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order 7400.9R, Airspace Designations and Reporting Points, signed August 15, 2007, and effective September 15, 2007, is amended as follows:

Paragraph 6011 Contiguous United States Area Navigation Routes

* * * * *

T-257 Big Sur, CA (BSR) to Point Reyes (PYE) [New]

Big Sur, CA (BSR)	VORTAC	(Lat. 36°10'53" N., long. 121°38'32" W.)
ISIFU	WP	(Lat. 36°43'29" N., long. 121°56'57" W.)
SUTRO	WP	(Lat. 36°42'43" N., long. 122°32'49" W.)
Point Reyes, CA (PYE)	VORTAC	(Lat. 38°04'47" N., long. 122°52'04" W.)

* * * * *

T-259 San Jose, CA (SJC) to Sacramento, CA (SAC) [New]

San Jose, CA (SJC)	VOR/DME	(Lat. 37°22'29" N., long. 121°56'41" W.)
CEDES	WP	(Lat. 37°33'30" N., long. 121°37'51" W.)
MOVDD	WP	(Lat. 37°39'41" N., long. 121°26'54" W.)
Sacramento, CA (SAC)	VORTAC	(Lat. 38°26'37" N., long. 121°33'06" W.)

* * * * *

T-261 Woodside, CA (OSI) to ALTAM [New]

Woodside, CA (OSI)	VORTAC	(Lat. 37°23'33" N., long. 122°16'53" W.)
ALTAM	WP	(Lat. 37°48'44" N., long. 121°44'50" W.)

* * * * *

T-263 Sunol to Scaggs Island, CA (SGD) [New]

SUNOL	WP	(Lat. 37°36'20" N., long. 121°48'37" W.)
Scaggs Island, CA (SGD)	VORTAC	(Lat. 38°10'46" N., long. 122°22'23" W.)

* * * * *

Issued in Washington, DC, on May 19, 2008.

Stephen L. Rohring,

Acting Manager, Airspace and Rules Group.

[FR Doc. E8–11964 Filed 5–29–08; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2008–0141; Airspace
Docket No. 08–AAL–4]

Revision of Class E Airspace; Allakaket, AK

AGENCY: Federal Aviation
Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action revises Class E airspace at Allakaket, AK, to provide adequate controlled airspace to contain aircraft executing Standard Instrument Approach Procedures (SIAPs). Two new SIAPs are being developed for the Allakaket Airport. Additionally, a textual Obstacle Departure Procedure (ODP) is being developed. This action revises existing Class E airspace upward from 700 feet (ft.) and 1,200 ft. above the surface at Allakaket Airport, Allakaket, AK.

DATES: *Effective Date:* 0901 UTC, July 31, 2008. The Director of the Federal Register approves this incorporation by reference action under title 1, Code of Federal Regulations, part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

FOR FURTHER INFORMATION CONTACT: Gary Rolf, AAL–538G, Federal Aviation Administration, 222 West 7th Avenue, Box 14, Anchorage, AK 99513–7587; telephone number (907) 271–5898; fax: (907) 271–2850; e-mail: gary.ctr.rolf@faa.gov. Internet address: <http://www.alaska.faa.gov/at>.

SUPPLEMENTARY INFORMATION:

History

On Tuesday, February 19, 2008, the FAA proposed to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) to revise Class E airspace upward from 700 ft. above the surface and from 1,200 ft. above the surface at Allakaket, AK (73 FR 9062). The action was proposed in order to create Class E airspace sufficient in size to contain aircraft while executing SIAPs for the Allakaket Airport. The Notice of Proposed Rulemaking contained an

error in the airport location data, which has since been corrected in this rule. Class E controlled airspace extending upward from 700 ft. above the surface and from 1,200 ft. above the surface in the Allakaket Airport area is revised by this action.

Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments were received. The rule is adopted as proposed.

The area will be depicted on aeronautical charts for pilot reference. The coordinates for this airspace docket are based on North American Datum 83. The Class E airspace areas designated as 700/1,200 ft. transition areas are published in paragraph 6005 of FAA Order 7400.9R, *Airspace Designations and Reporting Points*, signed August 15, 2007, and effective September 15, 2007, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designations listed in this document will be published subsequently in the Order.

The Rule

This amendment to 14 CFR part 71 revises Class E airspace at the Allakaket Airport, Alaska. This Class E airspace is revised to accommodate aircraft executing new SIAPs, and will be depicted on aeronautical charts for pilot reference. The intended effect of this rule is to provide adequate controlled airspace for Instrument Flight Rules (IFR) operations at the Allakaket Airport, Allakaket, AK.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) Is not a “significant regulatory action” under Executive Order 12866; (2) is not a “significant rule” under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

The FAA’s authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle 1, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs,

describes in more detail the scope of the agency’s authority.

This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart 1, Section 40103, Sovereignty and Use of Airspace. Under that section, the FAA is charged with prescribing regulations to ensure the safe and efficient use of the navigable airspace. This regulation is within the scope of that authority because it creates Class E airspace sufficient in size to contain aircraft executing instrument procedures for the Allakaket Airport and represents the FAA’s continuing effort to safely and efficiently use the navigable airspace.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

Adoption of the Amendment

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

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

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

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

§71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9R, *Airspace Designations and Reporting Points*, signed August 15, 2007, and effective September 15, 2007, is amended as follows:

* * * * *

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

* * * * *

AAL AK E5 Allakaket, AK [Revised]

Allakaket, Allakaket Airport, AK

(Lat. 66°33′07″ N., long. 152°37′20″ W.)

That airspace extending upward from 700 feet above the surface within a 7.1-mile radius of the Allakaket Airport; and that airspace extending upward from 1,200 feet above the surface extending clockwise from the 045° bearing to the 175° bearing from the airport within 72 miles of the Allakaket Airport.

* * * * *

Issued in Anchorage, AK, on May 16, 2008.

Anthony M. Wylie,

Manager, Alaska Flight Services Information Area Group.

[FR Doc. E8-11965 Filed 5-29-08; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2008-0134; Airspace
Docket No. 08-AAL-3]

Revision of Class E Airspace; St. Mary's, AK

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action revises Class E airspace at St. Mary's, AK, to provide adequate controlled airspace to contain aircraft executing Standard Instrument Approach Procedures (SIAPs). Two new SIAPs are being developed for the St. Mary's Airport. Additionally, four SIAPs are being amended. This action revises existing Class E airspace upward from the surface and from 700 feet (ft.) above the surface at St. Mary's Airport, St. Mary's, AK.

DATES: *Effective Date:* 0901 UTC, July 31, 2008. The Director of the Federal Register approves this incorporation by reference action under title 1, Code of Federal Regulations, part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

FOR FURTHER INFORMATION CONTACT: Gary Rolf, AAL-538G, Federal Aviation Administration, 222 West 7th Avenue, Box 14, Anchorage, AK 99513-7587; telephone number (907) 271-5898; fax: (907) 271-2850; e-mail: gary.ctr.rolf@faa.gov. Internet address: <http://www.alaska.faa.gov/at>.

SUPPLEMENTARY INFORMATION:

History

On Tuesday, February 19, 2008, the FAA proposed to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) to revise Class E airspace upward from 700 ft. above the surface and from 1,200 ft. above the surface at St. Mary's, AK (73 FR 9063). The Notice of Proposed Rulemaking's airspace description included discussion of 1,200 ft. airspace, which is unnecessary in this action. Additionally, the airport coordinates are updated in this action to reflect the most recent airport survey. The action was proposed in order to

create Class E airspace sufficient in size to contain aircraft while executing SIAPs for the St. Mary's Airport. Class E controlled airspace extending upward from the surface and from 700 ft. above the surface in the St. Mary's Airport area is revised by this action.

Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments were received. The rule is adopted as proposed.

The area will be depicted on aeronautical charts for pilot reference. The coordinates for this airspace docket are based on North American Datum 83. The Class E airspace areas designated as surface areas are published in paragraph 6002 of FAA Order 7400.9R, *Airspace Designations and Reporting Points*, signed August 15, 2007, and effective September 15, 2007, which is incorporated by reference in 14 CFR 71.1. The Class E airspace areas designated as 700/1,200 ft. transition areas are published in paragraph 6005 of FAA Order 7400.9R, *Airspace Designations and Reporting Points*, signed August 15, 2007, and effective September 15, 2007, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designations listed in this document will be published subsequently in the Order.

The Rule

This amendment to 14 CFR part 71 revises Class E airspace at the St. Mary's Airport, AK. This Class E airspace is revised to accommodate aircraft executing new and amended SIAPs, and will be depicted on aeronautical charts for pilot reference. The intended effect of this rule is to provide adequate controlled airspace for Instrument Flight Rules (IFR) operations at the St. Mary's Airport, St. Mary's, Alaska.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) Is not a “significant regulatory action” under Executive Order 12866; (2) is not a “significant rule” under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle 1, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority.

This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart 1, Section 40103, Sovereignty and Use of Airspace. Under that section, the FAA is charged with prescribing regulations to ensure the safe and efficient use of the navigable airspace. This regulation is within the scope of that authority because it creates Class E airspace sufficient in size to contain aircraft executing instrument procedures for the St. Mary's Airport and represents the FAA's continuing effort to safely and efficiently use the navigable airspace.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

Adoption of the Amendment

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

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

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

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

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9R, *Airspace Designations and Reporting Points*, signed August 15, 2007, and effective September 15, 2007, is amended as follows:

* * * * *

Paragraph 6002 Class E airspace designated as surface areas.

* * * * *

AAL AK E2 St. Mary's, AK [Revised]

St. Mary's Airport, AK

(Lat. 62°03'39" N., long. 163°18'07" W.)

Within a 6.7-mile radius of the St. Mary's Airport, and within 4 miles either side of the 202° bearing from the St. Mary's Airport extending from the 6.7-mile radius to 10 miles south of the St. Mary's Airport. This Class E airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective

date and time will thereafter be continuously published in the Airport/Facility Directory.

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

* * * * *

AAL AK E5 St. Mary's, AK [Revised]

St. Mary's, St. Mary's Airport, AK
(Lat. 62°03'39" N., long. 163°18'07" W.)

That airspace extending upward from 700 feet above the surface within a 8.7-mile radius of the St. Mary's Airport, and within 4 miles east and 8 miles west of the 202° bearing from the St. Mary's Airport, extending from the 8.7-mile radius to 16 miles south of the St. Mary's Airport.

* * * * *

Issued in Anchorage, AK, on May 16, 2008.

Anthony M. Wylie,

Manager, Alaska Flight Services Information Area Group.

[FR Doc. E8-11982 Filed 5-29-08; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2008-0180; Airspace
Docket No. 08-AAL-6]

Revocation of Area Navigation Jet Routes J-888R and J-996R: Alaska

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action revokes Area Navigation (RNAV) Jet Routes J-888R and J-996R, Alaska. These routes are no longer required by the Anchorage Air Route Traffic Control Center (ARTCC).

DATES: *Effective Date:* 0901 UTC, July 31, 2008. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

FOR FURTHER INFORMATION CONTACT: Ken McElroy, Airspace and Rules Group, Office of System Operations Airspace and AIM, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267-8783.

SUPPLEMENTARY INFORMATION:

History

On April 3, 2008, the FAA published in the **Federal Register** a notice of proposed rulemaking (NPRM) to revoke two area navigation routes in Alaska. Interested parties were invited to participate in this rulemaking

proceeding by submitting written comments on the proposal to the FAA. No comments were received. With the exception of editorial changes, this amendment is the same as that published in the notice of proposed rulemaking.

The Rule

The FAA is amending Title 14 Code of Federal Regulations (14 CFR) part 71 by revoking J-888R and J-996R. The Anchorage ARTCC requested the two RNAV Jet Routes be removed from the National Airspace System because they are no longer being used. The first route is J-888R from AMOTT (near Anchorage, AK) and ends at OZZIE (south of Bethel, AK). The second route is J-996R from Cape Newenham, AK, and ends at AMOTT (near Anchorage, AK). The FAA is taking this action to enhance the efficient use of the navigable airspace in Alaska.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this regulation: (1) Is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under Department of Transportation (DOT) Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority.

This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it revokes RNAV Routes in Alaska.

Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental

Policy Act in accordance with FAA Order 1050.1E, Environmental Impacts: Policies and Procedures. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

Adoption of the Amendment

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

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

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

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

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order 7400.9R, Airspace Designations and Reporting Points, signed August 15, 2007, and effective September 15, 2007, is amended as follows:

Paragraph 2005 Alaska Area Navigation Routes

* * * * *

J-888R [Revoked]

* * * * *

J-996R [Revoked]

* * * * *

Issued in Washington, DC, on May 22, 2008.

Stephen L. Rohring,

Acting Manager, Airspace and Rules Group.

[FR Doc. E8-11958 Filed 5-29-08; 8:45 am]

BILLING CODE 4910-13-P

SOCIAL SECURITY ADMINISTRATION

20 CFR Part 404

[Docket No. SSA-2008-0024]

RIN 0960-AG81

Extension of the Expiration Date for Several Body Systems Listings

AGENCY: Social Security Administration.

ACTION: Final rule.

SUMMARY: This final rule extends until July 1, 2010, the date on which Listing of Impairments (the listings) for six

body systems will no longer be effective. We use the listings at the third step of the sequential evaluation process when we evaluate your claim for benefits based on disability under title II and title XVI of the Social Security Act (the Act). Other than extending the effective date of the listings, we have made no revisions to the listings; they remain the same as they now appear in the Code of Federal Regulations. This extension will ensure that we continue to have the medical evaluation criteria in the listings to adjudicate disability claims involving these body systems at the third step of the sequential evaluation process.

DATES: This final rule is effective on May 30, 2008.

FOR FURTHER INFORMATION CONTACT: Diane Braunstein, Director, Office of Compassionate Allowances and Listings Improvement, 6401 Security Boulevard, Baltimore, MD 21235-6401. Call (410) 965-1020 for further information about this final rule. For information on eligibility or filing for benefits, call our national toll-free number, 1-800-772-1213 or TTY 1-800-325-0778, or visit our Internet site, Social Security Online, at <http://www.socialsecurity.gov>.

SUPPLEMENTARY INFORMATION:

Electronic Version

The electronic file of this document is available on the date of publication in the **Federal Register** at <http://www.gpoaccess.gov/fr/index.html>.

Background

We use the listings in appendix 1 to subpart P of part 404 at the third step of the sequential evaluation process to evaluate claims filed by adults and children for benefits based on disability under the title II and title XVI programs. The listings are in two parts: Part A for adults and part B for children. If you are an individual age 18 or over, we apply the listings in part A when we assess your claim. If you are an individual under age 18, we first use the criteria in part B of the listings. If the criteria in part B do not apply, we may use the criteria in part A when those criteria give appropriate consideration to the effects of the impairment(s) in children. (See §§ 404.1525 and 416.925.)

Explanation of Changes

In this final rule, we are extending until July 1, 2010, the date on which the listings for the following six body systems will no longer be effective: Growth Impairment (100.00) Respiratory System (3.00 and 103.00) Hematological Disorders (7.00 and 107.00) Endocrine System (9.00 and 109.00) Neurological (11.00 and 111.00) Mental Disorders (12.00 and 112.00)

As a result of our program experience and medical advances in disability evaluation and treatment, we periodically review and update the listings. We intend to publish proposed and final rules to update the listings as expeditiously as possible. However, we will not be able to publish final rules

revising the listings for these body systems by July 1, 2008, the expiration date currently in the Code of Federal Regulations. Therefore, we are extending the current expiration date for the listings as indicated above.

In final rules published on June 19, 2007, (72 FR 33662), we extended to July 1, 2008, the date on which the following eight body systems listings would no longer be effective: Growth Impairment; Respiratory System; Digestive System; Hematological Disorders; Endocrine System; Neurological; Mental Disorders; and Immune System.

We have taken significant steps to revise and update each of our listings. Since the June 19, 2007, extension of the listings, we have published final rules for the Digestive System (5.00 and 105.00, published October 19, 2007 (72 FR 59397)) and Immune System Disorders (14.00 and 114.00, published March 18, 2008 (73 FR 14570)), a notice of proposed rulemaking for malignant neoplastic diseases (13.00 and 113.00 published April 28, 2008 (73 FR 22871)), and an advanced notice of proposed rulemaking for Evaluating Human Immunodeficiency Virus (HIV) Infection (published March 18, 2008, (73 FR 14409)).

Not all listings require effective date extensions at this time. The following chart shows several recently updated listings that do not require effective date extensions and are not affected by this final rule.

Listing	Revised	Date no longer effective unless extended or revised and promulgated again
Immune System Disorders 14.00 and 114.00 ..	March 18, 2008, 73 FR 14570	June 16, 2016, 73 FR at 14601.
Digestive System 5.00 and 105.00	October 19, 2007, 72 FR 59398	October 19, 2012, 72 FR at 59422.
Special Senses and Speech 2.00 and 102.00 ..	November 20, 2006 (visual disorders), 71 FR 67037.	February 20, 2015, 71 FR at 67050.
Cardiovascular System 4.00 and 104.00	January 13, 2006, 71 FR 2312	January 13, 2011, 71 FR at 2325.
Multiple Body Systems 10.00 and 110.00	August 30, 2005, 70 FR 51252	October 31, 2013, 70 FR at 51259.
Genitourinary Impairments 6.00 and 106.00	July 5, 2005, 70 FR 38582	September 6, 2013, 70 FR at 38590.
Malignant Neoplastic Diseases 13.00 and 113.00.	November 15, 2004, 69 FR 67018	December 15, 2009, 69 FR at 67032.
Skin Disorders 8.00 and 108.00	June 9, 2004, 69 FR 32260	July 9, 2012, 69 FR at 32269.
Musculoskeletal System 1.00 and 101.00	November 19, 2001, 66 FR 58010	February 19, 2009, 66 FR at 58037.

Regulatory Procedures

Justification for Final Rule

Pursuant to section 702(a)(5) of the Social Security Act, 42 U.S.C. 902(a)(5), we follow the Administrative Procedure Act (APA) rulemaking procedures specified in 5 U.S.C. 553 when developing regulations. The APA provides exceptions to its notice and public comment procedures when an agency finds there is good cause for dispensing with such procedures on the

basis that they are impracticable, unnecessary, or contrary to the public interest. We have determined that, under 5 U.S.C. 553(b)(B), good cause exists for dispensing with the notice and public comment procedures for this rule. Good cause exists because this final rule only extends the date on which these body system listings will no longer be effective. It makes no substantive changes to those listings. The current regulations expressly

provide that listings may be extended, as well as revised and promulgated again. Therefore, we have determined that opportunity for prior comment is unnecessary, and we are issuing this regulation as a final rule.

In addition, we find good cause for dispensing with the 30-day delay in the effective date of a substantive rule provided by 5 U.S.C. 553(d)(3). As explained above, we are not making any substantive changes in these body

system listings. Without an extension of the expiration dates for these listings, we will lack the medical evaluation criteria needed for assessing impairments in these body systems at the third step of the sequential evaluation process. In order to ensure that we continue to have these listings in our rules, we find that it is in the public interest to make this final rule effective on the date of publication.

Executive Order 12866

We have consulted with the Office of Management and Budget (OMB) and determined that this final rule does not meet the criteria for a significant regulatory action under Executive Order 12866, as amended. Thus, OMB did not review it. We have also determined that this final rule meets the plain language requirement of Executive Order 12866, as amended.

Regulatory Flexibility Act

We certify that this final rule does not have a significant economic impact on a substantial number of small entities because it affects only individuals. Therefore, a regulatory flexibility analysis, as provided in the Regulatory Flexibility Act, as amended, is not required.

Paperwork Reduction Act

This final rule imposes no reporting/recordkeeping requirements necessitating clearance by OMB.

(Catalog of Federal Domestic Assistance Program Nos. 96.001, Social Security—Disability Insurance; 96.002, Social Security—Retirement Insurance; 96.004, Social Security—Survivors Insurance; 96.006, Supplemental Security Income)

List of Subjects in 20 CFR Part 404

Administrative practice and procedure, Blind, Disability benefits, Old-Age, Survivors and Disability Insurance, Reporting and recordkeeping requirements, Social Security.

Dated: May 27, 2008.

Michael J. Astrue,

Commissioner of Social Security.

■ For the reasons set forth in the preamble, part 404, subpart P, chapter III of title 20 of the Code of Federal Regulations is amended as set forth below.

PART 404—FEDERAL OLD-AGE, SURVIVORS AND DISABILITY INSURANCE (1950—)

Subpart P—[Amended]

■ 1. The authority citation for subpart P of part 404 continues to read as follows:

Authority: Secs. 202, 205(a), (b), and (d)–(h), 216(i), 221(a) and (i), 222(c), 223, 225,

and 702(a)(5) of the Social Security Act (42 U.S.C. 402, 405(a), (b), and (d)–(h), 416(i), 421(a) and (i), 422(c), 423, 425, and 902(a)(5)); sec. 211(b), Pub. L. 104–193, 110 Stat. 2105, 2189; sec. 202, Pub. L. 108–203, 118 Stat. 509 (42 U.S.C. 902 note).

■ 2. Appendix 1 to subpart P of part 404 is amended by revising items 1, 4, 8, 10, 12, and 13 of the introductory text before Part A to read as follows:

Appendix 1 to Subpart P of Part 404—Listing of Impairments

*	*	*	*	*
1. Growth Impairment (100.00): July 1, 2010.				
*	*	*	*	*
4. Respiratory System (3.00 and 103.00): July 1, 2010.				
*	*	*	*	*
8. Hematological Disorders (7.00 and 107.00): July 1, 2010.				
*	*	*	*	*
10. Endocrine System (9.00 and 109.00): July 1, 2010.				
*	*	*	*	*
12. Neurological (11.00 and 111.00): July 1, 2010.				
*	*	*	*	*
13. Mental Disorders (12.00 and 112.00): July 1, 2010.				
*	*	*	*	*

[FR Doc. E8–12124 Filed 5–29–08; 8:45 am]

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 878

[Docket No. FDA–2006–P–0140] (formerly Docket No. 2006P–0071)

General and Plastic Surgery Devices; Reclassification of the Tissue Adhesive for Topical Approximation of Skin Device

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is reclassifying the device type, tissue adhesive for the topical approximation of skin, from class III (premarket approval) into class II (special controls). Tissue adhesives for non-topical uses remain in class III and continue to require premarket approval applications (PMAs). FDA is proposing this reclassification in accordance with the Federal Food, Drug, and Cosmetic Act (the act). Elsewhere in this issue of the **Federal Register**, FDA is announcing the availability of a guidance document entitled “Class II Special Controls Guidance Document:

Tissue Adhesive for the Topical Approximation of Skin” that will serve as the special control for the reclassified device type.

DATES: This final rule is effective June 30, 2008.

FOR FURTHER INFORMATION CONTACT:

George J. Mattamal, Center for Devices and Radiological Health (HFZ–410), Food and Drug Administration, 9200 Corporate Blvd., Rockville, MD 20850, 240–276–3619.

SUPPLEMENTARY INFORMATION:

I. Regulatory Authorities

The act, as amended by the Medical Device Amendments of 1976 (the 1976 amendments) (Public Law 94–295), the Safe Medical Devices Act of 1990 (SMDA) (Public Law 101–629), and the Food and Drug Administration Modernization Act of 1997 (FDAMA) (Public Law 105–115), among other amendments, established a comprehensive system for the regulation of medical devices intended for human use. Section 513 of the act (21 U.S.C. 360c) established three categories (classes) of devices, depending on the regulatory controls needed to provide reasonable assurance of their safety and effectiveness. The three categories of devices are class I (general controls), class II (special controls), and class III (premarket approval).

The 1976 amendments broadened the definition of “device” in section 201(h) of the act (21 U.S.C. 321(h)) to include certain articles that were once regulated as drugs. Under the 1976 amendments, Congress classified all transitional devices, i.e., those devices previously regulated as new drugs, into class III. SMDA amended section 520(l) of the act (21 U.S.C. 360j(l)) to direct FDA to collect certain safety and effectiveness information from the manufacturers of transitional devices still remaining in class III to determine whether the devices should be reclassified into class II (special controls) or class I (general controls). The legislative history of the SMDA reflects congressional concern that many transitional devices were not appropriately regulated in class III (H. Rept. 808, 101st Cong., 2d sess. 26–27 (1990); S. Rept. 513, 101st Cong., 2d sess. 27 (1990)).

Accordingly, in the **Federal Register** of November 14, 1991 (56 FR 57960), FDA issued an order under section 520(l)(5)(A) of the act, requiring manufacturers of transitional devices to submit to FDA a summary of and a citation to any information known or otherwise available to them respecting the devices, including adverse safety or effectiveness information, that had not

been submitted under section 519 of the act (21 U.S.C. 360i). Manufacturers were to submit the summaries and citations to FDA by January 13, 1992. By notice published in the **Federal Register** of March 10, 1992 (57 FR 8462), FDA extended the reporting period to March 31, 1992.

Section 520(l)(5)(B) of the act provides that, after the issuance of an order requiring manufacturers to submit any information known or otherwise available respecting the devices, but before December 1, 1992, FDA was to publish regulations either leaving transitional class III devices in class III or reclassifying them into class I or II. Subsequently, as permitted by section 520(l)(5)(C) of the act, in the **Federal Register** of November 30, 1992 (57 FR 56586), the agency published a notice extending the period for issuing such regulations until December 1, 1993, but did not publish the regulations before December 1, 1993.

II. Regulatory Background of the Device

Transitional devices, those devices formerly regulated as drugs, were classified into class III by the statute and premarket approval was immediately required (section 520(l) of the act). The **Federal Register** of December 16, 1977 (42 FR 63472), identified certain transitional devices and stated the following: "The lists contained in this notice may not be an exhaustive inventory of products subject to section 520(l) of the act." This notice did not specifically list "Tissue Adhesives." The investigational new drug (IND) and new drug applications (NDAs) for transitional devices were shortly thereafter transferred to FDA's Center for Devices and Radiological Health (formerly the Bureau of Medical Devices). Applications for tissue adhesives were included in this transfer. In a January 19, 1982, preamble to a proposed rule classifying other devices (47 FR 2810), "tissue adhesive for use in general surgery," was identified as a transitional device, but listed under injectable silicone. Since enactment of the 1976 amendments, FDA has approved several PMAs and PMA supplements authorizing the commercial distribution of tissue adhesives in the United States.

III. Description of the Device

FDA has referred to this device type, under review for reclassification, in previous notices as "tissue adhesive for use in general surgery"; however, FDA is now revising the name and identification to more accurately identify the device type. The device, reclassified into class II, would be:

Tissue adhesive for the topical approximation of skin. A tissue adhesive for the topical approximation of skin is a device intended for topical closure of surgical incisions, including laparoscopic incisions, and simple traumatic lacerations that have easily approximated skin edges. Tissue adhesives for the topical approximation of skin may be used in conjunction with, but not in place of, deep dermal stitches.

FDA is also issuing the following identification for the devices that will remain in class III:

A tissue adhesive for non-topical use, including adhesives intended for use in the embolization of brain arteriovenous malformation or ophthalmic surgery, is a device used for adhesion of internal tissues and vessels.

IV. Recommendation of the Panel

On February 9, 2006, Regulatory & Clinical Research Institute, Inc. (RCRI), Minneapolis, MN, submitted a petition (Docket No. 2006P-0071) to FDA to reclassify tissue adhesive for soft tissue approximation from "Class III to Class II (special controls)" (Ref. 1). On May 15, 2006, the petitioner amended its petition to include several references from the scientific literature cited in the original petition (Ref. 2). On July 18, 2006, the petitioner again amended its petition to clarify that the use it was proposing for reclassification was only the topical approximation of skin (Ref. 3).

In response to the petition, FDA consulted with the FDA's General and Plastic Surgery Devices Panel (the Panel), regarding reclassification of this device type. The Panel discussed the device type at an August 25, 2006, public meeting and unanimously recommended that the tissue adhesive for the topical approximation of skin be reclassified from class III into class II. The Panel also recommended that a class II guidance document, which the Panel thought should include several voluntary consensus standards, be the special control for the device. The Panel based the recommendations on the information provided by FDA; the presentations to the panel by the petitioner, other manufacturers, and FDA; the Panel's deliberations at the meeting; and the Panel's personal experience with the use of devices for the topical approximation of skin. The Panel did not consider the reclassification of any other use of tissue adhesives.

Accordingly, in the **Federal Register** of July 3, 2007 (72 FR 36398), FDA issued a proposed rule to reclassify the device, tissue adhesive for the topical

approximation of skin, from class III (premarket approval) into class II (special controls). Tissue adhesive for non-topical uses would remain in class III and continue to require PMAs.

V. Comments

FDA invited interested persons to comment on the proposed rule by September 4, 2007. FDA received two comments on the proposed rule. The following is a summary of the comments and FDA's responses. Elsewhere in this issue of the **Federal Register**, portions of the comments which address only the draft guidance document are addressed in the notice of availability announcing the special controls guidance document.

(Comment 1) One comment supported the reclassification of tissue adhesives. The comment noted that the tissue adhesives approved by FDA have had a long history of safety. The comment suggested that tissue adhesives made of other cyanoacrylates with different alkyl groups may have additional benefits for patients. The comment also said that bench testing is more useful than clinical testing to evaluate substantial equivalence due to the many uncontrolled variables. The comment said that manufacturers of new tissue adhesives should be permitted to market their devices through a premarket notification if they are able to demonstrate that their devices are substantially equivalent to the marketed predicate devices.

(Response) FDA agrees that these type devices should be reclassified and intends that manufacturers who are able to demonstrate substantial equivalence to marketed devices within the reclassified generic type will be permitted to market their devices.

(Comment 2) One comment objected that FDA improperly designated the tissue adhesive for the topical approximation of skin as a transitional device. The comment said that the tissue adhesive for the topical approximation of skin does not meet the definition of a transitional device in section 520(l) of the act. The comment noted that an NDA for a tissue adhesive was submitted before the enactment of the 1976 amendments but was subsequently withdrawn before the enactment date. The comment said that, in order for the device to be a transitional device, it is necessary for an IND to have been in effect or for an NDA to have been pending or approved on the enactment date. The comment said that tissue adhesives are devices automatically classified into class III under section 513(f)(1) of the act.

(Response) Section 520(l)(1)(B) provides that a device is a transitional

device if “an application [under section 505(b) of the act was filed on or before the enactment date [of the Medical Device Amendments of 1976] and with respect to which no order of approval or refusing to approve had been issued on such date* * *.” The comment agrees that an application was filed before the enactment date. It is also clear that no order of approval or refusing to approve had been issued before the enactment date. The plain words of the statute do not require that an application be pending on the date of enactment. As noted previously, FDA published a document on January 19, 1982 identifying, among other devices, tissue adhesives as transitional devices. FDA did not receive any objections to this designation until the comment on this proposed rule. Furthermore, even if the device would be considered a postamendments device under section 513(f) of the act, the procedures that FDA followed would be sufficient to reclassify the device. FDA did not follow “truncated procedures” to reclassify the device under the transitional device provisions. FDA referred the petition to an advisory panel that made a recommendation after holding an open public meeting. FDA published the panel recommendation along with the proposed rule and provided interested persons 60 days to comment on the proposal. The criteria for reclassifying a device into class II are identical for transitional devices under section 520(l) of the act and postamendments devices under section 513(f) of the act.

(Comment 3) One comment said that FDA failed to instruct the panel on the appropriate legal standard for reclassification. The comment said that the panel transcript and briefing memorandum show that FDA did not instruct the panel that a reclassification recommendation must be based on valid scientific evidence.

(Response) FDA disagrees. The panel was instructed properly. FDA conducts training sessions prior to the panel meeting for panel members before they undertake their duties. Training for panels considering the reclassification of a transitional device type consists of procedures for the reclassification of a device type, including a transitional device type, and the appropriate regulatory controls for each class of device. Moreover, it is FDA's responsibility to make reclassification decisions after receiving a panel recommendation. In accordance with § 860.7(c)(1) (21 CFR 860.7(c)(1)) the agency relied on valid scientific evidence in determining that special controls, in addition to general controls,

would provide reasonable assurance of the safety and effectiveness of the device.

(Comment 4) One comment said that FDA did not identify an appropriate generic type of device that could be reclassified. The comment said that existing tissue adhesives are significantly different in composition and could not be combined into a single generic type of device. The comment also said there is insufficient publicly available formulation and manufacturing information to establish a generic type of device. Finally, the comments said that even minor differences in product composition can affect the performance of the device.

(Response) FDA disagrees with this comment. The FDA classification regulations (21 CFR 860.3(i)) define generic type of device as “a grouping of devices that do not differ significantly in purpose, design, materials, energy source, function, or any other feature related to safety and effectiveness, and for which similar regulatory controls are sufficient to provide reasonable assurance of safety and effectiveness.” It is not necessary that devices be identical in order to fit within the same generic type. FDA believes that there is sufficient publicly available information from currently marketed tissue adhesives to show that they do not differ significantly in design, materials, and function and that similar regulatory controls are sufficient to provide reasonable assurance of their safety and effectiveness. A manufacturer who wishes to market a new device will need to show in a premarket notification that its device is substantially equivalent in safety and effectiveness to a marketed predicate device.

(Comment 5) Two comments said that there was insufficient valid scientific evidence to support the reclassification. One comment noted that three of the articles submitted are not reports of prospective clinical trials. The comment described one of the articles as a general discussion of tissue adhesives, the second article as a brief description of one facility's 6-month experience with tissue adhesives, and the third article as a retrospective review of eight different clinical studies. The comment further said the 6 FDA-designated representative articles that discuss prospective clinical studies involve limited numbers of subjects with a total of 60 to 100 subjects in each study.

(Response) FDA disagrees with this comment. FDA regulations (§ 860.7(b)(2)) define valid scientific evidence as:

“* * *evidence from well-controlled investigations, partially controlled

studies, studies and objective trials without matched controls, well-documented case histories conducted by qualified experts, and reports of significant human experience with a marketed device, from which it can fairly and responsibly be concluded by qualified experts that there is reasonable assurance of the safety and effectiveness of a device under its conditions of use. The evidence required may vary according to the characteristics of the device, its conditions of use, the existence and adequacy of warnings and other restrictions, and the extent of experience with its use. Isolated case reports, random experience, reports lacking sufficient details to permit scientific evaluation, and unsubstantiated opinions are not regarded as valid scientific evidence to show safety or effectiveness* * *.”

FDA believes that the evidence on the record falls within this definition of valid scientific evidence. The shortcomings of the information alleged by the comment do not take this information out of the category of valid scientific evidence. Literature available to FDA and the Panel included over 1,500 published articles that reported on the use of multiple adhesives in over 5,900 procedures (over 5,500 patients), with more than half evaluated in prospective randomized trials. The study protocols included primary endpoints such as cosmesis, dehiscence, and healing time for the topical skin approximations. As defined in § 860.7(c)(2), randomized prospective trials and peer-reviewed literature constitute valid scientific evidence.

(Comment 6) One comment said that the performance parameters for the device described in the proposal are incomplete. The comment said that missing performance parameters include adherence and endurance (how long the product will remain intact once applied); the ability to potentiate infection; the ability to maintain a microbial barrier; and how the skin reacts to the stabilizing agents. The comment also said that publicly available scientific literature does not yield ranges of values that would constitute acceptable performance on required tests to demonstrate that performance parameters are met.

(Response) FDA disagrees with this comment. FDA believes that the FDA recommendations for premarket notifications in the special controls guidance as well as general controls will adequately address all appropriate performance parameters. Manufacturers who are proposing the introduction of a new tissue adhesive will need to demonstrate substantial equivalence to a

legally marketed predicate device in all safety and effectiveness aspects before FDA will issue a substantial equivalence order. All manufacturers submitting 510(k)s will need to demonstrate the performance characteristics of the device related to adhesive strength, (i.e., tensile strength, shear strength, peel adhesion strength, and impact strength); hydrolytic degradation (i.e., the amount of formulation additives, monomer impurities, and degradation products); heat of polymerization; shelf life; and biocompatibility. FDA believes that these performance characteristics will directly or indirectly address the performance parameters identified in the comment. Where these performance characteristics are shown sufficiently different from currently legally marketed devices, the special controls guidance document indicates that FDA may conclude additional animal testing or clinical assessment is necessary, see sections 10, "Animal Testing," and 11, "Clinical Studies."

(Comment 7) A comment said that FDA has failed to fully identify the risks to health presented by these devices. A comment said that FDA unduly relied upon Medical Device Reports (MDRs) to identify the risks to health and that the MDR system is inadequate to fully identify the risks. A comment said that risks not identified include pain, stinging, or burning upon application, delayed wound healing or tissue toxicity, patients picking off the adhesive, and necrosis.

All of these effects are intrinsic to the risk of adverse tissue reaction and chemical burns except for patient "picking off adhesive." Although foreseeable, it is not intended for patients to "pick off" the adhesive and therefore is not considered a risk to health associated with the intended or otherwise correct use of the device. A comment further said that the risks identified by FDA are not supported by valid scientific evidence because they are developed from the MDR system.

(Response) FDA disagrees with this comment. FDA believes that it has fully identified the significant risks to health presented by these devices. As noted in the proposal, FDA did not rely solely upon the MDR reports to identify the risks to health presented by these devices. FDA also considered the information presented in the petition, presentations at the panel meeting, and the panel recommendation.

(Comment 8) A comment also said that the proposed special controls are inadequate to eliminate or mitigate the risks associated with tissue adhesives. A comment also said that FDA did not present sufficient valid scientific

evidence to support the proposed special controls because almost half of the articles relate to a single device and, therefore, cannot support reclassification of a generic type of device.

(Response) FDA disagrees with the comment. FDA believes that a premarket notification that adequately addresses the recommendations of the special control guidance and adherence to the general controls of the act will mitigate the risks to health associated with these devices and provide reasonable assurance of the safety and effectiveness of the device. In the premarket notification review process, FDA will assure that the device intended for marketing is at least as safe and effective as the legally marketed predicate device. FDA believes that there is adequate valid scientific evidence on the record about all legally marketed tissue adhesives to establish and reclassify a generic type of device. Although many of the articles relate to a single device, there is substantial evidence concerning other marketed devices and that evidence, as well as the remainder of the evidence on the record, provides adequate valid scientific evidence to reclassify a generic type of device.

(Comment 9) One comment stated that bench testing as described in the special controls guidance document is more informative and introduces fewer variables than do animal or clinical studies in evaluating these devices.

(Response) FDA agrees, in general, that animal studies and clinical trials for these devices may not be the most appropriate means to evaluate these devices. FDA intends to request animal or clinical data only when appropriate.

(Comment 10) One comment asked whether the device is subject to current good manufacturing practices (CGMPs).

(Response) When the device is reclassified into class II, it remains subject to the requirements of good manufacturing practices (GMPs) under the Quality System Regulation in part 820 (21 CFR part 820). For more information on the scope of applicability of the Quality System Regulation, please see § 820.1, *Scope*.

(Comment 11) One comment said the bench testing using American Society for Testing and Materials (ASTM) methods described in the guidance does not correlate to device performance in the clinical setting because the ASTM methods do not include acceptance criteria.

(Response) Although FDA agrees these methods do not include acceptance criteria, FDA disagrees with the premise that these methods are

inadequate. The methods described in these standards allow direct comparison of performance characteristics between devices. For those devices where the data demonstrate equivalent performance characteristics, no additional clinical testing would be necessary. Where the performance characteristics are shown by bench testing to be sufficiently different from those of currently legally marketed devices, the special controls guidance document indicates that FDA may conclude additional animal testing or clinical assessment is necessary. See sections 10. Animal Testing and 11. Clinical Studies.

(Comment 12) One comment suggested that heat of polymerization studies recommended in the guidance are not appropriate for materials that cure by non-exothermic mechanisms. The second part of the comment said that FDA should set an upper limit on the amount of heat generated by exothermic mechanisms because of the possibility of burns.

(Response) FDA agrees, in part, with this comment. Heat of polymerization studies are not appropriate methods for evaluating the performance characteristics of materials that cure by non-exothermic mechanisms. As stated in section 5 of the special controls guidance document, a manufacturer proposing to use materials that cure by non-exothermic mechanisms will need to identify the risks specific to those devices by conducting a risk analysis and will need to address the risks identified. FDA disagrees with the second part of the comment. FDA has set no upper threshold for the heat of polymerization because FDA believes the unique properties of each material approved to date require a case-by-case evaluation of the heat generated by polymerization. Addressing this property is intrinsic to addressing the risk of chemical burns, which is one of the risks to health identified in the special controls guidance document.

(Comment 13) One comment said that testing the applicator based on the force to express and that moisture vapor transmission testing are not relevant. The comment also suggested that, depending on the design of the applicator and its components, applicator functionality may be a more relevant test.

(Response) FDA agrees and has revised the guidance accordingly.

(Comment 14) A comment said that clinical trials are necessary to effectively evaluate critical performance parameters. One comment said that the record fails to reveal any new valid

scientific evidence that demonstrates a diminished need for clinical testing.

(Response) FDA generally disagrees with the comment. In accordance with the “least burdensome” provision of section 513(i)(1)(D) of the act, FDA believes that the special controls guidance document recommends the submission of the minimum information that is necessary to making substantial equivalence determinations. In some cases, submission of reports from bench and animal testing and conformance to designated standards may be sufficient to demonstrate substantial equivalence. FDA also states in the special controls guidance that it may recommend the submission of clinical evidence in a premarket notification if the proposed device is dissimilar to the legally marketed predicate device in material formulation, technology, or intended use.

FDA believes that new information includes information developed as a result of a re-evaluation of the data before the agency when the device was originally classified, as well as information not presented, not available, or not developed at that time. (See e.g., *Holland Rantos v. United States Department of Health, Education, and Welfare*, 587 F.2d 1173, 1174 n.1 (D.C. Cir. 1978); *Upjohn v. Finch*, 422 F.2d 944 (6th Cir. 1970); *Bell v. Goddard*, 366 F.2d 177 (7th Cir. 1966).) Re-evaluation of the data previously before the agency is an appropriate basis for subsequent regulatory action where the re-evaluation is made in light of newly available regulatory authority (see *Bell v. Goddard*, supra, 366 F.2d at 181; *Ethicon, Inc. v. FDA*, 762 F.Supp. 382, 389–91 (D.D.C. 1991)), or in light of changes in “medical science.” (See *Upjohn v. Finch*, supra, 422 F.2d at 951.) FDA believes that the information in the reclassification petition together with information presented at the panel meeting and the history of use of the device as known to the panel and FDA is sufficient new information to justify the reclassification.

(Comment 15) One comment said that the premarket notification and GMP requirements will not provide reasonable assurance of the safety and effectiveness of these devices. The comment said that there is no coherent generic type of device that would permit meaningful substantial equivalence comparisons and determinations. The comment also said the premarket notification review process does not afford the same level of manufacturing review as the premarket approval process.

(Response) FDA disagrees with this comment. FDA believes that the

premarket notification process, in conjunction with the special controls guidance document and the general controls of the act, including the GMP requirements, will provide reasonable assurance of the safety and effectiveness of the device. A manufacturer will need to show in a premarket notification that the device it intends to market is at least as safe and effective as a legally marketed predicate device. This provides a device to which meaningful comparisons can be made. While the premarket notification review process does not include a pre-clearance GMP inspection, manufacturers of new tissue adhesive devices will still be required to be in compliance with the GMP requirements at all times.

(Comment 16) One comment noted that tissue adhesives have been considered significant risk devices under the investigational device exemption rule (21 CFR 812.3(m)). The comment expressed concern that reclassification into class II would result in these devices being considered non-significant risk devices and expose patients in studies involving newly developed tissue adhesives to risks without adequate protection.

(Response) Reclassification of these devices into class II is not inconsistent with the designation of these devices as significant risk devices under the investigational device exemption regulations. In the special controls guidance document, FDA states: “If a clinical study is needed to demonstrate substantial equivalence (i.e., conducted prior to obtaining 510(k) clearance of the device), the study must be conducted under the Investigational Device Exemptions (IDE) regulation, 21 CFR Part 812. FDA generally believes that this device is a significant risk device as defined in 21 CFR 812.3(m). In addition to the requirement of having an FDA-approved IDE, sponsors of such trials must comply with the regulations governing institutional review boards (21 CFR Part 56) and informed consent (21 CFR Part 50).”

VI. Risks to Health

After considering the information in the petition, the information presented at the Panel meeting, the Panel’s recommendation, and MDRs, FDA has evaluated the risks to health associated with use of the tissue adhesive for the topical approximation of skin and determined that the following risks to health are associated with its use.

A. Unintentional Bonding or Product Leaks into Eyes

Without adequate protection of the patient’s eye, the adhesive may inadvertently leak onto the eyelids when tissue adhesive is used on the skin near the patient’s eye, for example on the brow or forehead. If this occurs, this can lead to sealing the eyelids shut and can require surgical intervention to remove the adhesive and any bound skin.

B. Wound Dehiscence

Wound dehiscence, the subsequent separation of the edges of the wound, i.e., incision or laceration, during recovery is a risk of all surgical procedures and treatments of traumatic wounds. Complications, which include re-sealing the wound and surgical revision of the wound with adhesive or sutures, can arise as a result of wound dehiscence. These complications have the potential to delay the patient’s recovery.

C. Adverse Tissue Reaction and Chemical Burns

Tissue adhesive may be associated with adverse tissue reactions, including allergy, inflammation, foreign body reactions, erythema (redness), granuloma, and the exacerbation of asthma. In addition, fumes given off by the adhesive before or during polymerization can cause chemical burns.

D. Infection

Infection of the skin or soft tissue is a risk to health associated with all surgical procedures and wound treatment. If the tissue adhesive is not properly sterilized, it may contribute to an increased risk of infection.

E. Applicator Malfunction

Inadequate packaging of the device or user error when opening the packaging can result in damage to the applicator and subsequent malfunction. If an applicator malfunctions, surgery may be extended, resulting in additional time under anesthesia, or treatment may be delayed. In addition, if the adhesive is packaged in a glass container, lacerations to the user or the patient may result if the glass breaks.

F. Delayed Polymerization

Polymerization of the adhesive may be delayed, resulting in compromise of the wound, additional time under anesthesia, or delayed treatment.

VII. Summary of the Reasons for the Reclassification

FDA believes that a tissue adhesive for the topical approximation of skin should be reclassified into class II because special controls, in addition to general controls, would provide reasonable assurance of the safety and effectiveness of the device. FDA believes there is sufficient information to establish special controls to provide such assurance. In addition to the potential risks to health associated with use of a tissue adhesive for the topical skin approximation described in section V of this document, there is reasonable knowledge of the benefits of the device. Specifically, the tissue adhesive for the topical approximation of skin may prevent extended bleeding in the repair of surgical incisions and traumatic lacerations, promote healing of

approximated wound edges, and reduce pain and recovery time.

VIII. Special Controls

In addition to general controls, FDA believes that the guidance document entitled "Class II Special Controls Guidance Document: Tissue Adhesive for the Topical Approximation of Skin" (the class II special controls guidance document) is a special control adequate to address the risks to health associated with the use of the device described in section V of this document. FDA believes that the class II special controls guidance document, which incorporates voluntary consensus standards and describes labeling recommendations, in addition to general controls, provides reasonable assurance of the safety and effectiveness of the device. Elsewhere in this issue of the **Federal Register**, FDA is publishing a notice of availability of

the class II special controls guidance document that is the special control for this device.

The class II special controls guidance document sets forth the information FDA believes should be included in premarket notification submissions (510(k)s) for the tissue adhesive for the topical approximation of skin. FDA has identified the risks to health associated with the use of the device in the first column of table 1 of this document and the recommended mitigation measures identified in the class II special controls guidance document in the second column of table 1. FDA believes that addressing these risks to health in a 510(k) in the manner identified in the class II special controls guidance document, or in an acceptable alternative manner, is necessary to provide reasonable assurance of the safety and effectiveness of the device.

TABLE 1.—RISKS TO HEALTH AND MITIGATION MEASURES

Identified Risk	Recommended Mitigation Measures
Unintentional bonding or product leaks into eyes	Bench testing Labeling
Wound dehiscence	Bench testing Shelf-life testing Animal testing Labeling
Adverse tissue reaction and chemical burns	Biocompatibility Animal testing
Infection	Bench testing Sterility
Applicator malfunction	Bench testing
Delayed polymerization	Bench testing Animal testing

IX. FDA's Findings

As discussed previously in this document, FDA believes the tissue adhesive for the topical approximation of skin can be reclassified into class II because special controls, in addition to general controls, provide reasonable assurance of the safety and effectiveness of the device and because there is sufficient information to establish special controls to provide such assurance. FDA, therefore, is reclassifying the device into class II and establishing the draft class II special controls guidance document as a special control for the device. Tissue adhesives for non-topical use will remain in class III and continue to require PMAs.

Section 510(m) of the act (21 U.S.C. 360) provides that a class II device may be exempted from the premarket notification requirements under section

510(k) of the act, if the agency determines that premarket notification is not necessary to provide reasonable assurance of the safety and effectiveness of the device. For this device, for the reasons discussed previously, FDA believes that premarket notification is necessary to provide reasonable assurance of safety and effectiveness and, therefore, does not intend to exempt the device from the premarket notification requirements.

X. Environmental Impact

The agency has determined under 21 CFR 25.34(b) 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.

XI. Analysis of Impacts

FDA has examined the impacts of the final rule under Executive Order 12866, the Regulatory Flexibility Act (5 U.S.C. 601–612), and the Unfunded Mandates Reform Act of 1995 (Public Law 104–4)). Executive Order 12866 directs agencies to assess all costs and benefits of available regulatory alternatives and, when regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety, and other advantages; distributive impacts; and equity). The agency believes that this final rule is not a significant regulatory action under the Executive order.

The Regulatory Flexibility Act requires agencies to analyze regulatory options that would minimize any significant impact of a rule on small

entities. Reclassification of this device when it is used for the topical approximation of skin, from class III to class II, will relieve manufacturers of the device of the cost of complying with the premarket approval requirements in section 515 of the act (21 U.S.C. 360e). Because reclassification will reduce regulatory costs with respect to this device, the agency certifies that the rule will not have a significant economic impact on a substantial number of small entities.

Section 202(a) of the Unfunded Mandates Reform Act of 1995 requires that agencies prepare a written statement, which includes an assessment of anticipated costs and benefits, before proposing "any rule that includes any Federal mandate that may result in the expenditure by State, local, and tribal governments, in the aggregate, or by the private sector, of \$100,000,000 or more (adjusted annually for inflation) in any one year." The current threshold after adjustment for inflation is \$127 million, using the most current (2006) Implicit Price Deflator for the Gross Domestic Product. FDA does not expect this rule to result in any 1-year expenditure that would meet or exceed this amount.

XII. Federalism

FDA has analyzed this final rule in accordance with the principles set forth in Executive Order 13132. FDA has determined that the rule does not contain policies that have substantial direct effects on the States, on the relationship between the National Government and the States, or on the distribution of power and responsibilities among the various levels of government. Accordingly, the agency has concluded that the rule does not contain policies that have federalism implications as defined in the Executive order and, consequently, a federalism summary impact statement is not required.

XIII. Paperwork Reduction Act of 1995

This final rule contains no collections of information. Therefore, clearance by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 is not required. Elsewhere in this issue of the **Federal Register**, FDA is issuing a notice announcing the guidance for the final rule. This guidance, "Class II Special Controls Guidance Document: Tissue Adhesive for the Topical Approximation of Skin," references previously approved collections of information found in FDA regulations.

XIV. References

The following references have been placed on display in the Division of Dockets Management (HFA-305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852 and may be seen by interested persons between 9 a.m. and 4 p.m., Monday through Friday.

1. Regulatory & Clinical Research Institute, Inc. (RCRI), reclassification petition, Docket No. 2006P-0071, Minneapolis, MN, February 9, 2006.
2. Regulatory & Clinical Research Institute, Inc., reclassification petition, Docket No. 2006P-0071, Minneapolis, MN, May 15, 2006.
3. Regulatory & Clinical Research Institute, Inc., reclassification petition, Docket No. 2006P-0071, Minneapolis, MN, July 18, 2006.
4. General and Plastic Surgery Devices Panel, transcript, pp. 199 to 207, August 25, 2006.

List of Subjects in 21 CFR Part 878

Medical devices.

■ Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs, 21 CFR part 878 is amended as follows:

PART 878—GENERAL AND PLASTIC SURGERY DEVICES

■ 1. The authority citation for 21 CFR part 878 continues to read as follows:

Authority: 21 U.S.C. 351, 360, 360c, 360e, 360j, 360l, 371.

■ 2. Section 878.4010 is added to subpart E to read as follows:

§ 878.4010 Tissue adhesive.

(a) *Tissue adhesive for the topical approximation of skin*—(1) *Identification.* A tissue adhesive for the topical approximation of skin is a device intended for topical closure of surgical incisions, including laparoscopic incisions, and simple traumatic lacerations that have easily approximated skin edges. Tissue adhesives for the topical approximation of skin may be used in conjunction with, but not in place of, deep dermal stitches.

(2) *Classification.* Class II (special controls). The special control for this device is FDA's "Class II Special Controls Guidance Document: "Tissue Adhesive for the Topical Approximation of Skin." See § 878.1(e) of this chapter for the availability of this guidance document.

(b) *Tissue adhesive for non-topical use*—(1) *Identification.* A tissue adhesive for non-topical use, including adhesives intended for use in the embolization of brain arteriovenous

malformation or for use in ophthalmic surgery, is a device used for adhesion of internal tissues and vessels.

(2) *Classification.* Class III (premarket approval). As of May 28, 1976, an approval under section 515 of the act is required before this device may be commercially distributed. See § 878.3 of this chapter.

Dated: May 21, 2008.

Daniel G. Schultz,

Center for Devices and Radiological Health.
[FR Doc. E8-12078 Filed 5-29-08; 8:45 am]

BILLING CODE 4160-01-S

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

49 CFR Parts 1114, 1121, 1150, and 1180

[STB Ex Parte No. 575 (Sub-No. 1)]

Disclosure of Rail Interchange Commitments

AGENCY: Surface Transportation Board, Department of Transportation.

ACTION: Final rule.

SUMMARY: The Surface Transportation Board is amending its regulations to require that parties seeking to obtain an individual exemption for, or to invoke a class exemption covering, a transaction involving the sale or lease of a railroad line identify any provision in their agreements that would restrict the ability of the purchaser or tenant railroad to interchange traffic with a rail carrier other than the seller or landlord railroad (interchange commitment). The rules also provide a procedure whereby a shipper or other affected party may obtain access to such provisions. The Board is adopting these regulations to facilitate the case-specific review of challenges involving interchange commitments and to facilitate the Board's monitoring of their usage. The final rule appears below.

DATES: *Effective Date:* This rule is effective on June 29, 2008.

FOR FURTHER INFORMATION CONTACT: Joseph H. Dettmar (202) 245-0395. [Federal Information Relay Service (FIRS) for the hearing impaired: 1-800-877-8339.]

SUPPLEMENTARY INFORMATION: Additional information and background on the regulations appear in our written decision in *Disclosure of Rail Interchange Commitments*, STB Ex Parte No. 575 (Sub-No. 1), which is being served along with this notice.

Except as noted in this agency's decision adopting the final rules, the

comments received in response to our prior notice give us no reason to modify the regulations as proposed. In our decision, we have addressed arguments that the disclosure of interchange commitments that we are seeking is more extensive than necessary, or not extensive enough, for proper performance of our statutory functions. No party has challenged our burden estimates or proposed a way to further minimize the burden on respondents from collection of the information¹ and still provide the required information.

Board decisions, notices, and filings are available on our Web site at <http://www.stb.dot.gov>.

Pursuant to the Paperwork Reduction Act (PRA), 44 U.S.C. 3501 *et seq.*, and Office of Management and Budget (OMB) regulations at 5 CFR 1320.11, the Surface Transportation Board has obtained OMB approval for the collection of information adopted here.

This collection of information has been assigned OMB Control No. 2140-0016. Unless renewed, OMB approval expires on January 31, 2011. The display of a currently valid OMB control number for this collection is required by law. Under the PRA and 5 CFR 1320.8, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection displays a currently valid OMB control number.

Pursuant to 5 U.S.C. 605(b), we reaffirm our finding in the **Federal Register** on November 2, 2007, that our action in this proceeding will not have a significant impact on a substantial number of small entities.

List of Subjects

49 CFR Part 1114

Administrative practice and procedure.

49 CFR Parts 1121 and 1150

Administrative practice and procedure, Railroads.

49 CFR Part 1180

Administrative practice and procedure, Railroads, Reporting and recordkeeping requirements.

Authority: 49 U.S.C. 721, 5 U.S.C. 553.

Decided: May 21, 2008.

By the Board, Chairman Nottingham, Vice Chairman Mulvey, and Commissioner Buttrey.

Anne K. Quinlan,

Acting Secretary.

■ For the reasons set forth in the preamble, parts 1114, 1121, 1150, and 1180, of title 49, chapter X, of the Code of Federal Regulations are amended as follows:

PART 1114—EVIDENCE; DISCOVERY

■ 1. The authority citation for part 1114 continues to read as follows:

Authority: 5 U.S.C. 559; 49 U.S.C. 721.

■ 2. Amend § 1114.30 by adding paragraph (d) to read as follows:

§ 1114.30 Production of documents and records and entry upon land for inspection and other purposes.

* * * * *

(d) *Agreements containing interchange commitments.* In any proceeding involving the reasonableness of provisions related to an existing rail carrier sale or lease agreement that serve to induce a party to the agreement to interchange traffic with another party to the agreement, rather than with a third-party connecting carrier, whether by outright prohibition, per-car penalty, adjustment in the purchase price or rental, positive economic inducement, or other means, a party to the proceeding with a need for the information may obtain a confidential, complete version of the agreement, with the prior approval of the Board. The party seeking such approval must file an appropriate motion containing an explanation of the party's need for the information and a draft protective order and undertaking(s) that will ensure the agreement is kept confidential. The motion seeking approval may be filed at any time after the initial complaint or petition, including before the answer to the complaint or petition is due. A reply to such a motion must be filed within 5 days thereafter. The motion will be considered by the Board in an expedited manner.

PART 1121—RAIL EXEMPTION PROCEDURES

■ 3. The authority citation for part 1121 continues to read as follows:

Authority: 49 U.S.C. 10502 and 10704.

■ 4. Amend § 1121.3 by adding paragraph (d) to read as follows:

§ 1121.3 Content.

* * * * *

(d) *Transactions imposing interchange commitments.* (1) If a

proposed acquisition or operation of a rail line involves a provision or agreement that may limit future interchange with a third-party connecting carrier, whether by outright prohibition, per-car penalty, adjustment in the purchase price or rental, positive economic inducement, or other means ("interchange commitment"), the following additional information must be provided:

(i) The existence of that provision or agreement and identification of the affected interchange points; and

(ii) A confidential, complete version of the document(s) containing or addressing that provision or agreement, which may be filed with the Board under 49 CFR 1104.14(a) and will be kept confidential without need for the filing of an accompanying motion for a protective order under 49 CFR 1104.14(b).

(2) To obtain information about an interchange commitment for use in a proceeding before the Board, a shipper or other affected party may be granted access to the confidential documents filed pursuant to paragraph (d)(1) of this section by filing, and serving upon the petitioner, a "Motion for Access to Confidential Documents," containing:

(i) An explanation of the party's need for the information; and

(ii) An appropriate draft protective order and confidentiality undertaking(s) that will ensure that the documents are kept confidential.

(3) Deadlines.

(i) Replies to a Motion for Access are due within 5 days after the motion is filed.

(ii) The Board will rule on a Motion for Access within 30 days after the motion is filed.

(iii) Parties must produce the relevant documents within 5 days of receipt of a Board approved, signed confidentiality agreement.

PART 1150—CERTIFICATE TO CONSTRUCT, ACQUIRE, OR OPERATE RAILROAD LINES

■ 5. The authority citation for part 1150 continues to read as follows:

Authority: 49 U.S.C. 721(a), 10502, 10901, and 10902.

■ 6. Amend § 1150.33 by adding paragraph (h) to read as follows:

§ 1150.33 Information to be contained in notice—transactions that involve creation of Class III carriers.

* * * * *

(h) *Transactions imposing interchange commitments.* (1) If a proposed acquisition or operation of a rail line or change of operators involves

¹ In the discussion pertaining to small entities in our notice published on November 2, 2007, we explained why the burden of collection would be minimal. No party has disputed our explanation.

a provision or agreement that may limit future interchange with a third-party connecting carrier, whether by outright prohibition, per-car penalty, adjustment in the purchase price or rental, positive economic inducement, or other means ("interchange commitment"), the following additional information must be provided:

(i) The existence of that provision or agreement and identification of the affected interchange points; and

(ii) A confidential, complete version of the document(s) containing or addressing that provision or agreement, which may be filed with the Board under 49 CFR 1104.14(a) and will be kept confidential without need for the filing of an accompanying motion for a protective order under 49 CFR 1104.14(b).

(2) To obtain information about an interchange commitment for use in a proceeding before the Board, a shipper or other affected party may be granted access to the confidential documents filed pursuant to paragraph (h)(1) of this section by filing, and serving upon the petitioner, a "Motion for Access to Confidential Documents," containing:

(i) An explanation of the party's need for the information; and

(ii) An appropriate draft protective order and confidentiality undertaking(s) that will ensure that the documents are kept confidential.

(3) Deadlines.

(i) Replies to a Motion for Access are due within 5 days after the motion is filed.

(ii) The Board will rule on a Motion for Access within 30 days after the motion is filed.

(iii) Parties must produce the relevant documents within 5 days of receipt of a Board approved, signed confidentiality agreement.

■ 7. Amend § 1150.43 by adding paragraph (h) to read as follows:

§ 1150.43 Information to be contained in notice for small line acquisitions.

* * * * *

(h) *Transactions imposing interchange commitments.* (1) If a proposed acquisition or operation of a rail line or change of operators involves a provision or agreement that may limit

future interchange with a third-party connecting carrier, whether by outright prohibition, per-car penalty, adjustment in the purchase price or rental, positive economic inducement, or other means ("interchange commitment"), the following additional information must be provided:

(i) The existence of that provision or agreement and identification of the affected interchange points; and

(ii) A confidential, complete version of the document(s) containing or addressing that provision or agreement, which may be filed with the Board under 49 CFR 1104.14(a) and will be kept confidential without need for the filing of an accompanying motion for a protective order under 49 CFR 1104.14(b).

(2) To obtain information about an interchange commitment for use in a proceeding before the Board, a shipper or other affected party may be granted access to the confidential documents filed pursuant to paragraph (h)(1) of this section by filing, and serving upon the petitioner, a "Motion for Access to Confidential Documents," containing:

(i) An explanation of the party's need for the information; and

(ii) An appropriate draft protective order and confidentiality undertaking(s) that will ensure that the documents are kept confidential.

(3) Deadlines.

(i) Replies to a Motion for Access are due within 5 days after the motion is filed.

(ii) The Board will rule on a Motion for Access within 30 days after the motion is filed.

(iii) Parties must produce the relevant documents within 5 days of receipt of a Board approved, signed confidentiality agreement.

PART 1180—RAILROAD ACQUISITION, CONTROL, MERGER, CONSOLIDATION PROJECT, TRACKAGE RIGHTS, AND LEASE PROCEDURES

■ 8. The authority citation for part 1180 continues to read as follows:

Authority: 5 U.S.C. 553 and 559; 11 U.S.C. 1172; 49 U.S.C. 721, 10502, 11323–11325.

■ 9. Amend § 1180.4 by adding paragraph (g)(4) to read as follows:

§ 1180.4 Procedures.

(g) *Notice of exemption.* * * *

(4) *Transactions imposing interchange commitments.* (i) If a proposed acquisition or operation of a rail line involves a provision or agreement that may limit future interchange with a third-party connecting carrier, whether by outright prohibition, per-car penalty, adjustment in the purchase price or rental, positive economic inducement, or other means ("interchange commitment"), the following additional information must be provided:

(A) The existence of that provision or agreement and identification of the affected interchange points; and

(B) A confidential, complete version of the document(s) containing or addressing that provision or agreement, which may be filed with the Board under 49 CFR 1104.14(a) and will be kept confidential without need for the filing of an accompanying motion for a protective order under 49 CFR 1104.14(b).

(ii) To obtain information about an interchange commitment for use in a proceeding before the Board, a shipper or other affected party may be granted access to the confidential documents filed pursuant to § 1180.4(g)(4)(i) of this section by filing, and serving upon the petitioner, a "Motion for Access to Confidential Documents," containing:

(A) An explanation of the party's need for the information; and

(B) An appropriate draft protective order and confidentiality undertaking(s) that will ensure that the documents are kept confidential.

(iii) Deadlines.

(A) Replies to a Motion for Access are due within 5 days after the motion is filed.

(B) The Board will rule on a Motion for Access within 30 days after the motion is filed.

(C) Parties must produce the relevant documents within 5 days of receipt of a Board approved, signed confidentiality agreement.

[FR Doc. E8–11952 Filed 5–29–08; 8:45 am]

BILLING CODE 4915–01–P

Proposed Rules

Federal Register

Vol. 73, No. 105

Friday, May 30, 2008

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Parts 944, 980, and 999

[Docket No. AMS-FV-07-0110; FV07-944/980/999-1 PR]

Fruit, Vegetable, and Specialty Crops—Import Regulations; Proposed Revision to Reporting Requirements

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Proposed rule.

SUMMARY: This rule would revise the reporting requirements for imports of commodities regulated under § 608(e) (hereinafter referred to as “8e”) of the Agricultural Marketing Agreement Act of 1937. These changes would require that the inspection certificates generated for each lot of such commodities include the Entry Number from the Customs and Border Patrol (CBP) documentation that accompanies that lot. The proposed changes would also require that importers of raisins, dates, and dried prunes report products exempt from 8e import regulations on AMS Form FV-6—“Importers’ Exempt Commodity Form,” which is the same form that is currently used by importers of all other commodities exempt from 8e import regulations. This proposal also announces the Agricultural Marketing Service’s (AMS) intention to request revisions to a currently-approved information collection for specified exempt import commodities. These changes are intended to streamline the tracking of imported products and provide uniformity in electronic reporting systems used by the industries and the Department of Agriculture (USDA).

DATES: Comments must be received by July 29, 2008. Pursuant to the Paperwork Reduction Act, comment on the information collection burden that would result from this action must be received by July 29, 2008.

ADDRESSES: Interested persons are invited to submit written comments concerning this proposal. Comments should be sent to the Docket Clerk, Marketing Order Administration Branch, Fruit and Vegetable Programs, AMS, USDA, 1400 Independence Avenue, SW., STOP 0237, Washington, DC 20250-0237; Fax: (202) 720-8938; or Internet: <http://www.regulations.gov>. All 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.regulations.gov>.

FOR FURTHER INFORMATION CONTACT: Rick Lower or Jared Burnett, Marketing Order Administration Branch, Fruit and Vegetable Programs, AMS, USDA, 1400 Independence Avenue, SW., Stop 0237, Washington, DC 20250-0237; Telephone: (202) 720-2491, Fax: (202) 720-8938, or E-mail: Richard.Lower@usda.gov or JaredK.Burnett@usda.gov.

Small businesses may request information on complying with this regulation by contacting Jay Guerber, Marketing Order Administration Branch, Fruit and Vegetable Programs, AMS, USDA, 1400 Independence Avenue, SW., STOP 0237, Washington, DC 20250-0237; Telephone: (202) 720-2491, Fax: (202) 720-8938, or E-mail: Jay.Guerber@usda.gov.

SUPPLEMENTARY INFORMATION: This proposed rule is issued under section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), hereinafter referred to as the “Act.” Section 8e provides that whenever certain commodities are regulated under Federal marketing orders, imports of those commodities into the United States are prohibited unless they meet the same or comparable grade, size, quality, or maturity requirements as those in effect for the domestically produced commodities. To ensure that these requirements are met, the Act also authorizes USDA to perform inspections and issue inspection certificates for such imported commodities.

Parts 944, 980, and 999 of title 7 of the Code of Federal Regulations (CFR) specify the information that should be included on each inspection certificate issued for regulated imports of fruits, vegetables, and specialty crops,

respectively. Part 999 further specifies which forms importers should use to report to USDA and CBP imports of raisins, dates, and dried prunes that may be exempt from other 8e requirements. Exempt commodities are those which may be imported for purposes such as processing, donation to charitable organizations, or animal feed.

USDA is issuing this rule in conformance with Executive Order 12866.

There are no administrative procedures which must be exhausted prior to any judicial challenge to the provisions of import regulations issued under section 8e of the Act.

Customs Entry Number

Under the import regulations contained in parts 944, 980, and 999, inspection certificates issued for imports of certain fruits, vegetables, and specialty crops, respectively, must include specific information about the lot being inspected. In addition to stating whether the lot meets the import requirements, such information as the date and place of inspection; the name of the applicant; and the variety, quantity, and identifying marks of the lot inspected are required.

Currently, many inspectors note the customs Entry Number pertaining to the lot being inspected, which is taken from the customs documentation accompanying that lot, in the “Remarks” section or elsewhere on the inspection certificate. The unique Entry Number is generated for each lot by CBP, and may be found on any one of the various forms used to report imported lots of fruit, vegetable, and specialty crop commodities. USDA has found that the Entry Number provides an efficient way to identify individual lots of commodities and to cross-reference all the documents pertaining to each lot. If, for instance, a certain lot fails to meet import regulations when first presented, it may be reworked and presented for inspection a second time. The Entry Number is used to tie both the original and any succeeding inspections to that lot. Additionally, if a lot that fails to meet import requirements is diverted to another market or destroyed, USDA and the importer can use the Entry Number to track that lot through the process.

This rule would make the inclusion of the customs Entry Number on all

pertinent inspection certificates mandatory. Including the Entry Number on inspection certificates would allow importers to more easily demonstrate that the requirements have been met for each lot of regulated commodity imported into the United States. This action would also allow USDA to more easily track imported lots.

Form FV-6

Under the import regulations contained in parts 944, 980, and 999, individual lots of some imported commodities may be exempt from 8e regulations if they are to be used in the processing of other products or consumed through some other exempted use, such as by charitable organizations or as animal feed. However, importers and receivers are still required to declare intent to import those commodities into the United States to CBP and USDA. Most commodities are reported using the generic Form FV-6—"Importer's Exempt Commodity Form."

Exempt imports of two commodities—raisins and dates—are currently reported on forms unique to those commodities. Exempt imports of raisins are reported on Raisin Form No. 1—"Raisins—Section 8e Entry Declaration" and Raisin Form No. 2—"Raisins—Section 8e Certification of Processor of Reseller." Exempt imports of dates are reported on Date Form No. 1—"Dates—Section 8e Entry Declaration" and Date Form No. 2—"Dates—Section 8e Certification of Processor of Reseller."

The 8e regulations for dried prunes were indefinitely suspended on May 27, 2005. The suspended language in § 999.200 specifies that exempt imports of dried prunes are reported on Prune Form No. 1—"Prunes—Section 8e Entry Declaration" and Prune Form No. 2—"Prunes—Section 8e Certification of Processor of Reseller." Those forms would be used if the suspension was lifted in the future.

This rule would change the reporting requirements for imported lots of raisins, dates, and dried prunes that are exempt from other 8e regulations by replacing the commodity-specific import declaration forms described above with the generic Form FV-6. The information collected on Raisin, Date, and Prune Forms 1 and 2 is the same as that collected for other commodities reported on Form FV-6. In its conversion to the use of electronic reporting systems, USDA is adopting the use of an electronic Form FV-6 to monitor imports of regulated commodities that are exempt from the import requirements. Replacing the

existing raisin, date, and dried prune Forms 1 and 2 with the generic Form FV-6 would enable USDA to streamline its operations by collecting information electronically and eliminating unnecessary forms.

Initial Regulatory Flexibility Analysis

Pursuant to the requirements set forth in the Regulatory Flexibility Act (RFA), AMS has considered the economic impact of this proposed 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. Import regulations issued under the Act are based on those established under Federal marketing orders.

Small agricultural business firms, which include importers and receivers of these commodities, have been defined by the Small Business Administration (13 CFR 121.601) as those having annual receipts of less than \$6,500,000. It is likely that the majority of these importers and receivers may be classified as small entities.

This rule would revise the reporting requirements for imports of commodities regulated under section 8e by requiring that the Entry Number from the CBP documentation that accompanies each shipment is included on all inspection certificates pertaining to that lot. Specifically, regulations under part 944 pertaining to imports of avocados, grapefruit, table grapes, kiwifruit, oranges, fresh prunes (plums), and olives; part 980 pertaining to Irish potatoes, onions, and tomatoes; and part 999 pertaining to dates, walnuts, dried prunes, raisins, and filberts (hazelnuts) would be revised.

Requiring that the customs Entry Number be included on the inspection certificates should have very little impact on importers or receivers. The customs documentation containing the Entry Number assigned to each shipment normally accompanies the shipment and should be available at the time of inspection. The inspector would note the Entry Number on the inspection certificate. This is already being done by many inspectors. The inspection certificate is completed by Federal or Federal-State employees. Therefore, there is no regulatory burden on small entities.

The proposed action would further modify part 999 by requiring that importers and receivers of raisins, dates, and dried prunes report products exempt from 8e import regulations on Form FV-6—"Importer's Exempt Commodity Form," instead of the commodity-specific forms currently prescribed for those shipments. Form FV-6 is the same form that is currently used by importers and receivers to report exempted shipments of all other section 8e commodities. There are an estimated 329 importers and receivers of all exempt commodities. These changes are intended to streamline the tracking of imported products and provide uniformity in electronic reporting systems used by the industries and USDA.

It is estimated that 5 importers and 5 receivers of imported raisins for processing, and 5 importers and 10 receivers of imported dates for processing, would be required to replace Raisin and Date Forms No. 1 and 2 with Form FV-6 as a result of this proposed rule. As mentioned above, the domestic order regulations for dried prunes have been suspended. Therefore, the section 8e regulations for imported dried prunes are also suspended. It is unknown how many dried prune importers and receivers would be affected by this rule if the suspension was lifted.

Replacing Raisin, Date, and Prune Forms 1 & 2 with the generic Form FV-6 would eliminate the need to stock various commodity-specific forms. Use of an electronic Form FV-6 would further improve business efficiency for those required to file the reports as well as for USDA.

Raisin, Date, and Prune Forms No. 1 and 2 are currently approved by the Office of Management and Budget (OMB) under OMB No. 0581-0178, "Vegetable and Specialty Crop Marketing Orders" for 48.5 burden hours. Form FV-6 is currently approved by OMB under OMB No. 0581-0167, "Specified Commodities Imported into the United States Exempt from Import Requirements." This rule would remove 48.5 burden hours from OMB No. 0581-0178, and transfer that burden as an increase to OMB No. 0581-0167. This change in burden will be addressed in a revision to a currently approved information collection under OMB No. 0581-0167. The change in burden is explained in the Paperwork Reduction Act section below.

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

Interested persons are invited to submit comments on this proposed rule, including 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.

A 60-day comment period is provided to allow interested persons to respond to this proposal. All written comments timely received will be considered before a final determination is made on this matter.

Paperwork Reduction Act

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), AMS announces its intention to submit a revision to a currently-approved information collection.

Title: Specified Commodities Imported Into the United States Exempt from Import Requirements, 7 CFR Parts 944, 980, and 999.

OMB Number: 0581-0167.

Type of Request: Revision.

Abstract: Section 8e of the Act requires that whenever the Secretary of Agriculture issues grade, size, quality, or maturity regulations under domestic marketing orders for certain commodities, the same or comparable regulations on imports of those commodities must be issued. Import regulations apply only during those periods when domestic marketing order regulations are in effect.

Currently, the following commodities are subject to Section 8e import regulations: Avocados, dates (other than dates for processing), hazelnuts, grapefruit, table grapes, kiwifruit, olives (other than Spanish-style olives), onions, oranges, Irish potatoes, dried prunes (suspended), fresh prunes, raisins, tomatoes, and walnuts. However, imports of these commodities are exempt from such requirements if they are imported for such outlets as processing, charity, animal feed, seed, and distribution to relief agencies when those outlets are exempt under the applicable marketing orders.

Safeguard procedures in the form of importer and receiver reporting requirements are used to ensure that the imported commodities are shipped to authorized exempt outlets. Reports required under the safeguard procedures are similar to the reports currently required by most domestic marketing orders. The following import regulations require importers and receivers of imported fruit, vegetable, and specialty

crops to submit reports: (1) Fruits; import regulations (7 CFR part 944.350); (2) vegetables; import regulations (7 CFR part 980.501); and (3) Specialty crops; import regulations (7 CFR part 999.500).

When required to do so under the above regulations, an importer wishing to import commodities for exempt purposes completes, prior to importation, an "Importer's Exempt Commodity Form," Form FV-6, which is a four-part form. The first copy is presented to U.S. Customs and Border Protection, Department of Homeland Security. The second copy is filed with the Marketing Order Administration Branch (MOAB) of the Fruit and Vegetable Programs, AMS, within two days after the commodity enters the United States. The third copy of the form accompanies the exempt shipment to its intended destination. The receiver certifies that the commodity has been received and that it will be utilized for authorized exempt purposes. The receiver then files the third copy with MOAB within two days after receiving the commodity. The fourth copy is retained by the importer.

USDA utilizes this information to ensure that imported goods destined for exempt outlets are given no less favorable treatment than that afforded domestic goods destined for such exempt outlets. These exemptions are consistent with Section 8e import regulations under the Act.

Form FV-6 requires the minimum amount of information necessary to effectively carry out the requirements of the Act, and its use is necessary to fulfill the intent of the Act and to administer Section 8e compliance activities.

USDA is currently in the process of converting the four-part Form FV-6 to an electronic format. It is expected that use of the electronic reporting system will reduce the time needed to complete and submit Form FV-6.

The information collection package for which this notice of extension and revision is provided contains one other form, "Civil Penalty Stipulation Agreement," Form FV-7, which was not addressed in this rule. There are no proposed revisions to Form FV-7. The sole requirement for this form is the respondent's signature. Therefore, there is no burden associated with it.

The information collected through this package is used primarily by authorized representatives of USDA, including AMS' Fruit and Vegetable Programs' regional and headquarters staff.

Estimate of Burden: The public reporting burden for this information collection is estimated to average 0.08 hours per response.

Respondents: Importers and receivers of exempt commodities.

Estimated Number of Respondents: 329.

Estimated Total Annual Responses: 9,131.

Estimated Number of Responses per Respondent: 27.75.

Estimated Total Annual Burden on Respondents: 755.69 hours.

Comments are invited on: (1) Whether the proposed collection of information is necessary for the proper performance of USDA functions, including whether the information will have practical utility; (2) the accuracy of USDA's estimate of the burden of the proposed collection of information including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Comments on the information collection should reference OMB No. 0581-0167 and "Specified Commodities Imported into the United States Exempt from Import Requirements." Comments should be sent to the Docket Clerk at the previously-mentioned address or submitted via the Internet at <http://www.regulations.gov>.

All responses to this notice will be summarized and included in the request for OMB approval. All comments received will become a matter of public record and will be available for public inspection during regular business hours at the same address or at <http://www.regulations.gov>.

AMS is committed to compliance with the Government Paperwork Elimination Act, which requires government agencies in general to provide the public with the option of submitting information or transacting business electronically to the maximum extent possible.

List of Subjects

7 CFR Part 944

Avocados, Food grades and standards, Grapefruit, Grapes, Imports, Kiwifruit, Limes, Olives, Oranges.

7 CFR Part 980

Food grades and standards, Imports, Marketing agreements, Onions, Potatoes, Tomatoes.

7 CFR Part 999

Dates, Filberts, Food grades and standards, Imports, Nuts, Prunes,

Raisins, Reporting and recordkeeping requirements, Walnuts.

For the reasons set forth above, 7 CFR parts 944, 980, and 999 are proposed to be amended as follows:

1. The authority citation for 7 CFR parts 944, 980, and 999 continues to read as follows:

Authority: 7 U.S.C. 601–674.

PART 944—FRUITS; IMPORT REGULATIONS

2. In § 944.400, paragraph (d) is amended by redesignating paragraphs (d)(3) through (d)(7) as paragraphs (d)(4) through (d)(8) and adding a new paragraph (d)(3) to read as follows:

§ 944.400 Designated inspection services and procedure for obtaining inspection and certification of imported avocados, grapefruit, kiwifruit, oranges, prune variety plums (fresh prunes), and table grapes regulated under section 8e of the Agricultural Marketing Agreement Act of 1937, as amended.

(d) * * *

(3) The customs Entry Number pertaining to the lot or shipment covered by the certificate;

3. In § 944.401, paragraph (i) is amended by redesignating paragraphs (i)(3) through (i)(8) as paragraphs (i)(4) through (i)(9) and adding a new paragraph (i)(3) to read as follows:

§ 944.401 Olive Regulation 1.

(i) * * *

(3) The customs Entry Number pertaining to the lot or shipment covered by the certificate;

PART 980—VEGETABLES; IMPORT REGULATIONS

4. In § 980.1, paragraph (g)(4) is amended by redesignating paragraphs (g)(4)(iii) through (g)(4)(vii) as paragraphs (g)(4)(iv) through (g)(4)(viii) and adding a new paragraph (g)(4)(iii) to read as follows:

§ 980.1 Import Regulations; Irish potatoes.

(g) * * *

(4) * * *

(iii) The customs Entry Number pertaining to the lot or shipment covered by the certificate;

5. In § 980.117, paragraph (f)(5) is amended by redesignating paragraphs (f)(5)(iii) through (f)(5)(vii) as paragraphs (f)(5)(iv) through (f)(5)(viii) and adding a new paragraph (f)(5)(iii) to read as follows:

§ 980.117 Import Regulations; onions.

(f) * * *

(5) * * *

(iii) The customs Entry Number pertaining to the lot or shipment covered by the certificate;

6. In § 980.212, paragraph (f)(5) is amended by redesignating paragraphs (f)(5)(iii) through (f)(5)(vii) as paragraphs (f)(5)(iv) through (f)(5)(viii) and adding a new paragraph (f)(5)(iii) to read as follows:

§ 980.212 Import Regulations; Tomatoes.

(f) * * *

(5) * * *

(iii) The customs Entry Number pertaining to the lot or shipment covered by the certificate;

PART 999—SPECIALTY CROPS; IMPORT REGULATIONS

§ 999.1 [Amended]

7. Section 999.1 is amended by:

A. Redesignating paragraphs (c)(2)(iii) through (c)(2)(v) as paragraphs (c)(2)(iv) through (c)(2)(vi) and adding a new paragraph (c)(2)(iii).

B. Removing the phrase “(c)(2)(iv)” in paragraph (e)(1) and adding the phrase “(c)(2)(v)” in its place.

C. Revising paragraph (e)(2).

D. Revising paragraph (e)(3).

E. Removing the phrase “Date Form No. 2” in paragraph (e)(4) and adding the phrase “Form FV–6” in its place.

F. Removing the phrase “Date Form No. 2 ‘Dates for Processing—Section 8e Certification of Processor or Reseller’” in paragraph (f) and adding the phrase “Form FV–6—‘Importer’s Exempt Commodity Form’” in its place.

G. Removing the phrase “Date Form No. 1 ‘Dates—Section 8e Entry Declaration’”, in the first sentence in paragraph (g), and adding the phrase “Form FV–6—‘Importer’s Exempt Commodity Form’” in its place.

H. Removing the phrase “Date Form No. 1”, from the second sentence in paragraph (g), and adding the phrase “Form FV–6” in its place.

The new additions read as follows:

§ 999.1 Regulation governing the importation of dates.

(c) * * *

(2) * * *

(iii) The customs Entry Number pertaining to the lot or shipment covered by the certificate;

(e) * * *

(2) *Dates for processing and dates prepared or preserved-importation.* Any person may import dates for processing and dates prepared or preserved exempt from the grade inspection, and certification requirements of this section if the importer first files as a condition of such importation an executed “Form FV–6—‘Importer’s Exempt Commodity Form.’” The importer shall promptly transmit a copy of the executed “Form FV–6” to the Fruit and Vegetable Division.

(3) *Dates for processing—Sale by importer.* No importer or other person may import, sell, or use any dates for processing other than for use as set forth in paragraph (a)(4) of this section or as otherwise permitted by this section. Each importer of dates for processing shall obtain from each purchaser, no later than the time of delivery to such purchaser, and file with the Fruit and Vegetable Division not later than the fifth day of the month following the month in which the dates were delivered, and executed “Form FV–6.”

8. In § 999.100, paragraph (c)(2) is amended by redesignating paragraphs (c)(2)(iv) and (c)(2)(v) as paragraphs (c)(2)(v) and (vi) and adding a new paragraph (c)(2)(iv) to read as follows:

§ 999.100 Regulations governing imports of walnuts.

(c) * * *

(2) * * *

(iv) The customs Entry Number pertaining to the lot or shipment covered by the certificate;

9. In Part 999, the suspension of § 999.200 is lifted and amended as follows:

A. Removing the phrase “Prune Form No. 1 Prunes—Section 8e Entry Declaration” in paragraph (b)(5) and adding the phrase “Form FV–6—‘Importer’s Exempt Commodity Form’” in its place.

B. Redesignating paragraphs (c)(2)(iii) through (c)(2)(v) as paragraphs (c)(2)(iv) through (c)(2)(vi) and adding a new paragraph (c)(2)(iii).

C. Removing the phrase “‘Prunes—Section 8e Entry Declaration,’ prescribed in paragraph (e)(2) of this section as Prune Form No. 1” in the second sentence of paragraph (e)(1), and add the phrase “Form FV–6—‘Importer’s Exempt Commodity Form;’” in its place.

D. Removing the phrase “‘Prunes—Section 8e Certification of Processor or Reseller’ prescribed in paragraph (e)(3) of this section as Prune Form No. 2” in the fifth sentence of paragraph (e)(1),

and adding the phrase “Form FV-6—Importer’s Exempt Commodity Form” in its place.

E. Removing paragraphs (e)(2) and (e)(3).

F. Redesignating paragraph (e)(4) as paragraph (e)(2).

G. Revising newly redesignated paragraph (e)(2).

The new additions read as follows:

§ 999.200 Regulation governing the importation of prunes.

* * * * *

(c) * * *

(2) * * *

(iii) The customs Entry Number pertaining to the lot or shipment covered by the certificate;

* * * * *

(e) * * *

(2) *Manufacturing Grade Substandard Prune—sale by other than importer.* Each wholesaler or other reseller of manufacturing grade substandard prunes should, for his protection, obtain from each purchaser and hold in his files an executed Form FV-6—‘Importer’s Exempt Commodity Form’ covering each sale during the calendar year.

* * * * *

§ 999.200 [Suspended]

10. Suspend § 999.200 indefinitely.

§ 999.300 [Amended]

11. Section 999.300 is amended by:

A. Redesignating paragraph (c)(2)(iv) through (c)(2)(vi) as paragraphs (c)(2)(v) through (c)(2)(vii) and adding a new paragraph (c)(2)(iv).

B. Removing the phrase “Raisins—Section 8e Entry Declaration” prescribed in paragraph (e)(2)(i) of this section as ‘Raisin Form No. 1’, in the second sentence of paragraph (e)(2), and adding the phrase “Form FV-6—Importer’s Exempt Commodity Form” in its place.

C. Removing the phrase “Raisins—Section 8e Certification of Processor or Reseller,” prescribed in paragraph (e)(2)(ii) of this section as ‘Raisin Form No. 2’, in the fifth sentence of paragraph (e)(2) and adding the phrase “Form FV-6” in its place.

D. Removing the phrase “Raisin Form No. 2” from the seventh sentence of paragraph (e)(2) and adding the phrase “Form FV-6” in its place.

E. Removing paragraphs (e)(2)(i) and (e)(2)(ii).

The additions read as follows:

§ 999.300 Regulation governing importation of raisins.

* * * * *

(c) * * *

(2) * * *

(iv) The customs Entry Number pertaining to the lot or shipment covered by the certificate;

* * * * *

13. In § 999.400, paragraph (c)(3) is amended by redesignating paragraphs (c)(3)(iv) through (c)(3)(vi) as paragraphs (c)(3)(v) through (c)(3)(vii) and adding a new paragraph (c)(3)(iv) to read as follows:

§ 999.400 Regulation governing the importation of filberts.

* * * * *

(c) * * *

(3) * * *

(iv) The customs Entry Number pertaining to the lot or shipment covered by the certificate;

* * * * *

Dated: May 22, 2008.

Lloyd C. Day,

Administrator, Agricultural Marketing Service.

[FR Doc. E8-11924 Filed 5-29-08; 8:45 am]

BILLING CODE 3410-02-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 892

[Docket No. FDA-2008-N-0273]

Medical Devices; Radiology Devices; Reclassification of Full Field Digital Mammography System

AGENCY: Food and Drug Administration, HHS.

ACTION: Proposed rule.

SUMMARY: The Food and Drug Administration (FDA) is proposing to reclassify the full field digital mammography (FFDM) system from class III (premarket approval) to class II (special controls). The device type is intended to produce full field digital x-ray images of the breast. Elsewhere in this issue of the **Federal Register**, FDA is announcing the availability of the draft guidance document entitled “Class II Special Controls Guidance Document: Full Field Digital Mammography System” that would serve as the special control for the device, if FDA reclassifies this device type.

DATES: Submit written or electronic comments by August 28, 2008. See section X of this document for the proposed effective date of a final rule based on this proposed rule.

ADDRESSES: You may submit comments, identified by Docket No. FDA-2008-N-0273, by any of the following methods:

Electronic Submissions

Submit electronic comments in the following way:

- Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.

Written Submissions

Submit written submissions in the following ways:

- FAX: 301-827-6870.
- Mail/Hand delivery/Courier [For paper, disk, or CD-ROM submissions]: Division of Dockets Management (HFA-305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852.

To ensure more timely processing of comments, FDA is no longer accepting comments submitted to the agency by e-mail. FDA encourages you to continue to submit electronic comments by using the Federal eRulemaking Portal or the agency Web site, as described previously, in the **ADDRESSES** portion of this document under *Electronic Submissions*.

Instructions: All submissions received must include the agency name and Docket No(s). and Regulatory Information Number (RIN) (if a RIN number has been assigned) for this rulemaking. All comments received may be posted without change to <http://www.regulations.gov>, including any personal information provided. For additional information on submitting comments, see the “Comments” heading of the **SUPPLEMENTARY INFORMATION** section of this document.

Docket: For access to the docket to read background documents or comments received, go to <http://www.regulations.gov> and insert the docket number(s), found in brackets in the heading of this document, into the “Search” box and follow the prompts and/or go to the Division of Dockets Management, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852.

FOR FURTHER INFORMATION CONTACT: Robert A. Phillips, Center for Devices and Radiological Health (HFZ-470), Food and Drug Administration, 9200 Corporate Blvd., Rockville, MD 20850, 240-276-3666.

SUPPLEMENTARY INFORMATION:

I. Background

The Federal Food, Drug, and Cosmetic Act (the act) (21 U.S.C. 301 *et seq.*), as amended by (among other amendments) the Medical Device Amendments of 1976 (the 1976 amendments) (Public Law 94-295), the Safe Medical Devices Act of 1990 (Public Law 101-629), and the Food and Drug Administration Modernization Act of 1997 (Public Law 105-115), established a comprehensive

system for the regulation of medical devices intended for human use. Section 513 of the act (21 U.S.C. 360c) established three categories (classes) of devices, depending on the regulatory controls needed to provide reasonable assurance of their safety and effectiveness. The three categories of devices are class I (general controls), class II (special controls), and class III (premarket approval).

Under section 513 of the act, FDA refers to devices that were in commercial distribution before May 28, 1976 (the date of enactment of the 1976 amendments) as “preamendments” devices. FDA classifies these devices after the agency takes the following steps: (1) Receives a recommendation from a device classification panel (an FDA advisory committee); (2) publishes the panel’s recommendation for comment, along with a proposed regulation classifying the device; and (3) publishes a final regulation classifying the device. FDA has classified most preamendments devices under these procedures.

Under section 513 of the act, FDA refers to devices that were not in commercial distribution prior to May 28, 1976, as “postamendments” devices. Postamendments devices are classified automatically by statute (section 513(f) of the act) into class III without any FDA rulemaking process. These devices remain in class III and require premarket approval, unless the device is reclassified into class I or II or FDA issues an order finding the device to be substantially equivalent, under section 513(i) of the act, to a predicate device that does not require premarket approval. The agency determines whether new devices are substantially equivalent to predicate devices by means of premarket notification procedures in section 510(k) of the act (21 U.S.C. 360(k)) and part 807 (21 CFR part 807) of the regulations.

Reclassification of classified postamendments devices is governed by section 513(f)(3) of the act. This section provides that FDA may initiate the reclassification of a device classified into class III under section 513(f)(1) of the act, or the manufacturer or importer of a device may petition the Secretary of Health and Human Services (the Secretary) for the issuance of an order classifying the device into class I or class II. FDA’s regulations in 21 CFR 860.134 set forth the procedures for the filing and review of a petition for reclassification of these class III devices. To change the classification of the device, the proposed new class must have sufficient regulatory controls to provide reasonable assurance of the

safety and effectiveness of the device for its intended use.

Under section 513(f)(3)(B)(i) of the act, the Secretary may ask for a recommendation from a device classification panel on a proposed reclassification, whether initiated by FDA or a petitioner. The panel will make a recommendation to FDA concerning the proposed reclassification. The recommendation must contain the following information: (1) A summary of the reasons for the recommendation, (2) a summary of the data upon which the recommendation is based, and (3) an identification of the risks to health (if any) presented by the device that is the subject of the proposed reclassification.

II. Regulatory History of the Device

An FFDM system is a postamendments device classified into class III under section 513(f)(1) of the act. This generic type of device cannot be placed in commercial distribution unless it is reclassified under section 513(f)(3) or subject to an approval of a premarket approval (PMA) application under section 515 of the act (21 U.S.C. 360e). In accordance with section 513(f)(3) of the act and based on information regarding the device, FDA, on its own initiative, is proposing to reclassify this device type from class III to class II when intended to produce full field digital x-ray images of the breast. Consistent with the act and the regulation, FDA referred the proposed reclassification to the Radiological Devices Panel (the Panel) for its recommendation on the requested change in classification.

III. Device Description

An FFDM system is a device intended to be used to produce full field digital x-ray images of the breast. This generic type of device may include one or more of the following: Digital mammography software, full field digital image receptor, acquisition workstation, and signal analysis programs. Mammographic x-ray producing equipment (x-ray generator, x-ray control, x-ray tube, collimator, beam filter, and breast compression system) and display accessories are regulated under 21 CFR 892.1710, 892.2040, and 892.2050 as class II devices (special controls).

IV. Recommendations of the Panel

At a public meeting on May 23, 2006, the Panel unanimously recommended that the FFDM system be reclassified from class III to class II (special controls). The Panel believed that class II with the draft special controls

guidance document, in addition to general controls, would provide reasonable assurance of the safety and effectiveness of the device (Ref. 1).

V. Risks to Health

After considering the information in the Panel’s recommendation, published medical literature (Refs. 2 through 4), and device recalls (Ref. 5), FDA determined that the potential risks to health associated with use of the FFDM system are electrical hazards, corrupted or non-diagnostic image, incorrect patient positioning, excessive x-ray exposure, excessive breast compression, and infection and skin irritation. FDA’s draft special controls guidance document aids in mitigating the potential risks by recommending electrical safety characteristics, physical laboratory testing, clinical studies, and labeling. (See table 1 in section VIII of this document.)

VI. Summary of Reasons for Recommendation

After reviewing the data provided by FDA, and after considering the open discussions during the Panel meeting and the Panel members’ personal knowledge of and clinical experience with the device, the Panel recommended that FDA reclassify the FFDM system intended to produce full field digital x-ray images of the breast from class III into class II (special controls). The Panel believes that the special controls discussed in section VIII of this document, in addition to general controls, would provide reasonable assurance of the safety and effectiveness of the device, and there is sufficient information to establish special controls to provide this assurance (Ref. 1).

VII. Summary of Data Upon Which the Panel Recommendation Is Based

After considering the Panel’s recommendation, as well as the medical literature and other information, FDA believes that the potential risks to health associated with the FFDM system are addressed in the draft special controls guidance document. FDA also believes that the draft guidance would provide reasonable assurance of the safety and effectiveness of the FFDM system regarding the identified risks to health of this device.

VIII. Special Controls

In addition to general controls, FDA believes that the draft special controls guidance document is an adequate special control to address the risks to health associated with the use of the device described in section V of this

document. FDA believes that special controls, in addition to general controls, would provide reasonable assurance of the safety and effectiveness of the device.

Elsewhere in this issue of the **Federal Register**, FDA is announcing the availability of the draft guidance entitled "Class II Special Controls Guidance Document: Full Field Digital Mammography System" that the agency intends to use as the special control for this device. The draft guidance addresses the information FDA believes should be included in a premarket notification submission (510(k)) for the FFDM system. FDA has identified the risks to health associated with the use of the device in the first column of table 1 of this document. The recommended mitigation measures identified in the class II special controls guidance document is in the second column of table 1 of this document.

TABLE 1.—RISKS TO HEALTH AND MITIGATION MEASURES

Identified Risk	Recommended Mitigation Measures
Electrical hazards	Electrical safety
Corrupted or non-diagnostic image	Physical laboratory testing Clinical studies
Incorrect patient positioning	Clinical studies
Excessive x-ray exposure	Physical laboratory testing
Excessive breast compression	Physical laboratory testing
Infection, skin irritation	Labeling

Following the effective date of a final rule based on this proposal, any firm submitting a 510(k) for an FFDM system will need to address the issues covered in the special controls guidance. However, the firm need only show that its device meets the recommendations of the guidance or in some other way provides equivalent assurances of safety and effectiveness.

IX. FDA's Tentative Findings

FDA and the Panel believe that the FFDM system should be reclassified into class II because special controls, in addition to general controls, would provide reasonable assurance of the safety and effectiveness of the device, and there is sufficient information to establish special controls to provide this assurance. FDA, therefore, is proposing

to reclassify the device type from class III into class II with the draft guidance as the special control for the device.

Section 510(m) of the act provides that a class II device may be exempted from the premarket notification requirements under section 510(k) of the act, if the agency determines that premarket notification is not necessary to provide reasonable assurance of the safety and effectiveness of the device. For this device, however, FDA believes that premarket notification is necessary to provide reasonable assurance of safety and effectiveness and, therefore, does not intend to exempt the device from the premarket notification requirements.

X. Proposed Effective Date

FDA proposes that any final rule that may issue based on this proposal become effective 30 days after its date of publication in the **Federal Register**.

XI. Environmental Impact

The agency has determined under 21 CFR 25.34(b) 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.

XII. Analysis of Impacts

FDA has examined the impacts of the proposed rule under Executive Order 12866 and the Regulatory Flexibility Act (5 U.S.C. 601–612), and the Unfunded Mandates Reform Act of 1995 (Public Law 104–4). Executive Order 12866 directs agencies to assess all costs and benefits of available regulatory alternatives and, when regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety, and other advantages; distributive impacts; and equity). The agency believes that this proposed rule is not a significant regulatory action as defined by the Executive order.

The Regulatory Flexibility Act requires agencies to analyze regulatory options that would minimize any significant impact of a rule on small entities. Because reclassification of this device from class III to class II will relieve manufacturers of the device of the cost of complying with the premarket approval requirements of section 515 of the act and may permit small potential competitors to enter the market place by lowering their costs, the agency certifies that the proposed rule will not have a significant economic

impact on a substantial number of small entities.

Section 202(a) of the Unfunded Mandates Reform Act of 1995 requires that agencies prepare a written statement, which includes an assessment of anticipated costs and benefits, before proposing "any rule that includes any Federal mandate that may result in the expenditure by State, local, and tribal governments, in the aggregate, or by the private sector, of \$100,000,000 or more (adjusted annually for inflation) in any one year." The current threshold after adjustment for inflation is \$127 million, using the most current (2006) Implicit Price Deflator for the Gross Domestic Product. FDA does not expect this proposed rule to result in any 1-year expenditure that would meet or exceed this amount.

XIII. Federalism

FDA has analyzed this proposed rule in accordance with the principles set forth in Executive Order 13132. FDA has determined that the proposed rule does not contain policies that have substantial direct effects on the States, on the relationship between the National Government and the States, or on the distribution of power and responsibilities among the various levels of government. Accordingly, the agency has tentatively concluded that the proposed rule does not contain policies that have federalism implications as defined in the Executive order and, consequently, a federalism summary impact statement is not required.

XIV. Paperwork Reduction Act of 1995

FDA tentatively concludes that this proposed rule contains no collections of information. Therefore, clearance by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (the PRA) (44 U.S.C. 3501–3520) is not required.

FDA also tentatively concludes that the special controls guidance document does not contain new information collection provisions that are subject to review and clearance by OMB under the PRA. Elsewhere in this issue of the **Federal Register**, FDA is announcing the availability of the draft guidance document entitled "Class II Special Controls Guidance Document: Full Field Digital Mammography System;" the document addresses the paperwork burden for the draft guidance.

XV. Comments

Interested persons may submit to the Division of Dockets Management (see **ADDRESSES**) written or electronic comments regarding this document.

Submit a single copy of electronic comments or two paper copies of any mailed comments, except that individuals may submit one paper copy. Comments are to be identified with the docket number found in brackets in the heading of this document. Received comments may be seen in the Division of Dockets Management between 9 a.m. and 4 p.m., Monday through Friday.

Please note that on January 15, 2008, the FDA Web site transitioned to the Federal Dockets Management System (FDMS). FDMS is a Government-wide, electronic docket management system. Electronic comments and submissions will be accepted by FDA only through FDMS at <http://www.regulations.gov>.

XVI. References

The following references have been placed on display in the Division of Dockets Management (see **ADDRESSES**) and may be seen by interested persons between 9 a.m. and 4 p.m., Monday through Friday.

1. Radiological Devices Panel, Transcript, pp. 142–156, available at <http://www.accessdata.fda.gov/scripts/cdrh/cfdocs/cfAdvisory/details.cfm?mtg=659>, May 23, 2006.

2. Pisano, E., Gatsonis, C., Hendrick, E., et al., “Digital Mammographic Imaging Screening Trial (DMIST) Investigators Group,” “Diagnostic Performance of Digital Versus Film Mammography for Breast-Cancer Screening,” *New England Journal of Medicine*, 353: 1773–1783, 2005.

3. Yaffe, M., Bloomquist, A., Mawdsley, G., et al., “Quality Control for Digital Mammography: Part II Recommendations From the ACRIN DMIST Trial,” *Medical Physics*, 33(3): 737–752, 2006.

4. Thomas, J., Chakrabarti, K., Kaczmarek, R., et al., “Contrast Detail Phantom Scoring Methodology,” *Medical Physics*, 32(3), 807, 2005.

5. Device recalls are described in FDA’s briefing information, slide number 12, available at http://www.fda.gov/ohrms/dockets/ac/06/briefing/2006-4219b1_04_draft%20FDA%20presentation.pdf.

List of Subjects in 21 CFR Part 892

Medical device, Radiation protection, X-rays.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs, it is proposed that 21 CFR part 892 be amended as follows:

PART 892—RADIOLOGY DEVICES

1. The authority citation for 21 CFR part 892 continues to read as follows:

Authority: 21 U.S.C. 351, 360, 360c, 360e, 360j, 371.

2. Section 892.1 is amended by adding paragraph (e) to read as follows:

§ 892.1 Scope.

* * * * *

(e) Guidance documents referenced in this part are available on the Internet at <http://www.fda.gov/cdrh/guidance.html>.

3. Section 892.1715 is added to subpart B to read as follows:

§ 892.1715 Full field digital mammography system.

(a) *Identification.* A full field digital mammography system is a device intended to produce full field digital x-ray images of the breast. This generic type of device may include one or more of the following: Digital mammography software, full field digital image receptor, acquisition workstation, and signal analysis programs.

(b) *Classification.* Class II (special controls). The special control for the device is FDA’s guidance document entitled “Class II Special Controls Guidance Document: Full Field Digital Mammography System.” See 892.1(e) for the availability of this guidance document.

Dated: May 21, 2008.

Daniel G. Schultz,

Director, Center for Devices and Radiological Health.

[FR Doc. E8–12120 Filed 5–29–08; 8:45 am]

BILLING CODE 4160–01–S

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R03–OAR–2007–0449; FRL–8574–2]

Approval and Promulgation of Air Quality Implementation Plans; Delaware; Reasonably Available Control Technology Under the 8-Hour Ozone National Ambient Air Quality Standard

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing to approve a State Implementation Plan (SIP) revision submitted by the State of Delaware. This SIP revision pertains to the requirements in meeting the reasonably available control technology (RACT) under the 8-hour ozone national ambient air quality standard (NAAQS). These requirements are based on: Certification that previously adopted RACT controls in Delaware’s SIP that were approved by EPA under the 1-hour ozone NAAQS are based on the currently available technically and economically feasible controls, and that they continue to represent RACT for the 8-hour implementation purposes; the adoption of new or more stringent

regulations that represent RACT control levels; and a negative declaration that certain categories of sources do not exist in Delaware. This action is being taken under the Clean Air Act (CAA).

DATES: Written comments must be received on or before June 30, 2008.

ADDRESSES: Submit your comments, identified by Docket ID Number EPA–R03–OAR–2007–0449 by one of the following methods:

A. *http://www.regulations.gov.* Follow the online instructions for submitting comments.

B. *E-mail:* fernandez.cristina@epa.gov.

C. *Mail:* EPA–R03–OAR–2007–0449, Cristina Fernandez, Chief, Air Quality Planning Branch, Mailcode 3AP21, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103.

D. *Hand Delivery:* At the previously-listed EPA Region III address. Such deliveries are only accepted during the Docket’s normal hours of operation, and special arrangements should be made for deliveries of boxed information.

Instructions: Direct your comments to Docket ID No. EPA–R03–OAR–2007–0449. EPA’s policy is that all comments received will be included in the public docket without change, and may be made available online at <http://www.regulations.gov>, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through <http://www.regulations.gov> or e-mail. The <http://www.regulations.gov> Web site is an “anonymous access” system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through <http://www.regulations.gov>, your e-mail address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD–ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of

encryption, and be free of any defects or viruses.

Docket: All documents in the electronic docket are listed in the <http://www.regulations.gov> index. Although listed in the index, some information is not publicly available, i.e., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available either electronically in <http://www.regulations.gov> or in hard copy during normal business hours at the Air Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103. Copies of the State submittal are available at the Delaware Department of Natural Resources and Environmental Control, 89 Kings Highway, P.O. Box 1401, Dover, Delaware 19901.

FOR FURTHER INFORMATION CONTACT: Rose Quinto, (215) 814-2182, or by e-mail at quinto.rose@epa.gov.

SUPPLEMENTARY INFORMATION: On October 2, 2006, the Delaware Department of Natural Resources and Environmental Control (DNREC) submitted a revision to its SIP that addresses the requirements of RACT under the 8-hour ozone NAAQS. On October 5, 2006, DNREC submitted a supplement to this SIP revision.

I. Background

Ozone is formed in the atmosphere by photochemical reactions between volatile organic compounds (VOC), oxides of nitrogen (NO_x) and carbon monoxide (CO) in the presence of sunlight. In order to reduce ozone concentrations in the ambient air, the CAA requires all nonattainment areas to apply control on VOC/NO_x emission sources to achieve emission reductions. Among effective control measures, RACT controls are a major group for reducing VOC and NO_x emissions from stationary sources.

RACT is defined as the lowest emission limitation that a particular source is capable of meeting by the application of control technology that is reasonably available considering technological and economic feasibility (44 FR 53761 at 53762, September 17, 1979). Section 182 of the CAA sets forth

two separate RACT requirements for ozone nonattainment areas. The first requirement, contained in section 182(a)(2)(A) of the CAA, and referred to as RACT fix-up requires the correction of RACT rules for which EPA identified deficiencies before the CAA was amended in 1990. Delaware has no deficiencies to correct under this section of the CAA. The second requirement, set forth in section 182(b)(2) of the CAA, applies to moderate (or worse) ozone nonattainment areas as well as to marginal and attainment areas in ozone transport regions (OTRs) established pursuant to section 184 of the CAA, and requires these areas to implement RACT controls on all major VOC and NO_x emission sources and on all sources and source categories covered by a control technique guideline (CTG) issued by EPA.

Under the 1-hour ozone NAAQS, Kent and New Castle Counties in Delaware were designated part of a severe ozone nonattainment area, and Sussex County was designated as a marginal ozone nonattainment area located in an OTR. Therefore, all three counties were subject to RACT requirements under the 1-hour ozone standard. Since the early 1990s, Delaware implemented numerous RACT controls throughout the State to meet the CAA RACT requirements. These RACT controls were promulgated in the Delaware Air Pollution Control Regulation No. 24 for VOC sources and Regulation No. 12 for NO_x sources.

Under the 8-hour ozone NAAQS, the entire State of Delaware (Kent, New Castle and Sussex Counties) is a part of the Philadelphia moderate nonattainment area, and is therefore subject to the CAA requirements. Delaware is required to submit to EPA a SIP revision that addresses how Delaware meets the RACT requirements under the 8-hour ozone standard. The entire State of Delaware is also part of the OTR established under section 184 of the CAA.

EPA requires under the 8-hour ozone NAAQS that states meet the CAA RACT requirements, either through a certification that previously adopted RACT controls in their SIP revisions approved by EPA under the 1-hour ozone NAAQS represent adequate RACT control levels for 8-hour attainment purposes, or through the

adoption of new or more stringent regulations that represent RACT control levels. A certification must be accompanied by appropriate supporting information such as consideration of information received during the public comment period and consideration of new data. This information may supplement existing RACT guidance documents that were developed for the 1-hour standard, such that the State's SIP accurately reflects RACTs for the 8-hour ozone standard based on the current availability of technically and economically feasible controls. Adoption of new RACT regulations will occur when states have new stationary sources not covered by existing RACT regulations, or when new data or technical information indicates that a previously adopted RACT measure does not represent a newly available RACT control level. Another 8-hour ozone NAAQS requirement for RACT is to submit a negative declaration that there are no CTG or non-CTG major sources of VOC and NO_x emissions within Delaware.

II. Summary of SIP Revision

Delaware's SIP revision contains the requirements of RACT set forth by the CAA under the 8-hour ozone NAAQS. Delaware's SIP revision satisfies the 8-hour RACT requirements through (1) certification that previously adopted RACT controls in Delaware's SIP that were approved by EPA under the 1-hour ozone NAAQS are based on the currently available technically and economically feasible controls, and continues to represent RACT for the 8-hour implementation purposes; (2) the adoption of new or more stringent regulations that represent RACT control levels; and (3) a negative declaration that certain CTG or non-CTG major sources of VOC and NO_x sources do not exist in Delaware.

VOC RACT Controls

Delaware Air Pollution Control Regulation No. 1124 (formerly Regulation 24) contains Delaware's VOC RACT controls that were implemented and approved in the Delaware SIP under the 1-hour ozone NAAQS.

Table 1 lists Delaware's VOC RACT controls.

TABLE 1.—DELAWARE'S VOC RACT CONTROLS

Regulation 1124	Control of volatile organic compound emissions (formerly Regulation 24)			
	Title of regulation	State effective date	Federal Register date	Citation
Section 10	Aerospace Coatings	02/11/03	03/24/04	69 FR 13737.
Section 11	Mobile Equipment Repair and Refinishing	11/11/01	11/22/02	67 FR 70315.
Section 12	Surface Coating of Plastics Parts	11/29/94	01/26/96	61 FR 2419.
Section 13	Automobile and Light-Duty Truck Coating Operations	01/11/93	05/03/95	60 FR 21707.
Section 14	Can Coating	01/11/93	05/03/95	60 FR 21707.
Section 15	Coil Coating	01/11/93	05/03/95	60 FR 21707.
Section 16	Paper Coating	01/11/93	05/03/95	60 FR 21707.
Section 17	Fabric Coating	01/11/93	05/03/95	60 FR 21707.
Section 18	Vinyl Coating	01/11/93	05/03/95	60 FR 21707.
Section 19	Coating of Metal Furniture	01/11/93	05/03/95	60 FR 21707.
Section 20	Coating of Large Appliances	01/11/93	05/03/95	60 FR 21707.
Section 21	Coating of Magnet Wire	11/29/94	01/26/96	61 FR 2419.
Section 22	Coating of Miscellaneous Metal Parts	01/11/93	05/03/95	60 FR 21707.
Section 23	Coating of Flat Wood Paneling	01/11/93	05/03/95	60 FR 21707.
Section 24	Bulk Gasoline Plants	01/11/93	05/03/95	60 FR 21707.
Section 25	Bulk Gasoline Terminals	11/29/92	01/26/96	61 FR 2419.
Section 26	Gasoline Dispensing Facility—Stage I Vapor Recovery	01/11/02	11/14/03	68 FR 64520.
Section 27	Gasoline Tank Trucks	01/11/93	05/03/95	60 FR 21707.
Section 28	Petroleum Refinery Sources	01/11/93	05/03/95	60 FR 21707.
Section 29	Leaks from Petroleum Refinery Equipment	11/29/94	01/26/96	61 FR 2419.
Section 30	Petroleum Liquid Storage in External Floating Roof Tanks	11/29/94	01/26/96	61 FR 2419.
Section 31	Petroleum Liquid Storage in Fixed Roof Tanks	11/29/94	01/26/96	61 FR 2419.
Section 32	Leaks from Natural Gas/Gasoline Processing Equipment	11/29/94	01/26/96	61 FR 2419.
Section 33	Solvent Metal Cleaning and Drying	11/11/01	11/22/02	67 FR 70315.
Section 34	Cutback and Emulsified Asphalt	01/11/93	05/03/95	60 FR 21707.
Section 35	Manufacture of Synthesized Pharmaceutical Products	11/29/94	01/26/96	61 FR 2419.
Section 36	Stage II Vapor Recovery	01/11/02	11/14/03	68 FR 64540.
Section 37	Graphic Arts Systems	11/29/94	01/26/96	61 FR 2419.
Section 38	Petroleum Solvent Dry Cleaners	01/11/93	05/03/95	60 FR 21707.
Section 39	Perchloroethylene Dry Cleaning	01/11/93	05/03/95	60 FR 21707.
Section 40	Leaks from Synthetic Organic Chemical, Polymer, and Resin Manufacturing Equipment.	01/11/93	05/03/95	60 FR 21707.
Section 41	Manufacture of High-Density Polyethylene, Polypropylene and Polystyrene Resins.	01/11/93	05/03/95	60 FR 21707.
Section 42	Air Oxidation Processes in the Synthetic Organic Chemical Manufacturing Industry.	01/11/93	05/03/95	60 FR 21707.
Section 43	Bulk Gasoline Marine Tank Vessel Loading Facilities	11/29/94	01/26/96	61 FR 2419.
Section 44	Batch Processing Operations	11/29/94	01/26/96	61 FR 2419.
Section 45	Industrial Cleaning Solvents	11/29/94	01/26/96	61 FR 2419.
Section 47	Offset Lithographic Printing	11/29/94	01/26/96	61 FR 2419.
Section 48	Reactor Processes and Distillation Operations in the Synthetic Organic Chemical Manufacturing Industry.	11/29/94	01/26/96	61 FR 2419.
Section 49	Control of Volatile Organic Compound Emissions from Volatile Organic Liquid Storage Vessels.	11/29/94	01/26/96	61 FR 2419.
Section 50	Other Facilities that Emit Volatile Organic Compounds (VOCs)	11/29/94	01/26/96	61 FR 2419.

Delaware adopted a new VOC RACT control for lightering operations (Section 46) and submitted it to EPA as a SIP revision. EPA approved this VOC RACT on September 13, 2007 (72 FR 52285) with an effective date of October 15, 2007.

Delaware also submitted a negative declaration that the following VOC CTG

or non-CTG major sources do not exist in Delaware: Manufacture of pneumatic rubber tires; wood furniture manufacturing operations; and shipbuilding and ship repair operations (surface coating).

NO_x RACT Controls

Delaware Air Pollution Control Regulation No. 12 contains Delaware's NO_x RACT controls that were implemented and approved into the Delaware SIP under the 1-hour ozone NAAQS.

Table 2 lists Delaware's NO_x RACT controls.

TABLE 2.—DELAWARE'S NO_x RACT CONTROLS

Regulation 12	Control of nitrogen oxide emissions		
Source group	State effective date	Federal Register date	Citation
Fuel burning equipment with an input capacity of 100 mmBTU/hour or greater	11/24/93	06/14/01	66 FR 32231.
Fuel burning equipment with an input capacity of 50 mmBTU/hour or greater and less than 100 mmBTU/hour.	11/24/93	06/14/01	66 FR 32231.
Fuel burning equipment with an input capacity of less than 50 mmBTU/hour	11/24/93	06/14/01	66 FR 32231.
Alternative requirement for fuel burning equipment—Seasonal fuel switching (April 1 through October 31) to a low NO _x emitting fuel.	11/24/93	06/14/01	66 FR 32231.
Gas turbines	11/24/93	06/14/01	66 FR 32231.
Stationary internal combustion engines	11/24/93	06/14/01	66 FR 32231.
Fuel burning equipment used exclusively for providing residential comfort heating and hot water.	11/24/93	06/14/01	66 FR 32231.
Incinerator or thermal/catalytic oxidizer constructed before November 15, 1992, and used primarily for the control of air pollution.	11/24/93	06/14/01	66 FR 32231.
Fuel burning equipment with rated heat capacity of less than 15 mmBTU/hour	11/24/93	06/14/01	66 FR 32231.
Stationary internal combustion engine with a rated capacity of less than 450 hp of output power.	11/24/93	06/14/01	66 FR 32231.
Any source operating during the month of November to the end of March and operating with a capacity factor of five percent or less from April 1 to October 31.	11/24/93	06/14/01	66 FR 32231.
Any fuel burning equipment, gas turbine, or internal combustion engine with an annual capacity factor of less than five percent.	11/24/93	06/14/01	66 FR 32231.
Case-by-case RACT determination	11/24/93	06/14/01	66 FR 32231.

Delaware submitted a negative declaration that the following CTG or non-CTG major sources of NO_x emissions do not exist in Delaware: cement kilns and stationary internal combustion engines.

III. Proposed Action

EPA is proposing to approve the Delaware SIP revision that addresses the requirements of RACT under the 8-hour ozone NAAQS. Delaware submitted this SIP revision on October 2, 2006 and a supplement submittal on October 5, 2006. This SIP revision is based on a combination of (1) certification that previously adopted RACT controls in Delaware's SIP that were approved by EPA under the 1-hour ozone NAAQS are based on the currently available technically and economically feasible controls, and that they continue to represent RACT for the 8-hour implementation purposes; (2) the adoption of new or more stringent regulations that represent RACT control levels; and (3) the negative declaration that there are no CTG or non-CTG major sources of VOC and NO_x emissions within Delaware. EPA is soliciting public comments on the issues discussed in this document. These comments will be considered before taking final action.

IV. Statutory and Executive Order Reviews

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the CAA and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a).

Thus, in reviewing SIP submissions, EPA's role is to approve state choices, provided that they meet the criteria of the Clean Air Act. Accordingly, this action merely proposes to approve state law as meeting Federal requirements and does not impose additional requirements beyond those imposed by state law. For that reason, this proposed action:

- Is not a "significant regulatory action" subject to review by the Office of Management and Budget under Executive Order 12866 (58 FR 51735, October 4, 1993);
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- 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);
- Does not have Federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);
- Is not subject to requirements of Section 12(d) of the National

Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA; and

- Does not provide EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, this proposed rule, pertaining to the Delaware RACT under the 8-hour ozone NAAQS, does not have tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), because the SIP is not approved to apply in Indian country located in the state, and EPA notes that it will not impose substantial direct costs on tribal governments or preempt tribal law.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Nitrogen dioxide, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

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

Dated: May 21, 2008.

William T. Wisniewski,

Acting Regional Administrator, Region III.
[FR Doc. E8-12122 Filed 5-29-08; 8:45 am]

BILLING CODE 6560-50-P

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration****50 CFR Part 665****[Docket No. 070720400-7483-01]****RIN 0648-AV30****Fisheries in the Western Pacific; Precious Corals Fisheries; Black Coral Quota and Gold Coral Moratorium**

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

ACTION: Proposed rule; request for comments.

SUMMARY: This proposed rule would designate the Au'au Channel, Hawaii, black coral bed as an "Established Bed" with a harvest quota of 5,000 kg every two years that applies to Federal and State of Hawaii waters, and would establish a 5-year moratorium on the harvest of gold coral throughout the U.S. western Pacific. The proposed rule is intended to prevent overfishing and achieve optimum yields of black coral resources, and to prevent overfishing and stimulate research on gold corals.

DATES: Comments on the proposed rule must be received by July 14, 2008.

ADDRESSES: Comments on the amendment, identified by 0648-AV30, may be sent to either of the following addresses:

- Electronic Submission: Submit all electronic public comments via the Federal e-Rulemaking Portal www.regulations.gov; or
- Mail: William L. Robinson, Regional Administrator, NMFS, Pacific Islands Region (PIR), 1601 Kapiolani Blvd., Suite 1110, Honolulu, HI 96814-4700.

Instructions: All comments received are a part of the public record and will generally be posted to www.regulations.gov without change. All personal identifying information (e.g., name, address, etc.) submitted voluntarily by the commenter may be publicly accessible. Do not submit confidential business information, or otherwise sensitive or protected information. NMFS will accept anonymous comments. Attachments to electronic comments will be accepted in Microsoft Word or Excel, WordPerfect, or Adobe PDF file formats only.

Copies of the Fishery Management Plan for the Precious Corals Fisheries of the Western Pacific Region (Precious Corals FMP), and proposed FMP Amendment 7, which includes an

environmental assessment, regulatory impact review (RIR), and initial regulatory flexibility analysis (IRFA), are available from the Western Pacific Fishery Management Council (Council), 1164 Bishop St., Suite 1400, Honolulu, HI 96813, tel. 808-522-8220, fax 808-522-8226, or website www.wpcouncil.org.

FOR FURTHER INFORMATION CONTACT: Brett Wiedoff, NMFS PIR, 808-944-2272.

SUPPLEMENTARY INFORMATION: This Federal Register document is also accessible at the Office of the Federal Register at www.gpoaccess.gov/fr.

Precious corals (also called deep sea corals) belong to the class of animals, Anthozoa, which includes corals, jellyfish, sea anemones, and their relatives. Gold corals are found in deep water (100–1,500 m) on solid substrates where bottom currents are strong. Black corals also live on solid substrates, but generally at depths of 30–110 m. Precious corals are suspension feeders, thriving in areas swept by strong currents, and are most abundant on substrates of shell sandstone, limestone, or basaltic rock with a limestone veneer. All precious corals are slow-growing and are characterized by low rates of natural mortality and recruitment. Unexploited populations are relatively stable, and a wide range of age classes is generally present. This life-history pattern (longevity and many age classes) has two important consequences with respect to exploitation. First, the population response to harvesting is drawn out over many years. Second, because of the great longevity of individuals and the associated slow population turnover rates, a long period of reduced fishing effort is required to restore a stock's ability to produce at the maximum sustainable yield if a stock has been over exploited for several years.

Beds of gold, pink, and bamboo corals have been found in eight locations in the U.S. EEZ around Hawaii. They likely occur in the U.S. EEZ around American Samoa, the Commonwealth of the Northern Mariana Islands (CNMI), Guam, and the Pacific Remote Island Areas (PRIA, i.e., Baker Isl., Howland Isl., Jarvis Isl., Wake Atoll, Johnston Atoll, Kingman Reef, Midway Atoll, and Palmyra Atoll), but their distribution and abundance are unknown in areas beyond Hawaii. The species composition and density of corals vary considerably in these beds, and the beds are small—only two have an area greater than 1 km² and the largest is 3.6 km². In addition to the beds of gold, pink, and bamboo corals, there are also three

known major black coral beds and several smaller ones. Most of these are located in State of Hawaii waters (0–3 nm from shore), but the largest bed, the Au'au Channel Bed, extends into Federal waters.

The Precious Corals FMP and Federal regulations require permits and data reporting, and allow harvesting of precious corals only with selective gear (e.g., submersibles or hand harvest). There are also bed-specific quotas, refuges from fishing (refugia), and size limits. Since the implementation of the Precious Corals FMP in 1980, no precious corals harvester has received a Federal permit to fish in U.S. EEZ waters around American Samoa, the CNMI, Guam, or the PRIA; there are currently no permitted operations for gold corals in the western Pacific.

Black corals in Hawaii have historically been harvested by divers using conventional scuba gear. Hand-held tools are used to remove the black coral from the substrate, and float bags are used to lift the harvested colonies to the surface. The number of people participating in the commercial black coral fishery in Hawaii has been decreasing in recent years as experienced fishermen retire without new divers taking their place. In 2007, fewer than three fishermen applied for and received Federal permits to harvest precious corals in Hawaii.

From 1990–97, the annual harvest of black coral in Hawaii averaged 1,400 kg (3,084 lb). More recent landings of black corals are not presented in detail due to confidentiality requirements, but recent black coral landings have generally increased. Mixed-gas diving methods and rebreathers now enable divers to reach the maximum depths at which colonies of black coral are known to occur (about 110 m). Other technological advances, such as the global positioning system (GPS) and multibeam bathymetry maps, assist divers in harvesting black corals. These advances may lead to greater fishing pressure on black corals.

Since 1980, almost all of the black coral harvested around the Hawaiian Islands has been taken from the Au'au Channel Bed. The Precious Corals FMP designates the Au'au Channel as Essential Fish Habitat (EFH) for precious corals. The bed is also a Habitat Area of Particular Concern (HAPC) for precious corals because of the ecological function it provides, rarity of the habitat type, sensitivity to human-induced environmental degradation, and commercial importance.

Research has shown that the biomass of the Au'au Channel black coral

population has decreased by at least 25 percent in the last 30 years. Data collected during submersible dives showed a decline in both recruitment and relative abundance of legal-sized black coral colonies. The decline in recruitment may be related to both fishing pressure and competition with alien coral species. The highly-invasive soft coral, *Carijoa riisei*, or snowflake

coral, has been found overgrowing large areas of black coral habitat. A recent submersible survey of the Au'au Channel Bed found *Carijoa* overgrowing and killing up to 70 percent of the black coral colonies at depths of 68–114 m. Although the fishery primarily harvests black coral at depths shallower than 70 m, the potentially-devastating snowflake coral, combined with fishing pressure,

warrants management action and further research.

This proposed rule would designate the Au'au Channel as an "Established Bed" (Fig. 1) with a harvest quota for black coral of 5,000 kg (11,023 lb) every two years. This quota would apply in both Federal and State of Hawaii waters, and all other existing Federal restrictions would continue to apply.

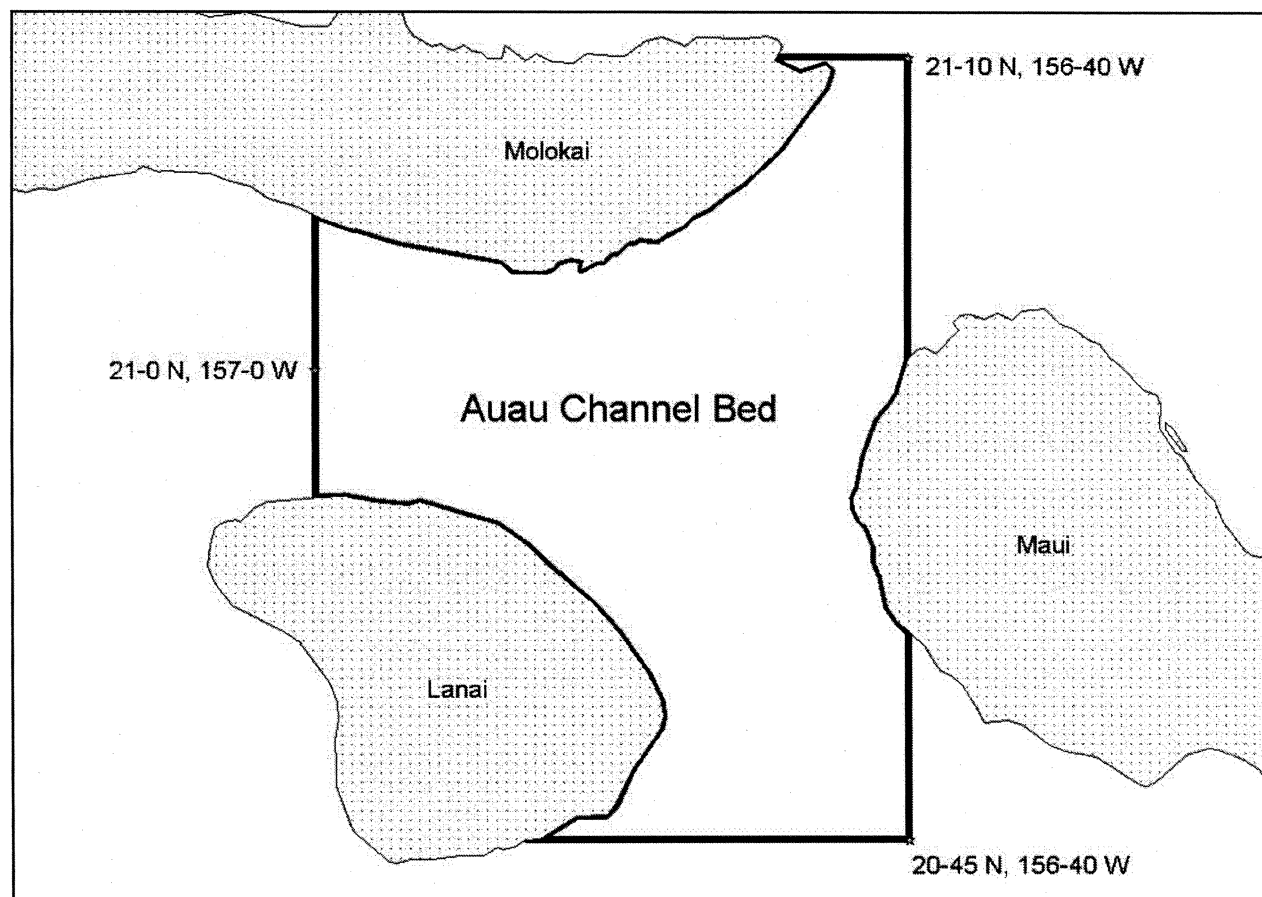


Figure 1. Proposed Au'au Channel Established Precious Corals Bed

Currently-accepted estimates of the linear growth rate for gold coral are about 6.6 cm/yr, suggesting that large colonies are relatively young. These estimates are based on the assumption that growth rings are laid down annually, as in other precious corals (e.g., black and pink corals). Recent research, however, on the aging of gold corals using radiometric dating on three samples collected from the Makapu'u Bed and off of the island of Hawaii found that gold coral may grow at a much slower rate, possibly 0.004 to 0.0014 cm/yr, making some samples 450–2,740 years old. Similar research on large Atlantic gold coral colonies estimated their ages to be about 1,800

years. (By comparison, the oldest black corals observed in the Au'au Channel Bed are thought to be 75 years old, but black corals may live longer.) The slow growth rates of gold corals indicate that some gold coral colonies are thousands of years old and, thus, highly-susceptible to over-harvesting.

Unlike the active black coral fishery in Hawaii, the gold coral fishery in the U.S. western Pacific is dormant. With recent research results challenging current assumptions about gold coral growth rates, this proposed rule would place a five-year moratorium on the harvest of gold corals from all EEZ waters of the western Pacific region. Additional research results on gold

coral age structures, growth rates, and correlations between length and age would be considered by the Council and NMFS prior to the expiration of the 5-year moratorium.

This proposed rule is intended to prevent overfishing and achieve optimum yields of black corals, and to prevent overfishing and stimulate research on gold corals.

To be considered, comments on this proposed rule must be received by July 14, 2008, not postmarked or otherwise transmitted by that date. In addition to soliciting public comments on this proposed rule, NMFS is soliciting comments on proposed FMP Amendment 7 through July 22, 2008, as

stated in the Notice of Availability published on May 23, 2008. Public comments on this proposed rule, if received by July 22, 2008, will also be considered in the approval/disapproval decision for Amendment 7. Comments received after that date will be considered for this proposed rule, but not in the approval/disapproval decision for Amendment 7.

Classification

Pursuant to section 304 (b)(1)(A) of the Magnuson-Stevens Act, the NMFS Assistant Administrator has determined that this proposed rule is consistent with the Precious Corals FMP, other provisions of the Magnuson-Stevens Act, and other applicable law, subject to further consideration after public comment.

The Council prepared an Environmental Assessment for Amendment 7 that evaluates the potential impacts of the proposed action and alternatives. Copies of the environmental assessment are available from the Council (see **ADDRESSES**). The purpose and need for the proposed action is twofold: (a) to reduce the effect that harvesting has on the decline in black coral biomass, thereby preventing overfishing and achieving optimum yield, and (b) to prevent the gold coral fishery from resuming, thereby preventing overfishing while research on growth rates is conducted. The anticipated impacts, as compared to the no-action alternative, of the preferred alternatives are summarized below.

Au'au Channel Black Coral Harvest Quota

Under the preferred alternative (designation of the Au'au Channel black coral bed as an Established Bed with a harvest quota of 5000 kg every two years), the potential risk of overfishing black corals in the Au'au channel would be reduced because the proposed quota is significantly lower than recent harvests and would reduce fishing pressure on these resources. For this alternative to be fully effective, the entire bed would need to be managed by the quota; the State is developing management measures for a black coral quota in State waters of the Au'au Channel that would complement the proposed Federal quota there. The preferred alternative would have little to no impact on non-target species, as only selective gear can be used to harvest precious corals, eliminating most of the potential for catches of non-target species or degradation of their habitat. There would be neutral or beneficial impacts to protected resources (marine mammals, sea turtles, and seabirds),

EFH, and HAPC, because this alternative would not lead to changes in fishing operations or to increased fishing effort. In the short-term, this alternative would likely reduce the harvests by some commercial fishermen in the Au'au channel fishery if the black coral fishery is closed as a result of reaching the quota. Stockpiled black coral (that which has been harvested but not yet sold) may serve to offset potential losses in the short- to medium-term following a closure of the Au'au Channel fishery. In the long-term, keeping harvests below the harvest quota would contribute to the sustainability of the fishery. The charter and recreational fishing sectors would not be affected under this alternative, as these sectors are not involved in the harvest of black corals. Fishing communities would not be affected by this alternative, as there are no communities that are substantially dependent on the harvest of precious corals to meet social and economic needs.

Gold Coral Harvest Moratorium

Under the preferred alternative (a 5-year moratorium on harvest of live and dead gold coral), the potential risk of overfishing gold corals would be eliminated for five years, during which time further research into gold coral growth rates would be conducted. This would ensure that harvests of gold coral are sustainable. There would be neutral or beneficial impacts on non-target species and their habitat, protected resources, EFH, and HAPC. In the short-term this alternative could adversely impact potential commercial gold coral harvesters. Charter and recreational fishing sectors would not be affected, as these sectors are not involved in the harvest of precious corals. In the short-term, there could be adverse impacts on the region's economy by prohibiting the potential harvest of gold coral for five years and, in the long-term, there would be a positive impact on the regional economy by preserving opportunities for the future development of a sustainable and profitable gold coral fishery.

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

An IRFA was prepared, as required by section 603 of the Regulatory Flexibility Act. The IRFA describes the economic impact this proposed rule, if adopted, would have on small entities. A description of the action, why it is being considered, and the legal basis for this action are contained at the beginning of this section in the preamble and in the **SUMMARY** section of the preamble. A

copy of this analysis is contained in Amendment 7, available from the Council (see **ADDRESSES**). The analysis follows.

NMFS prepared an IRFA for this rulemaking. The IRFA describes the economic impact this proposed rule, if adopted, would have on small entities. A description of the action, why it is being considered, and the legal basis for this action are contained in the preamble. There are no recordkeeping, reporting, or other compliance requirements associated with this rule. There are no Federal rules that duplicate, overlap, or conflict with this proposed rule. Furthermore, there are no disproportionate impacts from this rule by vessel size, gear type, or geographical location.

Description of Affected Entities

There are three permitted vessels in the fishery for black coral, but only two have reported landings in Hawaii. Both vessels are considered to be small entities under the Small Business Administration definition of a small entity, i.e., they are engaged in the business of fish harvesting, are independently-owned or operated, are not dominant in their field of operation, and have annual gross receipts not in excess of \$4 million. Specific net revenues by individual vessels cannot be analyzed in this IRFA due to confidentiality restraints, but potential economic impacts are discussed below. The fishery for gold coral also includes the same three vessels permitted to harvest black corals under a generic precious corals permit issued by NMFS. However, these vessels are currently dormant in the gold coral fishery, having no identifiable harvest in 2006, although modest commercial quotas of 20 kg (44 lb) for sites in the Main Hawaiian Islands and 67 kg (149 lb) for sites in the Northwestern Hawaiian Islands are specified.

Description of Alternatives

Au'au Channel Black Coral Harvest Quota

Alternative A1: No Action. This alternative would continue to regulate the black coral fishery based on minimum sizes, not by maximum sustainable yield or geographic area.

Alternative A2: Designate the Au'au Channel black coral bed as an Established Bed with an annual harvest quota of 5,000 kg every two years for the entire bed including State and Federal waters (Preferred Alternative). The Au'au Channel black coral bed would be designated as an Established Bed and harvests would be limited to 5,000 kg every two years from both State and Federal waters combined. All other regulations would continue to apply. Minimum size regulations and gear restrictions would continue to apply.

Alternative A3: Designate the Au'au Channel black coral bed as an Established Bed with an annual harvest quota of 5,000 kg every two years for Federal waters only. The Au'au Channel black coral bed would be designated as an Established Bed and harvests would be limited to 5,000 kg every two years from Federal waters only. All other

regulations would continue to apply. Minimum size regulations and gear restrictions would continue to apply.

Western Pacific Gold Coral Moratorium

Alternative B1: No Action. Gold coral harvests would continue to be regulated based on harvest quotas by area and gear restrictions, and no moratorium would be implemented.

Alternative B2: Implement a five-year moratorium on live and dead gold corals (Preferred Alternative). A five-year moratorium on the harvest of live and dead gold corals would be implemented for the western Pacific while an associated research program further examines linear/axial growth, recruitment/mortality, and deterioration rates of gold coral. Bed-specific quotas and gear restrictions would not be required during this period. The moratorium may be renewed if the research program is not completed within the five years.

Alternative B3: Implement a five-year moratorium on live gold coral. A five-year moratorium on the harvest of live gold corals would be implemented for the western Pacific while an associated research program further examines linear/axial growth, recruitment and mortality, and deterioration rates of gold coral. Bed quotas and gear restrictions would not be required during this period. The moratorium may be renewed if the research program is not completed within the five years.

Alternative B4: Reduce the harvest quota by 50 percent of gold coral in all precious coral beds. Harvest quotas for gold coral would be reduced by 50 percent in all precious coral beds throughout the western Pacific. Gear restrictions would continue to apply. In 2002, the Council recommended suspending the harvest quota for gold coral at the Makapu'u Bed as a precautionary measure expected to increase the probability that a recovery in the number of gold coral colonies at the Makapu'u Bed eventually occurs.

Economic Impacts to Small Entities

Alternative A1. The implementation of the no-action alternative would have no economic impact to the two vessels currently engaged in the harvest of black corals in the Au'au Channel.

Alternative A2 (Preferred). This alternative would reduce the harvests of black coral and, thus, could adversely affect both vessels currently engaged in the fishery. Due to confidentiality agreements, the amounts of the reductions, both absolute and on a relative basis, could not be reported here.

Alternative A3. This alternative would not likely reduce the harvest, as most of the

harvest comes from State waters, thus resulting in no or little economic impact to the two vessels engaged in the fishery.

Alternatives B1, B2 (Preferred), B3, and B4. Because the gold coral fishery is currently dormant, there would be no impact to vessels from this rulemaking resulting from alternatives B1, B2, and B3. If the permitted vessels chose to reenter the fishery under alternative B4 (quota reduction), it would appear that there were positive economic impacts because of the movement from no fishing to fishing. However, a 50 percent quota reduction from current quota levels could not be construed to have positive economic impacts. For a discussion of impacts to the economy, please see the RIR in FMP Amendment 7.

List of Subjects in 50 CFR Part 665

Administrative practice and procedure, American Samoa, Fisheries, Fishing, Guam, Hawaii, Hawaiian Natives, Northern Mariana Islands, Reporting and recordkeeping requirements.

Dated: May 23, 2008.

Samuel D. Rauch III,
Deputy Assistant Administrator For Regulatory Programs, National Marine Fisheries Service.

For the reasons set out in the preamble, 50 CFR part 665 is proposed to be amended as follows:

PART 665—FISHERIES IN THE WESTERN PACIFIC

1. The authority citation for part 665 continues to read as follows:

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

2. In § 665.12, in the definition of “Precious coral permit area”, the introductory text is republished and paragraph (1) is revised to read as follows:

§ 665.12 Definitions.

* * * * *

Precious coral permit area means the area encompassing the precious coral beds in the management area. Each bed is designated by a permit area code and assigned to one of the following four categories:

(1) Established beds. (i) Makapu'u (Oahu), Permit Area E-B-1, includes the area within a radius of 2.0 nm of a point at 21° 18.0' N. lat., 157° 32.5' W. long.

(ii) Au'au Channel (Maui), Permit Area E-B-2, includes the area west and south of a point at 21° 10' N. lat., 156° 40' W. long., and east of a point at 21° N. lat., 157° W. long., and west and north of a point at 20° 45' N. lat., 156° 40' W. long.

* * * * *

3. In § 665.82, add a new paragraph (b)(5) to read as follows:

§ 665.82 Prohibitions.

* * * * *

* * * * *

(b) * * *

(5) In a bed that has been closed pursuant to §§ 665.85 or 665.90.

* * * * *

4. Revise § 665.83 to read as follows:

§ 665.83 Seasons.

The fishing year for precious corals begins on July 1 and ends on June 30 the following year, except at the Makapu'u and Au'au Channel Beds, which have a two-year fishing period that begins July 1 and ends June 30, two years later.

5. In § 665.85, revise paragraph (a) to read as follows:

§ 665.85 Closures.

(a) If the Regional Administrator determines that the harvest quota for any coral bed will be reached prior to the end of the fishing year, or the end of the 2-year fishing period at Makapu'u Bed or Au'au Channel Bed, NMFS shall publish a notice to that effect in the **Federal Register** and shall use other means to notify permit holders. Any such notice must indicate the reason for the closure, the bed being closed, and the effective date of the closure.

* * * * *

6. Under subpart F, add a new § 665.90 to read as follows:

§ 665.90 Gold coral harvest moratorium.

Fishing for, taking, or retaining any gold coral in any precious coral permit area is prohibited through June 30, 2013.

7. Revise Table 1 to part 665 to read as follows:

TABLE 1 TO PART 665 PRECIOUS CORAL QUOTAS

Type of coral bed	Name of coral bed	Harvest quota in kilograms	Number of years
Established Beds	Au'au Channel	Black: 5,000	2
	Makapu'u	Pink: 2,000 Gold: 0 (zero) Bamboo: 500	2 -- 2

TABLE 1 TO PART 665 PRECIOUS CORAL QUOTAS—Continued

Type of coral bed	Name of coral bed	Harvest quota in kilograms	Number of years
Conditional Beds	180 Fathom Bank	Pink: 222 Gold: 67 Bamboo: 56	1 1 1
	Brooks Bank	Pink: 17 Gold: 133 Bamboo: 111	1 1 1
	Kaena Point	Pink: 67 Gold: 20 Bamboo: 17	1 1 1
	Keahole Point	Pink: 67 Gold: 20 Bamboo: 17	1 1 1
Refugia	Westpac	All: 0 (zero)	--
Exploratory Areas	Hawaii, American Samoa, Guam, U.S. Pacific Remote Island Areas	1,000 per area (all species combined except black corals)	1

Notes:

- ¹. No fishing for coral is authorized in refugia.
- ². A moratorium on gold coral harvesting is in effect through June 30, 2013.

[FR Doc. E8-12127 Filed 5-29-08; 8:45 am]

BILLING CODE 3510-22-S

Notices

Federal Register

Vol. 73, No. 105

Friday, May 30, 2008

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Submission for OMB Review; Comment Request, Correction

May 27, 2008.

The Department of Agriculture has submitted the following information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104-13. Comments regarding (a) whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of burden including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology should be addressed to: Desk Officer for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), OIRA_Submission@OMB.EOP.GOV or fax (202) 395-5806 and to Departmental Clearance Office, USDA, OCIO, Mail Stop 7602, Washington, DC 20250-7602. Comments regarding these information collections are best assured of having their full effect if received within 30 days of this notification. Copies of the submission(s) may be obtained by calling (202) 720-8958.

An agency may not conduct or sponsor a collection of information unless the collection of information displays a currently valid OMB control number and the agency informs potential persons who are to respond to the collection of information that such persons are not required to respond to

the collection of information unless it displays a currently valid OMB control number.

Food and Nutrition Service

Title: Food Stamp Program Application.

OMB Control Number: 0584-0008.

Summary of Collection: Section 9(a) of the Food Stamp Act of 1977 as amended, (7 U.S.C. 2011 *et seq.*) requires retail food stores and meal services (firms) to submit applications to the Food and Nutrition Service (FNS) for approval prior to participating in the Food Stamp Program. FNS field offices review a firm's applications to determine if the applicant individual and firm meet the eligibility requirements and make a determination to deny or accept the firm's application to redeem Food Stamp Program benefits. FNS will collect information using forms FNS-252, Food Stamp Program Application for Store, FNS-252-E, Online Food Stamp Program Application for Store, FNS 252-2, Meal Service Application, and FNS-252-C, Corporate Supplemental Application.

Need and Use of the Information: FNS will collect information to determine the eligibility of retail food stores, wholesale food concerns, and food service organizations applying for authorization to accept and redeem food stamp benefits and to monitor these firms for continued eligibility, and to sanction stores for noncompliance with the Act, and for Program management. Disclosure of information other than Employer Identification Numbers and Social Security Numbers may be made to Federal and State law enforcement or investigative agencies or instrumentalities administering or enforcing specified Federal or State laws, or regulations issued under those law. Without the information on the application, the consequence to the Federal program is the Agency's reduced ability to effectively monitor accountability for program compliance and to detect fraud and abuse.

Description of Respondents: Business or other for-profit; Not-for-profit institutions; Farms; Federal Government.

Number of Respondents: 41,486.

Frequency of Responses: Reporting: On occasion.

Total Burden Hours: 5,936.

Ruth Brown,

Departmental Information Collection Clearance Officer.

[FR Doc. E8-12077 Filed 5-29-08; 8:45 am]

BILLING CODE 3410-30-P

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[Doc. No. AMS-PY-08-0046]

Notice of Request for Extension and Revision of a Currently Approved Information Collection

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the Agricultural Marketing Service's (AMS) intention to request approval from the Office of Management and Budget, for an extension of and revision to a currently approved information collection in support of the shell egg surveillance portion of the Regulation for the Inspection of Eggs—7 CFR part 57.

DATES: Comments received by July 29, 2008 will be considered.

Additional Information or Comments: Interested persons are invited to submit written comments on the Internet at <http://www.regulations.gov> or to David Bowden, Jr., Chief, Standards, Promotion & Technology Branch; Poultry Programs, AMS, U.S. Department of Agriculture; 1400 Independence Avenue, SW., Stop 0259; Washington, DC 20250-0259, (202) 690-3148. 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, Poultry Programs, AMS, USDA, Room 3953-S, 1400 Independence Avenue, SW., Washington, DC 20250-0259 during regular business hours, or can be viewed at: <http://www.regulations.gov>.

SUPPLEMENTARY INFORMATION:

Title: Regulations for the Inspection of Eggs (Egg Products Inspection Act).

OMB Number: 0581-0113.

Expiration Date of Approval: January 31, 2009.

Type of Request: Extension and revision of a currently approved information collection.

Abstract: Congress enacted the Egg Products Inspection Act (21 U.S.C. 1031–1056 (EPIA)) to provide, in part, a mandatory inspection program to control the disposition of dirty and checked shell eggs; to control unwholesome, adulterated, and inedible shell eggs that are unfit for human consumption; and to control the movement and disposition of imported shell eggs.

The EPIA authorizes the Department to issue regulations, to assure that only eggs fit for human food are used for such purposes.

Under the shell egg surveillance program, shell egg handlers are required to register with USDA. Quarterly, a State or Federal surveillance inspector visits each registered handler to verify that shell eggs packed for consumer use are in compliance, that restricted eggs are being disposed of properly, and that adequate records are being maintained.

The information and recordkeeping requirements in this request are essential to carry out the intent of the Congress, to administer the mandatory inspection program, and to take regulatory action, in accordance with the regulations and the EPIA. The forms within this collection package require the minimum information necessary to effectively carry out the requirements of the regulations, and their use is necessary to fulfill the intent of the EPIA.

The information collected is used only by authorized representatives: AMS, Poultry Programs' national staff; regional directors and their staffs; Federal-State supervisors and their staffs; and resident Federal-State graders, which include State agencies. The information is used to assure compliance with the EPIA and the regulations and to facilitate regulatory action. The Agency is the primary user of the information; secondary users include each authorized State agency having a cooperative agreement with AMS.

Estimate of Burden: Public reporting burden for this collection of information is estimated to average 0.29 hours per response.

Respondents: State or local governments, businesses or other for-profit, Federal agencies or employees, small businesses or organizations.

Estimated Number of Respondents: 864.

Estimated Number of Responses: 5,223.

Estimated Number of Responses per Respondent: 6.04.

Estimated Total Annual Burden on Respondents: 1,529.63 hours.

Comments are invited on: (1) 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) 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; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) 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. Comments may be sent to: David Bowden, Jr., Chief, Standards, Promotion & Technology Branch; Poultry Programs, AMS, U.S. Department of Agriculture; 1400 Independence Avenue, SW., Stop 0259; Washington, DC 20250–0259. All comments received will be available for public inspection during regular business hours at the above address and may be viewed at <http://www.regulations.gov>.

All responses to this notice will be summarized and included in the request for OMB approval. All comments will become a matter of public record.

Dated: May 23, 2008.

Douglas C. Bailey,

Acting Administrator, Agricultural Marketing Service.

[FR Doc. E8–12053 Filed 5–29–08; 8:45 am]

BILLING CODE 3410–02–P

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

Conservation Reserve Program; Critical Feed Use

AGENCY: Commodity Credit Corporation, USDA.

ACTION: Notice of Voluntary Modification of Conservation Reserve Program Contract.

SUMMARY: The Commodity Credit Corporation (CCC) announces the opportunity to allow Conservation Reserve Program (CRP) participants with certain established vegetative cover to voluntarily modify the CRP contract to utilize certain CRP land enrolled for a critical feed use this year without a rental reduction. Producers will be required to obtain a modified conservation plan to include, among

other things, haying or grazing of the established cover.

DATES: This modification to the CRP contract will be available beginning June 2, 2008.

FOR FURTHER INFORMATION CONTACT:

Beverly J. Preston, Program Manager, Conservation Reserve Program, USDA/FSA/CEPD/Stop 0513, 1400 Independence Ave., SW., Washington, DC 20250–0513, (202) 720–9563, or e-mail at:

Beverly.Preston@wdc.usda.gov. More detailed information on CRP may be obtained from FSA's Web site: <http://www.fsa.usda.gov/FSA/webapp?area=home&subject=copr&topic=crp>.

SUPPLEMENTARY INFORMATION:

CRP was authorized by the Food Security Act of 1985 [16 U.S.C. 3801–3862], as amended. It is operated by CCC through the Farm Service Agency (FSA) of the Department of Agriculture (USDA). CRP is a voluntary program to cost-effectively assist producers in conserving and improving soil, water, and wildlife resources by converting highly erodible and other environmentally-sensitive acreage to a long-term vegetative cover. CRP participants enroll land under contracts for 10 to 15 years in exchange for annual rental payments and financial assistance to install certain conservation practices and maintain vegetative or tree covers. Enrollment authority in the CRP is 39.2 million acres. Enrollment as of April 1, 2008, is 34.7 million acres.

This notice is intended to advise CRP participants that they may request a contract modification to allow for this year a special, one-time, critical feed use of the property under contract, without a rental rate reduction. Such contract modifications are authorized by 16 U.S.C. 3835(c). Participants that request a voluntary modification to the CRP contract to allow this critical feed use must obtain a modified conservation plan for haying and grazing management according to the Natural Resources Conservation Service Field Office Technical Guide haying and grazing standards. The critical feed use activity on the property must be completed by November 10, 2008. The modified conservation plan will provide for haying or grazing in a manner that is consistent with the conservation goals of the CRP to reduce soil erosion and enhance water quality and wildlife habitat.

Haying and grazing must be conducted in a manner that limits the scope, frequency and duration of the activity and provides unhayed and ungrazed acreage for wildlife. To ensure the protection of the resources, critical

feed use is not authorized during the primary nesting or brood-rearing season. Participants who request a voluntary modification of the CRP contract for a critical feed use will be subject to compliance reviews. Producers will be required to pay an administrative fee of \$75 for this modification.

Prices for most field crops have advanced to record or near record levels in recent months, reflecting strong demand, tight supplies, and competition for acres. Higher grain prices are affecting the livestock sector by raising production costs. At the same time, harvested hay acres are expected to drop from 61,625,000 in 2007 to 60,583,000 in 2008.

This action differs from emergency haying and grazing allowances made in response to emergency conditions such as natural disasters. Rather, this allowance, by contract modification, reflects the general reserve nature of the overall program. Accordingly, as described above, FSA is allowing voluntary modifications of CRP contracts to utilize CRP lands for critical feed use. Further information will be available at FSA offices.

Signed at Washington, DC, on May 22, 2008.

Glen Z. Keppy,

Acting Executive Vice President, Commodity Credit Corporation.

[FR Doc. E8-12054 Filed 5-29-08; 8:45 am]

BILLING CODE 3410-05-P

DEPARTMENT OF AGRICULTURE

Forest Service

Salmon-Challis National Forest, Idaho; Salmon-Challis National Forest Travel Management Plan and Off-highway Vehicle Designation

AGENCY: Forest Service, USDA.

ACTION: Revised Notice of Intent to prepare an environmental impact statement.

SUMMARY: On August 3, 2007 (72 FR 43223), the USDA, Forest Service published in the **Federal Register** a Notice of Intent (NOI) to prepare an environmental impact statement to designate a portion of the National Forest roads, trails, and areas open to public motor vehicle use on the Salmon-Challis National Forest (SCNF), and assign the type of use(s) and season of use allowed on each road and trail or portion thereof. The Forest Service is revising the proposed action to correct inconsistencies with the Salmon National Forest and Challis National Forest Land and Resource Management

plans, correct errors in the mileages of roads and motorized trails described in the original proposed action, and announce a 60-day public comment period, rather than a 45-day public comment period on the Draft EIS.

DATES: Written comments concerning the revised proposed action should be received by June 13, 2008. The draft environmental impact statement is expected to be released in July 2008 and the final environmental impact statement is expected in March 2009.

ADDRESSES: Send or e-mail written comments to Salmon-Challis National Forest, ATTN: Travel Management Planning, 1206 South Challis Street, Salmon, ID 83467; e-mail comments-intermtn-salmon-challis@fs.fed.us.

FOR FURTHER INFORMATION CONTACT: Karen Gallogly, Travel Planning Team Leader, Salmon-Challis National Forest, 1206 South Challis Street, Salmon, ID 83467. Telephone: (208) 756-5103.

SUPPLEMENTARY INFORMATION: Further information about the proposal can be found in the original NOI published in the **Federal Register**, Vol. 72, No. 149, pp. 43223-43225, on August 3, 2007. This Revised Notice of Intent modifies the proposed action as defined in the original Notice of Intent to correct the proposed miles of designated roads from about 3,400 miles to about 2,300 miles and about 1,100 miles of motorized trails to about 900 miles. The revised proposed action also corrects project inconsistencies with the Salmon National and the Challis National Forest Land and Resource Management plans and announces a 60-day public comment period on the Draft EIS.

Maps and data tables displaying the roads and motorized trails proposed for designation in the revised proposed action and a list of changes from the original proposed action are posted on the SCNF Web site at: <http://www.fs.fed.us/r4/sc/>.

Responsible Official

William A. Wood, Supervisor, Salmon-Challis National Forest, Headquarters Office, 1206 South Challis Street, Salmon, Idaho 83467, is the responsible official for making the decision and providing direction for the analysis.

Nature of Decision To Be Made

Based on the purpose and need for the proposal, the Forest Supervisor will evaluate the revised proposed action and other alternatives to decide which roads, trails and areas will be designated as open to the public for motorized use and the allowed season and/or type of

use for those routes open to motorized travel.

Federal land managers are directed (Executive Order 11644, 36 CFR 212 and 43 CFR 8342.1) to ensure that the use of motorized vehicles and off-road vehicles will be controlled and directed so as to protect the resources of those lands, to promote the safety of users, minimize conflicts among the various uses of federal lands, and to provide for public use of roads and trails designated as open.

Scoping Process

In August 2007, the Forest Service issued an earlier version of the proposed action. Many public comments requesting better quality and more accurate proposed action maps were received. During the fall and winter of 2007-2008, Geographic Information Systems (GIS) and associated databases were upgraded and refined to improve the quality and accuracy of the maps and information needed for detailed analysis. As a result, errors in the mileages of roads and motorized trails described in the proposed action and inconsistencies with direction in the forest plans were discovered. Public comment received during the initial scoping period along with resource-related input from the interdisciplinary team and other agency resource specialists was used to identify a set of issues to carry forward into the environmental analysis.

Comment Requested

This notice of intent initiates the final phase of the scoping process which guides the development of the EIS. The Forest Service is requesting any new scoping comments related to the revised proposed action and its potential effects on the quality of the human environment. All comments received during the initial comment period (April 2006-March 2007) are being retained and considered as potentially relevant to the revised proposed action; such comments do not need to be resubmitted unless there are changes or additions. Any new or additional comments about the revised proposed action would be most useful if received by June 13, 2008. Persons and organizations commenting during the initial scoping will be maintained on the mailing list for future information about Salmon-Challis National Forest Travel Management Planning.

Early Notice of Importance of Public Participation in Subsequent Environmental Review

A draft environmental impact statement will be prepared for comment

in July 2008. The comment period on the draft environmental impact statement will be 60 days from the date the Environmental Protection Agency (EPA) publishes the notice of availability in the **Federal Register**. Written comments are preferred and should include the name and address of the commenter. Comments submitted for this revised proposed action will be considered part of the public record.

The Forest Service believes, at this early stage, it is important to give reviewers notice of several court rulings related to public participation in the environmental review process. First, reviewers of draft environmental impact statements must structure their participation in the environmental review of the proposal so that it is meaningful and alerts an agency to the reviewer's position and contentions. *Vermont Yankee Nuclear Power Corp. v. NRDC*, 435 U.S. 519, 553 (1978). Also, environmental objections that could be raised at the draft environmental impact statement stage but that are not raised until after completion of the final environmental impact statement may be waived or dismissed by the courts. *City of Angoon v. Hodel*, 803 F.2d 1016, 1022 (9th Cir. 1986) and *Wisconsin Heritages, Inc. v. Harris*, 490 F. Supp. 1334, 1338 (E.D. Wis. 1980). Because of these court rulings, it is very important that those interested in this proposed action participate by the close of the 60-day comment period so that substantive comments and objections are made available to the Forest Service at a time when it can meaningfully consider them and respond to them in the final environmental impact statement.

To assist the Forest Service in identifying and considering issues and concerns on the revised proposed action, comments on the draft environmental impact statement should be as specific as possible. It is also helpful if comments refer to specific pages or chapters of the draft statement. Comments may also address the adequacy of the draft environmental impact statement or the merits of the alternatives formulated and discussed in the statement. Reviewers may wish to refer to the Council on Environmental Quality Regulations for implementing the procedural provisions of the National Environmental Policy Act at 40 CFR 1503.3 in addressing these points.

Comments received, including the names and addresses of those who comment, will be considered part of the public record on this proposal and will be available for public inspection.

Authority: 40 CFR 1501.7 and 1508.22; Forest Service Handbook 1909.15, Section 21.

Dated: May 22, 2008.

Larry A. Svalberg,

Acting Forest Supervisor.

[FR Doc. E8-12157 Filed 5-29-08; 8:45 am]

BILLING CODE 3410-11-P

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

Procurement List Addition and Deletions

AGENCY: Committee for Purchase From People Who Are Blind or Severely Disabled.

ACTION: Addition to and Deletions from Procurement List.

SUMMARY: This action adds to the Procurement List a service to be furnished by nonprofit agencies employing persons who are blind or have other severe disabilities, and deletes from the Procurement List products and service previously furnished by such agencies.

DATES: *Effective Date:* June 29, 2008.

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: Kimberly M. Zeich, Telephone: (703) 603-7740, Fax: (703) 603-0655, or e-mail CMTEFedReg@jwod.gov.

SUPPLEMENTARY INFORMATION:

Addition

On April 4, 2008, the Committee for Purchase From People Who Are Blind or Severely Disabled published notices (73 FR 18495) of proposed additions to the Procurement List.

After consideration of the material presented to it concerning capability of qualified nonprofit agencies to provide the service and impact of the additions on the current or most recent contractors, the Committee has determined that the service listed below is suitable for procurement by the Federal Government under 41 U.S.C. 46-48c and 41 CFR 51-2.4.

Regulatory Flexibility Act Certification

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 service to the Government.

2. The action will result in authorizing small entities to furnish the service to the Government.

3. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-O'Day Act (41 U.S.C. 46-48c) in connection with the service proposed for addition to the Procurement List.

End of Certification

Accordingly, the following service is added to the Procurement List:

Service

Service Type: TSCA Assistance Information Service.

Location: Assoc f/t Blind & Visually Impaired & Goodwill Ind. of Greater Rochester, 422 South Clinton Avenue, Rochester, NY.

NPA: Assoc f/t Blind & Visually Impaired & Goodwill Ind. of Greater Rochester, Rochester, NY.

Contracting Activity: Environmental Protection Agency, Washington, DC.

Deletions

On January 18, 2008 and April 4, 2008, the Committee for Purchase From People Who Are Blind or Severely Disabled published notice (73 FR 3451, 18496) of proposed deletions to the Procurement List.

After consideration of the relevant matter presented, the Committee has determined that the products and service listed below are no longer suitable for procurement by the Federal Government under 41 U.S.C. 46-48c and 41 CFR 51-2.4.

Regulatory Flexibility Act Certification

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 should not result in additional reporting, recordkeeping or other compliance requirements for small entities.

2. The action may result in authorizing small entities to furnish the products and service to the Government.

3. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-O'Day Act (41 U.S.C. 46-48c) in connection with the products and service deleted from the Procurement List.

End of Certification

Accordingly, the following products and service are deleted from the Procurement List:

Products

Pad, Fax Transmittal (OF 99)

NSN: 7540-01-317-7368—Pad, Fax

Transmittal (OF 99).
 NPA: Assoc f/t Blind & Visually Impaired & Goodwill Ind. of Greater Rochester, Rochester, NY.
Contracting Activity: Government Printing Office, Washington, DC.

Rochester Midland Envirocare Products
 NSN: 7930-01-512-7170—LiquiBac.
 NPA: Lighthouse for the Blind, St. Louis, MO.
Contracting Activity: Office Supplies & Paper Products Acquisition Ctr, New York, NY.

Service

Service Type: Food Service.
Location: Stewart Air National Guard Base (105th Airlift Wing/LGC).
 NPA: New Dynamics Corporation, Middletown, NY.
Contracting Activity: 105th Airlift Wing/LGC, Newburgh, NY.

Kimberly M. Zeich,
Director, Program Operations.
 [FR Doc. E8-12102 Filed 5-29-08; 8:45 am]
BILLING CODE 6353-01-P

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

Clarification of Scope of Procurement List Additions; 2007 Commodities Procurement List; Quarterly Update of the A-List and Movement of Products Between the A-List, B-List and C-List

AGENCY: Committee for Purchase from People Who Are Blind or Severely Disabled.

ACTION: Publication of the quarterly update of the A-list and movement of products between the A-list, B-list and C-list as of July 1, 2008.

SUMMARY: The Committee for Purchase From People Who Are Blind or Severely Disabled, in accordance with the procedures published on December 1, 2006 (71 FR 69535-69538), has updated the scope of the Program's procurement preference requirements for the products listed below between and among the Committee's A-list, B-list and C-list. A-list products are suitable for the Total Government Requirement as aggregated by the General Services Administration, the B-list are those products suitable for the Broad Government Requirement as aggregated by the General Services Administration, and C-list products are suitable for the requirements of one or more specified agency(ies). The lists below track changes to A-, B-, C-designations that occurred between March 4, 2008 and May 27, 2008.

DATES: The effective date for the quarterly update of the A-list and movement of products between and

among the A-list, B-list and C-list is July 1, 2008.

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: Emily A. Covey, Telephone: (703) 603-7740, Fax: (703) 603-0655, or e-mail cmtefedreg@jwod.gov.

Products moved from B-list to A-list: Pen, Stick, Alpha Basic 7520-01-484-5270.

Products moved from C-list to A-list: None.

Products moved from A-list to B-list: None.

Products moved from A-list to C-list: None.

Products moved from B-list to C-list: None.

Products moved from C-list to B-list: None.

The complete A-list is available at http://www.jwod.gov/jwod/p_and_s/alist2007.htm.

Kimberly M. Zeich,
Director, Program Operations.
 [FR Doc. E8-12103 Filed 5-29-08; 8:45 am]
BILLING CODE 6353-01-P

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

Procurement List Proposed Additions

AGENCY: Committee for Purchase From People Who Are Blind or Severely Disabled.

ACTION: Proposed Additions to Procurement List.

SUMMARY: The Committee is proposing to add to the Procurement List products and services to be furnished by nonprofit agencies employing persons who are blind or have other severe disabilities.

Comments Must Be Received On or Before: June 29, 2008.

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 or to Submit Comments Contact: Kimberly M. Zeich, Telephone: (703) 603-7740, Fax: (703) 603-0655, or e-mail CMTEFedReg@jwod.gov.

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 proposed actions.

If the Committee approves the proposed additions, the entities of the Federal Government identified in the notice for each product or service will be required to procure the products and services listed below from nonprofit agencies employing persons who are blind or have other severe disabilities.

Regulatory Flexibility Act Certification

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. If approved, 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 products and services to the Government.

2. If approved, the action will result in authorizing small entities to furnish the products and services to the Government.

3. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-O'Day Act (41 U.S.C. 46-48c) in connection with the products and 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.

End of Certification

The following products and services are proposed for addition to Procurement List for production by the nonprofit agencies listed:

Products

Paper, Tabulating Machine

NSN: 7530-00-185-6752—Paper, Tabulating Machine.

NPA: Association for Vision Rehabilitation and Employment, Inc., Binghamton, NY.

Coverage: B-List for the broad Government requirement as specified by the General Services Administration.

Contracting Activity: Office Supplies & Paper Products Acquisition Ctr, New York, NY.

Tri-Wall Aerial Distribution System (TRIADS) Humanitarian Airdrop Kit

NSN: 8115-01-544-2416.

NPA: Tarrant County Association for the Blind, Fort Worth, TX.

Coverage: B-List for the broad Government requirement as specified by the General Services Administration.

Contracting Activity: Office Supplies & Paper Products Acquisition Ctr, New York, NY.

Services

Service Type: Administrative Services.

Location: Carl Vinson VA Medical Center,
1826 Veterans Blvd., Dublin, GA.

NPA: Bobby Dodd Institute, Inc., Atlanta,
GA.

Contracting Activity: VISN 7 Network
Logistics.

Service Type: Administrative Services.

Location: Charlie Norwood VA Medical
Center, Uptown Division Complex, 1
Freedom Highway and Downtown
Division Complex, 950 15th St., Augusta,
GA.

NPA: Bobby Dodd Institute, Inc., Atlanta,
GA.

Contracting Activity: VISN 7 Network
Logistics.

Service Type: Base Supply Center.

Location: Base Supply Center—Camp
Atterbury, IN.

NPA: L.C. Industries For The Blind, Inc.,
Durham, NC.

Contracting Activity: United State Property &
Fiscal Officer for Indiana, Indianapolis,
IN.

Service Type: Mailroom Operation.

Location: Moody Air Force Base, 5293
Schrader St, Moody AFB, GA.

NPA: Bobby Dodd Institute, Inc., Atlanta,
GA.

Contracting Activity: Moody AFB, Moody
AFB, GA.

Kimberly M. Zeich,

Director, Program Operations.

[FR Doc. E8-12101 Filed 5-29-08; 8:45 am]

BILLING CODE 6353-01-P

DEPARTMENT OF COMMERCE

Submission for OMB Review; Comment Request

The Department of Commerce will submit to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

Agency: National Oceanic and
Atmospheric Administration (NOAA).

Title: Large Pelagic Fishing Survey.

Form Number(s): None.

OMB Approval Number: 0648-0380.

Type of Request: Regular submission.

Burden Hours: 4,689.

Number of Respondents: 18,000.

Average Hours per Response:

Telephone survey, 8 minutes; dockside interview, 5 minutes and 1 minute and 30 seconds per interview telephone validation response; biological sampling, 1 minute; headboat captain telephone interview response, 4 minutes and 8 minutes per headboat at-sea survey response; North Carolina winter bluefin tuna dockside survey, 6 minutes; HMS characterization survey, 15 minutes.

Needs and Uses: The Large Pelagic Fishing Survey consists of dockside and

telephone surveys of recreational anglers for large pelagic fish (tunas, sharks, and billfish) in the Atlantic Ocean. The survey provides the National Marine Fisheries Service (NMFS) with information to monitor catch of bluefin tuna and marlin. Catch monitoring in these fisheries and collection of catch and effort statistics for all pelagic fish is required under the Atlantic Tunas Convention Act and the Magnuson-Stevens Fishery Conservation and Management Act. The information collected is essential for the United States to meet its reporting obligations to the International Commission for the Conservation of Atlantic Tuna. Due to funding limitations the Large Pelagic Fishing Survey has only been conducted from Maine through Virginia in previous years. In 2008 NMFS proposes to conduct pilot studies to characterize the recreational large pelagic fisheries in the South Atlantic, Gulf of Mexico, and Caribbean regions.

Affected Public: Business or other for-profit organizations.

Frequency: Weekly, annually and on occasion.

Respondent's Obligation: Mandatory.

OMB Desk Officer: David Rostker,
(202) 395-3897.

Copies of the above information collection proposal can be obtained by calling or writing Diana Hynek, Departmental Paperwork Clearance Officer, (202) 482-0266, Department of Commerce, Room 6625, 14th and Constitution Avenue, NW., Washington, DC 20230 (or via the Internet at dHynek@doc.gov).

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to David Rostker, OMB Desk Officer, FAX number (202) 395-7285, or David_Rostker@omb.eop.gov.

Dated: May 27, 2008.

Gwellnar Banks,

*Management Analyst, Office of the Chief
Information Officer.*

[FR Doc. E8-12080 Filed 5-29-08; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

International Trade Administration

Proposed Information collection; Comment Request; Export Trading; Companies Contact Facilitation Service

AGENCY: International Trade
Administration.

ACTION: Notice.

SUMMARY: The Department of Commerce, 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.

DATES: Written comments must be submitted on or before July 29, 2008.

ADDRESSES: Direct all written comments to Diana Hynek, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6625, 14th & Constitution Avenue, NW., Washington, DC 20230 or via the Internet at dHynek@doc.gov.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument and instructions should be directed to: Shirley Hooker, Export Trading Company Affairs, Industry Analysis; phone: (202) 482-5131; e-mail: shirley_hooker@ita.doc.gov, and fax: (202) 482-1790.

SUPPLEMENTARY INFORMATION:

I. Abstract

One of the goals of the Export Trading Company (ETC) Act of 1982 is to increase U.S. exports of goods and services by encouraging a more efficient provision of export trade services to U.S. producers. Section 104 of the Act directs the U.S. Department of Commerce (DOC) to provide a service to facilitate contact between producers of exportable goods and services and firms offering export trade services. The Export Trading Company Contact Facilitation Service (CFS) is a database designed to carry out the goal of Section 104 of the Act by putting U.S. producers of goods and services together with U.S. export service providers.

The DOC's International Trade Administration (ITA) maintains the CFS database of U.S. producers and export service providers (export trading and export management firms, export sales agents, freight forwarders, and other export trade service providers) through a public-private partnership. The producers and export service providers voluntarily register their export interests online at <http://www.exportyellowpages.com> for inclusion in the CFS. The Export Yellow Pages®, an ITA program, uses the CFS to help promote U.S. goods and services, and enable U.S. producers to locate export service providers.

The commercial profiles of CFS registrants are accessible at <http://www.exportyellowpages.com>. CFS registrants are also listed in an annual

print directory distributed worldwide. The CFS print and electronic directories are made available through "The Export Yellow Pages". Without the information collected by the form, the CFS database and the resulting directories would be unreliable and ineffective, because end-users of this data need current information about the listed companies.

II. Method of Collection

Form ITA-4094P is accessible to U.S. firms at <http://www.exportyellowpages.com>. This form can also be sent by request to U.S. firms.

III. Data

OMB Control Number: 0625-0120.

Form Number(s): ITA-4094P.

Type of Review: Regular submission.

Affected Public: Business or other for-profit organizations; not-for-profit institutions; and state, local or tribal government.

Estimated Number of Respondents: 18,000.

Estimated Time per Response: 15 minutes.

Estimated Total Annual Burden Hours: 4,500.

Estimated Total Annual Cost to Public: \$94,500.

IV. Request for Comments

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 (including hours and costs) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: May 27, 2008.

Gwellnar Banks,

Management Analyst, Office of the Chief Information Officer.

[FR Doc. E8-12081 Filed 5-29-08; 8:45 am]

BILLING CODE 3510-DR-P

DEPARTMENT OF COMMERCE

International Trade Administration

Proposed Information Collection; Comment Request; Certified Trade Fair Program: Application

AGENCY: International Trade Administration.

ACTION: Notice.

SUMMARY: The Department of Commerce, 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.

DATES: Written comments must be submitted on or before July 29, 2008.

ADDRESSES: Direct all written comments to Diana Hynek, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6625, 14th & Constitution Avenue, NW., Washington, DC 20230 or via the Internet at dHynek@doc.gov.

FOR FURTHER INFORMATION CONTACT: Request for additional information or copies of the information collection instrument and instructions should be directed to: Michael Thompson, Trade Fair Certification Program, U.S. Commercial Service, Ronald Reagan Building, 1300 Pennsylvania Avenue, NW., Suite 800 M, Washington, DC 20230; Phone number: (202) 482-0671; fax number: (202) 482-7800; e-mail: michael.thompson@mail.doc.gov.

SUPPLEMENTARY INFORMATION:

I. Abstract

The Trade Fair Certification (TFC) Program is a service of the U.S. Department of Commerce (DOC) that provides DOC endorsement and support for high quality international trade fairs that are organized by private-sector firms. The TFC Program seeks to broaden the base of U.S. firms, particularly new-to-market companies by introducing them to key international trade fairs where they can achieve their export objectives. Those objectives include one or more of the following: direct sales; identification of local agents or distributors; market research and exposure; and joint venture and licensing opportunities for their products and services. An application is required to make a determination that the trade fair organizer is qualified to organize and manage U.S. exhibitions at an international trade fair, and to ensure that the fair is a good marketing opportunity for U.S. companies.

II. Method of Collection

Form ITA-4100P is sent by request to organizers of international trade fairs.

III. Data

OMB Control Number: 0625-0130.

Form Number(s): ITA-4100P.

Type of Review: Regular submission.

Affected Public: Business or other for-profit organizations.

Estimated Number of Respondents: 120.

Estimated Time per Response: 3 hours.

Estimated Total Annual Burden Hours: 360.

Estimated Total Annual Cost to Public: \$12,600.

IV. Request for Comments

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 (including hours and costs) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: May 27, 2008.

Gwellnar Banks,

Management Analyst, Office of the Chief Information Officer.

[FR Doc. E8-12082 Filed 5-29-08; 8:45 am]

BILLING CODE 3510-FP-P

DEPARTMENT OF COMMERCE

International Trade Administration

A-580-839

Certain Polyester Staple Fiber from Korea: Preliminary Results of the 2006/2007 Antidumping Duty Administrative Review

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

SUMMARY: The Department of Commerce is conducting an administrative review of the antidumping duty order on certain polyester staple fiber from the Republic of Korea. The period of review

is May 1, 2006, through April 30, 2007. This review covers imports of certain polyester staple fiber from one producer/exporter. We preliminarily find that sales of the subject merchandise have been made below normal value. If these preliminary results are adopted in our final results, we will instruct U.S. Customs and Border Protection to assess antidumping duties. Interested parties are invited to comment on these preliminary results. We will issue the final results not later than 120 days from the date of publication of this notice.

EFFECTIVE DATE: May 30, 2008.

FOR FURTHER INFORMATION CONTACT:

Andrew McAllister or Brandon Farlander, AD/CVD Operations, Office 1, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington DC 20230; telephone (202) 482-1174 and (202) 482-0182, respectively.

SUPPLEMENTARY INFORMATION:

Background

On May 25, 2000, the Department of Commerce ("Department") published an antidumping duty order on certain polyester staple fiber ("PSF") from the Republic of Korea ("Korea"). See *Notice of Amended Final Determination of Sales at Less Than Fair Value: Certain Polyester Staple Fiber From the Republic of Korea and Antidumping Duty Orders: Certain Polyester Staple Fiber From the Republic of Korea and Taiwan*, 65 FR 33807 (May 25, 2000). On May 1, 2007, the Department published a notice of "Opportunity to Request Administrative Review" of this order. See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review*, 72 FR 23796 (May 1, 2007). On May 31, 2007, Wellman, Inc.; Invista, S.a.r.l.; and DAK Americas LLC (collectively, "the petitioners") requested administrative reviews of Huvis Corporation ("Huvis"); Saehan Industries, Inc. ("Saehan"); Mijung Industry Co., Ltd. ("Mijung"); Estal Industry Co., Ltd. ("Estal"); Keon Baek Co., Ltd. ("Keon Baek"); Daehan Synthetic Company, Ltd. ("Daehan"); Sam Young Synthetics Co., Ltd. ("Sam Young"); Sunglim Co., Ltd. ("Sunglim"); and Daeyang Industrial Co., Ltd. ("Daeyang").¹ On May 31, 2007, Huvis requested an administrative

review. On June 13, 2007, the petitioners withdrew their request for an administrative review of Keon Baek. On June 20, 2007, the petitioners withdrew their request for administrative reviews of Mijung, Sam Young, and Sunglim. On June 29, 2007, the Department published a notice initiating the review with respect to Huvis, Saehan, Estal, Daeyang, and Samyang.² See *Initiation of Antidumping and Countervailing Duty Administrative Reviews, Request for Revocation in Part and Deferral of Administrative Review*, 72 FR 35690 (June 29, 2007). The period of review ("POR") is May 1, 2006, through April 30, 2007. On July 26, 2007, the petitioners withdrew their request for Saehan. Also, on July 26, 2007, we issued antidumping questionnaires in this review. On August 29, 2007, we received section A responses from Huvis, Daeyang, and Estal. On September 14, 2007, we received a response to sections B–D from Huvis and sections B–C responses from Daeyang and Estal.

On September 21, 2007, the petitioners withdrew their request for reviews of Daeyang and Estal. On September 25, 2007, we issued a memorandum to Daeyang and Estal stating that they were not required to respond to section D of the questionnaire.

On November 1, 2007, we rescinded the review with respect to Daeyang, Estal, and Samyang. See *Partial Rescission of Antidumping Duty Administrative Review: Certain Polyester Staple Fiber from Korea*, 72 FR 61864 (November 1, 2007).

On December 28, 2007, the Department published in the **Federal Register** an extension of the time limit for the completion of the preliminary results of this review until no later than May 30, 2008, in accordance with section 751(a)(3)(A) of the Tariff Act of 1930, as amended ("the Act"), and 19 CFR 351.213(h)(2). See *Certain Polyester Staple Fiber From the Republic of Korea: Notice of Extension of Time Limit for the 2006–2007 Administrative Review*, 72 FR 73764 (December 28, 2007).

On January 8 and 31, 2008, March 27, 2008, and April 18, 2008, we issued supplemental questionnaires to Huvis. We received responses to these supplemental questionnaires on February 20, 2008, March 6, 2008, April 16, 2008, and April 29, 2008, respectively.

On May 8, 2008, the petitioners submitted factual information consisting of excerpts from a company's annual report. On May 19, 2008, the Department rejected the petitioners' May 8, 2008, submission because it contained new factual information. See Letter to David Smith, counsel for the petitioners, "Petitioners' May 8, 2008 Comments: Submission of New Information," dated May 19, 2008. On May 20, 2008, the petitioners requested that the Department reconsider and allow the petitioners to refile their May 8, 2008, submission, or in the alternative, take notice of this information in the preliminary results. On May 22, 2008, Huvis submitted comments rebutting the petitioners' May 8 and 20, 2008, submissions.

On May 22, 2008, the Department decided to allow the petitioners to refile their May 8, 2008, submission. See Letter to David Smith, counsel for the petitioners, "Petitioners' May 20, 2008 Comments," dated May 22, 2008. Also, the Department provided all interested parties a period of 10 days to rebut petitioners' refiled submission. The Department will consider the petitioners' refiled May 8, 2008, submission, Huvis's May 22, 2008, submission, and any other rebuttal comments to petitioners' refiled submission in its final results. See Memorandum to File, "Reconsideration of Petitioners' May 8, 2008, submission," dated May 22, 2008.

Scope of the Order

For the purposes of this order, the product covered is PSF. PSF is defined as synthetic staple fibers, not carded, combed or otherwise processed for spinning, of polyesters measuring 3.3 decitex (3 denier, inclusive) or more in diameter. This merchandise is cut to lengths varying from one inch (25 mm) to five inches (127 mm). The merchandise subject to this order may be coated, usually with a silicon or other finish, or not coated. PSF is generally used as stuffing in sleeping bags, mattresses, ski jackets, comforters, cushions, pillows, and furniture. Merchandise of less than 3.3 decitex (less than 3 denier) currently classifiable in the *Harmonized Tariff Schedule of the United States* ("HTSUS") at subheading 5503.20.00.25 is specifically excluded from this order. Also specifically excluded from this order are polyester staple fibers of 10 to 18 denier that are cut to lengths of 6 to 8 inches (fibers used in the manufacture of carpeting). In addition, low-melt PSF is excluded from this order. Low-melt PSF is defined as a bi-component fiber with an outer sheath that melts at a

¹ The petitioners also asked for the Department to request U.S. Customs and Border Protection import data, for either direct shipments or shipments through Canada or Mexico, under the name "Samyang."

² While the Department initiated a review of Samyang, we later determined that this initiation was in error, and, as noted below, on November 1, 2007, we rescinded with respect to Samyang.

significantly lower temperature than its inner core.

The merchandise subject to this order is currently classifiable in the HTSUS at subheadings 5503.20.00.45 and 5503.20.00.65. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise under the order is dispositive.

Fair Value Comparisons

To determine whether Huvis' sales of PSF to the United States were made at less than normal value ("NV"), we compared export price ("EP") to NV, as described in the "Export Price" and "Normal Value" sections of this notice.

Pursuant to section 777A(d)(2) of the Act, we compared the EP of individual U.S. transactions to the weighted-average NV of the foreign-like product, where there were sales made in the ordinary course of trade, as discussed in the "Cost of Production Analysis" section below.

Product Comparisons

In accordance with section 771(16) of the Act, we considered all products produced and sold by the respondent in the home market covered by the description in the "Scope of the Order" section, above, to be foreign-like products for purposes of determining appropriate product comparisons to U.S. sales. In accordance with section 773(a)(1) of the Act, in order to determine whether there was a sufficient volume of sales in the home market to serve as a viable basis for calculating NV, we compared the respondent's volume of home market sales of the foreign-like product to the volume of its U.S. sales of the subject merchandise. For further details, see the "Normal Value" section, below.

We compared U.S. sales to monthly weighted-average prices of contemporaneous sales made in the home market. Where there were no contemporaneous sales of identical merchandise in the home market, we compared sales made within the window period, which extends from three months prior to the POR until two months after the POR. See 19 CFR 351.414(e)(2). As directed by section 771(16) of the Act, where there were no sales of identical merchandise in the home market made in the ordinary course of trade to compare to U.S. sales, we compared U.S. sales to sales of the most similar foreign-like product made in the ordinary course of trade. Further, as provided in section 773(a)(4) of the Act, where we could not determine NV because there were no sales of identical or similar merchandise made in the

ordinary course of trade in the home market to compare to U.S. sales, we compared U.S. sales to constructed value ("CV").

Date of Sale

For its home market sales, Huvis reported invoice date as its date of sale because Huvis permits home market customers to make order changes up to that time. Thus, Huvis' invoices to its home market customers establish the material terms of sale.

For its U.S. sales, Huvis reported date of shipment as its date of sale because it permits U.S. customers to make order changes up to the date of shipment. Thus, because the merchandise is always shipped on or before the date of invoice and the material terms of sale are established on the date of shipment, the date of shipment is the proper date of sale. See *Certain Polyester Staple Fiber from Korea: Preliminary Results of Antidumping Duty Administrative Review and Preliminary Intent to Rescind*, 72 FR 31279, 31280 (Jun. 6, 2007) (unchanged in final results: *Certain Polyester Staple Fiber from Korea: Final Results of the 2005–2006 Antidumping Duty Administrative Review*, 72 FR 69663 (Dec. 10, 2007)); see also *Certain Cold-Rolled and Corrosion-Resistant Carbon Steel Flat Products From Korea: Final Results of Antidumping Duty Administrative Reviews*, 63 FR 13170, 13172–73 (Mar. 18, 1998).

Export Price

For sales to the United States, we calculated EP in accordance with section 772(a) of the Act because the merchandise was sold prior to importation by the exporter or producer outside the United States to the first unaffiliated purchaser in the United States, and because constructed export price methodology was not otherwise warranted. Huvis reported sales to the United States based upon three different types of sales terms (*i.e.*, free-on board ("FOB"); cost, insurance, and freight ("CIF"); and ex-dock duty paid ("EDDP")-FOB). We calculated EP based on these reported prices to unaffiliated purchasers in the United States. Where appropriate, we made deductions, consistent with section 772(c)(2)(A) of the Act, for the following movement expenses: loading fees, inland freight from the plant to port of exportation, foreign brokerage and handling, international freight, marine insurance, and U.S. customs duty.

We increased EP, where appropriate, for duty drawback in accordance with section 772(c)(1)(B) of the Act. Huvis provided documentation demonstrating

that it received duty drawback under Korea's individual-rate system. In prior investigations and administrative reviews, the Department has examined Korea's individual-rate system and found that the government controls in place generally satisfy the Department's requirements for receiving a duty drawback adjustment (*i.e.*, that (1) the rebates received were directly linked to import duties paid on inputs used in the manufacture of the subject merchandise, and (2) there were sufficient imports to account for the rebates received). See, *e.g.*, *Notice of Final Results of the Eleventh Administrative Review of the Antidumping Duty Order on Certain Corrosion-Resistant Carbon Steel Flat Products from the Republic of Korea*, 71 FR 7513 (Feb. 13, 2006), and accompanying Issues and Decisions Memorandum at Comment 2. We examined the documentation submitted by Huvis in this administrative review and confirmed that it meets the Department's two-prong test (mentioned above) for receiving a duty drawback adjustment. Accordingly, we are allowing the reported duty drawback adjustment on Huvis' U.S. sales.

Normal Value

A. Selection of Comparison Market

To determine whether there was a sufficient volume of sales of PSF in the home market to serve as a viable basis for calculating NV, we compared the respondent's home market sales of the foreign-like product to its volume of U.S. sales of the subject merchandise, in accordance with section 773(a) of the Act. Pursuant to sections 773(a)(1)(B) and (C) of the Act, because the respondent's aggregate volume of home market sales of the foreign-like product was greater than five percent of its aggregate volume of U.S. sales of the subject merchandise, we determined that the home market was viable for comparison.

B. Level of Trade

Section 773(a)(1)(B)(i) of the Act states that, to the extent practicable, the Department will calculate NV based on sales at the same level of trade ("LOT") as the EP. Sales are made at different LOTs if they are made at different marketing stages (or their equivalent). See 19 CFR 351.412(c)(2). Substantial differences in selling activities are a necessary, but not sufficient, condition for determining that there is a difference in the stages of marketing. *Id.*; see also *Notice of Final Determination of Sales at Less Than Fair Value: Certain Cut-to-Length Carbon Steel Plate From South Africa*, 62 FR 61731, 61732 (Nov. 19,

1997) (“*CTL Plate*”). In order to determine whether the comparison market sales were at different stages in the marketing process than the U.S. sales, we reviewed the distribution system in each market (*i.e.*, the “chain of distribution”),³ including selling functions,⁴ class of customer (“customer category”), and the level of selling expenses for each type of sale. *Id.*

Pursuant to section 773(a)(1)(B)(i) of the Act, in identifying levels of trade for EP and comparison market sales (*i.e.*, NV based on either home market or third country prices),⁵ we consider the starting prices before any adjustments. *See Micron Tech, Inc. v. United States, et al.*, 243 F.3d 1301, 1314–15 (Fed. Cir. 2001) (interpreting Congressional intent, in accordance with this methodology).

When the Department is unable to match U.S. sales to sales of the foreign-like product in the comparison market at the same LOT as the EP, the Department may compare the U.S. sales to sales at a different LOT in the comparison market. In comparing EP sales at a different LOT in the comparison market, where available data show that the difference in LOT affects price comparability, we make a LOT adjustment under section 773(a)(7)(A) of the Act.

Huvis reported a single channel of distribution and a single level of trade in each market, and has not requested a LOT adjustment. In the single channel of distribution for U.S. sales, merchandise is shipped directly to the customer on an FOB, CIF, or EDDP-FOB basis. For home market sales, merchandise is delivered to the customer's location.

³ The marketing process in the United States and comparison markets begins with the producer and extends to the sale to the final user or customer. The chain of distribution between the two may have many or few links, and the respondent's sales occur somewhere along this chain. *CTL Plate*, 62 FR at 61732. In performing this evaluation, we considered the narrative responses of the respondent to properly determine where in the chain of distribution the sale occurs.

⁴ Selling functions associated with a particular chain of distribution help us to evaluate the level(s) of trade in a particular market. *CTL Plate*, 62 FR at 61732. For purposes of these preliminary results, we have organized the common selling functions into four major categories: sales process and marketing support, freight and delivery, inventory and warehousing, and quality assurance/warranty services.

⁵ Where NV is based on CV, we determine the NV LOT based on the LOT of the sales from which we derive selling, general and administrative (“SG&A”) expenses, and profit for CV, where possible. *See, e.g., Certain Polyester Staple Fiber from Korea: Preliminary Results of Antidumping Duty Administrative Review and Partial Rescission of Review*, 70 FR 32756, 32757 (Jun. 6, 2005) (unchanged in *Notice of Final Results of Antidumping Duty Administrative Review: Certain Polyester Staple Fiber from the Republic of Korea*, 70 FR 73435 (Dec. 12, 2005)).

We examined the information reported by Huvis regarding its marketing process for making the reported home market and U.S. sales, including the type and level of selling activities performed, and customer categories. Specifically, we considered the extent to which the sales process, freight services, warehouse/inventory maintenance, and warranty services varied with respect to the different customer categories (*i.e.*, distributors and end users) within each market and across the markets.

Huvis reported that it made direct sales to distributors and end users in both the home market and to the United States. For sales in the home market and to the United States, Huvis' selling activities included negotiating sales terms, receiving and processing orders, and arranging for freight and delivery, and preparing shipping documents. For each market, Huvis was available to provide technical advice upon a customer's request. For sales in the home market and to the United States, Huvis offered no inventory maintenance services nor advertising, and it did not handle any warranty claims during the POR.

Because the selling functions were similar in both markets, we preliminarily find that a single LOT exists in the home market and in the United States, and that Huvis' home market and U.S. sales were made at the same LOT.

C. Sales to Affiliated Customers

Huvis made sales in the home market to affiliated customers. To test whether these sales were made at arm's length, we compared the starting prices of sales to affiliated customers to those of sales to unaffiliated customers, net of all movement charges, direct and indirect selling expenses, discounts, and packing. Where the price to affiliated parties was, on average, within a range of 98 to 102 percent of the price of the same or comparable merchandise to the unaffiliated parties, we determined that the sales made to affiliated parties were at arm's length. *See Antidumping Proceedings: Affiliated Party Sales in the Ordinary Course of Trade*, 67 FR 69186 (Nov. 15, 2002). In accordance with the Department's practice, we included in our margin analysis only sales to affiliated parties that were made at arm's length.

D. Cost of Production Analysis

In the most recently completed administrative review, we had disregarded some sales by Huvis because they were made at prices below the cost of production (“COP”). Under

section 773(b)(2)(A)(ii) of the Act, previously disregarded below-cost sales provide reasonable grounds to believe or suspect that the respondent made sales of the subject merchandise in its comparison market at prices below the COP within the meaning of section 773(b) of the Act. Whenever the Department has this reason to believe or suspect sales were made below the COP, we are directed by section 773(b) of the Act to determine whether, in fact, there were below-cost sales.

Pursuant to section 773(b)(1), we disregard sales from our calculation of NV that were made at less than the COP if they were made in substantial quantities over an extended period of time at prices that would not permit recovery of costs within a reasonable period. We find that the below-cost sales represent “substantial quantities,” when 20 percent or more of the respondent's sales of a given product are at prices less than the COP, in accordance with section 773(b)(2)(C) of the Act. Further, in accordance with section 773(b)(2)(B) of the Act, the Department normally considers sales to have been made within an extended period of time when made during a period of one year. Finally, prices do not permit recovery of costs within a reasonable period of time if the per unit COP at the time of sale is below the weighted average per unit COP for the POR, in accordance with section 773(b)(2)(D) of the Act.

Application of Facts Otherwise Available

Section 776(a) of the Act provides that the Department will apply “facts otherwise available” if, *inter alia*, necessary information is not available on the record or an interested party: (1) withholds information that has been requested by the Department; (2) fails to provide such information within the deadlines established, or in the form or manner requested by the Department, subject to subsections (c)(1) and (e) of section 782 of the Act; (3) significantly impedes a proceeding; or (4) provides such information, but the information cannot be verified.

As discussed in the “Calculation of COP” section below, Huvis could not compel its affiliate to provide market prices for purified terephthalic acid (“PTA”) and qualified terephthalic acid (“QTA”) as requested by the Department. Therefore, under section 776(a) of the Act, use of facts otherwise available is warranted in determining the market price for PTA and QTA.

1. Calculation of COP

We calculated the COP on a product-specific basis, based on the sum of the respondent's costs of materials and fabrication for the merchandise under review, plus amounts for SG&A expenses, financial expenses, and the costs of all expenses incidental to placing the foreign-like product packed and in a condition ready for shipment, in accordance with section 773(b)(3) of the Act.

We relied on COP information submitted in Huvis' cost questionnaire responses except for the following adjustments.

- (1) We adjusted Huvis' reported cost of manufacturing ("COM") to account for purchases of PTA, modified terephthalic acid ("MTA"), and QTA from affiliated parties at non-arm's-length prices. See Memorandum from Team to File, "2006/07 Preliminary Results Calculation Memorandum for Huvis Corporation," dated May 23, 2008 ("Huvis Calculation Memorandum").

Consistent with our finding in the previous administrative review, the record of this review establishes that MTA and QTA are interchangeable and can be successfully used in place of one another using similar quantities. See Huvis's Mar. 6, 2008, supplemental questionnaire response at Exhibit D-30; see also *Certain Polyester Staple Fiber from Korea: Final Results of the 2005 2006 Antidumping Duty Administrative Review*, 72 FR 69663 (Dec. 10, 2007), and accompanying Issues and Decision Memorandum ("Final Results of 2005/06 Administrative Review") at Comment 4. In the instant review, due to the nature of the affiliation, Huvis claims that it could not compel its affiliate to provide a market price for QTA, as requested in the Department's original and supplemental questionnaires. Therefore, in accordance with sections 773(f)(3) and 776(a) of the Act, we have relied on facts available to make a determination of market value. Because QTA and MTA are interchangeable, we used the market price for MTA as a proxy for the market price of QTA for the major input analysis.

Additionally, we increased the affiliated supplier's COP of QTA because the supplier's purchase prices for paraxylene (i.e., an input into the production of QTA) from

an affiliated party were lower than the prices it paid to unaffiliated parties.

Under section 773(f)(3) of the Act and 19 CFR 351.407(b), the Department will determine the value of a major input from an affiliated person based on the higher of the transfer price, the market price, or the affiliate's COP. Accordingly, we increased Huvis' reported transfer price of QTA by the percent difference between the reported transfer price and the higher of the market price or the affiliate's adjusted COP.

For PTA, we find that it is not a major input because Huvis' purchases of PTA do not represent a significant percentage of the total COM of merchandise under review. Huvis claims that it could not compel its affiliate to provide a market price for this input, as requested in the Department's original and supplemental questionnaires. Therefore, in accordance with sections 773(f)(2) and 776(a) of the Act, we have relied on facts available to make a determination of market value. We added the supplier's profit rate, provided by Huvis from the supplier's financial statements for the fiscal year ending 2006, to the supplier's COP as a reasonable proxy for the missing market price of this input. See *Final Results of 2005/06 Administrative Review* at Comment 5.

As with QTA, we made an upward adjustment to the supplier's COP because the supplier's purchase prices for paraxylene from an affiliated party were lower than the prices paid to unaffiliated parties. Under section 773(f)(2), the Department may disregard transactions if the transfer price of an input does not fairly reflect the amount usually reflected for sales of that input. Because the market price of PTA exceeded the transfer price, we adjusted Huvis' reported transfer price of PTA by the percent difference between the reported transfer price and the market price.

For MTA, we determined the value of this major input based on the higher of the transfer price, the market price, or the affiliate's COP. We adjusted Huvis' reported transfer price of MTA by the percent difference between the reported transfer price and the higher of market price or affiliate's COP.

- (2) Huvis reported interest expenses that were offset by interest on deposits for retirement insurance.

Consistent with our treatment of this income in the prior administrative reviews, we excluded this offset because it is not related to interest income incurred on short-term investments of working capital. See *Certain Polyester Staple Fiber from Korea: Preliminary Results of Antidumping Duty Administrative Review and Preliminary Intent to Rescind*, 72 FR 31279 (Jun. 6, 2007) (unchanged in final results: *Certain Polyester Staple Fiber from Korea: Final Results of the 2005-2006 Antidumping Duty Administrative Review*, 72 FR 69663 (Dec. 10, 2007)); *Certain Polyester Staple Fiber from Korea: Final Results of Antidumping Duty Administrative Review and Partial Rescission of Antidumping Duty Administrative Review*, 71 FR 58581 (Oct. 4, 2006) and accompanying Issues and Decision Memorandum at Comment 4; *Stainless Steel Sheet and Strip in Coils from Mexico: Final Results of the Antidumping Duty Administrative Review*, 70 FR 3677 (Jan. 26, 2005), and accompanying Issues and Decision Memorandum ("SSSSC from Mexico") at Comment 11; see also Huvis *Calculation Memorandum*.

2. Test of Home Market Prices

On a product-specific basis, we compared the adjusted weighted-average COP figures for the POR to the home market sales of the foreign-like product, as required under section 773(b) of the Act, to determine whether these sales were made at prices below the COP. According to our practice, the prices were exclusive of any applicable movement charges and indirect selling expenses. In determining whether to disregard home market sales made at prices less than their COP, we examined, in accordance with sections 773(b)(1)(A) and (B) of the Act, whether such sales were made (1) within an extended period of time in substantial quantities, and (2) at prices which permitted the recovery of all costs within a reasonable period of time.

3. Results of COP Test

We found that, for certain products, more than 20 percent of the respondent's home market sales were at prices less than the COP and, thus, the below-cost sales were made within an extended period of time in substantial quantities. In addition, these sales were made at prices that did not permit the recovery of costs within a reasonable period of time. Therefore, we excluded these sales and used the remaining sales

of the same product, as the basis for determining NV, in accordance with section 773(b)(1) of the Act.

E. Calculation of Normal Value Based on Home Market Prices

We calculated NV based on the price to affiliated and unaffiliated customers. We made adjustments for differences in packing in accordance with sections 773(a)(6)(A) and 773(a)(6)(B)(i) of the Act. We also made adjustments, where appropriate, consistent with section 773(a)(6)(B)(ii) of the Act, for loading fees and for inland freight from the plant to the customer. In addition, we made adjustments for differences in circumstances of sale ("COS"), in accordance with section 773(a)(6)(C)(iii) of the Act and 19 CFR 351.410. We made COS adjustments, where appropriate, by deducting direct selling expenses incurred on home market sales (*i.e.*, credit expenses and bank charges) and adding U.S. direct selling expenses (*i.e.*, credit expenses and bank charges). See 19 CFR 351.410(c).

Preliminary Results of the Review

We find that the following dumping margin exists for the period May 1, 2006, through April 30, 2007:

Exporter/manufacturer	Weighted-average margin percentage
Huvis Corporation	3.02

Pursuant to 19 CFR 351.310(c), any interested party may request a hearing within 30 days of publication of this notice. Any hearing, if requested, will be held 42 days after the publication of this notice, or the first workday thereafter. Issues raised in the hearing will be limited to those raised in the case and rebuttal briefs. Pursuant to 19 CFR 351.309(c), interested parties may submit case briefs within 30 days of the date of publication of this notice. Rebuttal briefs, which must be limited to issues raised in the case briefs, may be filed not later than 35 days after the date of publication of this notice. See 19 CFR 351.309(d). Parties who submit case briefs or rebuttal briefs in this proceeding are requested to submit with each argument (1) a statement of the issue and (2) a brief summary of the argument with an electronic version included.

The Department will issue the final results of this administrative review, including the results of its analysis of issues raised in any such written briefs or hearing, within 120 days of publication of these preliminary results. See section 751(a)(3) of the Act.

Assessment Rates

Upon completion of the administrative review, the Department shall determine, and CBP shall assess, antidumping duties on all appropriate entries.

Huvis submitted evidence demonstrating that it was the importer of record for certain of its POR sales. We examined the customs entry documentation submitted by Huvis and tied it to the U.S. sales listing. We noted that Huvis was indeed the importer of record for certain sales. Therefore, for purposes of calculating the importer-specific assessment rates, we have treated Huvis as the importer of record for certain POR shipments. Pursuant to 19 CFR 351.212(b)(1), for all sales where Huvis is the importer of record, Huvis submitted the reported entered value of the U.S. sales and we have calculated importer-specific assessment rates based on the ratio of the total amount of antidumping duties calculated for the examined sales to the total entered value of those sales.

Regarding sales where Huvis was not the importer of record, we note that Huvis did not report the entered value for the U.S. sales in question. Accordingly, we have calculated importer-specific per-unit duty assessment rates for the merchandise in question by aggregating the dumping margins calculated for all U.S. sales to each importer and dividing this amount by the total quantity of those sales. To determine whether the duty assessment rates were *de minimis*, in accordance with the requirement set forth in 19 CFR 351.106(c)(2), we calculated importer-specific *ad valorem* ratios based on the estimated entered value.

Pursuant to 19 CFR 351.106(c)(2), we will instruct CBP to liquidate without regard to antidumping duties any entries for which the assessment rate is *de minimis* (*i.e.*, less than 0.50 percent). The Department will issue appraisement instructions directly to CBP 15 days after publication of the final results of review.

The Department clarified its "automatic assessment" regulation on May 6, 2003. See *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003). This clarification will apply to entries of subject merchandise during the POR produced by companies included in these preliminary results for which the reviewed companies did not know their merchandise was destined for the United States. In such instances, we will instruct CBP to liquidate unreviewed entries at the all-others rate if there is

no rate for the intermediate company(ies) involved in the transaction. *Id.*

Cash Deposit Requirements

The following deposit requirements will be effective upon completion of the final results of this administrative review for all shipments of PSF from Korea entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(1) of the Act: (1) the cash deposit rate for the reviewed company will be the rate established in the final results of this administrative review (except no cash deposit will be required if its weighted-average margin is *de minimis*, *i.e.*, less than 0.50 percent); (2) for merchandise exported by manufacturers or exporters not covered in this review but covered in the original less-than-fair-value investigation or a previous review, the cash deposit rate will continue to be the most recent rate published in the final determination or final results for which the manufacturer or exporter received an individual rate; (3) if the exporter is not a firm covered in this review, the previous review, or the original investigation, but the manufacturer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; and (4) if neither the exporter nor the manufacturer is a firm covered in this or any previous reviews, the cash deposit rate will be 7.91 percent, the all-others rate established in *Certain Polyester Staple Fiber from the Republic of Korea: Notice of Amended Final Determination and Amended Order Pursuant to Final Court Decision*, 68 FR 74552 (December 24, 2003).

Notification to Importers

This notice also serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

We are issuing and publishing these results in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: May 23, 2008.

David M. Spooner,

Assistant Secretary for Import
Administration.

[FR Doc. E8-12100 Filed 5-29-08; 8:45 am]

BILLING CODE 3510-DS-S

DEPARTMENT OF COMMERCE

International Trade Administration

[A-821-817]

Silicon Metal From the Russian Federation: Final Results of Expedited Sunset Review of Antidumping Duty Order

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

SUMMARY: On February 1, 2008, the Department of Commerce (the Department) initiated a sunset review of the antidumping duty order on silicon metal from the Russian Federation (Russia), pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act). See *Initiation of Five-Year ("Sunset") Reviews*, 73 FR 6128 (February 1, 2008) (*Sunset Initiation*); see also *Antidumping Duty Order: Silicon Metal from Russia*, 68 FR 14578 (March 26, 2003); and *Silicon Metal from the Russian Federation: Notice of Amended Final Determination Pursuant to Court Decision*, 71 FR 8277 (February 16, 2006). Based on the notice of intent to participate, and an adequate substantive response filed on behalf of a domestic interested party, and the lack of a response from any respondent interested parties, the Department conducted an expedited sunset review of the antidumping duty order, pursuant to section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2). As a result of this sunset review, the Department finds that revocation of the antidumping duty order would likely lead to the continuation or recurrence of dumping, at the levels indicated in the "Final Results of Sunset Review" section of this notice, *infra*.

DATES: *Effective Date:* May 30, 2008.

FOR FURTHER INFORMATION CONTACT: Gene Calvert, AD/CVD Operations, Office 6, Import Administration, International Trade Administration, Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-3586.

SUPPLEMENTARY INFORMATION:

Background

On February 1, 2008, the Department initiated a sunset review of the

antidumping duty order on silicon metal from Russia pursuant to section 751(c) of the Act. See *Sunset Initiation*, 73 FR 6128. On February 19, 2008, the Department received a timely notice of intent to participate in this sunset review from a domestic interested party, Globe Metallurgical Inc. (Globe), pursuant to 19 CFR 351.218(d)(1)(i). Globe claimed interested party status under section 771(9)(C) of the Act as a manufacturer in the United States of the domestic like product and as a petitioner in the original investigation.

On February 29, 2008, the Department received an adequate substantive response in this sunset review from Globe within the 30-day deadline in accordance with 19 CFR 351.218(d)(3)(i). The Department did not receive a substantive response from any respondent interested party in this sunset review. As a result, pursuant to section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2), the Department determined to conduct an expedited sunset review of the antidumping duty order on silicon metal from Russia.

Scope of the Order

The product covered by this order is silicon metal, which generally contains at least 96.00 percent but less than 99.99 percent silicon by weight. The merchandise covered by this order also includes silicon metal from Russia containing between 89.00 and 96.00 percent silicon by weight, but containing more aluminum than the silicon metal which contains at least 96.00 percent but less than 99.99 percent silicon by weight. Silicon metal currently is classifiable under subheadings 2804.69.10 and 2804.69.50 of the Harmonized Tariff Schedule of the United States (HTSUS). This order covers all silicon metal meeting the above specification, regardless of tariff classification.

Analysis of Comments Received

A complete discussion of all issues raised in this sunset review can be found in the accompanying "Issues and Decision Memorandum" from Stephen J. Claeys, Deputy Assistant Secretary for Import Administration, to David M. Spooner, Assistant Secretary for Import Administration, dated concurrently with this notice (*Decision Memorandum*) and hereby adopted by this notice. The issues in the *Decision Memorandum* include a discussion regarding the likelihood of continuation or recurrence of dumping and the magnitude of the dumping margin likely to prevail if the antidumping duty order on silicon metal from Russia were

revoked. This public memorandum is on file in Import Administration's Central Records Unit, Room 1117 of the main Commerce building. In addition, a complete version of the *Decision Memorandum* can be accessed directly on the Internet at <http://ia.ita.doc.gov/frn>. The paper copy and electronic version of the *Decision Memorandum* are identical in content.

Final Results of Sunset Review

Pursuant to section 752(c)(3) of the Act, we determine that revocation of the antidumping duty order on silicon metal from Russia would likely lead to continuation or recurrence of dumping at the weighted-average percentage margins listed below:

Manufacturers/exporters/ producers	Weighted- average mar- gin (percent)
ZAO Kremny and SUAL- Kremny-Ural, Ltd.	61.61
Bratsk Aluminum Smelter and Rual Trade Limited	87.08
All Others*	79.42

*Prior to Russia's graduation to market-economy status in 2002, this rate was referred to as the Russia-wide rate.

Notification Regarding Administrative Protective Order

This notice also serves as the only reminder to parties subject to administrative protective order (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305. Timely notification of the return or 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 the results of this sunset review and this notice in accordance with sections 751(c), 752(c), and 777(i)(1) of the Act.

Dated: May 16, 2008.

David M. Spooner,

Assistant Secretary for Import
Administration.

[FR Doc. E8-12104 Filed 5-29-08; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE**International Trade Administration****A-570-846****Brake Rotors From the People's Republic of China: Initiation of Antidumping Duty New Shipper Review****AGENCY:** Import Administration, International Trade Administration, Department of Commerce.**EFFECTIVE DATE:** May 30, 2008.

SUMMARY: The Department of Commerce ("Department") received a timely request to conduct a new shipper review of the antidumping duty order on brake rotors from the People's Republic of China ("PRC"). In accordance with Section 751(a)(2)(B) of the Tariff Act of 1930, as amended ("Act"), and 19 CFR 351.214(d)(1), we are initiating a new shipper review for Longkou Zhongkai Automobile Parts Co., Ltd. ("Longkou Zhongkai").

FOR FURTHER INFORMATION CONTACT:

Andrea Staebler Berton or Blanche Ziv, AD/CVD Operations, Office 8, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-4037 and (202) 482-4207, respectively.

SUPPLEMENTARY INFORMATION:**Background**

On March 31, 2008, prior to the beginning of the anniversary month of the antidumping duty order on brake rotors from the PRC, the Department received a request from Longkou Zhongkai for a new shipper review of the order, pursuant to section 751(a)(2)(B) of the Act and 19 CFR 351.214(c). *See Notice of Antidumping Duty Order: Brake Rotors from the People's Republic of China*, 62 FR 18740 (April 17, 1997).

As required by 19 CFR 351.214(b)(2)(i) and 351.214(b)(2)(iii)(A), Longkou Zhongkai certified that it did not export the subject merchandise to the United States during the period of investigation ("POI") and that, since the initiation of the investigation, the company has never been affiliated with any exporter or producer who exported subject merchandise to the United States during the POI. Pursuant to 19 CFR 351.214(b)(2)(iii)(B), Longkou Zhongkai further certified that its export activities are not controlled by the central government of the PRC.

In accordance with 19 CFR 351.214(b)(2)(iv), Longkou Zhongkai

submitted documentation establishing the following: (1) the date on which it first shipped brake rotors for export to the United States; (2) the volume of its first shipment and any subsequent shipments; and (3) the date of its first sale to an unaffiliated customer in the United States.

Initiation of New Shipper Review

In accordance with section 751(a)(2)(B) of the Act and 19 CFR 351.214(d)(1), we find that the request submitted by Longkou Zhongkai meets the threshold requirements for initiation of a new shipper review of shipments of brake rotors from the PRC produced and exported by this company. *See* Memorandum to the File through Wendy J. Frankel, Director, AD/CVD Operations, Office 8, and Blanche Ziv, Program Manager, AD/CVD Operations, Office 8, from the Team, entitled "Initiation Checklist of AD New Shipper Review: Brake Rotors from the People's Republic of China," dated concurrently with this note. Therefore, we are initiating a new shipper review for shipments of brake rotors produced and exported by Longkou Zhongkai. The Department will conduct this new shipper review in accordance with the deadlines set forth in section 751(a)(2)(B)(iv) of the Act.

Pursuant to 19 CFR 351.214(g)(1)(i)(A), the period of review ("POR") for a new shipper review initiated in the month immediately following the anniversary month normally will cover the 12-month period immediately preceding the anniversary month. Therefore, the POR for this new shipper review will be April 1, 2007, through March 31, 2008.

In cases involving non-market economies, the Department requires that a company seeking to establish eligibility for an antidumping duty rate separate from the PRC-wide entity rate provide evidence of *de jure* and *de facto* absence of government control over the company's export activities. Accordingly, we will issue a questionnaire to Longkou Zhongkai, including a separate-rate section. The review will proceed if the responses provide sufficient indication that Longkou Zhongkai is not subject to either *de jure* or *de facto* government control with respect to its exports of brake rotors. However, if Longkou Zhongkai does not demonstrate its eligibility for a separate rate, the company will be deemed not separate from other companies that exported during the POI, and the new shipper review for Longkou Zhongkai will be rescinded.

On August 17, 2006, the Pension Protection Act of 2006 (H.R. 4) was signed into law by Congress. Section 1632 of H.R. 4 temporarily suspends the authority of the Department to instruct U.S. Customs and Border Protection to collect a bond or other security in lieu of a cash deposit in new shipper reviews. Therefore, the posting of a bond or other security under section 751(a)(2)(B)(iii) of the Act in lieu of a cash deposit is not available in this case. Importers of brake rotors exported and produced by Longkou Zhongkai must continue to post a cash deposit of estimated antidumping duties on each entry of subject merchandise (*i.e.*, brake rotors) at the PRC-wide entity rate of 43.32 percent.

Interested parties that need access to proprietary information in this new shipper review should submit applications for disclosure under administrative protective order in accordance with 19 CFR 351.305 and 351.306.

This initiation and notice are issued in accordance with section 751(a)(2)(B) of the Act and 19 CFR 351.214(d) and 351.221(c)(1)(i).

Dated: May 22, 2008.

Stephen J. Claeys,

Deputy Assistant Secretary for Import Administration.

[FR Doc. E8-12090 Filed 5-29-08; 8:45 am]

BILLING CODE 3510-DS-S**DEPARTMENT OF COMMERCE****International Trade Administration****(A-489-815)****Notice of Antidumping Duty Order: Light-Walled Rectangular Pipe and Tube From Turkey****AGENCY:** Import Administration, International Trade Administration, Department of Commerce.

SUMMARY: Based on affirmative final determinations by the Department of Commerce (the Department) and the U.S. International Trade Commission (The ITC), the Department is issuing this antidumping duty order on light-walled rectangular pipe and tube from Turkey. On May 23, 2008, the ITC notified the Department of its affirmative determination of injury to a U.S. industry. *See* letter from the ITC to the Secretary of Commerce (Investigation No. 731-TA-1121 (Final)), dated May 23, 2008. *See also* Light-Walled Rectangular Pipe and Tube from Turkey, USITC Publication 4001, May, 2008 (Investigation No. 731-TA-1121 (Final)).

EFFECTIVE DATE: May 30, 2008.

FOR FURTHER INFORMATION CONTACT:

Tyler Weinhold or Robert James, AD/CVD Operations, Office 7, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-1121, or (202) 482-0649, respectively.

SUPPLEMENTARY INFORMATION: The final determination in this investigation was published on April 11, 2008. *See Notice of Final Determination of Sales at Less Than Fair Value: Light-Walled Rectangular Pipe and Tube from Turkey*, 73 FR 19814 (April 11, 2008).

Scope of the Order

The merchandise subject to this order is certain welded carbon quality light-walled steel pipe and tube, of rectangular (including square) cross section, having a wall thickness of less than 4 mm. The term carbon-quality steel includes both carbon steel and alloy steel which contains only small amounts of alloying elements. Specifically, the term carbon-quality includes products in which none of the elements listed below exceeds the quantity by weight respectively indicated: 1.80 percent of manganese, or 2.25 percent of silicon, or 1.00 percent of copper, or 0.50 percent of aluminum, or 1.25 percent of chromium, or 0.30 percent of cobalt, or 0.40 percent of lead, or 1.25 percent of nickel, or 0.30 percent of tungsten, or 0.10 percent of molybdenum, or 0.10 percent of niobium, or 0.15 percent vanadium, or 0.15 percent of zirconium. The description of carbon-quality is intended to identify carbon-quality products within the scope. The welded carbon-quality rectangular pipe and tube subject to this order is currently classified under the Harmonized Tariff Schedule of the United States (HTSUS) subheadings 7306.61.50.00 and 7306.61.70.60. While HTSUS subheadings are provided for convenience and Customs purposes, our written description of the scope of the order is dispositive.

Antidumping Duty Order

On May 23, 2008, in accordance with section 735(d) of the Tariff Act of 1930, as amended (the Act), the ITC notified the Department of its final determination pursuant to section 735(b)(1)(A)(i) of the Act that an industry in the United States is materially injured by reason of less-than-fair-value imports of light-walled rectangular pipe and tube from Turkey.

Therefore, in accordance with section 736(a)(1) of the Act, the Department will

direct U.S. Customs and Border Protection (CBP) to assess, upon further instruction by the Department, antidumping duties equal to the amount by which the normal value of the merchandise exceeds the export price (or the constructed export price) of the merchandise for all relevant entries of light-walled rectangular pipe and tube from Turkey. These antidumping duties will be assessed on all entries of light-walled rectangular pipe and tube from Turkey entered, or withdrawn from warehouse, for consumption on or after January 30, 2008, the date on which the Department published its notice of preliminary determinations in the **Federal Register**. *See Notice of Preliminary Determination of Sales at Less Than Fair Value: Light-Walled Rectangular Pipe and Tube From Turkey*, 73 FR 5508 (January 30, 2008).

CBP officers must require, at the same time as importers would normally deposit estimated duties on this merchandise, a cash deposit equal to the estimated weighted-average antidumping duty margins as noted below. The all-others rate applies to all manufacturers and exporters of subject merchandise not specifically listed.

The weighted-average dumping margins are as follows:

Producer/Exporter	Weighted-Average Margin (Percentage)
Güven Boru Profil Sanayii ve Ticaret Limited Sirketi	41.71
MMZ Onur Boru Profil Uretim San. ve Tic. A.S.	41.71
Anadolu Boru	41.71
Ayata Metal Industry	41.71
Goktas Tube/Goktas Metal	41.71
Kalibre Boru Sanayi ve Ticaret A.S.	41.71
Kerim Celik Mamulleri Imalat ve Ticaret	41.71
Ozgur Boru	41.71
Ozmak Makina ve Elektrik Sanayi	41.71
Seamless Steel Tube and Pipe Co. (Celbor)	41.71
Umraniye Steel Pipe Inc. ...	41.71
Yusan Industries, Ltd. ...	41.71
Borusan Mannesmann Boru	27.04
Erbosun Erciyes Boru Sanayii ve Ticaret A.S.	27.04
Noksel Steel Pipe Co. ...	27.04
Ozborusan Boru San. ve Tic. A.S.	27.04
Ozdemir Boru Sanayi ve Ticaret Ltd. Sti.	27.04
Toscelik Profil ve Sac End. A.S.	27.04
Yucel Boru ve Profil Endustrisi A.S.	27.04

Producer/Exporter	Weighted-Average Margin (Percentage)
All Others	27.04

Pursuant to section 736(a) of the Act, this notice constitutes the antidumping duty order with respect to light-walled rectangular pipe and tube from Turkey. Interested parties may contact the Department's Central Records Unit, Room 1117 of the main Commerce Building, for copies of an updated list of antidumping duty orders currently in effect.

This order is issued and published in accordance with section 736(a) of the Act and 19 CFR 351.211(b).

Dated: May 27, 2008.

David M. Spooner,

Assistant Secretary for Import Administration.

[FR Doc. E8-12243 Filed 5-29-08; 8:45 am]

BILLING CODE 3510-DS-S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

RIN 0648-X112

Endangered and Threatened Species; Recovery Plans; Recovery Plan for the Northwest Atlantic Population of the Loggerhead Sea Turtle

AGENCIES: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce; Fish and Wildlife Service (USFWS), Interior.

ACTION: Notice of availability; request for comments.

SUMMARY: We, NMFS and USFWS, announce the availability for public review of the draft Recovery Plan (Plan) for the Northwest Atlantic Population of the Loggerhead Sea Turtle (*Caretta caretta*). We are soliciting review and comment on the Plan from the public and all interested parties, including state and local governments, and national governments beyond the U.S. whose actions may contribute to the conservation and recovery of the loggerhead turtle in the Northwest Atlantic. We will consider all substantive comments received during the review period before submitting the Plan for final approval.

DATES: Comments on the draft Plan must be received by close of business on July 29, 2008.

ADDRESSES: Send comments by any one of the following methods.

(1) Electronic Submissions: Submit all electronic comments via e-mail to: seaturtle@fws.gov. Include in the subject line of the e-mail the following identifier: Comments on Northwest Atlantic Loggerhead Recovery Plan. Attachments to electronic comments will be accepted in Microsoft Word, Excel, WordPerfect, or Adobe PDF file formats only.

(2) Mail: NMFS National Sea Turtle Coordinator, Attn: Draft Loggerhead Recovery Plan, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Room 13657, Silver Spring, MD 20910 or USFWS National Sea Turtle Coordinator, U.S. Fish and Wildlife Service, 6620 Southpoint Drive South, Suite 310, Jacksonville, FL 32216.

(3) Fax: 301-713-0376, Attn: NMFS National Sea Turtle Coordinator.

FOR FURTHER INFORMATION CONTACT: Barbara Schroeder (ph. 301-713-1401, fax 301-713-0376) or Sandy MacPherson (ph. 904-232-2580).

SUPPLEMENTARY INFORMATION:

Availability of the Draft Recovery Plan

Interested persons may obtain the Plan for review on the Internet at <http://www.nmfs.noaa.gov/pr/recovery/plans.htm> or <http://www.fws.gov/northflorida/SeaTurtles/loggerhead-recovery/default-loggerhead.htm> or by contacting Barbara Schroeder or Sandy MacPherson [see **FOR FURTHER INFORMATION CONTACT**].

Background

The Endangered Species Act of 1973 (15 U.S.C. 1531 *et seq.*) requires that NMFS and USFWS develop and implement recovery plans for the conservation and survival of threatened and endangered species under their jurisdiction, unless it is determined that such plans would not promote the conservation of the species. This Plan discusses the natural history, current status, and the known and potential threats to the loggerhead turtle in the Northwest Atlantic. The Plan lays out a recovery strategy to address the potential threats based on the best available science and includes recovery goals and criteria. The Plan is not a regulatory action, but presents guidance for use by agencies and interested parties to assist in the recovery of loggerhead turtles. The Plan identifies substantive actions needed to achieve recovery by addressing the threats to the

species. Recovery of loggerhead turtles in the Northwest Atlantic is a long-term effort and will require cooperation and coordination of Federal, state, and local government agencies, and the community, as well as international cooperation. NMFS and USFWS will consider all substantive comments and information presented during the public comment period in the course of finalizing this Plan.

Dated: May 20, 2008.

James H. Lecky,

*Director, Office of Protected Resources,
National Marine Marine Service.*

Dated: May 9, 2008.

Franklin J. Arnold III,

*Acting Regional Director, Southeast Region,
Fish and Wildlife Service.*

[FR Doc. E8-12132 Filed 5-29-08; 8:45 am]

BILLING CODE 3510-22-S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XI11

**Pacific Fishery Management Council;
Notice of Intent**

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

ACTION: Notice of intent to prepare an environmental impact statement (EIS); request for comments; preliminary notice of public scoping meetings.

SUMMARY: NMFS and the Pacific Fishery Management Council (Pacific Council) announce their intent to prepare an EIS in accordance with the National Environmental Policy Act (NEPA) of 1969 to analyze fishing conducted under the Pacific Coast Groundfish Fishery Management Plan.

DATES: Public scoping will be conducted through regular meetings of the Pacific Fishery Management Council and its advisory bodies. The Pacific Fishery Management Council is scheduled to consider actions and alternatives that are the subject of this proposed action at their June 8-13, 2008, meeting. The details of this and any other meetings related to this action will be announced in the **Federal Register**. Written comments will be accepted at the Pacific Council office through June 3, 2008.

ADDRESSES: You may submit comments, on issues and alternatives, identified by RIN: 0648-XI11 by any of the following methods:

- E-mail: 0910.EIS@noaa.gov. Include 0648-XI11 and enter "Scoping Comments" in the subject line of the message.

- Fax: 503-820-2299.

- Mail: Dr. Donald McIsaac, Pacific Fishery Management Council, 7700 NE Ambassador Pl., Suite 101, Portland, OR 97220.

FOR FURTHER INFORMATION CONTACT: Mr. John DeVore, Pacific Fishery Management Council, phone: 503-820-2280, fax: 503-820-2299 and email: john.devore@noaa.gov; or Kathe Hawe, NMFS Northwest Region NEPA Coordinator; phone: 206-526-6161 and email: Kathe.Hawe@noaa.gov.

Electronic Access

This **Federal Register** document is available on the Government Printing Office's Web site at:

www.gpoaccess.gov/fr/index/html.

SUPPLEMENTARY INFORMATION:

Background and Need for Agency Action

There are more than 90 species managed under the Pacific Coast Groundfish Fishery Management Plan (groundfish FMP), seven of which have been declared overfished. The groundfish stocks support an array of commercial, recreational, and Indian tribal fishing interests in state and federal waters off the coasts of Washington, Oregon, and California. In addition, groundfish are also harvested incidentally in non-groundfish fisheries, most notably, the trawl fisheries for pink shrimp, ridgeback prawns, California halibut, and sea cucumber.

The proposed action is needed to establish commercial and recreational harvests levels in 2009-2010 that will ensure groundfish stocks are maintained at, or restored to, sizes and structures that will produce the highest net benefit to the nation, while balancing environmental and social values.

The Proposed Action

The proposed action is to implement management measures consistent with the requirements of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) that constrain total fishing mortality during 2009-2010 within limits that maintain fish stocks at, or rebuild them to, a level capable of producing maximum sustained yield (MSY), or to a stock size less than this if such stock size results in long-term net benefit to the nation.

These fishing mortality limits are harvest specifications that include acceptable biological catches (ABCs) and optimum yields (OYs) for

groundfish species or species groups in need of particular protection; OYs may be represented by harvest guidelines or quotas for species that need individual management. Separate sets of ABCs and OYs will be specified for 2009 and 2010 as part of the multi-year management cycle for groundfish. The allocation of commercial OYs between the open access and limited entry segments of the fishery is also part of the proposed action.

The FMP, as amended by Amendment 17, requires that the groundfish specifications be evaluated and revised as necessary every two years, with separate ABCs and OYs established for each of the two years in the biennial period. Management measures designed to achieve the OYs will be established for each year and, as in the past, may vary from period to period within any one year. These specifications and management measures will be published in the **Federal Register** and made effective by January 1 of the first fishing year in the biennium (2009). The Magnuson-Stevens Act and the groundfish FMP also require that NMFS implement actions to prevent overfishing and to rebuild overfished stocks. These specifications include fish caught in state ocean waters (zero to three nautical miles [nm] offshore) as well as fish caught in the U.S. exclusive economic zone (3 to 200 nm offshore).

Alternatives

NEPA requires that agencies evaluate reasonable alternatives to the proposed action in an EIS. The purpose and need for agency action determines the range of reasonable alternatives. A preliminary set of alternatives was developed during the November 4–9, 2007, Council meeting. Alternatives are structured around a range of ABCs/OYs for assessed groundfish species. This range of ABCs/OYs is based on stock assessments, including new assessments for 16 of the groundfish species managed under the FMP.

Seven groundfish species are currently declared overfished and subject to rebuilding plans previously adopted by the Council. Based on new stock assessments and rebuilding analyses, three of these stocks have a markedly different target year for rebuilding than previously estimated, if the current harvest rates are maintained. Rebuilding plans for these species may have to be revised in order to meet the statutory requirement to rebuild in as short a time as possible, taking into account the appropriate factors.

For some species, ABC/OY ranges that would be used to develop alternatives may be based on consultations by the

Council with state and federal agencies, Indian tribes, and the affected public on the allocation of harvest opportunity between sectors. Allocation decisions can affect OYs because different sectors may catch fish of different species and ages, allowing different sustainable harvest levels.

Based on a range of ABCs/OYs alternatives adopted at the November 2007 Council meeting, the Council chose a preliminary preferred ABCs/OYs alternative at their April 2008 meeting; a range of alternative management measures was also identified that will constrain total harvest mortality (across all fisheries intercepting groundfish) to within the preferred OYs. The Council is then scheduled to take final action to choose a preferred alternative that includes ABCs/OYs and associated management measures at their June 2008 meeting.

Restrictive management measures intended to rebuild overfished species have been adopted and implemented over the past several years for most commercial and recreational fishing sectors. Management measures intended to control the rate at which different groundfish species or species groups are taken in the fisheries include trip limits, bag limits, size limits, time/area closures, and gear restrictions. Large area closures, called Groundfish Conservation Areas (GCAs) or Rockfish Conservation Areas (RCAs), intended to reduce bycatch of overfished species, were first implemented in late 2002. A second important type of measure used to manage groundfish is the cumulative landing limit. Cumulative landing limits restrict the total weight of fish by species or species group that any one vessel may land during the limit period, which is normally two months. Different cumulative landing limits are established for areas north and south of 40° 10' N. lat. (near Cape Mendocino, California) and for limited entry trawl, limited entry fixed gear, and open access fishery participants.

Preliminary Identification of Environmental Issues

A principal objective of the scoping and public input process is to identify potentially significant impacts to the human environment that should be analyzed in depth in the EIS. NMFS staff conducted internal scoping to determine the likely impacts of the proposed action on the human environment and identify potentially significant impacts. Based on this internal scoping, the following environmental components have been identified for impact evaluation: overfished groundfish, groundfish at

precautionary and healthy levels, no-groundfish species, listed salmonids, the marine ecosystem and fish habitat, community and economic impacts, and cumulative impacts.

Public Scoping Process

Public scoping has already occurred as part of the Council's decision-making process and will continue through Council final action in June 2008. All decisions during the Council process benefit from written and oral public comments delivered prior to or during the Council meeting. These public comments are considered integral to scoping for developing this EIS. The Council chose the preliminary preferred ABCs/OYs alternative and refined the range of management measures at their April 5–12, 2008, meeting in Seattle, Washington at the Seattle Marriott Hotel-Sea Tac, 3201 S 176th Street, 98188–4094, 206–241–2000 or 800–314–0925. The Council is scheduled to finalize their preferred alternative at their June 8–13, 2008, meeting at the Crowne Plaza Mid Peninsula, 1221 Chess Drive, Foster City, California, 94404, 800–227–6963 or 650–570–5700. Public comment may be made under the agenda items when the Council will consider these proposed actions. The agendas for these meetings will be available from the Council website or by request from the Council office in advance of the meeting (see **ADDRESSES**). Written comments on the scope of issues and alternatives may also be submitted as described under **ADDRESSES**.

NMFS invites comments and suggestions on the scope of the analysis to be included in the draft EIS (DEIS). The scope includes the range of alternatives to be considered and potentially significant impacts to the human environment that should be evaluated in the NEPA document. In addition, NMFS is notifying the public that, in conjunction with the Council, it is beginning a full environmental analysis and decision-making process for this proposal, so interested or affected people may know how they can participate in the environmental analysis and contribute to the final decision.

A DEIS will be prepared for comment after Council final action. The comment period on the DEIS will be 45 days from the date the Environmental Protection Agency's notice of availability appears in the **Federal Register**. It is very important that those interested in this proposed action participate at that time. To be most helpful, comments on the NEPA document should be as specific as possible and may address the

adequacy of the statement or merits of the alternatives discussed. It is also helpful if comments refer to specific pages or chapters of the NEPA document. Comments may also address the adequacy of the NEPA document or the merits of the alternatives formulated and discussed in the NEPA document. (Reviewers may wish to refer to the Council on Environmental Quality Regulations for implementing the procedural provisions of NEPA CFR 1503.3 in addressing these points.) Comments received, including the names and addresses of those who comment, will be considered part of the public record on this proposal and will be available for public inspection.

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

Dated: May 22, 2008.

Emily H. Menashes,
Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.
[FR Doc. E8-12129 Filed 5-29-08; 8:45 am]
BILLING CODE 3510-22-S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN: 0648-XI18

Fisheries of the South Atlantic and Gulf of Mexico; Southeast Data, Assessment, and Review (SEDAR); SEDAR 16 King Mackerel Assessment Panel; Public Meeting

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

ACTION: Notice of SEDAR 16 South Atlantic and Gulf of Mexico King Mackerel Post-Assessment Workshop Conference Call.

SUMMARY: The SEDAR 16 Assessment Panel will meet via conference call to review assessment model results and discuss future documentation needs. See **SUPPLEMENTARY INFORMATION**.

DATES: The SEDAR 16 Assessment Workshop Panel will meet on Tuesday, June 17, 2008, from 12 p.m. to 3 p.m. (EST).

ADDRESSES: The meeting will be held via conference call. Listening stations are available at the following locations: South Atlantic Fishery Management Council, 4055 Faber Place Drive 1201, North Charleston, SC 29405; and the Gulf of Mexico Fishery Management Council, 2203 North Lois Avenue, Suite 1100, Tampa, FL 33607.

FOR FURTHER INFORMATION CONTACT: Julie A. Neer, SEDAR Coordinator, SAFMC,

4055 Faber Place, Suite 201, North Charleston, SC 29405; telephone: (843) 571-4366 or toll free: (866) SAFMC-10; fax: (843) 769-4520.

SUPPLEMENTARY INFORMATION: The South Atlantic, Gulf of Mexico, and Caribbean Fishery Management Councils; in conjunction with NOAA Fisheries, the Atlantic States Marine Fisheries Commission, and the Gulf States Marine Fisheries Commission; implemented the Southeast Data, Assessment and Review (SEDAR) process, a multi-step method for determining the status of fish stocks. SEDAR 16 is developing an assessment of the South Atlantic and Gulf of Mexico King Mackerel stock.

During this conference call the SEDAR 16 King Mackerel Assessment Panel will follow-up on activities from its May 5-9, 2008 meeting by reviewing the assessment model results, and discussing future documentation needs.

Although non-emergency issues not contained in this agenda may come before this group for discussion, those issues may not be the subject of formal action during this meeting. Action will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the Council's intent to take final action to address the emergency.

Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to the South Atlantic Fishery Management Council office (see **ADDRESSES**) at least 10 business days prior to the meeting.

Dated: May 27, 2008.

Tracey L. Thompson,
Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.
[FR Doc. E8-12045 Filed 5-29-08; 8:45 am]
BILLING CODE 3510-22-S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN: 0648-XI20

Mid-Atlantic Fishery Management Council; Public Hearings

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

ACTION: Notice of public hearings.

SUMMARY: The Mid-Atlantic Fishery Management Council will hold public hearings to allow for input on Amendment 10 to the Fishery Management Plan for the Atlantic Mackerel, Squid, and Butterfish Fishery (FMP).

DATES: Written comments will be accepted until 23 June 2008. See **SUPPLEMENTARY INFORMATION** for dates, times and location of hearings.

ADDRESSES: Send comments to: Daniel T. Furlong, Executive Director of the Mid-Atlantic Fishery Management Council, Suite 2115 Federal Building, 300 South New Street, Dover, DE 19904.

FOR FURTHER INFORMATION CONTACT: Daniel T. Furlong, Executive Director of the Mid-Atlantic Fishery Management Council, Room 2115 Federal Building, 300 South New Street, Dover, DE 19904; telephone: (302) 674-2331.

SUPPLEMENTARY INFORMATION: There are four proposed management actions in this Amendment. To reduce general discards and to allow the butterfish stock to rebuild to BMSY and protect the long-term health and stability of the rebuilt butterfish stock, the proposed management actions could:

1. Develop a butterfish mortality cap program for the Loligo fishery;
2. Increase the Loligo minimum codend mesh size;
3. Eliminate exemptions for Illex vessels from Loligo minimum codend mesh requirements; and
4. Establish seasonal gear restricted areas (GRAs).

Public hearings: The scheduled public hearings are as follows:

June 9 - Sheraton Convention Center Hotel, Two Miss America Way, Atlantic City, NJ 08401; telephone: (609) 344-3535;

June 17 - Hilton Garden Inn, Providence Airport Warwick, 1 Thurber Street/Jefferson Boulevard, Warwick, RI 02886; telephone: (401) 734-9600; and

June 18 - Holiday Inn Express Hotel & Suites East End, 1707 Old Country Road, Route 58, Riverhead, NY 11901; telephone: (631) 548-1000.

All hearings begin at 7 p.m. and will be tape recorded with the tapes filed as the official transcript of the hearing.

Although non-emergency issues not contained in this agenda may come before this group for discussion, those issues may not be the subject of formal action during these hearings. Action will be restricted to those issues specifically identified in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act,

provided the public has been notified of the Council's intent to take final action to address the emergency.

Special Accommodations

These hearings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to M. Jan Bryan at the Council office, (302) 674-2331 extension 18, at least 5 days prior to the hearing date.

Dated: May 27, 2008.

Tracey L. Thompson,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.
[FR Doc. E8-12094 Filed 5-29-08; 8:45 am]

BILLING CODE 3510-22-S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN: 0648-XI17

Western Pacific Fishery Management Council; Public Meetings

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

ACTION: Notice of public meetings and hearings.

SUMMARY: The Western Pacific Fishery Management Council (Council) will hold its 142nd meeting to consider and take actions on fishery management issues in the Western Pacific Region.

DATES: The 142nd Council meeting and public hearings will be held on June 16-19, 2008 in Honolulu, HI. For specific times and the agenda, see

SUPPLEMENTARY INFORMATION.

ADDRESSES: The 142nd Council meeting and public hearings will be held at the Ala Moana Hotel, 410 Atkinson Drive, Honolulu, Hawaii, 96814-4722; telephone: (808) 955-4811.

FOR FURTHER INFORMATION CONTACT: Kitty M. Simonds, Executive Director; telephone: (808) 522-8220.

SUPPLEMENTARY INFORMATION: In addition to the agenda items listed here, the Council will hear recommendations from other Council advisory groups. Public comment periods will be provided throughout the agenda. The order in which agenda items are addressed may change. The Council will meet as late as necessary to complete scheduled business.

Schedule and Agenda for Council Standing Committee Meetings

Monday, June 16, 2008

Standing Committee Meetings

1. 7:30 a.m. - 9 a.m., Executive and Budget Standing Committee
2. 9 a.m. - 10 a.m., Enforcement/Vessel Monitoring Systems (VMS) Standing Committee
3. 10 a.m. - 12 noon, Pelagics Ecosystem and International Fisheries Standing Committee
3. 1:30 p.m. - 3:30 p.m., Hawaii Archipelago/Pacific Remote Island Areas (PRIA) Standing Committee
4. 3 p.m. - 4 p.m., Fishery Rights of Indigenous People Standing Committee
5. 4 p.m. - 6 p.m., Program Planning Standing Committee

The agenda during the full Council meeting will include the items listed here.

Schedule and Agenda for Council Meeting

9 a.m. - 6 p.m., Wednesday March 18, 2008

1. Introductions
2. Approval of Agenda
3. Approval of 140th and 141st Meeting Minutes
4. Agency Reports
 - A. National Marine Fisheries Service (NMFS)
 1. Pacific Islands Regional Office (PIRO)
 2. Pacific Islands Fisheries Science Center (PIFSC)
 - B. NOAA General Counsel
 - C. U.S. Fish and Wildlife Service
 - D. Department of State
 - E. Enforcement
 1. U.S. Coast Guard
 2. NOAA Office for Law Enforcement
 3. Status of Violations
 4. Standing Committee Report
 5. Public Comment
 6. Council Discussion and Action
 5. Program Planning
 - A. Program Planning and Research
- Action Items
 1. Annual Catch Limits
 - a. National Guidelines and Proposed Rule
 - b. Management Options
 2. Barter, Trade and Subsistence Issue
 - a. Background Paper
 - b. Management Options
 3. Community Development Program Implementation Framework
 - B. Integrated Fishery Environmental Management Statement
 - C. Update on Legislation
 - D. Update on status of Fishery Management Plan (FMP) actions
 - E. Report of Small Vessel Tracking Project

F. Report on Marine Education and Training (MET) Workshop

G. Update on U.S. Coral Reef Task Force Meeting

H. Hawaii Advisory Panel

Recommendations

I. Hawaii Plan Team

Recommendations

J. Scientific and Statistical Committee

(SSC) Recommendations

K. Standing Committee

Recommendations

L. Public Hearing

M. Council Discussion and Action

8 a.m. - 6 p.m., Wednesday March 18, 2008

Guest Speaker: Ocean Acidification, Global Warming and Impacts on Coral Reef Ecosystems in Fisheries

6. Marianas Archipelago

A. Arongo flaeey and Isla Informe

1. Commonwealth of the Northern Marianas Islands (CNMI)

2. Guam

B. Enforcement Issues

1. CNMI

2. Guam

C. Marianas Community Issues

1. CNMI

2. Guam

D. Marianas Fishery Reports

E. PIRO Habitat Initiatives

F. Education and Outreach Initiatives

G. SSC Recommendations

H. Public Comment

I. Council Discussion and Action

7. American Samoa Archipelago

A. Motu Ripoti

B. Enforcement Issues

C. American Samoa Community

Issues

1. Update on Community-based Management Areas

2. Other issues

D. PIRO Habitat Initiatives

E. Education and Outreach Initiatives

F. SSC Recommendations

G. Public Comment

H. Council Discussion and Action

8. Hawaii Archipelago and PRIA

A. Moku Pepa

1. 2008 Sustainable Fisheries

Leadership Award

B. Enforcement Issues

C. Hawaii Community Issues

1. Aha Ki'ole Advisory Committee

2. Hawaii Ocean Resources

Management Plan (ORMP) Update

3. Other issues

D. Main Hawaiian Islands (MHI)

Bottomfish

1. MHI Bottomfish Update

2. Bottomfish Risk Analysis (Action

Item)

E. PIRO Habitat Initiatives

F. Education and Outreach Initiatives

G. Hawaii Advisory Panel Report

H. Hawaii Plan Team Report

I. SSC Recommendations
 J. Standing Committee
 Recommendations
 K. Public Hearing
 L. Council Discussion and Action
 9. Public Comment on Non Agenda Items
8:30 a.m. - 5 p.m., Thursday June 19, 2008
 10. Pelagic & International Fisheries
 A. Pelagics Ecosystem Action Items
 1. Hawaii Swordfish Fishery Effort Management
 a. Susceptibility Quasi-Extinction Analysis
 2. Non-Longline Pelagic Fishery Management
 3. Fish Aggregating Device (FAD) Management Options
 4. CNMI Longline Control Date
 5. Hawaii Charter Vessel Control Date
 B. American Samoa and Hawaii Longline Quarterly Reports
 C. American Samoa longline-turtle interactions
 D. Video Monitoring of Longliners
 E. International Fisheries
 1. Sustainable Tuna Roundtable
 2. North Pacific Seamount Regional Fishery Management Organization
 3. Inter-American Tropical Tuna Commission (IATTC)
 F. Turtle Advisory Committee Report
 G. Education and Outreach Initiatives
 H. Hawaii Advisory Panel
 Recommendations
 I. Pelagic Plan Team Report
 J. SSC Recommendations
 K. Standing Committee
 Recommendations
 L. Public Hearing
 M. Council Discussion and Action
 11. Administrative Matters & Budget
 A. Financial Reports
 B. Administrative Reports
 C. Meetings and Workshops (Calendar)
 1. Council Coordinating Committee
 D. Council Family Changes
 E. Standard Operating Procedures and Protocols
 1. Review of Recusal Requirements
 2. Criteria to Remove Council Members
 F. Council Member Rick Gaffney issues
 G. Standing Committee
 Recommendations
 H. Public Comment
 I. Council Discussion and Action
 12. Other Business
 A. Next Meeting
 Although non-emergency issues not contained in this agenda may come before this group for discussion, those issues may not be the subject of formal action during these meetings. Action will be restricted to those issues

specifically listed in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the Council's intent to take final action to address the emergency.

Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Kitty M. Simonds, (808) 522-8220 (voice) or (808) 522-8226 (fax), at least 5 days prior to the meeting date.

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

Dated: May 27, 2008.

Tracey L. Thompson,

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

[FR Doc. E8-12043 Filed 5-29-08; 8:45 am]

BILLING CODE 3510-22-S

DEPARTMENT OF DEFENSE

GENERAL SERVICES ADMINISTRATION

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[OMB Control No. 9000-0043]

Federal Acquisition Regulation; Information Collection; Delivery Schedules

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 delivery schedules. The clearance currently expires on August 31, 2008.

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 29, 2008.

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 (VPR), 1800 F Street, NW., Room 4035, Washington, DC 20405. Please cite OMB Control No. 9000-0043, Delivery Schedules, in all correspondence.

FOR FURTHER INFORMATION CONTACT: Cecelia Davis, Contract Policy Division, GSA (202) 219-0202.

SUPPLEMENTARY INFORMATION:

A. Purpose

The time of delivery or performance is an essential contract element and must be clearly stated in solicitations and contracts. The contracting officer may set forth a required delivery schedule or may allow an offeror to propose an alternate delivery schedule. The information is needed to assure supplies or services are obtained in a timely manner.

B. Annual Reporting Burden

Respondents: 3,440.

Responses Per Respondent: 5.

Annual Responses: 17,200.

Hours Per Response: .167.

Total Burden Hours: 2,872.

Obtaining copies of proposals:

Requesters may obtain a copy of the information collection documents from the General Services Administration, FAR Secretariat (VPR), Room 4035, 1800 F Street, NW., Washington, DC 20405, telephone (202) 501-4755. Please cite OMB Control No. 9000-0043, Delivery Schedules, in all correspondence.

Dated: May 23, 2008.

Al Matera,

Director, Office of Acquisition Policy.

[FR Doc. E8-12066 Filed 5-29-08; 8:45 am]

BILLING CODE 6820-EP-S

DEPARTMENT OF DEFENSE**Department of the Army; Corps of Engineers****Notice of Intent To Prepare a Draft Environmental Impact Statement for Carolinas Cement Company LLC Castle Hayne Project in New Hanover County, NC**

AGENCY: Department of the Army, U.S. Army Corps of Engineers, DoD.

ACTION: Notice of intent.

SUMMARY: The U.S. Army Corps of Engineers (COE), Wilmington District, Wilmington Regulatory Division has received a request for Department of the Army authorization, pursuant to Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act, from Carolinas Cement Company LLC (a subsidiary of Titan America LLC) to construct the Carolinas Cement Company LLC Castle Hayne Project. This project will include quarrying to support cement manufacturing in northern New Hanover County, NC.

The proposed project will require the excavation of an open pit adjacent to the Northeast Cape Fear River in order to extract and process the raw materials (calcium carbonate and limestone) in order to produce Portland Cement.

Existing infrastructure including railroad, interstate highway, and waterways allow for both the shipment of product from the plant and the receipt of materials, such as coal. The Castle Hayne site is the location of former cement manufacturing facility and an unrelated, active aggregate quarry.

DATES: A public scoping meeting for the DEIS will be held at Emsley A. Laney High School, 2700 North College Road, Wilmington, NC, June 12, 2008 at 6 p.m. EST. Written comments will be received until June 30, 2008.

ADDRESSES: Copies of comments and questions regarding scoping of the Draft EIS may be addressed to: U.S. Army Corps of Engineers, Wilmington District, Regulatory Division, ATTN: File Number SAW-2007-00073, P. O. Box 1890, Wilmington, NC 28402-1890.

FOR FURTHER INFORMATION CONTACT: Questions about the proposed action and DEIS can be directed to Mr. Henry Wicker, Regulatory Division, telephone: (910) 251-4930.

SUPPLEMENTARY INFORMATION: The proposed Castle Hayne quarry and cement plant is located in Castle Hayne in New Hanover County, NC. The proposed project would be located on an approximately 1,868-acre site located

at Ideal Cement Road approximately 2.6 miles east of Interstate 40 and north of Holly Shelter Road. The project site is bordered to the north by the Northeast Cape Fear River, to the east by Island Creek, and to the south by Holly Shelter Road. The proposed project site includes undeveloped forested lands, an existing aggregate quarry pit currently operated by Martin Marietta Materials, as well as an inactive cement manufacturing plant, formerly operated by Ideal Cement. The proposed project is located in an area zoned as I-2 Industrial District and the quarrying and cement manufacturing would be compatible with the existing zoning.

The Carolinas Cement Company has provided the following information about the purpose of the proposed project:

The purpose of the proposed project is to establish a quarry from which it can extract marl and limestone that will support manufacturing Portland cement to supply the eastern North Carolina market in an economically viable fashion. To be economically viable the minable resource must be within a 3 mile radius of the manufacturing facility and must provide for a long-term, at least 30 years, marl and limestone resource of sufficient quality that can be recovered in a systematic and cost-effective manner. Based on the economies of scale and the projected market demand, the proposed plant will have a capacity of 2.3 million short tons per year of finished Portland cement. Furthermore, the manufacturing facility must be accessible to suitable modes of transportation. The relative cost of transporting a ton of Portland cement increases from barge to rail to trucks. Titan America's Roanoke Cement Company facility currently moves 50% of the Portland cement it produces by rail in the mid-Atlantic region. The cost of establishing and operating a Portland cement quarrying/manufacturing operation is substantial. The Portland cement market is cyclical depending upon the growth and contraction of the construction industry. It is important to locate a Portland cement operation where quarrying, manufacturing, and transportation costs and logistics allow for long-term production in an economical and efficient manner. The magnitude of the necessary investment in property and personnel requires the Portland cement industry to develop production plans based on long-term horizons. Since 1950, no manufacturing facility of the size proposed has commenced operations without 40 to 50 years of reserves, and currently operating Portland cement plants have been operating an average of 44 years.

Based on this, the applicant requires at least a 30-year resource reserve to construct the proposed facility.

The primary considerations in economic Portland cement production include raw materials to provide the necessary chemistry, availability of other materials (often by-products from other industries), and transportation and power infrastructure, near to the markets that the plant is intended to serve. These primary considerations are interrelated.

Proposed Impacts to Wetlands and Surface Waters: Surface waters and wetlands have been delineated for the proposed project site. Field reviews of the delineations with the U.S. Army Corps of Engineers (USACE), and North Carolina Division of Water Quality (DWQ) have been conducted with final USACE verification of the wetlands delineation pending. The North Carolina Division of Coastal Management's (NCDQM) Coastal Area Management Act (CAMA) jurisdictional Areas of Environmental Concern (AECs) have also been identified for the site. Field reviews of the CAMA regulated AEC boundary have been conducted and agreed to by the NCDQM. The proposed quarrying action will impact approximately 493 acres of wetlands. This total includes approximately 214 acres of wetlands located within CAMA jurisdictional areas.

Scope of Investigations: Based upon the proposed impacts to wetlands and surface waters, Carolinas Cement Company LLC has been advised by the U.S. Army Corps of Engineers that an Environmental Impact Statement (EIS) will be required for the proposed Project. The scope of the EIS investigation will include the following: Alternatives analyses, Affected environment, Environmental consequences, Secondary and cumulative environmental impacts, and Mitigation.

Alternatives analyses: Council on Environmental Quality (CEQ) regulations (40 CFR 1502.14(a)) require an environmental impact statement (EIS) to "rigorously explore and objectively evaluate all reasonable alternatives" for a proposed action. The regulations (40 CFR 1502.14(b)) further require that substantial treatment be made of each alternative considered in detail, including the proposed action. The Proposed Project and a reasonable number of alternatives, including the no action alternative and quarrying for marl in other areas within and outside of New Hanover County and/or eastern North Carolina, will be evaluated and compared in the EIS. The factors used

to compare the alternatives will be the same for each of the alternatives.

Affected environment: CEQ regulations (40 CFR 1502.15) require the EIS to describe the environment of the areas to be affected or created by the alternatives under consideration. The data and analysis shall be commensurate with the importance of the impact. Based upon preliminary evaluation of the proposed Project, it appears the primary areas of environmental concern will focus on the loss of wetland and other aquatic resource functions and values including impacts to wetlands within designated AEC's, mitigation of such losses, and the effect of the proposed quarry on groundwater and surface water quality.

In preparation for the EIS, the following studies have been completed or are ongoing for the proposed Project:

- Comprehensive geological investigations to identify high calcium marl and limestone reserves that meet cement chemistry criteria quality and quantity. A technical report detailing the methodologies and results of the geological investigation will be included as an appendix to the EIS.

- Jurisdictional wetland/stream/open waters delineations (Section 404 Jurisdictional Areas) (field reviews have been conducted with USACE and DWQ with final verification pending). A technical report detailing the methodologies and results of the jurisdictional areas delineation will be included as an appendix to the EIS.

- Identification of NCDCM jurisdictional areas including public trust areas and AECs (field reviews have been conducted with NCDCM staff).

- Federally protected species habitat evaluations and field surveys. A technical report detailing the methodologies and results of the protected species study will be included as an appendix to the EIS.

- Hydrogeologic investigations to assess the amount of water discharged from proposed quarry pits and the potential effects of dewatering on adjacent wetlands and ground water resources in area. A technical report detailing the methodologies and results of the hydrogeological study will be included as an appendix to the EIS.

- Archaeological investigations and field survey. A technical report detailing the methodologies and results of the archaeological investigation and survey will be included as an appendix to the EIS.

- Aquatic resources evaluations and field surveys. A technical report detailing the methodologies and results of the aquatic resources investigation

and survey will be included as an appendix to the EIS.

Environmental consequences: CEQ regulations (40 CFR 1502.16) state the EIS will include the environmental impacts of the alternatives including the proposed action, any adverse environmental effects which cannot be avoided should the proposal be implemented, the relationship between short-term uses of man's environment and the maintenance and enhancement of long-term productivity, and any irreversible or irretrievable commitments of resources which would be involved in the proposal should it be implemented. The EIS will identify and disclose the direct impacts of the proposed project and study a reasonable number of alternatives on the following: Topography, geology, soils, climate, biotic communities, wetlands, fish and wildlife resources, endangered and threatened species, hydrology, water resources and water quality, floodplains, CAMA jurisdictional areas, hazardous materials, air quality, noise, aesthetics, recreational resources, historical and cultural resources, socioeconomic, land use, public health and safety, energy requirements and conservation, natural or depletable resources, drinking waters, and environmental justice.

Secondary and cumulative environmental impacts: Cumulative impacts result from the incremental impact of the proposed action when added to past, present, and reasonably foreseeable future actions, regardless of what agency or person undertakes the action. GIS data and mapping will be used to evaluate and quantify secondary and cumulative impacts of the proposed Project with particular emphasis given to wetlands and surface/groundwater resources.

Mitigation: CEQ regulations (40 CFR 1502.14, 1502.16, and 1508.20) require the EIS to include appropriate mitigation measures. The USACE has adopted, through the CEQ, a mitigation policy which embraces the concepts of "no net loss of wetlands" and project sequencing. The purpose of this policy is to restore and maintain the chemical, biological, and physical integrity of "Waters of the United States," specifically wetlands. Mitigation of wetland impacts has been defined by the CEQ to include: avoidance of impacts (to wetlands), minimizing impacts, rectifying impacts, reducing impacts over time, and compensating for impacts (40 CFR 1508.20). Each of these aspects (avoidance, minimization, and compensatory mitigation) must be considered in sequential order. As part of the EIS, the applicant will develop a

compensatory mitigation plan detailing the methodology and approach to compensate for unavoidable impacts to waters of the U.S. including wetlands.

NEPA/SEPA Preparation and Permitting: Because the proposed Castle Hayne quarry project requires approvals from federal and state agencies under both the National Environmental Policy Act (NEPA) and the State Environmental Policy Act (SEPA), a joint Federal and State Environmental Impact Statement (EIS) will be prepared. The U.S. Army Corps of Engineers will serve as the lead agency for the process. The EIS will be the NEPA document for the Corps of Engineers (404 permit) and the SEPA document for the State of North Carolina (CAMA permit).

Based on the size, complexity, and potential impacts of the proposed project, the Applicant has been advised by the U.S. Army Corps of Engineers to identify and disclose the environmental impacts of the proposed project in an Environmental Impact Statement (EIS). Within the EIS, the Applicant will conduct a thorough environmental review, including an evaluation of a reasonable number of alternatives. After distribution and review of the Draft EIS and Final EIS, the Applicant understands that the U.S. Army Corps of Engineers will issue a Record of Decision (ROD) for the project. The ROD will document the completion of the EIS process and will serve as a basis for permitting decisions by federal and state agencies.

Christine M. Brayman,

Deputy District Engineer, Programs and Project Management.

[FR Doc. E8-12065 Filed 5-29-08; 8:45 am]

BILLING CODE 3710-GN-P

DEPARTMENT OF EDUCATION

Submission for OMB Review; Comment Request

AGENCY: Department of Education.

SUMMARY: The IC Clearance Official, Regulatory Information Management Services, Office of Management invites comments on the submission for OMB review as required by the Paperwork Reduction Act of 1995.

DATES: Interested persons are invited to submit comments on or before June 30, 2008.

ADDRESSES: Written comments should be addressed to the Office of Information and Regulatory Affairs, Attention: Education Desk Officer, Office of Management and Budget, 725 17th Street, NW., Room 10222, Washington, DC 20503. Commenters are

encouraged to submit responses electronically by e-mail to oir_submission@omb.eop.gov or via fax to (202) 395-6974. Commenters should include the following subject line in their response "Comment: [insert OMB number], [insert abbreviated collection name, e.g., "Upward Bound Evaluation"]]. Persons submitting comments electronically should not submit paper copies.

SUPPLEMENTARY INFORMATION: Section 3506 of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35) requires that the Office of Management and Budget (OMB) provide interested Federal agencies and the public an early opportunity to comment on information collection requests. OMB may amend or waive the requirement for public consultation to the extent that public participation in the approval process would defeat the purpose of the information collection, violate State or Federal law, or substantially interfere with any agency's ability to perform its statutory obligations. The IC Clearance Official, Regulatory Information Management Services, Office of Management, publishes that notice containing proposed information collection requests prior to submission of these requests to OMB. Each proposed information collection, grouped by office, contains the following: (1) Type of review requested, e.g. new, revision, extension, existing or reinstatement; (2) Title; (3) Summary of the collection; (4) Description of the need for, and proposed use of, the information; (5) Respondents and frequency of collection; and (6) Reporting and/or Recordkeeping burden. OMB invites public comment.

Dated: May 27, 2008.

Angela C. Arrington,

IC Clearance Official, Regulatory Information Management Services, Office of Management.

Office of Planning, Evaluation and Policy Development

Type of Review: New.

Title: Reading First Implementation Study: 2008-09.

Frequency: Biennially.

Affected Public: State, Local, or Tribal Gov't, SEAs or LEAs.

Reporting and Recordkeeping Hour Burden:

Responses: 54.

Burden Hours: 162.

Abstract: The Department will conduct a first round of state personnel interviews that will document states' pre-budget cut processes for selecting instructional materials and assessments, professional development, "spill-over" to non-Reading First (RF) districts and

schools, and RF influence on overall state literacy policies and programs. The second round of interviews will deepen our understanding of the Reading First program by documenting actual responses to the program budget cuts, and exploring other pertinent areas of program changes and policy impact. This study will provide more comprehensive descriptions, and ultimately analysis, of RF implementation processes at the district and school levels. Additionally, interviews will provide information on the relationship between Reading First and other state reading initiatives (including Title I).

Requests for copies of the information collection submission for OMB review may be accessed from <http://edicsweb.ed.gov>, by selecting the "Browse Pending Collections" link and by clicking on link number 3629. When you access the information collection, click on "Download Attachments" to view. Written requests for information should be addressed to U.S. Department of Education, 400 Maryland Avenue, SW., LBJ, Washington, DC 20202-4537. Requests may also be electronically mailed to ICDocketMgr@ed.gov or faxed to 202-401-0920. Please specify the complete title of the information collection when making your request.

Comments regarding burden and/or the collection activity requirements should be electronically mailed to ICDocketMgr@ed.gov. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339.

[FR Doc. E8-12097 Filed 5-29-08; 8:45 am]

BILLING CODE 4000-01-P

DEPARTMENT OF EDUCATION

Office of Special Education and Rehabilitative Services Overview Information—National Institute on Disability and Rehabilitation Research (NIDRR)—Disability and Rehabilitation Research Projects and Centers Program—Disability Rehabilitation Research Projects (DRRPs)—Center on Knowledge Translation for Technology Transfer

Notice inviting applications for a new award for fiscal year (FY) 2008.

Catalog of Federal Domestic Assistance (CFDA) Number: 84.133A-7.

DATES: *Applications Available:* May 30, 2008.

Deadline for Transmittal of Applications: July 29, 2008.

Date of Pre-Application Meeting: June 17, 2008.

Full Text of Announcement

I. Funding Opportunity Description

Purpose of Program: The purpose of the DRRP program is to improve the effectiveness of services authorized under the Rehabilitation Act of 1973, as amended, by developing methods, procedures, and rehabilitation technologies that advance a wide range of independent living and employment outcomes for individuals with disabilities, especially individuals with the most severe disabilities. DRRPs carry out one or more of the following types of activities, as specified and defined in 34 CFR 350.13 through 350.19: Research, training, demonstration, development, dissemination, and technical assistance.

An applicant for assistance under this program must demonstrate in its application how it will address, in whole or in part, the needs of individuals with disabilities from minority backgrounds (34 CFR 350.40(a)). The approaches an applicant may take to meet this requirement are found in 34 CFR 350.40(b).

Additional information on the DRRP program can be found at: <http://www.ed.gov/rschstat/research/pubs/res-program.html#DRRP>.

Priorities: NIDRR has established two priorities for this competition. The *General DRRP Requirements* priority is from the notice of final priorities for the Disability and Rehabilitation Research Projects and Centers Program, published in the **Federal Register** on April 28, 2006 (71 FR 25472). The *Center on Knowledge Translation for Technology Transfer* priority is from the notice of final priorities for the Disability and Rehabilitation Research Projects and Centers Program, published in the **Federal Register** on February 1, 2008 (73 FR 6132).

Note: On February 1, 2008, we published a notice in the **Federal Register** (73 FR 6162) inviting applications for a number of competitions, including one using the *Center on Knowledge Translation for Technology Transfer* priority. None of the applications we received for the *Center on Knowledge Translation for Technology Transfer* competition announced in that notice were successful. Accordingly, through this notice, we are inviting applications for another competition using the *Center on Knowledge Translation for Technology Transfer* priority.

Absolute Priorities: For FY 2008, these priorities are absolute priorities. Under 34 CFR 75.105(c)(3) we consider only applications that meet these priorities.

These priorities are:

General Disability and Rehabilitation Research Projects (DRRP) Requirements and Center on Knowledge Translation for Technology Transfer.

Program Authority: 29 U.S.C. 762(g) and 764(a).

Applicable Regulations: (a) The Education Department General Administrative Regulations (EDGAR) in 34 CFR parts 74, 75, 77, 80, 81, 82, 84, 85, 86, and 97. (b) The regulations for this program in 34 CFR part 350. (c) The notice of final priorities for the Disability and Rehabilitation Research Projects and Centers Program, published in the **Federal Register** on April 28, 2006 (71 FR 25472). (d) The notice of final priority and definitions for the Disability and Rehabilitation Research Projects and Centers Program, published in the **Federal Register** on February 1, 2008 (73 FR 6132, 6141).

Note: The regulations in 34 CFR part 86 apply to institutions of higher education (IHEs) only.

II. Award Information

Type of Award: Discretionary grants.

Estimated Available Funds:

\$1,000,000.

Estimated Range of Awards:

\$995,000–\$1,000,000.

Maximum Award: We will reject any application that proposes a budget exceeding \$1,000,000 for a single budget period of 12 months. The Assistant Secretary for Special Education and Rehabilitative Services may change the maximum amount through a notice published in the **Federal Register**.

Note: The maximum amount includes direct and indirect costs.

Estimated Number of Awards: 1.

Note: The Department is not bound by any estimates in this notice.

Project Period: Up to 60 months.

III. Eligibility Information

1. *Eligible Applicants:* States; public or private agencies, including for-profit agencies; public or private organizations, including for-profit organizations; IHEs; and Indian tribes and tribal organizations pursuant to Section 104 of the Federally Recognized Indian Tribe List Act of 1994 U.S.C. 479.1.

2. *Cost Sharing or Matching:* Cost sharing is required by 34 CFR 350.62(a)(3)(i) and will be negotiated at the time of the grant award.

IV. Application and Submission Information

1. *Address to Request Application Package:* You can obtain an application package via the Internet or from the

Education Publications Center (ED Pubs). To obtain a copy via the Internet, use the following address: <http://www.ed.gov/fund/grant/apply/grantapps/index.html>. To obtain a copy from ED Pubs, write, fax, or call the following: Education Publications Center, P.O. Box 1398, Jessup, MD 20794–1398. Telephone, toll free: 1–877–433–7827. FAX: (301) 470–1244. If you use a telecommunications device for the deaf (TDD), call, toll free: 1–877–576–7734.

You can contact ED Pubs at its Web site, also: <http://www.ed.gov/pubs/edpubs.html> or at its e-mail address: edpubs@inet.ed.gov.

If you request an application from ED Pubs, be sure to identify this competition as follows: CFDA Number 84.133A–7.

Individuals with disabilities can obtain a copy of the application package in an alternative format (e.g., Braille, large print, audiotape, or computer diskette) by contacting the person or team listed under *Alternative Format* in section VIII of this notice.

2. *Content and Form of Application Submission:* Requirements concerning the content of an application, together with the forms you must submit, are in the application package for this competition.

Page Limit: The application narrative (Part III of the application) is where you, the applicant, address the selection criteria that reviewers use to evaluate your application. We recommend that you limit Part III to the equivalent of no more than 125 pages, using the following standards:

- A “page” is 8.5” x 11”, on one side only, with 1” margins at the top, bottom, and both sides.

- Double space (no more than three lines per vertical inch) all text in the application narrative. Single spacing may be used for titles, headings, footnotes, quotations, references, and captions, as well as all text in charts, tables, figures, and graphs.

- Use a font that is either 12 point or larger or no smaller than 10 pitch (characters per inch).

The recommended page limit does not apply to Part I, the cover sheet; Part II, the budget section, including the narrative budget justification; Part IV, the assurances and certifications; or the one-page abstract, the resumes, the bibliography, or the letters of support. However, the recommended page limit does apply to all of the application narrative section (Part III).

The application package will provide instructions for completing all components to be included in the application. Each application must

include a cover sheet (Standard Form 424); budget requirements (ED Form 524) and narrative justification; other required forms; an abstract, Human Subjects narrative, Part III narrative; resumes of staff; and other related materials, if applicable.

3. Submission Dates and Times:

Applications Available: May 30, 2008.

Deadline for Transmittal of Applications: July 29, 2008.

Date of Pre-Application Meeting:

Interested parties are invited to participate in a pre-application meeting and to receive information and technical assistance through individual consultation with NIDRR staff. The pre-application meeting will be held on June 17, 2008. Interested parties may participate in this meeting by conference call with NIDRR staff from the Office of Special Education and Rehabilitative Services between 1 p.m. and 3 p.m., Washington, DC time. NIDRR staff also will be available from 3:30 p.m. to 4:30 p.m., Washington, DC time, on the same day, by telephone, to provide information and technical assistance through individual consultation. For further information or to make arrangements to participate in the meeting via conference call or for an individual consultation, contact Donna Nangle, U.S. Department of Education, Potomac Center Plaza (PCP), room 6029, 550 12th Street, SW., Washington, DC 20202. Telephone: (202) 245–7462 or by e-mail: Donna.Nangle@ed.gov.

Applications for grants under this program may be submitted electronically using the Grants.gov Apply site (Grants.gov), or in paper format by mail or hand delivery. For information (including dates and times) about how to submit your application electronically, or in paper format by mail or hand delivery, please refer to section IV. 6. *Other Submission Requirements* in this notice.

We do not consider an application that does not comply with the deadline requirements.

Individuals with disabilities who need an accommodation or auxiliary aid in connection with the application process should contact the person listed under **FOR FURTHER INFORMATION CONTACT** in section VII in this notice. If the Department provides an accommodation or auxiliary aid to an individual with a disability in connection with the application process, the individual's application remains subject to all other requirements and limitations in this notice.

4. *Intergovernmental Review:* This program is not subject to Executive

Order 12372 and the regulations in 34 CFR part 79.

5. *Funding Restrictions:* We reference regulations outlining funding restrictions in the *Applicable Regulations* section in this notice.

6. *Other Submission Requirements:* Applications for grants under this program may be submitted electronically or in paper format by mail or hand delivery.

a. *Electronic Submission of Applications.*

To comply with the President's Management Agenda, we are participating as a partner in the Governmentwide Grants.gov Apply site. The Disability Rehabilitation Research Projects competition, CFDA number 84.133A-7, is included in this project. We request your participation in Grants.gov.

If you choose to submit your application electronically, you must use the Governmentwide Grants.gov Apply site at <http://www.Grants.gov>. Through this site, you will be able to download a copy of the application package, complete it offline, and then upload and submit your application. You may not e-mail an electronic copy of a grant application to us.

You may access the electronic grant application for the Disability Rehabilitation Research Projects competition—CFDA number 84.133A-7 at <http://www.Grants.gov>. You must search for the downloadable application package for this program by the CFDA number. Do not include the CFDA number's alpha suffix in your search (e.g., search for 84.133, not 84.133A-7).

Please note the following:

- Your participation in Grants.gov is voluntary.
- When you enter the Grants.gov site, you will find information about submitting an application electronically through the site, as well as the hours of operation.
- Applications received by Grants.gov are date and time stamped. Your application must be fully uploaded and submitted and must be date and time stamped by the Grants.gov system no later than 4:30 p.m., Washington, DC time, on the application deadline date. Except as otherwise noted in this section, we will not accept your application if it is received—that is, date and time stamped by the Grants.gov system—after 4:30 p.m., Washington, DC time, on the application deadline date. We do not consider an application that does not comply with the deadline requirements. When we retrieve your application from Grants.gov, we will notify you if we are rejecting your application because it was date and time

stamped by the Grants.gov system after 4:30 p.m., Washington, DC time, on the application deadline date.

- The amount of time it can take to upload an application will vary depending on a variety of factors, including the size of the application and the speed of your Internet connection. Therefore, we strongly recommend that you do not wait until the application deadline date to begin the submission process through Grants.gov.

- You should review and follow the Education Submission Procedures for submitting an application through Grants.gov that are included in the application package for this competition to ensure that you submit your application in a timely manner to the Grants.gov system. You can also find the Education Submission Procedures pertaining to Grants.gov at <http://e-Grants.ed.gov/help/GrantsgovSubmissionProcedures.pdf>.

- To submit your application via Grants.gov, you must complete all steps in the Grants.gov registration process (see http://www.grants.gov/applicants/get_registered.jsp). These steps include (1) registering your organization, a multi-part process that includes registration with the Central Contractor Registry (CCR); (2) registering yourself as an Authorized Organization Representative (AOR); and (3) getting authorized as an AOR by your organization. Details on these steps are outlined in the Grants.gov 3-Step Registration Guide (see <http://www.grants.gov/section910/Grants.govRegistrationBrochure.pdf>). You also must provide on your application the same D-U-N-S Number used with this registration. Please note that the registration process may take five or more business days to complete, and you must have completed all registration steps to allow you to submit successfully an application via Grants.gov. In addition you will need to update your CCR registration on an annual basis. This may take three or more business days to complete.

- You will not receive additional point value because you submit your application in electronic format, nor will we penalize you if you submit your application in paper format.

- If you submit your application electronically, you must submit all documents electronically, including all information you typically provide on the following forms: Application for Federal Assistance (SF 424), the Department of Education Supplemental Information for SF 424, Budget Information—Non-Construction Programs (ED 524), and all necessary assurances and certifications. Please

note that two of these forms—the SF 424 and the Department of Education Supplemental Information for SF 424—have replaced the ED 424 (Application for Federal Education Assistance).

- If you submit your application electronically, you must attach any narrative sections of your application as files in a .DOC (document), .RTF (rich text), or .PDF (Portable Document) format. If you upload a file type other than the three file types specified in this paragraph or submit a password-protected file, we will not review that material.

- Your electronic application must comply with any page-limit requirements described in this notice.

- After you electronically submit your application, you will receive from Grants.gov an automatic notification of receipt that contains a Grants.gov tracking number. (This notification indicates receipt by Grants.gov only, not receipt by the Department.) The Department then will retrieve your application from Grants.gov and send a second notification to you by e-mail. This second notification indicates that the Department has received your application and has assigned your application a PR/Award number (an ED-specified identifying number unique to your application).

- We may request that you provide us original signatures on forms at a later date.

Application Deadline Date Extension in Case of Technical Issues with the Grants.gov System: If you are experiencing problems submitting your application through Grants.gov, please contact the Grants.gov Support Desk, toll free, at 1-800-518-4726. You must obtain a Grants.gov Support Desk Case Number and must keep a record of it.

If you are prevented from electronically submitting your application on the application deadline date because of technical problems with the Grants.gov system, we will grant you an extension until 4:30 p.m., Washington, DC time, the following business day to enable you to transmit your application electronically or by hand delivery. You also may mail your application by following the mailing instructions described elsewhere in this notice.

If you submit an application after 4:30 p.m., Washington, DC time, on the application deadline date, please contact the person listed under **FOR FURTHER INFORMATION CONTACT** in section VII in this notice and provide an explanation of the technical problem you experienced with Grants.gov, along with the Grants.gov Support Desk Case Number. We will accept your

application if we can confirm that a technical problem occurred with the Grants.gov system and that that problem affected your ability to submit your application by 4:30 p.m., Washington, DC time, on the application deadline date. The Department will contact you after a determination is made on whether your application will be accepted.

Note: The extensions to which we refer in this section apply only to the unavailability of, or technical problems with, the Grants.gov system. We will not grant you an extension if you failed to fully register to submit your application to Grants.gov before the application deadline date and time or if the technical problem you experienced is unrelated to the Grants.gov system.

b. *Submission of Paper Applications by Mail.*

If you submit your application in paper format by mail (through the U.S. Postal Service or a commercial carrier), you must mail the original and two copies of your application, on or before the application deadline date, to the Department at the applicable following address:

By mail through the U.S. Postal Service: U.S. Department of Education, Application Control Center, *Attention:* (CFDA number 84.133A-7), 400 Maryland Avenue, SW., Washington, DC 20202-4260, or

By mail through a commercial carrier: U.S. Department of Education, Application Control Center, Stop 4260, *Attention:* (CFDA number 84.133A-7), 7100 Old Landover Road, Landover, MD 20785-1506.

Regardless of which address you use, you must show proof of mailing consisting of one of the following:

- (1) A legibly dated U.S. Postal Service postmark.
- (2) A legible mail receipt with the date of mailing stamped by the U.S. Postal Service.
- (3) A dated shipping label, invoice, or receipt from a commercial carrier.
- (4) Any other proof of mailing acceptable to the Secretary of the U.S. Department of Education.

If you mail your application through the U.S. Postal Service, we do not accept either of the following as proof of mailing:

- (1) A private metered postmark.
- (2) A mail receipt that is not dated by the U.S. Postal Service.

If your application is postmarked after the application deadline date, we will not consider your application.

Note: The U.S. Postal Service does not uniformly provide a dated postmark. Before relying on this method, you should check with your local post office.

c. *Submission of Paper Applications by Hand Delivery.*

If you submit your application in paper format by hand delivery, you (or a courier service) must deliver the original and two copies of your application by hand, on or before the application deadline date, to the Department at the following address: U.S. Department of Education, Application Control Center, *Attention:* (CFDA number 84.133A-7), 550 12th Street, SW., Room 7041, Potomac Center Plaza, Washington, DC 20202-4260.

The Application Control Center accepts hand deliveries daily between 8 a.m. and 4:30 p.m., Washington, DC time, except Saturdays, Sundays, and Federal holidays.

Note for Mail or Hand Delivery of Paper Applications: If you mail or hand deliver your application to the Department—

- (1) You must indicate on the envelope and—if not provided by the Department—in Item 11 of the SF 424 the CFDA number, including suffix letter, if any, of the competition under which you are submitting your application; and
- (2) The Application Control Center will mail to you a notification of receipt of your grant application. If you do not receive this notification within 15 business days from the application deadline date, you should call the U.S. Department of Education Application Control Center at (202) 245-6288.

V. Application Review Information

1. *Selection Criteria:* The selection criteria for this competition are from 34 CFR 350.54 and are listed in the application package.

2. *Review and Selection Process:* Additional factors we consider in determining the merits of an application are as follows—

The Secretary is interested in outcomes-oriented research or development projects that use rigorous scientific methodologies. To address this interest, applicants are encouraged to articulate goals, objectives, and expected outcomes for the proposed research or development activities. Proposals should describe how results and planned outputs are expected to contribute to advances in knowledge, improvements in policy and practice, and public benefits for individuals with disabilities. Applicants should propose projects that are designed to be consistent with these goals. We encourage applicants to include in their application a description of how results will measure progress towards achievement of anticipated outcomes (including a discussion of measures of effectiveness), the mechanisms that will be used to evaluate outcomes associated with specific problems or issues, and

how the proposed activities will support new intervention approaches and strategies. Submission of the information identified in this section V. 2. *Review and Selection Process* is voluntary, except where required by the selection criteria listed in the application package.

VI. Award Administration Information

1. *Award Notices:* If your application is successful, we notify your U.S. Representative and U.S. Senators and send you a Grant Award Notification (GAN). We may notify you informally, also.

If your application is not evaluated or not selected for funding, we notify you.

2. *Administrative and National Policy Requirements:* We identify administrative and national policy requirements in the application package and reference these and other requirements in the *Applicable Regulations* section in this notice.

We reference the regulations outlining the terms and conditions of an award in the *Applicable Regulations* section in this notice and include these and other specific conditions in the GAN. The GAN also incorporates your approved application as part of your binding commitments under the grant.

3. *Reporting:* At the end of your project period, you must submit a final performance report, including financial information, as directed by the Secretary. If you receive a multi-year award, you must submit an annual performance report that provides the most current performance and financial expenditure information as directed by the Secretary under 34 CFR 75.118. The Secretary may also require more frequent performance reports under 34 CFR 75.720(c). For specific requirements on reporting, please go to <http://www.ed.gov/fund/grant/apply/appforms/appforms.html>.

Note: NIDRR will provide information by letter to grantees on how and when to submit the final performance report.

4. *Performance Measures:* NIDRR assesses the quality of its funded projects through review of grantee performance and products. Each year, NIDRR examines a portion of its grantees to determine:

- The percentage of newly-awarded NIDRR projects that are multi-site, collaborative, controlled studies of interventions and programs.

- The number of accomplishments (e.g., new or improved tools, methods, discoveries, standards, interventions, programs, or devices) developed or tested with NIDRR funding that have been judged by expert panels to be of high quality and to advance the field.

- The average number of publications per award based on NIDRR-funded research and development activities in refereed journals.

- The percentage of new grants that include studies funded by NIDRR that assess the effectiveness of interventions, programs, and devices using rigorous methods.

NIDRR uses information submitted by grantees as part of their annual performance reports in support of these performance measures.

Updates on the Government Performance and Results Act of 1993 (GPRA) indicators, revisions, and methods appear on the NIDRR Program Review Web site: <http://www.neweditions.net/pr/commonfiles/pmconcepts.htm>.

Grantees should consult this site on a regular basis to obtain details and explanations on how NIDRR programs contribute to the advancement of the Department's long-term and annual performance goals.

VII. Agency Contact

For further information contact: Donna Nangle, U.S. Department of Education, 400 Maryland Avenue, SW., room 6029, PCP, Washington, DC 20202. *Telephone:* (202) 245-7462 or by *e-mail:* Donna.Nangle@ed.gov.

If you use a TDD, call the Federal Relay Service (FRS), toll free, at 1-800-877-8339.

VIII. Other Information

Alternative Format: Individuals with disabilities can obtain this document and a copy of the application package in an alternative format (e.g., Braille, large print, audiotope, or computer diskette) by contacting the Grants and Contracts Services Team, U.S. Department of Education, 400 Maryland Avenue, SW., room 5075, PCP, Washington, DC 20202-2550. *Telephone:* (202) 245-7363. If you use a TDD, call the FRS, toll-free, at 1-800-877-8339.

Electronic Access to This Document: You can view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Adobe Portable Document Format (PDF) on the Internet at the following site: <http://www.ed.gov/news/fedregister>.

To use PDF you must have Adobe Acrobat Reader, which is available free at this site. If you have questions about using PDF, call the U.S. Government Printing Office (GPO), toll free, at 1-888-293-6498; or in the Washington, DC, area at (202) 512-1530.

Note: The official version of this document is the document published in the **Federal Register**. Free Internet access to the official

edition of the **Federal Register** and the Code of Federal Regulations is available on GPO Access at: <http://www.gpoaccess.gov/nara/index.html>.

Dated: May 27, 2008.

Tracy R. Justesen,

Assistant Secretary for Special Education and Rehabilitative Services.

[FR Doc. E8-12118 Filed 5-29-08; 8:45 am]

BILLING CODE 4000-01-P

DEPARTMENT OF EDUCATION

National Institute on Disability and Rehabilitation Research—Disability and Rehabilitation Research Projects and Centers Program—Disability Rehabilitation Research Projects (DRRPs)

AGENCY: Office of Special Education and Rehabilitative Services, Department of Education.

ACTION: Notice of proposed priorities.

SUMMARY: The Assistant Secretary for Special Education and Rehabilitative Services proposes two funding priorities for the Disability and Rehabilitation Research Projects and Centers Program administered by the National Institute on Disability and Rehabilitation Research (NIDRR). Specifically, this notice proposes a priority for a DRRP for a Research and Technical Assistance Center on Vocational Rehabilitation Program Management, and a priority for a DRRP entitled Center on the Effective Delivery of Rehabilitation Technology by State Vocational Rehabilitation Agencies To Improve Employment Outcomes. The Assistant Secretary may use these priorities for competitions in fiscal year (FY) 2008 and later years. We take this action to focus research attention on areas of national need. We intend these priorities to improve rehabilitation services and employment outcomes for individuals with disabilities.

DATES: We must receive your comments on or before June 30, 2008.

ADDRESSES: Address all comments about these proposed priorities to Donna Nangle, U.S. Department of Education, 400 Maryland Avenue, SW., Room 6029, Potomac Center Plaza, Washington, DC 20202-2700. If you prefer to send your comments through the Internet, use the following address: donna.nangle@ed.gov.

You must include the priority title in the subject line of your electronic message.

FOR FURTHER INFORMATION CONTACT: Donna Nangle. *Telephone:* (202) 245-

7462 or by *e-mail:* donna.nangle@ed.gov.

If you use a telecommunications device for the deaf (TDD), call the Federal Relay Service (FRS) at 1-800-877-8339.

Individuals with disabilities can obtain this document in an alternative format (e.g., Braille, large print, audiotape, or computer diskette) on request to the contact person listed under **FOR FURTHER INFORMATION CONTACT**.

SUPPLEMENTARY INFORMATION: This notice of proposed priorities (NPP) is in concert with President George W. Bush's New Freedom Initiative (NFI) and NIDRR's Final Long-Range Plan for FY 2005-2009 (Plan). Information about the NFI can be accessed on the Internet at the following site: <http://www.whitehouse.gov/infocus/newfreedom>.

The Plan, which was published in the **Federal Register** on February 15, 2006 (71 FR 8165), can be accessed on the Internet at the following site: <http://www.ed.gov/about/offices/list/ose/nidrr/policy.html>.

Through the implementation of the NFI and the Plan, NIDRR seeks to: (1) Improve the quality and utility of disability and rehabilitation research; (2) foster an exchange of expertise, information, and training to facilitate the advancement of knowledge and understanding of the unique needs of traditionally underserved populations; (3) determine best strategies and programs to improve rehabilitation outcomes for underserved populations; (4) identify research gaps; (5) identify mechanisms of integrating research and practice; and (6) disseminate findings.

Invitation To Comment

We invite you to submit comments regarding these proposed priorities. To ensure that your comments have maximum effect in developing the notice of final priorities, we urge you to identify clearly the specific proposed priority or topic that each comment addresses.

We invite you to assist us in complying with the specific requirements of Executive Order 12866 and its overall requirement of reducing regulatory burden that might result from these proposed priorities. Please let us know of any further opportunities we should take to reduce potential costs or increase potential benefits while preserving the effective and efficient administration of the program.

During and after the comment period, you may inspect all public comments about these proposed priorities in Room

6029, 550 12th Street, SW., Potomac Center Plaza, Washington, DC, between the hours of 8:30 a.m. and 4 p.m., Eastern time, Monday through Friday of each week except Federal holidays.

Assistance to Individuals With Disabilities in Reviewing the Rulemaking Record

On request, we will supply an appropriate aid, such as a reader or print magnifier, to an individual with a disability who needs assistance to review the comments or other documents in the public rulemaking record for these proposed priorities. If you want to schedule an appointment for this type of aid, please contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

We will announce the final priorities in one or more notices in the **Federal Register**. We will determine the final priorities after considering responses to this notice and other information available to the Department. This notice does not preclude us from proposing or using additional priorities, subject to meeting applicable rulemaking requirements.

Note: This notice does *not* solicit applications. In any year in which we choose to use these proposed priorities, we invite applications through a notice in the **Federal Register**. When inviting applications we designate the priorities as absolute, competitive preference, or invitational. The effect of each type of priority follows:

Absolute priority: Under an absolute priority, we consider only applications that meet the priority (34 CFR 75.105(c)(3)).

Competitive preference priority: Under a competitive preference priority, we give competitive preference to an application by either (1) awarding additional points, depending on how well or the extent to which the application meets the competitive preference priority (34 CFR 75.105(c)(2)(i)); or (2) selecting an application that meets the competitive preference priority over an application of comparable merit that does not meet the priority (34 CFR 75.105(c)(2)(ii)).

Invitational priority: Under an invitational priority, we are particularly interested in applications that meet the invitational priority. However, we do not give an application that meets the invitational priority a competitive or absolute preference over other applications (34 CFR 75.105(c)(1)).

Priorities

In this notice, we are proposing two priorities for DRRPs.

- Priority 1—Research and Technical Assistance Center on Vocational Rehabilitation Program Management.
- Priority 2—Center on the Effective Delivery of Rehabilitation Technology by State Vocational Rehabilitation Agencies to Improve Employment Outcomes.

Disability and Rehabilitation Research Projects (DRRP) Program

The purpose of the DRRP program is to improve the effectiveness of services authorized under the Rehabilitation Act of 1973, as amended (the Act), by developing methods, procedures, and rehabilitation technologies that advance a wide range of independent living and employment outcomes for individuals with disabilities, especially individuals with the most severe disabilities. DRRPs carry out one or more of the following types of activities, as specified and defined in 34 CFR 350.13 through 350.19: research, development, demonstration, training, dissemination, utilization, and technical assistance.

An applicant for assistance under this program must demonstrate in its application how it will address, in whole or in part, the needs of individuals with disabilities from minority backgrounds (34 CFR 350.40(a)). The approaches an applicant may take to meet this requirement are found in 34 CFR 350.40(b). In addition, NIDRR intends to require all DRRP applicants to meet the requirements of the *General Disability and Rehabilitation Research Projects (DRRP) Requirements* priority that it published in a notice of final priorities in the **Federal Register** on April 28, 2006 (71 FR 25472).

Additional information on the DRRP program can be found at: <http://www.ed.gov/rschstat/research/pubs/res-program.html#DRRP>.

Proposed Priority 1—Research and Technical Assistance Center on Vocational Rehabilitation Program Management

Background

The State Vocational Rehabilitation (VR) Services program, authorized by title I of the Rehabilitation Act of 1973, as amended (the Act), provides a wide range of services designed to help individuals with disabilities prepare for and engage in gainful employment. The program is carried out by VR agencies designated by each State. There are currently a total of 80 State agencies. Thirty-two States operate a “combined” agency serving individuals with disabilities, without regard to their disability. Twenty-four States operate a separate agency for individuals who are blind or visually impaired, and a “general” agency for individuals with all other disabilities.

State VR agencies face numerous challenges in their efforts to assist individuals with disabilities, particularly individuals with significant disabilities, to achieve employment

outcomes.¹ These challenges include: Determining what criteria should be used to categorize individuals’ disabilities as “most significant” or “significant” when implementing an order of selection;² attracting and retaining qualified personnel; and evaluating the effectiveness of services provided. These challenges affect the ability of State VR agencies to pursue the overall goal of the VR Services program, which is to help persons with disabilities prepare for and engage in gainful employment.

Preliminary FY 2007 data from the Rehabilitation Services Administration’s (RSA) Cumulative Caseload Report (RSA-113) show that approximately 981,054 individuals received VR services, including 346,835 individuals whose cases were closed after receiving services. Of individuals whose cases were closed, 205,448 (59.6 percent) achieved an employment outcome after receiving services through the State VR program.

It is important to note that, in FY 2006, 18 percent of State VR agencies failed to achieve the minimum required employment outcome rate of 55.8 percent among individuals served by the program, and there is significant variation among State VR agencies in key programmatic outcomes such as employment and cost per employment outcome. For example, in FY 2006, while four State VR agencies succeeded in obtaining employment outcomes for at least 70 percent of individuals served, approximately seven State VR agencies failed to obtain employment outcomes for half (50 percent) of the individuals served, and several State VR agencies failed to obtain employment outcomes for even 40 percent of the individuals served. Likewise, in FY 2006, the average cost per employment outcome for general and combined State VR agencies (excluding the outlying areas) ranged from approximately \$5,215 to \$34,414.

RSA monitoring reviews and reviews of annual State plans suggest that these differences in State outcomes may be

¹ In the regulations for the Department’s State VR program, an employment outcome is defined as entering or retaining full-time or, if appropriate, part-time competitive employment, as defined in 34 CFR 361.5(b)(11), in the integrated labor market, supported employment, or any other type of employment in an integrated setting, including self-employment, telecommunicating, or business ownership, that is consistent with an individual’s strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice (see 34 CFR 361.5(b)(16)).

² Federal law and regulations (section 101(a)(5) of the Act and 34 CFR 361.36) stipulate that if a State VR agency does not have the resources to serve all eligible VR consumers, it must serve first those who have “the most significant disabilities.”

attributable to differences in State VR agency management practices, particularly practices relating to planning, analysis, and use of data for making management decisions. Persistent State VR agency management-related needs include, at a minimum: Developing and implementing effective quality assurance processes; conducting high quality strategic planning; and improving the overall quality of human resource development and retention strategies. We believe that promoting improvement in these critical areas would enhance State agency capacity, increase the cost-effectiveness of service delivery mechanisms, and ultimately improve the ability of State VR agencies to achieve high quality employment outcomes for individuals with disabilities.

Section 101(a)(15) of the Act requires State VR agencies to engage in a variety of planning activities, including, but not limited to: Conducting a comprehensive statewide needs assessment every three years; identifying goals and priorities that the State VR agency will pursue in carrying out the program; describing strategies to address the needs identified in the comprehensive statewide needs assessment; and evaluating the effectiveness of the VR program, including whether the program goals were achieved and the extent to which specific strategies contributed to meeting these goals.

After reviewing FY 2007 and 2008 annual VR State plans, RSA recommended that 25 State VR agencies improve one or more of the following: The quality of their goals and strategies; the connection between the results of their comprehensive needs assessment and their goals and priorities; and the extent to which they evaluated the effectiveness of their strategies. In addition, of the 23 State VR agencies that RSA monitored in FY 2007, RSA determined that 17 (74 percent) need technical assistance (TA) in developing strategic goals.

Recent RSA monitoring also suggests that there is a great deal of variability in the effectiveness of State VR agency quality assurance (QA) systems, and that most State agency's QA systems need to be improved in several critical ways. For example, while the QA mechanisms in many State VR agencies examine documentation of services provided, few State QA systems use data to evaluate the quality of other aspects of service delivery and program performance.

In addition, section 101(a)(7) of the Act, containing the Comprehensive System of Personnel Development (CSPD), in part, requires State VR

agencies to establish qualified personnel standards for rehabilitation personnel, including VR counselors, that are consistent with any national or State-approved or recognized certification, licensing, or registration that apply to a particular profession.

For years, the demand for new State VR agency counselors has far exceeded the supply. According to a study conducted in 2002 by the American Institutes for Research, *A Profile of the Demand for and Supply of Qualified State Rehabilitation Counselors*, (Chan & Ruedel, 2007), State VR agencies reported that they expected to lose approximately 43 percent of VR counselors through attrition or retirement by 2007. According to this same study, 27 percent of current State VR agency staff do not meet their State's CSPD personnel standards and require retraining, 88 percent of those who meet their State's personnel standards require continuing education to maintain their credentials, and rehabilitation training programs are producing only enough graduates to meet 30 percent of the need for new counselors.

During RSA's FY 2007 monitoring reviews, RSA identified needs in the following areas related to human resource management: Implementing the State's CSPD; developing training to improve staff skills in areas such as job placement; developing and implementing effective recruitment and retention strategies for qualified staff, including staff with diverse backgrounds; maintaining efficient caseload management strategies; and evaluating the relationship between staffing patterns and program performance.

During FY 2007 monitoring, State VR agencies overwhelmingly requested information regarding promising practices utilized by other State VR agencies that could be replicated in their own agencies to improve performance in human resource management. Among other things, they requested information on successful recruitment and retention strategies, and caseload management strategies.

NIDRR is proposing to establish a Research and Technical Assistance Center on Vocational Rehabilitation Program Management that will help State VR agencies improve their management in a number of areas, including quality assurance, strategic planning, and human resource development and retention.

References

Chan, T., & Ruedel, K. (2007). *A Profile of the Demand for and Supply of Qualified State Rehabilitation*

Counselors. Washington, DC: U.S. Department of Education.

Proposed Priority

The Assistant Secretary for Special Education and Rehabilitative Services proposes a priority to establish, under the Disability and Rehabilitation Research Program (DRRP), a Research and Technical Assistance Center on Vocational Rehabilitation Program Management (Center). The Center must conduct research to develop a model of vocational rehabilitation (VR) program management, which must include a focus on quality assurance, strategic planning, and human resource management. The Center must then develop and test this model, and use it as the basis for training and technical assistance (TA) to improve management practices within individual State VR agencies.

Under this priority, the Center must be designed to contribute to the following outcomes:

(a) New knowledge of effective VR program management. The Center must contribute to this outcome by identifying effective VR program management practices, including at a minimum, practices in the areas of quality assurance, strategic planning, and human resource management. The Center's work in this area must be designed to result in knowledge that could be used to assist State VR agencies to—

- Develop agency goals and strategies, and evaluate progress made toward achieving these goals;
- Develop key performance measures and use performance data for program improvement;
- Develop methodologies to ensure that performance data are accurate and analyses of the data are sound;
- Implement effective quality assurance processes;
- Implement effective fiscal planning and accountability mechanisms;
- Implement effective employee training, staff development, and career development; and
- Implement effective leadership development and succession planning.

(b) A new evidence-based model of effective VR program management (VR Program Management Model). The Center must contribute to this outcome by partnering with approximately 5–10 State VR agencies to develop a VR Program Management Model that, to the maximum extent possible, is informed by evidence of the effectiveness of specific management practices. Applicants must describe in their applications the methods and criteria they will use to recruit and select State

VR agencies with which they will partner (Partner State VR Agencies) for this activity. NIDRR will review and approve the final selection of Partner State VR Agencies. The Center must work with the Partner State VR Agencies to identify, describe, and document the components of the VR Program Management Model, which must include, at a minimum, quality assurance, strategic planning, and human resource management components.

(c) Enhanced VR program management through Implementation of the VR Program Management Model. The Center must contribute to this outcome by developing exemplars, tools, and guidance that other State VR agencies (i.e., State VR agencies that are not Partner State VR Agencies) can use to implement the VR Program Management Model within their unique contexts. The Center must provide training and TA to individual State VR agencies to facilitate the implementation of some or all of the components of the VR Program Management Model, depending on the unique needs of the agency's VR program.

In addition, the Center must—

- Disseminate TA materials that it has developed on program management topics under paragraph (c) of this priority to other projects that provide TA to State VR agencies (e.g., the Technical Assistance and Continuing Education (TACE) projects that RSA intends to fund in FY 2008).

- Coordinate TA with all entities that comprise the national VR TA network, including: the 10 regionally based TACE projects that RSA intends to fund in FY 2008 under title III of the Act; the IL-Net Training and Technical Assistance projects for centers for independent living and statewide independent living councils funded by RSA under title VII of the Act; the national VR TA center that RSA intends to fund in FY 2008 under section 12 of the Act; and NIDRR's Rehabilitation Research and Training Centers focused on employment. Coordination is intended to ensure consistency of TA provided nationally on VR program management.

- Each year after year one of the project period, plan to present findings at a three-day national conference of State VR administrators to be held in Washington, DC.

Proposed Priority 2—Center on the Effective Delivery of Rehabilitation Technology by State Vocational Rehabilitation Agencies To Improve Employment Outcomes.

Background

On February 1, 2001, President George W. Bush announced the New Freedom Initiative (NFI), a comprehensive strategy for the full integration of individuals with disabilities into all aspects of American life. Two key goals of the NFI are the integration of individuals with disabilities into the workplace, and the use of technology to increase access to school, work, and community life for individuals with disabilities. While many individuals with disabilities could benefit from greater access to technology, particularly rehabilitation technology (RT),³ for individuals with certain disabilities such access is essential to achieving and maintaining employment.

Despite the importance of RT, there has been limited research on its use in the workplace or its impact on employment outcomes (as the term is defined in 34 CFR 361.5(b)(16)) (Loprest, 2007).

Title I of the Act authorizes State VR agencies to provide RT to individuals who qualify for VR services. Specifically, when developing an individualized plan for employment (IPE), a VR counselor must consider an individual's need for RT. The Rehabilitation Services Administration (RSA) collects data about individuals served by State VR agencies and the RT services they receive. FY 2006 VR data from the RSA Case Service Report (RSA-911) show that 75 percent of individuals with disabilities who received RT achieved an employment outcome, while only 57 percent of individuals with disabilities who did not receive RT achieved an employment outcome. While these data indicate that individuals who receive RT as part of an IPE are more likely to achieve employment outcomes than those who do not, further study is needed to determine under what circumstances RT affects the achievement of employment outcomes for individuals served by employment and training programs.

Despite indications that RT services may play an important role in achieving employment outcomes, provision of RT

services by State VR agencies varies significantly. In FY 2006, individual State VR agency expenditures for RT ranged from 0 percent to 14 percent of total expenditures; the median percentage of expenditures was 3.23 percent (Annual Vocational Rehabilitation Program/Cost Report (RSA-2)).

Variations in the provision of RT services among VR agencies may result from a number of factors. For example, there may be significant differences in the attitude toward, awareness of, and approach to RT among VR agency personnel; consumers who use RT consider such attitudes to be critical to employment outcomes. Unfortunately, most VR personnel's knowledge of RT is not as extensive as their knowledge of other areas of rehabilitation; therefore, ensuring that personnel have appropriate expertise in RT is an ongoing need for which employment and training programs must plan and budget (Institute on Rehabilitation Issues, 1998).

Similar to the lack of research on RT use in the workplace and its impact on employment outcomes, there is little research on the factors that create barriers to the successful provision of RT, or on strategies used in employment programs to overcome those barriers.

NIDRR is proposing to establish a Center on the Effective Delivery of Rehabilitation Technology by State Vocational Rehabilitation Agencies to Improve Employment Outcomes. This center will conduct research on the effective delivery of RT services in employment and training programs and disseminate information about this research to help State VR agencies improve their provision of effective RT services.

References

Loprest, P. (2007). *Strategic Assessment of the State of the Science in Research on Employment for Individuals with Disabilities*. Final Report to the National Institute on Disability and Rehabilitation Research, U.S. Department of Education.

Proceedings from the Twenty-fourth Institute on Rehabilitation Issues. (May, 1998). *Achieving Successful Employment Outcomes With the Use of Assistive Technology*. Menominee, WI: University of Wisconsin.

Proposed Priority

The Assistant Secretary for Special Education and Rehabilitative Services proposes a priority for a Disability and Rehabilitation Research Project (DRRP) to serve as the Center on the Effective Delivery of Rehabilitation Technology

³ Under 34 CFR 361.5(b)(45) of the regulations for the State vocational rehabilitation (VR) program and consistent with section 7(30) of the Rehabilitation Act of 1973 as amended, 29 U.S.C. 705(30) (Act), RT means the systematic application of technologies, engineering methodologies, or scientific principles to meet the needs of and address the barriers confronted by individuals with disabilities in areas which include education, rehabilitation, employment, transportation, independent living, and recreation. The term includes rehabilitation engineering, assistive technology devices, and assistive technology services.

by State Vocational Rehabilitation Agencies to Improve Employment Outcomes (Center). The Center must conduct research to identify the policies, procedures, and practices that result in the effective delivery of rehabilitation technology (RT), as defined in 34 CFR 361.5(b)(45), by employment and training programs to assist individuals with disabilities to achieve employment outcomes, as defined in 34 CFR 361.5(b)(16). Under this priority, the Center must be designed to contribute to the following outcomes:

(a) New knowledge regarding models of effective RT service delivery. The Center must contribute to this outcome by identifying existing employment and training programs, including programs administered by State VR agencies, that effectively deliver RT services to assist individuals with disabilities achieve employment outcomes. Applicants must describe in their applications the methods and criteria they will use to identify and select the model employment and training programs. NIDRR will review and approve the final selection of the employment and training programs. The Center must work with the selected programs to identify, describe, and document the policies, procedures, and practices that result in effective RT service delivery.

(b) New knowledge of the systemic supports necessary for the effective delivery of RT services. The Center must contribute to this outcome by conducting research to identify the policies and practices of employment and training programs, including but not limited to those operated by State VR agencies, that support the effective use of RT to help individuals with disabilities achieve and maintain employment outcomes. The Center's work in this area must be designed to result in knowledge that assists employment and training programs to—

- Identify and assess the quality and effectiveness of their policies and practices related to the delivery of RT services;
- Change existing policies or develop new policies that are specifically designed to improve the delivery of RT services;
- Implement effective strategies to improve practices to support the delivery of RT services; and
- Develop and implement methodologies to collect data on the impact of RT services on employment outcomes.

(c) Enhanced knowledge of effective RT service delivery among administrators of State VR agencies and other employment and training

programs for individuals with disabilities. The Center must contribute to this outcome by using the knowledge gained from the activities described in paragraphs (a) and (b) of this priority to develop exemplars, tools, and guidance that State VR agencies can use to implement changes to existing policies or develop new policies and practices within their unique contexts. The Center must disseminate these materials to State VR agencies and other employment and training programs for individuals with disabilities.

In addition, the Center must—

- In consultation with its NIDRR Project Officer, coordinate the Center's dissemination and outreach efforts with relevant training and technical assistance centers funded by OSERS. These training and technical assistance centers include the Research and Technical Assistance Center on Vocational Rehabilitation Program Management that NIDRR intends to fund in FY 2008; the 10 regionally based Technical Assistance and Continuing Education (TACE) projects that RSA intends to fund in FY 2008 under title III of the Act; the IL-Net Training and Technical Assistance projects for centers for independent living and statewide independent living councils funded by RSA under title VII of the Act; the national VR TA center that RSA intends to fund in FY 2008 under section 12 of the Act; NIDRR's Rehabilitation Research and Training Centers (RRTC's) focused on employment; the NIDRR network of Knowledge Translation grantees; the Department's Office of Special Education Programs' Technical Assistance and Dissemination Network and Technical Assistance Communities of Practice; the Department's Office of Vocational and Adult Education's National Research Center for Career and Technical Education; and programs sponsored through the U.S. Department of Labor's Office of Disability Employment Policy. The Center must coordinate with these entities, as appropriate, to disseminate the exemplars, tools, guidance, and knowledge developed through activities conducted under paragraphs (a), (b), and (c) of this priority to State VR agencies, employers, individuals with disabilities, and other entities that serve or employ individuals with disabilities;

- Share the exemplars, tools, guidance, and knowledge developed through activities conducted under paragraphs (a), (b), and (c) of this priority with appropriate RSA and NIDRR research and dissemination centers, including the National Center for the Dissemination of Disability

Research, the Research Utilization Support and Help Project, and the Center for International Rehabilitation Research Information and Exchange; and

- Establish an advisory committee comprised of individuals who are knowledgeable about RT including researchers, State VR agency representatives, VR providers, employers, transition planners, secondary and postsecondary educators, individuals with disabilities, and parents of individuals with disabilities. This advisory committee must be designed to provide guidance to the Center on its research and TA activities.

- Each year after year one of the project period, plan to present findings at a three-day national conference of State VR administrators to be held in Washington, DC.

Executive Order 12866

This NPP has been reviewed in accordance with Executive Order 12866. Under the terms of the order, we have assessed the potential costs and benefits of this regulatory action.

The potential costs associated with this NPP are those resulting from statutory requirements and those we have determined as necessary for administering this program effectively and efficiently.

In assessing the potential costs and benefits—both quantitative and qualitative—of this NPP, we have determined that the benefits of the proposed priorities justify the costs.

Summary of Potential Costs and Benefits

The benefits of the Disability and Rehabilitation Research Projects and Centers Programs have been well established over the years in that similar projects have been completed successfully. These proposed priorities will generate new knowledge and technologies through research, development, dissemination, utilization, and technical assistance projects.

Another benefit of these proposed priorities is that the establishment of new DRRPs will support the President's NFI and will improve the lives of individuals with disabilities. The new DRRPs will generate, disseminate, and promote the use of new information that will improve the options for individuals with disabilities to perform regular activities in the community.

Intergovernmental Review

This program is not subject to Executive Order 12372 and the regulations in 34 CFR part 79.

Applicable Program Regulations: 34 CFR part 350.

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(Catalog of Federal Domestic Assistance Numbers 84.133A Disability Rehabilitation Research Projects)

Program Authority: 29 U.S.C. 762(g) and 764(a).

Dated: May 27, 2008.

William W. Knudsen,

Deputy Assistant Secretary for Special Education and Rehabilitative Services.

[FR Doc. E8-12121 Filed 5-29-08; 8:45 am]

BILLING CODE 4000-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

May 23, 2008.

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

Docket Numbers: RP08-380-000.

Applicants: Northwest Pipeline GP.

Description: Northwest Pipeline GP submits First Revised Sheet 4 to FERC Gas Tariff, Fourth Revised Volume No. 1, to become effective 6/18/08.

Filed Date: 05/19/2008.

Accession Number: 20080521-0081.

Comment Date: 5 p.m. Eastern Time on Monday, June 2, 2008.

Docket Numbers: RP08-383-000.

Applicants: El Paso Natural Gas Company.

Description: El Paso Natural Gas Company submits its Penalty Crediting Report for calendar year 2007 pursuant to the Stipulation and Agreement filed on 12/6/06.

Filed Date: 05/21/2008.

Accession Number: 20080522-0167.

Comment Date: 5 p.m. Eastern Time on Monday, June 2, 2008.

Docket Numbers: RP08-384-000.

Applicants: Bear Energy LP, J.P. Morgan Ventures Energy Corporation, JP Morgan Chase Bank N.A.

Description: Bear Energy, LP et al. requests a temporary waiver of FERC's natural gas policies and regulations for a limited transaction period.

Filed Date: 05/21/2008.

Accession Number: 20080522-0165.

Comment Date: 5 p.m. Eastern Time on Thursday, May 29, 2008.

Docket Numbers: RP08-385-000.

Applicants: Natural Gas Pipeline Company of America.

Description: Natural Gas Pipeline Company of America, LLC submits its First Revised Sheet 0 et al. to FERC Gas Tariff, Seventh Revised Volume 1 et al.

Filed Date: 05/22/2008.

Accession Number: 20080523-0087.

Comment Date: 5 p.m. Eastern Time on Tuesday, June 3, 2008.

Docket Numbers: RP08-386-000.

Applicants: Questar Pipeline Company.

Description: Questar Pipeline Co submits their Seventh Revised Sheet 91 et al. to FERC Gas Tariff, First Revised Volume 1.

Filed Date: 05/22/2008.

Accession Number: 20080523-0086.

Comment Date: 5 p.m. Eastern Time on Tuesday, June 3, 2008.

Any person desiring to intervene or to protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214) on or before 5 p.m. Eastern time on the specified comment date. It is not necessary to separately intervene again in a subdocket related to a compliance filing if you have previously intervened in the same docket. 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. Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant. In reference to filings initiating a new proceeding, interventions or protests submitted on or before the comment deadline need not be served on persons other than the Applicant.

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must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

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Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. E8-12038 Filed 5-29-08; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings # 1

May 22, 2008.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER96-719-021; EL05-59-004.

Applicants: MidAmerican Energy Company.

Description: MidAmerican Energy Company submits its Refund Report in compliance with the Commission's 4/4/08 Order.

Filed Date: 05/15/2008.

Accession Number: 20080521-0078.

Comment Date: 5 p.m. Eastern Time on Thursday, June 05, 2008.

Docket Numbers: ER96-1551-020; ER01-615-016; ER07-965-002.

Applicants: Public Service Company of New Mexico; EnergyCo Marketing and Trading, LLC.

Description: Public Service Company of New Mexico et al. submits revised market-based rate tariffs and tariffs for the sale of capacity and energy subject to cost-based rate caps.

Filed Date: 05/15/2008.

Accession Number: 20080521-0080.

Comment Date: 5 p.m. Eastern Time on Thursday, June 5, 2008.

Docket Numbers: ER00–1053–021.

Applicants: Maine Public Service Company.

Description: Maine Public Service Co submits the Settlement Agreement re its 2007 Informational Filing.

Filed Date: 05/19/2008.

Accession Number: 20080521–0130.

Comment Date: 5 p.m. Eastern Time on Monday, June 9, 2008.

Docket Numbers: ER05–1056–003; ER06–1548–001.

Applicants: Chehalis Power Generating, L.P.

Description: Chehalis Power Generating, LP submits its compliance filing of its revised Rate Schedule FERC 2.

Filed Date: 05/19/2008.

Accession Number: 20080521–0133.

Comment Date: 5 p.m. Eastern Time on Monday, June 9, 2008.

Docket Numbers: ER06–95–002.

Applicants: Pacific Gas and Electric Company.

Description: Compliance Refund Report (Compliance Only) of Pacific Gas & Electric Company.

Filed Date: 02/04/2008.

Accession Number: 20080204–5038.

Comment Date: 5 p.m. Eastern Time on Monday, June 2, 2008.

Docket Numbers: ER06–615–023; ER07–1257–005.

Applicants: California Independent System Operator Corporation.

Description: California Independent System Operator Corp submits a compliance filing in compliance with FERC's 3/24/08 Order.

Filed Date: 05/19/2008.

Accession Number: 20080521–0134.

Comment Date: 5 p.m. Eastern Time on Monday, June 9, 2008.

Docket Numbers: ER08–852–001.

Applicants: Glacial Energy Holdings.

Description: Glacial Energy Holdings submits an amendment to the 4/18/08 application.

Filed Date: 05/20/2008.

Accession Number: 20080521–0132.

Comment Date: 5 p.m. Eastern Time on Tuesday, June 10, 2008.

Docket Numbers: ER08–980–000.

Applicants: Alliant Energy Corporate Services, Inc.

Description: Alliant Energy Corporate Services, Inc submits a Wholesale Power Supply Agreement with Jo-Carroll Energy, Inc.

Filed Date: 05/19/2008.

Accession Number: 20080521–0135.

Comment Date: 5 p.m. Eastern Time on Monday, June 9, 2008.

Docket Numbers: ER08–981–000.

Applicants: Puget Sound Energy, Inc.

Description: Puget Sound Energy, Inc submits FERC Electric Rate Schedule, Fourth Revised Volume 8 etc.

Filed Date: 05/19/2008.

Accession Number: 20080521–0136.

Comment Date: 5 p.m. Eastern Time on Monday, June 9, 2008.

Docket Numbers: ER08–982–000.

Applicants: PJM Interconnection, L.L.C.

Description: PJM Interconnection, LLC submits an executed Interconnection Service Agreement with Forked River Power LLC *et al.*

Filed Date: 05/19/2008.

Accession Number: 20080521–0137.

Comment Date: 5 p.m. Eastern Time on Monday, June 9, 2008.

Docket Numbers: ER08–983–000.

Applicants: Southwest Power Pool, Inc.

Description: Southwest Power Pool, Inc submits an executed Service Agreement for Network Integration Transmission Service with City of Coffeyville, KS.

Filed Date: 05/19/2008.

Accession Number: 20080521–0138.

Comment Date: 5 p.m. Eastern Time on Monday, June 9, 2008.

Docket Numbers: ER08–985–000.

Applicants: New York Independent System Operator, Inc.

Description: National Grid USA Service Company, Inc *et al.* submit an executed Small Generator Interconnection Agreement among NYISO, National Grid, and Innovative Energy Systems, Inc.

Filed Date: 05/19/2008.

Accession Number: 20080521–0140.

Comment Date: 5 p.m. Eastern Time on Monday, June 9, 2008.

Docket Numbers: ER08–986–000.

Applicants: American Electric Power Service Corporation.

Description: American Electric Power Service Corp submits a notice of cancellation of a firm point-to-point transmission service agreement with City of Coffeyville, Kansas.

Filed Date: 05/19/2008.

Accession Number: 20080521–0141.

Comment Date: 5 p.m. Eastern Time on Monday, June 9, 2008.

Docket Numbers: ER08–987–000.

Applicants: Pacific Gas and Electric Company.

Description: Pacific Gas and Electric Co submits a Service Agreement for Wholesale Distribution Service and Interconnection Agreement with McAllister Ranch Irrigation District.

Filed Date: 05/19/2008.

Accession Number: 20080521–0142.

Comment Date: 5 p.m. Eastern Time on Monday, June 9, 2008.

Docket Numbers: ER08–988–000.

Applicants: Westar Energy, Inc.

Description: Westar Energy, Inc and the Kansas Gas and Electric Co submits Second Revised Sheet 11 and 1 to the Wholesale Electric Service Agreement commencing 2/1/88, designated as First revised Rate Schedule 171.

Filed Date: 05/19/2008.

Accession Number: 20080521–0143.

Comment Date: 5 p.m. Eastern Time on Monday, June 9, 2008.

Docket Numbers: ER08–989–000.

Applicants: Westar Energy, Inc.

Description: Westar Energy Inc submits Petition for Approval of Settlement Agreement.

Filed Date: 05/19/2008.

Accession Number: 20080521–0144.

Comment Date: 5 p.m. Eastern Time on Monday, June 9, 2008.

Take notice that the Commission received the following open access transmission tariff filings:

Docket Numbers: OA08–117–000.

Applicants: Avista Corporation.

Description: Avista Corp submits an informational filing of Operational Penalty Assessments and Distributions as required by Order 890 and 890–A.

Filed Date: 05/19/2008.

Accession Number: 20080521–0127.

Comment Date: 5 p.m. Eastern Time on Monday, June 9, 2008.

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Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. E8-12039 Filed 5-29-08; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

May 21, 2008.

Take notice that the Commission received the following electric corporate filings:

Docket Numbers: EC08-89-000.

Applicants: Trans Bay Funding LLC, Trans Bay Holdings LLC, Trans Bay Holdings II LLC, Trans Bay Cable LLC, Babcock & Brown Infrastructure Group US.

Description: Babcock & Brown Infrastructure Group LLC et al (BBIG) requests authorization for the indirect disposition jurisdictional facilities owned by TransBay Cable resulting from the sales of BBIG of its ownership interests.

Filed Date: 05/16/2008.

Accession Number: 20080520-0248.

Comment Date: 5 p.m. Eastern Time on Friday, June 06, 2008.

Docket Numbers: EC08-90-000.

Applicants: Noble Environmental Power, LLC.

Description: Application For Order Under Section 203 of the FPA Authorizing Disposition Of Jurisdictional Facilities Resulting From An Initial Public Offering, And Request For Waivers And 21 Day Comment Period Of Noble Environmental Power, LLC.

Filed Date: 05/19/2008.

Accession Number: 20080519-5044.

Comment Date: 5 p.m. Eastern Time on Monday, June 09, 2008.

Docket Numbers: EC08-91-000.

Applicants: Horizon Asset Management, Inc.

Description: Horizon Asset Management submits a petition for disclaimer of jurisdiction.

Filed Date: 05/19/2008.

Accession Number: 20080521-0128.

Comment Date: 5 p.m. Eastern Time on Monday, June 09, 2008.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER00-2268-026; ER07-428-005; ER99-4122-027; ER99-4124-023; Arizona Public Service Company.

Applicants: Pinnacle West Capital Corporation; Pinnacle West Marketing & Trading Co, LL; APS Energy Services Co Inc;

Description: Pinnacle West Capital Corp et al submits a compliance filing of additional information on their mitigation proposal for sales during the mitigated summer period in the Phoenix Valley Load Pocket.

Filed Date: 05/20/2008.

Accession Number: 20080521-0405.

Comment Date: 5 p.m. Eastern Time on Friday, May 30, 2008.

Docket Numbers: ER01-205-026; ER98-2640-024; ER98-4590-022; ER99-1610-030.

Applicants: Xcel Energy Services Inc.; Northern States Power Company, Northern States Power Company-Wisconsin; Public Service Company of Colorado; Southwestern Public Service Company.

Description: NSP Companies submits change in status report relating to the NSP companies market-based rate authority.

Filed Date: 05/16/2008.

Accession Number: 20080520-0244.

Comment Date: 5 p.m. Eastern Time on Friday, June 06, 2008.

Docket Numbers: ER02-136-010.

Applicants: Allegheny Power.

Description: Settlement Agreement by and between West Penn Power Company (dba Allegheny Power) and Allegheny Electric Cooperative, Inc.

Filed Date: 05/16/2008.

Accession Number: 20080516-5092.

Comment Date: 5 p.m. Eastern Time on Tuesday, May 27, 2008.

Docket Numbers: ER07-521-003.

Applicants: New York Independent System Operator, Inc.

Description: New York Independent System Operator, Inc submits their

compliance revisions to its Open Access Transmission Tariff and Market Administration and Control Area Services Tariff to address the requirements of the 4/16/08 Order.

Filed Date: 05/16/2008.

Accession Number: 20080520-0289.

Comment Date: 5 p.m. Eastern Time on Friday, June 06, 2008.

Docket Numbers: ER08-617-001.

Applicants: California Independent System Operator Corporation.

Description: California Independent System Operator Corp submits a compliance filing re FERC's 4/29/08 Order.

Filed Date: 05/16/2008.

Accession Number: 20080520-0246.

Comment Date: 5 p.m. Eastern Time on Friday, June 06, 2008.

Docket Numbers: ER08-899-001.

Applicants: Ohio Power Company.

Description: Ohio Power Co submits an amendment to its 5/1/08 filing.

Filed Date: 05/19/2008.

Accession Number: 20080521-0131.

Comment Date: 5 p.m. Eastern Time on Tuesday, July 22, 2008.

Docket Numbers: ER08-961-000.

Applicants: Arizona Public Service Company.

Description: Arizona Public Service Company submits informational filing of its Annual Update of transmission service rates to the APS Open Access Transmission Tariff.

Filed Date: 05/16/2008.

Accession Number: 20080520-0231.

Comment Date: 5 p.m. Eastern Time on Friday, June 06, 2008.

Docket Numbers: ER08-962-000.

Applicants: American Electric Power Service Corporation.

Description: American Electric Power Service Corp submits the second revised Interconnection and Local Delivery Service Agreement.

Filed Date: 05/16/2008.

Accession Number: 20080520-0232.

Comment Date: 5 p.m. Eastern Time on Friday, June 06, 2008.

Docket Numbers: ER08-963-000.

Applicants: Commonwealth Edison Company, Commonwealth Edison Co. of Indiana, Inc.

Description: Commonwealth Edison Company et al. submits Informational Filing of 2008 Formula Rate Annual Update Pursuant to Approved Settlement Agreement.

Filed Date: 05/15/2008.

Accession Number: 20080520-0245.

Comment Date: 5 p.m. Eastern Time on Thursday, June 05, 2008.

Docket Numbers: ER08-964-000.

Applicants: Outback Power Marketing, Inc.

Description: Outback Power Marketing, Inc submits a Notice of Cancellation of its FERC Electric Tariffs.

Filed Date: 05/16/2008.

Accession Number: 20080520-0233.

Comment Date: 5 p.m. Eastern Time on Friday, June 06, 2008.

Docket Numbers: ER08-965-000.

Applicants: Midwest Independent Transmission System Operator, Inc.

Description: Midwest Independent Transmission System Operator, Inc submits proposed revisions to its OATT and Energy Market Tariff.

Filed Date: 05/16/2008.

Accession Number: 20080520-0234.

Comment Date: 5 p.m. Eastern Time on Friday, June 06, 2008.

Docket Numbers: ER08-966-000.

Applicants: Northeast Utilities Service Company.

Description: Northeast Utilities submits their application seeking two return on equity incentives for the Middletown-to-Norwalk transmission project.

Filed Date: 05/16/2008.

Accession Number: 20080520-0293.

Comment Date: 5 p.m. Eastern Time on Friday, June 06, 2008.

Docket Numbers: ER08-967-000.

Applicants: Nevada Power Company.

Description: Nevada Power Co submits a Notice of Cancellation of two Service Agreements for Long-Term Firm Point-to-Point Transmission Service with Mirant Americas Energy Marketing, LP.

Filed Date: 05/15/2008.

Accession Number: 20080520-0235.

Comment Date: 5 p.m. Eastern Time on Thursday, June 05, 2008.

Docket Numbers: ER08-968-000.

Applicants: Nevada Power Company.

Description: Nevada Power Company submits Notice of Cancellation of two Service Agreements for Long-Term Firm Point-to-Point Transmission Service between Nevada Power Company and Mirant Las Vegas, LLC etc.

Filed Date: 05/15/2008.

Accession Number: 20080520-0236.

Comment Date: 5 p.m. Eastern Time on Thursday, June 05, 2008.

Docket Numbers: ER08-969-000.

Applicants: UGI Utilities, Inc.

Description: UGI Utilities, Inc submits a Formula Rate Informational Filing.

Filed Date: 05/15/2008.

Accession Number: 20080520-0237.

Comment Date: 5 p.m. Eastern Time on Thursday, June 05, 2008.

Docket Numbers: ER08-970-000.

Applicants: Duquesne Light Company.

Description: Duquesne Light Company submits Annual Update to

recalculate its annual transmission revenue requirement pursuant to the formula rate accepted by the Commission for Filing in that proceeding etc.

Filed Date: 05/15/2008.

Accession Number: 20080520-0288.

Comment Date: 5 p.m. Eastern Time on Thursday, June 05, 2008.

Docket Numbers: ER08-971-000.

Applicants: Commonwealth Edison Company.

Description: Commonwealth Edison Company et al. submits revise Attachment H-13 (Network Integration Transmission Service for the ComEd Zone) of the PJM Interconnection, LLC Open Access Transmission Tariff effective 6/1/08.

Filed Date: 05/15/2008.

Accession Number: 20080520-0238.

Comment Date: 5 p.m. Eastern Time on Thursday, June 05, 2008.

Docket Numbers: ER08-972-000.

Applicants: California Independent System Operator Company.

Description: California Independent System Operator Co submits a Transmission Access Charge Informational filing.

Filed Date: 05/15/2008.

Accession Number: 20080520-0239.

Comment Date: 5 p.m. Eastern Time on Thursday, June 05, 2008.

Docket Numbers: ER08-973-000.

Applicants: American Electric Power Service Corporation.

Description: American Electric Power Service Corporation submits a fully executed generation interconnection agreement dated 5/5/08 between AEP Texas North Company and Jackson Mountain Wind, LLC.

Filed Date: 05/15/2008.

Accession Number: 20080520-0240.

Comment Date: 5 p.m. Eastern Time on Thursday, June 05, 2008.

Docket Numbers: ER08-974-000.

Applicants: Baltimore Gas and Electric Company.

Description: Baltimore Gas and Electric Company submits an Informational filing of its 2008 Formula Rate Annual Update.

Filed Date: 05/15/2008.

Accession Number: 20080520-0241.

Comment Date: 5 p.m. Eastern Time on Thursday, June 05, 2008.

Docket Numbers: ER08-975-000.

Applicants: American Electric Power Service Corporation.

Description: The American Electric Power Service Corporation agent for AEP Operating Companies submits a second revision to the Interconnection and Local Delivery Service Agreement 1418 with the City of Bryan.

Filed Date: 05/15/2008.

Accession Number: 20080520-0242.

Comment Date: 5 p.m. Eastern Time on Thursday, June 05, 2008.

Docket Numbers: ER08-984-000.

Applicants: Chien Energy, LLC.

Description: Chien Energy, LLC submits a notice of cancellation under ER08-984.

Filed Date: 05/19/2008.

Accession Number: 20080521-0139.

Comment Date: 5 p.m. Eastern Time on Monday, June 09, 2008.

Take notice that the Commission received the following electric securities filings:

Docket Numbers: ES08-45-001.

Applicants: American Transmission Company LLC, ATC Management Inc.

Description: Amended Application for Authorization to Issue Securities Under Section 204 of the Federal Power Act of American Transmission Company LLC and ATC Management Inc.

Filed Date: 05/19/2008.

Accession Number: 20080520-5007.

Comment Date: 5 p.m. Eastern Time on Friday, May 30, 2008.

Take notice that the Commission received the following open access transmission tariff filings:

Docket Numbers: OA07-39-001.

Applicants: Xcel Energy Services Inc.

Description: Xcel Energy Services Inc. submits Order No. 890, FPA Section 206 Compliance Filing.

Filed Date: 05/19/2008.

Accession Number: 20080520-5003.

Comment Date: 5 p.m. Eastern Time on Monday, June 09, 2008.

Take notice that the Commission received the following electric reliability filings:

Docket Numbers: RR06-1-016; RR07-3-004; RR07-8-004.

Applicants: North American Electric Reliability Corp.

Description: Compliance Filing of North American Electric Reliability Corp, et al., Coordinating Council to Paragraph 174 of Mar 21 2008 Order, and Compliance Filing of NERC and Florida Reliability Coord Council to Paragraph 252 of Mar 21 2008 Order.

Filed Date: 05/19/2008.

Accession Number: 20080519-5121.

Comment Date: 5 p.m. Eastern Time on Wednesday, June 18, 2008.

Any person desiring to intervene or to protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214) on or before 5 p.m. Eastern time on the specified comment date. It is not necessary to separately intervene again in a subdocket related to a

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Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. E8-12040 Filed 5-29-08; 8:45 am]

BILLING CODE 6717-01-P

ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OAR-2002-0094; FRL-8573-1]

Agency Information Collection Activities; Submission to OMB for Review and Approval; Comment Request; Reporting Requirements Under EPA's Climate Leaders Partnership (Renewal); EPA ICR No. 2100.03, OMB Control No. 2060-0532

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA) (44 U.S.C. 3501 *et seq.*), this document announces that EPA is planning to submit a request to renew an existing approved information request ICR to the Office of Management and Budget (OMB) for review and approval. This ICR is scheduled to expire on October 30, 2008. Before submitting the ICR to OMB for review and approval EPA is soliciting comments on specific aspects of the proposed information collection as described below.

DATES: Additional comments may be submitted on or before June 30, 2008.

ADDRESSES: Submit your comments, referencing Docket ID No. EPA-HQ-OAR-2002-0094, to (1) EPA online using <http://www.regulations.gov> (preferred method), by e-mail to a-and-r-docket@epamail.epa.gov, or by mail to: EPA Docket Center, Environmental Protection Agency, Air and Radiation Docket and Information Center, MC 6102T, 1200 Pennsylvania Avenue, NW., Washington, DC 20460, and (2) OMB by mail to: Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), Attention: Desk Officer for EPA, 725 17th Street, NW., Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT: Manuel J. Oliva, Climate Protection Partnerships Division, Office of Atmospheric Programs, 6202J, Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20460; telephone number: (202) 343-9094; fax number: (202) 565-2134; e-mail address oliva.manuel@epa.gov.

SUPPLEMENTARY INFORMATION: EPA has submitted the following ICR to OMB for review and approval according to the procedures prescribed in 5 CFR 1320.12. On June 1, 2006 (71 FR 31177), EPA sought comments on this ICR pursuant to 5 CFR 1320.8(d). EPA received no comments. Any additional comments on

this ICR should be submitted to EPA and OMB within 30 days of this notice.

EPA has established a public docket for this ICR under Docket ID No. EPA-HQ-OAR-2002-0094, which is available for online viewing at <http://www.regulations.gov>, or in person viewing at the Air and Radiation Docket and Information Center in the EPA Docket Center (EPA/DC), EPA West Building, Room B102, 1301 Constitution Avenue, NW., Washington, DC. The EPA/DC Public Reading Room is open from 8 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Reading Room is 202-566-1744, and the telephone number for the Air and Radiation Docket is 202-566-1742.

Use EPA's electronic docket and comment system at <http://www.regulations.gov>, to submit or view public comments, access the index listing of the contents of the docket, and to access those documents in the docket that are available electronically. Once in the system, select "docket search," then key in the docket ID number identified above. Please note that EPA's policy is that public comments, whether submitted electronically or in paper, will be made available for public viewing at <http://www.regulations.gov> as EPA receives them and without change, unless the comment contains copyrighted material, CBI, or other information whose public disclosure is restricted by statute. For further information about the electronic docket, go to <http://www.regulations.gov>.

Title: Reporting Requirements Under EPA's Climate Leaders Partnership (Renewal).

ICR numbers: EPA ICR No. 2100.03, OMB Control No. 2060-0532.

ICR Status: This ICR is scheduled to expire on October 30, 2008. Under OMB regulations, the Agency may continue to conduct or sponsor the collection of information while this submission is pending at OMB. An Agency may not conduct or sponsor, and a person is not required to respond to, a collection of information, unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations in title 40 of the CFR, after appearing in the **Federal Register** when approved, are listed in 40 CFR part 9, and included on the related collection instrument or form, if applicable.

Abstract: In an effort to aid implementation of U.S. commitments in the United Nations Framework Convention on Climate Change, the President announced a Climate Change Strategy on February 14, 2002, wherein he set a national U.S. GHG intensity goal of 18 percent by 2012. Part of that

strategy challenges companies to set GHG reduction goals by working with EPA through the voluntary Climate Leaders program. EPA has developed this renewal ICR to ensure that the program remains credible by obtaining continued authorization to collect information from Climate Leaders Partners to ensure that Partners are meeting their GHG goals. Companies that join Climate Leaders voluntarily agree to the following: completing and submitting a Partnership Agreement; negotiating a corporate GHG reduction goal; submitting a GHG inventory management plan; participating in an onsite review of the inventory management plan, and reporting to EPA, on an annual basis, the company's GHG emissions inventory, and progress toward their GHG reduction goal via Climate Leaders Annual GHG Inventory Summary and Goal Tracking Form. The information contained in the inventories of the companies that join Climate Leaders may be considered confidential business information and is maintained as such. EPA uses the data obtained from the companies to assess the success of the program in achieving its GHG reduction goals. Responses to the information collection are voluntary.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to equal 19,636 hours and to average 87.27 hours per year per respondent. The average number of annual burden hours on first year partners for each type of one-time response is: 9 hours to complete and submit a Partnership Agreement, 47 hours for documenting and submitting an Inventory Management Plan, 22 hours participating in an on-site verification of the Inventory Management Plan, 42 hours for negotiating and setting a GHG reduction goal, 117.25 hours for establishing a base year inventory, and 4.25 hours to submit a company profile that is posted on the Web. For all other partners who have been part of the program for longer than one year, the average number of annual burden hours is 62 hours for verifying and updating the Annual GHG Inventory Summary and Goal Tracking Form one time per year.

Partners may also submit voluntary updates of company profiles or contact information, via the Climate Leaders Web site or e-mail. These updates are estimated to take not more than 2 hours per response. All of these activities are included in the annual burden estimate.

There are no capital or start-up costs associated with this information collection. The average annual operation and maintenance cost

resulting for this collection of information is \$3 for each first time respondent. The average annual labor cost is \$8,212 per respondent. The resulting total annual cost averaged over the three year period is \$1,847,771.

Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements which have subsequently changed; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

Respondents/Affected Entities: Climate Leaders Partner Corporations.

Estimated Number of Respondents: 225.

Frequency of Response: Annually, on occasion, one-time.

Estimated Total Annual Hour Burden: 19,636.

Estimated Total Annual Cost: \$1,847,721, includes \$0 annualized capital/startup costs, \$105 annualized Operating and Maintenance (O&M) costs and \$1,847,616 annualized labor costs.

Changes in the Estimates: There is an increase of 7,681 hours in the total estimated burden compared with that identified in the ICR currently approved by OMB. Although the reporting requirements of the Climate Leader Partnership have been streamlined to reduce the individual burden for each reporter, the increase in overall costs are due to the continued growth in the number of companies participating in the Partnership. EPA has collaborated with partners to develop these revised reporting requirements, which are better suited for establishing and tracking progress of corporate GHG reduction goals. This change is result of a more interactive program approach between EPA and Climate Leaders partners and a larger number of partners in the program since the currently approved ICR.

Dated: May 22, 2008.

Kathleen Hogan,

Director, Climate Protection Partnership Division.

[FR Doc. E8-12092 Filed 5-29-08; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[Docket ID Numbers: EPA-HQ-OECA-2008-0277 to 0295, 0297 to 0301, 0363 to 0377, and 0421 to 0434; FRL-8573-8]

Agency Information Collection Activities: Request for Comments on Fifty-Two Proposed Information Collection Requests (ICRs)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this document announces that EPA is planning to submit the following fifty-two existing, approved, continuing Information Collection Requests (ICR) to the Office of Management and Budget (OMB) for the purpose of renewing the ICRs. Before submitting the ICRs to OMB for review and approval, EPA is soliciting comments on specific aspects of the information collections as described under **SUPPLEMENTARY INFORMATION**.

DATES: Comments must be submitted on or before July 29, 2008.

ADDRESSES: Comments may be submitted electronically, by mail, or through hand delivery/courier service. Follow the detailed instructions as provided under **SUPPLEMENTARY INFORMATION**, section A.

FOR FURTHER INFORMATION CONTACT: The contact individuals for each ICR are listed under **SUPPLEMENTARY INFORMATION**, section II.C.

SUPPLEMENTARY INFORMATION:

A. How Can I Access the Docket and/or Submit Comments?

1. Docket Access Instructions

EPA has established a public docket for the ICRs listed in the **SUPPLEMENTARY INFORMATION**, section II.B. The docket is available for online viewing at <http://www.regulations.gov>, or in person viewing at the Enforcement and Compliance Docket and Information Center (ECDIC), in the EPA Docket Center (EPA/DC), EPA West, Room 3334, 1301 Constitution Avenue, NW., Washington, DC. The EPA/DC Public Reading Room is open from 8 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Reading Room is (202) 566-1744, and the telephone number for the Enforcement and Compliance Docket and Information Center (ECDIC) docket is (202) 566-1752.

Use <http://www.regulations.gov> to obtain a copy of the draft collection of information, submit or view public

comments, access the index listing of the contents of the docket, and to access those documents in the public docket that are available electronically. When in the system, select "search," then key in the docket ID number identified in this document.

2. Instructions for Submitting Comments

Submit your comments by one of the following methods:

a. *Electronic Submission:* Access <http://www.regulations.gov> and follow the on-line instructions for submitting comments.

b. *E-mail:* docket.oeca@epa.gov.

c. *Fax:* (202) 566-1511.

d. *Mail:* Enforcement and Compliance Docket and Information Center (ECDIC), Environmental Protection Agency, EPA Docket Center (EPA/DC), Mailcode: 2201T, 1200 Pennsylvania Avenue, NW., Washington, DC 20460.

e. *Hand Delivery:* Enforcement and Compliance Docket and Information Center (ECDIC), Environmental Protection Agency, EPA Docket Center (EPA/DC), EPA West, Room 3334, 1301 Constitution Avenue, NW., Washington, DC. The EPA Docket Center is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. Deliveries are only accepted during the Docket Center's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

Direct your comments to the specific docket listed in **SUPPLEMENTARY INFORMATION**, section II.B, and reference the OMB Control Number for the ICR. It is EPA's policy that all comments received will be included in the public docket without change and may be made available online at <http://www.regulations.gov>, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through <http://www.regulations.gov> or e-mail. The <http://www.regulations.gov> Web site is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through <http://www.regulations.gov>, your e-mail address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your

name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses. For additional information about EPA's public docket, visit the EPA Docket Center homepage at <http://www.epa.gov/epahome/dockets.htm>.

B. What Information Is EPA Particularly Interested In?

Pursuant to section 3506(c)(2)(A) of the Paperwork Reduction Act (PRA), EPA is soliciting comments and information to enable it to:

(1) Evaluate whether the proposed collections of information are 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 estimates of the burdens of the proposed collections of information.

(3) Enhance the quality, utility, and clarity of the information to be collected.

(4) Minimize the burden of the collections of information on those who are to respond, including through the use of appropriate automated or electronic collection technologies or other forms of information technology, e.g., permitting electronic submission of responses.

C. What Should I Consider When I Prepare My Comments for EPA?

You may find the following suggestions helpful for preparing comments:

1. Explain your views as clearly as possible and provide specific examples.

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. Offer alternative ways to improve the collection activity.

6. Make sure to submit your comments by the deadline identified under **DATES**.

7. To ensure proper receipt by EPA, be sure to identify the docket ID 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. ICRs To Be Renewed

A. For All ICRs

The Agency computed the burden for each of the recordkeeping and reporting requirements applicable to the industry for the currently approved ICRs listed in this notice. Where applicable, the Agency identified specific tasks and made assumptions, while being consistent with the concept of the PRA.

Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions to; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements which have subsequently changed; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

The listed ICRs address Clean Air Act information collection requirements in standards (*i.e.*, regulations) which have mandatory recordkeeping and reporting requirements. Records collected under the New Source Performance Standards (NSPS) must be retained by the owner or operator for at least two years and the records collected under the National Emission Standards for Hazardous Air Pollutants (NESHAP) must be retained by the owner or operator for at least five years. In general, the required collections consist of emissions data and other information deemed not to be private.

In the absence of such information collection requirements, enforcement personnel would be unable to determine whether the standards are being met on a continuous basis as required by the Clean Air Act.

An Agency may not conduct or sponsor, and a person is not required to respond to, a collection of information, unless the Agency displays a currently valid OMB control number. The OMB control numbers for EPA's regulations under Title 40 of the Code of Federal Regulations are published in the **Federal Register**, or on the related collection instrument or form. The display of OMB control numbers for certain EPA regulations is consolidated at 40 CFR part 9.

B. What information collection activity or ICR does this apply to?

In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this notice announces that EPA is planning to submit the following fifty-two continuing Information Collection Requests (ICR) to the Office of Management and Budget (OMB):

(1) Docket ID Number: EPA-HQ-OECA-2008-0294

Title: NSPS for Sulfuric Acid Plants (40 CFR Part 60, Subpart H)

ICR Numbers: EPA ICR Number 1057.11, OMB Control Number 2060-0041

ICR Status: This ICR is scheduled to expire on October 31, 2008

(2) Docket ID Number: EPA-HQ-OECA-2008-0433

Title: NESHAP for Source Categories: Generic Maximum Achievable Control Technology Standards for Carbon Black, Ethylene, Cyanide and Spandex (40 CFR Part 63, Subpart YY)

ICR Numbers: EPA ICR Number 1983.05, OMB Control Number 2060-0489

ICR Status: This ICR is scheduled to expire on November 30, 2008

(3) Docket ID Number: EPA-HQ-OECA-2008-0370

Title: NSPS for Metallic Mineral Processing Plants (40 CFR Part 60, Subpart LL)

ICR Numbers: EPA ICR Number 0982.09, OMB Control Number 2060-0016

ICR Status: This ICR is scheduled to expire on November 30, 2008

(4) Docket ID Number: EPA-HQ-OECA-2008-0374

Title: NSPS for Primary and Secondary Emissions from Basic Oxygen Furnaces (40 CFR Part 60, Subparts N and Na)

ICR Numbers: EPA ICR Number 1069.09, OMB Control Number 2060-0029

ICR Status: This ICR is scheduled to expire on November 30, 2008

(5) Docket ID Number: EPA-HQ-OECA-2008-0377

Title: NSPS for Glass Manufacturing Plants (40 CFR Part 60, Subpart CC)

ICR Numbers: EPA ICR Number 1131.09, OMB Control Number 2060-0054

ICR Status: This ICR is scheduled to expire on November 30, 2008

(6) Docket ID Number: EPA-HQ-OECA-2008-0423

Title: NSPS for Petroleum Refineries (40 CFR Part 60, Subpart J)

ICR Numbers: EPA ICR Number 1054.10, OMB Control Number 2060-0022

ICR Status: This ICR is scheduled to expire on November 30, 2008

(7) Docket ID Number: EPA-HQ-OECA-2008-0297

Title: NESHAP for Coke Oven Batteries (40 CFR Part 63, Subpart L)

ICR Numbers: EPA ICR Number 1362.08, OMB Control Number 2060-0253

ICR Status: This ICR is scheduled to expire on December 31, 2008

(8) Docket ID Number: EPA-HQ-OECA-2008-0288

Title: NESHAP for Miscellaneous Metal Parts and Products (40 CFR Part 63, Subpart M)

ICR Numbers: EPA ICR Number 2056.03, OMB Control Number 2060-0486

ICR Status: This ICR is scheduled to expire on January 31, 2009

(9) Docket ID Number: EPA-HQ-OECA-2008-0427

Title: NESHAP for Polyether Polyols Production (40 CFR Part 63, Subpart PPP)

ICR Numbers: EPA ICR Number 1811.06, OMB Control Number 2060-0415

ICR Status: This ICR is scheduled to expire on January 31, 2009

(10) Docket ID Number: EPA-HQ-OECA-2008-0279

Title: NSPS for Bulk Gasoline Terminals (40 CFR Part 60, Subpart XX)

ICR Numbers: EPA ICR Number 0664.09, OMB Control Number 2060-0006

ICR Status: This ICR is scheduled to expire on January 31, 2009

(11) Docket ID Number: EPA-HQ-OECA-2008-0425

Title: NESHAP for Natural Gas Transmission and Storage (40 CFR Part 63, Subpart HHH)

ICR Numbers: EPA ICR Number 1789.06, OMB Control Number 2060-0418

ICR Status: This ICR is scheduled to expire on January 31, 2009

(12) Docket ID Number: EPA-HQ-OECA-2008-0375

Title: NESHAP for Inorganic Arsenic Emissions from Glass Manufacturing Plants (40 CFR Part 61, Subpart N)

ICR Numbers: EPA ICR Number 1081.09, OMB Control Number 2060-0043

ICR Status: This ICR is scheduled to expire on January 31, 2009

(13) Docket ID Number: EPA-HQ-OECA-2008-0368

Title: NSPS for Calciners and Dryers in Mineral Industries (40 CFR Part 60, Subpart UUU)

ICR Numbers: EPA ICR Number 0746.07, OMB Control Number 2060-0251

ICR Status: This ICR is scheduled to expire on January 31, 2009

(14) Docket ID Number: EPA-HQ-OECA-2008-0299

Title: NSPS for Municipal Solid Waste Landfills (40 CFR Part 60, Subpart WWW)

ICR Numbers: EPA ICR Number 1557.07, OMB Control Number 2060-0220

ICR Status: This ICR is scheduled to expire on January 31, 2009

(15) Docket ID Number: EPA-HQ-OECA-2008-0365

Title: NESHAP for Primary Lead Smelters (40 CFR Part 63, Subpart TTT)

ICR Numbers: EPA ICR Number 1856.06, OMB Control Number 2060-0414

ICR Status: This ICR is scheduled to expire on February 28, 2009

(16) Docket ID Number: EPA-HQ-OECA-2008-0422

Title: NSPS for Metal Coil Surface Coating (40 CFR Part 60, Subpart TT)

ICR Numbers: EPA ICR Number 0660.10, OMB Control Number 2060-0107

ICR Status: This ICR is scheduled to expire on February 28, 2009

(17) Docket ID Number: EPA-HQ-OECA-2008-0301

Title: NESHAP for Steel Pickling, HCL Process Facilities and Hydrochloric Acid Regeneration Plants (40 CFR Part 63, Subpart CCC)

ICR Numbers: EPA ICR Number 1821.06, OMB Control Number 2060-0419

ICR Status: This ICR is scheduled to expire on February 28, 2009

(18) Docket ID Number: EPA-HQ-OECA-2008-0426

Title: NESHAP for Portland Cement (40 CFR Part 63, Subpart LLL)

ICR Numbers: EPA ICR Number 1801.07, OMB Control Number 2060-0416

ICR Status: This ICR is scheduled to expire on February 28, 2009

(19) Docket ID Number: EPA-HQ-OECA-2008-0280

Title: NSPS for Equipment Leaks of VOC in Petroleum Refineries (40 CFR Part 60, Subpart GGG and GGGa)

ICR Numbers: EPA ICR Number 0983.10, OMB Control Number 2060-0067

ICR Status: This ICR is scheduled to expire on February 28, 2009

(20) Docket ID Number: EPA-HQ-OECA-2008-0424

Title: NESHAP for Oil and Natural Gas Production (40 CFR Part 63, Subpart HH)
 ICR Numbers: EPA ICR Number 1788.09, OMB Control Number 2060-0417
 ICR Status: This ICR is scheduled to expire on March 31, 2009
 (21) Docket ID Number: EPA-HQ-OECA-2008-0431

Title: NESHAP for Wet-Formed Fiberglass Mat Production (40 CFR Part 63, Subpart HHHH)
 ICR Numbers: EPA ICR Number 1964.04, OMB Control Number 2060-0496
 ICR Status: This ICR is scheduled to expire on March 31, 2009
 (22) Docket ID Number: EPA-HQ-OECA-2008-0428

Title: NESHAP for Source Categories—Generic Maximum Achievable Control Technology Standards for Acetal Resin; Acrylic and Modacrylic Fiber; Hydrogen Fluoride and Polycarbonate Production (40 CFR Part 63, Subpart YY)
 ICR Numbers: EPA ICR Number 1871.05, OMB Control Number 2060-0420
 ICR Status: This ICR is scheduled to expire on March 31, 2009
 (23) Docket ID Number: EPA-HQ-OECA-2008-0295

Title: NSPS for Grain Elevators (40 CFR Part 60, Subpart DD)
 ICR Numbers: EPA ICR Number 1130.09, OMB Control Number 2060-0082
 ICR Status: This ICR is scheduled to expire on March 31, 2009
 (24) Docket ID Number: EPA-HQ-OECA-2008-0371

Title: NESHAP for Flexible Polyurethane Foam Fabrication (40 CFR Part 63, Subpart M MMMM)
 ICR Numbers: EPA ICR Number 2027.04, OMB Control Number 2060-0516
 ICR Status: This ICR is scheduled to expire on March 31, 2009
 (25) Docket ID Number: EPA-HQ-OECA-2008-0291

Title: Emission Guidelines for Existing Other Solid Waste Incineration Units (40 CFR Part 60, Subpart FFFF)
 ICR Numbers: EPA ICR Number 2164.03, OMB Control Number 2060-0562
 ICR Status: This ICR is scheduled to expire on March 31, 2009
 (26) Docket ID Number: EPA-HQ-OECA-2008-0290

Title: NSPS for Other Solid Waste Incineration Units (40 CFR Part 60, Subpart EEEE)
 ICR Numbers: EPA ICR Number 2163.03, OMB Control Number 2060-0563
 ICR Status: This ICR is scheduled to expire on March 31, 2009
 (27) Docket ID Number: EPA-HQ-OECA-2008-0277

Title: NESHAP for Asbestos (40 CFR Part 61, Subpart M)
 ICR Numbers: EPA ICR Number 0111.12, OMB Control Number 2060-0101
 ICR Status: This ICR is scheduled to expire on April 30, 2009
 (28) Docket ID Number: EPA-HQ-OECA-2008-0363

Title: NSPS for Lime Manufacturing (40 CFR Part 60, Subpart HH)
 ICR Numbers: EPA ICR Number 1167.09, OMB Control Number 2060-0063
 ICR Status: This ICR is scheduled to expire on April 30, 2009
 (29) Docket ID Number: EPA-HQ-OECA-2008-0376

Title: NSPS for Hot Mix Asphalt Facilities (40 CFR Part 60, Subpart I)
 ICR Numbers: EPA ICR Number 1127.09, OMB Control Number 2060-0083
 ICR Status: This ICR is scheduled to expire on April 30, 2009
 (30) Docket ID Number: EPA-HQ-OECA-2008-0293

Title: NSPS for Kraft Pulp Mills (40 CFR Part 60, Subpart BB)
 ICR Numbers: EPA ICR Number 1055.09, OMB Control Number 2060-0021
 ICR Status: This ICR is scheduled to expire on May 31, 2009
 (31) Docket ID Number: EPA-HQ-OECA-2008-0289

Title: NESHAP for Printing, Coating and Dyeing of Fabrics and Other Textiles (40 CFR Part 63, Subpart OOOO)
 ICR Numbers: EPA ICR Number 2071.04, OMB Control Number 2060-0522
 ICR Status: This ICR is scheduled to expire on June 30, 2009
 (32) Docket ID Number: EPA-HQ-OECA-2008-0432

Title: NESHAP for Reinforced Plastics Composites Production (40 CFR Part 63, Subpart WWWW)
 ICR Numbers: EPA ICR Number 1976.04, OMB Control Number 2060-0509
 ICR Status: This ICR is scheduled to expire on June 30, 2009
 (33) Docket ID Number: EPA-HQ-OECA-2008-0285

Title: NESHAP for Paper and Other Web Coating (40 CFR Part 63, Subpart JJJJ)
 ICR Numbers: EPA ICR Number 1951.04, OMB Control Number 2060-0511
 ICR Status: This ICR is scheduled to expire on June 30, 2009
 (34) Docket ID Number: EPA-HQ-OECA-2008-0430

Title: NESHAP for the Surface Coating of Large Household and Commercial Appliances (40 CFR Part 63, Subpart NNNN)
 ICR Numbers: EPA ICR Number 1954.04, OMB Control Number 2060-0457
 ICR Status: This ICR is scheduled to expire on June 30, 2009
 (35) Docket ID Number: EPA-HQ-OECA-2008-0367

Title: NESHAP for Brick and Structural Clay Manufacturing (40 CFR Part 63, Subpart JJJJJ)
 ICR Numbers: EPA ICR Number 2022.04, OMB Control Number 2060-0508
 ICR Status: This ICR is scheduled to expire on June 30, 2009
 (36) Docket ID Number: EPA-HQ-OECA-2008-0292

Title: NESHAP for Refractory Products Manufacturing (40 CFR Part 63, Subpart SSSSS)
 ICR Numbers: EPA ICR Number 2040.04, OMB Control Number 2060-0515
 ICR Status: This ICR is scheduled to expire on June 30, 2009
 (37) Docket ID Number: EPA-HQ-OECA-2008-0284

Title: NESHAP for Municipal Solid Waste Landfills (40 CFR Part 63, Subpart AAAA)
 ICR Numbers: EPA ICR Number 1938.04, OMB Control Number 2060-0505
 ICR Status: This ICR is scheduled to expire on August 31, 2009
 (38) Docket ID Number: EPA-HQ-OECA-2008-0281

Title: NESHAP for Publicly Owned Treatment Works (40 CFR Part 63, Subpart VVV)
 ICR Numbers: EPA ICR Number 1891.05, OMB Control Number 2060-0428
 ICR Status: This ICR is scheduled to expire on August 31, 2009
 (39) Docket ID Number: EPA-HQ-OECA-2008-0373

Title: NESHAP for Asphalt Processing and Asphalt Roofing Manufacturing (40 CFR Part 63, Subpart LLLLLL)
 ICR Numbers: EPA ICR Number 2029.04, OMB Control Number 2060-0520
 ICR Status: This ICR is scheduled to expire on August 31, 2009
 (40) Docket ID Number: EPA-HQ-OECA-2008-0283

Title: State and Federal Emission Guidelines for Hospital-Medical/

Infectious Waste Incinerators (40 CFR Part 60, Subpart Ce and 40 CFR Part 62, Subpart HHH)
 ICR Numbers: EPA ICR Number 1899.04, OMB Control Number 2060-0422
 ICR Status: This ICR is scheduled to expire on August 31, 2009
 (41) Docket ID Number: EPA-HQ-OECA-2008-0298
 Title: NESHAP for Benzene Waste Operations (40 CFR Part 61, Subpart FF)
 ICR Numbers: EPA ICR Number 1541.09, OMB Control Number 2060-0183
 ICR Status: This ICR is scheduled to expire on August 31, 2009
 (42) Docket ID Number: EPA-HQ-OECA-2008-0366
 Title: NESHAP for Coke Oven Pushing Quenching and Battery Stacks (40 CFR Part 63, Subpart CCCCC)
 ICR Numbers: EPA ICR Number 1995.04, OMB Control Number 2060-0521
 ICR Status: This ICR is scheduled to expire on August 31, 2009
 (43) Docket ID Number: EPA-HQ-OECA-2008-0369
 Title: NESHAP for Clay Ceramics Manufacturing (40 CFR Part 63, Subpart KKKKK)
 ICR Numbers: EPA ICR Number 2023.04, OMB Control Number 2060-0513
 ICR Status: This ICR is scheduled to expire on August 31, 2009
 (44) Docket ID Number: EPA-HQ-OECA-2008-0372
 Title: NSPS for Petroleum Dry Cleaners (40 CFR Part 60, Subpart JJJ)
 ICR Numbers: EPA ICR Number 0997.09, OMB Control Number 2060-0079
 ICR Status: This ICR is scheduled to expire on August 31, 2009
 (45) Docket ID Number: EPA-HQ-OECA-2008-0286
 Title: NESHAP for Integrated Iron and Steel Manufacturing (40 CFR Part 63, Subpart FFFFF)
 ICR Numbers: EPA ICR Number 2003.04, OMB Control Number 2060-0517
 ICR Status: This ICR is scheduled to expire on August 31, 2009
 (46) Docket ID Number: EPA-HQ-OECA-2008-0287
 Title: NESHAP for Semiconductor Manufacturing (40 CFR Part 63, Subpart BBBB)
 ICR Numbers: EPA ICR Number 2042.04, OMB Control Number 2060-0519
 ICR Status: This ICR is scheduled to expire on August 31, 2009

(47) Docket ID Number: EPA-HQ-OECA-2008-0278
 Title: NESHAP for Mercury (40 CFR Part 61, Subpart E)
 ICR Numbers: EPA ICR Number 0113.10, OMB Control Number 2060-0097
 ICR Status: This ICR is scheduled to expire on August 31, 2009
 (48) Docket ID Number: EPA-HQ-OECA-2008-0300
 Title: NESHAP for Shipbuilding and Ship Repair Facilities—Surface Coating (40 CFR Part 63, Subpart II)
 ICR Numbers: EPA ICR Number 1712.06, OMB Control Number 2060-0330
 ICR Status: This ICR is scheduled to expire on August 31, 2009
 (49) Docket ID Number: EPA-HQ-OECA-2008-0429
 Title: NESHAP for Metal Furniture Surface Coating (40 CFR Part 63, Subpart RRRR)
 ICR Numbers: EPA ICR Number 1952.04, OMB Control Number 2060-0518
 ICR Status: This ICR is scheduled to expire on September 30, 2009
 (50) Docket ID Number: EPA-HQ-OECA-2008-0421
 Title: NESHAP for the Wood Building Products Surface Coating Industry (40 CFR Part 63, Subpart QQQQ)
 ICR Numbers: EPA ICR Number 2034.04, OMB Control Number 2060-0510
 ICR Status: This ICR is scheduled to expire on September 30, 2009
 (51) Docket ID Number: EPA-HQ-OECA-2008-0434
 Title: NESHAP for Hydrochloric Acid Production (40 CFR Part 63, Subpart NNNNN)
 ICR Numbers: EPA ICR Number 2032.06, OMB Control Number 2060-0529
 ICR Status: This ICR is scheduled to expire on September 30, 2009
 (52) Docket ID Number: EPA-HQ-OECA-2008-0282
 Title: NESHAP for Secondary Aluminum Production (40 CFR Part 63, Subpart RRR)
 ICR Numbers: EPA ICR Number 1894.06, OMB Control Number 2060-0433
 ICR Status: This ICR is scheduled to expire on September 30, 2009

C. Contact Individuals for ICRs

(1) NSPS for Sulfuric Acid Plants (40 CFR Part 60, Subpart H); Learia Williams of the Office of Compliance at (202) 564-4113; or via E-mail to: williams.learia@epa.gov; EPA ICR Number 1057.11; OMB Control Number

2060-0041; expiration date October 31, 2008.

(2) NESHAP for Source Categories: Generic Maximum Achievable Control Technology Standards for Carbon Black, Ethylene, Cyanide and Spandex (40 CFR Part 63, Subpart YY); John Schaefer of the Office of Air Quality Planning and Standards at (919) 541-0296 or via e-mail to schaefer.john@epa.gov; EPA ICR Number 1983.05; OMB Control Number 2060-0489; expiration date November 30, 2008.

(3) NSPS for Metallic Mineral Processing Plants (40 CFR Part 60, Subpart LL); Sounjay Gairola of the Office of Civil Enforcement at (202) 564-4003 or via e-mail to gairola.sounjay@epa.gov; EPA ICR Number 0982.09; OMB Control Number 2060-0016; expiration date November 30, 2008.

(4) NSPS for Primary and Secondary Emissions from Basic Oxygen Furnaces (40 CFR Part 60, Subparts N and Na); Sounjay Gairola of the Office of Civil Enforcement at (202) 564-4003 or via e-mail to gairola.sounjay@epa.gov; ICR Number 1069.09; OMB Control Number 2060-0029; expiration date November 30, 2008.

(5) NSPS for Glass Manufacturing Plants (40 CFR Part 60, Subpart CC); Sounjay Gairola of the Office of Civil Enforcement at (202) 564-4003 or via e-mail to gairola.sounjay@epa.gov; ICR Number 1131.09; OMB Control Number 2060-0054; expiration date November 30, 2008.

(6) NSPS for Petroleum Refineries (40 CFR Part 60, Subpart J); John Schaefer of the Office of Air Quality Planning and Standards at (919) 541-0296 or via e-mail to schaefer.john@epa.gov; ICR Number 1054.10; OMB Control Number 2060-0022; expiration date November 30, 2008.

(7) NESHAP for Coke Oven Batteries (40 CFR Part 63, Subpart L); Maria Malave of the Office of Compliance at (202) 564-7027; or via E-mail to: malave.maria@epa.gov; EPA ICR Number 1362.08; OMB Control Number 2060-0253; expiration date December 31, 2008.

(8) NESHAP for Miscellaneous Metal Parts and Products (40 CFR Part 63, Subpart MMMMM); Leonard Lazarus of the Office of Compliance at (202) 564-6369; or via E-mail to: lazarus.leonard@epa.gov; EPA ICR Number 2056.03; OMB Control Number 2060-0486; expiration date January 31, 2009.

(9) NESHAP for Polyether Polyols Production (40 CFR Part 63, Subpart PPP); John Schaefer of the Office of Air Quality Planning and Standards at (919) 541-0296 or via e-mail to

schaefer.john@epa.gov; EPA ICR Number 1811.06; OMB Control Number 2060-0415; expiration date January 31, 2009.

(10) NSPS for Bulk Gasoline Terminals (40 CFR Part 60, Subpart XX); Learia Williams of the Office of Compliance at (202) 564-4113; or via E-mail to: *williams.learia@epa.gov*; EPA ICR Number 0664.09; OMB Control Number 2060-0006; expiration date January 31, 2009.

(11) NESHAP for Natural Gas Transmission and Storage (40 CFR Part 63, Subpart HHH); John Schaefer of the Office of Air Quality Planning and Standards at (919) 541-0296 or via e-mail to *schaefer.john@epa.gov*; EPA ICR Number 1789.06; OMB Control Number 2060-0418; expiration date January 31, 2009.

(12) NESHAP for Inorganic Arsenic Emissions from Glass Manufacturing Plants (40 CFR Part 61, Subpart N); Sounjay Gairola of the Office of Civil Enforcement at (202) 564-4003 or via e-mail to *gairola.sounjay@epa.gov*; EPA ICR Number 1081.09; OMB Control Number 2060-0043; expiration date January 31, 2009.

(13) NSPS for Calciners and Dryers in Mineral Industries (40 CFR Part 60, Subpart UUU; Sounjay Gairola of the Office of Civil Enforcement at (202) 564-4003 or via e-mail to *gairola.sounjay@epa.gov*; EPA ICR Number 0746.07, OMB Control Number 2060-0251; expiration date January 31, 2009.

(14) NSPS for Municipal Solid Waste Landfills (40 CFR Part 60, Subpart WWW); Learia Williams of the Office of Compliance at (202) 564-4113; or via E-mail to: *williams.learia@epa.gov*; EPA ICR Number 1557.07; OMB Control Number 2060-0220; expiration date January 31, 2009.

(15) NESHAP for Primary Lead Smelters (40 CFR Part 63, Subpart TTT); Sounjay Gairola of the Office of Civil Enforcement at (202) 564-4003 or via e-mail to *gairola.sounjay@epa.gov*; EPA ICR Number 1856.06; OMB Control Number 2060-0414; expiration date February 28, 2009.

(16) NSPS for Metal Coil Surface Coating (40 CFR Part 60, Subpart TT); John Schaefer of the Office of Air Quality Planning and Standards at (919) 541-0296 or via e-mail to *schaefer.john@epa.gov*; ICR Number 0660.10; OMB Control Number 2060-0107; expiration date February 28, 2009.

(17) NESHAP for Steel Pickling, HCL Process Facilities and Hydrochloric Acid Regeneration Plants (40 CFR Part 63, Subpart CCC); Learia Williams of the Office of Compliance at (202) 564-4113; or via E-mail to:

williams.learia@epa.gov; EPA ICR Number 1821.06; OMB Control Number 2060-0419; expiration date February 28, 2009.

(18) NESHAP for Portland Cement (40 CFR Part 63, Subpart LLL); John Schaefer of the Office of Air Quality Planning and Standards at (919) 541-0296 or via e-mail to *schaefer.john@epa.gov*; EPA ICR Number 1801.07; OMB Control Number 2060-0416; expiration date February 28, 2009.

(19) NSPS for Equipment Leaks of VOC in Petroleum Refineries (40 CFR Part 60, Subpart GGG and GGGa); Maria Malave of the Office of Compliance at (202) 564-7027; or via E-mail to: *malave.maria@epa.gov*; EPA ICR Number 0983.10; OMB Control Number 2060-0067; expiration date February 28, 2009.

(20) NESHAP for Oil and Natural Gas Production (40 CFR Part 63, Subpart HH); John Schaefer of the Office of Air Quality Planning and Standards at (919) 541-0296 or via e-mail to *schaefer.john@epa.gov*; ICR Number 1788.09; OMB Control Number 2060-0417; expiration date March 31, 2009.

(21) NESHAP for Wet-Formed Fiberglass Mat Production (40 CFR Part 63, Subpart HHHH); John Schaefer of the Office of Air Quality Planning and Standards at (919) 541-0296 or via e-mail to *schaefer.john@epa.gov*; ICR Number 1964.04, OMB Control Number 2060-0496; expiration date March 31, 2009.

(22) NESHAP for Source Categories—Generic Maximum Achievable Control Technology Standards for Acetal Resin; Acrylic and Modacrylic Fiber; Hydrogen Fluoride and Polycarbonate Production (40 CFR Part 63, Subpart YY); John Schaefer of the Office of Air Quality Planning and Standards at (919) 541-0296 or via e-mail to *schaefer.john@epa.gov*; EPA ICR Number 1871.05; OMB Control Number 2060-0420; expiration date March 31, 2009.

(23) NSPS for Grain Elevators (40 CFR Part 60, Subpart DD); Learia Williams of the Office of Compliance at (202) 564-4113; or via E-mail to: *williams.learia@epa.gov*; EPA ICR Number 1130.09; OMB Control Number 2060-0082; expiration date March 31, 2009.

(24) NESHAP for Flexible Polyurethane Foam Fabrication (40 CFR Part 63, Subpart MMMM); Sounjay Gairola of the Office of Civil Enforcement at (202) 564-4003 or via e-mail to *gairola.sounjay@epa.gov*; ICR Number 2027.04; OMB Control Number 2060-0516; expiration date March 31, 2009.

(25) Emission Guidelines for Existing Other Solid Waste Incineration Units (40 CFR Part 60, Subpart FFFF); Learia Williams of the Office of Compliance at (202) 564-4113; or via E-mail to: *williams.learia@epa.gov*; EPA ICR Number 2164.03; OMB Control Number 2060-0562; expiration date March 31, 2009.

(26) NSPS for Other Solid Waste Incineration Units (40 CFR Part 60, Subpart EEEE); Learia Williams of the Office of Compliance at (202) 564-4113; or via E-mail to: *williams.learia@epa.gov*; EPA ICR Number 2163.03; OMB Control Number 2060-0563; expiration date March 31, 2009.

(27) NESHAP for Asbestos (40 CFR Part 61, Subpart M); Learia Williams of the Office of Compliance at (202) 564-4113; or via E-mail to: *williams.learia@epa.gov*; EPA ICR Number 0111.12; OMB Control Number 2060-0101; expiration date April 30, 2009.

(28) NSPS for Lime Manufacturing (40 CFR Part 60, Subpart HH); Sounjay Gairola of the Office of Civil Enforcement at (202) 564-4003 or via e-mail to *gairola.sounjay@epa.gov*; EPA ICR Number 1167.09; OMB Control Number 2060-0063; expiration date April 30, 2009.

(29) NSPS for Hot Mix Asphalt Facilities (40 CFR Part 60, Subpart I); Sounjay Gairola of the Office of Civil Enforcement at (202) 564-4003 or via e-mail to *gairola.sounjay@epa.gov*; EPA ICR Number 1127.09, OMB Control Number 2060-0083; expiration date April 30, 2009.

(30) NSPS for Kraft Pulp Mills (40 CFR Part 60, Subpart BB); Learia Williams of the Office of Compliance at (202) 564-4113; or via E-mail to: *williams.learia@epa.gov*; EPA ICR Number 1055.09; OMB Control Number 2060-0021; expiration date May 31, 2009.

(31) NESHAP for Printing, Coating and Dyeing of Fabrics and Other Textiles (40 CFR Part 63, Subpart OOOO); Leonard Lazarus of the Office of Compliance at (202) 564-6369; or via E-mail to: *lazarus.leonard@epa.gov*; EPA ICR Number 2071.04; OMB Control Number 2060-0522; expiration date June 30, 2009.

(32) NESHAP for Reinforced Plastics Composites Production (40 CFR Part 63, Subpart WWW); John Schaefer of the Office of Air Quality Planning and Standards at (919) 541-0296 or via e-mail to *schaefer.john@epa.gov*; ICR Number 1976.04; OMB Control Number 2060-0509; expiration date June 30, 2009.

(33) NESHAP for Paper and Other Web Coating (40 CFR Part 63, Subpart JJJJ); Learia Williams of the Office of Compliance at (202) 564-4113; or via E-mail to: *williams.learia@epa.gov*; EPA ICR Number 1951.04; OMB Control Number 2060-0511; expiration date June 30, 2009.

(34) NESHAP for the Surface Coating of Large Household and Commercial Appliances (40 CFR Part 63, Subpart NNNN); John Schaefer of the Office of Air Quality Planning and Standards at (919) 541-0296 or via e-mail to *schaefer.john@epa.gov*; EPA ICR Number 1954.04; OMB Control Number 2060-0457; expiration date June 30, 2009.

(35) NESHAP for Brick and Structural Clay Manufacturing (40 CFR Part 63, Subpart JJJJ); Sounjay Gairola of the Office of Civil Enforcement at (202) 564-4003 or via e-mail to *gairola.sounjay@epa.gov*; EPA ICR Number 2022.04; OMB Control Number 2060-0508; expiration date June 30, 2009.

(36) NESHAP for Refractory Products Manufacturing (40 CFR Part 63, Subpart SSSS); Sounjay Gairola of the Office of Civil Enforcement at (202) 564-4003 or via e-mail to *gairola.sounjay@epa.gov*; EPA ICR Number 2040.04; OMB Control Number 2060-0515; expiration date June 30, 2009.

(37) NESHAP for Municipal Solid Waste Landfills (40 CFR Part 63, Subpart AAAA); Learia Williams of the Office of Compliance at (202) 564-4113; or via E-mail to: *williams.learia@epa.gov*; EPA ICR Number 1938.04; OMB Control Number 2060-0505; expiration date August 31, 2009.

(38) NESHAP for Publicly Owned Treatment Works (40 CFR Part 63, Subpart VVV); Learia Williams of the Office of Compliance at (202) 564-4113; or via E-mail to: *williams.learia@epa.gov*; EPA ICR Number 1891.05; OMB Control Number 2060-0428; expiration date August 31, 2009.

(39) NESHAP for Asphalt Processing and Asphalt Roofing Manufacturing (40 CFR Part 63, Subpart LLLLL); Sounjay Gairola of the Office of Civil Enforcement at (202) 564-4003 or via e-mail to *gairola.sounjay@epa.gov*; EPA ICR Number 2029.04; OMB Control Number 2060-0520; expiration date August 31, 2009.

(40) State and Federal Emission Guidelines for Hospital/Medical/ Infectious Waste Incinerators (40 CFR Part 60, Subpart Ce and 40 CFR Part 62, Subpart HHH); Learia Williams of the Office of Compliance at (202) 564-4113; or via e-mail to:

williams.learia@epa.gov; EPA ICR Number 1899.04; OMB Control Number 2060-0422; expiration date August 31, 2009.

(41) NESHAP for Benzene Waste Operations (40 CFR Part 61, Subpart FF); Learia Williams of the Office of Compliance at (202) 564-4113; or via e-mail to: *williams.learia@epa.gov*; EPA ICR Number 1541.09; OMB Control Number 2060-0183; expiration date August 31, 2009.

(42) NESHAP for Coke Oven Pushing Quenching and Battery Stacks (40 CFR Part 63, Subpart CCCCC); Sounjay Gairola of the Office of Civil Enforcement at (202) 564-4003 or via e-mail to *gairola.sounjay@epa.gov*; EPA ICR Number 1995.04; OMB Control Number 2060-0521; expiration date August 31, 2009.

(43) NESHAP for Clay Ceramics Manufacturing (40 CFR Part 63, Subpart KKKKK); Sounjay Gairola of the Office of Civil Enforcement at (202) 564-4003 or via e-mail to *gairola.sounjay@epa.gov*; EPA ICR Number 2023.04; OMB Control Number 2060-0513; expiration date August 31, 2009.

(44) NSPS for Petroleum Dry Cleaners (40 CFR Part 60, Subpart JJJ); Sounjay Gairola of the Office of Civil Enforcement at (202) 564-4003 or via e-mail to *gairola.sounjay@epa.gov*; EPA ICR Number 0997.09; OMB Control Number 2060-0079; expiration date August 31, 2009.

(45) NESHAP for Integrated Iron and Steel Manufacturing (40 CFR Part 63, Subpart FFFFF); Maria Malave of the Office of Compliance at (202) 564-7027; or via E-mail to: *malave.maria@epa.gov*; EPA ICR Number 2003.04; OMB Control Number 2060-0517; expiration date August 31, 2009.

(46) NESHAP for Semiconductor Manufacturing (40 CFR Part 63, Subpart BBBB); Learia Williams of the Office of Compliance at (202) 564-4113; or via E-mail to: *williams.learia@epa.gov*; EPA ICR Number 2042.04; OMB Control Number 2060-0519; expiration date August 31, 2009.

(47) NESHAP for Mercury (40 CFR Part 61, Subpart E); Learia Williams of the Office of Compliance at (202) 564-4113; or via E-mail to: *williams.learia@epa.gov*; EPA ICR Number 0113.10; OMB Control Number 2060-0097; expiration date August 31, 2009.

(48) NESHAP for Shipbuilding and Ship Repair Facilities—Surface Coating (40 CFR Part 63, Subpart II); Leonard Lazarus of the Office of Compliance at (202) 564-6369; or via E-mail to: *lazarus.leonard@epa.gov*; EPA ICR Number 1712.06; OMB Control Number

2060-0330; expiration date August 31, 2009.

(49) NESHAP for Metal Furniture Surface Coating (40 CFR Part 63, Subpart RRRR); John Schaefer of the Office of Air Quality Planning and Standards at (919) 541-0296 or via e-mail to *schaefer.john@epa.gov*; EPA ICR Number 1952.04; OMB Control Number 2060-0518; expiration date September 30, 2009.

(50) NESHAP for the Wood Building Products Surface Coating Industry (40 CFR Part 63, Subpart QQQQ); John Schaefer of the Office of Air Quality Planning and Standards at (919) 541-0296 or via e-mail to *schaefer.john@epa.gov*; EPA ICR Number 2034.04; OMB Control Number 2060-0510; expiration date September 30, 2009.

(51) NESHAP for Hydrochloric Acid Production (40 CFR Part 63, Subpart NNNNN); John Schaefer of the Office of Air Quality Planning and Standards at (919) 541-0296 or via e-mail to *schaefer.john@epa.gov*; EPA ICR Number 2032.06; OMB Control Number 2060-0529; expiration date September 30, 2009.

(52) NESHAP for Secondary Aluminum Production (40 CFR Part 63, Subpart RRR); Learia Williams of the Office of Compliance at (202) 564-4113; or via E-mail to: *williams.learia@epa.gov*; EPA ICR Number 1894.06; OMB Control Number 2060-0433; expiration date September 30, 2009.

D. Information for Individual ICRs

(1) NSPS for Sulfuric Acid Plants (40 CFR Part 60, Subpart H); Docket ID Number EPA-HQ-OECA-2008-0294; EPA ICR Number 1057.11; OMB Control Number 2060-0041; expiration date October 31, 2008.

Affected Entities: Entities potentially affected by this action are the owners or operators of sulfuric acid plants.

Abstract: The New Source Performance Standards (NSPS) for Sulfuric Acid Plants (40 CFR Part 60, Subpart H), were promulgated on December 23, 1971, amended on June 14, 1974 (39 FR 20794), October 6, 1975 (40 FR 46258), May 25, 1983 (48 FR 23611), September 29, 1983 (48 FR 4700), October 20, 1983 (48 FR 48669), February 14, 1989 (54 FR 6666) and October 17, 2000 (65 FR 61753).

The affected entities are subject to the General Provisions of the NSPS at 40 CFR part 60, subpart A, and any changes, or additions to the General Provisions specified at 40 CFR part 60, subpart H.

In general, all NSPS standards require initial notifications, performance tests,

and periodic reports. Owners or operators are also required to maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. These notifications, reports, and records are essential in determining compliance, and are required of all affected facilities. Reports, at a minimum, are required semiannually.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average approximately 127 hours per response.

Respondents/Affected Entities: Sulfuric Acid Plants.

Estimated Number of Respondents: 103.

Frequency of Response: Semiannually, occasionally and initially.

Estimated Total Annual Hour Burden: 26,177.

Estimated Total Annual Cost: \$464,000, which is comprised of no annualized capital/startup costs and annual O&M costs of \$464,000.

(2) NESHAP for Source Categories: Generic Maximum Achievable Control Technology Standards for Carbon Black, Ethylene, Cyanide and Spandex (40 CFR Part 63, Subpart YY); Docket ID Number EPA-HQ-OECA-2008-0433; EPA ICR Number 1983.05; OMB Control Number 2060-0489; expiration date November 30, 2008.

Affected Entities: Entities potentially affected by this action are the owners or operators of manufacturing facilities which produce carbon black, ethylene, cyanide or spandex.

Abstract: The National Emission Standards for Hazardous Air Pollutants (NESHAP) for Source Categories: Generic Maximum Achievable Control Technology Standards for Carbon Black, Ethylene, Cyanide and Spandex (40 CFR Part 63, Subpart YY) were promulgated on June 29, 1999.

The affected entities are subject to the General Provisions of the NESHAP at 40 CFR part 63, subpart A, and any changes, or additions to the General Provisions specified at 40 CFR part 63, subpart YY.

Owners or operators of the affected facilities must submit a one-time-only report of any physical or operational changes and the results of initial performance tests. Owners or operators are also required to maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. Periodic reports

are also required, at a minimum, semiannually.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average approximately 90 hours per response.

Respondents/Affected Entities: Carbon black, ethylene, cyanide and spandex manufacturing facilities.

Estimated Number of Respondents: 72.

Frequency of Response: Occasionally, semiannually and annually.

Estimated Total Annual Hour Burden: 13,533.

Estimated Total Annual Cost: \$359,000, which is comprised of no annualized capital/startup costs and O&M costs of \$359,000.

(3) NSPS for Metallic Mineral Processing Plants (40 CFR Part 60, Subpart LL); Docket ID Number EPA-HQ-OECA-2008-0370; EPA ICR Number 0982.09; OMB Control Number 2060-0016; expiration date November 30, 2008.

Affected Entities: Entities potentially affected by this action are the owners or operators of metallic mineral processing plants.

Abstract: The New Source Performance Standards (NSPS) for Metallic Mineral Processing Plants (40 CFR Part 60, Subpart LL) were promulgated on February 21, 1984.

The affected entities are subject to the General Provisions of the NSPS at 40 CFR part 60, subpart A and any changes, or additions to the General Provisions specified at 40 CFR part 60, subpart LL.

Owners or operators of the affected facilities must make an initial notification, performance tests, periodic reports, and maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. Reports, at a minimum, are required semiannually.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average approximately 52 hours per response.

Respondents/Affected Entities: Metallic mineral processing plants.

Estimated Number of Respondents: 20.

Frequency of Response: Initially, occasionally and semiannually.

Estimated Total Annual Hour Burden: 2,306.

Estimated Total Annual Cost: \$13,000, which is comprised of no annualized capital/startup costs and O&M costs of \$13,000.

(4) NSPS for Primary and Secondary Emissions from Basic Oxygen Furnaces

(40 CFR Part 60, Subparts N and Na); Docket ID Number EPA-HQ-OECA-2008-0374; ICR Number 1069.09; OMB Control Number 2060-0029; expiration date November 30, 2008.

Affected Entities: Entities potentially affected by this action are the owners or operators of basic oxygen furnaces.

Abstract: The New Source Performance Standards (NSPS) for Primary and Secondary Emissions from Basic Oxygen Furnaces (40 CFR Part 60, Subparts N and Na) were promulgated on July 25, 1977 and January 2, 1986, respectively.

The affected entities are subject to the General Provisions of the NSPS at 40 CFR Part 60, Subpart A and any changes, or additions to the General Provisions specified at 40 CFR Part 60, Subparts N and Na.

Owners or operators of the affected facilities must make an initial notification, performance tests, periodic reports, and maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. Reports, at a minimum, are required semiannually.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average approximately 158 hours per response.

Respondents/Affected Entities:

Facilities with basic oxygen furnaces.

Estimated Number of Respondents: 5.

Frequency of Response: Initially, occasionally and semiannually.

Estimated Total Annual Hour Burden: 1,896.

Estimated Total Annual Cost: \$26,000, which is comprised of \$18,000 in annualized capital/startup costs and O&M costs of \$8,000.

(5) NSPS for Glass Manufacturing Plants (40 CFR Part 60, Subpart CC); Docket ID Number EPA-HQ-OECA-2008-0377; ICR Number 1131.09; OMB Control Number 2060-0054; expiration date November 30, 2008.

Affected Entities: Entities potentially affected by this action are the owners or operators of glass manufacturing plants.

Abstract: The New Source Performance Standards (NSPS) for Glass Manufacturing Plants (40 CFR Part 60, Subpart CC) was promulgated on October 7, 1980 and amended on October 17, 2000.

The affected entities are subject to the General Provisions of the NSPS at 40 CFR part 60, subpart A and any changes, or additions to the General Provisions specified at 40 CFR part 60, subpart CC.

Owners or operators of the affected facilities must make an initial

notification, performance tests, periodic reports, and maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. Reports, at a minimum, are required semiannually.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average approximately 8 hours per response.

Respondents/Affected Entities: Glass manufacturing plants.

Estimated Number of Respondents: 41.

Frequency of Response: Occasionally, semiannually and annually.

Estimated Total Annual Hour Burden: 803.

Estimated Total Annual Cost: \$238,000, which is comprised of no annualized capital/startup costs and O&M costs of \$238,000.

(6) NSPS for Petroleum Refineries (40 CFR Part 60, Subpart J); Docket ID Number EPA-HQ-OECA-2008-0423; ICR Number 1054.10; OMB Control Number 2060-0022; expiration date November 30, 2008.

Affected Entities: Entities potentially affected by this action are the owners or operators of petroleum refineries.

Abstract: The New Source Performance Standards (NSPS) for Petroleum Refineries (40 CFR Part 60, Subpart J) was promulgated on March 15, 1978, and amended on October 25, 1979, and August 17, 1989.

The affected entities are subject to the General Provisions of the NSPS at 40 CFR part 60, subpart A and any changes, or additions to the General Provisions specified at 40 CFR part 60, subpart J.

Owners or operators of the affected facilities must make an initial notification, performance tests, periodic reports, and maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. Reports, at a minimum, are required semiannually.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average approximately 50 hours per response.

Respondents/Affected Entities: Petroleum refineries.

Estimated Number of Respondents: 132.

Frequency of Response: Initially, occasionally and semiannually.

Estimated Total Annual Hour Burden: 14,134.

Estimated Total Annual Cost: \$541,000, which is comprised of no

annualized capital/startup costs and O&M costs of \$541,000.

(7) NESHAP for Coke Oven Batteries (40 CFR Part 63, Subpart L); Docket ID Number EPA-HQ-OECA-2008-0297; EPA ICR Number 1362.08; OMB Control Number 2060-0253; expiration date December 31, 2008.

Affected Entities: Entities potentially affected by this action are the owners or operators of coke oven batteries.

Abstract: The National Emissions Standards for Coke Oven Batteries were promulgated on October 27, 1993.

The affected entities are subject to the General Provisions of the NESHAP at 40 CFR part 63, subpart A, and any changes, or additions to the General Provisions specified at 40 CFR part 63, subpart L.

Owners or operators of the affected facilities described must make one-time-only notifications to elect a compliance track and to certify initial compliance. Owners or operators are also required to maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. Monitoring requirements specific to coke oven batteries provide information on the operation of the emissions control device and compliance with the visible emissions standard. At minimum, semiannual reports of compliance are required.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average approximately 1,723 hours per response.

Respondents/Affected Entities: Coke oven batteries.

Estimated Number of Respondents: 19.

Frequency of Response: Occasionally, semiannually and initially.

Estimated Total Annual Hour Burden: 105,107.

Estimated Total Annual Cost: There are no annualized capital/startup costs or O&M costs associated with this ICR.

(8) NESHAP for Miscellaneous Metal Parts and Products (40 CFR Part 63, Subpart M); Docket ID Number EPA-HQ-OECA-2008-0288; EPA ICR Number 2056.03; OMB Control Number 2060-0486; expiration date January 31, 2009.

Affected Entities: Entities potentially affected by this action are the owners or operators of miscellaneous metal parts and products facilities.

Abstract: The National Emission Standards for Hazardous Air Pollutants (NESHAP) for Miscellaneous Metal Parts and Products (40 CFR Part 63,

Subpart M) were promulgated on January 2, 2004.

The affected entities are subject to the General Provisions of the NESHAP at 40 CFR part 63, subpart A, and any changes, or additions to the General Provisions specified at 40 CFR part 63, subpart M.

Owners or operators of the affected facilities must submit a one-time-only of any physical or operational changes, initial performance tests, and periodic reports and results. Owners or operators are also required to maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. Reports, at a minimum, are required semiannually.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average approximately 198 hours per response.

Respondents/Affected Entities: Miscellaneous metal parts and products.

Estimated Number of Respondents: 1,680.

Frequency of Response: Occasionally, semiannually and initially.

Estimated Total Annual Hour Burden: 675,050 hours.

Estimated Total Annual Cost: \$2,167,000, which is comprised of annualized capital/startup costs of \$1,667,000 and O&M costs of \$500,000.

(9) NESHAP for Polyether Polyols Production (40 CFR Part 63, Subpart PPP); Docket ID Number EPA-HQ-OECA-2008-0427; EPA ICR Number 1811.06; OMB Control Number 2060-0415; expiration date January 31, 2009.

Affected Entities: Entities potentially affected by this action are the owners or operators of manufacturing facilities which produce polyether polyols.

Abstract: The National Emission Standards for Hazardous Air Pollutants (NESHAP) for Polyether Polyols Production (40 CFR Part 63, Subpart PPP) were promulgated on June 1, 1999.

The affected entities are subject to the General Provisions of the NESHAP at 40 CFR part 63, subpart A, and any changes, or additions to the General Provisions specified at 40 CFR part 63, subpart PPP.

Owners or operators of the affected facilities must submit a one-time-only of any physical or operational changes, initial performance tests, and periodic reports and results. Owners or operators are also required to maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring

system is inoperative. Reports, at a minimum, are required semiannually.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average approximately 68 hours per response.

Respondents/Affected Entities: Polyether polyols manufacturing facilities.

Estimated Number of Respondents: 82.

Frequency of Response: Occasionally, semiannually and annually.

Estimated Total Annual Hour Burden: 13,042.

Estimated Total Annual Cost: \$203,000, which is comprised of no annualized capital/startup costs and O&M costs of \$203,000.

(10) NSPS for Bulk Gasoline Terminals (40 CFR Part 60, Subpart XX); Docket ID Number EPA-HQ-OECA-2008-0279; EPA ICR Number 0664.09; OMB Control Number 2060-0006; expiration date January 31, 2009.

Affected Entities: Entities potentially affected by this action are the owners or operators of loading racks at bulk gasoline terminals that deliver liquid product into gasoline tank trucks.

Abstract: The New Source Performance Standards (NSPS) were promulgated on August 18, 1983, and amended on December 22, 1983. The affected entities are subject to the General Provisions of the NSPS at 40 CFR part 60, subpart A and any changes, or additions to the General Provisions specified at 40 CFR Part 60, Subpart XX.

Owners or operators of the affected facilities must make an initial notification, performance tests, periodic reports, and maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. Reports, at a minimum, are required semiannually.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average approximately 329 hours per response.

Respondents/Affected Entities: Bulk gasoline terminals.

Estimated Number of Respondents: 40.

Frequency of Response: Initially and occasionally.

Estimated Total Annual Hour Burden: 13,168.

Estimated Total Annual Cost: There are no annualized capital/startup costs or O&M costs associated with this ICR.

(11) NESHAP for Natural Gas Transmission and Storage (40 CFR Part 63, Subpart HHH); Docket ID Number

EPA-HQ-OECA-2008-0425; EPA ICR Number 1789.06; OMB Control Number 2060-0418; expiration date January 31, 2009.

Affected Entities: Entities potentially affected by this action are the owners or operators of natural gas transmission and storage facilities.

Abstract: The National Emission Standards for Hazardous Air Pollutants (NESHAP) for Natural Gas Transmission and Storage (40 CFR Part 63, Subpart HHH) were promulgated on June 17, 1999.

The affected entities are subject to the General Provisions of the NESHAP at 40 CFR part 63, subpart A, and any changes, or additions to the General Provisions specified at 40 CFR part 63, subpart HHH.

Owners or operators of the affected facilities must submit a one-time-only of any physical or operational changes, initial performance tests, and periodic reports and results. Owners or operators are also required to maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. Reports, at a minimum, are required semiannually.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average approximately 15 hours per response.

Respondents/Affected Entities: Natural gas transmission and storage facilities.

Estimated Number of Respondents: 830.

Frequency of Response: Initially, occasionally and semiannually.

Estimated Total Annual Hour Burden: 757.

Estimated Total Annual Cost: There are no annualized capital/startup costs or O&M costs associated with this ICR.

(12) NESHAP for Inorganic Arsenic Emissions from Glass Manufacturing Plants (40 CFR Part 61, Subpart N); Docket ID Number EPA-HQ-OECA-2008-0375; EPA ICR Number 1081.09; OMB Control Number 2060-0043; expiration date January 31, 2009.

Affected Entities: Entities potentially affected by this action are the owners or operators of glass manufacturing plants.

Abstract: The National Emission Standards for Hazardous Air Pollutants (NESHAP) for Inorganic Arsenic Emissions from Glass Manufacturing Plants (40 CFR Part 61, Subpart N) were promulgated on August 4, 1986.

The affected entities are subject to the General Provisions of NESHAP at 40 CFR part 61, subpart A, and any changes, or additions to the General

Provisions specified at 40 CFR part 61, subpart N.

Owners or operators of the affected facilities must submit a one-time-only of any physical or operational changes, initial performance tests, and periodic reports and results. Owners or operators are also required to maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. Reports, at a minimum, are required semiannually.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average approximately 49 hours per response.

Respondents/Affected Entities: Glass manufacturing plants.

Estimated Number of Respondents: 16.

Frequency of Response: Initially, occasionally, semiannually and annually.

Estimated Total Annual Hour Burden: 3,098.

Estimated Total Annual Cost: \$56,000, which is comprised of no annualized capital/startup costs and O&M costs of \$56,000.

(13) NSPS for Calciners and Dryers in Mineral Industries (40 CFR Part 60, subpart UUU); Docket ID Number EPA-HQ-OECA-2008-0368; EPA ICR Number 0746.07, OMB Control Number 2060-0251; expiration date January 31, 2009.

Affected Entities: Entities potentially affected by this action are the owners or operators of calciners and dryers in the mineral industries.

Abstract: The New Source Performance Standards (NSPS) for Calciners and Dryers in Mineral Industries (40 CFR Part 60, Subpart UUU) was promulgated on September 28, 1992.

The affected entities are subject to the General Provisions of the NSPS at 40 CFR part 60, subpart A and any changes, or additions to the General Provisions specified at 40 CFR part 60, subpart UUU.

Owners or operators of the affected facilities must make an initial notification, performance tests, periodic reports, and maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. Reports, at a minimum, are required semiannually.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is

estimated to average approximately 20 hours per response.

Respondents/Affected Entities: Calciners and dryers in the mineral industries.

Estimated Number of Respondents: 167.

Frequency of Response: Initially, occasionally and semiannually.

Estimated Total Annual Hour Burden: 6,955.

Estimated Total Annual Cost: \$115,000, which is comprised of \$4,000 in annualized capital/startup costs and O&M costs of \$109,000.

(14) NSPS for Municipal Solid Waste Landfills (40 CFR part 60, subpart WWW); Docket ID Number EPA-HQ-OECA-2007-0299; EPA ICR Number 1557.07; OMB Control Number 2060-0220; expiration date January 31, 2009.

Affected Entities: Entities potentially affected by this action are the owners or operators of municipal solid waste landfills.

Abstract: The New Source Performance Standards (NSPS) for Municipal Solid Waste Landfills (40 CFR Part 60, Subpart WWW) were promulgated on March 12, 1996.

The affected entities are subject to the General Provisions of the NSPS at 40 CFR part 60, subpart A and any changes, or additions to the General Provisions specified at 40 CFR part 60, subpart WWW.

Owners or operators of the affected facilities must make an initial notification, performance tests, periodic reports, and maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. Reports, at a minimum, are required semiannually.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average approximately 17 hours per response.

Respondents/Affected Entities: Municipal solid waste landfills.

Estimated Number of Respondents: 175.

Frequency of Response: Occasionally, annually and initially.

Estimated Total Annual Hour Burden: 3,548 hours.

Estimated Total Annual Cost: \$21,000 which is comprised of no annualized capital/startup costs and annual O&M costs of \$21,000.

(15) NESHAP for Primary Lead Smelters (40 CFR Part 63, Subpart TTT); Docket ID Number EPA-HQ-OECA-2008-0365; EPA ICR Number 1856.06; OMB Control Number 2060-0414; expiration date February 28, 2009.

Affected Entities: Entities potentially affected by this action are the owners or operators of primary lead smelters.

Abstract: The National Emission Standards for Hazardous Air Pollutants (NESHAP) for Primary Lead Smelters (40 CFR Part 63, Subpart TTT) were promulgated on June 4, 1999.

The affected entities are subject to the General Provisions of the NESHAP at 40 CFR Part 63, subpart A, and any changes, or additions to the General Provisions specified at 40 CFR Part 63, subpart TTT.

Owners or operators of the affected facilities must submit a one-time-only of any physical or operational changes, initial performance tests, and periodic reports and results. Owners or operators are also required to maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. Reports, at a minimum, are required semiannually.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average approximately 3,048 hours per response.

Respondents/Affected Entities: Primary lead smelters.

Estimated Number of Respondents: 2.

Frequency of Response: Initially, occasionally, semiannually and annually.

Estimated Total Annual Hour Burden: 12,190.

Estimated Total Annual Cost: \$19,000, which is comprised of no annualized capital/startup costs and O&M costs of \$19,000.

(16) NSPS for Metal Coil Surface Coating (40 CFR Part 60, Subpart TT); Docket ID Number EPA-HQ-OECA-2008-0422; ICR Number 0660.10; OMB Control Number 2060-0107; expiration date February 28, 2009.

Affected Entities: Entities potentially affected by this action are the owners or operators of metal coil surface coating facilities.

Abstract: The New Source Performance Standards (NSPS) for Metal Coil Surface Coating (40 CFR Part 60, Subpart TT) was promulgated on November 1, 1982.

The affected entities are subject to the General Provisions of the NSPS at 40 CFR part 60, subpart A and any changes, or additions to the General Provisions specified at 40 CFR part 60, subpart TT.

Owners or operators of the affected facilities must make an initial notification, performance tests, periodic reports, and maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the

operation of an affected facility, or any period during which the monitoring system is inoperative. Reports, at a minimum, are required semiannually.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average approximately 41 hours per response.

Respondents/Affected Entities: Metal coil surface coating facilities.

Estimated Number of Respondents: 158.

Frequency of Response: Initially, occasionally, semiannually and annually.

Estimated Total Annual Hour Burden: 15,643.

Estimated Total Annual Cost: \$332,000, which is comprised of no annualized capital/startup costs and O&M costs of \$332,000.

(17) NESHAP for Steel Pickling, HCL Process Facilities and Hydrochloric Acid Regeneration Plants (40 CFR Part 63, Subpart CCC); Docket ID Number EPA-HQ-OECA-2008-0301; EPA ICR Number 1821.06; OMB Control Number 2060-0419; expiration date February 28, 2009.

Affected Entities: Entities potentially affected by this action are the owners or operators of steel pickling and HCL processing facilities and hydrochloric acid regeneration plants.

Abstract: The National Emission Standards for Hazardous Air Pollutants (NESHAP) for Steel Pickling, HCL Process Facilities and Hydrochloric Acid Regeneration Plants (40 CFR Part 63, Subpart CCC) were promulgated on June 22, 1999.

The affected entities are subject to the General Provisions of the NESHAP at 40 CFR Part 63, subpart A, and any changes, or additions to the General Provisions specified at 40 CFR Part 63, subpart CCC.

Owners or operators of the affected facilities must submit a one-time-only of any physical or operational changes, initial performance tests, and periodic reports and results. Owners or operators are also required to maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. Reports, at a minimum, are required semiannually.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average approximately 166 hours per response.

Respondents/Affected Entities: Steel pickling and HCL processing facilities and hydrochloric acid regeneration plants.

Estimated Number of Respondents: 72.

Frequency of Response: Initial, semiannual and occasionally.

Estimated Total Annual Hour Burden: 25,448.

Estimated Total Annual Cost: \$9,000, which is comprised of annualized capital/startup costs of \$1,000, and annual O&M costs of \$8,000.

(18) NESHAP for Portland Cement (40 CFR Part 63, Subpart LLL); Docket ID Number EPA-HQ-OECA-2008-0426; EPA ICR Number 1801.07; OMB Control Number 2060-0416; expiration date February 28, 2009.

Affected Entities: Entities potentially affected by this action are the owners or operators of portland cement plants.

Abstract: The National Emission Standards for Hazardous Air Pollutants (NESHAP) for Portland Cement (40 CFR Part 63, Subpart LLL) were promulgated on June 14, 1999, and amended December 20, 2006.

The affected entities are subject to the General Provisions of the NESHAP at 40 CFR Part 63, subpart A, and any changes, or additions to the General Provisions specified at 40 CFR Part 63, Subpart LLL.

Owners or operators of the affected facilities must submit a one-time-only of any physical or operational changes, initial performance tests, and periodic reports and results. Owners or operators are also required to maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. Reports, at a minimum, are required semiannually.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average approximately 203 hours per response.

Respondents/Affected Entities: Portland cement plants.

Estimated Number of Respondents: 107.

Frequency of Response: Initially, occasionally, semiannually and annually.

Estimated Total Annual Hour Burden: 21,685.

Estimated Total Annual Cost: \$954,000, which is comprised of no annualized capital/startup costs and O&M costs of \$954,000.

(19) NSPS for Equipment Leaks of VOC in Petroleum Refineries (40 CFR Part 60, Subpart GGG and GGGa); Docket ID Number EPA-HQ-OECA-2008-0280; EPA ICR Number 0983.10; OMB Control Number 2060-0067; expiration date February 28, 2009.

Affected Entities: Entities potentially affected by this action are the owners or operators of petroleum refineries.

Abstract: The New Source Performance Standards (NSPS) Equipment Leaks of VOC in Petroleum Refineries (40 CFR Part 60, Subpart GGG and GGGa) were promulgated on May 30, 1984.

The affected entities are subject to the General Provisions of the NESHAP at 40 CFR Part 63, Subpart A, and any changes, or additions to the General Provisions specified at 40 CFR part 63, subparts GGG and GGGa.

Owners or operators of the affected facilities must submit a one-time-only of any physical or operational changes, initial performance tests, and periodic reports and results. Owners or operators are also required to maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. Reports, at a minimum, are required semiannually.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average approximately 72 hours per response.

Respondents/Affected Entities: Equipment leaks of VOC in petroleum refineries.

Estimated Number of Respondents: 49.

Frequency of Response: Initially, Occasionally and semiannually.

Estimated Total Annual Hour Burden: 21,360.

Estimated Total Annual Cost: There are no annualized capital/startup or O&M costs associated with this ICR.

(20) NESHAP for Oil and Natural Gas Production (40 CFR Part 63, Subpart HH); Docket ID Number EPA-HQ-OECA-2008-0424; ICR Number 1788.09; OMB Control Number 2060-0417; expiration date March 31, 2009.

Affected Entities: Entities potentially affected by this action are the owners or operators of oil and natural gas production facilities.

Abstract: The National Emission Standards for Hazardous Air Pollutants (NESHAP) for Oil and Natural Gas Production (40 CFR Part 63, Subpart HH) were promulgated on June 17, 1999 and amended January 3, 2007.

The affected entities are subject to the General Provisions of the NESHAP at 40 CFR part 63, subpart A, and any changes, or additions to the General Provisions specified at 40 CFR part 63, subpart HH.

Owners or operators of the affected facilities must submit a one-time-only of any physical or operational changes,

initial performance tests, and periodic reports and results. Owners or operators are also required to maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. Reports, at a minimum, are required semiannually.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average approximately 98 hours per response.

Respondents/Affected Entities: Oil and natural gas production facilities.

Estimated Number of Respondents: 129,846.

Frequency of Response: Occasionally, semiannually and annually.

Estimated Total Annual Hour Burden: 203,921.

Estimated Total Annual Cost: \$525,000, which is comprised of \$20,000 in annualized capital/startup costs and O&M costs of \$505,000.

(21) NESHAP for Wet-Formed Fiberglass Mat Production (40 CFR Part 63, Subpart HHHH); Docket ID Number EPA-HQ-OECA-2008-0431; ICR Number 1964.04, OMB Control Number 2060-0496; OMB Control Number 2060-0414; expiration date March 31, 2009.

Affected Entities: Entities potentially affected by this action are the owners or operators of wet-formed fiberglass mat production facilities.

Abstract: The National Emission Standards for Hazardous Air Pollutants (NESHAP) for Wet-Formed Fiberglass Mat Production (40 CFR Part 63, Subpart HHHH) were promulgated on June 17, 1999.

The affected entities are subject to the General Provisions of the NESHAP at 40 CFR part 63, subpart A, and any changes, or additions to the General Provisions specified at 40 CFR part 63, subpart HHH.

Owners or operators of the affected facilities must submit a one-time-only of any physical or operational changes, initial performance tests, and periodic reports and results. Owners or operators are also required to maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. Reports, at a minimum, are required semiannually.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average approximately 41 hours per response.

Respondents/Affected Entities: Wet-formed fiberglass mat production facilities.

Estimated Number of Respondents: 14.

Frequency of Response: Initially, occasionally, semiannually and annually.

Estimated Total Annual Hour Burden: 1,966.

Estimated Total Annual Cost: There are no annualized capital/startup costs or O&M costs associated with this ICR.

(22) NESHAP for Source Categories for Generic Maximum Achievable Control Technology Standards for Acetal Resin; Acrylic and Modacrylic Fiber; Hydrogen Fluoride and Polycarbonate Production (40 CFR Part 63, Subpart YY); Docket ID Number EPA-HQ-OECA-2008-0428; EPA ICR Number 1871.05; OMB Control Number 2060-0420; expiration date March 31, 2009.

Affected Entities: Entities potentially affected by this action are the owners or operators of polycarbonate, acrylic and modacrylic fiber, acetal resin and hydrogen fluoride production facilities.

Abstract: The National Emission Standards for Hazardous Air Pollutants (NESHAP) for Source Categories for Generic Maximum Achievable Control Technology Standards (40 CFR Part 63, Subpart YY) were promulgated on June 29, 1999.

The affected entities are subject to the General Provisions of the NESHAP at 40 CFR part 63, subpart A, and any changes, or additions to the General Provisions specified at 40 CFR part 63, subpart YY.

Owners or operators of the affected facilities must submit a one-time-only of any physical or operational changes, initial performance tests, and periodic reports and results. Owners or operators are also required to maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. Reports, at a minimum, are required semiannually.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average approximately 133 hours per response.

Respondents/Affected Entities: Polycarbonate, acrylic and modacrylic fiber, acetal resin and hydrogen fluoride production facilities.

Estimated Number of Respondents: 30.

Frequency of Response: Initially, occasionally and semiannually.

Estimated Total Annual Hour Burden: 4,004.

Estimated Total Annual Cost: \$107,000, which is comprised of no annualized capital/startup costs and O&M costs of \$107,000.

(23) NSPS for Grain Elevators (40 CFR Part 60, Subpart DD); Docket ID Number EPA-HQ-OECA-2008-0295; EPA ICR Number 1130.09; OMB Control Number 2060-0082; expiration date March 31, 2009.

Affected Entities: Entities potentially affected by this action are the owners or operators of grain elevators.

Abstract: The New Source Performance Standards (NSPS) for Grain Elevators (40 CFR Part 60, Subpart DD) were promulgated on August 3, 1978.

The affected entities are subject to the General Provisions of NSPS at 40 CFR part 60, subpart A and any changes, or additions to the General Provisions specified at 40 CFR part 60, subpart DD.

Owners or operators of the affected facilities must make an initial notification, performance tests, periodic reports, and maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. Reports, at a minimum, are required annually.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average approximately 10 hours per response.

Respondents/Affected Entities: Grain elevators.

Estimated Number of Respondents: 200.

Frequency of Response: Occasionally, initially and annually.

Estimated Total Annual Hour Burden: 2,070 hours.

Estimated Total Annual Cost: There are no annualized capital/startup or O&M costs associated with this ICR.

(24) NESHAP for Flexible Polyurethane Foam Fabrication (40 CFR Part 63, Subpart M MMMM); Docket ID Number EPA-HQ-OECA-2008-0371; ICR Number 2027.04; OMB Control Number 2060-0516; expiration date March 31, 2009.

Affected Entities: Entities potentially affected by this action are the owners or operators of flexible polyurethane foam fabrication facilities.

Abstract: The National Emission Standards for Hazardous Air Pollutants (NESHAP) for Flexible Polyurethane Foam Fabrication (40 CFR Part 63, Subpart M MMMM) were promulgated on April 14, 2003.

The affected entities are subject to the General Provisions of the NESHAP at 40 CFR part 63, subpart A, and any changes, or additions to the General

Provisions specified at 40 CFR part 63, subpart M MMMM.

Owners or operators of the affected facilities must submit a one-time-only of any physical or operational changes, initial performance tests, and periodic reports and results. Owners or operators are also required to maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. Reports, at a minimum, are required semiannually.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average approximately 90 hours per response.

Respondents/Affected Entities: Flexible polyurethane foam fabrication facilities.

Estimated Number of Respondents: 11.

Frequency of Response: Initially, occasionally, semiannually and annually.

Estimated Total Annual Hour Burden: 12,303.

Estimated Total Annual Cost: \$3,000, which is comprised of \$1,000 annualized capital/startup costs and O&M costs of \$2,000.

(25) Emission Guidelines for Existing Other Solid Waste Incineration Units (40 CFR Part 60, Subpart FFFF); Docket ID Number EPA-HQ-OECA-2008-0291; EPA ICR Number 2164.03; OMB Control Number 2060-0562; expiration date March 31, 2009.

Affected Entities: Entities potentially affected by this action are the owners or operators of existing solid waste incinerators.

Abstract: This supporting statement addresses information collection activities imposed by the Emission Guidelines for Other Solid Waste Incineration (OSWI) Units (40 CFR Part 60 Subpart FFFF). The emission guidelines address existing OSWI units that commenced construction before proposal of the emission guidelines (December 9, 2004). The emission guidelines do not apply directly to existing OSWI unit owners and operators.

The emission guidelines can be thought of as model regulations (that a State agency can use in developing plans to implement the emission guidelines. If a State does not develop, adopt, and submit an approvable State plan, the Federal government must develop a plan to implement the emission guidelines. This ICR includes the burden for an affected entity whether it is ultimately regulated under a State or Federal plan.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average approximately 214 hours per response.

Respondents/Affected Entities: Other existing solid waste incinerators.

Estimated Number of Respondents: 248.

Frequency of Response: Semiannually and annually.

Estimated Total Annual Hour Burden: 3,803.

Estimated Total Annual Cost: There are no annualized capital/startup or O&M costs associated with this ICR.

(26) NSPS for Other Solid Waste Incineration Units (40 CFR Part 60, Subpart EEEE); Docket ID Number EPA-HQ-OECA-2008-0290; EPA ICR Number 2163.03; OMB Control Number 2060-0563; expiration date March 31, 2009.

Affected Entities: Entities potentially affected by this action are the owners or operators of very small municipal waste combustion units and institutional waste incineration units.

Abstract: The information collection activities required by the this NSPS include: sitting requirements, operator training and qualification requirements, testing, monitoring and reporting requirements, one-time and periodic reports, and the maintenance of records. These activities will enable EPA to determine initial compliance with the emission limits for the regulated pollutants, monitor compliance with operating parameters, and ensure that facilities conduct the proper planning and operator training.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average approximately 1 hour per response.

Respondents/Affected Entities: Very small municipal waste combustion units and institutional waste incineration units.

Estimated Number of Respondents: 1.

Frequency of Response:

Semiannually, annually and initially.

Estimated Total Annual Hour Burden: 1.

Estimated Total Annual Cost: There are no annualized capital/startup or O&M costs associated with this ICR.

(27) NESHAP for Asbestos (40 CFR Part 61, Subpart M); Docket ID Number EPA-HQ-OECA-2007-0054; EPA ICR Number 0111.12; OMB Control Number 2060-0101; expiration date April 30, 2009.

Affected Entities: The standards apply to the following *Affected Entities:* demolition and renovation of facilities; the disposal of asbestos waste; asbestos

milling, manufacturing and fabricating; the use of asbestos on roadways; asbestos waste conversion facilities; and the use of asbestos insulation and sprayed-on materials.

Abstract: The National Emission Standards for Hazardous Air Pollutants (NESHAP) for Asbestos (40 CFR Part 61, Subpart M) were promulgated on November 20, 1990.

The affected entities are subject to the General Provisions of the NESHAP at 40 CFR part 61, subpart A, and any changes, or additions to the General Provisions specified at 40 CFR part 63, subpart M.

The monitoring, recordkeeping, and reporting requirements outlined in these rules are similar to those required for other NESHAP regulations. Consistent with the NESHAP General Provisions (40 CFR part 61, subpart A), respondents are required to submit initial notifications conduct performance tests, and submit semiannual reports. They are also required to maintain records of applicability determinations; performance test results; exceedances; periods of startup, shutdown, or malfunction; monitoring records; and all other information needed to determine compliance with the applicable standard, such as records of visible emissions monitoring at potential sources of asbestos and of inspection records of air cleaning devices to ensure proper operation.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average approximately 2 hours per response.

Respondents/Affected Entities: Facilities that engage in the demolition, renovation, disposal, milling, manufacturing or fabricating of asbestos.

Estimated Number of Respondents: 9,432.

Frequency of Response: Initially, occasionally and semiannually.

Estimated Total Annual Hour Burden: 229,381.

Estimated Total Annual Hour Burden: There are no annualized capital/startup or O&M costs associated with this ICR.

(28) NSPS for Lime Manufacturing (40 CFR Part 60, Subpart HH); Docket ID Number EPA-HQ-OECA-2008-0363; EPA ICR Number 1167.09; OMB Control Number 2060-0063; expiration date April 30, 2009.

Affected Entities: Entities potentially affected by this action are the owners or operators of lime production facilities.

Abstract: The New Source Performance Standards (NSPS) for Lime Manufacturing (40 CFR Part 60, Subpart HH) was promulgated on April 26, 1984.

The affected entities are subject to the General Provisions of the NSPS at 40 CFR part 60, subpart A and any changes, or additions to the General Provisions specified at 40 CFR part 60, subpart HH.

Owners or operators of the affected facilities must make an initial notification, performance tests, periodic reports, and maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. Reports, at a minimum, are required semiannually.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average approximately 46 hours per response.

Respondents/Affected Entities: Lime production facilities.

Estimated Number of Respondents: 41.

Frequency of Response: Initially, occasionally and semiannually.

Estimated Total Annual Hour Burden: 3,773.

Estimated Total Annual Cost: \$62,000, which is comprised of no annualized capital/startup costs and O&M costs of \$62,000.

(29) NSPS for Hot Mix Asphalt Facilities (40 CFR Part 60, Subpart I); Docket ID Number EPA-HQ-OECA-2008-0376; EPA ICR Number 1127.09, OMB Control Number 2060-0083; expiration date April 30, 2009.

Affected Entities: Entities potentially affected by this action are the owners or operators of hot mix asphalt facilities.

Abstract: The New Source Performance Standards (NSPS) for Hot Mix Asphalt Facilities (40 CFR Part 60, Subpart I) was promulgated on July 25, 1977 amend April 10, 1986.

The affected entities are subject to the General Provisions of the NSPS at 40 CFR part 60, subpart A and any changes, or additions to the General Provisions specified at 40 CFR part 60, subpart I.

Owners or operators of the affected facilities must make an initial notification, performance tests, periodic reports, and maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. Reports, at a minimum, are required semiannually.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average approximately four (4) hours per response.

Respondents/Affected Entities: Hot mix asphalt facilities.

Estimated Number of Respondents: 4,010.

Frequency of Response: Initially and occasionally.

Estimated Total Annual Hour Burden: 17,318.

Estimated Total Annual Cost: There are no annualized capital/startup or O&M costs associated with this ICR.

(30) NSPS for Kraft Pulp Mills (40 CFR Part 60, Subpart BB); Docket ID Number EPA-HQ-OECA-2008-0293; EPA ICR Number 1055.09; OMB Control Number 2060-0021; expiration date May 31, 2009.

Affected Entities: Entities potentially affected by this action are the owners or operators of kraft pulp mills.

Abstract: The New Source Performance Standards (NSPS) for the regulations published at 40 CFR Part 60, Subpart BB were proposed on September 24, 1976, and promulgated on February 23, 1978. Revisions to the standards were promulgated on May 20, 1986.

The affected entities are subject to the General Provisions of the NESHAP at 40 CFR part 63, subpart A, and any changes, or additions to the General Provisions specified at 40 CFR part 63, subpart BB.

Owners or operators of the affected facilities must submit a one-time-only of any physical or operational changes, initial performance tests, and periodic reports and results. Owners or operators are also required to maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. Reports are also required, at a minimum, semiannually.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average approximately 37 hours per response.

Respondents/Affected Entities: Kraft pulp mills.

Estimated Number of Respondents: 100.

Frequency of Response: Initially, occasionally and semiannually.

Estimated Total Annual Hour Burden: 15,235.

Estimated Total Annual Cost: \$3,965,000, which is comprised of annualized capital/startup costs of \$345,000 and O&M costs of \$3,620,000.

(31) NESHAP for Printing, Coating and Dyeing of Fabrics and Other Textiles (40 CFR Part 63, Subpart OOOO); Docket ID Number EPA-HQ-OECA-2008-0293; EPA ICR Number 2071.04; OMB Control Number 2060-0522; expiration date June 30, 2009.

Affected Entities: Entities potentially affected by this action are the owners or

operators of facilities that print, coat and dye fabrics and other textiles.

Abstract: The National Emission Standards for Hazardous Air Pollutants (NESHAP) for Printing, Coating and Dyeing of Fabrics and Other Textiles (40 CFR Part 63, Subpart OOOO) were promulgated on May 29, 2003, and amended on August 4, 2004.

The affected entities are subject to the General Provisions of the NESHAP at 40 CFR part 63, subpart A, and any changes, or additions to the General Provisions specified at 40 CFR part 63, subpart OOOO.

Owners or operators of the affected facilities must submit a one-time-only of any physical or operational changes, initial performance tests, and periodic reports and results. Owners or operators are also required to maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. Reports are also required, at a minimum, semiannually.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average approximately 69 hours per response.

Respondents/Affected Entities: Printing, coating, and dyeing of fabrics and other textiles.

Estimated Number of Respondents: 140.

Frequency of Response: Occasionally, semiannually and initially.

Estimated Total Annual Hour Burden: 20,821.

Estimated Total Annual Cost: \$7,000 which includes \$3,000 annualized capital start-up cost and \$4,000 annualized O&M costs.

(32) NESHAP for Reinforced Plastics Composites Production (40 CFR Part 63, Subpart WWWWW); Docket ID Number EPA-HQ-OECA-2008-0432; ICR Number 1976.04; OMB Control Number 2060-0509; expiration date June 30, 2009.

Affected Entities: Entities potentially affected by this action are the owners or operators of reinforced plastics composites production facilities.

Abstract: The National Emission Standards for Hazardous Air Pollutants (NESHAP) for Reinforced Plastics Composites Production (40 CFR Part 63, Subpart WWWWW) were promulgated on April 21, 2003.

The affected entities are subject to the General Provisions of the NESHAP at 40 CFR part 63, subpart A, and any changes, or additions to the General Provisions specified at 40 CFR part 63, subpart WWWWW.

Owners or operators of the affected facilities must submit a one-time-only of any physical or operational changes, initial performance tests, and periodic reports and results. Owners or operators are also required to maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. Reports, at a minimum, are required semiannually.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average approximately 16 hours per response.

Respondents/Affected Entities: Reinforced plastics composites production facilities.

Estimated Number of Respondents: 504.

Frequency of Response: Initially and semiannually.

Estimated Total Annual Hour Burden: 17,740.

Estimated Total Annual Cost:

\$22,000, which is comprised of no annualized capital/startup costs and O&M costs of \$22,000.

(33) NESHAP for Paper and Other Web Coating (40 CFR Part 63, Subpart JJJJ); Docket ID Number EPA-HQ-OECA-2008-0285; EPA ICR Number 1951.04; OMB Control Number 2060-0511; expiration date June 30, 2009.

Affected Entities: Entities potentially affected by this action are the owners or operators of paper and other web coating facilities.

Abstract: The National Emission Standards for Hazardous Air Pollutants (NESHAP) for Paper and Other Web Coating (40 CFR Part 63, Subpart JJJJ) were promulgated on December 4, 2002.

The affected entities are subject to the General Provisions of the NESHAP at 40 CFR Part 63, subpart A, and any changes, or additions to the General Provisions specified at 40 CFR Part 63, Subpart JJJJ.

Owners or operators of the affected facilities must submit a one-time-only of any physical or operational changes, initial performance tests, and periodic reports and results. Owners or operators are also required to maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. Reports are also required, at a minimum, semiannually.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average approximately 23 hours per response.

Respondents/Affected Entities: Paper and other web coating facilities.

Estimated Number of Respondents: 215.

Frequency of Response: Initially, Occasionally, monthly and semiannually.

Estimated Total Annual Hour Burden: 11,312.

Estimated Total Annual Cost: \$852,000, which includes \$233,000 in annualized capital/startup costs and O&M costs of \$619,000.

(34) NESHAP for the Surface Coating of Large Household and Commercial Appliances (40 CFR Part 63, Subpart NNNN); Docket ID Number EPA-HQ-OECA-2008-0430; EPA ICR Number 1954.04; OMB Control Number 2060-0457; expiration date June 30, 2009.

Affected Entities: Entities potentially affected by this action are the owners or operators of large household and commercial appliance manufacturers.

Abstract: The National Emission Standards for Hazardous Air Pollutants (NESHAP) for the Surface Coating of Large Household and Commercial Appliances (40 CFR Part 63, Subpart NNNN) were promulgated on July 23, 2002.

The affected entities are subject to the General Provisions of the NESHAP at 40 CFR part 63, subpart A, and any changes, or additions to the General Provisions specified at 40 CFR part 63, subpart NNNN.

Owners or operators of the affected facilities must submit a one-time-only of any physical or operational changes, initial performance tests, and periodic reports and results. Owners or operators are also required to maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. Reports, at a minimum, are required semiannually.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average approximately 97 hours per response.

Respondents/Affected Entities: Large household and commercial appliance manufacturers.

Estimated Number of Respondents: 90.

Frequency of Response: Initially, occasionally and semiannually.

Estimated Total Annual Hour Burden: 28,845.

Estimated Total Annual Cost: \$172,000, which is comprised of \$64,000 in annualized capital/startup costs and O&M costs of \$108,000.

(35) NESHAP for Brick and Structural Clay Manufacturing (40 CFR Part 63,

Subpart JJJJJ); Docket ID Number EPA-HQ-OECA-2008-0367; EPA ICR Number 2022.04; OMB Control Number 2060-0508; expiration date June 30, 2009.

Affected Entities: Entities potentially affected by this action are the owners or operators of brick and structural clay manufacturers.

Abstract: The National Emission Standards for Hazardous Air Pollutants (NESHAP) for Brick and Structural Clay Manufacturing (40 CFR Part 63, Subpart JJJJJ) were promulgated on May 16, 2003.

The affected entities are subject to the General Provisions of the NESHAP at 40 CFR part 63, subpart A, and any changes, or additions to the General Provisions specified at 40 CFR part 63, subpart JJJJJ.

Owners or operators of the affected facilities must submit a one-time-only of any physical or operational changes, initial performance tests, and periodic reports and results. Owners or operators are also required to maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. Reports, at a minimum, are required semiannually.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average approximately 85 hours per response.

Respondents/Affected Entities: Brick and structural clay manufacturers.

Estimated Number of Respondents: 72.

Frequency of Response: Initially, occasionally and semiannually.

Estimated Total Annual Hour Burden: 14,086.

Estimated Total Annual Cost: \$15,000, which is comprised of \$10,000 in annualized capital/startup costs and O&M costs of \$5,000.

(36) NESHAP for Refractory Products Manufacturing (40 CFR Part 63, Subpart SSSSS); Docket ID Number EPA-HQ-OECA-2008-0292; EPA ICR Number 2040.04; OMB Control Number 2060-0515; expiration date June 30, 2009.

Affected Entities: Entities potentially affected by this action are the owners or operators of refractory product manufacturing plants.

Abstract: The National Emission Standards for Hazardous Air Pollutants (NESHAP) for the Surface Coating of Large Household and Commercial Appliances (40 CFR Part 63, Subpart XXXX) were promulgated on July 9, 2002.

The affected entities are subject to the General Provisions of the NESHAP at 40

CFR part 63, subpart A, and any changes, or additions to the General Provisions specified at 40 CFR part 63, subpart XXXX.

Owners or operators of the affected facilities must submit a one-time-only of any physical or operational changes, initial performance tests, and periodic reports and results. Owners or operators are also required to maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. Reports, at a minimum, are required semiannually.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average approximately 21 hours per response.

Respondents/Affected Entities: Refractory product manufacturers.

Estimated Number of Respondents: 8.

Frequency of Response: Initially, occasionally and semiannually.

Estimated Total Annual Hour Burden: 470.

Estimated Total Annual Cost: \$3,000, which is comprised of no annualized capital/startup costs and O&M costs of \$3,000.

(37) NESHAP for Municipal Solid Waste Landfills (40 CFR Part 63, Subpart AAAA); Docket ID Number EPA-HQ-OECA-2008-0284; EPA ICR Number 1938.04; OMB Control Number 2060-0505; expiration date August 31, 2009.

Affected Entities: Entities potentially affected by this action are the owners or operators of existing and new municipal solid waste landfills.

Abstract: The National Emission Standards for Hazardous Air Pollutants (NESHAP) for Municipal Solid Waste Landfills (40 CFR Part 63, Subpart AAAA) were promulgated on January 16, 2003.

The affected entities are subject to the General Provisions of the NESHAP at 40 CFR part 63, subpart A, and any changes, or additions to the General Provisions specified at 40 CFR part 63, subpart AAAA.

Owners or operators of the affected facilities must submit a one-time-only of any physical or operational changes, initial performance tests, and periodic reports and results. Owners or operators are also required to maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. Reports are also required, at a minimum, semiannually.

Burden Statement: The annual public reporting and recordkeeping burden for

this collection of information is estimated to average approximately 5 hours per response.

Respondents/Affected Entities: New municipal solid waste (MSW) landfills.

Estimated Number of Respondents: 1,121.

Frequency of Response: Occasionally, semiannually, and annually.

Estimated Total Annual Hour Burden: 18,234.

Estimated Total Annual Cost: \$17,000, which includes no annualized capital/startup costs and O&M costs of \$17,000.

(38) NESHAP for Publicly Owned Treatment Works (40 CFR Part 63, Subpart VVV); Docket ID Number EPA-HQ-OECA-2008-0281; EPA ICR Number 1891.05; OMB Control Number 2060-0428; expiration date August 31, 2009.

Affected Entities: Entities potentially affected by this action are the owners or operators of existing and new publicly owned treatment works.

Abstract: The National Emission Standards for Hazardous Air Pollutants (NESHAP) for Publicly Owned Treatment Works (40 CFR Part 63, Subpart VVV) were promulgated on October 26, 1999.

The affected entities are subject to the General Provisions of the NESHAP at 40 CFR part 63, subpart A, and any changes, or additions to the General Provisions specified at 40 CFR part 63, subpart VVV.

Owners or operators of the affected facilities must submit a one-time-only of any physical or operational changes, initial performance tests, and periodic reports and results. Owners or operators are also required to maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. Reports are also required, at a minimum, semiannually.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average approximately 1 hour per response.

Respondents/Affected Entities: Publicly owned treatment works.

Estimated Number of Respondents: 6.

Frequency of Response: Occasionally, semiannually, annually and initially.

Estimated Total Annual Hour Burden: 14.

Estimated Total Annual Cost: There are no annualized capital/startup or O&M costs associated with this ICR.

(39) NESHAP for Asphalt Processing and Asphalt Roofing Manufacturing (40 CFR Part 63, Subpart LLLLL); Docket ID Number EPA-HQ-OECA-2008-0373;

EPA ICR Number 2029.04; OMB Control Number 2060-0520; OMB Control Number 2060-0457; expiration date August 31, 2009.

Affected Entities: Entities potentially affected by this action are the owners or operators of asphalt processing and asphalt roofing production facilities.

Abstract: The National Emission Standards for Hazardous Air Pollutants (NESHAP) for Asphalt Processing and Asphalt Roofing Manufacturing (40 CFR Part 63, Subpart LLLLL) were promulgated on May 7, 2003.

The affected entities are subject to the General Provisions of the NESHAP at 40 CFR part 63, subpart A, and any changes, or additions to the General Provisions specified at 40 CFR part 63, subpart LLLLL.

Owners or operators of the affected facilities must submit a one-time-only of any physical or operational changes, initial performance tests, and periodic reports and results. Owners or operators are also required to maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. Reports, at a minimum, are required semiannually.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average approximately 223 hours per response.

Respondents/Affected Entities: Asphalt processing and asphalt roofing production facilities.

Estimated Number of Respondents: 24.

Frequency of Response: Initially, occasionally and semiannually.

Estimated Total Annual Hour Burden: 12,017.

Estimated Total Annual Cost: \$25,000, which is comprised of no annualized capital/startup costs and O&M costs of \$25,000.

(40) State and Federal Emission Guidelines for Hospital/Medical/ Infectious Waste Incinerators (40 CFR Part 60, Subpart Ce and 40 CFR Part 62, Subpart HHH); Docket ID Number EPA-HQ-OECA-2008-0283; EPA ICR Number 1899.04; OMB Control Number 2060-0422; expiration date August 31, 2009.

Affected Entities: Entities potentially affected by this action are the owners or operators of hospital/medical/infectious waste incinerators.

Abstract: The State and Federal Emission Guidelines for Hospital/ Medical/Infectious Waste Incinerators, 40 CFR Part 60, Subpart Ce and 40 CFR Part 62, Subpart HHH were promulgated

on September 15, 1997, and September 14, 2000, respectively.

Subparts Ce and HHH require initial notifications, performance tests, and annual and semiannual reporting. Owners or operators are also required to maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. These notifications, reports, and records are essential in determining compliance. Any owner or operator subject to the provisions of this part shall maintain a file of these measurements, and retain the file for at least five years following the date of such measurements, maintenance reports, and records. All reports are sent to the regulating authority with an approved plan. In the event that there is no such approved plan, the reports are sent directly to the EPA regional office.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average approximately 320 hours per response.

Respondents/Affected Entities: Hospital/medical/or infectious waste incinerators.

Estimated Number of Respondents: 95.

Frequency of Response: Initially, occasionally, semiannually and annually.

Estimated Total Annual Hour Burden: 69,067.

Estimated Total Annual Cost: \$130,000, which is comprised of no annualized capital/startup costs and O&M costs of \$130,000.

(41) NESHAP for Benzene Waste Operations (40 CFR Part 61, Subpart FF); Docket ID Number EPA-HQ-OECA-2008-0298; EPA ICR Number 1541.09; OMB Control Number 2060-0183; expiration date August 31, 2009.

Affected Entities: Entities potentially affected by this action are the owners or operators of benzene waste operations.

Abstract: The National Emission Standards for Hazardous Air Pollutants (NESHAP) for Benzene Waste Operations (40 CFR Part 61, Subpart FF) were promulgated on March 7, 1990.

The affected entities are subject to the General Provisions of the NESHAP at 40 CFR part 61, subpart A, and any changes, or additions to the General Provisions specified at 40 CFR part 63, subpart FF.

Owners or operators of the affected facilities must submit a one-time-only of any physical or operational changes, initial performance tests, and periodic reports and results. Owners or operators are also required to maintain records of

the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. Reports are also required, at a minimum, semiannually.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average approximately 71 hours per response.

Respondents/Affected Entities: Facilities having benzene waste operations.

Estimated Number of Respondents: 234.

Frequency of Response: Initially, occasionally, quarterly and semiannually.

Estimated Total Annual Hour Burden: 16,626.

Estimated Total Annual Cost: There are no annualized capital/startup or O&M costs associated with this ICR.

(42) NESHAP for Coke Oven Pushing Quenching and Battery Stacks (40 CFR Part 63, Subpart CCCCC); Docket ID Number EPA-HQ-OECA-2008-0366; EPA ICR Number 1995.04; OMB Control Number 2060-0521; expiration date August 31, 2009.

Affected Entities: Entities potentially affected by this action are the owners or operators of coke oven pushing quenching and battery stacks.

Abstract: The National Emission Standards for Hazardous Air Pollutants (NESHAP) for Coke Oven Pushing Quenching and Battery Stacks (40 CFR Part 63, Subpart CCCCC) were promulgated on April 14, 2003.

The affected entities are subject to the General Provisions of the NESHAP at 40 CFR part 63, subpart A, and any changes, or additions to the General Provisions specified at 40 CFR part 63, subpart CCCCC.

Owners or operators of the affected facilities must submit a one-time-only of any physical or operational changes, initial performance tests, and periodic reports and results. Owners or operators are also required to maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. Reports, at a minimum, are required semiannually.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average approximately 840 hours per response.

Respondents/Affected Entities: Coke oven pushing quenching and battery stacks.

Estimated Number of Respondents: 6.

Frequency of Response: Initially, occasionally weekly, quarterly and semiannually.

Estimated Total Annual Hour Burden: 25,208.

Estimated Total Annual Cost: \$170,000, which is comprised of no annualized capital/startup costs and O&M costs of \$170,000.

(43) NESHAP for Clay Ceramics Manufacturing (40 CFR Part 63, Subpart KKKKK); Docket ID Number EPA-HQ-OECA-2008-0369; EPA ICR Number 2023.04; OMB Control Number 2060-0513; expiration date August 31, 2009.

Affected Entities: Entities potentially affected by this action are the owners or operators of clay ceramics manufacturing facilities.

Abstract: The National Emission Standards for Hazardous Air Pollutants (NESHAP) for Clay Ceramics Manufacturing (40 CFR Part 63, Subpart KKKKK) were promulgated on May 16, 2003.

The affected entities are subject to the General Provisions of the NESHAP at 40 CFR part 63, subpart A, and any changes, or additions to the General Provisions specified at 40 CFR part 63, subpart KKKKK.

Owners or operators of the affected facilities must submit a one-time-only of any physical or operational changes, initial performance tests, and periodic reports and results. Owners or operators are also required to maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. Reports, at a minimum, are required semiannually.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average approximately 840 hours per response.

Respondents/Affected Entities: Clay ceramics manufacturing facilities.

Estimated Number of Respondents: 10.

Frequency of Response: Initially, occasionally and semiannually.

Estimated Total Annual Hour Burden: 527.

Estimated Total Annual Cost: \$3,000, which is comprised of \$1,000 in annualized capital/startup costs and O&M costs of \$2,000.

(44) NSPS for Petroleum Dry Cleaners (40 CFR Part 60, Subpart JJJ); Docket ID Number EPA-HQ-OECA-2008-0372; EPA ICR Number 0997.09; OMB Control Number 2060-0079; expiration date August 31, 2009.

Affected Entities: Entities potentially affected by this action are the owners or operators of petroleum dry cleaners.

Abstract: The New Source Performance Standards (NSPS) for Petroleum Dry Cleaners (40 CFR Part 60, Subpart JJJ) was promulgated on September 24, 1984.

The affected entities are subject to the General Provisions of the NSPS at 40 CFR part 60, subpart A and any changes, or additions to the General Provisions specified at 40 CFR part 60, subpart JJJ.

Owners or operators of the affected facilities must make an initial notification, performance tests, periodic reports, and maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. Reports, at a minimum, are required semiannually.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average approximately 22 hours per response.

Respondents/Affected Entities: Petroleum dry cleaners.

Estimated Number of Respondents: 18.

Frequency of Response: Initially.

Estimated Total Annual Hour Burden: 1,664.

Estimated Total Annual Cost: There are no annualized capital/startup costs or O&M costs associated with this ICR.

(45) NESHAP for Integrated Iron and Steel Manufacturing (40 CFR Part 63, Subpart FFFFF); Docket ID Number EPA-HQ-OECA-2008-0286; EPA ICR Number 2003.04; OMB Control Number 2060-0517; expiration date August 31, 2009.

Affected Entities: Entities potentially affected by this action are the owners or operators of new and existing sinter plants, blast furnaces, and basic oxygen process furnace shops at integrated iron and steel manufacturing facilities.

Abstract: The National Emission Standards for Hazardous Air Pollutants (NESHAP) for Integrated Iron and Steel Manufacturing (40 CFR Part 63, Subpart FFFFF) were promulgated on May 20, 2003 and amended August 30, 2005.

The affected entities are subject to the General Provisions of the NESHAP at 40 CFR part 63, subpart A, and any changes, or additions to the General Provisions specified at 40 CFR part 63, subpart FFFFF.

Owners or operators of the affected facilities must submit a one-time-only of any physical or operational changes, initial performance tests, and periodic reports and results. Owners or operators are also required to maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or

any period during which the monitoring system is inoperative. Reports are also required, at a minimum, semiannually.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average approximately 419 hours per response.

Respondents/Affected Entities: Sinter plants, blast furnaces, and basic oxygen process furnace shops at integrated iron and steel manufacturing facilities.

Estimated Number of Respondents: 18.

Frequency of Response: Initially, occasionally and semiannually.

Estimated Total Annual Hour Burden: 18,421.

Estimated Total Annual Cost: \$67,000, which is comprised of no annualized capital/startup costs and O&M costs of \$67,000.

(46) NESHAP for Semiconductor Manufacturing (40 CFR Part 63, Subpart BBBB); Docket ID Number EPA-HQ-OECA-2008-0287; EPA ICR Number 2042.04; OMB Control Number 2060-0519; expiration date August 31, 2009.

Affected Entities: Entities potentially affected by this action are the owners or operators of existing, new, or reconstructed facilities that manufacture semiconductors.

Abstract: The National Emission Standards for Hazardous Air Pollutants (NESHAP) for Semiconductor Manufacturing were promulgated on May 22, 2003.

The affected entities are subject to the General Provisions of the NESHAP at 40 CFR part 63, subpart A, and any changes, or additions to the General Provisions specified at 40 CFR part 63, subpart BBBB.

Owners or operators of the affected facilities must submit a one-time-only of any physical or operational changes, initial performance tests, and periodic reports and results. Owners or operators are also required to maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. Reports are also required, at a minimum, semiannually.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average approximately 18 hours per response.

Respondents/Affected Entities: Semiconductor manufacturers.

Estimated Number of Respondents: 1.

Frequency of Response: Initially, occasionally and semiannually.

Estimated Total Annual Hour Burden: 37.

Estimated Total Annual Cost: There are no annualized capital/startup or O&M costs associated with this ICR.

(47) NESHAP for Mercury (40 CFR Part 61, Subpart E); Docket ID Number EPA-HQ-OECA-2008-0278; EPA ICR Number 0113.10; OMB Control Number 2060-0097; expiration date August 31, 2009.

Affected Entities: These standards apply to all stationary sources which process mercury ore to recover mercury, use mercury chlor-alkali cells to produce chlorine gas and alkali metal hydroxide, and incinerate or dry wastewater treatment plant sludge.

Abstract: The National Emission Standards for Hazardous Air Pollutants (NESHAP) for Mercury (40 CFR Part 61, Subpart E) were promulgated on April 6, 1973; and amended on October 14, 1975, March 19, 1987, and October 17, 2000.

The affected entities are subject to the General Provisions of the NESHAP at 40 CFR part 61, subpart A, and any changes, or additions to the General Provisions specified at 40 CFR part 63, subpart E.

Owners or operators of the affected facilities must submit a one-time-only of any physical or operational changes, initial performance tests, and periodic reports and results. Owners or operators are also required to maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. Reports are also required, at a minimum, semiannually.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average approximately 160 hours per response.

Respondents/Affected Entities: Mercury.

Estimated Number of Respondents: 107.

Frequency of Response: Initially, semiannually and annually.

Estimated Total Annual Hour Burden: 20,490.

Estimated Total Annual Cost: There are no annualized capital/startup or O&M costs associated with this ICR.

(48) NESHAP for Shipbuilding and Ship Repair Facilities for Surface Coating (40 CFR Part 63, Subpart II); Docket ID Number EPA-HQ-OECA-2008-0300; EPA ICR Number 1712.06; OMB Control Number 2060-0330; expiration date August 31, 2009.

Affected Entities: Entities potentially affected by this action are owners or operators of shipbuilding and ship repair facilities.

Abstract: The National Emission Standards for Hazardous Air Pollutants (NESHAP) for Shipbuilding and Ship Repair Facilities for Surface Coating (40 CFR Part 63, Subpart II), was promulgated on December 15, 1995.

The affected entities are subject to the General Provisions of the NESHAP at 40 CFR part 63, subpart A, and any changes, or additions to the General Provisions specified at 40 CFR part 63, subpart II.

Owners or operators of the affected facilities must submit a one-time-only of any physical or operational changes, initial performance tests, and periodic reports and results. Owners or operators are also required to maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. Reports are also required, at a minimum, semiannually.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average approximately 255 hours per response.

Respondents/Affected Entities: Shipbuilding and ship repair facilities.

Estimated Number of Respondents: 56.

Frequency of Response: Initially, occasionally and semiannually.

Estimated Total Annual Hour Burden: 28,594.

Estimated Total Annual Cost: There are no annualized capital/startup or O&M costs associated with this ICR.

(49) NESHAP for Metal Furniture Surface Coating (40 CFR Part 63, Subpart RRRR); Docket ID Number EPA-HQ-OECA-2008-0429; EPA ICR Number 1952.04; OMB Control Number 2060-0518; expiration date September 30, 2009.

Affected Entities: Entities potentially affected by this action are the owners or operators of metal furniture surface coating facilities.

Abstract: The National Emission Standards for Hazardous Air Pollutants (NESHAP) for Metal Furniture Surface Coating (40 CFR Part 63, Subpart RRRR) were promulgated on May 23, 2003.

The affected entities are subject to the General Provisions of the NESHAP at 40 CFR part 63, subpart A, and any changes, or additions to the General Provisions specified at 40 CFR part 63, subpart RRRR.

Owners or operators of the affected facilities must submit a one-time-only of any physical or operational changes, initial performance tests, and periodic reports and results. Owners or operators are also required to maintain records of the occurrence and duration of any

startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. Reports, at a minimum, are required semiannually.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average approximately 109 hours per response.

Respondents/Affected Entities: Metal furniture surface coating facilities.

Estimated Number of Respondents: 583.

Frequency of Response: Initially, occasionally and semiannually.

Estimated Total Annual Hour Burden: 190,408.

Estimated Total Annual Cost: \$700,000, which is comprised of no annualized capital/startup costs and O&M costs of \$700,000.

(50) NESHAP for the Wood Building Products Surface Coating Industry (40 CFR Part 63, Subpart QQQQ); Docket ID Number EPA-HQ-OECA-2008-0421; EPA ICR Number 2034.04; OMB Control Number 2060-0510; expiration date September 30, 2009.

Affected Entities: Entities potentially affected by this action are the owners or operators of wood building products surface coating facilities.

Abstract: The National Emission Standards for the Wood Building Products Surface Coating Industry (40 CFR Part 63, Subpart QQQQ) were promulgated on May 28, 2003.

The affected entities are subject to the General Provisions of the NESHAP at 40 CFR part 63, subpart A, and any changes, or additions to the General Provisions specified at 40 CFR part 63, subpart QQQQ.

Owners or operators of the affected facilities must submit a one-time-only of any physical or operational changes, initial performance tests, and periodic reports and results. Owners or operators are also required to maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. Reports, at a minimum, are required semiannually.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average approximately 109 hours per response.

Respondents/Affected Entities: Wood building products surface coating facilities.

Estimated Number of Respondents: 232.

Frequency of Response: Initially, occasionally and semiannually.

Estimated Total Annual Hour Burden: 75,771.

Estimated Total Annual Cost: \$278,000, which is comprised of no annualized capital/startup costs and O&M costs of \$278,000.

(51) NESHAP for Hydrochloric Acid Production (40 CFR Part 63, Subpart NNNNN); Docket ID Number EPA-HQ-OECA-2008-0434; EPA ICR Number 2032.06; OMB Control Number 2060-0529; expiration date September 30, 2009.

Affected Entities: Entities potentially affected by this action are the owners or operators of for hydrochloric acid production facilities.

Abstract: The National Emission Standards for Hazardous Air Pollutants (NESHAP) for Hydrochloric Acid Production (40 CFR Part 63, Subpart NNNNN) were promulgated on April 17, 2003, and amended April 7, 2006.

The affected entities are subject to the General Provisions of the NESHAP at 40 CFR part 63, subpart A, and any changes, or additions to the General Provisions specified at 40 CFR part 63, subpart NNNNN.

Owners or operators of the affected facilities must submit a one-time-only of any physical or operational changes, initial performance tests, and periodic reports and results. Owners or operators are also required to maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. Reports, at a minimum, are required semiannually.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average approximately 422 hours per response.

Respondents/Affected Entities: Hydrochloric acid production facilities.

Estimated Number of Respondents: 71.

Frequency of Response: Initially, occasionally and semiannually.

Estimated Total Annual Hour Burden: 49,319.

Estimated Total Annual Cost: \$248,000, which is comprised of \$26,000 in annualized capital/startup costs and O&M costs of \$222,000.

(52) NESHAP for Secondary Aluminum Production (40 CFR Part 63, Subpart RRR); Docket ID Number EPA-HQ-OECA-2008-0282; EPA ICR Number 1894.06; OMB Control Number 2060-0433; expiration date September 30, 2009.

Affected Entities: Entities potentially affected by this action are the owners or operators of secondary aluminum production facilities.

Abstract: The National Emission Standards for Hazardous Air Pollutants

(NESHAP) for Secondary Aluminum Production (40 CFR part 63, subpart RRR) were promulgated on March 23, 2002, and amended on December 30, 2002.

The affected entities are subject to the General Provisions of the NESHAP at 40 CFR part 63, subpart A, and any changes, or additions to the General Provisions specified at 40 CFR part 63, subpart RRR.

Owners or operators of the affected facilities must submit a one-time-only of any physical or operational changes, initial performance tests, and periodic reports and results. Owners or operators are also required to maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. Reports are also required, at a minimum, semiannually.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average approximately 29 hours per response.

Respondents/Affected Entities: Secondary aluminum production facilities.

Estimated Number of Respondents: 1,624.

Frequency of Response: Initially, occasionally and semiannually.

Estimated Total Annual Hour Burden: 93,725.

Estimated Total Annual Cost: \$226,000 which includes \$84,000 annualized Capital Startup cost, and \$142,000 annualized O&M costs.

EPA will consider any comments received and may amend any of the above ICRs, as appropriate. Then the final ICR packages will be submitted to OMB for review and approval pursuant to 5 CFR 1320.12. At that time, EPA will issue one or more **Federal Register** notices pursuant to 5 CFR 1320.5(a)(1)(iv) to announce the submission of the ICR(s) to OMB and the opportunity to submit additional comments to OMB. If you have any questions about any of the above ICRs or the approval process, please contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

Dated: May 16, 2008.

Lisa Lund,

Acting Director, Office of Compliance.

[FR Doc. E8-12114 Filed 5-29-08; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY**[EPA-HQ-OPPT-2008-0450; FRL-8366-7]****Certain New Chemicals; Receipt and Status Information****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Notice.

SUMMARY: Section 5 of the Toxic Substances Control Act (TSCA) requires any person who intends to manufacture (defined by statute to include import) a new chemical (i.e., a chemical not on the TSCA Inventory) to notify EPA and comply with the statutory provisions pertaining to the manufacture of new chemicals. Under sections 5(d)(2) and 5(d)(3) of TSCA, EPA is required to publish a notice of receipt of a premanufacture notice (PMN) or an application for a test marketing exemption (TME), and to publish periodic status reports on the chemicals under review and the receipt of notices of commencement to manufacture those chemicals. This status report, which covers the period from April 14, 2008 through May 9, 2008, consists of the PMNs and TMEs, both pending or expired, and the notices of commencement to manufacture a new chemical that the Agency has received under TSCA section 5 during this time period.

DATES: Comments identified by the specific PMN number or TME number, must be received on or before June 30, 2008.

ADDRESSES: Submit your comments, identified by docket identification (ID) number EPA-HQ-OPPT-2008-0450, by one of the following methods:

- **Federal eRulemaking Portal:** <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.

- **Mail:** Document Control Office (7407M), Office of Pollution Prevention and Toxics (OPPT), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001.

- **Hand Delivery:** OPPT Document Control Office (DCO), EPA East Bldg., Rm. 6428, 1201 Constitution Ave., NW., Washington, DC. Attention: Docket ID Number EPA-HQ-OPPT-2008-0450. The DCO is open from 8 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The telephone number for the DCO is (202) 564-8930. Such deliveries are only accepted during the DCO's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

Instructions: Direct your comments to docket ID number EPA-HQ-OPPT-

2008-0450. EPA's policy is that all comments received will be included in the docket without change and may be made available on-line at <http://www.regulations.gov>, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through www.regulations.gov or e-mail. The www.regulations.gov website is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through www.regulations.gov, your e-mail address will be automatically captured and included as part of the comment that is placed in the docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses. For additional information about EPA's public docket, visit the EPA Docket Center homepage at <http://www.epa.gov/epahome/dockets.htm>.

Docket: All documents in the docket are listed in the docket index available in www.regulations.gov. To access the electronic docket, go to <http://www.regulations.gov>, select "Advanced Search," then "Docket Search." Insert the docket ID number where indicated and select the "Submit" button. Follow the instructions on the www.regulations.gov website to view the docket index or access available documents. Although listed in the index, some information is not publicly available, e.g., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in hard copy. Publicly available docket materials are available electronically at <http://www.regulations.gov>, or, if only available in hard copy, at the OPPT Docket. The OPPT Docket is located in the EPA Docket Center (EPA/DC) at Rm. 3334, EPA West Bldg., 1301 Constitution Ave., NW., Washington, DC. The EPA/DC Public Reading Room hours of operation are 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding

Federal holidays. The telephone number of the EPA/DC Public Reading Room is (202) 566-1744, and the telephone number for the OPPT Docket is (202) 566-0280. Docket visitors are required to show photographic identification, pass through a metal detector, and sign the EPA visitor log. All visitor bags are processed through an X-ray machine and subject to search. Visitors will be provided an EPA/DC badge that must be visible at all times in the building and returned upon departure.

FOR FURTHER INFORMATION CONTACT: Colby Lintner, Regulatory Coordinator, Environmental Assistance Division, Office of Pollution Prevention and Toxics (7408M), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (202) 554-1404; e-mail address: TSCA-Hotline@epa.gov.

SUPPLEMENTARY INFORMATION:**I. General Information****A. Does this Action Apply to Me?**

This action is directed to the public in general. As such, the Agency has not attempted to describe the specific entities that this action may apply to. Although others may be affected, this action applies directly to the submitter of the premanufacture notices addressed in the action. If you have any questions regarding the applicability of this action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

B. What Should I Consider as I Prepare My Comments for EPA?

1. **Submitting CBI.** Do not submit this information to EPA through www.regulations.gov or e-mail. Clearly mark the part or all of the information that you claim to be CBI. For CBI information in a disk or CD-ROM that you mail to EPA, mark the outside of the disk or CD-ROM that you mail to EPA, mark the outside of the disk or CD-ROM as CBI and then identify electronically within the disk or CD-ROM the specific information that is claimed as CBI. In addition to one complete version of the comment that includes 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 docket. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

2. **Tips for preparing your comments.** When submitting comments, remember to:

- i. Identify the document by docket ID number and other identifying

information (subject heading, **Federal Register** date and page number).

ii. Follow directions. The Agency may ask you to respond to specific questions or organize comments by referencing a Code of Federal Regulations (CFR) part or section number.

iii. Explain why you agree or disagree; suggest alternatives and substitute language for your requested changes.

iv. Describe any assumptions and provide any technical information and/or data that you used.

v. If you estimate potential costs or burdens, explain how you arrived at your estimate in sufficient detail to allow for it to be reproduced.

vi. Provide specific examples to illustrate your concerns and suggest alternatives.

vii. Explain your views as clearly as possible, avoiding the use of profanity or personal threats.

viii. Make sure to submit your comments by the comment period deadline identified.

II. Why is EPA Taking this Action?

Section 5 of TSCA requires any person who intends to manufacture (defined by statute to include import) a new chemical (i.e., a chemical not on the TSCA Inventory to notify EPA and comply with the statutory provisions pertaining to the manufacture of new chemicals. Under sections 5(d)(2) and 5(d)(3) of TSCA, EPA is required to publish a notice of receipt of a PMN or an application for a TME and to publish periodic status reports on the chemicals under review and the receipt of notices of commencement to manufacture those chemicals. This status report, which covers the period from April 14, 2008 through May 9, 2008, consists of the PMNs and TMEs, both pending or expired, and the notices of commencement to manufacture a new chemical that the Agency has received under TSCA section 5 during this time period.

III. Receipt and Status Report for PMNs

This status report identifies the PMNs and TMEs, both pending or expired, and the notices of commencement to manufacture a new chemical that the Agency has received under TSCA section 5 during this time period. If you are interested in information that is not included in the following tables, you may contact EPA as described in Unit II. to access additional non-CBI information that may be available.

In Table I of this unit, EPA provides the following information (to the extent that such information is not claimed as CBI) on the PMNs received by EPA during this period: the EPA case number assigned to the PMN; the date the PMN was received by EPA; the projected end date for EPA's review of the PMN; the submitting manufacturer; the potential uses identified by the manufacturer in the PMN; and the chemical identity.

I. 62 PREMANUFACTURE NOTICES RECEIVED FROM: 4/14/08 TO 5/9/08

Case No.	Received Date	Projected Notice End Date	Manufacturer/Importer	Use	Chemical
P-08-0367	04/11/08	07/09/08	Cytec Industries Inc.	(G) Binder resin for coatings	(G) Urethane modified alkyd resin, neutralized, in water based solution
P-08-0369	04/14/08	07/12/08	Hexion Specialty Company	(G) Unsaturated polyester resin	(G) Polyester resin
P-08-0370	04/14/08	07/12/08	Oji Iiford USA	(S) Dye formulated in water-based ink for use in inkjet printer cartridges	(G) 1,5-naphthalenedisulfonic acid, 3,3'-[substituted heterocycle]bis-, pentasodium salt
P-08-0371	04/14/08	07/12/08	CBI	(G) Fuel additive	(G) Xanthene ester
P-08-0372	04/15/08	07/13/08	CBI	(S) Resin for coatings	(G) Fatty acid dimers, polymers with diols, cyclical diacid, aromatic polyacid; fatty acid dimers, polymers with diols, cyclical diacid, aromatic polyacid, compounds with amine
P-08-0373	04/15/08	07/13/08	CBI	(S) Resin for coatings	(G) Fatty acid dimers, polymers with diols, cyclical diacid, aromatic polyacid; Fatty acid dimers, polymers with diols, cyclical diacid, aromatic polyacid, compounds with amine
P-08-0374	04/15/08	07/13/08	CBI	(S) Resin for coatings	(G) Fatty acid dimers, polymers with diols, cyclical diacid, aromatic polyacid; Fatty acid dimers, polymers with diols, cyclical diacid, aromatic polyacid, compounds with amine
P-08-0375	04/15/08	07/13/08	CBI	(S) Resin for coatings	(G) Fatty acid dimers, polymers with diols, cyclical diacid, aromatic polyacid; Fatty acid dimers, polymers with diols, cyclical diacid, aromatic polyacid, compounds with amine
P-08-0376	04/16/08	07/14/08	CBI	(G) Fuel additive	(G) Arylalkylamine, N-[4-[2-(substitutedaryl)diazenyl]aryl]-N-alkyl
P-08-0377	04/17/08	07/15/08	CBI	(G) Chemical intermediate	(G) Monoheterocycle, homopolymer, 2-[(2-methyl-1-oxo-2-propenyl)oxy]ethyl ester
P-08-0378	04/17/08	07/15/08	CBI	(G) Fuel additive	(G) Arylalkylamine, N-[4-[2-(substitutedaryl)diazenyl]arylamino]

I. 62 PREMANUFACTURE NOTICES RECEIVED FROM: 4/14/08 TO 5/9/08—Continued

Case No.	Received Date	Projected Notice End Date	Manufacturer/Importer	Use	Chemical
P-08-0379	04/17/08	07/15/08	Firmenich Inc.	(S) Aroma for use in fragrance mixtures, which in turn are used in perfumes, soaps, cleansers, etc.	(S) Extractives and their physically modified derivatives amomum tsao-ko, zingiberaceae. Oils amomum tsao-ko
P-08-0380	04/18/08	07/16/08	Cytec Industries Inc.	(G) Antiscalant	(G) Modified polyethylene polymer
P-08-0381	04/22/08	07/20/08	Firmenich Inc.	(S) Aroma for use in fragrance mixtures, which in turn are used in perfumes, soaps, cleansers, etc.	(S) Extractives and their physically modified derivatives. Inula nervosa, asteraceae. Oils, inula nervosa
P-08-0382	04/22/08	07/20/08	CBI	(S) Curing agent for epoxy resin in protective coatings	(G) Propenenitrile, reaction products with alkylenediamine, hydrogenated, <i>N</i> -aryl derivatives
P-08-0383	04/22/08	07/20/08	CBI	(G) Open, non-dispersive use in inks, paints, coatings, plastics	(G) Mixed metal aluminate
P-08-0384	04/22/08	07/20/08	CBI	(G) Film forming aid for paint formulations	(G) Vegetable oils, esters with polyols
P-08-0385	04/22/08	07/20/08	CBI	(G) Additive for ink.	(G) Lithium salt of cyclic disulfonic acid
P-08-0386	04/22/08	07/20/08	CBI	(G) Additive for ink.	(G) Sodium salt of cyclic carboxylic acid
P-08-0387	04/22/08	07/20/08	CBI	(G) Additive for ink.	(G) Lithium salt of cyclic carboxylic acid
P-08-0388	04/24/08	07/22/08	Huntsman International, LLC.	(G) Reactant used in manufacture of another chemical substance	(G) Substituted mineral acid
P-08-0389	04/24/08	07/22/08	Firmenich Inc.	(S) Aroma for use in fragrance mixtures, which in turn are used in perfumes, soaps, cleansers, etc.	(S) Honey, desaccharided
P-08-0390	04/24/08	07/22/08	CBI	(G) Concrete additive	(G) Acrylate polymer with vinyl ether
P-08-0391	04/24/08	07/22/08	CBI	(G) Surfactant for pet care, hard surface cleaner, and liquid dish soaps applications; solvent for industrial cleaning applications	(G) Alkyl lactyl lactate
P-08-0392	04/23/08	07/21/08	CBI	(G) Antistatic, reinforcement additive	(G) Carbon nanomaterial
P-08-0393	04/25/08	07/23/08	CBI	(G) Surface treatment	(G) Urethane resin
P-08-0394	04/28/08	07/26/08	DIC International (USA), LLC.	(G) Polymer binder component in printer toners	(G) Dodecanedioic acid polymer with nonanediol
P-08-0395	04/28/08	07/26/08	CBI USA	(S) Binder for wood coatings	(G) Copolymer of acrylic and methylacrylic esters
P-08-0396	04/28/08	07/26/08	Mane, USA	(G) Perfumery ingredient	(S) 2 <i>H</i> pyran-2-one, tetrahydro-5-pentyl
P-08-0397	04/29/08	07/27/08	CBI	(G) Additive for consumer use products; dispersive use	(S) 2,4'-dimethylpropiophenone
P-08-0398	04/30/08	07/28/08	The Sherwin-Williams Company	(G) Open, non-dispersive use	(G) NPG type polyester polyol
P-08-0399	05/01/08	07/29/08	Mane, USA	(G) Perfumery ingredient	(S) 1-(2,3-dimethylbicyclo[2.2.1]heptan)-ethanone
P-08-0400	05/01/08	07/29/08	CBI	(G) Additive, open, non-dispersive use	(G) Polyalcohol modified polydimethylsiloxane
P-08-0401	05/01/08	07/29/08	CBI	(G) Additive, open, non-dispersive use	(G) Polyether modified fatty acid dimer
P-08-0402	05/02/08	07/30/08	Firmenich Inc.	(S) Aroma for use in fragrance mixtures, which in turn are used in perfumes, soaps, cleansers, etc.	(S) Extractives and their physically modified derivatives. citrus hystrix. Oils citrus hystrix
P-08-0403	05/02/08	07/30/08	Firmenich Inc.	(S) Aroma for use in fragrance mixtures, which in turn are used in perfumes, soaps, cleansers, etc.	(S) Extractives and their physically modified derivatives. kaempferia galanga. Oils, kaempferia galanga
P-08-0404	05/02/08	07/30/08	CBI	(G) Component of industrial use coating	(G) Alkenoic acid polymer with (poly)hydroxy substituted alkane
P-08-0405	05/02/08	07/30/08	CBI	(G) Component of industrial use coating	(G) Alkenoic acid polymer with (poly)hydroxy substituted alkane
P-08-0406	05/02/08	07/30/08	CBI	(G) Component of industrial use coating	(G) Alkenoic acid polymer with (poly)hydroxy substituted alkane
P-08-0407	05/05/08	08/02/08	Shin-etsu Silicones of America Inc.	(G) Additive of molding compound for semiconductor use to improve shock resistance.	(G) Vinyl siloxane polymer with hydrogen siloxane
P-08-0408	05/01/08	07/29/08	Robertet, Inc.	(S) As an odoriferous component of fragrance compounds	(S) Extractives and their physically modified derivatives. dalbergia cochinchinensis. Oils dalbergia cochinchinensis

I. 62 PREMANUFACTURE NOTICES RECEIVED FROM: 4/14/08 TO 5/9/08—Continued

Case No.	Received Date	Projected Notice End Date	Manufacturer/Importer	Use	Chemical
P-08-0409	05/05/08	08/02/08	CBI	(G) Pipeline additive	(G) Alpha-alkenes, C ₂₀₋₂₄ .alpha.-polymers with maleic anhydride, C ₁₆₋₃₀ alkyl esters
P-08-0410	05/02/08	07/30/08	Dic International (USA), LLC.	(G) Polymer binder for coatings	(G) Glycidyl methacrylate alkyl (meth) acrylate copolymer
P-08-0411	05/05/08	08/02/08	CBI	(G) Scale inhibitor for subterranean oilfield brines	(G) Carbohydrate polymer with 2,5-furandione and 2-propenoic acid, sodium salt, hydrogen peroxide- and peroxydisulfuric acid ([[(ho)s(o)2]202) sodium salt (1:2)-initiated
P-08-0412	05/05/08	08/02/08	CBI	(G) Scale inhibitor for subterranean oilfield brines	(G) Carbohydrate polymer with 2,5-furandione and 2-propenoic acid, ammonium salt, hydrogen peroxide- and peroxydisulfuric acid ([[(ho)s(o)2]202) sodium salt (1:2)-initiated
P-08-0413	05/05/08	08/02/08	CBI	(G) Scale inhibitor for subterranean oilfield brines	(G) Carbohydrate polymer with 2,5-furandione, methyl 2-methyl-2-propenoate, 2-propenoic acid, sodium 4-ethenylbenzenesulfonate (1:1) and sodium 2-methyl-2-[(1-oxo-2-propen-1-yl)amino]-1-propanesulfonate (1:1), sodium salt, hydrogen peroxide- and peroxydisulfuric acid ([[(ho)s(o)2]202) sodium salt (1:2)-initiated
P-08-0414	05/05/08	08/02/08	CBI	(G) Scale inhibitor for subterranean oilfield brines	(G) Carbohydrate polymer with 2,5-furandione, methyl 2-methyl-2-propenoate, 2-propenoic acid, sodium 4-ethenylbenzenesulfonate (1:1) and sodium 2-methyl-2-[(1-oxo-2-propen-1-yl)amino]-1-propanesulfonate (1:1), ammonium salt, hydrogen peroxide- and peroxydisulfuric acid ([[(ho)s(o)2]202) sodium salt (1:2)-initiated
P-08-0415	05/05/08	08/02/08	CBI	(G) Scale inhibitor for subterranean oilfield brines	(G) Carbonhydrate polymer with 1-methyl hydrogen (2z)-2-butenedioate, 1,2-propanediol mono(2-methyl-2-propenoate) and 2-propenoic acid, sodium salt, tert-bu hydroperoxide-initiated
P-08-0416	05/05/08	08/02/08	CBI	(G) Scale inhibitor for subterranean oilfield brines	(G) Carbonhydrate polymer with 1-methyl hydrogen (2z)-2-butenedioate, 1,2-propanediol mono(2-methyl-2-propenoate) and 2-propenoic acid, ammonium salt, tert-bu hydroperoxide-initiated
P-08-0417	05/06/08	08/03/08	Firmenich Inc.	(S) Aroma for use in fragrance mixtures, which in turn are used in perfumes, soaps, cleansers, etc.	(S) Extractives and their physically modified derivatives. fortunella margarita. Oils, kumpquat, fortunella margarita
P-08-0418	05/07/08	08/04/08	CBI	(G) Cleaner/degreaser	(S) Quaternary ammonium compounds, coco alkyl(hydroxyethyl)dimethyl, ethoxylated, chlorides
P-08-0419	05/07/08	08/04/08	CBI	(S) Component in industrial flooring applications; component in industrial paint primer	(G) Aromatic dimethaneamine, reaction products with aromatic glycidyl ether
P-08-0420	05/08/08	08/05/08	Huntsman International, LLC.	(S) Exhaust dyeing of polyester	(G) Substituted benzofuranone dye
P-08-0421	05/08/08	08/05/08	CBI	(G) Component of photoresist	(G) Acrylic resin
P-08-0422	05/09/08	08/06/08	CBI	(G) Additive, open, non-dispersive use	(G) Potassium polystyrene maleate
P-08-0423	05/09/08	08/06/08	CBI	(G) Additive, open, non-dispersive use	(G) Poly(styrene-methacryloyloxyethylphosphoric acid ester)

I. 62 PREMANUFACTURE NOTICES RECEIVED FROM: 4/14/08 TO 5/9/08—Continued

Case No.	Received Date	Projected Notice End Date	Manufacturer/Importer	Use	Chemical
P-08-0424	05/06/08	08/03/08	Sasol North America	(S) Sulfation	(S) Alcohols, C ₁₂₋₁₃ -branched and linear, propoxylated
P-08-0425	05/06/08	08/03/08	Sasol North America	(S) Sulfation	(S) Alcohols, C ₁₄₋₁₅ -branched and linear, propoxylated
P-08-0426	05/06/08	08/03/08	Sasol North America	(S) Sulfation	(S) Alcohols, C ₁₆₋₁₇ -branched and linear, propoxylated
P-08-0427	05/06/08	08/03/08	Sasol North America	(S) Enhanced hydrocarbon recovery	(S) Poly[oxy(methyl-1,2-ethanediyl)], .alpha.-sulfo.-omega.-hydroxy-, C _{12-C13} -branched and linear alkyl ethers, sodium salts
P-08-0428	05/06/08	08/03/08	Sasol North America	(S) Enhanced hydrocarbon recovery	(S) Poly[oxy(methyl-1,2-ethanediyl)], .alpha.-sulfo.-omega.-hydroxy-, C _{14-C15} -branched and linear alkyl ethers, sodium salts
P-08-0429	05/06/08	08/03/08	Sasol North America	(S) Enhanced hydrocarbon recovery	(S) Poly[oxy(methyl-1,2-ethanediyl)], .alpha.-sulfo.-omega.-hydroxy-, C _{16-C17} -branched and linear alkyl ethers, sodium salts

In Table II of this unit, EPA provides that such information is not claimed as the following information (to the extent CBI) on the TMEs received:

II. 1 TEST MARKETING EXEMPTION NOTICES RECEIVED FROM: 4/14/08 TO 5/9/08

Case No.	Received Date	Projected Notice End Date	Manufacturer/Importer	Use	Chemical
T-08-0009	04/29/08	06/12/08	CBI	(G) Colored coatings and related vehicles	(G) Reaction product produced of fatty acids and hydroxy acids

In Table III of this unit, EPA provides CBI on the Notices of Commencement the following information (to the extent to manufacture received: that such information is not claimed as

III. 26 NOTICES OF COMMENCEMENT FROM: 4/14/08 TO 5/9/08

Case No.	Received Date	Commencement Notice End Date	Chemical
P-01-0455	04/28/08	04/24/08	(S) Ferric acetate
P-05-0104	04/23/08	04/02/08	(G) Polyurethane prepolymer
P-05-0550	04/22/08	04/21/08	(G) Acrylic ester copolymer
P-05-0755	04/21/08	04/09/08	(G) Isocyanate functional polyester urethane polymer
P-07-0017	04/28/08	04/02/08	(G) Aminoalkoxysiloxane, acetates (salts)
P-07-0230	04/17/08	04/10/08	(G) Polymeric diphenylmethane diisocyanate prepolymer
P-07-0233	04/22/08	04/16/08	(G) Polyurethane acrylate resin
P-07-0362	04/14/08	03/28/08	(G) Butylene phthalate(poly-1,3-propyleneoxide) phthalate copolymer
P-07-0422	05/09/08	04/09/08	(G) Phenol, 4,4'-(1-methylethylidene)bis-, polymer with 2-(chloromethyl)oxirane and a polyol, reaction products with 5-amino-1,3,3-trimethylcyclohexanemethanamine derivatives, an aromatic alkyl amine and an alkyl amine
P-07-0528	04/28/08	04/16/08	(G) Acrylated polyurethane
P-07-0558	04/28/08	04/16/08	(G) Acrylated polyester urethane
P-07-0653	04/29/08	04/25/08	(G) Ethoxylated methylphosphonic acid
P-07-0698	04/18/08	04/15/08	(G) Polyester acrylate
P-08-0025	04/23/08	04/07/08	(S) Formamide, <i>N</i> -ethenyl-, homopolymer, hydrolyzed, <i>N</i> -(3-carboxy-1-oxopropyl) <i>N</i> -[2-hydroxy-3-(trimethylammonio)propyl] derivatives, chlorides
P-08-0072	04/23/08	04/08/08	(G) Poly (methacryloyloxyalkyl trialkylammonium salt)
P-08-0107	04/23/08	03/27/08	(G) Alkoxy silane
P-08-0128	04/25/08	04/22/08	(G) Neopentylglycol dialkanoate
P-08-0129	04/15/08	04/09/08	(G) Acrylic, vinyl and methacrylic copolymer, quaternary salt with aryl sulfonate
P-08-0143	05/05/08	04/26/08	(G) Alkoxylated linear alcohol
P-08-0147	05/02/08	04/11/08	(G) Modified polycarbonate
P-08-0153	04/29/08	04/02/08	(G) Polymer of fatty acids methyl esters hydroformylation products, hydrogenated, with alkylene oxides

III. 26 NOTICES OF COMMENCEMENT FROM: 4/14/08 TO 5/9/08—Continued

Case No.	Received Date	Commencement Notice End Date	Chemical
P-08-0160	04/29/08	04/16/08	(G) Aryloxyalcohol
P-08-0161	04/29/08	04/14/08	(G) Aryloxyacrylate
P-08-0162	05/05/08	04/25/08	(G) Fatty acid derivative
P-08-0169	04/17/08	04/15/08	(G) Aromatic polyisocyanate, glycol ethers-blocked
P-92-0746	05/06/08	04/04/08	(G) Organic stearate salt

List of Subjects

Environmental protection, Chemicals, Premanufacturer notices.

Dated: May 21, 2008.

Chandler Sirmons,

Acting Director, Information Management Division, Office of Pollution Prevention and Toxics.

[FR Doc. E8-12143 Filed 5-29-08; 8:45 am]

BILLING CODE 6560-50-S

ENVIRONMENTAL PROTECTION AGENCY

[FRL-8572-9; Docket ID No. EPA-HQ-ORD-2006-0260]

Draft Integrated Science Assessment for Sulfur Oxides—Health Criteria

AGENCY: Environmental Protection Agency.

ACTION: Notice of Public Comment Period.

SUMMARY: The U.S. Environmental Protection Agency (EPA) is announcing the availability of the second external review draft of a document titled, “Draft Integrated Science Assessment for Sulfur Oxides—Health Criteria” (EPA/600/R-08/047). The document was prepared by the National Center for Environmental Assessment within EPA’s Office of Research and Development as part of the review of the primary (health-based) national ambient air quality standards (NAAQS) for sulfur oxides.

EPA is releasing this draft document solely for the purpose of seeking public comment and for review by the Clean Air Scientific Advisory Committee (CASAC) (meeting date and location to be specified in a separate **Federal Register** notice). It does not represent and should not be construed to represent any Agency policy, viewpoint, or determination. EPA will consider any public comments submitted in accordance with this notice when revising the document.

DATES: The public comment period begins on or about May 30, 2008. Comments must be received on or before July 25, 2008.

ADDRESSES: The “Draft Integrated Science Assessment for Sulfur Oxides—Health Criteria” will be available primarily via the Internet on the National Center for Environmental Assessment’s home page under the Recent Additions and Publications menus at <http://www.epa.gov/ncea>. A limited number of CD-ROM or paper copies will be available. Contact Ms. Ellen Lorang by phone (919-541-2771), fax (919-541-5078), or e-mail (lorang.ellen@epa.gov) to request either of these, and please provide your name, your mailing address, and the document title, “Draft Integrated Science Assessment for Sulfur Oxides—Health Criteria” (EPA/600/R-08/047) to facilitate processing of your request.

FOR FURTHER INFORMATION CONTACT: For technical information, contact Dr. Jee Young Kim, NCEA; telephone: 919-541-4157; facsimile: 919-541-2985; or e-mail: kim.jee-young@epa.gov.

SUPPLEMENTARY INFORMATION:**I. Information About the Document**

Section 108(a) of the Clean Air Act directs the Administrator to identify certain pollutants which “cause or contribute to air pollution which may reasonably be anticipated to endanger public health and welfare” and to issue air quality criteria for them. These air quality criteria are to “accurately reflect the latest scientific knowledge useful in indicating the kind and extent of all identifiable effects on public health or welfare which may be expected from the presence of [a] pollutant in the ambient air * * * ” Under section 109 of the Act, EPA is then to establish national ambient air quality standards (NAAQS) for each pollutant for which EPA has issued criteria. Section 109(d) of the Act subsequently requires periodic review and, if appropriate, revision of existing air quality criteria to reflect advances in scientific knowledge on the effects of the pollutant on public health and welfare. EPA is also to revise the NAAQS, if appropriate, based on the revised air quality criteria.

Sulfur oxides are one of six principal (or “criteria”) pollutants for which EPA has established NAAQS. Periodically, EPA reviews the scientific basis for

these standards by preparing an Integrated Science Assessment (ISA), formerly called an Air Quality Criteria Document (AQCD). The ISA and supplementary annexes, in conjunction with additional technical and policy assessments, provide the scientific basis for EPA decisions on the adequacy of a current NAAQS and the appropriateness of new or revised standards. The Clean Air Scientific Advisory Committee (CASAC), an independent science advisory committee mandated by the Clean Air Act and part of the EPA’s Science Advisory Board (SAB), is charged with independent expert scientific review of EPA’s draft ISAs.

On May 16, 2006 (71 FR 28023), EPA formally initiated its current review of the criteria for Sulfur Oxides, requesting the submission of recent scientific information on specified topics. A draft of EPA’s “Integrated Plan for Review of the Primary National Ambient Air Quality Standard for Sulfur Oxides” was made available in February 2007, for public comment and was discussed by the Clean Air Science Advisory Committee (CASAC) via a publicly accessible teleconference consultation on May 11, 2007 (72 FR 20336). The plan was finalized and made available in October, 2007 (http://www.epa.gov/ttn/naaqs/standards/so2/s_so2_cr_pd.html). In February 2007 (72 FR 6238), a workshop was held to discuss, with invited scientific experts, initial draft materials prepared in the development of the ISA and supplementary annexes for sulfur oxides. The first external review draft of this ISA was released for public comment and review by the CASAC on September 28, 2007 (72 FR 55207), and was reviewed by CASAC at a public meeting held on December 5-6, 2007 (72 FR 64216). This second draft document incorporates revisions to address comments raised by CASAC and the public.

The second external review draft ISA for Sulfur Oxides will be discussed at a public meeting for review by CASAC, and public comments received will be provided to the CASAC review panel. A future **Federal Register** notice will

inform the public of the exact date and time of that CASAC meeting.

II. How to Submit Technical Comments To the Docket at <http://www.regulations.gov>

Submit your comments, identified by Docket ID No. EPA-HQ-ORD 2006-0260, by one of the following methods:

- <http://www.regulations.gov>: Follow the on-line instructions for submitting comments.

- E-mail: ORD.Docket@epa.gov.

- Fax: 202-566-1753.

- Mail: Office of Environmental Information (OEI) Docket (Mail Code: 2822T), U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460. The phone number is 202-566-1752.

- *Hand Delivery*: The OEI Docket is located in the EPA Headquarters Docket Center, Room 3334, EPA West Building, 1301 Constitution Ave., NW., Washington, DC. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is 202-566-1744. Such deliveries are only accepted during the docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

If you provide comments by mail or hand delivery, please submit three copies of the comments. For attachments, provide an index, number pages consecutively with the comments, and submit an unbound original and three copies.

Instructions: Direct your comments to Docket ID No. EPA-HQ-ORD-2006-0260. Please ensure that your comments are submitted within the specified comment period. Comments received after the closing date will be marked "late," and may only be considered if time permits. It is EPA's policy to include all comments it receives in the public docket without change and to make the comments available online at <http://www.regulations.gov>, including any personal information provided, unless a comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through <http://www.regulations.gov> or e-mail. The <http://www.regulations.gov> Web site is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly

to EPA without going through <http://www.regulations.gov>, your e-mail address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses. For additional information about EPA's public docket visit the EPA Docket Center home page at <http://www.epa.gov/epahome/dockets.htm>.

Docket: Documents in the docket are listed in the <http://www.regulations.gov> index. Although listed in the index, some information is not publicly available, e.g., CBI or other information whose disclosure is restricted by statute. Certain other materials, such as copyrighted material, are publicly available only in hard copy. Publicly available docket materials are available either electronically in <http://www.regulations.gov> or in hard copy at the OEI Docket in the EPA Headquarters Docket Center.

Dated: May 22, 2008.

Peter W. Preuss,

Director, National Center for Environmental Assessment.

[FR Doc. E8-11977 Filed 5-29-08; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

(ER-FRL-6699-4)

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 April 11, 2008 (73 FR 19833).

Draft EISs

EIS No. 20080122, ERP No. D-UAF-K11120-NV, Nellis Air Force Base (AFB), Proposes to Base 36 F-35 Fighter Aircraft, Assigned to the Force Development Evaluation (FDE) Program and Weapons School (WS) Beddown, Clark County, NV.

Summary: EPA expressed environmental concerns about the increase in noise that would disproportionately affect minority and low-income populations in the vicinity of Nellis AFB. EPA recommended additional specific commitments to mitigate adverse noise effects; salvage, recycle, and reuse of demolition waste; and use of materials with recycled content. Rating EC2.

EIS No. 20080125, ERP No. D-FHW-E40820-NC, I-26 Connector Project, Proposed Multi-Lane Freeway from I-40 to U.S. 19-23-70 North of Asheville, Funding, U.S. Coast Guard Permit, U.S. Army COE Section 10 and 404 Permit, Buncombe County, Asheville, NC.

Summary: EPA has environmental concerns about impacts to streams, potential impacts to water quality, noise receptor impacts, invasive plant species impacts and potential impacts to historic properties. Rating EC1.

EIS No. 20080086, ERP No. DS-FTA-C54010-00, Access to the Region's Core Project, Additional Information on the Build Alternative, To Increase Trans-Hudson Commuter Rail Capacity, Improve System Safety and Reliability between Secaucus Junction Station in NJ and midtown Manhattan, Funding, Hudson County, NJ and New York County, NY.

Summary: EPA expressed environmental concerns about impacts to wetlands, as well as PM 2.5 emissions, landfill disruption and cumulative impacts. EPA requests the FEIS contain a wetland mitigation plan. Rating EC2.

Final EISs

EIS No. 20080081, ERP No. F-FHW-K40263-CA, Interstate 405 (San Diego Freeway) Sepulveda Pass Widening Project, Widening and High Occupancy Vehicle (HOV) Improvements from Interstate 10 to US-101 in the City of Los Angeles, Preferred Alternative is 2, Los Angeles County, CA.

Summary: EPA continues to have environmental concerns about potential water and air quality impacts and impacts from noise, and recommends addressing these issues prior to issuing the Record of Decision.

EIS No. 20080118, ERP No. F-FAA-K51043-CA, Horizon Air Service to Mammoth Yosemite Airport Project, Proposed Operations Specifications Amendment to Provide Scheduled Air Service, Town of Mammoth Lakes, Mono County, CA.

Summary: No formal comment letter was sent to the preparing agency.

EIS No. 20080121, ERP No. F-FHW-F40818-00, Interstate I-94, I-43, I-894, and WI-119 (Airport Spur) I-94/USH 41 Interchange to Howard Avenue, To Address Freeway System's Deteriorated Conditions, Funding and U.S. Army COE Section 404 Permit, Kenosha, Racine, and Milwaukee Counties, WI and Lake County, IL.

Summary: EPA has environmental concerns about the proposed project regarding compensatory wetland mitigation sites, mobile source air toxics, and air quality mitigation efforts. EPA recommends the use of clean diesel strategies during construction.

EIS No. 20080123, ERP No. F-NPS-F65066-MN, Pipestone National Monument General Management Plan, Implementation, Pipestone County, MN.

Summary: EPA continues to express environmental concerns with off-site impacts from land use and development surrounding the site and the need for additional noise mitigation measures.

EIS No. 20080138, ERP No. F-NOA-G64007-00, Reef Fish Amendment 30A: Greater Amberjack—Revise Rebuilding Plan, Accountability Measures: Gray Triggerfish—Establish Rebuilding Plan, End Overfishing, Accountability Measures, Regional Management, Management Thresholds and Benchmarks, Gulf of Mexico.

Summary: No formal comment letter was sent to the preparing agency.

EIS No. 20080149, ERP No. F-SFW-K99037-AZ, Horseshoe and Bartlett Reservoirs Project, To Store and Release Water, Issuance of an Incidental Take Permit for Operation, Located Northeast of Phoenix, Maricopa and Yavapai Counties, AZ.

Summary: No formal comment letter was sent to the preparing agency.

Dated: May 27, 2008.

Ken Mittelholtz,

Environmental Protection Specialist, Office of Federal Activities.

[FR Doc. E8-12095 Filed 5-29-08; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-6699-3]

Environmental Impact Statements; Notice of Availability

Responsible Agency: Office of Federal Activities, General Information (202) 564-7167 or <http://www.epa.gov/compliance/nepa/>.

Weekly receipt of Environmental Impact Statements.

Filed 05/19/2008 Through 05/23/2008. Pursuant to 40 CFR 1506.9.

EIS No. 20080204, Draft EIS, APH, 00, Programmatic—Use of Genetically Engineered Fruit Fly and Pink Bollworm in APHIS Plant Pest Control Programs, Implementation, Comment Period Ends: 07/14/2008, Contact: David A. Bergsten 301-734-6103.

EIS No. 20080205, Revised Final EIS, FHW, TX, Grand Parkway (State Highway 99) Selected the Preferred Alternative Corridor for Segment F-2 from SH 249 to IH 45, Right-of-Way Permit and U.S. Army COE Section 404 Permit, Harris County, TX, Wait Period Ends: 07/10/2008, Contact: Randy Paulk 512-536-5961.

EIS No. 20080206, Draft EIS, COE, CA, Middle Harbor Redevelopment Project, Proposal to Increase Container Terminal Efficiency to Accommodate a Portion of the Predicted Future Containerized Cargo, Section 10 and 404 Permits, Port of Long Beach, Los Angeles County, CA, Comment Period Ends: 07/11/2008, Contact: Antal Szijj 805-585-2147.

EIS No. 20080207, Final EIS, USN, FL, Shock Trail of the MESA VERDE (LPD 19), San Antonio (LPD 17) Class Ship designated as the Shock Ship for Proposed Shock Trail, Possible Offshore Locations are Naval Station Norfolk, VA; Naval Station Mayport, FL; and Naval Air Station Pensacola, FL, Wait Period Ends: 06/30/2008, Contact: Donald Shaver 703-412-7521.

EIS No. 20080208, Final EIS, NRC, OK, Sequoyah Fuels Corporation Site, Proposed Reclamation Activities for the 243-hectare (600 acre) Site, (NUREG-1888) in Gore, OK, Wait Period Ends: 06/30/2008, Contact: Allen H. Fetter 301-415-8556.

EIS No. 20080209, Draft EIS, AFS, WY, Inyan Kara Analysis Area Vegetation Management, Proposes to Implement Best Management Livestock Grazing Practices and Activities Associated with Adaptive Management and Monitoring Strategies, Douglas Ranger District, Medicine Bow Routt National

Forest and Thunder Basin National Grassland, Niobrara and Weston Counties, WY, Comment Period Ends: 07/14/2008, Contact: Ernie Gipson 307-358-4960.

EIS No. 20080210, Draft Supplement, FHW, IN, US 31 Improvement Project (I-465 to IN 38), between I-465 North Leg and IN-38, Updated Information, NPDES Permit and U.S. Army Section 10 and 404 Permits, Hamilton County, IN, Comment Period Ends: 07/25/2008, Contact: Larry Heil 317-226-7480.

EIS No. 20080211, Final EIS, FRA, CA, Bay Area to Central Valley High-Speed Train (HST) Project, Provide a Reliable High-Speed Electrified Train System to Link Bay Area Cities to the Central Valley, Sacramento, and South California, Wait Period Ends: 06/30/2008, Contact: David Valenstein 202-493-6368.

EIS No. 20080212, Final EIS, BIA, WA, Cowlitz Indian Tribe Trust Acquisition and Casino Project, Take 151.87 Acres into Federal Trust and Issuing of Reservation Proclamation, and Approving the Gaming Development and Management Contract, Clack County, WA, Wait Period Ends: 06/30/2008, Contact: B.J. Howerton 503-231-6749.

EIS No. 20080213, Final EIS, COE, NC, PCS Phosphate Mine Continuation, New Information on Additional Alternative "L" and "M", Proposes to Expand its Existing Open Pit Phosphate Mining Operation into a 3,412 Acre Tract, Pamlico River and South Creek, near Aurora, Beaufort County, NC, Wait Period Ends: 06/30/2008, Contact: Tom Walker 828-271-7980 Ext 222.

EIS No. 20080214, Final EIS, AFS, ID, Yakus Creek Project, Proposes Timber Harvest, Watershed Improvement, and Access Management Activities, Lochsa Ranger District, Clearwater National Forest, Idaho County, ID, Wait Period Ends: 06/30/2008, Contact: Craig Trulock 208-926-4274.

Amended Notices

EIS No. 20080167, Draft EIS, COE, CO, Northern Integrated Supply Project, Construction and Operation of a Regional Water Supply to Serve the Current and Future Water Needs of 12 Towns and Water District, Approval of Section 404 Permit Application, Northern Colorado Water Conservancy District, Larimer and Weld Counties, CO, Comment Period Ends: 07/30/2008, Contact: Chandler J. Peter 303-979-4120. Revision of FR Notice Published: Extending the Comment Period from 06/30/2008 to 07/30/2008.

Dated: May 27, 2008.

Ken Mittelholtz,

Environmental Protection Specialist, Office of Federal Activities.

[FR Doc. E8-12096 Filed 5-29-08; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-ORD-2007-0484; FRL-8574-1]

Board of Scientific Counselors, National Center for Environmental Research (NCER) Standing Subcommittee Meeting—2008

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of Meeting.

SUMMARY: Pursuant to the Federal Advisory Committee Act, Public Law 92-463, the Environmental Protection Agency, Office of Research and Development (ORD), gives notice of a meeting of the Board of Scientific Counselors (BOSC) National Center for Environmental Research (NCER) Standing Subcommittee.

DATES: The meeting (a teleconference call) will be held on Tuesday, June 24, 2008, from 1 p.m. to 3 p.m. All times noted are eastern time. The meeting may adjourn early if all business is finished. Requests for the draft agenda or for making oral presentations at the conference call will be accepted up to 1 business day before the meeting.

ADDRESSES: Participation in the meeting will be by teleconference only—meeting rooms will not be used. Members of the public may obtain the call-in number and access code for the call from Susan Peterson, whose contact information is listed under the **FOR FURTHER INFORMATION CONTACT** section of this notice. Submit your comments, identified by Docket ID No. EPA-HQ-ORD-2007-0484, by one of the following methods:

- *http://www.regulations.gov:* Follow the on-line instructions for submitting comments.

- *E-mail:* Send comments by electronic mail (e-mail) to: ORD.Docket@epa.gov, Attention Docket ID No. EPA-HQ-ORD-2007-0484.

- *Fax:* Fax comments to: (202) 566-0224, Attention Docket ID No. EPA-HQ-ORD-2007-0484.

- *Mail:* Send comments by mail to: Board of Scientific Counselors, National Center for Environmental Research (NCER) Standing Subcommittee—2007 Docket, Mailcode: 28221T, 1200 Pennsylvania Ave., NW., Washington, DC 20460, Attention Docket ID No. EPA-HQ-ORD-2007-0484.

- *Hand Delivery or Courier.* Deliver comments to: EPA Docket Center (EPA/DC), Room B102, EPA West Building, 1301 Constitution Avenue, NW., Washington, DC, Attention Docket ID No. EPA-HQ-ORD-2007-0484. Note: this is not a mailing address. Such deliveries are only accepted during the docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

Instructions: Direct your comments to Docket ID No. EPA-HQ-ORD-2007-0484. EPA's policy is that all comments received will be included in the public docket without change and may be made available online at <http://www.regulations.gov>, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through <http://www.regulations.gov> or e-mail. The <http://www.regulations.gov> Web site is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through <http://www.regulations.gov>, your e-mail address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses. For additional information about EPA's public docket visit the EPA Docket Center homepage at <http://www.epa.gov/epahome/dockets.htm>.

Docket: All documents in the docket are listed in the <http://www.regulations.gov> index. Although listed in the index, some information is not publicly available, e.g., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in hard copy. Publicly available docket materials are available either electronically in <http://www.regulations.gov> or in hard copy at the Board of Scientific Counselors,

National Center for Environmental Research (NCER) Standing Subcommittee—2007 Docket, EPA/DC, EPA West, Room B102, 1301 Constitution Ave., NW., Washington, DC. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the ORD Docket is (202) 566-1752.

FOR FURTHER INFORMATION CONTACT: The Designated Federal Officer via mail at: Susan Peterson, Mail Code 8104-R, Office of Science Policy, Office of Research and Development, Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20460; via phone/voice mail at: (202) 564-1077; via fax at: (202) 565-2911; or via e-mail at: peterson.susan@epa.gov.

SUPPLEMENTARY INFORMATION:

General Information

Participation in the meeting will be by teleconference only—meeting rooms will not be used. Members of the public who wish to obtain the call-in number and access code to participate in the conference call may contact Susan Peterson, the Designated Federal Officer, via any of the contact methods listed in the **FOR FURTHER INFORMATION CONTACT** section above, by 4 working days prior to the conference call.

The purpose of the meeting is to discuss the subcommittee's draft letter report. Proposed agenda items for the conference call include, but are not limited to: Clarification for NCER of two of the recommendations from the final letter report and discussion of NCER's next charge question(s). The conference call is open to the public.

Information on Services for Individuals With Disabilities: For information on access or services for individuals with disabilities, please contact Susan Peterson at (202) 564-1077 or peterson.susan@epa.gov. To request accommodation of a disability, please contact Susan Peterson, preferably at least 10 days prior to the meeting, to give EPA as much time as possible to process your request.

Dated: May 22, 2008.

Maryellen Radzikowski,

Acting Director, Office of Science Policy.

[FR Doc. E8-12093 Filed 5-29-08; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY**[EPA-HQ-ORD-2008-0355; FRL-8573-9]****Human Studies Review Board; Notice of Public Meeting****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Notice.

SUMMARY: The U.S. Environmental Protection Agency's (EPA or Agency) Office of the Science Advisor (OSA) announces a public meeting of the Human Studies Review Board (HSRB) to advise the Agency on EPA's scientific and ethical review of human subjects research.

Dates: The public meeting will be held from June 24–June 25, 2008 from 8:30 a.m. to approximately 5:30 p.m., Eastern Time (However, the second day may not be needed).

Location: Environmental Protection Agency, Conference Center—Lobby Level, One Potomac Yard (South Bldg.), 2777 S. Crystal Drive, Arlington, VA 22202.

Meeting Access: Seating at the meeting will be on a first-come basis. To request accommodation of a disability please contact the person listed under **FOR FURTHER INFORMATION CONTACT** at least 10 business days prior to the meeting, to allow EPA as much time as possible to process your request.

Procedures for Providing Public Input: Interested members of the public may submit relevant written or oral comments for the HSRB to consider during the advisory process. Additional information concerning submission of relevant written or oral comments is provided in Unit I.D. of this notice.

ADDRESSES: Submit your written comments, identified by Docket ID No. EPA-HQ-ORD-2008-0355, by any of the following methods:

Internet: <http://www.regulations.gov>: Follow the on-line instructions for submitting comments.

E-mail: ORD.Docket@epa.gov.

USPS Mail: Environmental Protection Agency, EPA Docket Center (EPA/DC), ORD Docket, Mailcode: 28221T, 1200 Pennsylvania Ave., NW., Washington, DC 20460.

Hand or Courier Delivery: The EPA/DC Public Reading Room is located in the EPA Headquarters Library, Room Number 3334 in the EPA West Building, located at 1301 Constitution Ave., NW., Washington DC. The hours of operation are 8:30 a.m. to 4:30 p.m. Eastern Standard Time (EST), Monday through Friday, excluding Federal holidays. Please call (202) 566-1744 or e-mail the

ORD Docket at ord.docket@epa.gov for instructions. Updates to Public Reading Room access are available on the Web site (<http://www.epa.gov/epahome/dockets.htm>).

Instructions: Direct your comments to Docket ID No. EPA-HQ-ORD-2008-0355. EPA's policy is that all comments received will be included in the public docket without change and may be made available online at <http://www.regulations.gov>, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information through <http://www.regulations.gov> or e-mail that you consider to be CBI or otherwise protected from disclosure. The <http://www.regulations.gov> Web site is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA, without going through <http://www.regulations.gov>, your e-mail address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

FOR FURTHER INFORMATION CONTACT: Any member of the public who wishes further information should contact Lu-Ann Kleibacker, EPA, Office of the Science Advisor, (8105R), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (202) 564-7189; fax: (202) 564-2070; e-mail address: kleibacker.lu-ann@epa.gov. General information concerning the EPA HSRB can be found on the EPA Web site at <http://www.epa.gov/osa/hsrb/>.

SUPPLEMENTARY INFORMATION:**I. Public Meeting****A. Does This Action Apply to Me?**

This action is directed to the public in general. This action may, however, be of particular interest to persons who conduct or assess human studies, especially studies on substances

regulated by EPA and to persons who may sponsor or conduct research with human subjects with the intention to submit it to EPA for consideration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) or section 408 under the Federal Food, Drug, and Cosmetic Act (FFDCA). Since other entities may also be interested, the Agency has not attempted to describe all the specific entities that may be affected by this action. If you have any questions regarding the applicability of this action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

B. How Can I Access Electronic Copies of This Document and Other Related Information?

You may access this **Federal Register** document electronically either through <http://www.regulations.gov> or through the EPA Web site under the **Federal Register** listings at <http://www.epa.gov/fedrgstr/>.

Docket: All documents in the docket are listed in the <http://www.regulations.gov> index under the docket number. Even though it will be listed by title in the index, some information is not publicly available, e.g., CBI or other information whose disclosure is restricted by statute. Copyright material will be publicly available only in hard copy. Publicly available docket materials are available either electronically in <http://www.regulations.gov> or in hard copy at the ORD Docket, EPA/DC, Public Reading Room. The EPA/DC Public Reading Room is located in the EPA Headquarters Library, Room Number 3334 in the EPA West Building, located at 1301 Constitution Ave., NW., Washington, DC. The hours of operation are 8:30 a.m. to 4:30 p.m. EST, Monday through Friday, excluding Federal holidays. Please call (202) 566-1744 or e-mail the ORD Docket at ord.docket@epa.gov for instructions. Updates to Public Reading Room access are available on the Web site (<http://www.epa.gov/epahome/dockets.htm>). EPA's position paper(s), charge/questions to the HSRB, and the meeting agenda are anticipated to be available by late May 2008, if not earlier. In addition, the Agency may provide additional background documents as the materials become available. You may obtain electronic copies of these documents, and certain other related documents that might be available electronically, from the [regulations.gov](http://www.regulations.gov) Web site and the HSRB Web site at <http://www.epa.gov/osa/hsrb/>. For questions on document availability or if you do not have access

to the Internet, consult the person listed under **FOR FURTHER INFORMATION**.

C. What Should I Consider as I Prepare My Comments for EPA?

You may find the following suggestions helpful for preparing your comments:

- a. Explain your views as clearly as possible.
- b. Describe any assumptions that you used.
- c. Provide copies of any technical information and/or data you used that support your views.
- d. Provide specific examples to illustrate your concerns and suggest alternatives.
- e. To ensure proper receipt by EPA, be sure to identify the docket ID 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.

D. How May I Participate in This Meeting?

You may participate in this meeting by following the instructions in this section. To ensure proper receipt by EPA, it is imperative that you identify docket ID number EPA-HQ-ORD-2008-0355 in the subject line on the first page of your request.

a. *Oral comments.* Requests to present oral comments will be accepted up to June 17, 2008. To the extent that time permits, interested persons who have not pre-registered may be permitted by the Chair of the HSRB to present oral comments at the meeting. Each individual or group wishing to make brief oral comments to the HSRB is strongly advised to submit their request (preferably via e-mail) to the person listed under **FOR FURTHER INFORMATION CONTACT** no later than noon, Eastern Time, June 17, 2008 in order to be included on the meeting agenda and to provide sufficient time for the HSRB Chair and HSRB Designated Federal Officer (DFO) to review the agenda to provide an appropriate public comment period. The request should identify the name of the individual making the presentation, the organization (if any) the individual will represent, and any requirements for audiovisual equipment (e.g., overhead projector, LCD projector, chalkboard). Oral comments before the HSRB are limited to five minutes per individual or organization. Please note that this limit applies to the cumulative time used by all individuals appearing either as part of, or on behalf of an organization. While it is our intent to hear a full range of oral comments on the science and ethics issues under discussion, it is not our intent to permit

organizations to expand these time limitations by having multiple individuals sign up separately to speak on their behalf. Each speaker should bring 25 copies of his or her comments and presentation slides for distribution to the HSRB at the meeting. At the discretion of the Board Chair and DFO, public commenters, if present during the Board's discussion, may be asked to provide clarification of their comments to assist the Board in their discussion.

b. *Written comments.* Although you may submit written comments at any time, for the HSRB to have the best opportunity to review and consider your comments as it deliberates on its report, you should submit your comments at least five business days prior to the beginning of the meeting. If you submit comments after this date, those comments will be provided to the Board members, but you should recognize that the Board members may not have adequate time to consider those comments prior to making a decision. Thus, if you plan to submit written comments, the Agency strongly encourages you to submit such comments no later than noon, Eastern Time, June 17, 2008. You should submit your comments using the instructions in Unit I.C. of this notice. In addition, the Agency also requests that person(s) submitting comments directly to the docket also provide a copy of their comments to the person listed under **FOR FURTHER INFORMATION CONTACT**. There is no limit on the length of written comments for consideration by the HSRB.

E. Background

1. Human Studies Review Board

The HSRB is a Federal advisory committee operating in accordance with the Federal Advisory Committee Act (FACA) 5 U.S.C. App.2 § 9. The HSRB provides advice, information, and recommendations to EPA on issues related to scientific and ethical aspects of human subjects research. The major objectives of the HSRB are to provide advice and recommendations on: (a) Research proposals and protocols; (b) reports of completed research with human subjects; and (c) how to strengthen EPA's programs for protection of human subjects of research. The HSRB reports to the EPA Administrator through EPA's Science Advisor.

2. Topics for Discussion

For this meeting of the HSRB, the Board will present for HSRB review scientific and ethical issues surrounding:

- The Governing Document, the compilation of Standard Operating Procedures, the scenario design document, and two associated protocols from the Agricultural Handlers Exposure Task Force (AHETF), which collectively describe research to monitor exposure of subjects who apply an agricultural pesticide using airblast equipment in closed cabs.
- A report from a completed laboratory study to evaluate the efficacy in repelling mosquitoes of the genus *Culex* of two registered products containing picaridin.

The Board may also be reviewing its draft April 9–10, 2008 meeting report for subsequent Board approval. In addition, the HSRB may also discuss planning for future HSRB meetings.

3. Meeting Minutes and Reports

Minutes of the meeting, summarizing the matters discussed and recommendations, if any, made by the advisory committee regarding such matters will be released within 90 calendar days of the meeting. Such minutes will be available at <http://www.epa.gov/osa/hsrb/> and <http://www.regulations.gov>. In addition, information concerning a Board meeting report, if applicable, can be found at <http://www.epa.gov/osa/hsrb/> or from the person listed under **FOR FURTHER INFORMATION CONTACT**.

Dated: May 23, 2008.

George Gray,

EPA Science Advisor.

[FR Doc. E8-12144 Filed 5-29-08; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL COMMUNICATIONS COMMISSION

Notice of Public Information Collection(s) Being Submitted for Review to the Office of Management and Budget, Comments Requested

May 27, 2008.

SUMMARY: As part of its continuing effort to reduce paperwork burden and as required by the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501–3520), the Federal Communications Commission invites the general public and other Federal agencies to comment on the following information collection(s). Comments are requested concerning (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimate; (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 the respondents, including the use of automated collection techniques or other forms of information technology. An agency may not conduct or sponsor a collection of information unless it displays a currently valid OMB control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act that does not display a valid OMB control number.

DATES: Written PRA comments should be submitted on or before June 30, 2008. If you anticipate that you will be submitting PRA comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the FCC contact listed below as soon as possible.

ADDRESSES: Submit your comments to Nicholas A. Fraser, Office of Management and Budget (e-mail address: nfraser@omb.eop.gov), and to the Federal Communications Commission's PRA mailbox (e-mail address: PRA@fcc.gov). Include in the e-mails the OMB control number of the collection as shown in the **SUPPLEMENTARY INFORMATION** section below or, if there is no OMB control number, the Title as shown in the **SUPPLEMENTARY INFORMATION** section. If you are unable to submit your comments by e-mail contact the person listed below to make alternate arrangements.

FOR FURTHER INFORMATION CONTACT: For additional information contact Jerry Coyden via e-mail at PRA@fcc.gov or at (202) 418-0447. To view or obtain a copy of an information collection request (ICR) submitted to OMB: (1) Go to this OMB/GSA Web page: <http://www.reginfo.gov/public/do/PRAMain>, (2) look for the section of the Web page called "Currently Under Review," (3) click on the downward-pointing arrow in the "Select Agency" box below the "Currently Under Review" heading, (4) select "Federal Communications Commission" from the list of agencies presented in the "Select Agency" box, (5) click the "Submit" button to the right of the "Select Agency" box, and (6) when the list of FCC ICRs currently under review appears, look for the OMB control number of the ICR you want to view (or its title if there is no OMB control number) and then click on the ICR Reference Number. A copy of the FCC submission to OMB will be displayed.

SUPPLEMENTARY INFORMATION:

OMB Control Number: 3060-0805.
Title: 700 MHz Eligibility, Regional Planning Requirements, Interference Protection Criteria and 4.9 GHz Guidelines (47 CFR 90.523, 90.527, 90.545, and 90.1211).

Form Number: Not applicable.

Type of Review: Revision of a currently approved collection.

Respondents: Business or other for-profit; not-for-profit institutions; state, local or tribal government.

Number of Respondents and

Responses: 15,116 respondents; 21,116 responses.

Estimated Time per Response: 2.89236 hours (range of 30 minutes to 628 hours).

Frequency of Response: On occasion reporting and one-time reporting requirements; third party disclosure.

Obligation to Respond: Mandatory (47 CFR 90.523); required to obtain or retain benefits (47 CFR 90.523, 90.527, and 90.545); and voluntary.

Total Annual Burden: 61,075 hours.

Total Annual Cost: None.

Privacy Act Impact Assessment: No impact.

Nature and Extent of Confidentiality: There is no need for confidentiality.

Needs and Uses: *Section 90.523* requires that nongovernmental organizations that provide services which protect the safety of life or property obtain a written statement from an authorizing state or local government entity to support the nongovernmental organization's application for assignment of 700 MHz frequencies. *Section 90.527* requires 700 MHz regional planning committees to submit a plan for use of the 700 MHz general use spectrum in the consolidated narrowband segment 763-775 MHz and 793-805 MHz. It advocates a fair and open process in developing allocation assignments by requiring input from eligible entities in the allocation decisions and the application technical review/approval process. Entities that seek inclusion in the plan to obtain future licenses are considered third party respondents. *Section 90.545* TV/DTV interference protection criteria, provides that public safety base, control and mobile transmitters in the 763-775 MHz and 793-805 MHz band applicants select one of three ways to meet the TV/DTV interference protection requirements: (1) By utilizing geographic separation in the rule; (2) submitting an engineering study to justify other separations, or (3) obtain concurrence from applicable TV/DTV station(s). *Section 90.1211* authorizes the fifty-five 700 MHz regional planning committees to develop and submit on a voluntary basis a plan on guidelines for

coordination procedures to facilitate the shared use of 4940-4990 MHz (4.9 GHz) band. Applicants are granted a geographic area license for the entire fifty MHz of 4.9 GHz spectrum over a geographical area defined by the boundaries of their jurisdiction—city, county or state. Accordingly, licensees are required to coordinate their operations in the shared band to avoid interference, a common practice when joint operations are conducted.

Commission staff will use the information to assign licenses, determine regional spectrum requirements and to develop technical standards. The information will also be used to determine whether prospective licensees operate in compliance with the Commission's rules. Without such information, the Commission could not accommodate regional requirements or provide for the efficient use of the available frequencies. Information provided to, or exchanged among, third parties will be used to establish eligibility and to prevent harmful interference. This information collection request includes rules to govern the operation and licensing of the 700 MHz and 4.9 GHz bands to ensure that licensees continue to fulfill their statutory responsibilities in accordance with the Communications Act of 1934, as amended. Such information will continue to be used to minimize interference, verify that applicants are legally and technically qualified to hold licenses, and to determine compliance with Commission rules.

Federal Communications Commission.

Marlene H. Dortch,

Secretary.

[FR Doc. E8-12106 Filed 5-29-08; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL RESERVE SYSTEM

Federal Open Market Committee; Domestic Policy Directive of April 29-30, 2008

In accordance with § 271.25 of its rules regarding availability of information (12 CFR part 271), there is set forth below the domestic policy directive issued by the Federal Open Market Committee at its meeting held on April 29-30, 2008.¹

¹ Copies of the Minutes of the Federal Open Market Committee meeting on April 29-30, 2008, which includes the domestic policy directive issued at the meeting, are available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551. The minutes are published in the Federal Reserve Bulletin and in the Board's annual report.

The Federal Open Market Committee seeks monetary and financial conditions that will foster price stability and promote sustainable growth in output. To further its long-run objectives, the Committee in the immediate future seeks conditions in reserve markets consistent with reducing the federal funds rate at an average of around 2 percent.

By order of the Federal Open Market Committee, May 22, 2008.

Brian F. Madigan,

Secretary, Federal Open Market Committee.
[FR Doc. E8-12064 Filed 5-29-08; 8:45 am]

BILLING CODE 6210-01-S

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 applications 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 Web site 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 June 25, 2008.

A. Federal Reserve Bank of Kansas City (Todd Offenbacher, Assistant Vice President) 1 Memorial Drive, Kansas City, Missouri 64198-0001:

1. *Equity Bancshares, Inc.*, Andover, Kansas, to acquire 100 percent of the voting shares of Ellis State Bank, Ellis, Kansas.

Board of Governors of the Federal Reserve System, May 27, 2008.

Robert deV. Frierson,

Deputy Secretary of the Board.

[FR Doc. E8-12071 Filed 5-29-08; 8:45 am]

BILLING CODE 6210-01-S

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention (CDC)

Board of Scientific Counselors, National Center for Health Marketing, (BSC, NCHM)

Correction: This notice was published in the **Federal Register** on May 22, 2008, Volume 73, Number 100, page 29759. The Committee will now convene as follows:

June 5, 2008

10 a.m.–12 p.m.: CDC, Auditorium A, Building 19, 1600 Clifton Road, NE., Atlanta, Georgia 30333.

1 p.m.–5 p.m.: CDC, Room 247–248, Building 19, 1600 Clifton Road, NE., Atlanta, Georgia 30333.

June 6, 2008

8:30 a.m.–12:30 p.m.: CDC, Room 245–246, Building 19, 1600 Clifton Road, NE., Atlanta, Georgia 30333.

The Director, Management Analysis and Services Office, has been delegated the authority to sign **Federal Register** notices pertaining to announcements of meetings and other committee management activities, for both CDC and the Agency for Toxic Substances and Disease Registry.

Dated: May 23, 2008.

Elaine L. Baker,

Director, Management Analysis and Services Office, Centers for Disease Control and Prevention.

[FR Doc. E8-12125 Filed 5-29-08; 8:45 am]

BILLING CODE 4163-18-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[Document Identifier: CMS-10266, CMS-855S and CMS-10264]

Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: Centers for Medicare & Medicaid Services.

In compliance with the requirement of section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, the Centers for Medicare & Medicaid Services (CMS) is publishing the following summary of proposed collections for public comment. Interested persons are invited to send comments regarding this burden estimate or any other aspect of this collection of information, including any of the following subjects: (1) The necessity and utility of the proposed information collection for the proper performance of the agency's functions; (2) the accuracy of the estimated burden; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

1. *Type of Information Collection Request:* New collection; *Title of Information Collection:* Conditions of Participation: Requirements for Approval and Reapproval of Transplant Centers to Perform Organ Transplants and Supporting Regulations in 42 CFR 482.74, 482.94, 482.100, 482.102, 488.61; *Use:* The Conditions of Participation and accompanying requirements specified in the regulations are used by our surveyors as a basis for determining whether a transplant center qualifies for approval or re-approval under Medicare. CMS and the healthcare industry believe that the availability to the facility of the type of records and general content of records is standard medical practice and is necessary in order to ensure the well-being and safety of patients and professional treatment accountability. *Form Number:* CMS-10266 (OMB# 0938-New); *Frequency:* Yearly; *Affected Public:* Business or other for-profits and not-for-profit institutions; *Number of Respondents:* 514; *Total Annual Responses:* 3,270; *Total Annual Hours:* 9,334.

2. *Type of Information Collection Request:* New collection; *Title of Information Collection:* Medicare

Enrollment Application—Durable Medical Equipment, Prosthetics, Orthotics and Supplies (DMEPOS) Suppliers and Supporting Regulations in 42 CFR 424.57 and 424.58; *Use:* CMS is revising the CMS-855 Medicare Enrollment Applications Package (OMB No. 0938-0685) to remove the CMS-855S application from its collection. CMS has found that the regulations governing the standards required of suppliers of durable medical equipment, prosthetics, orthotics and supplies (DMEPOS) are revised and increased more frequently than the other provider types reimbursed by Medicare. Consequently, CMS must revise the CMS 855S application for DMEPOS suppliers more often than the CMS 855A, CMS 855B, CMS 855I and CMS 855R enrollment applications. The ability to revise the CMS 855S separately from the other CMS 855 enrollment applications will lessen the burden on both CMS and the public as only one subset of suppliers will be effected by CMS 855S revisions. CMS intends to maintain the continuity of the CMS 855 enrollment applications by using the same formats and lay-out of the current CMS 855 enrollment applications, regardless of the separation of the CMS 855S from the collective enrollment application package. The primary function of the CMS 855S DMEPOS supplier enrollment application is to gather information from a supplier that tells us who it is, whether it meets certain qualifications to be a health care supplier, where it renders its services or supplies, the identity of the owners of the enrolling entity, and information necessary to establish the correct claims payment. *Form Number:* CMS-855S (OMB# 0938-New); *Frequency:* Yearly; *Affected Public:* Business or other for-profit and not-for-profit institutions; *Number of Respondents:* 126,134; *Total Annual Responses:* 126,134; *Total Annual Hours:* 149,234.

3. *Type of Information Collection Request:* New collection; *Title of Information Collection:* Medicare Registration Summary and Medication History Personal Health Record Evaluation; *Use:* In 2006, the American Health Information Community (AHIC) Consumer Empowerment Workgroup (CEWG) made a recommendation to CMS to pilot programs that measure and demonstrate the value of Personal Health Records (PHRs) for patients with chronic diseases and their clinicians. For this information collection, CMS has proposed to evaluate the uptake, use, and perceived value of a Registration Summary and Medication

History PHR tool for Medicare Managed Care and/or Part D Drug Plan Beneficiaries. Seven commercial health plans volunteered to integrate the PHR pilot tool within their existing PHRs, and these plans are offering the tool to member beneficiaries at no cost. CMS will examine how the PHRs were used by the beneficiaries, caregivers and providers and if they were perceived to improve the quality of the beneficiary/provider communication; timeliness of preventive screenings; and ease of use or value of information to individuals with chronic conditions. *Form Number:* CMS-10264 (OMB# 0938-New); *Frequency:* Once; *Affected Public:* Individuals or households, private sector; *Number of Respondents:* 2,167; *Total Annual Responses:* 2,167; *Total Annual Hours:* 1083.5.

To obtain copies of the supporting statement and any related forms for the proposed paperwork collections referenced above, access CMS' Web Site address at <http://www.cms.hhs.gov/PaperworkReductionActof1995>, or E-mail your request, including your address, phone number, OMB number, and CMS document identifier, to Paperwork@cms.hhs.gov, or call the Reports Clearance Office on (410) 786-1326.

In commenting on the proposed information collections please reference the document identifier or OMB control number. To be assured consideration, comments and recommendations must be submitted in one of the following ways by July 29, 2008:

1. *Electronically.* You may submit your comments electronically to <http://www.regulations.gov>. Follow the instructions for "Comment or Submission" or "More Search Options" to find the information collection document(s) accepting comments.

2. *By regular mail.* You may mail written comments to the following address: CMS, Office of Strategic Operations and Regulatory Affairs, Division of Regulations Development, Attention: Document Identifier/OMB Control Number _____, Room C4-26-05, 7500 Security Boulevard, Baltimore, Maryland 21244-1850.

Dated: May 22, 2008.

Michelle Shortt,

Director, Regulations Development Group, Office of Strategic Operations and Regulatory Affairs.

[FR Doc. E8-12069 Filed 5-29-08; 8:45 am]

BILLING CODE 4120-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[Document Identifier: CMS-10114]

Agency Information Collection Activities: Submission for OMB Review; Comment Request

AGENCY: Centers for Medicare & Medicaid Services.

In compliance with the requirement of section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, the Centers for Medicare & Medicaid Services (CMS), Department of Health and Human Services, is publishing the following summary of proposed collections for public comment. Interested persons are invited to send comments regarding this burden estimate or any other aspect of this collection of information, including any of the following subjects: (1) The necessity and utility of the proposed information collection for the proper performance of the Agency's function; (2) the accuracy of the estimated burden; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

1. *Type of Information Collection Request:* Extension of a currently approved collection; *Title of Information Collection:* National Provider Identifier (NPI) Application and Update Form and Supporting Regulations in 45 CFR 142.408, 45 CFR 162.406, 45 CFR 162.408; *Use:* The National Provider Identifier (NPI) Application and Update Form is used by health care providers to apply for NPIs and furnish updates to the information they supplied on their initial applications. The form is also used to deactivate their NPIs if necessary. The NPI Application/Update form has been revised to further assist in uniquely identifying health care providers and provide additional guidance on how to accurately complete the form. The form captures additional data elements that will assist with unique identification. It also includes more detailed instructions. *Form Number:* CMS-10114 (OMB#: 0938-0931); *Frequency:* Reporting—On occasion, one-time; *Affected Public:* Business or other for-profit, not-for-profit institutions, and Federal government; *Number of Respondents:* 325,608; *Total Annual Responses:* 325,608; *Total Annual Hours:* 108,560.

To obtain copies of the supporting statement and any related forms for the proposed paperwork collections referenced above, access CMS Web site address at <http://www.cms.hhs.gov/PaperworkReductionActof1995>, or E-mail your request, including your address, phone number, OMB number, and CMS document identifier, to Paperwork@cms.hhs.gov, or call the Reports Clearance Office on (410) 786-1326.

To be assured consideration, comments and recommendations for the proposed information collections must be received by the OMB desk officer at the address below, no later than 5 p.m. on June 30, 2008.

OMB Human Resources and Housing Branch, Attention: Carolyn Raffaelli, New Executive Office Building, Room 10235, Washington, DC 20503, Fax Number: (202) 395-6974.

Dated: May 22, 2008.

Michelle Shortt,

Director, Regulations Development Group, Office of Strategic Operations and Regulatory Affairs.

[FR Doc. E8-12070 Filed 5-29-08; 8:45 am]

BILLING CODE 4120-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[CMS-1550-NC]

Medicare and Medicaid Programs; Announcement of an Application From a Hospital Requesting Waiver for Organ Procurement Service Area

AGENCY: Centers for Medicare & Medicaid Services (CMS), HHS.

ACTION: Notice with comment period.

SUMMARY: This notice announces a hospital's request for a waiver from entering into an agreement with its designated Organ Procurement Organization (OPO), in accordance with section 1138(a)(2) of the Social Security Act (the Act). This notice requests comments from OPOs and the general public for our consideration in determining whether we should grant the requested waiver.

DATES: *Comment Date:* To be assured consideration, comments must be received at one of the addresses provided below, no later than 5 p.m. on July 29, 2008.

ADDRESSES: In commenting, please refer to file code CMS-1550-NC. Because of staff and resource limitations, we cannot

accept comments by facsimile (FAX) transmission.

You may submit comments in one of four ways (please choose only one of the ways listed):

1. *Electronically.* You may submit electronic comments on specific issues in this regulation to <http://www.regulations.gov>. Follow the instructions for "Comment or Submission" and enter the filecode to find the document accepting comments.

2. *By regular mail.* You may mail written comments (one original and two copies) to the following address ONLY: Centers for Medicare & Medicaid Services, Department of Health and Human Services, Attention: CMS-1550-NC, P.O. Box 8016, Baltimore, MD 21244-8016.

Please allow sufficient time for mailed comments to be received before the close of the comment period.

3. *By express or overnight mail.* You may send written comments (one original and two copies) to the following address ONLY: Centers for Medicare & Medicaid Services, Department of Health and Human Services, Attention: CMS-1550-NC, Mail Stop C4-26-05, 7500 Security Boulevard, Baltimore, MD 21244-1850.

4. *By hand or courier.* If you prefer, you may deliver (by hand or courier) your written comments (one original and two copies) before the close of the comment period to either of the following addresses.

a. Room 445 G, Hubert H. Humphrey Building, 200 Independence Avenue, SW., Washington, DC 20201. (Because access to the interior of the HHH Building is not readily available to persons without Federal Government identification, commenters are encouraged to leave their comments in the CMS drop slots located in the main lobby of the building. A stamp-in clock is available for persons wishing to retain a proof of filing by stamping in and retaining an extra copy of the comments being filed.)

b. 7500 Security Boulevard, Baltimore, MD 21244-1850.

If you intend to deliver your comments to the Baltimore address, please call telephone number (410) 786-9994 in advance to schedule your arrival with one of our staff members.

Comments mailed to the addresses indicated as appropriate for hand or courier delivery may be delayed and received after the comment period.

FOR FURTHER INFORMATION CONTACT: Mark A. Horney, (410) 786-4554.

SUPPLEMENTARY INFORMATION:

Inspection of Public Comments: All comments received before the close of

the comment period are available for viewing by the public, including any personally identifiable or confidential business information that is included in a comment. We post all comments received before the close of the comment period on the following Web site as soon as possible after they have been received: <http://www.regulations.gov>. Follow the search instructions on that Web site to view public comments.

Comments received timely will also be available for public inspection as they are received, generally beginning approximately 3 weeks after publication of a document, at the headquarters of the Centers for Medicare & Medicaid Services, 7500 Security Boulevard, Baltimore, Maryland 21244, Monday through Friday of each week from 8:30 a.m. to 4 p.m. To schedule an appointment to view public comments, phone 1-800-743-3951.

Background

Organ Procurement Organizations (OPOs) are not-for-profit organizations that are responsible for the procurement, preservation, and transport of transplantable organs to transplant centers throughout the country. Qualified OPOs are designated by the Centers for Medicare & Medicaid Services (CMS) to recover or procure organs in CMS-defined exclusive geographic service areas, according to section 371(b)(1)(F) of the Public Health Service Act (42 U.S.C. 273(b)(1)(F)) and our regulations at § 486.306. Once an OPO has been designated for an area, hospitals in that area that participate in Medicare and Medicaid are required to work with that OPO in providing organs for transplant, according to section 1138(a)(1)(C) of the Social Security Act (the Act), and our regulations at § 482.45.

Section 1138(a)(1)(A)(iii) of the Act provides that a hospital must notify the designated OPO (for the service area in which it is located) of potential organ donors. Under section 1138(a)(1)(C) of the Act, every participating hospital must have an agreement to identify potential donors only with its designated OPO.

However, section 1138(a)(2)(A) of the Act provides that a hospital may obtain from the Secretary, a waiver of the above requirements under certain specified conditions. A waiver allows the hospital to have an agreement with an OPO other than the one initially designated by CMS, if the hospital meets certain conditions specified in section 1138(a)(2)(A) of the Act. In addition, the Secretary may review additional criteria described in section

1138(a)(2)(B) of the Act to evaluate the hospital's request for a waiver.

Section 1138(a)(2)(A) of the Act states that in granting a waiver, the Secretary must determine that the waiver—(1) is expected to increase organ donations; and (2) will ensure equitable treatment of patients referred for transplants within the service area served by the designated OPO and within the service area served by the OPO with which the hospital seeks to enter into an agreement under the waiver. In making a waiver determination, section 1138(a)(2)(B) of the Act provides that the Secretary may consider, among other factors: (1) Cost-effectiveness; (2) improvements in quality; (3) whether there has been any change in a hospital's designated OPO due to the changes made in definitions for metropolitan statistical areas; and (4) the length and continuity of a hospital's relationship with an OPO other than the hospital's designated OPO. Under section 1138(a)(2)(D) of the Act, the Secretary is required to publish a notice of any waiver application received from a hospital within 30 days of receiving the application, and to offer interested parties an opportunity to comment in writing during the 60-day period beginning on the publication date in the **Federal Register**.

The criteria that the Secretary uses to evaluate the waiver in these cases are the same as those described above under sections 1138(a)(2)(A) and (B) of the Act and have been incorporated into the regulations at § 486.308(e) and (f).

II. Waiver Request Procedures

In October 1995, we issued a Program Memorandum (Transmittal No. A-95-11) detailing the waiver process and discussing the information that hospitals must provide in requesting a waiver. We indicated that upon receipt of a waiver request, we would publish a **Federal Register** notice to solicit public comments, as required by section 1138(a)(2)(D) of the Act.

According to these requirements, we will review the request and comments received. During the review process, we may consult on an as-needed basis with the Public Health Service's Division of Transplantation, the United Network for Organ Sharing, and our regional offices. If necessary, we may request additional clarifying information from the applying hospital or others. We will then make a final determination on the waiver request and notify the hospital and the designated and requested OPOs.

III. Hospital Waiver Request

As permitted by § 486.308(e), Magnolia Regional Health Center of

Corinth, Mississippi has requested a waiver in order to enter into an agreement with a designated OPO other than the OPO designated for the service area in which the hospital is located. Magnolia Regional Health Center is requesting a waiver to work with: Mississippi Organ Recovery Agency, 12 River Bend Place, Suite B, Jackson, MS 39232.

Magnolia Regional Health Center's Designated OPO is: Mid-South Transplant Foundation, Inc., 8001 Centerview Parkway, Suite 302, Memphis, TN 38018.

(Catalog of Federal Domestic Assistance Program No. 93.773, Medicare—Hospital Insurance; Program No. 93.774, Medicare—Supplementary Medical Insurance, and Program No. 93.778, Medical Assistance Program)

Dated: May 21, 2008.

Kerry Weems,

Acting Administrator, Centers for Medicare & Medicaid Services.

[FR Doc. E8-12117 Filed 5-29-08; 8:45 am]

BILLING CODE 4120-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA-2000-P-0924] (Formerly Docket No. 2000P-1533)

Cardiovascular Devices; Reclassification of Certain Percutaneous Transluminal Coronary Angioplasty Catheters

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice of panel recommendation.

SUMMARY: The Food and Drug Administration (FDA) is issuing for public comment the recommendation of the Circulatory System Devices Panel (the Panel) to reclassify Percutaneous Transluminal Coronary Angioplasty (PTCA) catheters, other than cutting/scoring PTCA catheters, from class III (premarket approval) to class II (special controls). The Panel made this recommendation after reviewing the reclassification petition submitted by Cook Group Inc. (COOK) and other publicly available information. FDA is also announcing for public comment its tentative findings based on the Panel's recommendation and other publicly available information. After considering any public comments on the Panel's recommendation and FDA's tentative findings, FDA will approve or deny the reclassification petition by order in the form of a letter to the petitioner. FDA's

decision on the reclassification petition will be announced in the **Federal Register**. Elsewhere in this issue of the **Federal Register**, FDA is announcing the availability of the draft guidance document that FDA intends will serve as the special control for this device type, if it is reclassified.

DATES: Submit written or electronic comments by August 28, 2008.

ADDRESSES: You may submit comments, identified by Docket No. FDA-2000-P-0924, by any of the following methods: *Electronic Submissions*

Submit electronic comments in the following way:

- Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.

Written Submissions

Submit written submissions in the following ways:

- FAX: 301-827-6870.
- Mail/Hand delivery/Courier (for paper, disk, or CD-ROM submissions): Division of Dockets Management (HFA-305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852.

To ensure more timely processing of comments, FDA is no longer accepting comments submitted to the agency by e-mail. FDA encourages you to continue to submit electronic comments by using the Federal eRulemaking Portal, as described previously in the **ADDRESSES** portion of this document under *Electronic Submissions*.

Instructions: All submissions received must include the agency name and docket number for this document. All comments received may be posted without change to <http://www.regulations.gov>, including any personal information provided. For additional information on submitting comments, see the "Request for Comments" heading of the **SUPPLEMENTARY INFORMATION** section of this document.

Docket: For access to the docket to read background documents or comments received, go to <http://www.regulations.gov> and insert the docket number, found in brackets in the heading of this document, into the "Search" box and follow the prompts and/or go to the Division of Dockets Management, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852.

FOR FURTHER INFORMATION CONTACT: Kathryn O'Callaghan or Suzanne Kaiser, Center for Devices and Radiological Health (HFZ-450), Food and Drug Administration, 9200 Corporate Blvd., Rockville, MD 20850, 240-276-4222.

SUPPLEMENTARY INFORMATION:

I. Background (Regulatory Authorities)

The Federal Food, Drug, and Cosmetic Act (the act) (21 U.S.C. 301 *et seq.*), as amended by the Medical Device Amendments of 1976 (the 1976 amendments) (Public Law 94–295), the Safe Medical Devices Act of 1990 (the SMDA) (Public Law 101–629), and the Food and Drug Administration Modernization Act of 1997 (FDAMA) (Public Law 105–115), established a comprehensive system for the regulation of medical devices intended for human use. Section 513 of the act (21 U.S.C. 360c) established three categories (classes) of devices, depending on the regulatory controls needed to provide reasonable assurance of their safety and effectiveness. The three categories of devices are class I (general controls), class II (special controls), and class III (premarket approval).

Devices that were not in commercial distribution prior to May 28, 1976, are generally referred to as postamendments devices, and are classified automatically by statute (section 513(f) of the act) into class III without any FDA rulemaking process. Those devices remain in class III and require premarket approval, unless and until the device is reclassified into class I or II or FDA issues an order finding the device to be substantially equivalent, under section 513(i) of the act, to a predicate device that does not require premarket approval. The agency determines whether new devices are substantially equivalent to predicate devices by means of premarket notification procedures in section 510(k) of the act (21 U.S.C. 360(k)) and part 807 of the regulations (21 CFR part 807).

Section 513(f)(3) of the act, as amended by FDAMA, provides that FDA may initiate the reclassification of a device classified into class III under section 513(f)(1) of the act, or the manufacturer or importer of a device may petition the Secretary for the issuance of an order classifying the device in class I or class II. FDA's regulations in 21 CFR 860.134 set forth the procedures for a petition for reclassification of such class III devices. In order to change the classification of the device, it is necessary that the proposed new class have sufficient regulatory controls to provide reasonable assurance of the safety and effectiveness of the device for its intended use.

Under section 513(f)(3)(B)(i) of the act, the Secretary may, for good cause shown, refer a petition to a device classification panel. The Panel shall make a recommendation to the Secretary respecting approval or denial

of the petition. Any such recommendation shall contain (1) a summary of the reasons for the recommendation, (2) a summary of the data upon which the recommendation is based, and (3) an identification of the risks to health (if any) presented by the device with respect to which the petition was filed.

II. Regulatory History of the Device

The PTCA catheter is a postamendments device classified into class III under section 513(f)(1) of the act. Therefore, the device cannot be placed in commercial distribution unless it is subject to an approved premarket approval application (PMA) under section 515 of the act (21 U.S.C. 360e) or is reclassified.

On September 21, 2000, FDA filed a petition submitted under section 513(f)(3) of the act from COOK requesting reclassification of PTCA catheters from class III into class II (Ref. 1). This reclassification petition did not include cutting or scoring PTCA catheters. In order to reclassify the PTCA catheter into class II, it is necessary that the proposed class have sufficient regulatory controls to provide reasonable assurance of safety and effectiveness of the device for its intended use.

The COOK petition requests reclassification of PTCA catheters from class III to class II when indicated for balloon dilatation of a hemodynamically significant coronary artery or bypass graft stenosis in patients evidencing coronary ischemia for the purpose of improving myocardial perfusion. Consistent with the act and the regulation, FDA referred the petition to the Panel for its recommendation on the requested changes in classification. FDA also asked the Panel for its recommendation on the reclassification of PTCA catheters when used for treatment of acute myocardial infarction (MI), treatment of in-stent restenosis (ISR) and/or post-deployment stent expansion.

III. Device Description

The following device description for the PTCA catheter recommended for reclassification from III to II is based on the Panel's recommendations and the agency's review. The PTCA catheter is a device that operates on the principle of hydraulic pressurization applied through an inflatable balloon attached to the distal end. A PTCA balloon catheter has a single or double lumen shaft. The catheter features a balloon of appropriate compliance for the clinical application, constructed from a polymer. The balloon is designed to

uniformly expand to a specified diameter and length at a specific pressure as labeled, with well characterized rates of inflation and deflation and a defined burst pressure. The device generally features a type of radiographic marker to facilitate fluoroscopic visualization of the balloon during use. A PTCA catheter is intended for balloon dilatation of a hemodynamically significant coronary artery or bypass graft stenosis in patients evidencing coronary ischemia for the purpose of improving myocardial perfusion. A PTCA catheter may also be intended for the treatment of acute myocardial infarction; treatment of in-stent restenosis (ISR) and/or post-deployment stent expansion.

This notice of panel recommendation does not include cutting/scoring PTCA catheters. A cutting/scoring PTCA catheter is a balloon-tipped catheter with cutting/scoring elements attached, which is used in those circumstances where a high pressure balloon resistant lesion is encountered. A cutting/scoring PTCA catheter is intended for the treatment of hemodynamically significant coronary artery stenosis for the purpose of improving myocardial perfusion. A cutting/scoring PTCA catheter may also be indicated for use in complex type C lesions or for the treatment of in-stent restenosis.

IV. Recommendation of the Panel

At a public meeting on December 4, 2000, the Panel recommended (seven to one) that PTCA catheters be reclassified from class III to class II, when indicated for balloon dilatation of a hemodynamically significant coronary artery or bypass graft stenosis in patients evidencing coronary ischemia for the purpose of improving myocardial perfusion; or for treatment of acute myocardial infarction. The Panel recommended a guidance document, labeling, and postmarket surveillance as special controls. The Panel stated that the special controls will diminish some of the risks to health associated with certain PTCA catheters. The guidance document and labeling controls are intended to ensure the appropriate performance and use of the device by physicians. The Panel recommended postmarket surveillance as a special control to confirm that the other special controls being applied to these devices would be sufficient to ensure that there would not be an increase in adverse consequences to patients. In summary, the Panel believed that class II with special controls would provide reasonable assurance of the safety and effectiveness of the device.

V. Risks to Health

After considering the information discussed by the Panel during the December 4, 2000, meeting and other publicly available information (Refs. 2 and 3), FDA believes that certain PTCA catheters should be reclassified into class II because special controls, in addition to general controls, can provide reasonable assurance of the safety and effectiveness of the device, and there is sufficient information to establish special controls to provide such assurance. Based on the information in the petition, the Panel's deliberations, the published literature, and medical device reports, FDA has identified the following risks to health are associated with the use of PTCA catheters: Adverse tissue reaction, device failure, adverse interaction with other devices, user error, vessel damage, and infection. The draft guidance document entitled "Class II Special Controls Guidance Document for Certain Percutaneous Transluminal Coronary Angioplasty (PTCA) Catheters" aids in mitigating the risks through recommendations on biocompatibility, performance and animal testing, clinical information, sterilization, shelf life, and labeling.

A. Adverse Tissue Reaction

Materials used to manufacture PTCA catheters may cause adverse tissue reactions in the patient, such as localized cell death, irritation, hemolysis, complement activation, thrombus formation, and febrile reactions.

B. Device Failure

Balloon burst or rupture can be caused by over-inflation of the balloon during the procedure, use of a defective balloon, improper balloon sizing, the use of improper balloon inflation medium, or tissue calcification. PTCA catheter shaft breakage can be caused by failure of the manufacturing bonds or by use of excessive force during the procedure. Device failure may lead to reaction to contrast agent, vessel damage, air embolism, stroke, aneurysm formation, need for emergency bypass surgery or death.

C. Adverse Interaction with Other Devices

PTCA catheters are used with accessory devices such as introducers, guiding catheters, and guidewires. Use with incompatible devices may result in a failed PTCA procedure and adverse clinical consequences. Guidewire entrapment or fragmentation by a PTCA catheter may lead to vessel damage, acute MI, unstable angina, coronary artery spasm, or arrhythmias, and is

usually caused by excessive tortuosity of the coronary vessels or a complex coronary vascular anatomy.

D. User Error

Operator inexperience and improper use of the device are common contributors to failed PTCA procedures. Examples of improper use include over-inflation of the balloon, improper balloon sizing, excessively slow deflation of the balloon, use of excessive force during the procedure, and improper balloon delivery or retraction.

During a PTCA procedure it is possible that air embolization may occur as a result of incomplete aspiration of the guiding catheter, balloon rupture, or insinuation of air with the PTCA catheter during insertion or withdrawal. Air embolization may cause a stroke.

The risk of vascular access site complications, including hematomas, arteriovenous (A-V) fistulas, infections, and pseudoaneurysms may be the result of the use of excessive force during the procedure, difficulty placing the device, inadequate treatment of the access site following the procedure, puncture of an adjacent artery and vein, or inadequate aseptic techniques.

E. Vessel Damage

Injury to the coronary vessel wall, resulting in dissection, perforation, or rupture, is a risk that can occur with any PTCA procedure. Vessel damage may be caused by balloon rupture or burst, perforation or rupture of the vessel with an accessory device (e.g., guidewire or catheter), inappropriate balloon sizing, and expansion of an intramural hematoma. Vessel damage may lead to acute vessel closure, acute MI, unstable angina, coronary artery spasm, embolization or fragmentation of thrombotic or atherosclerotic material, or aneurysm formation.

F. Infection

Infection may be caused by contamination of the device prior to use or inadequate aseptic techniques.

VI. Summary of the Reasons for the Recommendation

After considering the data and information contained in the petition and provided by FDA, the open discussion during the Panel meeting, and their knowledge of and clinical experience with the device, the Panel gave the following reasons in support of its recommendation to reclassify PTCA catheters from class III to class II, except when indicated for the treatment of in-stent restenosis and/or post-deployment stent expansion. The Panel believed that the devices should be reclassified into

class II because special controls, in addition to general controls, would provide reasonable assurance of the safety and effectiveness of the device, and there is sufficient information to establish special controls to provide such assurance.

The Panel recommended that PTCA catheters for the treatment of in-stent restenosis and/or post-deployment stent expansion not be included because of a lack of sufficient information about this use. Since the Panel meeting, however, additional data regarding this use have become available and have been reviewed by the agency (see section IX of this document, FDA's Findings).

VII. Summary of Data Upon Which the Panel Recommendation is Based

Based on the information discussed during the on December 4, 2000, Panel meeting, information presented in the reclassification petition, published literature, and medical device reports, the Panel believes there is reasonable knowledge of the benefits of the device. PTCA catheters provide a minimally invasive means of treating coronary artery disease and may be a less traumatic alternative to coronary artery bypass surgery in some patients.

VIII. Special Controls

In addition to general controls, FDA believes that the draft guidance entitled "Class II Special Controls Guidance Document for Certain Percutaneous Transluminal Coronary Angioplasty (PTCA) Catheters," along with general controls, would address the risks to health associated with the use of the device described in section V of this document. The draft class II special controls guidance document references voluntary consensus standards and describes testing and labeling recommendations intended to address the Panel's concerns. Elsewhere in this issue of the **Federal Register**, FDA is publishing a notice of availability of the draft class II special controls guidance document that the agency intends to use as the special control for this device type.

The draft class II special controls guidance document contains specific recommendations with regard to device performance testing and other information that FDA believes should be included in premarket (510(k)) notification submissions for PTCA catheters. Particular sections of the draft guidance document address the following topics: Biocompatibility testing, performance testing, animal testing, clinical information, labeling, sterilization, and sterilization and shelf life.

In Table 1 of this document, FDA has identified the risks to health associated with the use of the device in the first column and the recommended mitigation measures identified in the class II special controls guidance document in the second column. These recommendations will also help ensure that the device has appropriate performance characteristics and labeling for its use.

Following the effective date of any final reclassification rule based on this proposal, any firm submitting a 510(k) submission for a PTCA catheter will need to address the issues covered in the class II special controls guidance document. However, the firm need only show that its device meets the recommendations of the class II special controls guidance document or in some other way provides equivalent assurances of safety and effectiveness.

TABLE 1.

Identified Risk	Recommended Mitigation Measures
Adverse Tissue Reaction	Biocompatibility Testing
Device Failure	Performance Testing Sterilization and Shelf Life
Adverse Interaction With Other Devices	Performance Testing Animal Testing
User Error	Animal Testing Clinical Information Labeling
Vessel Damage	Animal Testing Clinical Information
Infection	Sterilization and Shelf Life

IX. FDA's Findings

The Panel and FDA believe that PTCA catheters, other than cutting/scoring PTCA catheters, should be reclassified from class III into class II because special controls, in addition to general controls, would provide reasonable assurance of the safety and effectiveness of the device, and there is sufficient information to establish special controls to provide such assurance.

The Panel recommended a guidance document, labeling, and postmarket surveillance as special controls. Although the Panel included the possibility of requiring postmarket surveillance in their recommendation, FDA does not believe that specific postmarket surveillance such as device tracking or postapproval studies are needed for PTCA catheters. FDA believes that periodic assessment of

adverse event reports through medical device reporting submitted to the agency is sufficient to address adverse effects caused by these devices and is the least burdensome way to gather this data for PTCA catheters. This practice is consistent with the manner in which these devices have been regulated as class III devices since the Panel meeting.

Further, after a review of adverse event reports submitted to FDA's Manufacturer and User Facility Device Experience (MAUDE) Database (Ref. 3), the agency believes that the types of risks associated with the use of PTCA catheters for the treatment of in-stent restenosis and/or post-deployment stent expansion are similar enough to the risks associated with treatment of de novo lesions, such that the special controls discussed at the Panel meeting, with the addition of recommendations for specific nonclinical performance testing and the recommendation that in-stent restenosis patients be included in the clinical evaluation, when necessary, are adequate to control the risks to health for these devices.

X. References

The following references have been placed on display in the Dockets Management Branch (see **ADDRESSES**) and may be seen by interested persons between 9 a.m. and 4 p.m., Monday through Friday:

1. Petition for Reclassification of Percutaneous Transluminal Coronary Angioplasty (PTCA) Catheters submitted by COOK, Inc., Lafayette, IN, received September 12, 2000.
2. Transcript of the Circulatory System Devices Panel Meeting, December 4, 2000, vol. I, pp. 1–282.
3. FDA's Manufacturer and User Facility Device Experience (MAUDE) Database is publicly accessible at <http://www.accessdata.fda.gov/scripts/cdrh/cfdocs/cfMAUDE/Search.cfm>. Enter product code LOX to search for reports regarding PTCA catheters.

XI. Environmental Impact

The agency has determined under 21 CFR 25.34(b) that this reclassification 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.

XII. Analysis of Impacts

FDA has examined the impacts of the reclassification action under Executive Order 12866 and the Regulatory Flexibility Act (5 U.S.C. 601–612), and the Unfunded Mandates Reform Act of 1995 (Public Law 104–4). Executive Order 12866 directs agencies to assess

all costs and benefits of available regulatory alternatives and, when regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety, and other advantages; distributive impacts; and equity). The agency believes that this reclassification action is not a significant regulatory action as defined by the Executive order.

The Regulatory Flexibility Act requires agencies to analyze regulatory options that would minimize any significant impact of a rule on small entities. Because reclassification of the device from class III to class II will relieve all manufacturers of the device of the cost of complying with the premarket approval requirements in section 515 of the act, the agency certifies that this reclassification action will not have a significant economic impact on a substantial number of small entities.

Section 202(a) of the Unfunded Mandates Reform Act of 1995 requires that agencies prepare a written statement, which includes an assessment of anticipated costs and benefits, before proposing “any rule that includes any Federal mandate that may result in the expenditure by state, local, and tribal governments, in the aggregate, or by the private sector, of \$100,000,000 or more (adjusted annually for inflation) in any one year.” The current threshold after adjustment for inflation is \$127 million, using the most current (2006) Implicit Price Deflator for the Gross Domestic Product. FDA does not expect this reclassification action to result in any 1-year expenditure that would meet or exceed this amount.

XIII. Federalism

FDA has analyzed this reclassification action in accordance with the principles set forth in Executive Order 13132. FDA has determined that the reclassification action does not contain policies that have substantial direct effects on the States, on the relationship between the National Government and the States, or on the distribution of power and responsibilities among the various levels of government. Accordingly, the agency has concluded that the reclassification action does not contain policies that have federalism implications as defined in the Executive order and, consequently, a federalism summary impact statement is not required.

XIV. Paperwork Reduction Act of 1995

FDA tentatively concludes that this reclassification action contains no

collections of information. Therefore, clearance by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (the PRA) (44 U.S.C. 3501–3520) is not required.

FDA also tentatively concludes that the draft special control guidance document does not contain new information collection provisions that are subject to review and clearance by OMB under the PRA. Elsewhere in this issue of the **Federal Register**, FDA is publishing a notice announcing the availability of the draft guidance document entitled “Class II Special Controls Guidance Document for Certain Percutaneous Transluminal Coronary Angioplasty (PTCA) Catheters;” the notice contains an analysis of the paperwork burden for the draft guidance.

XV. Request for Comments

Interested persons may submit to the Division of Dockets Management (see **ADDRESSES**) written or electronic comments regarding this document. Submit a single copy of electronic comments or two paper copies of any mailed comments, except that individuals may submit one paper copy. Comments are to be identified with the name of the device and the docket number found in brackets in the heading of this document. Received comments may be seen in the Division of Dockets Management between 9 a.m. and 4 p.m., Monday through Friday.

Please note that on January 15, 2008, the FDA Division of Dockets Management Web site transitioned to the Federal Dockets Management System (FDMS). FDMS is a Government-wide, electronic docket management system. Electronic comments or submissions will be accepted by FDA through FDMS only at <http://www.regulations.gov>.

Dated: May 21, 2008.

Daniel G. Schultz,

Director, Center for Devices and Radiological Health.

[FR Doc. E8–12079 Filed 5–29–08; 8:45 am]

BILLING CODE 4160–01–S

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2008–D–0285]

Draft Guidance for Industry and Food and Drug Administration Staff; Class II Special Controls Guidance Document for Certain Percutaneous Transluminal Coronary Angioplasty Catheters; Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing the availability of the draft guidance for industry and FDA staff entitled “Class II Special Controls Guidance Document for Certain Percutaneous Transluminal Coronary Angioplasty (PTCA) Catheters.” The draft guidance was developed as the special controls to support the reclassification of PTCA catheters, other than cutting/scoring PTCA catheters, from class III (premarket approval) into class II (special controls). This draft guidance describes a means by which PTCA catheters, other than cutting/scoring PTCA catheters, may comply with the requirement of special controls for class II devices. Elsewhere in this issue of the **Federal Register**, FDA is issuing for public comment the recommendation of the Circulatory System Devices Panel (the Panel) to reclassify PTCA catheters, other than cutting/scoring PTCA catheters, from class III to class II. This draft guidance is not final nor is it in effect at this time.

DATES: Although you can comment on any guidance at any time (see 21 CFR 10.115(g)(5)), to ensure that the agency considers your comment on this draft guidance before it begins work on the final version of the guidance, submit written or electronic comments on the draft guidance by August 28, 2008.

ADDRESSES: Submit written requests for single copies of the draft guidance document entitled “Class II Special Controls Guidance Document for Certain Percutaneous Transluminal Coronary Angioplasty (PTCA) Catheters” to the Division of Small Manufacturers, International, and Consumer Assistance (HFZ–220), Center for Devices and Radiological Health, Food and Drug Administration, 1350 Piccard Dr., Rockville, MD 20850. Send one self-addressed adhesive label to assist that office in processing your request, or fax your request to 240–276–3151. See the **SUPPLEMENTARY**

INFORMATION section for information on electronic access to the guidance.

Submit written comments concerning this draft guidance to the Division of Dockets Management (HFA–305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852. Submit electronic comments to <http://www.regulations.gov>. Identify comments with the docket number found in brackets in the heading of this document.

FOR FURTHER INFORMATION CONTACT:

Kathryn O’Callaghan or Suzanne Kaiser, Center for Devices and Radiological Health (HFZ–450), Food and Drug Administration, 9200 Corporate Blvd., Rockville, MD 20850, 240–276–4222

SUPPLEMENTARY INFORMATION:

I. Background

The draft guidance document was developed as a special control guidance to support the reclassification of PTCA catheters, other than cutting/scoring PTCA catheters, into class II (special controls). The device is intended for balloon dilatation of a hemodynamically significant coronary artery or bypass graft stenosis in patients evidencing coronary ischemia for the purpose of improving myocardial perfusion; treatment of acute myocardial infarction, treatment of in-stent restenosis, and/or post-deployment stent expansion.

On September 21, 2000, FDA filed a petition submitted under section 513(f)(3) of the Federal Food, Drug, and Cosmetic Act (the act) (21 U.S.C. 360c(f)(3)) from Cook Group Inc. (COOK) requesting reclassification of PTCA catheters from class III into class II. (This reclassification petition did not include cutting or scoring PTCA catheters.) In accordance with section 513(f)(1) of the act, the PTCA catheter was automatically classified into class III because the PTCA catheter was not within a type of device which was introduced or delivered for introduction into interstate commerce for commercial distribution before May 28, 1976, and had not been found substantially equivalent to a device placed in commercial distribution after May 28, 1976, which was subsequently reclassified into class II or class I.

At a public meeting on December 4, 2000, the Panel recommended (seven to one) that PTCA catheters, other than cutting/scoring PTCA catheters, be reclassified from class III to class II, when indicated for balloon dilatation of a hemodynamically significant coronary artery or bypass graft stenosis in patients evidencing coronary ischemia for the purpose of improving myocardial

perfusion; or for treatment of acute myocardial infarction. The Panel believed that class II with special controls, such as this draft guidance document, would reasonably ensure the safety and effectiveness of the device.

The Panel recommended that PTCA catheters for the treatment of in-stent restenosis and/or post-deployment stent expansion not be included because of a lack of sufficient information about this use. Since the Panel meeting, however, additional data regarding this use have become available and have been reviewed by the agency. Following the public meeting, FDA reviewed adverse event reports submitted to FDA's Manufacturer and User Facility Device Experience Database (MAUDE). The agency believes that the types of risks associated with the use of PTCA catheters for the treatment of in-stent restenosis and/or post-deployment stent expansion are similar enough to the risks associated with treatment of de novo lesions, such that the special controls discussed at the Panel meeting, with the addition of recommendations for specific nonclinical performance testing and the recommendation that in-stent restenosis patients be included in the clinical evaluation, when necessary, are adequate to control the risks to health for these devices.

II. Significance of Guidance

This draft guidance is being issued consistent with FDA's good guidance practices regulation (21 CFR 10.115). The draft guidance, when finalized, will represent the agency's current thinking on this topic. It does not create or confer any rights for or on any person and does not operate to bind FDA or the public. An alternative approach may be used if such approach satisfies the requirements of the applicable statute and regulations.

III. Electronic Access

Persons interested in obtaining a copy of the draft guidance may do so by using the Internet. To receive "Class II Special Controls Guidance Document for Certain Percutaneous Transluminal Coronary Angioplasty (PTCA) Catheters" you may either send an e-mail request to dsmica@fda.hhs.gov to receive an electronic copy of the document or send a fax request to 240-276-3151 to receive a hard copy. Please use the document number 1608 to identify the guidance you are requesting.

CDRH maintains an entry on the Internet for easy access to information including text, graphics, and files that may be downloaded to a personal computer with Internet access. Updated

on a regular basis, the CDRH home page includes device safety alerts, **Federal Register** reprints, information on premarket submissions (including lists of approved applications and manufacturers' addresses), small manufacturer's assistance, information on video conferencing and electronic submissions, Mammography Matters, and other device-oriented information. The CDRH Web site may be accessed at <http://www.fda.gov/cdrh>. A search capability for all CDRH guidance documents is available at <http://www.fda.gov/cdrh/guidance.html>. Guidance documents are also available at <http://www.regulations.gov>.

IV. Paperwork Reduction Act of 1995

This draft guidance refers to previously approved collections of information found in FDA regulations. These collections of information are subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520). The collections of information in 21 CFR part 807, subpart E, have been approved under OMB control number 0910-0120; and the collections of information in 21 CFR part 801 have been approved under OMB control number 0910-0485.

V. Comments

Interested persons may submit to the Division of Dockets Management (see **ADDRESSES**), written or electronic comments regarding this document. Submit a single copy of electronic comments or two paper copies of any mailed comments, except that individuals may submit one paper copy. Comments are to be identified with the docket number found in brackets in the heading of this document. Received comments may be seen in the Division of Dockets Management between 9 a.m. and 4 p.m., Monday through Friday.

Please note that on January 15, 2008, the FDA Division of Dockets Management Web site transitioned to the Federal Dockets Management System (FDMS). FDMS is a Government-wide, electronic docket management system. Electronic comments or submissions will be accepted by FDA only through FDMS at <http://www.regulations.gov>.

Dated: May 21, 2008.

Daniel G. Schultz,

Director, Center for Devices and Radiological Health.

[FR Doc. E8-12116 Filed 5-29-08; 8:45 am]

BILLING CODE 4160-01-S

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA-2008-D-0275]

Draft Guidance for Industry and Food and Drug Administration Staff; Class II Special Controls Guidance Document: Full Field Digital Mammography System; Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing the availability of the draft guidance entitled "Class II Special Controls Guidance Document: Full Field Digital Mammography System." This draft guidance document describes a means by which the full field digital mammography (FFDM) system may comply with the requirement of special controls for class II devices. Elsewhere in this issue of the **Federal Register**, FDA is publishing a proposed rule to reclassify the FFDM system device type from class III (premarket approval) into class II (special controls). This draft guidance is neither final nor is it in effect at this time.

DATES: Although you can comment on any guidance at any time (see 21 CFR 10.115(g)(5)), to ensure that the agency considers your comment on this draft guidance before it begins work on the final version of the guidance, submit written or electronic comments on this draft guidance by August 28, 2008.

ADDRESSES: Submit written requests for single copies of the draft guidance document entitled "Class II Special Controls Guidance Document: Full Field Digital Mammography System" to the Division of Small Manufacturers, International, and Consumer Assistance (HFZ-220), Center for Devices and Radiological Health, Food and Drug Administration, 1350 Piccard Dr., Rockville, MD 20850. Send one self-addressed adhesive label to assist that office in processing your request, or fax your request to 240-276-3151. See the **SUPPLEMENTARY INFORMATION** section for information on electronic access to the guidance.

Submit written comments concerning this draft guidance to the Division of Dockets Management (HFA-305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852. Submit electronic comments to <http://www.regulations.gov>. Identify comments with the docket number found in brackets in the heading of this document.

FOR FURTHER INFORMATION CONTACT:

Robert A. Phillips, Center for Devices and Radiological Health (HFZ-470), Food and Drug Administration, 9200 Corporate Blvd., Rockville, MD 20850, 240-276-3666.

SUPPLEMENTARY INFORMATION:**I. Background**

An FFDM system is a device intended to be used to produce full field digital x-ray images of the breast. This generic type of device may include one or more of the following: digital mammography software, full field digital image receptor, acquisition workstation, and signal analysis programs.

Mammographic x-ray producing equipment (x-ray generator, x-ray control, x-ray tube, collimator, beam filter, and breast compression system) and display accessories are regulated under 21 CFR 892.1710, 21 CFR 892.2040, and 21 CFR 892.2050 as class II devices (special controls). The FFDM system device is currently in class III and subject to premarket approval requirements (section 515 of the Federal Food, Drug, and Cosmetic Act (the act) (21 U.S.C. 360e)).

At a public meeting on May 23, 2006, the Radiological Devices Panel (the Panel) unanimously recommended that the FFDM system be reclassified from class III to class II (special controls). The Panel also recommended that class II with a special controls guidance document would provide reasonable assurance of the safety and effectiveness of the device. FDA considered the Panel's recommendations, and elsewhere in this issue of the **Federal Register**, FDA is proposing to reclassify the FFDM system into class II. If the reclassification rule is finalized, FDA intends that this draft guidance document will serve as the special control for this device.

Following the effective date of any final reclassification rule based on the proposal, any firm submitting a premarket notification (510(k)) for an FFDM system would need to address the issues covered in the special controls draft guidance document. However, the firm need only show that its device meets the recommendations of the draft guidance document or in some other way provides equivalent assurances of safety and effectiveness.

II. Significance of Guidance

The draft guidance is being issued consistent with FDA's good guidance practices regulation (21 CFR 10.115). The draft guidance, if finalized, will represent the agency's current thinking on the FFDM system. It does not create or confer any rights for or on any person

and does not operate to bind FDA or the public. An alternative approach may be used if such approach satisfies the requirements of the applicable statute and regulations.

III. Electronic Access

Persons interested in obtaining a copy of the draft guidance may do so by using the Internet. To receive "Class II Special Controls Guidance Document: Full Field Digital Mammography System," you may either send an e-mail request to ds mica@fda.hhs.gov to receive an electronic copy of the document or send a fax request to 240-276-3151 to receive a hard copy. Please use the document number (1616) to identify the guidance you are requesting.

CDRH maintains an entry on the Internet for easy access to information including text, graphics, and files that may be downloaded to a personal computer with Internet access. Updated on a regular basis, the CDRH home page includes device safety alerts, **Federal Register** reprints, information on premarket submissions (including lists of approved applications and manufacturers' addresses), small manufacturer's assistance, information on video conferencing and electronic submissions, Mammography Matters, and other device-oriented information. The CDRH Web site may be accessed at <http://www.fda.gov/cdrh>. A search capability for all CDRH guidance documents is available at <http://www.fda.gov/cdrh/guidance.html>. Guidance documents are also available at <http://www.regulations.gov>.

IV. Paperwork Reduction Act of 1995

This draft guidance document refers to previously approved collections of information found in FDA regulations. These collections of information are subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520). The collections of information in 21 CFR part 807, subpart E, have been approved under OMB control number 0910-0120, and the collections of information in 21 CFR part 801 have been approved under OMB control number 0910-0485.

V. Comments

Interested persons may submit to the Division of Dockets Management (see **ADDRESSES**), written or electronic comments regarding this document. Submit a single copy of electronic comments or two paper copies of any mailed comments, except that individuals may submit one paper copy. Comments are to be identified with the docket number found in brackets in the

heading of this document. Received comments may be seen in the Division of Dockets Management between 9 a.m. and 4 p.m., Monday through Friday.

Please note that on January 15, 2008, the FDA Division of Dockets Management Web site transitioned to the Federal Dockets Management System (FDMS). FDMS is a Government-wide, electronic docket management system. Electronic comments and submissions will be accepted by FDA only through FDMS at <http://www.regulations.gov>.

Dated: May 21, 2008.

Daniel G. Schultz,

Director, Center for Devices and Radiological Health.

[FR Doc. E8-12119 Filed 5-29-08; 8:45 am]

BILLING CODE 4160-01-S

DEPARTMENT OF HEALTH AND HUMAN SERVICES**Food and Drug Administration**

[Docket No. FDA-2008-D-0366] (formerly Docket No. 2007D-0234)

Guidance for Industry and Food and Drug Administration Staff; Class II Special Controls Guidance Document: Tissue Adhesive for the Topical Approximation of Skin; Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing the availability of the guidance entitled "Class II Special Controls Guidance Document: Tissue Adhesive for the Topical Approximation of Skin." This guidance document describes a means by which tissue adhesive for the topical approximation of skin may comply with the requirement of special controls for class II devices. Elsewhere in this issue of the **Federal Register**, FDA is publishing a final rule to reclassify these device types from class III into class II (special controls).

DATES: Submit written or electronic comments on this guidance at any time. General comments on agency guidance documents are welcome at any time.

ADDRESSES: Submit written requests for single copies of the guidance document entitled "Class II Special Controls Guidance Document: Tissue Adhesive for the Topical Approximation of Skin" to the Division of Small Manufacturers, International, and Consumer Assistance (HFZ-220), Center for Devices and Radiological Health, Food and Drug Administration, 1350 Piccard Dr.,

Rockville, MD 20850. Send one self-addressed adhesive label to assist that office in processing your request, or fax your request to 240-276-3151. See the **SUPPLEMENTARY INFORMATION** section for information on electronic access to the guidance.

Submit written comments concerning this guidance to the Division of Dockets Management (HFA-305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852. Submit electronic comments to <http://www.regulations.gov>. Identify comments with the docket number found in brackets in the heading of this document.

FOR FURTHER INFORMATION CONTACT:

George J. Mattamal, Center for Devices and Radiological Health (HFZ-410), Food and Drug Administration, 9200 Corporate Blvd., Rockville, MD 20850, 240-276-3619.

SUPPLEMENTARY INFORMATION:

I. Background

Tissue adhesive for the topical approximation of skin devices are intended for topical closure of surgical incisions, including laparoscopic incisions, and simple traumatic lacerations that have easily approximated skin edges. Tissue adhesives for topical approximation of skin may be used in conjunction with, but not in place of, deep dermal stitches. This device is currently in class III and subject to premarket approval requirements (section 515 of the Federal Food, Drug, and Cosmetic Act (act); 21 U.S.C. 360e).

On August 25, 2006, at a public meeting of FDA's General and Plastic Surgery Devices Panel (the Panel), the Panel unanimously recommended that the tissue adhesive for the topical approximation of skin device be reclassified from class III into class II and recommended that a guidance document, which the Panel thought should include several voluntary consensus standards, be the special control for the device type. FDA considered the Panel's recommendations and, in the **Federal Register** of July 3, 2007 (72 FR 36398), published a proposed rule to reclassify the tissue adhesive for the topical approximation of skin device into class II. In addition, FDA issued a draft class II special controls guidance document entitled "Class II Special Controls Guidance Document: Tissue Adhesive for the Topical Approximation of Skin" to support the proposed reclassification.

Following publication of the draft guidance, four comments on the guidance were submitted to the FDA.

We considered the suggestions and made appropriate revisions, including consideration of the comments on testing the applicator. FDA is now identifying the guidance document entitled "Class II Special Controls Guidance Document: Tissue Adhesive for the Topical Approximation of Skin" as the guidance document that will serve as the special control for this device type.

The guidance document provides a means by which the tissue adhesive for the topical approximation of skin device may comply with the requirement of special controls for this class II device. Following the effective date of the final reclassification rule, any firm submitting a premarket notification (510(k)) for a tissue adhesive for the topical approximation of skin device will need to address the issues covered in the special controls guidance document. However, the firm need only show that its device meets the recommendations of the guidance document or in some other way provides equivalent assurances of safety and effectiveness. This guidance supersedes the guidance entitled "Cyanoacrylate Tissue Adhesive for the Topical Approximation of Skin - Premarket Approval Applications (PMAs)," dated February 13, 2004.

II. Significance of Guidance

This guidance is being issued consistent with FDA's good guidance practices regulation (21 CFR 10.115). The guidance represents the agency's current thinking on "Class II Special Controls Guidance Document: Tissue Adhesive for the Topical Approximation of Skin." It does not create or confer any rights for or on any person and does not operate to bind FDA or the public. An alternative approach may be used if such approach satisfies the requirements of the applicable statute and regulations.

III. Electronic Access

Persons interested in obtaining a copy of the guidance may do so by using the Internet. To receive "Class II Special Controls Guidance Document: Tissue Adhesive for the Topical Approximation of Skin," you may either send an e-mail request to ds mica@fda.hhs.gov to receive an electronic copy of the document or send a fax request to 240-276-3151 to receive a hard copy. Please use the document number 1630 to identify the guidance you are requesting.

CDRH maintains an entry on the Internet for easy access to information including text, graphics, and files that may be downloaded to a personal

computer with Internet access. Updated on a regular basis, the CDRH home page includes device safety alerts, **Federal Register** reprints, information on premarket submissions (including lists of approved applications and manufacturers' addresses), small manufacturer's assistance, information on video conferencing and electronic submissions, Mammography Matters, and other device-oriented information. The CDRH Web site may be accessed at <http://www.fda.gov/cdrh>. A search capability for all CDRH guidance documents is available at <http://www.fda.gov/cdrh/guidance.html>. Guidance documents are also available at <http://www.regulations.gov>.

IV. Paperwork Reduction Act of 1995

This guidance refers to previously approved collections of information found in FDA regulations. These collections of information are subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520). The collections of information in 21 CFR part 807, subpart E, have been approved under OMB control number 0910-0120; the collections of information in 21 CFR part 801 have been approved under OMB control number 0910-0485; the collections of information in 21 CFR part 812 have been approved under OMB control number 0910-0078; and the collections of information in 21 CFR part 820 have been approved under OMB control number 0910-0073.

V. Comments

Interested persons may submit to the Division of Dockets Management (see **ADDRESSES**) written or electronic comments regarding this document. Submit a single copy of electronic comments or two paper copies of any mailed comments, except that individuals may submit one paper copy. Comments are to be identified with the docket number found in brackets in the heading of this document. Received comments may be seen in the Division of Dockets Management between 9 a.m. and 4 p.m., Monday through Friday.

Please note that on January 15, 2008, the FDA Division of Dockets Management Web site transitioned to the Federal Dockets Management System (FDMS). FDMS is a Government-wide, electronic docket management system. Electronic comments or submissions will be accepted by FDA only through FDMS at <http://www.regulations.gov>.

Dated: May 21, 2008.

Daniel G. Schultz,

Director, Center for Devices and Radiological Health.

[FR Doc. E8-12072 Filed 5-29-08; 8:45 am]

BILLING CODE 4160-01-S

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Center for Complementary and Alternative Medicine; Notice of Closed Meetings

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2), notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Center for Complementary and Alternative Medicine Special Emphasis Panel, CAM Approaches in the Management of HIV Disease and Its Complications.

Date: June 24, 2008.

Time: 9:30 a.m. to 3 p.m.

Agenda: To review and evaluate grant applications.

Place: Embassy Suites at the Chevy Chase Pavilion, 4300 Military Road, NW., Washington, DC 20015.

Contact Person: Jeanette M. Hosseini, PhD, Scientific Review Officer, Office of Scientific Review, National Center for Complementary and Alternative Medicine, NIH, 6707 Democracy Blvd., Suite 401, Bethesda, MD 20892, (301) 594-9096, jeanetteh@mail.nih.gov.

Name of Committee: National Center for Complementary and Alternative Medicine Special Emphasis Panel, Training and Education.

Date: July 1-2, 2008.

Time: 8 a.m. to 5 p.m.

Agenda: To review and evaluate grant applications.

Place: Bethesda Marriott Suites, 6711 Democracy Blvd., Bethesda, MD 20817.

Contact Person: Laurie Friedman Donze, PhD, Scientific Review Officer, Office of Scientific Review, National Center for Complementary and Alternative Medicine, NIH, 6707 Democracy Blvd., Suite 401, Bethesda, MD 20892, 301-402-1030, donzel@mail.nih.gov.

Dated: May 22, 2008.

Jennifer Spaeth,

Director, Office of Federal Advisory Committee Policy.

[FR Doc. E8-12044 Filed 5-29-08; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute on Deafness and Other Communication Disorders; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2), notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Communication Disorders Review Committee.

Date: June 19, 2008.

Time: 10 a.m. to 11 a.m.

Agenda: To review and evaluate grant applications.

Place: The Westin Washington, DC, 1400 M Street, NW., Washington, DC 20005.

Contact Person: Shiguang Yang, DVM, PhD, Scientific Review Administrator, Scientific Review Branch, Division of Extramural Activities, NIDCD, NIH, 6120 Executive Blvd., Suite 400C, Bethesda, MD 20892, 301-435-1425, yangshi@nidcd.nih.gov.

(Catalogue of Federal Domestic Assistance Program Nos. 93.173, Biological Research Related to Deafness and Communicative Disorders, National Institutes of Health, HHS)

Dated: May 22, 2008.

Jennifer Spaeth,

Director, Office of Federal Advisory Committee Policy.

[FR Doc. E8-12046 Filed 5-29-08; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Mental Health; Notice of Closed Meetings

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2), notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Mental Health Special Emphasis Panel; Center for Genomic Studies on Mental Disorders.

Date: June 23, 2008.

Time: 1 p.m. to 3 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Neuroscience Center, 6001 Executive Boulevard Rockville, MD 20852 (Telephone Conference Call).

Contact Person: Vinod Charles, PhD, Scientific Review Administrator, Division of Extramural Activities, National Institute of Mental Health, NIH, Neuroscience Center, 6001 Executive Blvd., Room 6151, MSC 9606, Bethesda, MD 20892-9606, 301-443-1606.

Name of Committee: National Institute of Mental Health Special Emphasis Panel; IDSC Review.

Date: July 10, 2008.

Time: 8:30 a.m. to 5 p.m.

Agenda: To review and evaluate grant applications.

Place: One Washington Circle Hotel, One Washington Circle, Washington, DC 20037.

Contact Person: Megan Libbey, PhD, Scientific Review Administrator, Division of Extramural Activities, National Institute of Mental Health, NIH, Neuroscience Center, 6001 Executive Blvd., Room 6148, MSC 9609, Rockville, MD 20852, 301-402-6807, libbeym@mail.nih.gov.

(Catalogue of Federal Domestic Assistance Program Nos. 93.242, Mental Health Research Grants; 93.281, Scientist Development Award, Scientist Development Award for Clinicians, and Research Scientist Award; 93.282, Mental Health National Research Service Awards for Research Training, National Institutes of Health, HHS)

Dated: May 21, 2008.

Jennifer Spaeth,

Director, Office of Federal Advisory Committee Policy.

[FR Doc. E8-11928 Filed 5-29-08; 8:45 am]

BILLING CODE 4140-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of General Medical Sciences; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2), notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of General Medical Sciences Initial Review Group; Biomedical Research and Research Training Review Subcommittee A.

Date: June 19, 2008.

Time: 8 a.m. to 5 p.m.

Agenda: To review and evaluate grant applications.

Place: Residence Inn Bethesda, 7335 Wisconsin Avenue, Bethesda, MD 20817.

Contact Person: Carole H. Latker, PhD, Scientific Review Officer, Office of Scientific Review, National Institute of General Medical Sciences, National Institutes of Health, Natcher Building, Room 3AN18, Bethesda, MD 20892, (301) 594-2848, latker@nigms.nih.gov.

(Catalogue of Federal Domestic Assistance Program Nos. 93.375, Minority Biomedical Research Support; 93.821, Cell Biology and Biophysics Research; 93.859, Pharmacology, Physiology, and Biological Chemistry Research; 93.862, Genetics and Developmental Biology Research; 93.88, Minority Access to Research Careers; 93.96, Special Minority Initiatives, National Institutes of Health, HHS)

Dated: May 21, 2008.

Jennifer Spaeth,

Director, Office of Federal Advisory Committee Policy.

[FR Doc. E8-11929 Filed 5-29-08; 8:45 am]

BILLING CODE 4140-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute on Deafness and Other Communication Disorders; Notice of Closed Meetings

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2), notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute on Deafness and Other Communication Disorders Special Emphasis Panel, P 50 Genetics of Familial Vestibular Disorders.

Date: June 30, 2008.

Time: 12:30 p.m. to 3:30 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6120 Executive Blvd., Rockville, MD 20852 (Telephone Conference Call).

Contact Person: Christine A. Livingston, PhD, Scientific Review Administrator, Division of Extramural Activities, National Institutes of Health/NIDCD, 6120 Executive Blvd.—MSC 7180, Bethesda, MD 20892, (301) 496-8683, livingstc@mail.nih.gov.

Name of Committee: National Institute on Deafness and Other Communication Disorders Special Emphasis Panel, Brain Computer Interfaces.

Date: July 2, 2008.

Time: 11 a.m. to 2 p.m.

Agenda: To review and evaluate grant applications and/or proposals.

Place: National Institutes of Health, 6120 Executive Blvd., Rockville, MD 20852 (Telephone Conference Call).

Contact Person: Christine A. Livingston, PhD, Scientific Review Administrator, Division of Extramural Activities, National Institutes of Health/NIDCD, 6120 Executive Blvd.—MSC 7180, Bethesda, MD 20892, (301) 496-8683, livingstc@mail.nih.gov.

Name of Committee: National Institute on Deafness and Other Communication Disorders Special Emphasis Panel, CDRC Member Conflict Review.

Date: July 8, 2008.

Time: 12 p.m. to 2 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6120 Executive Blvd., Rockville, MD 20852 (Telephone Conference Call).

Contact Person: Sheo Singh, PhD, Scientific Review Administrator, Scientific

Review Branch, Division of Extramural Activities, Executive Plaza South, Room 400C, 6120 Executive Blvd., Bethesda, MD 20892, (301) 496-8683, singhs@nidcd.nih.gov.

Name of Committee: National Institute on Deafness and Other Communication Disorders Special Emphasis Panel, P30 Research Core Center Grant Review.

Date: July 9, 2008.

Time: 12 p.m. to 3 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6120 Executive Blvd., Rockville, MD 20852 (Telephone Conference Call).

Contact Person: Christopher A. Moore, PhD, Scientific Review Administrator, Scientific Review Branch, Division of Extramural Activities, 6120 Executive Blvd., Rm. 400C, Bethesda, MD 20892-7180, (301) 402-3587, moorechristopher@nidcd.nih.gov. (Catalogue of Federal Domestic Assistance Program Nos. 93.173, Biological Research Related to Deafness and Communicative Disorders, National Institutes of Health, HHS)

Dated: May 22, 2008.

Jennifer Spaeth,

Director, Office of Federal Advisory Committee Policy.

[FR Doc. E8-12042 Filed 5-29-08; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HOMELAND SECURITY

Transportation Security Administration

[Docket Nos. TSA-2006-24191; Coast Guard-2006-24196]

Transportation Worker Identification Credential (TWIC); Enrollment Dates for the Ports of New Haven, CT; Benicia, CA; Nikiski, AK; Chester, PA; Escanaba, MI; and St. Thomas, VI

AGENCY: Transportation Security Administration; United States Coast Guard; DHS.

ACTION: Notice.

SUMMARY: The Department of Homeland Security (DHS) through the Transportation Security Administration (TSA) issues this notice of the dates for the beginning of the initial enrollment for the Transportation Worker Identification Credential (TWIC) for the Ports of New Haven, CT; Benicia, CA; Nikiski, AK; Chester, PA; Escanaba, MI; and St. Thomas, VI.

DATES: TWIC enrollment begins in New Haven and Benicia on May 29, 2008; and Nikiski, Chester, Escanaba, and St. Thomas on June 18, 2008.

ADDRESSES: You may view published documents and comments concerning the TWIC Final Rule, identified by the docket numbers of this notice, using any one of the following methods.

(1) Searching the Federal Docket Management System (FDMS) Web page at <http://www.regulations.gov>;

(2) Accessing the Government Printing Office's Web page at <http://www.gpoaccess.gov/fr/index.html>; or

(3) Visiting TSA's Security Regulations Web page at <http://www.tsa.gov> and accessing the link for "Research Center" at the top of the page.

FOR FURTHER INFORMATION CONTACT:

James Orgill, TSA-19, Transportation Security Administration, 601 South 12th Street, Arlington, VA 22202-4220. Transportation Threat Assessment and Credentialing (TTAC), TWIC Program, (571) 227-4545; e-mail: credentialing@dhs.gov.

Background

The Department of Homeland Security (DHS), through the United States Coast Guard and the Transportation Security Administration (TSA), issued a joint final rule (72 FR 3492; January 25, 2007) pursuant to the Maritime Transportation Security Act (MTSA), Pub. L. 107-295, 116 Stat. 2064 (November 25, 2002), and the Security and Accountability for Every Port Act of 2006 (SAFE Port Act), Pub. L. 109-347 (October 13, 2006). This rule requires all credentialed merchant mariners and individuals with unescorted access to secure areas of a regulated facility or vessel to obtain a TWIC. In this final rule, on page 3510, TSA and Coast Guard stated that a phased enrollment approach based upon risk assessment and cost/benefit would be used to implement the program nationwide, and that TSA would publish a notice in the **Federal Register** indicating when enrollment at a specific location will begin and when it is expected to terminate.

This notice provides the start date for TWIC initial enrollment at the Ports of New Haven, CT and Benicia, CA on May 29, 2008; Nikiski, AK, Chester, PA, Escanaba, MI, and St. Thomas, VI on June 18, 2008. The Coast Guard will publish a separate notice in the **Federal Register** indicating when facilities within the Captain of the Port Zone Long Island Sound, including those in the Port of New Haven; Captain of the Port Zone San Francisco Bay, including those in the Port of Benicia; Captain of the Port Zone Western Alaska, including those in the Port of Nikiski; Captain of the Port Zone Delaware Bay, including those in the Port of Chester; Captain of the Port Zone Sault Ste. Marie, including those in the Port of Escanaba; and Captain of the Port Zone San Juan, including those in the Port of St. Thomas must comply with the portions of the final rule requiring TWIC to be

used as an access control measure. That notice will be published at least 90 days before compliance is required.

To obtain information on the pre-enrollment and enrollment process, and enrollment locations, visit TSA's TWIC Web site at <http://www.tsa.gov/twic>.

Issued in Arlington, Virginia, on May 23, 2008.

Rex Lovelady,

Program Manager, TWIC, Office of Transportation Threat Assessment and Credentialing, Transportation Security Administration.

[FR Doc. E8-12048 Filed 5-29-08; 8:45 am]

BILLING CODE 9110-05-P

DEPARTMENT OF HOMELAND SECURITY

U.S. Citizenship and Immigration Services

Agency Information Collection

Activities: Form N-644; Revision of an Existing Information Collection; Comment Request

ACTION: 30-day notice of information Collection Under Review: Form N-644, Application for Posthumous Citizenship; OMB Control No. 1615-0059.

The Department of Homeland Security, U.S. Citizenship and Immigration Services (USCIS) has submitted the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995. The information collection was previously published in the **Federal Register** on March 19, 2008, 73 FR 14829 allowing for a 60-day public comment period. USCIS did not receive any comments for this information collection.

The purpose of this notice is to allow an additional 30 days for public comments. Comments are encouraged and will be accepted until June 30, 2008. This process is conducted in accordance with 5 CFR 1320.10.

Written comments and/or suggestions regarding the item(s) contained in this notice, especially regarding the estimated public burden and associated response time, should be directed to the Department of Homeland Security (DHS), and to the Office of Management and Budget (OMB) USCIS Desk Officer. Comments may be submitted to: USCIS, Chief, Regulatory Management Division, Clearance Office, 111 Massachusetts Avenue, Suite 3008, Washington, DC 20529. Comments may also be

submitted to DHS via facsimile to 202-272-8352 or via e-mail at rfs.regs@dhs.gov, and to the OMB USCIS Desk Officer via facsimile at 202-395-6974 or via e-mail at kastrich@omb.eop.gov.

When submitting comments by e-mail please make sure to add OMB Control Number 1615-0059. Written comments and suggestions from the public and affected agencies should address one or more of the following four points:

(1) Evaluate whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agency's estimate of the burden of the 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:* Revision of a currently approved information collection.

(2) *Title of the Form/Collection:* Application for Posthumous Citizenship.

(3) *Agency form number, if any, and the applicable component of the Department of Homeland Security sponsoring the collection:* Form N-644, U.S. Citizenship and Immigration Services.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: Individual or households. The information collected will be used to determine an applicant's eligibility to request posthumous citizenship status for a decedent and to determine the decedent's eligibility for such status.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* 50 responses at 1 hour and 50 minutes (1.83 hours) per response.

(6) *An estimate of the total public burden (in hours) associated with the collection:* 92 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 visit the USCIS Web site at: <http://www.regulations.gov/search/index.jsp>.

If additional information is required contact: USCIS, Regulatory Management Division, 111 Massachusetts Avenue, Suite 3008, Washington, DC 20529, (202) 272-8377.

Dated: May 27, 2008.

Stephen Tarragon,

Acting Chief, Regulatory Management Division, U.S. Citizenship and Immigration Services, Department of Homeland Security.
[FR Doc. E8-12126 Filed 5-29-08; 8:45 am]

BILLING CODE 9111-97-P

DEPARTMENT OF HOMELAND SECURITY

U.S. Citizenship and Immigration Services

Agency Information Collection Activities: I-694, Revision of a Currently Approved Information Collection; Comment Request

ACTION: 30-Day Notice of Information Collection Under Review: Form I-694, Notice of Appeal of Decision Under Section 210 or 245A of the Immigration and Nationality Act; OMB Control No. 1615-0034.

The Department of Homeland Security, U.S. Citizenship and Immigration Services (USCIS) has submitted the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995. The information collection was previously published in the **Federal Register** on March 17, 2008, 73 FR 14261 allowing for a 60-day public comment period. USCIS did not receive any comments for this information collection.

The purpose of this notice is to allow an additional 30 days for public comments. Comments are encouraged and will be accepted until June 30, 2008. This process is conducted in accordance with 5 CFR 1320.10.

Written comments and/or suggestions regarding the item(s) contained in this notice, especially regarding the estimated public burden and associated response time, should be directed to the Department of Homeland Security (DHS), and to the Office of Management and Budget (OMB) USCIS Desk Officer. Comments may be submitted to: USCIS, Chief, Regulatory Management Division, Clearance Office, 111 Massachusetts Avenue, Suite 3008, Washington, DC 20529. Comments may also be

submitted to DHS via facsimile to 202-272-8352 or via e-mail at rfs.regs@dhs.gov, and to the OMB USCIS Desk Officer via facsimile at 202-395-6974 or via e-mail at kastrich@omb.eop.gov.

When submitting comments by e-mail please make sure to add OMB Control Number 1615-0034. Written comments and suggestions from the public and affected agencies should address one or more of the following four points:

(1) Evaluate whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agencies estimate of the burden of the 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:* Revision of a currently approved information collection.

(2) *Title of the Form/Collection:* Notice of Appeal of Decision Under Section 210 and 245A of the Immigration and Nationality Act.

(3) *Agency form number, if any, and the applicable component of the Department of Homeland Security sponsoring the collection:* Form I-694. U.S. Citizenship and Immigration Services.

(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 USCIS in considering appeals of denials or termination of temporary and permanent residence status by legalization applicants and special agricultural workers, under sections 210 and 245A of the Immigration and Nationality Act, and related applications for waiver of grounds of inadmissibility.

(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 (.50) 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 visit the USCIS Web site at: <http://www.regulations.gov/search/index.jsp>.

If additional information is required contact: USCIS, Regulatory Management Division, 111 Massachusetts Avenue, Suite 3008, Washington, DC 20529, (202) 272-8377.

Dated: May 27, 2008.

Stephen Tarragon,

Acting Chief, Regulatory Management Division, U.S. Citizenship and Immigration Services, Department of Homeland Security.
[FR Doc. E8-12150 Filed 5-29-08; 8:45 am]

BILLING CODE 9111-97-P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-5186-N-22]

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: Kathy Ezzell, Department of Housing and Urban Development, 451 Seventh Street, SW., Room 7266, 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 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 John Hicks, Division of Property Management, Program Support Center, HHS, room 5B–17, 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: *Air Force*: Ms. Kathryn Halvorson, Air Force Real Property Agency, 1700 North Moore St., Suite 2300, Arlington, VA 22209; (703) 696–5502; *COE*: Mr. Walter Hylton, Army Corps of Engineers, Office of Counsel, CECC–R, 441 G Street, NW., Washington, DC 20314–1000; (202) 761–7701; *Coast Guard*: Commandant, United States Coast Guard, Attn: Teresa Sheinberg, 2100 Second St., SW., Rm 6109, Washington, DC 20593–0001; (202) 267–6142; *Energy*: Mr. Mark Price, Department of Energy, Office of Engineering & Construction Management, MA–50, 1000 Independence Ave., SW., Washington, DC 20585; (202) 586–5422; *GSA*: Mr. John Smith, Deputy Assistant Commissioner, General Services Administration, Office of Property Disposal, 18th & F Streets, NW., Washington, DC 20405; (202) 501–0084; *Interior*: Mr. Michael Wright, Acquisition & Property Management, Department of the Interior, 1849 C Street, NW., MS2603, Washington, DC 20240; (202) 208–5399; *Navy*: Mrs. Mary Arndt, Acting Director, Department of the Navy, Real Estate Services, Naval Facilities Engineering Command, Washington Navy Yard, 1322 Patterson Ave., SE., Suite 1000, Washington, DC 20374–5065; (202) 685–9305; (These are not toll-free numbers).

Dated: May 22, 2008.

Mark R. Johnston,

Deputy Assistant Secretary for Special Needs.

**Title V, Federal Surplus Property Program
Federal Register Report for 05/30/2008**

Suitable/Available Properties

Building

West Virginia
SSA District Office
214 North Kanawha St.
Beckley WV 25801
Landholding Agency: GSA
Property Number: 54200820009
Status: Surplus

GSA Number: 4–G–WV–0552
Comments: 4473 sq. ft., presence of asbestos/lead paint, most recent use—offices

Land

California
Parcels L1 & L2
George AFB
Victorville CA 92394
Landholding Agency: Air Force
Property Number: 18200820034
Status: Excess
Comments: 157 acres/desert, pump-and-treat system, groundwater restrictions, AF access rights, access restrictions, environmental concerns

Suitable/Available Properties

Land

New Mexico
Portion
Griegos Drain
Albuquerque NM 87104
Landholding Agency: Interior
Property Number: 61200820002
Status: Unutilized
Comments: 0.0656 acres, encroachment, limited access
Pennsylvania
approx. 16.88
271 Sterrettania Rd.
Erie PA 16506
Landholding Agency: GSA
Property Number: 54200820011
Status: Surplus
GSA Number: 4–D–PA–0810
Comments: vacant land

Unsuitable Properties

Building

Alaska
Bldg. 70500
Seward AFB
Seward AK 99664
Landholding Agency: Air Force
Property Number: 18200820001
Status: Unutilized
Reasons: Secured Area
Bldg. 3224
Eielson AFB
Eielson AK 99702
Landholding Agency: Air Force
Property Number: 18200820002
Status: Unutilized
Reasons: Secured Area, Extensive deterioration
5 Bldgs.
Elmendorf AFB
Anchorage AK 99506
Landholding Agency: Air Force
Property Number: 18200820003
Status: Unutilized
Directions: 5188, 7152, 10492, 12095, 15358
Reasons: Secured Area

Unsuitable Properties

Building

Arkansas
Well House
Mountain Home Project
Mountain Home AR 72653
Landholding Agency: COE
Property Number: 31200820001

Status: Unutilized
 Reasons: Secured Area
 California
 Bldgs. 1185, 1186, 1187
 Vandenberg AFB
 Vandenberg CA 93437
 Landholding Agency: Air Force
 Property Number: 18200820005
 Status: Unutilized
 Reasons: Secured Area
 5 Bldgs.
 Vandenberg AFB
 1521, 1522, 1523, 1753, 1826
 Vandenberg CA 93437
 Landholding Agency: Air Force
 Property Number: 18200820006
 Status: Unutilized
 Reasons: Secured Area

Unsuitable Properties

Building

California
 Bldgs. 1952, 1953, 1957, 1958
 Vandenberg AFB
 Vandenberg CA 93437
 Landholding Agency: Air Force
 Property Number: 18200820007
 Status: Unutilized
 Reasons: Secured Area
 Bldgs. 1992, 1995
 Vandenberg AFB
 Vandenberg CA 93437
 Landholding Agency: Air Force
 Property Number: 18200820008
 Status: Unutilized
 Reasons: Secured Area
 Bldgs. 10755, 11008
 Vandenberg AFB
 Vandenberg CA 93437
 Landholding Agency: Air Force
 Property Number: 18200820009
 Status: Unutilized
 Reasons: Secured Area
 4 Bldgs.
 Vandenberg AFB
 13140, 13401, 13402, 13407
 Vandenberg CA 93437
 Landholding Agency: Air Force
 Property Number: 18200820010
 Status: Unutilized
 Reasons: Secured Area

Unsuitable Properties

Building

California
 Bldg. 16133
 Vandenberg AFB
 Vandenberg CA 93437
 Landholding Agency: Air Force
 Property Number: 18200820011
 Status: Unutilized
 Reasons: Secured Area
 5 Bldgs.
 Pt. Arena AF Station
 101, 102, 104, 105, 108
 Mendocino CA 95468
 Landholding Agency: Air Force
 Property Number: 18200820019
 Status: Excess
 Reasons: Secured Area, Extensive deterioration
 Bldgs. 160, 161, 166
 Pt. Arena AF Station

Mendocino CA 95468
 Landholding Agency: Air Force
 Property Number: 18200820020
 Status: Excess
 Reasons: Extensive deterioration, Secured Area

Unsuitable Properties

Building

California
 8 Bldgs.
 Pt. Arena AF Station
 Mendocino CA 95468
 Landholding Agency: Air Force
 Property Number: 18200820021
 Status: Excess
 Directions: 201, 202, 203, 206, 215, 216, 217, 218
 Reasons: Extensive deterioration, Secured Area
 7 Bldgs.
 Pt. Arena AF Station
 Mendocino CA 95468
 Landholding Agency: Air Force
 Property Number: 18200820022
 Status: Excess
 Directions: 220, 221, 222, 223, 225, 226, 228
 Reasons: Secured Area, Extensive deterioration
 Bldg. 408
 Pt. Arena AF Station
 Mendocino CA 95468
 Landholding Agency: Air Force
 Property Number: 18200820023
 Status: Excess
 Reasons: Extensive deterioration, Secured Area

Unsuitable Properties

Building

California
 Bldgs. 601 thru 610
 Pt. Arena AF Station
 Mendocino CA 95468
 Landholding Agency: Air Force
 Property Number: 18200820024
 Status: Excess
 Reasons: Secured Area, Extensive deterioration
 Bldgs. 611-619
 Pt. Arena AF Station
 Mendocino CA 95468
 Landholding Agency: Air Force
 Property Number: 18200820025
 Status: Excess
 Reasons: Extensive deterioration, Secured Area
 Bldgs. 620 thru 627
 Pt. Arena AF Station
 Mendocino CA 95468
 Landholding Agency: Air Force
 Property Number: 18200820026
 Status: Excess
 Reasons: Secured Area, Extensive deterioration

Unsuitable Properties

Building

California
 Bldgs. 654, 655, 690
 Pt. Arena AF Station
 Mendocino CA 95468
 Landholding Agency: Air Force

Property Number: 18200820027
 Status: Excess
 Reasons: Extensive deterioration, Secured Area
 Bldgs. 300, 387
 Pt. Arena Comm Annex
 Mendocino CA 95468
 Landholding Agency: Air Force
 Property Number: 18200820029
 Status: Excess
 Reasons: Extensive deterioration, Secured Area
 Bldgs. 700, 707, 796, 797
 Pt. Arena Comm Annex
 Mendocino CA 95468
 Landholding Agency: Air Force
 Property Number: 18200820030
 Status: Excess
 Reasons: Extensive deterioration, Secured Area

Unsuitable Properties

Building

California
 Bldgs. 748, 838
 Vandenberg AFB
 Vandenberg CA 93437
 Landholding Agency: Air Force
 Property Number: 18200820033
 Status: Unutilized
 Reasons: Secured Area
 Bldg. S 00108
 Sharpe
 Lathrop CA 95231
 Landholding Agency: COE
 Property Number: 31200820002
 Status: Underutilized
 Reasons: Secured Area
 Bldgs. 17, 37, 130
 Naval Base
 San Diego CA 92136
 Landholding Agency: Navy
 Property Number: 77200820023
 Status: Excess
 Reasons: Secured Area
 Bldgs. 3053, 3328
 Naval Base
 San Diego CA 92136
 Landholding Agency: Navy
 Property Number: 77200820025
 Status: Excess
 Reasons: Secured Area

Unsuitable Properties

Building

California
 Bldgs. 3368, 3370
 Naval Base
 San Diego CA 92136
 Landholding Agency: Navy
 Property Number: 77200820026
 Status: Excess
 Reasons: Secured Area
 Bldgs. 3591, 3592
 Naval Base
 San Diego CA 92136
 Landholding Agency: Navy
 Property Number: 77200820027
 Status: Excess
 Reasons: Secured Area
 Bldg. 3603
 Naval Base
 San Diego CA 92136

Landholding Agency: Navy
Property Number: 77200820028
Status: Excess
Reasons: Floodway, Secured Area

Unsuitable Properties

Building

California
Bldg. PH1230
Naval Base
Port Hueneme CA 93043
Landholding Agency: Navy
Property Number: 77200820029
Status: Unutilized
Reasons: Extensive deterioration, Secured Area

Bldg. PM28
Naval Base
Point Mugu CA 93042
Landholding Agency: Navy
Property Number: 77200820030
Status: Unutilized
Reasons: Secured Area, Extensive deterioration
Bldgs. PH5295, PH5297
Naval Base
Oxnard CA 93042
Landholding Agency: Navy
Property Number: 77200820031
Status: Unutilized
Reasons: Extensive deterioration, Secured Area

Unsuitable Properties

Building

California
4 Bldgs.
Naval Base
Oxnard CA 93042
Landholding Agency: Navy
Property Number: 77200820032
Status: Unutilized
Directions: PH5303, PH5315, PH5318, PH5319
Reasons: Secured Area, Extensive deterioration
Bldgs. PH5323, PH5329
Naval Base
Oxnard CA 93042
Landholding Agency: Navy
Property Number: 77200820033
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Colorado
Bldg. 988
Rocky Mtn Natl Park
Estes Park CO 80517
Landholding Agency: Interior
Property Number: 61200820003
Status: Unutilized
Reasons: Extensive deterioration

Unsuitable Properties

Building

District of Columbia
Bldgs. 29, 105, 107
Anacostia Naval Annex
Washington DC
Landholding Agency: Navy
Property Number: 77200820034
Status: Unutilized
Reasons: Floodway, Secured Area

Bldg. W22
Washington Navy Yard
Washington DC 20374
Landholding Agency: Navy
Property Number: 77200820035
Status: Underutilized
Reasons: Secured Area

Florida
Bldg. L-10
Jim Woodruff Reservoir
Chattahoochee FL 32324
Landholding Agency: COE
Property Number: 31200820003
Status: Unutilized
Reasons: Extensive deterioration

Unsuitable Properties

Building

Georgia
Bldgs. 794, 1541
Moody AFB
Lowndes GA
Landholding Agency: Air Force
Property Number: 18200820012
Status: Unutilized
Reasons: Secured Area
4 Bldgs.
West Point Lake
WH16, WH18, WR02, WA03
West Point GA 31833
Landholding Agency: COE
Property Number: 31200820004
Status: Unutilized
Reasons: Extensive deterioration
Pumphouse
Carters Lake
Oakman GA 30732
Landholding Agency: COE
Property Number: 31200820005
Status: Unutilized
Reasons: Extensive deterioration
4 Stables
Di-Lane Plantation
Elberton GA 30635
Landholding Agency: COE
Property Number: 31200820006
Status: Unutilized
Reasons: Extensive deterioration

Unsuitable Properties

Building

Idaho
Bldgs. B23-602, B27-601
Idaho Natl Laboratory
Idaho Falls ID 83415
Landholding Agency: Energy
Property Number: 41200820003
Status: Unutilized
Reasons: Secured Area
Bldgs. CF-635, CF650
Idaho Natl Laboratory
Idaho Falls ID 83415
Landholding Agency: Energy
Property Number: 41200820005
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material Secured Area
Bldgs. CF-662, CF-692
Idaho Natl Laboratory
Idaho Falls ID 83415
Landholding Agency: Energy
Property Number: 41200820006

Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Unsuitable Properties

Building

Idaho
Bldg. 4
Spalding Ave/Watson Store Rd
Spalding ID 83540
Landholding Agency: Interior
Property Number: 61200820001
Status: Excess
Reasons: Extensive deterioration

Kansas
Fee Booth #35006
Minooka Park
Sylvan Grove KS 67481
Landholding Agency: COE
Property Number: 31200820007
Status: Excess
Reasons: Extensive deterioration

Mississippi
Bldg. CB-70
Columbus Lake
Columbus MS 39701
Landholding Agency: COE
Property Number: 31200820009
Status: Unutilized
Reasons: Extensive deterioration

Unsuitable Properties

Building

Missouri
Bldg. 14004
Hawker Point Park
Stockton MO 65785
Landholding Agency: COE
Property Number: 31200820008
Status: Excess
Reasons: Extensive deterioration

Montana
Bldg. 1881
Malmstrom AFB
Cascade MT 59402
Landholding Agency: Air Force
Property Number: 18200820013
Status: Unutilized
Reasons: Secured Area

Nevada
Bldg. 33400
Ely
Ely NV 89301
Landholding Agency: Air Force
Property Number: 18200820014
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Unsuitable Properties

Building

New Hampshire
Bldgs. 122, 153, 501, 502
New Boston AF Station
Hillsborough NH
Landholding Agency: Air Force
Property Number: 18200820015
Status: Unutilized
Reasons: Secured Area

New Mexico
Bldgs. 40, 841
Holloman AFB
Otero NM 88330
Landholding Agency: Air Force
Property Number: 18200820016
Status: Underutilized
Reasons: Secured Area
Bldgs. 436, 437
Kirtland AFB
Bernalillo NM 87117
Landholding Agency: Air Force
Property Number: 18200820017
Status: Underutilized
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Unsuitable Properties

Building

Oklahoma
4 Bldgs.
Optima Lake
Texas OK
Landholding Agency: COE
Property Number: 31200820010
Status: Unutilized
Directions: 43119, 43192, 43193, 43262
Reasons: Extensive deterioration

Oregon

Bldg. 1001
ANG Base
Portland OR 97218
Landholding Agency: Air Force
Property Number: 18200820018
Status: Underutilized
Reasons: Secured Area, Within 2000 ft. of flammable or explosive material

Pennsylvania

Bldgs. TIO 12328, 12333
Tionesta PA 16353
Landholding Agency: COE
Property Number: 31200820011
Status: Unutilized
Reasons: Extensive deterioration

Unsuitable Properties

Building

Rhode Island
Bldg. 164
Naval Station
Newport RI 02841
Landholding Agency: Navy
Property Number: 77200820036
Status: Excess
Reasons: Floodway, Secured Area, Within 2000 ft. of flammable or explosive material

Texas

18 Bldgs.
Texoma Lake
Denison TX
Landholding Agency: COE
Property Number: 31200820012
Status: Unutilized
Reasons: Extensive deterioration
Bldg.
Stilling Basin
Pat Mayes Lake
Powderly TX 75473
Landholding Agency: COE
Property Number: 31200820013
Status: Unutilized

Reasons: Extensive deterioration

Unsuitable Properties

Building

Virginia
Martin House
Tract 07-101
Dinwiddie VA 23841
Landholding Agency: Interior
Property Number: 61200820005
Status: Excess
Reasons: Extensive deterioration
Quarters #50
1541 Hickory Hill Road
Petersburg VA 23803
Landholding Agency: Interior
Property Number: 61200820006
Status: Excess
Reasons: Extensive deterioration
Davis House
Tract 01-137
Petersburg VA 23803
Landholding Agency: Interior
Property Number: 61200820007
Status: Excess
Reasons: Extensive deterioration
Bldg. 3306
Marine Corps Base
Quantico VA 22134
Landholding Agency: Navy
Property Number: 77200820037
Status: Excess
Reasons: Extensive deterioration

Unsuitable Properties

Building

Virginia
Navigation Center Trailer
USCG TISCOM
Alexandria VA 22315
Landholding Agency: Coast Guard
Property Number: 88200820003
Status: Excess
Reasons: Secured Area
Washington
Storage Bldg.
Lower Granite Lock & Dam
Pomeroy WA 99374
Landholding Agency: COE
Property Number: 31200820014
Status: Unutilized
Reasons: Extensive deterioration
Residence 0033008500
Kennewick WA 99338
Landholding Agency: Interior
Property Number: 61200820008
Status: Unutilized
Reasons: Extensive deterioration

Unsuitable Properties

Land

California
Facilities 99001 thru 99006
Pt. Arena AF Station
Mendocino CA 95468
Landholding Agency: Air Force
Property Number: 18200820028
Status: Excess
Reasons: Secured Area
7 Facilities
Pt. Arena Comm Annex
Mendocino CA 95468

Landholding Agency: Air Force
Property Number: 18200820031
Status: Excess
Directions: 99001, 99003, 99004, 99005, 99006, 99007, 99008
Reasons: Secured Area
Facilities 99002 thru 99014
Pt. Arena Water Sys Annex
Mendocino CA 95468
Landholding Agency: Air Force
Property Number: 18200820032
Status: Excess
Reasons: Secured Area

Unsuitable Properties

Land

Georgia
Tract J-916
Allatoona Operations Project
Canton GA
Landholding Agency: GSA
Property Number: 54200820010
Status: Excess
GSA Number: 4-D-GA-0424AB
Reasons: Floodway
Utah
0.47 acre
Hyrum Feeder Canal
Hyrum UT 84319
Landholding Agency: Interior
Property Number: 61200820004
Status: Excess
Reasons: Other—landlocked

[FR Doc. E8-11893 Filed 5-29-08; 8:45 am]

BILLING CODE 4210-67-P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-5130-N-24]

Privacy Act of 1974; Notice of a Computer Matching Program Between the U.S. Department of Housing and Urban Development (HUD) and the U.S. Department of Veterans Affairs (VA)

AGENCY: Office of the Chief Information Officer, HUD.

ACTION: Notice of a Computer Matching Program between HUD and VA.

SUMMARY: In accordance with the Privacy Act of 1974 (5 U.S.C. 552a), as amended by the Computer Matching and Privacy Protection Act of 1988 (Pub. L. 100-503), and the Office of Management and Budget (OMB) Guidelines on the Conduct of Matching Programs (54 FR 25818 (June 19, 1989); and OMB Bulletin 89-22, "Instructions on Reporting Computer Matching Programs to the Office of Management and Budget (OMB), Congress and the Public," HUD is issuing a public notice of its intent to conduct a recurring computer matching program with VA to utilize a computer information system of HUD, the Credit Alert Interactive Voice Response System (CAIVRS), with VA's debtor files.

DATES: *Effective Date:* Computer matching is expected to begin on *June 30, 2008*, or at least 40 days from the date copies of the signed (by both agencies' Data Integrity Boards (DIBs)) computer matching agreement are sent to the Office of Management and Budget (OMB) and Congress, whichever is later unless comments are received, which will result in a contrary determination.

Comments Due Date: June 30, 2008.

ADDRESSES: Interested persons are invited to submit comments regarding this notice to the Rules Docket Clerk, Office of General Counsel, Department of Housing and Urban Development, 451 Seventh Street, SW., Room 10276, Washington, DC 20410.

Communications should refer to the above docket number and title. A copy of each communication submitted will be available for public inspection and copying between 8 a.m. and 5 p.m. weekdays at the above address.

For Further Information From Recipient Agency Contact: Donna Robinson-Staton, Departmental Privacy Act Officer, Department of Housing and Urban Development, 451 Seventh Street, SW., Room 2256, Washington, DC 20410, telephone number (202) 402-8073. [This is not a toll-free number.] A telecommunication device for hearing- and speech-impaired individuals (TTY) is available at 1-800-877-8339 (Federal Information Relay Service).

For Further Information From Source Agency Contact: Jorgeana Williams, Debt Management Center, Department of Veterans Affairs, Bishop Henry Whipple Federal Building, Room 156E, 1 Federal Drive, Ft. Snelling, MN 55111-4050, telephone number (612) 970-5703. [This is not a toll-free number.]

Reporting: In accordance with Public Law 100-503, the Computer Matching and Privacy Protection Act of 1988, as amended, and OMB Bulletin 89-22, "Instructions on Reporting Computer Matching Programs to the Office of Management and Budget (OMB), Congress and the Public," copies of this Notice and report are being provided to the Committee on Oversight and Government Reform of the House of Representatives, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Office of Management and Budget.

Authority: HUD has authority to collect and review mortgage data pursuant to the National Housing Act, as amended, 12 U.S.C. 1701 *et seq.*, and related laws. The VA is authorized, pursuant to 38 U.S.C. 3710, to determine that any veteran who obtains a VA-guaranteed home loan poses a satisfactory credit risk. This computer matching will be conducted pursuant to Public Law 100-503, "The Computer

Matching and Privacy Protection Act of 1988," as amended, and the Office of Management and Budget (OMB) Circulars A-129 (Managing Federal Credit Programs). OMB Circular A-129 was issued under the authority of the Budget and Accounting Act of 1921, as amended; the Budget and Accounting Act of 1950, as amended; the Debt Collection Act of 1982, as amended by the Debt Collection Improvement Act of 1996; Section 2653 of Public Law 98-369; the Federal Credit Reform Act of 1990, as amended; the Federal Debt Collection Procedures Act of 1990, the Chief Financial Officers Act of 1990, as amended; Executive Order 8248; the Cash Management Improvement Act Amendments of 1992; and pre-existing common law authority to charge interest on debts and to offset payments to collect debts administratively.

Objectives to be Met by the Matching Program: HUD's primary objective for continuing the matching program is to permit prescreening of applicants for Federal Credit Programs, to ensure that applicants are not delinquent on a Federal loan or have defaulted on a direct or guaranteed loan. HUD will be provided access to VA's debtor data for prescreening purposes.

In this computer matching program, each month HUD/CAIVRS receives limited information on borrowers who have defaulted on loans administered by participating federal agencies. This information includes: Social Security Number (SSN) or Employer Identification Number (EIN), case number, Federal Agency identifying code, and record type. Participating agencies also provide HUD with a file containing authorized lenders/business partners. When federal agency personnel or authorized lenders access CAIVRS, they must enter a user authorization code followed by either an SSN or EIN (for businesses and non-profits). Only the following information is returned/displayed:

- Yes/No as to whether the holder of that SSN/EIN is in default on a Federal loan; and
- If Yes, then CAIVRS provides to the lender:
 - Loan case number;
 - Record type (claim, default, foreclosure, or judgment);
 - Agency administering the loan program; and
 - Phone # at that agency (to call to clear up the default)
- Confirmation Code associated with the query

By law, processing of applications for Federal Credit benefits (such as government-insured loans) must be suspended when applicants are delinquent on Federal debt. Processing may continue only when the debtor satisfactorily resolves the debt (e.g., pays in full or renegotiates a new

payment plan). To remove a CAIVRS sanction, the borrower must use the information provided to contact the agency that reported their SSN or EIN to HUD/CAIVRS.

Records to be Matched: HUD will use records from its systems of records entitled, HUD/SFH-01, Single Family Default Monitoring System; HUD/SFH-02, Single Family Insurance System CLAIMS Subsystem; HUD/HS-55, Debt Collection Asset Management System; and HUD/HS-57, Single Family Mortgage Notes. The debtor files for programs involved are included in these systems of records. HUD's debtor files contain information on borrowers and co-borrowers who are currently in default (at least 90 days delinquent on their loans or who have had their partial claim subordinate mortgage called due and payable and it has not been repaid in full); or who have any outstanding claims paid during the last three years on a Title II insured or guaranteed home mortgage loans; or individuals who had a claim paid in the last three years on a Title I loan.

The VA will provide HUD with debtor files contained in its system of records entitled SS-VA26, Loan Guaranty Systems of Records. Central Accounts Receivable On Line System is a subsidiary of SS-VA26. HUD is maintaining VA's records only as a ministerial action on behalf of VA, not as a part of HUD's systems of records. VA's data contain information on individuals who have defaulted on their guaranteed loans. The VA will retain ownership and responsibility for their systems of records that they place with HUD. HUD serves only as a record location and routine use recipient for VA's data.

Notice Procedures: HUD and the VA will notify individuals at the time of application (ensuring that routine use appears on the application form) for guaranteed or direct loans that their records will be matched to determine whether they are delinquent or in default on a Federal debt. HUD and the VA will also publish notices concerning routine use disclosures in the **Federal Register** to inform individuals that a computer match may be performed to determine a loan applicant's credit status with the federal government.

Categories of Records/Individuals Involved: The debtor records include these data elements from HUD's systems of records, SSN, claim number, program code, and indication of indebtedness. Categories of records include: Records of claims and defaults, repayment agreements, credit Reports, financial statements, and records of foreclosures. Categories of individuals include:

Former mortgagors and purchasers of HUD-owned properties, home improvement loan debtors who are delinquent or in default (at least 90-days delinquent on their loans or who have had their partial claim subordinate mortgage called due and payable and has not been paid in full); or who have any outstanding claims paid during the last three years on a title II insured or guaranteed home mortgage loans, or individual who has claim paid in the last three years on a Title I loan.

Period of the Match: Matching will begin at least 40 days from the date copies of the signed (by both agencies DIBS) computer matching agreements are sent to both Houses of Congress or at least 30 days from the date this Notice is published in the **Federal Register**, whichever is later, providing no comments are received which would result in a contrary determination. The matching program will be in effect and continue for 18 months with an option to renew for 12 additional months unless one of the parties to the agreement advises the other in writing to terminate or modify the agreement.

Dated: May 22, 2008.

Joseph M. Milazzo,

Acting Chief Information Officer.

[FR Doc. E8-12050 Filed 5-29-08; 8:45 am]

BILLING CODE 4210-67-P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS-R4-ES-2008-N0139; 40120-1112-0000-F2; ABC Code: F2]

Endangered and Threatened Wildlife and Plants; Permits

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of receipt of an application for an incidental take permit for the expansion of the Sun Ray Wastewater Treatment Facility, Polk County, Florida.

SUMMARY: We, the Fish and Wildlife Service (Service), announce the availability of an incidental take permit (ITP) and Habitat Conservation Plan (HCP). Polk County Utilities (applicants) request an ITP pursuant to section 10(a)(1)(B) of the Endangered Species Act of 1973, as amended (Act). The applicants anticipate taking about 6.63 acres of sand skink (*Neopseps reynoldsi*) and bluetail mole skink (*Eumeces egregius lividus*) (skinks) foraging and sheltering habitat incidental to construction activities associated with the expansion of the

existing Sun Ray Wastewater Treatment Facility in Polk County, Florida (project). The applicants' HCP describes the mitigation and minimization measures proposed to address the effects of the project on the skinks.

DATES: We must receive your written comments on the ITP application and HCP on or before June 30, 2008.

ADDRESSES: See the **SUPPLEMENTARY INFORMATION** section below for information on how to submit your comments on the ITP application and HCP. You may obtain a copy of the ITP application and HCP by writing the South Florida Ecological Services Office, Attn: Permit number TE182090-0, U.S. Fish and Wildlife Service, 1339 20th Street, Vero Beach, FL 32960-3559. In addition, we will make the ITP application and HCP available for public inspection by appointment during normal business hours at the above address.

FOR FURTHER INFORMATION CONTACT: Ms. Trish Adams, Fish and Wildlife Biologist, South Florida Ecological Services Office (see **ADDRESSES**); telephone: (772) 562-3909, ext. 232.

SUPPLEMENTARY INFORMATION: If you wish to comment on the ITP application and HCP, you may submit comments by any one of the following methods. Please reference permit number TE182090-0 in such comments.

1. Mail or hand-deliver comments to our South Florida Ecological Services Office address (see **ADDRESSES**).

2. E-mail comments to trish_adams@fws.gov. If you do not receive a confirmation that we have received your e-mail message, contact us directly at the telephone number listed under **FOR FURTHER INFORMATION CONTACT**.

Before including your address, phone number, e-mail address, or other personal identifying information in your comments, you should be aware that your entire comment-including your personal identifying information-may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Construction activities associated with the expansion of the existing wastewater treatment facility will take place within Sections 7 and 18, Township 32, Range 28, Frostproof, Polk County, Florida.

Polk County Utilities is proposing to expand the Sun Ray Wastewater Treatment Facility onto a 37.09 acre site adjacent to the existing facility that would result in the development of 6.63

acres of occupied skink habitat. The applicant proposes to mitigate for impacts by restoring and managing in perpetuity 19.9 acres of scrub habitat on site.

We have determined that the applicants' proposal, including the proposed mitigation and minimization measures, will have a minor or negligible effect on the species covered in the HCP. Therefore, the ITP is a "low-effect" project and qualifies as a categorical exclusion under the National Environmental Policy Act (NEPA), as provided by the Department of the Interior Manual (516 DM 2 Appendix 1 and 516 DM 6 Appendix 1). Low-effect HCPs are those involving (1) minor or negligible effects on federally listed or candidate species and their habitats and (2) minor or negligible effects on other environmental values or resources. Based on our review of public comments that we receive in response to this notice, we may revise this preliminary determination.

We will evaluate the HCP and comments submitted thereon to determine whether the application meets the requirements of section 10(a) of the Act (16 U.S.C. 1531 et seq.). If we determine that the application meets the requirements, we will issue the ITP for incidental take of the skinks. We will also evaluate whether issuance of the section 10(a)(1)(B) ITP complies with section 7 of the Act by conducting an intra-Service section 7 consultation. We will use the results of this consultation, in combination with the above findings, in the final analysis to determine whether or not to issue the ITP.

Authority: We provide this notice pursuant to Section 10 of the Endangered Species Act (16 U.S.C. 1531 et seq.) and NEPA regulations (40 CFR 1506.6).

Dated: May 14, 2008.

Paul Souza,

Field Supervisor, South Florida Ecological Services Office.

[FR Doc. E8-12067 Filed 5-29-08; 8:45 am]

BILLING CODE 4310-55-P

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Amended Proposed Finding Against Acknowledgment of the Biloxi, Chitimacha Confederation of Muskogees, Inc. (BCCM) of Louisiana

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice of amended proposed finding.

SUMMARY: Pursuant to 25 CFR 83.10(h), the Department of the Interior (Department) gives notice that the Assistant Secretary—Indian Affairs (AS-IA) proposes to determine that the Biloxi, Chitimacha Confederation of Muskogees, Inc. (BCCM), c/o Randy Verdun, 114 Retreat Drive, Bourg, Louisiana 70343, is not an Indian tribe within the meaning of Federal law.

This notice is based on a determination that the petitioner does not satisfy all seven of the criteria set forth in Part 83 of Title 25 of the Code of Federal Regulations (25 CFR part 83), specifically criteria 83.7(b), 83.7(c), 83.7(d), and 83.7(e), and therefore, does not meet the requirements for a government-to-government relationship with the United States.

DATES: Comments on this amended proposed finding are due on or before November 26, 2008. Publication of this notice of the amended proposed finding in the **Federal Register** initiates a 180-day comment period during which the petitioner and interested and informed parties may submit arguments and evidence to support or rebut the evidence relied upon in the amended proposed finding. Interested or informed parties must provide a copy of their comments to the petitioner. The regulations, 25 CFR 83.10(k), provide petitioners a minimum of 60 days to respond to any submissions on the amended proposed finding received from interested and informed parties during the comment period.

ADDRESSES: Comments and requests for a copy of the summary evaluation of the evidence should be addressed to the Office of the Assistant Secretary—Indian Affairs, Attention: Office of Federal Acknowledgment, 1951 Constitution Avenue, NW., Mail Stop 34B-SIB, Washington, DC 20240.

FOR FURTHER INFORMATION CONTACT: R. Lee Fleming, Director, Office of Federal Acknowledgment, (202) 513-7650.

SUPPLEMENTARY INFORMATION: The Department publishes this notice in the exercise of authority that the Secretary of the Interior delegated to the AS-IA by 209 DM 8.

The Biloxi, Chitimacha Confederation of Muskogees, Inc. (BCCM), Petitioner #56a, is a confederation of three subgroups each of which claims to be the continuation of a historical Indian community on a specific bayou in south-central Louisiana: The Bayou Lafourche Band, Grand Caillou/Dulac Band, and Isle de Jean Charles Band. BCCM has 2,545 members in its three subgroups. BCCM's subgroups have adopted constitutions, but BCCM has not submitted a governing document for

the confederation. BCCM claims to descend from the historical Biloxi, Chitimacha, Acolapissa, Atakapa, and Choctaw tribes, but its members and their ancestors have been called "Houma" Indians since at least 1907. The petitioner's current organization was formed in 1995. Most of BCCM's members previously had been members of the United Houma Nation (UHN), Petitioner #56, which received a negative proposed finding in 1994.

BCCM submitted a letter of intent to petition for Federal acknowledgment in 1995. The Department advised the BCCM petitioner in 1996 of its decision to issue an "amended Proposed Finding" for BCCM, saying that, "[p]rocedurally, BCCM is being treated as a petitioner with a proposed finding. * * * The Department informed the BCCM petitioner that it would treat the petitioner as being "covered by the documented petition which was previously submitted" by the UHN petitioner. The Department set a time period for BCCM to comment on the UHN proposed finding and submit its own petition documentation. On November 6, 1996, BCCM submitted comments on the UHN petition plus its own petition documentation. BCCM submitted additional petition documentation on May 15, 1997. The Department notified BCCM that evaluation of its petition began on February 4, 2005, and a period to submit additional materials would close on April 15, 2005. Three subgroups of BCCM separately submitted petition documentation to the Department by April 15, 2005.

This notice is based on a determination that BCCM does not satisfy all of the seven mandatory criteria for acknowledgment in 25 CFR 83.7. The acknowledgment process is based on the regulations at 25 CFR part 83. Under these regulations, the petitioner has the burden to present evidence that it meets the seven mandatory criteria in section 83.7. This amended proposed finding reaches the following conclusions for each of the mandatory criteria in 25 CFR part 83.7:

The BCCM petitioner meets the requirements of criterion 83.7(a). This amended proposed finding concludes that identifications of a "Houma" population or group when combined with other identifications of settlements or groups of the "Houma" associated with the petitioner's subgroups provide evidence sufficient to demonstrate the substantially continuous identification of the subgroups of the petitioner as Indian entities since 1900. Therefore, the BCCM petitioner meets the requirements of this criterion.

The BCCM petitioner does not meet the requirements of criterion 83.7(b). This amended proposed finding concludes the BCCM petitioner has not demonstrated that it meets the requirements of this criterion. The evidence is insufficient to demonstrate that the petitioner's ancestors and others associated with them constituted a community before 1830. This finding concludes the BCCM petitioner meets this criterion between 1830 and 1940 on the basis of the conclusions contained in the 1994 proposed finding on the UHN petitioner. For the period since 1940, there is sufficient evidence for the Isle de Jean Charles subgroup of the petitioner, but the evidence in the record is not sufficient to show that all of the petitioner's subgroups, or the petitioner as a whole, meet the requirements of this criterion. Because the evidence in the record does not show that the petitioning group has existed as a community from historical times to the present, the BCCM petitioner has not demonstrated that it meets the requirements of this criterion.

The BCCM petitioner does not meet the requirements of criterion 83.7(c). This amended proposed finding concludes the BCCM petitioner has not demonstrated that it meets the requirements of this criterion. There is insufficient evidence the petitioner maintained political influence over its historical ancestors before 1830. This finding concludes the BCCM petitioner meets this criterion between 1830 and 1940 on the basis of the conclusions contained in the 1994 proposed finding on the UHN petitioner. For the period since 1940, there is sufficient evidence for the Isle de Jean Charles subgroup of the petitioner only since the 1990's. Thus, the evidence in the record is insufficient to show that the petitioner's subgroups meet the requirements of this criterion since 1940. The available evidence is not sufficient to show that the petitioner's confederation currently maintains political influence over its members. Because the evidence in the record is insufficient to show that the petitioning group has maintained political influence over group members from historical times to the present, the BCCM petitioner has not demonstrated that it meets the requirements of this criterion.

The BCCM petitioner does not meet the requirements of criterion 83.7(d). The petitioner, a confederation comprising three subgroups, lacks a governing document for the confederation or a statement describing in full how the confederation governs itself and defines its membership criteria, and did not respond to a

request for this document. The three subgroups of the BCCM petitioner submitted current and former governing documents describing their individual governing procedures and membership criteria. All three subgroups require descent from historical Indians, but do not identify which historical Indians. In the absence of a BCCM governing document, or a descriptive statement, the BCCM petitioner does not meet the requirements of this criterion.

The BCCM petitioner does not meet the requirements of criterion 83.7(e). The three subgroups of the petitioner submitted separate membership lists identifying a total of 2,545 members. The GCD subgroup's membership list lacked certification, and the "Grand Council" governing body of the petitioner did not separately certify the three subgroups' lists. The regulations require that the petitioner's governing body separately certify its current, complete membership list. An analysis of selected members demonstrates that more than half of them descend from at least one of two individual historical "Indians," but those historical individuals have not been shown to be a part of a historical Indian tribe, or of historical tribes which combined and functioned as a single tribal entity. The evidence in the record has not demonstrated that the BCCM petitioner's members descend from a historical Indian tribe. Therefore, the petitioner does not meet the requirements of criterion 83.7(e).

The BCCM petitioner meets the requirements of criterion 83.7(f). The names of current BCCM members do not appear on rolls of federally recognized Indian tribes reviewed for this amended proposed finding. Additionally, each of the BCCM petitioner's subgroups requires its members to disavow membership in any other Indian group, and their submissions included disavowals for 89 percent of the 2,545 BCCM members. Because evidence in the record indicates that the petitioning group is composed principally of persons who are not members of any acknowledged North American Indian tribe, the BCCM petitioner meets the requirements of this criterion.

The BCCM petitioner meets the requirements of criterion 83.7(g). Because no evidence has been submitted or located that indicates the petitioner, its members, or their ancestors have been the subject of congressional legislation that has expressly terminated or forbidden a relationship with the Federal Government as Indians or as an Indian tribe, the BCCM petitioner meets the requirements of this criterion.

As provided by 25 CFR 83.10(h), a report summarizing the evidence, reasoning, and analyses that are the basis for the amended proposed finding will be provided to the petitioner and interested parties, and is available to other parties upon written request.

After the expiration of the comment and response periods described above, the Department will consult with the petitioner concerning establishment of a schedule for preparation of the final determination. The AS-IA will publish the final determination of the petitioner's status in the **Federal Register** as provided in 25 CFR 83.10(1), at a time that is consistent with that schedule.

Dated: May 22, 2008.

Carl J. Artman,

Assistant Secretary—Indian Affairs.

[FR Doc. E8-12155 Filed 5-29-08; 8:45 am]

BILLING CODE 4310-G1-P

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Amended Proposed Finding Against Acknowledgment of the Pointe-au-Chien Indian Tribe (PACIT) of Louisiana

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice of amended proposed finding.

SUMMARY: Pursuant to 25 CFR 83.10(h), the Department of the Interior (Department) gives notice that the Assistant Secretary—Indian Affairs (AS-IA) proposes to determine that the Pointe-au-Chien Indian Tribe, c/o Charles Verdin, P.O. Box 416, Montegut, Louisiana 70377, is not an Indian tribe within the meaning of Federal law.

This notice is based on a determination that the petitioner does not satisfy all seven of the criteria set forth in Part 83 of Title 25 of the Code of Federal Regulations (25 CFR Part 83), specifically criteria 83.7(b), 83.7(c), and 83.7(e), and therefore, does not meet the requirements for a government-to-government relationship with the United States.

DATES: Comments on this amended proposed finding are due on or before November 26, 2008. Publication of this notice of the amended proposed finding in the **Federal Register** initiates a 180-day comment period during which the petitioner and interested and informed parties may submit arguments and evidence to support or rebut the evidence relied upon in the amended proposed finding. Interested or

informed parties must provide a copy of their comments to the petitioner. The regulations, 25 CFR 83.10(k), provide petitioners a minimum of 60 days to respond to any submissions on the amended proposed finding received from interested and informed parties during the comment period.

ADDRESSES: Comments and requests for a copy of the summary evaluation of the evidence should be addressed to the Office of the Assistant Secretary—Indian Affairs, Attention: Office of Federal Acknowledgment, 1951 Constitution Avenue, NW., Mail Stop 34B-SIB, Washington, DC 20240.

FOR FURTHER INFORMATION CONTACT: R. Lee Fleming, Director, Office of Federal Acknowledgment, (202) 513-7650.

SUPPLEMENTARY INFORMATION: The Department publishes this notice in the exercise of authority that the Secretary of the Interior delegated to the AS-IA by 209 DM 8.

The Pointe-au-Chien Indian Tribe (PACIT), Petitioner #56b, claims to be the continuation of a historical Indian community on a bayou in south-central Louisiana that was originally settled in the mid-19th century. PACIT has 682 members. It has a written constitution as its governing document. PACIT's membership criteria require its members to descend from an individual living in the Bayou "Pointe-au-Chien" Indian settlement in 1900. It has described its members as descendants of the historical Chitimacha, Acolapissa, Atakapa, Choctaw, and Biloxi Indian tribes, but its members and their ancestors have been called "Houma" Indians since at least 1907. The petitioner's current organization was incorporated under Louisiana law in 1993 as the "Documented Houma Tribe" and adopted the name "Pointe au Chien Indian Tribe" in 1995, adding hyphens to its name in 2005. Most of PACIT's members previously had been members of the United Houma Nation (UHN), Petitioner #56, which received a negative proposed finding in 1994.

PACIT submitted a letter of intent to petition for Federal acknowledgment in 1996. The Department advised the PACIT petitioner in 1997 of its decision to issue an "amended Proposed Finding" for PACIT, saying that, "[p]rocedurally, PACIT is being treated as a petitioner with a proposed finding. * * *" The Department informed the PACIT petitioner that it would treat the petitioner as being "covered by the documented petition which was previously submitted" by the UHN petitioner. The Department set a time period for PACIT to comment on the UHN proposed finding and submit its

own petition documentation. On November 10, 1997, the Department received petition documentation from the PACIT petitioner. The Department notified PACIT that evaluation of its petition began on February 4, 2005, and a period to submit additional materials would close on April 15, 2005. The PACIT petitioner submitted petition documentation to the Department by April 15, 2005.

This notice is based on a determination that PACIT does not satisfy all of the seven mandatory criteria for acknowledgment in 25 CFR 83.7. The acknowledgment process is based on the regulations at 25 CFR Part 83. Under these regulations, the petitioner has the burden to present evidence that it meets the seven mandatory criteria in section 83.7. This amended proposed finding reaches the following conclusions for each of the mandatory criteria in 25 CFR Part 83.7:

The PACIT petitioner meets the requirements of criterion 83.7(a). This amended proposed finding concludes that identifications of a "Houma" population or group when combined with other identifications of a Pointe au Chien settlement or group of the "Houma" provides evidence sufficient to demonstrate the substantially continuous identification of the petitioner as an Indian entity since 1900. Therefore, the PACIT petitioner meets the requirements of this criterion.

The PACIT petitioner does not meet the requirements of criterion 83.7(b). This amended proposed finding concludes the PACIT petitioner has not demonstrated that it meets the requirements of this criterion because the evidence is insufficient to demonstrate that its ancestors and others associated with them constituted a community before 1830. This finding concludes the PACIT petitioner meets this criterion between 1830 and 1940 on the basis of the conclusions contained in the 1994 proposed finding on the UHN petitioner and that it meets this criterion since 1940 on the basis of the evidence available for this amended proposed finding. Because the evidence in the record does not show that the petitioning group existed as a community from historical times to the present, the PACIT petitioner has not demonstrated that it meets the requirements of this criterion.

The PACIT petitioner does not meet the requirements of criterion 83.7(c). This amended proposed finding concludes the PACIT petitioner has not demonstrated that it meets the requirements of this criterion because there is insufficient evidence that it maintained political influence over its

historical ancestors before 1830. This finding concludes the PACIT petitioner meets this criterion between 1830 and 1940 on the basis of the conclusions contained in the 1994 proposed finding on the UHN petitioner. For the period since 1940, the evidence available for this amended proposed finding is sufficient to demonstrate that the petitioner meets this criterion only since 1988. Because the evidence in the record is insufficient to show that the petitioning group has maintained political influence over group members from historical times to the present, the PACIT petitioner has not demonstrated that it meets the requirements of this criterion.

The PACIT petitioner meets the requirements of criterion 83.7(d). The PACIT petitioner provided current governing documents that describe its governing procedures and membership criteria, and, therefore, meets the requirements of this criterion.

The PACIT petitioner does not meet the requirements of criterion 83.7(e). The petitioner submitted a certified membership list identifying 682 members. An analysis of selected members demonstrates that most of them descend from at least one of two individual historical "Indians," but those historical individuals have not been shown to be a part of a historical Indian tribe, or of historical Indian tribes which combined and functioned as a single tribal entity. The evidence in the record has not demonstrated that the PACIT petitioner's members descend from a historical Indian tribe and, therefore, the PACIT petitioner does not meet the requirements of this criterion.

The PACIT petitioner meets the requirements of criterion 83.7(f). The names of current PACIT members do not appear on rolls of federally recognized Indian tribes reviewed for this amended proposed finding. Additionally, the PACIT petitioner requires its members to disavow membership in any other Indian group, and its submission included disavowals for 84 percent of the 682 PACIT members. Because evidence in the record indicates that the petitioning group is composed principally of persons who are not members of any acknowledged North American Indian tribe, the PACIT petitioner meets the requirements of this criterion.

The PACIT petitioner meets the requirements of criterion 83.7(g). Because no evidence has been submitted or located that indicates the petitioner, its members, or their ancestors have been the subject of congressional legislation that has expressly terminated or forbidden a

relationship with the Federal Government as Indians or as an Indian tribe, the PACIT petitioner meets the requirements of this criterion.

As provided by 25 CFR 83.10(h), a report summarizing the evidence, reasoning, and analyses that are the basis for the amended proposed finding will be provided to the petitioner and interested parties, and is available to other parties upon written request.

After the expiration of the comment and response periods described above, the Department will consult with the petitioner concerning establishment of a schedule for preparation of the final determination. The AS-IA will publish the final determination of the petitioner's status in the **Federal Register** as provided in 25 CFR 83.10(1), at a time that is consistent with that schedule.

Dated: May 22, 2008.

Carl J. Artman,

Assistant Secretary—Indian Affairs.

[FR Doc. E8-12153 Filed 5-29-08; 8:45 am]

BILLING CODE 4310-G1-P

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Final Environmental Impact Statement for the Cowlitz Indian Tribe's Proposed 151.87-Acre Fee-to-Trust Transfer, Reservation Proclamation, and Casino-Resort Project, Clark County, WA

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice.

SUMMARY: This notice advises the public that the Bureau of Indian Affairs (BIA) as lead agency, with the Cowlitz Indian Tribe (Tribe), National Indian Gaming Commission (NIGC), Federal Highway Administration, U.S. Army Corps of Engineers, Washington Department of Transportation, Clark County, Clark County Sheriff's Office, Cowlitz County, City of La Center, City of Vancouver, City of Ridgefield, Port of Ridgefield, City of Woodland and City of Battle Ground as cooperating agencies, intends to file a Final Environmental Impact Statement (FEIS) with the U.S. Environmental Protection Agency for the Tribe's proposed 151.87-acre fee-to-trust transfer, reservation proclamation, and casino-resort project in Clark County, Washington. The proposed action would include approval by the NIGC of a gaming management contract. The FEIS is now available to the public and is part of the administrative process that evaluates tribal applications that seek to have the United States take land

into trust pursuant to 25 U.S.C. 465, 25 CFR part 151, and 25 U.S.C. 2719(b)(1)(B).

DATES: The Record of Decision on the proposed action will be issued on or after July 1, 2008. Any comments on the FEIS must arrive by June 30, 2008.

ADDRESSES: You may mail or hand carry written comments to Mr. Stanley Speaks, Northwest Regional Director, Bureau of Indian Affairs, Northwest Region, 911 NE. 11th Avenue, Portland, Oregon 97232. Please include your name, return address and the caption, "FEIS Comments, Cowlitz Indian Tribe Trust Acquisition and Casino Project," on the first page of your written comments.

The FEIS will be available for public review at the following Fort Vancouver Public Library branches: La Center Community Library, 1402 East Lockwood Creek Road, La Center, Washington 98629; Ridgefield Community Library, 210 North Main Avenue, Ridgefield, Washington 98642. General information for the Fort Vancouver Public Library system can be obtained by calling (360) 695-1561. The FEIS is also available on the following Web site: <http://www.cowlitzeis.org>.

To obtain copies of the FEIS, please provide your name and address in writing or by voicemail to Dr. B.J. Howerton, Environmental Protection Specialist, at the BIA address above or at the telephone number provided below.

FOR FURTHER INFORMATION CONTACT: B.J. Howerton, (503) 231-6749.

SUPPLEMENTARY INFORMATION: The Tribe has requested that the BIA take 151.87 acres into trust on behalf of the Tribe, on which the Tribe proposes to develop a casino-resort complex, parking facilities, recreational vehicle park, tribal headquarters, tribal elder housing, tribal cultural center, and wastewater treatment plant. The project site encompasses eight contiguous tax lots in Clark County, Washington, near the cities of La Center and Ridgefield. Regional access to the project site is provided via Interstate 5 at the NW. 319th Street Interchange. NW. 319th Street would provide primary access to the casino-resort complex and tribal government facilities. The street, however, would be realigned to a more southerly location within the proposed project site to allow development of the casino and hotel facilities north of NW. 319th Street without encroachment into wetlands and wetland buffer areas.

Project alternatives considered in the FEIS include: (1) Preferred casino-resort complex; (2) preferred casino-resort

complex without re-routing NW. 319th Street; (3) reduced intensity complex; (4) business park; (5) casino-resort complex at the Ridgefield Interchange Site; and (6) no action. The alternatives are intended to assist the review of the issues presented, but the Preferred Alternative does not necessarily reflect what the final decision will be, because a complete evaluation of the criteria listed in 25 CFR Part 151 may lead to a final decision that selects an alternative other than the Preferred Alternative, including no action, or that selects a variant of the Preferred Alternative or another of the alternatives analyzed in the FEIS.

Environmental issues addressed in the FEIS include geology and soils, water resources, air quality, biological resources, cultural and paleontological resources, socioeconomic conditions (including environmental justice), transportation and circulation, land use, public services, noise, hazardous materials, aesthetics, cumulative effects, indirect effects and mitigation measures.

The BIA has afforded other government agencies and the public extensive opportunity to participate in the preparation of this EIS. The BIA published a notice of intent to prepare the EIS for the proposed action in the **Federal Register** on November 12, 2004 (69 FR 43431). The BIA held a public scoping meeting on December 1, 2004, in the City of Vancouver. A Notice of Availability for the Draft EIS was published in the **Federal Register** on April 14, 2006 (71 FR 10055). The Draft EIS was available for public comment from April 14 to July 14, 2006. In response to public requests, the comment period was re-opened from August 4 to August 25, 2006, for a total public comment period of 145 days. The BIA held two public hearings on the Draft EIS, one on June 14, 2006, and one on June 15, 2006, in the City of Vancouver.

Public Comment Availability

Comments, including names and addresses of respondents, will be available for public review at the mailing address shown in the **ADDRESSES** section, during regular business hours, 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. Before including your address, phone number, e-mail address or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we

cannot guarantee that we will be able to do so.

Authority: This notice is published in accordance with section 1503.1 of the Council on Environmental Quality Regulations (40 CFR Parts 1500 through 1508) implementing the procedural requirements of the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4371 *et seq.*), and the Department of the Interior Manual (516 DM 1-6), and is in the exercise of authority delegated to the Assistant Secretary—Indian Affairs by 209 DM 8.

Dated: May 21, 2008.

Carl J. Artman,

Assistant Secretary—Indian Affairs.

[FR Doc. E8-12105 Filed 5-29-08; 8:45 am]

BILLING CODE 4310-W7-P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 731-TA-1121 (Final)]

Light-Walled Rectangular Pipe and Tube From Turkey

Determination

On the basis of the record¹ developed in the subject investigation, the United States International Trade Commission (Commission) determines,² pursuant to section 735(b) of the Tariff Act of 1930 (19 U.S.C. 1673d(b)) (the Act), that an industry in the United States is materially injured by reason of imports from Turkey of light-walled rectangular pipe and tube, provided for in subheading 7306.61 of the Harmonized Tariff Schedule of the United States, that have been found by the Department of Commerce (Commerce) to be sold in the United States at less than fair value (LTFV).

Background

The Commission instituted this investigation effective June 27, 2007, following receipt of a petition filed with the Commission and Commerce by Allied Tube and Conduit, Harvey, IL; Atlas Tube, Plymouth, MI; California Steel and Tube, City of Industry, CA; Ex-L-Tube, Kansas City, MO; Hannibal Industries, Los Angeles, CA; Leavitt Tube Company LLC, Chicago, IL; Maruichi American Corporation, Sante Fe Springs, CA; Searing Industries, Rancho Cucamonga, CA; Southland Tube, Birmingham, AL; Vest Inc., Los Angeles, CA; Welded Tube, Concord, Ontario (Canada); and Western Tube

¹ The record is defined in sec. 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR § 207.2(f)).

² Commissioner Dean A. Pinkert did not participate.

and Conduit, Long Beach, CA. The final phase of the investigation was scheduled by the Commission following notification of a preliminary determination by Commerce that imports of light-walled rectangular pipe and tube from Turkey were being sold at LTFV within the meaning of section 733(b) of the Act (19 U.S.C. 1673b(b)). Notice of the scheduling of the final phase of the Commission's investigation and of a public hearing to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the **Federal Register** of February 5, 2008 (72 FR 6740). The hearing was held in Washington, DC, on April 11, 2008, and all persons who requested the opportunity were permitted to appear in person or by counsel.

The Commission transmitted its determination in this investigation to the Secretary of Commerce on May 23, 2008. The views of the Commission are contained in USITC Publication 4001 (May 2008), entitled

Light-Walled Rectangular Pipe and Tube from Turkey: Investigation No. 731-TA-1121 (Final).

By order of the Commission.

Issued: May 23, 2008.

Marilyn R. Abbott,

Secretary to the Commission.

[FR Doc. E8-12036 Filed 5-29-08; 8:45 am]

BILLING CODE 7020-02-P

INTERNATIONAL TRADE COMMISSION

[Inv. No. 337-TA-650]

In the Matter of Certain Coaxial Cable Connectors and Components Thereof and Products Containing Same; Notice of Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Institution of investigation pursuant to 19 U.S.C. 1337.

SUMMARY: Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on April 28, 2008, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, on behalf of John Mezzalingua Associates, Inc. d/b/a PPC, Inc. of East Syracuse, New York. A letter amending the complaint was filed on May 19, 2008. The complaint, as amended, alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States

after importation of certain coaxial cable connectors and components thereof and products containing same that infringe certain claims of U.S. Patent No. 6,558,194, U.S. Patent No. 5,470,257, U.S. Patent No. D440,539, and U.S. Patent No. D519,076. The complaint further alleges that an industry in the United States exists as required by subsection (a)(2) of section 337.

The complainant requests that the Commission institute an investigation and, after the investigation, issue an exclusion order and cease and desist orders.

ADDRESSES: The complaint and amendment, except for any confidential information contained therein, are available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, SW., Room 112, Washington, DC 20436, telephone 202-205-2000. Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on 202-205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202-205-2000. General information concerning the Commission may also be obtained by accessing its Internet server at <http://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>.

FOR FURTHER INFORMATION CONTACT:

Kevin Baer, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205-2221.

Authority: The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, and in section 210.10 of the Commission's Rules of Practice and Procedure, 19 CFR 210.10 (2008).

Scope of Investigation: Having considered the complaint, the U.S. International Trade Commission, on May 22, 2008, *ordered that*—

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain coaxial cable connectors or components thereof or products containing same that infringe one or more of claims 1 and 2 of U.S. Patent No. 6,558,194; claims 1-5 and 10 of U.S. Patent No. 5,470,257; the claim

of U.S. Patent No. D440,539; and the claim of U.S. Patent No. D519,076; and whether an industry in the United States exists as required by subsection (a)(2) of section 337;

(2) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainant is—

John Mezzalingua Associates, Inc., d/b/a PPC, Inc., 6176 E. Molloy Road, East Syracuse, New York 13057.

(b) The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the complaint is to be served: Aska Communication Corp., 2911 Center Port Circle, Pompano Beach, Florida 33065.

Edali Industrial Corp., No. 70-6 Shia-Kwei Rou-shan, Tau-Sui, Taipei Hsien, Taiwan.

Fu Ching Technical Industrial Co., Ltd., No. 6, Lane 88 Sec. 1, Chung Shin Road, Wuku Hsiang, Taipei Hsein, Taiwan.

Gem Electronics, 920A River Street, Kennedy Industrial Park, Windsor, Connecticut 06095.

Hanjiang Fei Yu Electronics Equipment Factory, No. 1 East Hongxing Road, Hongqiao Street, Touqiao Town, Hanjiang District, Yangzhou, Jiangsu Province, China.

Zhongguang Electronics, No. 1 East Hongxing Road, Hongqiao Street, Touqiao Town, Hanjiang District, Yangzhou, Jiangsu Province, China.

Yangzhou Zhongguang Electronics Co., Ltd., No. 1 East Hongxing Road, Hongqiao Street, Touqiao Town, Hanjiang District, Yangzhou, Jiangsu Province, China.

Yangzhou Zhongguang Foreign Trade Co., Ltd., No. 1 East Hongxing Road, Hongqiao Street, Touqiao Town, Hanjiang District, Yangzhou, Jiangsu Province, China.

(c) The Commission investigative attorney, party to this investigation, is Kevin Baer, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street, SW., Suite 401, Washington, DC 20436; and

(3) For the investigation so instituted, the Honorable Charles E. Bullock is designated as the presiding administrative law judge.

Responses to the complaint and the notice of investigation must be submitted by the named respondents in accordance with section 210.13 of the Commission's Rules of Practice and Procedure, 19 CFR 210.13. Pursuant to 19 CFR 201.16(d) and 210.13(a), such

responses will be considered by the Commission if received not later than 20 days after the date of service by the Commission of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint and the notice of investigation will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter an initial determination and a final determination containing such findings, and may result in the issuance of an exclusion order or a cease and desist order or both directed against the respondent.

By order of the Commission.

Issued: May 23, 2008.

Marilyn R. Abbott,

Secretary to the Commission.

[FR Doc. E8-12028 Filed 5-29-08; 8:45 am]

BILLING CODE 7020-02-P

DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Pursuant to the Clean Air Act

Notice is hereby given pursuant to the Clean Air Act (the "Act"), 42 U.S.C. 7413(g), and 28 CFR 50.7, that on May 15, 2008, a proposed Consent Decree, in *United States v. Michigan Sugar Co.*, Civil No. 08-12125 (E.D. Mich.), was lodged with the United States District Court for the Eastern District of Michigan, Bay City, Michigan Division. In this action, the United States sought injunctive relief and civil penalties against Michigan Sugar for violations of the Prevention of Significant Deterioration ("PSD") provisions of the Act, 42 U.S.C. 7470-7492, and the Plan Requirements for Nonattainment Areas ("NSR") of the Act, 42 U.S.C. 7501-7515, and the federally approved and enforceable Michigan SIP. Michigan Sugar commenced construction of a new natural gas-fired Pulp Dryer No. 3 at its Bay City Facility in 1984 without obtaining a PSD permit that addressed carbon monoxide ("CO") emissions as required by section 165 of the Act, 42 U.S.C. 7475, 40 CFR 52.21(I), and the Michigan SIP. At the same time, because Bay County was nonattainment for ozone, Michigan Sugar failed to obtain

an NSR permit that addressed volatile organic compounds ("VOC") emissions, as required by section 173 of the Act, 42 U.S.C. 7503, and R 336.1201 of the Michigan Air Pollution Control Rules that are part of the federally enforceable Michigan SIP. Further, in 1995, Michigan Sugar increased its annual hours of operation at its Bay City facility beyond the federally enforceable permit conditions for all its Pulp Dryers, Nos. 1, 2, and 3, triggering emissions increases, without obtaining a PSD permit addressing CO emissions, and an NSR permit addressing VOC emissions as required by the Act, federal regulations and the Michigan SIP.

Under the Consent Decree, Michigan Sugar shall: (1) Operate and maintain a Steam Dryer (or alternative non-air pollutant emitting sugar beet pulp drying technology) for processing sugar beet pulp at its Bay City Facility; (2) permanently shut down and decommission its three natural gas-fired Pulp Dryers on a schedule that commenced in December 2007 and will end in May 2014; (3) submit application(s) for a Title V permit modification and/or other appropriate permits under the Act for its Bay City Facility and cooperate fully with Michigan Department of Environmental Quality ("MDEQ") officials processing the application(s); (4) comply with terms and conditions of the MDEQ approved permit(s); and, (5) pay a civil penalty of \$210,000.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to the proposed Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and either e-mailed to pubcomment-ees.enrd@usdoj.gov or mailed to United States Department of Justice, P.O. Box 7611, Washington, DC 20044-7611, and should refer to *United States v. Michigan Sugar Co.*, Civil No. 08-12125 (E.D. Mich.), and DOJ Reference No. 90-5-2-1-08726.

The proposed Consent Decree may be examined at: (1) The Office of the United States Attorney for the Eastern District of Michigan, Bay City, Michigan Division, 101 First St., Suite 200, Bay City, MI 48708 (989-895-5712); and (2) the United States Environmental Protection Agency (Region 5), 77 West Jackson Blvd., Chicago, IL 60604-3507 (contact: Nidhi O'Meara (312-886-0568)).

During the public comment period, the proposed Consent Decree may also be examined on the following U.S. Department of Justice Web site, <http://www.usdoj.gov/enrd/>

Consent Decrees.html. A copy of the proposed Consent Decree may also be obtained by mail from the Consent Decree Library, U.S. Department of Justice, P.O. Box 7611, Washington, DC 20044-7611 or by faxing or e-mailing a request to Tonia Fleetwood (tonia.fleetwood@usdoj.gov), fax no. (202) 514-0097, phone confirmation no. (202) 514-1547. In requesting a copy from the Consent Decree Library, please refer to the referenced case and DOJ Reference Number and enclose a check in the amount of \$9.25 for the Consent Decree and Appendix A (37 pages, at 25 cents per page reproduction costs), made payable to the U.S. Treasury or, if by email or fax, forward a check in that amount to the Consent Decree Library at the stated address.

William D. Brighton,

*Environmental Enforcement Section,
Environment and Natural Resources Division.*
[FR Doc. E8-12037 Filed 5-29-08; 8:45 am]

BILLING CODE 4410-15-P

DEPARTMENT OF JUSTICE

Notice of Lodging Proposed Settlement

In accordance with Departmental Policy, 28 CFR 50.7, notice is hereby given that a proposed Settlement in the case of *United States v. Gerke Excavating, Inc.*, Case Number 03-C-0074-C (W.D. Wis.), was lodged with the United States District Court for the Western District of Wisconsin on May 15, 2008.

This proposed Settlement concerns a complaint filed by the United States against Gerke Excavating, Inc., pursuant to sections 309(b) and (d) of the Clean Water Act ("CWA"), 33 U.S.C. 1319(b) and (d), for civil penalties and injunctive relief resulting from the discharge of pollutants into waters of the United States without a permit, in violation of sections 301(a) and 404 of the CWA, 33 U.S.C. 1311(a) and 1344. The proposed Settlement incorporates Gerke's previous agreement to an injunction and to restore the impacted areas, a stipulation that CWA jurisdiction exists over the impacted area, and a civil penalty.

The Department of Justice will accept written comments relating to this proposed Settlement for thirty (30) days from the date of publication of this Notice. Please address comments to Leslie K. Herje, Assistant United States Attorney, Civil Division Chief, P.O. Box 1585, Madison, Wisconsin 53701-1585, and refer to *United States v. Gerke Excavating, Inc.*

The proposed Settlement may be examined at the Clerk's Office, United States District Court for the Western District of Wisconsin, 120 N. Henry Street, Room 320, Madison, Wisconsin 53703. In addition, the proposed Settlement may be viewed at http://www.usdoj.gov/enrd/Consent_Decrees.html.

Leslie K. Herje,

Assistant United States Attorney.

[FR Doc. E8-11737 Filed 5-29-08; 8:45 am]

BILLING CODE 4410-15-M

DEPARTMENT OF LABOR

Mine Safety and Health Administration

Petitions for Modification

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Notice of petitions for modification of existing mandatory safety standards.

SUMMARY: Section 101(c) of the Federal Mine Safety and Health Act of 1977 and 30 CFR part 44 govern the application, processing, and disposition of petitions for modification. This notice is a summary of petitions for modification filed by the parties listed below to modify the application of existing mandatory safety standards published in Title 30 of the Code of Federal Regulations.

DATES: All comments on the petitions must be received by the Office of Standards, Regulations, and Variances on or before June 30, 2008.

ADDRESSES: You may submit your comments, identified by "docket number" on the subject line, by any of the following methods:

1. *Electronic mail:* Standards-Petitions@dol.gov.

2. *Facsimile:* 1-202-693-9441.

3. *Regular Mail:* MSHA, Office of Standards, Regulations, and Variances, 1100 Wilson Boulevard, Room 2349, Arlington, Virginia 22209, Attention: Patricia W. Silvey, Director, Office of Standards, Regulations, and Variances.

4. *Hand-Delivery or Courier:* MSHA, Office of Standards, Regulations, and Variances, 1100 Wilson Boulevard, Room 2349, Arlington, Virginia 22209, Attention: Patricia W. Silvey, Director, Office of Standards, Regulations, and Variances.

We will consider only comments postmarked by the U.S. Postal Service or proof of delivery from another delivery service such as UPS or Federal Express on or before the deadline for comments. Individuals who submit comments by

hand-delivery are required to check in at the receptionist desk on the 21st floor.

Individuals may inspect copies of the petitions and comments during normal business hours at the address listed above.

FOR FURTHER INFORMATION CONTACT:

Lawrence D. Reynolds, Office of Standards, Regulations, and Variances at 202-693-9449 (Voice), reynolds.lawrence@dol.gov (E-mail), or 202-693-9441 (Telefax), or contact Barbara Barron at 202-693-9447 (Voice), barron.barbara@dol.gov (E-mail), or 202-693-9441 (Telefax). [These are not toll-free numbers].

SUPPLEMENTARY INFORMATION:

I. Background

Section 101(c) of the Federal Mine Safety and Health Act of 1977 (Mine Act) allows the mine operator or representative of miners to file a petition to modify the application of any mandatory safety standard to a coal or other mine if the Secretary determines that: (1) An alternative method of achieving the result of such standard exists which will at all times guarantee no less than the same measure of protection afforded the miners of such mine by such standard; or (2) that the application of such standard to such mine will result in a diminution of safety to the miners in such mine. In addition, the regulations at 30 CFR 44.10 and 44.11 establish the requirements and procedures for filing petitions for modifications.

II. Petitions for Modification

Docket Number: M-2008-020-C.

Petitioner: Rockhouse Creek Development, LLC, P.O. Box 1389, Gilbert, West Virginia 25621.

Mine: No. 2 Mine, MSHA I.D. No. 46-08636, No. 6 Mine, MSHA I.D. No. 46-08268, and No. 9 Mine, MSHA I.D. No. 46-08976 located in Logan County, West Virginia; and No. 3 Mine, MSHA I.D. No. 46-08778 and No. 8 Mine, MSHA I.D. No. 46-09018 located in Mingo County, West Virginia.

Regulation Affected: 30 CFR 75.1101-1(b) (Deluge-type water spray systems).

Modification Request: The petitioner requests a modification of the existing standard to permit an alternative method of compliance in lieu of using blow-off dust covers for deluge-type water spray nozzles. The petitioner proposes to remove blow-off dust covers from the nozzles and continue weekly inspections and functional testing of the complete deluge-type water spray system. The petitioner states that: (1) Its water spray system consists of an

average of thirty sprays along each of approximately ten primary belt-conveyor drives and an average of sixty sprays along each of eight secondary drives; (2) currently each nozzle is provided with a blow-off dust cover; (3) in view of the frequent inspections and functional testing of the system, the dust covers are not necessary because the nozzles can be maintained in an unclogged condition through weekly use; and (4) to recap the large number of covers on a weekly basis after each inspection and functional test is burdensome. The petitioner asserts that the proposed alternative method at all times guarantee no less than the same measure of protection afforded the miners than that under the existing standard.

Docket Number: M-2008-021-C.

Petitioner: TJS Mining Company, Inc., 2340 Smith Road, Shelocta, Pennsylvania 15774.

Mine: Rossmoyne #1 Mine MSHA I.D. No. 36-09075, located in Armstrong County, Pennsylvania.

Regulation Affected: 30 CFR 75.500(b), (c), and (d) (Permissible electric equipment).

Modification Request: The petitioner requests a modification of the existing standard to permit the use of low-voltage or battery-powered non-permissible equipment in or inby the last open crosscut under controlled conditions, for testing and diagnosing the mining equipment, for advancing surveyor sites in the working sections, and for final surveying in the return areas of the mine. The petitioner states that: (1) The use of non-permissible low-voltage or battery-powered equipment will be limited to: laptop computers, oscilloscopes, vibration analysis machines, cable fault detectors, point temperature probes, infrared temperature devices and recorders, insulation testers, battery operated drills, electronic transits, insulation testers (meggers), voltage, current and power measurement devices and recorders, pressure flow measurement devices, signal analyzer devices, ultrasonic thickness gauges, electronic component testers, digital cameras, and electronic tachometers; (2) other testing and diagnostic equipment may be used if approved in advance by MSHA's District Office; (3) non-permissible electronic testing and diagnostic equipment will be used only when equivalent permissible equipment is not available; (4) all other test and diagnostic equipment used within 150 feet of pillar workings will be permissible; (5) all non-permissible electronic testing and diagnostic equipment used in or inby the last open

crosscut, in return area, or within 150 feet of pillar workings or longwall face, will be examined by a qualified person prior to use, to insure that the equipment is being maintained in a safe operating condition; (6) results of the examination will be recorded in the weekly examination book and made available to an authorized representative of the Secretary and to the miners at the mine; (7) a qualified person will continuously monitor for methane immediately before and during the use of non-permissible electronic test and diagnostic equipment in or inby the last open crosscut, in return areas, or within 150 feet of pillar workings or longwall face; (8) if methane at or above 1.0 percent is detected, non-permissible electronic testing and diagnostic equipment will not be used; (9) if methane is detected while non-permissible electronic equipment is in use, the equipment will be de-energized immediately and will be withdrawn outby the last open crosscut or to a minimum of 150 feet outby pillar workings or longwall face; and (10) all hand-held methane detectors will be MSHA approved and maintained in permissible and proper operating condition as defined in 30 CFR 75.320. The petitioner further states that qualified personnel engaged in the use of electronic test and diagnostic equipment will be properly trained to recognize the hazards and limitations associated with the use of the equipment. Persons may review a complete description of petitioner's alternative method and procedures at the MSHA address listed in the notice. The petitioner asserts that the proposed alternative method will at all times guarantee no less than the same measure of protection afforded the miners by such standard with no diminution of safety to the miners.

Docket Number: M-2008-022-C.

Petitioner: TJS Mining Company, Inc., 2340 Smith Road, Shelocta, Pennsylvania 15774.

Mine: Darmac #2 Mine, MSHA I.D. No. 36-08135, located in Armstrong County, Pennsylvania.

Regulation Affected: 30 CFR 75.500(b), (c), and (d) (Permissible electric equipment).

Modification Request: The petitioner requests a modification of the existing standard to permit the use of low-voltage or battery-powered non-permissible equipment in or inby the last open crosscut under controlled conditions, for testing and diagnosing the mining equipment, for advancing surveyor sites in the working sections, and for final surveying in the return areas of the mine. The petitioner states

that: (1) The use of non-permissible low-voltage or battery-powered equipment will be limited to: laptop computers, oscilloscopes, vibration analysis machines, cable fault detectors, point temperature probes, infrared temperature devices and recorders, insulation testers, battery operated drills, electronic transits, insulation testers (meggers), voltage, current and power measurement devices and recorders, pressure flow measurement devices, signal analyzer devices, ultrasonic thickness gauges, electronic component testers, digital cameras, and electronic tachometers; (2) other testing and diagnostic equipment may be used if approved in advance by MSHA's District Office; (3) non-permissible electronic testing and diagnostic equipment will be used only when equivalent permissible equipment is not available; (4) all other test and diagnostic equipment used within 150 feet of pillar workings will be permissible; (5) all non-permissible electronic testing and diagnostic equipment used in or inby the last open crosscut, in return area, or within 150 feet of pillar workings or longwall face, will be examined by a qualified person prior to use, to insure that the equipment is being maintained in a safe operating condition; (6) results of the examination will be recorded in the weekly examination book and made available to an authorized representative of the Secretary and to the miners at the mine; (7) a qualified person will continuously monitor for methane immediately before and during the use of non-permissible electronic test and diagnostic equipment in or inby the last open crosscut, in return areas, or within 150 feet of pillar workings or longwall face; (8) if methane at or above 1.0 percent is detected, non-permissible electronic testing and diagnostic equipment will not be used; (9) if methane is detected while non-permissible electronic equipment is in use, the equipment will be de-energized immediately and will be withdrawn outby the last open crosscut or to a minimum of 150 feet outby pillar workings or longwall face; and (10) all hand-held methane detectors will be MSHA approved and maintained in permissible and proper operating condition as defined in 30 CFR 75.320. The petitioner further states that qualified personnel engaged in the use of electronic test and diagnostic equipment will be properly trained to recognize the hazards and limitations associated with the use of the equipment. Persons may review a complete description of petitioner's

alternative method and procedures at the MSHA address listed in the notice. The petitioner asserts that the proposed alternative method will at all times guarantee no less than the same measure of protection afforded the miners by such standard with no diminution of safety to the miners.

Docket Number: M-2008-023-C.

Petitioner: TJS Mining Company, Inc., 2340 Smith Road, Shelocta, Pennsylvania 15774.

Mine: TJS #5 Mine, MSHA I.D. No. 35-09159, located in Armstrong County, Pennsylvania.

Regulation Affected: 30 CFR 75.500(b), (c), and (d) (Permissible electric equipment).

Modification Request: The petitioner requests a modification of the existing standard to permit the use of low-voltage or battery-powered non-permissible equipment in or inby the last open crosscut under controlled conditions, for testing and diagnosing the mining equipment, for advancing surveyor sites in the working sections, and for final surveying in the return areas of the mine. The petitioner states that: (1) The use of non-permissible low-voltage or battery-powered equipment will be limited to: laptop computers, oscilloscopes, vibration analysis machines, cable fault detectors, point temperature probes, infrared temperature devices and recorders, insulation testers, battery operated drills, electronic transits, insulation testers (meggers), voltage, current and power measurement devices and recorders, pressure flow measurement devices, signal analyzer devices, ultrasonic thickness gauges, electronic component testers, digital cameras, and electronic tachometers; (2) other testing and diagnostic equipment may be used if approved in advance by MSHA's District Office; (3) non-permissible electronic testing and diagnostic equipment will be used only when equivalent permissible equipment is not available; (4) all other test and diagnostic equipment used within 150 feet of pillar workings will be permissible; (5) all non-permissible electronic testing and diagnostic equipment used in or inby the last open crosscut, in return area, or within 150 feet of pillar workings or longwall face, will be examined by a qualified person prior to use, to insure that the equipment is being maintained in a safe operating condition; (6) results of the examination will be recorded in the weekly examination book and made available to an authorized representative of the Secretary and to the miners at the mine; (7) a qualified person will continuously monitor for methane

immediately before and during the use of non-permissible electronic test and diagnostic equipment in or inby the last open crosscut, in return areas, or within 150 feet of pillar workings or longwall face; (8) if methane at or above 1.0 percent is detected, non-permissible electronic testing and diagnostic equipment will not be used; (9) if methane is detected while non-permissible electronic equipment is in use, the equipment will be de-energized immediately and will be withdrawn outby the last open crosscut or to a minimum of 150 feet outby pillar workings or longwall face; and (10) all hand-held methane detectors will be MSHA approved and maintained in permissible and proper operating condition as defined in 30 CFR 75.320. The petitioner further states that qualified personnel engaged in the use of electronic test and diagnostic equipment will be properly trained to recognize the hazards and limitations associated with the use of the equipment. Persons may review a complete description of petitioner's alternative method and procedures at the MSHA address listed in the notice. The petitioner asserts that the proposed alternative method will at all times guarantee no less than the same measure of protection afforded the miners by such standard with no diminution of safety to the miners.

Docket Number: M-2008-024-C.

Petitioner: TJS Mining Company, Inc., 2340 Smith Road, Shelocta, Pennsylvania 15774.

Mine: TJS #6 Mine, MSHA I.D. No. 35-09464, located in Armstrong County, Pennsylvania.

Regulation Affected: 30 CFR 75.500(b), (c), and (d) (Permissible electric equipment).

Modification Request: The petitioner requests a modification of the existing standard to permit the use of low-voltage or battery-powered non-permissible equipment in or inby the last open crosscut under controlled conditions, for testing and diagnosing the mining equipment, for advancing surveyor sites in the working sections, and for final surveying in the return areas of the mine. The petitioner states that: (1) The use of non-permissible low-voltage or battery-powered equipment will be limited to: laptop computers, oscilloscopes, vibration analysis machines, cable fault detectors, point temperature probes, infrared temperature devices and recorders, insulation testers, battery operated drills, electronic transits, insulation testers (meggers), voltage, current and power measurement devices and recorders, pressure flow measurement

devices, signal analyzer devices, ultrasonic thickness gauges, electronic component testers, digital cameras, and electronic tachometers; (2) other testing and diagnostic equipment may be used if approved in advance by MSHA's District Office; (3) non-permissible electronic testing and diagnostic equipment will be used only when equivalent permissible equipment is not available; (4) all other test and diagnostic equipment used within 150 feet of pillar workings will be permissible; (5) all non-permissible electronic testing and diagnostic equipment used in or inby the last open crosscut, in return area, or within 150 feet of pillar workings or longwall face, will be examined by a qualified person prior to use, to insure that the equipment is being maintained in a safe operating condition; (6) results of the examination will be recorded in the weekly examination book and made available to an authorized representative of the Secretary and to the miners at the mine; (7) a qualified person will continuously monitor for methane immediately before and during the use of non-permissible electronic test and diagnostic equipment in or inby the last open crosscut, in return areas, or within 150 feet of pillar workings or longwall face; (8) if methane at or above 1.0 percent is detected, non-permissible electronic testing and diagnostic equipment will not be used; (9) if methane is detected while non-permissible electronic equipment is in use, the equipment will be de-energized immediately and will be withdrawn outby the last open crosscut or to a minimum of 150 feet outby pillar workings or longwall face; and (10) all hand-held methane detectors will be MSHA approved and maintained in permissible and proper operating condition as defined in 30 CFR 75.320. The petitioner further states that qualified personnel engaged in the use of electronic test and diagnostic equipment will be properly trained to recognize the hazards and limitations associated with the use of the equipment. Persons may review a complete description of petitioner's alternative method and procedures at the MSHA address listed in the notice. The petitioner asserts that the proposed alternative method will at all times guarantee no less than the same measure of protection afforded the miners by

such standard with no diminution of safety to the miners.

Jack Powasnik,

Deputy Director, Office of Standards, Regulations, and Variances.

[FR Doc. E8-12035 Filed 5-29-08; 8:45 am]

BILLING CODE 4510-43-P

LEGAL SERVICES CORPORATION

Notice of Availability of Calendar Year 2009 Competitive Grant Funds

AGENCY: Legal Services Corporation.

ACTION: Solicitation for Proposals for the Provision of Civil Legal Services.

SUMMARY: The Legal Services Corporation (LSC) is the national organization charged with administering Federal funds provided for civil legal services to low-income people. LSC hereby announces the availability of competitive grant funds for the provision of a full range of civil legal services to eligible clients throughout the VA-20 service area in northern Virginia. It is anticipated that the grant amount for the service area will be similar to the amount awarded for calendar year 2008—approximately \$1.1 million. The grant will be awarded in January 2009.

DATES: See Supplementary Information for grants competition dates.

ADDRESSES: Legal Services Corporation—Competitive Grants, 3333 K Street, NW., Third Floor, Washington, DC 20007-3522.

FOR FURTHER INFORMATION CONTACT: Office of Program Performance by e-mail at competition@lsc.gov, or visit the grants competition Web site at <http://www.grants.lsc.gov>.

SUPPLEMENTARY INFORMATION: The Request for Proposals (RFP) is available at <http://www.grants.lsc.gov>. Refer to the RFP for instructions on preparing the grant proposal; the regulations and guidelines governing LSC funding; and grant proposal submission requirements.

Service area VA-20 is comprised of the following northern Virginia counties and cities: Arlington County, Caroline County, Culpeper County, Essex County, Fairfax County, Fauquier County, King and Queen County, King George County, King William County, Lancaster County, Loudoun County, Madison County, Northumberland County, Orange County, Prince William County, Rappahannock County, Richmond County, Spotsylvania County, Stafford County, Westmoreland County, Alexandria City, Fairfax City,

Falls Church City, Fredericksburg City, Manassas City, and Manassas Park City.

Applicants must file a Notice of Intent to Compete (NIC) to participate in the competitive grants process. The deadline for filing the NIC is September 5, 2008, 5 p.m., E.D.T. The deadline for filing grant proposals is October 10, 2008, 5 p.m., E.D.T.

The dates shown in this notice for filing the NIC and the grant proposals supersede the dates in the 2009 RFP. All other instructions, guidelines, and grant proposal requirements provided in the 2009 RFP remain in effect unless otherwise noted.

LSC is seeking proposals from: (1) Non-profit organizations that have as a purpose the provision of legal assistance to eligible clients; (2) private attorneys; (3) groups of private attorneys or law firms; (4) state or local governments; and (5) sub-state regional planning and coordination agencies that are composed of sub-state areas and whose governing boards are controlled by locally elected officials.

LSC will not fax the RFP to interested parties. Interested parties are asked to visit <http://www.grants.lsc.gov> regularly for updates on the LSC competitive grants process.

Dated: May 23, 2008.

Victor M. Fortuno,

Vice President and General Counsel.

[FR Doc. E8-12088 Filed 5-29-08; 8:45 am]

BILLING CODE 7050-01-P

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice (08-049)]

Notice of Intent To Grant Exclusive License

AGENCY: National Aeronautics and Space Administration.

ACTION: Notice of Intent To Grant Exclusive License.

SUMMARY: This notice is issued in accordance with 35 U.S.C. 209(e) and 37 CFR 404.7(a)(1)(i). NASA hereby gives notice of its intent to grant an exclusive license to practice the invention described in U.S. Patent No. 6,676,912 entitled "Method for Removal of Nitrogen Oxides from Stationary Combustion Sources" to FMC Corporation, having its principal place of business in Philadelphia, Pennsylvania. The patent rights in this invention are assigned to the United States of America as represented by the Administrator of the National Aeronautics and Space Administration. The prospective exclusive license will

comply with the terms and conditions of 35 U.S.C. 209 and 37 CFR 404.7.

DATES: The prospective exclusive license may be granted unless, within fifteen (15) days from the date of this published notice, NASA receives written objections including evidence and argument that establish that the grant of the license would not be consistent with the requirements of 35 U.S.C. 209 and 37 CFR 404.7. Competing applications completed and received by NASA within fifteen (15) days of the date of this published notice will also be treated as objections to the grant of the contemplated exclusive license.

Objections submitted in response to this notice will not be made available to the public for inspection and, to the extent permitted by law, will not be released under the Freedom of Information Act, 5 U.S.C. 552.

ADDRESSES: Objections relating to the prospective license may be submitted to Randall M. Heald, Patent Counsel, Office of the Chief Counsel, Mail Code CC-A, NASA John F. Kennedy Space Center, Kennedy Space Center, FL 32899. Telephone: 321-867-7214; Facsimile: 321-867-1817.

FOR FURTHER INFORMATION CONTACT: Randall M. Heald, Patent Counsel, Office of the Chief Counsel, Mail Code CC-A, NASA John F. Kennedy Space Center, Kennedy Space Center, FL 32899. Telephone: 321-867-7214; Facsimile: 321-867-1817. Information about other NASA inventions available for licensing can be found online at <http://techtracs.nasa.gov/>.

Dated: May 22, 2008.

Keith T. Sefton,

Deputy General Counsel, Administration and Management.

[FR Doc. E8-12156 Filed 5-29-08; 8:45 am]

BILLING CODE 7510-13-P

NUCLEAR REGULATORY COMMISSION

Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: U.S. Nuclear Regulatory Commission (NRC).

ACTION: Notice of pending NRC action to submit an information collection request to the Office of Management and Budget (OMB) and solicitation of public comment.

SUMMARY: The NRC is preparing a submittal to OMB for review of continued approval of information collections under the provisions of the

Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35).

Information pertaining to the requirement to be submitted:

1. *The title of the information collection:* 10 CFR part 33—Specific Domestic Licenses of Broad Scope for Byproduct Material.

2. *Current OMB approval number:* 3150-0015.

3. *How often the collection is required:* There is a one-time submittal of information to receive a license. Once a specific license has been issued, there is a 10-year resubmittal of the information for renewal of the license.

4. *Who is required or asked to report:* All applicants requesting a license of broad scope for byproduct material and all current licensees requesting renewal of a broad scope license.

5. *The number of annual respondents:* All of the information collections in Part 33 are captured under OMB clearance number 3150-0120 for NRC Form 313.

6. *The number of hours needed annually to complete the requirement or request:* See item 5.

7. *Abstract:* 10 CFR part 33 contains mandatory requirements for the issuance of a broad scope license authorizing the use of byproduct material. The subparts cover specific requirements for obtaining a license of broad scope. These requirements include equipment, facilities, personnel, and procedures adequate to protect health and minimize danger to life or property.

Submit, by July 29, 2008, comments that address the following questions:

1. Is the proposed collection of information necessary for the NRC to properly perform its functions? Does the information have practical utility?

2. Is the burden estimate accurate?

3. Is there a way to enhance the quality, utility, and clarity of the information to be collected?

4. How can the burden of the information collection be minimized, including the use of automated collection techniques or other forms of information technology?

A copy of the draft supporting statement may be viewed free of charge at the NRC Public Document Room, One White Flint North, 11555 Rockville Pike, Room O-1 F21, Rockville, MD 20852. OMB clearance requests are available at the NRC worldwide Web site: <http://www.nrc.gov/public-involve/doc-comment/omb/index.html>. The document will be available on the NRC home page site for 60 days after the signature date of this notice.

Comments and questions about the information collection requirements may be directed to the NRC Clearance

Officer, Margaret A. Janney (T-5 F52), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, by telephone at 301-415-7245, or by e-mail to infocollects@nrc.gov.

Dated at Rockville, Maryland, this 22nd day of May 2008.

For the Nuclear Regulatory Commission.

Gregory Trussell,

Acting NRC Clearance Officer, Office of Information Services.

[FR Doc. E8-12084 Filed 5-29-08; 8:45 am]

BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: U.S. Nuclear Regulatory Commission (NRC).

ACTION: Notice of pending NRC action to submit an information collection request to the Office of Management and Budget (OMB) and solicitation of public comment.

SUMMARY: The NRC is preparing a submittal to OMB for review of continued approval of information collections under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35).

Information pertaining to the requirement to be submitted:

1. *The title of the information collection:* NRC Form 313, "Application for Materials License" and NRC Forms 313A (RSO), 313A(AMP), 313A(ANP), 313A(AUD), 313A(AUT), and 313A(AUS).

2. *Current OMB approval number:* 3150-0120.

3. *How often the collection is required:* There is a one-time submittal of the NRC Form 313 (which may include the NRC Form 313A series of forms) with information to receive a license. Once a specific license has been issued, there is a 10-year resubmittal of the NRC Form 313 (which may include the NRC Form 313A series of forms) with information for renewal of the license. Amendment requests are submitted as needed by the licensee.

There is a one-time submittal for all limited specific medical use applicants of a NRC Form 313A series form to have each new individual identified as a Radiation Safety Officer (RSO), authorized medical physicist, authorized nuclear pharmacist (ANP), or authorized user or a subsequent submittal of additional information for one of these individuals to be identified

with a new authorization on a limited specific medical use license.

NRC Form 313A(RSO) is also used by medical broad scope licensees when identifying a new individual as an RSO or adding an additional RSO authorization for the individual. This submittal may occur when applying for a new license, amendment, or renewal.

NRC Form 313A(ANP) is also used by commercial nuclear pharmacy licensees when requesting an individual be identified for the first time as ANP. This submittal may occur when applying for a new license, amendment, or renewal.

4. *Who is required or asked to report:* All applicants requesting a license, amendment or renewal of a license for byproduct or source material.

5. *The number of annual respondents:* 15,122 (2,364 NRC licensees and 12,758 Agreement State licensees).

6. *The number of hours needed annually to complete the requirement or request:* 65,308 (10,289 hours for NRC licensees and 55,019 hours for Agreement State licensees).

7. *Abstract:* Applicants must submit NRC Form 313, which may include the six forms in the 313A series, to obtain a specific license to possess, use, or distribute byproduct or source material. These six forms in the 313A series are: (1) NRC Form 313A(RSO), "Radiation Safety Officer Training and Experience and Preceptor Attestation;" (2) NRC Form 313A(AMP), "Authorized Medical Physicist Training and Experience and Preceptor Attestation;" (3) NRC Form 313A(ANP), "Authorized Nuclear Pharmacist Training and Experience and Preceptor Attestation;" (4) NRC Form 313A(AUD), "Authorized User Training and Experience and Preceptor Attestation (for uses defined under 35.100, 35.200, and 35.500);" (5) NRC Form 313A(AUT), "Authorized User Training and Experience and Preceptor Attestation (for uses defined under 35.300);" and (6) NRC Form 313A(AUS), "Authorized User Training and Experience and Preceptor Attestation (for uses defined under 35.400 and 35.600)." The information is reviewed by the NRC to determine whether the applicant is qualified by training and experience, and has equipment, facilities, and procedures which are adequate to protect the public health and safety, and minimize danger to life or property.

Submit, by July 29, 2008, comments that address the following questions:

1. Is the proposed collection of information necessary for the NRC to properly perform its functions? Does the information have practical utility?

2. Is the burden estimate accurate?

3. Is there a way to enhance the quality, utility, and clarity of the information to be collected?

4. How can the burden of the information collection be minimized, including the use of automated collection techniques or other forms of information technology?

A copy of the draft supporting statement may be viewed free of charge at the NRC Public Document Room, One White Flint North, 11555 Rockville Pike, Room O-1 F21, Rockville, MD 20852. OMB clearance requests are available at the NRC worldwide Web site: <http://www.nrc.gov/public-involve/doc-comment/omb/index.html>. The document will be available on the NRC home page site for 60 days after the signature date of this notice.

Comments and questions about the information collection requirements may be directed to the NRC Clearance Officer, Margaret A. Janney (T-5 F52), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, by telephone at (301) 415-7245, or by e-mail to infocollects@nrc.gov.

Dated at Rockville, Maryland, this 22nd day of May, 2008.

For the Nuclear Regulatory Commission.

Gregory Trussell,

Acting NRC Clearance Officer, Office of Information Services.

[FR Doc. E8-12085 Filed 5-29-08; 8:45 am]

BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: U.S. Nuclear Regulatory Commission (NRC).

ACTION: Notice of pending NRC action to submit an information collection request to the Office of Management and Budget (OMB) and solicitation of public comment.

SUMMARY: The NRC is preparing a submittal to OMB for review of continued approval of information collections under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35).

Information pertaining to the requirement to be submitted:

1. *The title of the information collection:* 10 CFR part 9, Public Records.

2. *Current OMB approval number:* 3150-0043.

3. *How often the collection is required:* On occasion.

4. *Who is required or asked to report:* Individuals requesting access to records under the Freedom of Information or Privacy Acts, and submitters of information containing trade secrets or confidential commercial or financial information who have been notified that the NRC has made an initial determination that the information should be disclosed.

5. *The number of annual respondents:* 212.

6. *The number of hours needed annually to complete the requirement or request:* 167.

7. *Abstract:* 10 CFR Part 9 prescribes procedures for individuals making requests for records under the Freedom of Information Act (FOIA) or Privacy Act (PA). It contains information collection requirements for requests to waive or reduce fees for searching for and reproducing records in response to FOIA requests; appeals of denied requests; and requests for expedited processing. The information required from the public is necessary to justify requests for waivers or reductions in searching or copying fees; or to justify expedited processing. Section 9.28(b) provides that if the submitter of information designated to be trade secrets or confidential commercial or financial information objects to the disclosure, he must provide a written statement within 30 days that specifies all grounds why the information is a trade secret or commercial or financial information that is privileged or confidential.

Submit, by July 29, 2008, comments that address the following questions:

1. Is the proposed collection of information necessary for the NRC to properly perform its functions? Does the information have practical utility?
2. Is the burden estimate accurate?
3. Is there a way to enhance the quality, utility, and clarity of the information to be collected?
4. How can the burden of the information collection be minimized, including the use of automated collection techniques or other forms of information technology?

A copy of the draft supporting statement may be viewed free of charge at the NRC Public Document Room, One White Flint North, 11555 Rockville Pike, Room O-1 F21, Rockville, MD 20852. OMB clearance requests are available at the NRC worldwide Web site: <http://www.nrc.gov/public-involve/doc-comment/omb/index.html>. The document will be available on the NRC home page site for 60 days after the signature date of this notice.

Comments and questions about the information collection requirements

may be directed to the NRC Clearance Officer, Margaret A. Janney (T-5 F52), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, by telephone at 301-415-7245, or by e-mail to INFOCOLLECTS@NRC.GOV.

Dated at Rockville, Maryland, this 22nd day of May 2008.

For the Nuclear Regulatory Commission.

Gregory Trussell,

Acting NRC Clearance Officer, Office of Information Services.

[FR Doc. E8-12087 Filed 5-29-08; 8:45 am]

BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

Draft Regulatory Guide: Issuance, Availability

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of Issuance and Availability of Draft Regulatory Guide (DG)-3024.

FOR FURTHER INFORMATION CONTACT: B. Von Till, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone: (301) 415-0598 or e-mail RWV@nrc.gov.

SUPPLEMENTARY INFORMATION:

I. Introduction

The U.S. Nuclear Regulatory Commission (NRC) has issued for public comment a draft guide in the agency's Regulatory Guide Series. This series has been developed to describe and make available to the public such information as methods that are acceptable to the NRC staff for implementing specific parts of the NRC's regulations, techniques that the staff uses in evaluating specific problems or postulated accidents, and data that the staff needs in its review of applications for permits and licenses.

The draft regulatory guide (DG), entitled, "Standard Format and Content of License Applications for Conventional Uranium Mills," is temporarily identified by its task number, DG-3024, which should be mentioned in all related correspondence. This guide describes a method that the staff of the NRC considers acceptable for use in preparing license applications for the receipt, possession, and use of source and byproduct material for conventional uranium milling. Conventional uranium milling is uranium recovery by crushing uranium ore and subjecting it to extraction processes in a mill facility to concentrate the uranium into a uranium-oxygen compound called

yellowcake. This regulatory guide describes an approach that is acceptable to the NRC staff for complying with the agency's regulations in Title 10, Part 40, (Domestic Licensing of Source Material," of the *Code of Federal Regulations* (10 CFR Part 40).

II. Further Information

The NRC staff is soliciting comments on DG-3024. Comments may be accompanied by relevant information or supporting data and should mention DG-3024 in the subject line. Comments submitted in writing or in electronic form will be made available to the public in their entirety through the NRC's Agencywide Documents Access and Management System (ADAMS).

Personal information will not be removed from your comments. You may submit comments by any of the following methods:

1. Mail comments to: Rulemaking, Directives, and Editing Branch, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

2. E-mail comments to: NRCREP@nrc.gov.

3. Hand-deliver comments to: Rulemaking, Directives, and Editing Branch, Office of Administration, U.S. Nuclear Regulatory Commission, 11555 Rockville Pike, Rockville, Maryland 20852, between 7:30 a.m. and 4:15 p.m. on Federal workdays.

4. Fax comments to: Rulemaking, Directives, and Editing Branch, Office of Administration, U.S. Nuclear Regulatory Commission at (301) 415-5144.

Requests for technical information about DG-3024 may be directed to the NRC contact, B. Von Till at (301) 415-0598 or e-mail at RWV@nrc.gov.

Comments would be most helpful if received by August 4, 2008. Comments received after that date will be considered if it is practical to do so, but the NRC is able to ensure consideration only for comments received on or before this date. Although a time limit is given, comments and suggestions in connection with items for inclusion in guides currently being developed or improvements in all published guides are encouraged at any time.

Electronic copies of DG-3024 are available through the NRC's public Web site under Draft Regulatory Guides in the "Regulatory Guides" collection of the NRC's Electronic Reading Room at <http://www.nrc.gov/reading-rm/doc-collections/>. Electronic copies are also available in ADAMS (<http://www.nrc.gov/reading-rm/adams.html>), under Accession No. ML080660033.

In addition, regulatory guides are available for inspection at the NRC's

Public Document Room (PDR), which is located at 11555 Rockville Pike, Rockville, Maryland. The PDR's mailing address is USNRC PDR, Washington, DC 20555-0001. The PDR can also be reached by telephone at (301) 415-4737 or (800) 397-4205, by fax at (301) 415-3548, and by e-mail to PDR@nrc.gov.

Regulatory guides are not copyrighted, and Commission approval is not required to reproduce them.

Dated at Rockville, Maryland, this 23rd day of May, 2008.

For the Nuclear Regulatory Commission.

Stephen C. O'Connor,

Acting Branch Chief, Regulatory Guide Development Branch, Division of Engineering, Office of Nuclear Regulatory Research.

[FR Doc. E8-12131 Filed 5-29-08; 8:45 am]

BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

[DOCKET NO. 52-024]

Entergy Operations, Inc., et al.; Grand Gulf Nuclear Station Combined License Application; Notice of Intent To Prepare an Environmental Impact Statement and Conduct Scoping Process

Entergy Operations, Inc. (Entergy) on behalf of itself; Entergy Mississippi Inc.; Entergy Louisiana, LLC; Entergy Gulf States Louisiana, LLC; and System Energy Resources, Inc., has submitted an application for a combined license (COL) for its Grand Gulf Nuclear Station (Grand Gulf) site to build Unit 3, located in Claiborne County, Mississippi, near Port Gibson, approximately 30 miles south of Vicksburg. The application for the COL was submitted by letter dated February 27, 2008, pursuant to the requirements of Title 10, Part 52, Subpart C. A notice of receipt and availability of the application, which included the Environmental Report (ER), was published in the **Federal Register** on March 19, 2008 (73 FR 14849). A notice of acceptance for docketing of the application for the COL was published in the **Federal Register** on April 24, 2008 (73 FR 22180).

The purpose of this notice is to inform the public that the U.S. Nuclear Regulatory Commission (NRC) will be preparing a supplemental environmental impact statement (EIS) in support of the proposed action of the issuance of a COL for the construction and operation of a nuclear power plant, as described in the COL application, at the Grand Gulf site described in early site permit (ESP) ESP-002 referenced in the COL application and to provide the

public an opportunity to participate in the environmental scoping process, as defined in 10 CFR 51.29. In addition, as outlined in 36 CFR 800.8(c), "Coordination with The National Environmental Policy Act (NEPA)", the NRC staff intends to use the process and documentation required for the preparation of the EIS to comply with Section 106 of the National Historic Preservation Act, in lieu of the procedures set forth in 36 CFR 800.3 through 800.6.

On April 5, 2007, the NRC issued ESP-002 to System Energy Resources, Inc. for the Grand Gulf site (the site of the proposed third reactor). An ESP is a NRC approval of a site as suitable for construction and operation of one or more new nuclear units. The NRC's detailed review of the environmental impacts of constructing and operating a new nuclear unit is documented in NUREG-1817, "Environmental Impact Statement for an Early Site Permit at the Grand Gulf ESP Site." Pursuant to NRC regulations in 10 CFR 51.50(c)(1), a COL applicant referencing an ESP need not submit information or analyses regarding environmental issues that were resolved in the ESP EIS, except to the extent the COL applicant has identified new and significant information regarding such issues. Pursuant to 10 CFR 52.39, matters resolved in the ESP proceedings are considered to be resolved in any subsequent proceedings, absent identification of new and significant information.

In accordance with 10 CFR 51.45 and 10 CFR 51.50(c)(1), Entergy submitted an ER as part of the COL application, which need not contain information or analysis submitted in the ER for the ESP stage or resolved in the final EIS for the ESP stage. The ER for the COL stage, in addition to the environmental information and analyses otherwise required must provide:

- a. Information to demonstrate that the design of the facility falls within the site characteristics and design parameters specified in the ESP;
- b. Information to resolve any significant environmental issues that were not resolved in the ESP;
- c. New and significant information related to impacts of construction and operation that were resolved in the ESP;
- d. A description of the process used to identify new and significant information regarding the NRC's conclusion in the EIS for the ESP; and
- e. A demonstration that all environmental terms and conditions that have been included in the ESP will be satisfied by the date of issuance of the combined license.

The COL ER is available for public inspection at the NRC Public Document Room (PDR), located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, or from the Publicly Available Records component of the NRC's Agency-wide Documents Access and Management System (ADAMS). ADAMS is accessible at <http://www.nrc.gov/reading-rm/adams.html>, which provides access through the NRC's Electronic Reading Room (ERR) link. The accession number in ADAMS for the ER is ML080640404. Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS should contact the NRC's PDR Reference staff at 1-800-397-4209 or 301-415-4737, or by sending an e-mail to pdr.resource@nrc.gov. The application may also be viewed on the Internet at <http://www.nrc.gov/reactors/new-licensing/col/grand-gulf.html>. In addition, the Harriette Person Memorial Library has agreed to make the ER available for public inspection.

The following key reference documents related to the COL application and the NRC staff's review process are available through the NRC's Web site at <http://www.nrc.gov>:

- a. 10 CFR Part 51, Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions,
- b. 10 CFR Part 52, Licenses, Certifications, and Approvals for Nuclear Power Plants,
- c. 10 CFR Part 100, Reactor Site Criteria,
- d. NUREG-1555, Standard Review Plans for Environmental Reviews for Nuclear Power Plants,
- e. NUREG/BR-0298, Brochure on Nuclear Power Plant Licensing Process,
- f. Fact Sheet on Nuclear Power Plant Licensing Process,
- g. Regulatory Guide 4.2, Preparation of Environmental Reports for Nuclear Power Stations,
- h. Regulatory Guide 1.206, Combined License Applications for Nuclear Power Plants,
- i. NRR Office Instruction LIC-203, Procedural Guidance for Preparing Environmental Assessments and Considering Environmental Issues, and
- j. NUREG-1817, Environmental Impact Statement for an Early Site Permit at the Grand Gulf ESP Site.

The regulations, NUREG-series documents, regulatory guides, and fact sheet can be found under Document Collections in the Electronic Reading Room on the NRC Web page. Finally, Office Instruction LIC-203 can be found in ADAMS in two parts under accession

numbers ML011710073 (main text) and ML011780314 (charts and figures).

This notice advises the public that the NRC intends to gather the information necessary to prepare a supplemental EIS related to the review of the application for a COL at the Grand Gulf site in accordance with 10 CFR 51.92(e).

The NRC is required by 10 CFR 51.20(b)(2) to prepare an EIS in connection with the issuance of a COL. This notice is being published in accordance with NEPA and NRC regulations found in 10 CFR Part 51. The NRC will first conduct a scoping process for the supplemental EIS and, as soon as practicable thereafter, will prepare a draft supplemental EIS for public comment. Participation in the scoping process by members of the public and local, State, Tribal, and Federal government agencies is encouraged. Pursuant to NRC regulations in 10 CFR 51.92(c)(1), the scoping process for the supplemental EIS to the ESP Final EIS will be used to accomplish the following:

a. Identification of the economic, technical, and other benefits and costs of the proposed action, to the extent that the Final EIS for the ESP did not include an assessment of these benefits and costs;

b. Identification of other energy alternatives, to the extent that the Final EIS for the ESP did not include an assessment of energy alternatives;

c. Identification of the issues related to the impacts of construction and operation of the facility that were not resolved in the ESP proceeding; and

d. Identification of the issues related to the impacts of construction and operation that were resolved in the ESP proceeding but where new and significant information exists, including but not limited to, new and significant information demonstrating that the design of the facility falls outside the site characteristics and design parameters specified in the ESP.

The NRC will hold two public scoping meetings regarding the Grand Gulf COL application on Thursday, June 19, 2008, at the Port Gibson City Hall in Port Gibson, Mississippi. The first meeting will convene at 1 p.m. and will continue until approximately 4 p.m. An evening meeting will convene at 7 p.m. on that same day and will continue until approximately 10 p.m. The meeting will be transcribed and will include: (1) An overview by the NRC staff of the NEPA environmental review process, the proposed scope of the EIS, the proposed review schedule, and (2) the opportunity to submit comments or suggestions on the environmental issues or the proposed scope of the EIS.

Additionally, the NRC staff will host an informal discussion one hour before the start of each meeting. No formal comments on the proposed scope of the EIS will be accepted during the informal discussion open house. To be considered, comments must be provided either at the transcribed public meeting or in writing, as discussed below.

Persons may register to attend or present oral comments at the meeting on the scope of the NEPA review by contacting Ms. Tamsen Dozier or Mr. Paul Michalak at 1-800-368-5642, extension 2272 or 7612, respectively. In addition, persons can register via e-mail to the NRC GRANDGULF.COLAEIS@nrc.gov no later than June 12, 2008.

Members of the public may also register to speak at the meeting within 15 minutes of the start of the meeting. Individual oral comments may be limited by the time available, depending on the number of persons who register. Members of the public who have not registered may also have an opportunity to speak, if time permits. Public comments will be considered in the scoping process for the EIS. Ms. Dozier or Mr. Michalak will need to be contacted no later than June 9, 2008, if special equipment or accommodations are needed to attend or present information at the public meeting, so that the NRC staff can determine whether the request can be accommodated.

Members of the public may send written comments on the environmental scope of the Grand Gulf COL review to the Chief, Rulemaking, Directives and Editing Branch, Division of Administrative Services, Office of Administration, Mailstop T-6D59, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001 and should cite the publication date and page number of this **Federal Register** notice. Written comments should be postmarked by July 29, 2008. Comments may also be delivered to Room T-6D59, Two White Flint North, 11545 Rockville Pike, Rockville, Maryland from 7:30 a.m. to 4:15 p.m., during Federal workdays. Electronic comments may be sent via e-mail to GRANDGULF.COLAEIS@nrc.gov. To be considered in the scoping process, comments should be received by the end of the scoping comment period, which is July 29, 2008.

Participation in the scoping process for the EIS does not entitle participants to become parties to the proceeding to which the EIS relates. Notice of a hearing regarding the application for a COL will be the subject of a future **Federal Register** notice.

The NRC staff will prepare and issue for comment the draft supplemental EIS, which will be the subject of separate notices and a separate public meeting. A copy of the draft supplemental EIS will be available for public inspection at the above-mentioned address, and one copy per request will be provided free of charge. After receipt and consideration of the comments, the NRC staff will prepare a final EIS, which will also be available for public inspection.

Information about the scoping process and development of the EIS may be obtained from Ms. Tamsen Dozier, Environmental Project Manager, by phone at (301) 415-2272 or via e-mail at Tamsen.Dozier@nrc.gov.

Dated at Rockville, Maryland, this 23rd day of May 2008.

For the Nuclear Regulatory Commission.

Nilesh Chokshi,

Deputy Division Director, Division of Site and Environmental Reviews, Office of New Reactors.

[FR Doc. E8-12128 Filed 5-29-08; 8:45 am]

BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

Notice of Issuance of Regulatory Guide

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of Issuance and Availability of Regulatory Guide 3.65, Revision 1.

FOR FURTHER INFORMATION CONTACT:

Mark Orr, Regulatory Guide Development Branch, Division of Engineering, Office of Nuclear Regulatory Research, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone (301) 415-6373 or e-mail to Mark.Orr@nrc.gov.

SUPPLEMENTARY INFORMATION:

I. Introduction

The U.S. Nuclear Regulatory Commission (NRC) has issued revisions to existing guides in the agency's "Regulatory Guide" series. This series was developed to describe and make available to the public information such as methods that are acceptable to the NRC staff for implementing specific parts of the agency's regulations, techniques that the staff uses in evaluating specific problems or postulated accidents, and data that the staff needs in its review of applications for permits and licenses.

Revision 1 of Regulatory Guide 3.65, "Standard Format and Content of Decommissioning Plans for Materials Licensees," was issued with a

temporary identification as Draft Regulatory Guide DG-3027. This regulatory guide provides guidance on decommissioning leading to termination of a materials license. Licensees decommissioning their facilities are required to demonstrate to the NRC that their proposed methods will ensure that decommissioning activities can be conducted safely, and that, at the completion of decommissioning activities, the facility will comply with NRC requirements for license termination as described in Title 10 of the Code of Federal Regulations (10 CFR). In particular, licensees are required to demonstrate compliance with the following parts of 10 CFR:

- Part 30, “Rules of General Applicability to Domestic Licensing of Byproduct Material”;
- Part 40, “Domestic Licensing of Source Material”;
- Part 60, “Disposal of High-Level Radioactive Wastes in Geologic Repositories”;
- Part 61, “Licensing Requirements for Land Disposal of Radioactive Waste”;
- Part 63, “Disposal of High-Level Radioactive Wastes in a Geologic Repository at Yucca Mountain, Nevada”;
- Part 70, “Domestic Licensing of Special Nuclear Material”;
- Part 72, “Licensing Requirements for the Independent Storage of Spent Nuclear Fuel and High-Level Radioactive Waste, and Reactor Related Greater Than Class C Waste”.

This regulatory guide endorses the method described in the current version of NUREG-1757, Volume 1, “Consolidated Decommissioning Guidance: Decommissioning Process for Materials Licensees,” as a process that has been found acceptable to the NRC for meeting the regulatory requirements for decommissioning of materials facilities licensed under 10 CFR parts 30, 40, 70, 72 and to the ancillary surface facilities that support radioactive waste disposal activities licensed under 10 CFR parts 60, 61, and 63.

II. Further Information

In February 2008, DG-3027 was published with a public comment period of 60 days from the issuance of the guide. The public comment period closed on April 18, 2008. Electronic copies of Regulatory Guide 3.66, Revision 1 are available through the NRC's public Web site under “Regulatory Guides” at <http://www.nrc.gov/reading-rm/doc-collections/>.

In addition, regulatory guides are available for inspection at the NRC's Public Document Room (PDR), which is located at Room O-1F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852-2738. The PDR's mailing address is USNRC PDR, Washington, DC 20555-0001. The PDR can also be reached by telephone at (301) 415-4737 or (800) 397-4209, by fax at (301) 415-3548, and by e-mail to pdr@nrc.gov.

Regulatory guides are not copyrighted, and NRC approval is not required to reproduce them.

Dated at Rockville, Maryland, this 22th day of May, 2008.

For the Nuclear Regulatory Commission.

Andrea D. Valentin,
Chief, Regulatory Guide Development Branch,
Division of Engineering, Office of Nuclear
Regulatory Research.

[FR Doc. E8-12145 Filed 5-29-08; 8:45 am]

BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

Notice of Issuance of Regulatory Guide

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of Issuance and Availability of Regulatory Guide 3.66, Revision 1.

FOR FURTHER INFORMATION CONTACT:

Mark Orr, Regulatory Guide Development Branch, Division of Engineering, Office of Nuclear Regulatory Research, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone (301) 415-6373 or e-mail to Mark.Orr@nrc.gov.

SUPPLEMENTARY INFORMATION:

I. Introduction

The U.S. Nuclear Regulatory Commission (NRC) has issued revisions to existing guides in the agency's “Regulatory Guide” series. This series was developed to describe and make available to the public information such as methods that are acceptable to the NRC staff for implementing specific parts of the agency's regulations, techniques that the staff uses in evaluating specific problems or postulated accidents, and data that the staff needs in its review of applications for permits and licenses.

Revision 1 of Regulatory Guide 3.66, “Standard Format and Content of Financial Assurance Mechanisms,” was issued with a temporary identification as Draft Regulatory Guide DG-3028. This regulatory guide provides guidance for the financial assurance mechanisms

required for decommissioning leading to termination of a materials license. At the end of licensed operations, licensees must maintain all financial assurance established pursuant to Title 10 of the Code of Federal Regulations (10 CFR). In particular, licensees are required to demonstrate compliance with the following parts of 10 CFR:

- Part 30, “Rules of General Applicability to Domestic Licensing of Byproduct Material”;
- Part 40, “Domestic Licensing of Source Material”;
- Part 70, “Domestic Licensing of Special Nuclear Material”;
- Part 72, “Licensing Requirements for the Independent Storage of Spent Nuclear Fuel and High-Level Radioactive Waste, and Reactor Related Greater Than Class C Waste”.

NRC licensees must demonstrate financial assurance for decommissioning and, if applicable, for site control and maintenance following license termination.

This regulatory guide endorses the method described in the current revisions of NUREG-1757, Volume 1, “Consolidated Decommissioning Guidance: Decommissioning Process for Materials Licensees” and Volume 3, “Consolidated NMSS Decommissioning Guidance: Financial Assurance, Recordkeeping, and Timeliness” as a process that has been found acceptable to the NRC for meeting the regulatory requirements.

II. Further Information

In February 2008, DG-3028 was published with a public comment period of 60 days from the issuance of the guide. The public comment period closed on April 18, 2008. Electronic copies of Regulatory Guide 3.66, Revision 1 are available through the NRC's public Web site under “Regulatory Guides” at <http://www.nrc.gov/reading-rm/doc-collections/>.

In addition, regulatory guides are available for inspection at the NRC's Public Document Room (PDR), which is located at Room O-1F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852-2738. The PDR's mailing address is USNRC PDR, Washington, DC 20555-0001. The PDR can also be reached by telephone at (301) 415-4737 or (800) 397-4209, by fax at (301) 415-3548, and by e-mail to pdr@nrc.gov.

Regulatory guides are not copyrighted, and NRC approval is not required to reproduce them.

Dated at Rockville, Maryland, this 22th day of May, 2008.

For the Nuclear Regulatory Commission.
Andrea D. Valentin,
Chief, Regulatory Guide Development Branch,
Division of Engineering, Office of Nuclear
Regulatory Research.
 [FR Doc. E8-12083 Filed 5-29-08; 8:45 am]
BILLING CODE 7590-01-P

SECURITIES AND EXCHANGE COMMISSION

Proposed Collection; Comment Request

Upon Written Request, Copies Available
 From: U.S. Securities and Exchange
 Commission, Office of Investor
 Education and Advocacy,
 Washington, DC 20549

Rule 15b6-1 and Form BDW; OMB Control
 No. 3235-0018; SEC File No. 270-17.

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") intends to submit to the Office of Management and Budget a request to revise the collection of information discussed below. The Code of Federal Regulations citation to this collection of information is 17 CFR 240.15b6-1.

Registered broker-dealers use Form BDW (17 CFR 249.501a) to withdraw from registration with the Commission, the self-regulatory organizations, and the states. It is estimated that approximately 737 broker-dealers withdraw from registration annually and, therefore, file a Form BDW via the Internet with Web CRD, a computer system operated by the Financial Industry Regulatory Authority, Inc. that maintains information regarding registered broker-dealers and their registered personnel. However, the Commission estimates that approximately 127 of these 737 withdrawing broker-dealers would employ third-party filers to file Form BDW. The broker-dealers that employ third-parties would not incur an hour burden and, therefore, do not incur a reporting burden. As discussed below, however, these broker-dealers would incur a cost burden with respect to Form BDW. Therefore, the 610 broker-dealers that withdraw from registration by filing Form BDW themselves would incur an aggregate annual reporting burden of 152.5 hours (610 × 0.25 hours).

Broker-dealers that employ third-parties to file Form BDW would not incur a reporting burden, but would incur a cost burden in filing Form BDW. The Commission estimates that 127

broker-dealers would employ third-parties to file Form BDW. These broker-dealers would be billed by third-party filers at an estimated average compensation rate of \$44.00 per hour. Therefore, the total annual cost burden to broker-dealers that employ third-party filers to file Form BDW would be approximately \$1,397 (i.e., 127 × 0.25 hours × \$44 per hour) or \$11 per withdrawing broker-dealer.

Written comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's estimates of the burden of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted in writing within 60 days of this publication.

Comments should be directed to: R. Corey Booth, Director/Chief Information Officer, Securities and Exchange Commission, C/O Shirley Martinson, 6432 General Green Way, Alexandria, Virginia 22312 or send an e-mail to: PRA_Mailbox@sec.gov. Comments must be submitted within 60 days of this notice.

May 21, 2008.
Nancy M. Morris,
Secretary.
 [FR Doc. E8-11981 Filed 5-29-08; 8:45 am]
BILLING CODE 8010-01-P

SECURITIES AND EXCHANGE COMMISSION

Proposed Collection; Comment Request

Upon written request, copies available
 from: U.S. Securities and Exchange
 Commission, Office of Investor
 Education and Advocacy,
 Washington, DC 20549-0213

Extension:
 Rule 15c2-5, OMB Control No. 3235-0198,
 SEC File No. 270-195

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. The Code of Federal Regulations citation to this collection of information is the following rule: 17 CFR 240.15c2-5.

Rule 15c2-5 prohibits a broker-dealer from arranging or extending certain loans to persons in connection with the offer or sale of securities unless, before any element of the transaction is entered into, the broker-dealer: (1) Delivers to the person a written statement containing the exact nature and extent of the person's obligations under the loan arrangement; the risks and disadvantages of the loan arrangement; and all commissions, discounts, and other remuneration received and to be received in connection with the transaction by the broker-dealer or certain related persons (unless the person receives certain materials from the lender or broker-dealer which contain the required information); and (2) obtains from the person information on the person's financial situation and needs, reasonably determines that the transaction is suitable for the person, and retains on file and makes available to the person on request a written statement setting forth the broker-dealer's basis for determining that the transaction was suitable. The collection of information required by the Rule is necessary to execute the Commission's mandate under the Securities Exchange Act of 1934 (17 U.S.C. 78a *et seq.*) ("Exchange Act") to prevent fraudulent, manipulative, and deceptive acts and practices by broker-dealers.

The Commission estimates that there are approximately 50 respondents that require an aggregate total of 600 hours to comply with the Rule. Each of these approximately 50 registered broker-dealers makes an estimated 6 annual responses, for an aggregate total of 300 responses per year. Each response takes approximately 2 hours to complete. Thus, the total compliance burden per year is 600 burden hours. The approximate cost per hour is \$40.00 for clerical labor, resulting in a total compliance cost of \$24,000 (600 hours @ \$40.00 per hour).

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 R. Corey Booth, Director/Chief Information Officer, Securities and Exchange Commission, C/O Shirley Martinson, 6432 General Green Way, Alexandria, Virginia 22312 or send an e-mail to: PRA_Mailbox@sec.gov. Comments must be submitted within 60 days of this notice.

Dated: May 21, 2008.

Jill M. Peterson,

Assistant Secretary.

[FR Doc. E8-12015 Filed 5-29-08; 8:45 am]

BILLING CODE 8010-01-P

SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 28286; 813-00369]

American International Group, Inc., et al.; Notice of Application

May 23, 2008.

AGENCY: Securities and Exchange Commission ("Commission").

ACTION: Notice of application for an order under sections 6(b) and 6(e) of the Investment Company Act of 1940 (the "Act") granting an exemption from all provisions of the Act, except section 9 and sections 36 through 53 and the rules and regulations under the Act. With respect to sections 17 and 30 of the Act, and the rules and regulations thereunder, and rule 38a-1 under the Act, the exemption is limited as set forth in the application.

SUMMARY OF APPLICATION: Applicants request an order to exempt certain limited partnerships and other entities ("Partnerships") formed for the benefit of eligible employees of American International Group, Inc. ("AIG") and its affiliates from certain provisions of the Act. Each Partnership will be an "employees' securities company" within the meaning of section 2(a)(13) of the Act.

APPLICANTS: AIG Employee Hedge Fund, L.P. (the "Employee Hedge Fund"), AIG Employee PE/RE Fund 2007, L.P. (together with the Employee Hedge Fund, the "Initial Partnerships"), AIG Non-U.S. Employee PE/RE Feeder Fund 2007, L.P. (the "PE/RE Feeder"), AIG Non-U.S. Employee Hedge Feeder, L.P. (together with the PE/RE Feeder, the "Cayman Partnerships"), AIG, AIG

Employee Alternative Investment GP II, LLC, AIG Non-U.S. Employee Feeder GP II, LLC, and AIG Global Investment Corp.

FILING DATES: The application was filed on September 25, 2007 and amended on December 26, 2007, and May 8, 2008.

HEARING OR NOTIFICATION OF HEARING: An order granting the application will be issued unless the Commission orders a hearing. Interested persons may request a hearing by writing to the Commission's Secretary and serving applicants with a copy of the request, personally or by mail. Hearing requests should be received by the Commission by 5:30 p.m. on June 17, 2008, and should be accompanied by proof of service on applicants, in the form of an affidavit or, for lawyers, a certificate of service. Hearing requests should state the nature of the writer's interest, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by writing to the Commission's Secretary.

ADDRESSES: Secretary, U.S. Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549-1090; Applicants, 70 Pine Street, New York, NY 10270.

FOR FURTHER INFORMATION CONTACT: Christine Y. Greenlees, Senior Counsel, at (202) 551-6879, or Julia Kim Gilmer, Branch Chief, at (202) 551-6821 (Division of Investment Management, Office of Investment Company Regulation).

SUPPLEMENTARY INFORMATION: The following is a summary of the application. The complete application may be obtained for a fee at the Commission's Public Reference Branch, 100 F Street, NE., Washington, DC 20549-1520 (telephone (202) 551-5850).

Applicants' Representations

1. AIG, a Delaware corporation, is a holding company which, through its subsidiaries, is engaged in a broad range of insurance and insurance-related activities worldwide. AIG's primary activities include both general insurance and life insurance and retirement services operations. Other significant activities include financial services and asset management. AIG and its "affiliates," as defined in rule 12b-2 under the Securities Exchange Act of 1934 (the "1934 Act"), are referred to collectively as "AIG entities."

2. Each Initial Partnership is a limited partnership organized under the laws of the state of Delaware and each Cayman Partnership is an exempted limited partnership organized under the laws of the Cayman Islands. AIG Employee

Alternative Investment GP II, LLC will serve as the general partner of each Initial Partnership and AIG Non-U.S. Employee Feeder GP II, LLC will serve as the general partner of each Cayman Partnership. AIG Global Investment Corp., which is registered as an investment adviser under the Investment Advisers Act of 1940 (the "Advisers Act"), will be the investment adviser to the Initial Partnerships and the Cayman Partnerships. A General Partner (as defined below) or another AIG entity will serve as investment adviser to a Partnership (the "Investment Adviser"). The Investment Adviser will be registered as an investment adviser under the Advisers Act if required under applicable law. AIG entities may form additional Partnerships from time to time to enable Eligible Employees (as defined below) to pool their investment resources to achieve diversification of investments and participation in investments that usually would not be available to them as individual investors.

3. A Partnership will be structured as a limited partnership, limited liability company, business trust or other entity. Interests in a Partnership ("Interests") may be issued in one or more series, each of which corresponds to particular Partnership investments (each, a "Series"). Each Series will be an "employees' securities company" within the meaning of section 2(a)(13) of the Act. Each Partnership will operate as either a closed-end or open-end management investment company, and may operate as a diversified or non-diversified vehicle.

4. Each Partnership will have a general partner, managing member or other similar entity that is an AIG entity (a "General Partner"). All potential investors in a Partnership will be "Limited Partners." The General Partner will manage, operate, and control each Partnership and will have the authority to make all decisions regarding the acquisition, management and disposition of Partnership investments. The General Partner may be permitted to delegate certain of its responsibilities regarding the acquisition, management and disposition of Partnership investments to an Investment Adviser.

5. If the Investment Adviser elects to recommend that a Partnership enter into any side-by-side investment with an unaffiliated entity, the Investment Adviser will be permitted to engage as sub-investment adviser an unaffiliated entity (an "Unaffiliated Subadviser"), which will be responsible for the management of such side-by-side investment. An Investment Adviser may be paid a management fee, which will

generally be determined as a percentage of the capital commitments of the Limited Partners. A General Partner or Investment Adviser may receive a performance-based fee (a "Carried Interest") based on the net gains of the Partnership's investments in addition to any amount allocable to the General Partner's or Investment Adviser's capital contribution.¹

6. Interests in a Partnership will be offered without registration in reliance on section 4(2) of the Securities Act of 1933 (the "Securities Act"), or Regulation D or Regulation S under the Securities Act, and will be sold only to "Qualified Participants" (as defined below). Prior to offering Interests to an Eligible Employee or Eligible Family Member (in each case as defined below), a General Partner must reasonably believe that the Eligible Employee or Eligible Family Member will be capable of understanding and evaluating the merits and risks of participation in a Partnership and that each such individual is able to bear the economic risk of such participation and afford a complete loss of his or her investment.

7. "Qualified Participants" are (a) current or former employees, including employee officers and directors (except directors of AIG) and current persons on retainer, including, but not limited to, Consultants² (collectively, "Eligible Employees"), (b) spouses, parents, children, spouses of children, brothers, sisters and grandchildren of Eligible Employees ("Eligible Family Members" and, together with Eligible Employees who are natural persons, "Eligible Individuals"), (c) trusts or other investment vehicles established solely for the benefit of Eligible Employees or Eligible Family Members ("Eligible Investment Vehicles"), and (d) AIG entities. Each Eligible Individual will be an "accredited investor" under rule 501(a)(5) or rule 501(a)(6) of Regulation D ("Accredited Investor"), except that a maximum of 35 Eligible Employees who are sophisticated investors but who are not Accredited Investors may become Limited Partners if each of them falls

into one of the following two categories: (A) Eligible Employees who (i) have a graduate degree in business, law or accounting, (ii) have a minimum of five years of consulting, investment management, investment banking, legal or similar business experience, and (iii) had reportable income from all sources (including any profit shares or bonus) of \$100,000 in each of the two years immediately preceding the Eligible Employee's admission as a Limited Partner and have a reasonable expectation of income from all sources of at least \$140,000 in each year in which the Eligible Employee will be committed to make investments in a Partnership; or (B) Eligible Employees who are "knowledgeable employees," as defined in rule 3c-5 of the Act, of the Partnership (with the Partnership treated as though it were a "covered company" for purposes of the rule). An Eligible Employee who is described in category (A) above will not be permitted to invest in any year more than 10% of his or her income from all sources for the immediately preceding year in the aggregate in a Partnership and in all other Partnerships in which that investor has previously invested.

8. An Eligible Individual may purchase an Interest through an Eligible Investment Vehicle only if either (i) the investment vehicle is an "accredited investor," as defined in rule 501(a) of Regulation D under the 1933 Act, or (ii) the Eligible Individual or Consultant entity is the settlor³ and principal investment decision-maker with respect to the investment vehicle. Eligible Investment Vehicles that are not accredited investors will be included in the 35 non-accredited investor limit discussed above. An AIG entity or a Consultant entity will be an "accredited investor" as defined in rule 501(a) of Regulation D under the 1933 Act.

9. The terms of a Partnership will be disclosed to the Eligible Employees at the time they are offered the right to subscribe for Interests, and they will be furnished with a copy of the partnership agreement. A Partnership will send its Limited Partners an audited financial statement as soon as practicable after the end of its fiscal year. In addition, as soon as practicable after the end of each fiscal year of a Partnership, a report will be sent to each Limited Partner setting forth the information with respect to his or her share of income, gains, losses, credits, and other items for federal and state income tax purposes.

10. Interests in the Partnerships will not be transferable except with the express consent of the General Partner. All of the Partnerships will have only Qualified Participants as Limited Partners. No sales load will be charged in connection with the sale of Interests.

11. The General Partner (or an AIG entity) will have the right to purchase or redeem the Interest of an Eligible Employee who is terminated for cause or solicits employees or clients of AIG during that Eligible Employee's relationship with AIG or within six months after such relationship terminates, at a price equaling the lesser of (a) cost plus interest less distributions, or (b) fair market value or net asset value, as applicable.

12. A Partnership may make investments side-by-side with AIG entities and through investment pools sponsored by or managed by an AIG entity or an unaffiliated entity. A Partnership may also co-invest directly in a company with an AIG entity or an investment fund or separate account organized for the benefit of investors who are not affiliated with an AIG entity over which an AIG entity exercises investment discretion ("Third Party Funds").

13. If any AIG entity makes loans to any Partnership, it will be entitled to receive interest at a rate no less favorable to the Partnership than the rate that could be obtained on an arm's length basis. A Partnership will not borrow from any person if the borrowing would cause any person not named in section 2(a)(13) of the Act to own securities of the Partnership (other than short-term paper). Any indebtedness of a Partnership will be non-recourse to the Limited Partners of the Partnership.

14. A Partnership will not acquire any security issued by a registered investment company if, immediately after the acquisition, the Partnership will own, in the aggregate, more than 3% of the outstanding voting stock of the registered investment company.

Applicants' Legal Analysis

1. Section 6(b) of the Act provides, in part, that the Commission will exempt employees' securities companies from the provisions of the Act to the extent that the exemption is consistent with the protection of investors. Section 6(b) provides that the Commission will consider, in determining the provisions of the Act from which the company should be exempt, the company's form of organization and capital structure, the persons owning and controlling its securities, the price of the company's securities and the amount of any sales

¹ If a General Partner or Investment Adviser is registered under the Advisers Act, the Carried Interest payable to it by a Partnership will be pursuant to an arrangement that complies with rule 205-3 under the Advisers Act. If the General Partner or Investment Adviser is not required to register under the Advisers Act, the Carried Interest payable to it will comply with section 205(b)(3) of the Advisers Act, with the Partnership treated as a business development company solely for the purpose of that section.

² A "Consultant" is a person or entity whom AIG has engaged on retainer to provide services and professional expertise on an ongoing basis as a regular consultant or as a business or legal adviser and who shares a community of interest with AIG and its employees.

³ If such investment vehicle is an entity other than a trust, the term "settlor" will be read to mean a person who created such vehicle, alone or together with others, and contributed funds to such vehicle.

load, how the company's funds are invested, and the relationship between the company and the issuers of the securities in which it invests. Section 2(a)(13) defines an employees' securities company, in relevant part, as any investment company all of whose securities (other than short-term paper) are beneficially owned (a) by current or former employees, or persons on retainer, of one or more affiliated employers, (b) by immediate family members of such persons, or (c) by such employer or employers together with any of the persons in (a) or (b).

2. Section 7 of the Act generally prohibits investment companies that are not registered under section 8 of the Act from selling or redeeming their securities. Section 6(e) of the Act provides that, in connection with any order exempting an investment company from any provision of section 7, certain provisions of the Act, as specified by the Commission, will be applicable to the company and other persons dealing with the company as though the company were registered under the Act. Applicants request an order under sections 6(b) and 6(e) of the Act exempting the Partnerships from all provisions of the Act, except section 9 and sections 36 through 53 of the Act, and the rules and regulations under the Act. With respect to sections 17 and 30 of the Act, and the rules and regulations thereunder, and rule 38a-1 under the Act, the exemption is limited as set forth in the application.

3. Section 17(a) generally prohibits any affiliated person of a registered investment company, or any affiliated person of an affiliated person, acting as principal, from knowingly selling or purchasing any security or other property to or from the company. Applicants request an exemption from section 17(a) to permit: (a) An AIG entity or a Third Party Fund (or any affiliated person of a Third Party Fund), acting as principal, to engage in any transaction directly or indirectly with any Partnership or any company controlled by the Partnership; (b) a Partnership to invest in or engage in any transaction with any entity, acting as principal, (i) in which the Partnership, any company controlled by the Partnership, or any AIG entity or Third Party Fund has invested or will invest, or (ii) with which the Partnership, any company controlled by the Partnership, or any AIG entity or Third Party Fund is or will otherwise become affiliated; and (c) a Third Party Investor, acting as principal, to engage in any transaction directly or indirectly with any Partnership or any company controlled by the Partnership. The term "Third

Party Investor" refers to any person or entity that is not an AIG entity or affiliated with AIG and is a partner or other investor in a Third Party Fund.

4. Applicants submit that an exemption from section 17(a) is consistent with the purposes of the Partnerships and the protection of investors. Applicants state that the Limited Partners will be informed of the possible extent of the Partnership's dealings with AIG entities and of the potential conflicts of interest that may exist. Applicants also state that, as professionals engaged in insurance and/or financial services businesses, the Limited Partners will be able to evaluate the risks of such dealings. Applicants assert that the community of interest among the Limited Partners and AIG entities will serve to reduce the risk of abuse. Applicants represent that the requested relief will not extend to any transactions between a Partnership and an Unaffiliated Subadviser or an affiliated person of an Unaffiliated Subadviser, or between a Partnership and any person who is not an employee, officer or director of an AIG entity or is not an AIG entity and is an affiliated person of the Partnership as defined in section 2(a)(3)(E) of the Act ("Advisory Person") or any affiliated person of such a person.

5. Section 17(d) of the Act and rule 17d-1 under the Act prohibit any affiliated person of a registered investment company, or any affiliated person of such person, acting as principal, from participating in any joint arrangement with the company unless authorized by the Commission. Applicants request relief to permit affiliated persons of each Partnership, or affiliated persons of any of these persons, to participate in, or effect any transaction in connection with, any joint arrangement in which the Partnership or a company controlled by the Partnership is a participant. Applicants acknowledge that the requested relief will not extend to any transaction in which an Unaffiliated Subadviser or an Advisory Person, or an affiliated person of either such person, has an interest.

6. Applicants assert that compliance with section 17(d) would cause the Partnership to forego attractive investment opportunities simply because a Limited Partner, the General Partner or any other affiliated person of the Partnership (or any affiliate of the affiliated person) made a similar investment. Applicants also submit that the types of investment opportunities considered by a Partnership often require each investor to make funds available in an amount that may be

substantially greater than what a Partnership may be able to make available on its own. Applicants contend that, as a result, the only way in which a Partnership may be able to participate in these opportunities may be to co-invest with other persons, including its affiliates. Applicants assert that the flexibility to structure co-investments and joint investments will not involve abuses of the type section 17(d) and rule 17d-1 were designed to prevent.

7. Co-investments with Third Party Funds, or by an AIG entity pursuant to a contractual obligation to a Third Party Fund, will not be subject to condition 3 below. Applicants note that it is common for a Third Party Fund to require that an AIG entity invest its own capital in Third Party Fund investments, and that investments by an AIG entity be subject to substantially the same terms as those applicable to the Third Party Fund. Applicants believe it is important that the interests of the Third Party Fund take priority over the interests of the Partnerships, and that the Third Party Fund not be burdened or otherwise affected by activities of the Partnerships. In addition, applicants assert that the relationship of a Partnership to a Third Party Fund is fundamentally different from a Partnership's relationship to AIG entities. Applicants contend that the focus of, and the rationale for, the protections contained in the requested relief are to protect the Partnerships from any overreaching by any AIG entity in the employer/employee context, whereas the same concerns are not present with respect to the Partnerships and a Third Party Fund.

8. Section 17(e) of the Act and rule 17e-1 under the Act limit the compensation an affiliated person may receive when acting as agent or broker for a registered investment company. Applicants request an exemption from section 17(e) to permit an AIG entity (including the General Partner) that acts as an agent or broker to receive placement fees, advisory fees, or other compensation from a Partnership in connection with the purchase or sale by the Partnership of securities, provided that the fees or other compensation are deemed "usual and customary." Applicants state that for purposes of the application, fees or other compensation that are charged or received by an AIG entity will be deemed "usual and customary" only if (a) the Partnership is purchasing or selling securities with other unaffiliated third parties, including Third Party Funds, (b) the fees or compensation being charged to the Partnership are also being charged to

the unaffiliated third parties, including Third Party Funds, and (c) the amount of securities being purchased or sold by the Partnership does not exceed 50% of the total amount of securities being purchased or sold by the Partnership and the unaffiliated third parties, including Third Party Funds.

Applicants assert that, because AIG does not wish to appear to be favoring the Partnerships, compliance with section 17(e) would prevent a Partnership from participating in transactions where the Partnership is being charged lower fees than unaffiliated third parties.

Applicants assert that the fees or other compensation paid by a Partnership to an AIG entity will be the same as those negotiated at arm's length with unaffiliated third parties.

9. Rule 17e-1(b) under the Act requires that a majority of directors who are not "interested persons" (as defined in section 2(a)(19) of the Act) take actions and make approvals regarding commissions, fees, or other remuneration. Rule 17e-1(c) under the Act requires each Partnership to comply with the fund governance standards defined in rule 0-1(a)(7) under the Act (the "Fund Governance Standards"). Applicants request an exemption from rule 17e-1 to the extent necessary to permit each Partnership to comply with the rule without having a majority of the directors of the General Partner who are not interested persons take actions and make determinations as set forth in paragraph (b) of the rule, and without having to satisfy the Fund Governance Standards as required by paragraph (c) of the rule. Applicants state that because all the directors of the General Partner will be affiliated persons, without the relief requested, a Partnership could not comply with rule 17e-1. Applicants state that each Partnership will comply with rule 17e-1 by having a majority of the directors of the General Partner take actions and make approvals as set forth in the rule. Applicants state that each Partnership will otherwise comply with rule 17e-1.

10. Section 17(f) of the Act designates the entities that may act as investment company custodians, and rule 17f-1 under the Act imposes certain requirements when the custodian is a member of a national securities exchange. Applicants request an exemption from section 17(f) and rule 17f-1 to permit an AIG entity to act as custodian of Partnership assets without a written contract. Applicants also request an exemption from the rule 17f-1(b)(4) requirement that an independent accountant periodically verify the assets held by the custodian. Applicants state that, because of the community of

interest between AIG and the Partnerships and the existing requirement for an independent audit, compliance with this requirement would be unnecessary. Applicants will comply with all other requirements of rule 17f-1.

11. Applicants also request an exemption from rule 17f-2 to permit the following exceptions from the requirements of rule 17f-2: (a) A Partnership's investments may be kept in the locked files of the General Partner; (b) for purposes of paragraph (d) of the rule, (i) employees of the General Partner (or an AIG entity) will be deemed to be employees of the Partnerships, (ii) officers or managers of the General Partner of a Partnership (or an AIG entity) will be deemed to be officers of the Partnership and (iii) the General Partner of a Partnership or its board of directors will be deemed to be the board of directors of a Partnership and (c) in place of the verification procedure under paragraph (f) of the rule, verification will be effected quarterly by two employees of the General Partner (or an AIG entity). Applicants expect that with respect to certain Partnerships, some of their investments may be evidenced only by partnership agreements, participation agreements or similar documents, rather than by negotiable certificates that could be misappropriated. Applicants assert that for such a Partnership, these instruments are most suitably kept in the files of the General Partner (or an AIG entity), where they can be referred to as necessary.

12. Section 17(g) of the Act and rule 17g-1 under the Act generally require the bonding of officers and employees of a registered investment company who have access to its securities or funds. Rule 17g-1 requires that a majority of directors who are not interested persons take certain actions and give certain approvals relating to fidelity bonding. The rule also requires that the board of directors of any investment company relying on the rule satisfy the Fund Governance Standards. Applicants request relief to permit the General Partner's board of directors, who may be deemed interested persons, to take actions and make determinations as set forth in the rule. Applicants state that, because all directors of the General Partner will be affiliated persons, a Partnership could not comply with rule 17g-1 without the requested relief. Specifically, each Partnership will comply with rule 17g-1 by having a majority of the General Partner's directors take actions and make determinations as set forth in rule 17g-1. Applicants also request an exemption

from the requirements of paragraph (g) of rule 17g-1 relating to the filing of copies of fidelity bonds and related information with the Commission and the provision of notices to the board of directors, paragraph (h) of rule 17g-1 relating to the appointment of a person to make the filings and provide the notices required by paragraph (g), and paragraph (j)(3) of rule 17g-1 relating to compliance with the Fund Governance Standards. Applicants state that the Partnerships will comply with all other requirements of rule 17g-1.

13. Section 17(j) of the Act and paragraph (b) of rule 17j-1 under the Act make it unlawful for certain enumerated persons to engage in fraudulent or deceptive practices in connection with the purchase or sale of a security held or to be acquired by a registered investment company. Rule 17j-1 also requires that every registered investment company adopt a written code of ethics and that every access person of a registered investment company report personal securities transactions. Applicants request an exemption from the provisions of rule 17j-1, except for the anti-fraud provisions of paragraph (b), because they are unnecessarily burdensome as applied to the Partnerships. The relief requested will only extend to AIG entities and is not requested with respect to any Unaffiliated Subadviser or Advisory Person.

14. Applicants request an exemption from the requirements in sections 30(a), 30(b), and 30(e) of the Act, and the rules under those sections, that registered investment companies prepare and file with the Commission and mail to their shareholders certain periodic reports and financial statements. Applicants contend that the forms prescribed by the Commission for periodic reports have little relevance to the Partnerships and would entail administrative and legal costs that outweigh any benefit to the Limited Partners. Applicants request exemptive relief to the extent necessary to permit each Partnership to report annually to its Limited Partners. Applicants also request an exemption from section 30(h) of the Act to the extent necessary to exempt the General Partner of each Partnership, members of the General Partner or any board of managers or directors or committee of employees of AIG entities to whom the General Partner may delegate its functions, and any other persons who may be deemed to be members of an advisory board of a Partnership, from filing Forms 3, 4, and 5 under section 16(a) of the 1934 Act with respect to their ownership of Interests in the Partnership. Applicants assert that,

because there will be no trading market and the transfers of Interests will be severely restricted, these filings are unnecessary for the protection of investors and burdensome to those required to make them.

15. Rule 38a-1 requires investment companies to adopt, implement and periodically review written policies reasonably designed to prevent violation of the federal securities law and to appoint a chief compliance officer. Each Partnership will comply with rule 38a-1(a), (c) and (d), except that (a) because the Partnership does not have a board of directors, the board of directors of the General Partner will fulfill the responsibilities assigned to the Partnership's board of directors under the rule, (b) since the board of directors of the General Partner does not have any disinterested members, approval by a majority of the disinterested board members required by rule 38a-1 will not be obtained, and (c) because the board of directors of the General Partner does not have any disinterested members, the Partnerships will comply with the requirement in rule 38a-1(a)(4)(iv) that the chief compliance officer meet with the independent directors by having the chief compliance officer meet with the board of directors of the General Partner as constituted.

Applicants' Conditions

Applicants agree that any order granting the requested relief will be subject to the following conditions:

1. Each proposed transaction involving a Partnership otherwise prohibited by section 17(a) or section 17(d) of the Act and rule 17d-1 under the Act to which a Partnership is a party (the "Section 17 Transactions") will be effected only if the General Partner determines that:

(a) The terms of the Section 17 Transaction, including the consideration to be paid or received, are fair and reasonable to the Limited Partners of the Partnership and do not involve overreaching of the Partnership or its Limited Partners on the part of any person concerned; and

(b) The Section 17 Transaction is consistent with the interests of the Limited Partners, the Partnership's organizational documents and the Partnership's reports to its Limited Partners.

In addition, the General Partner of the Partnership will record and preserve a description of all Section 17 Transactions, the General Partner's findings, the information or materials upon which the findings are based and the basis for the findings. All such

records will be maintained for the life of the Partnership and at least six years thereafter and will be subject to examination by the Commission and its staff.⁴

2. The General Partner of each Partnership will adopt, and periodically review and update, procedures designed to ensure that reasonable inquiry is made, prior to the consummation of any Section 17 Transaction, with respect to the possible involvement in the transaction of any affiliated person or promoter of or principal underwriter for the Partnership or any affiliated person of such person, promoter or principal underwriter.

3. The General Partner of each Partnership will not invest the funds of the Partnership in any investment in which an "Affiliated Co-Investor" (as defined below) has acquired or proposes to acquire the same class of securities of the same issuer and where the investment transaction involves a joint enterprise or other joint arrangement within the meaning of rule 17d-1 in which the Partnership and an Affiliated Co-Investor are participants, unless any such Affiliated Co-Investor, prior to disposing of all or part of its investment, (a) gives the General Partner sufficient, but not less than one day's, notice of its intent to dispose of its investment; and (b) refrains from disposing of its investment unless the Partnership has the opportunity to dispose of the Partnership's investment prior to or concurrently with, on the same terms as, and *pro rata* with the Affiliated Co-Investor. The term "Affiliated Co-Investor" with respect to any Partnership means any person who is: (a) An "affiliated person" (as such term is defined in section 2(a)(3) of the Act) of the Partnership (other than a Third Party Fund); (b) an AIG entity; (c) an officer or director of an AIG entity; or (d) an entity (other than a Third Party Fund) in which an AIG entity acts as a general partner or has a similar capacity to control the sale or other disposition of the entity's securities. The restrictions contained in this condition, however, shall not be deemed to limit or prevent the disposition of an investment by an Affiliated Co-Investor: (a) To its direct or indirect wholly-owned subsidiary, to any company (a "Parent") of which the Affiliated Co-Investor is a direct or indirect wholly-owned subsidiary or to a direct or indirect wholly-owned subsidiary of its Parent; (b) to immediate family

members of the Affiliated Co-Investor or a trust or other investment vehicle established for any Affiliated Co-Investor or any such immediate family member; or (c) when the investment is comprised of securities that are (i) listed on a national securities exchange registered under section 6 of the 1934 Act, (ii) NMS stocks pursuant to section 11A(a)(2) of the 1934 Act and rule 600(a) of Regulation NMS thereunder, (iii) government securities as defined in section 2(a)(16) of the Act or other securities that meet the definition of "Eligible Security" in rule 2a-7 under the Act, or (iv) listed or traded on any foreign securities exchange or board of trade that satisfies regulatory requirements under the law of the jurisdiction in which such foreign securities exchange or board of trade is organized similar to those that apply to a national securities exchange or a national market system for securities.

4. Each Partnership and its General Partner will maintain and preserve, for the life of each Series of the Partnership and at least six years thereafter, such accounts, books and other documents constituting the record forming the basis for the audited financial statements that are to be provided to the Limited Partners in the Partnership, and each annual report of the Partnership required to be sent to the Limited Partners, and agree that all such records will be subject to examination by the Commission and its staff.⁵

5. The General Partner of each Partnership will send to each Limited Partner having an interest in the Partnership at any time during the fiscal year then ended, Partnership financial statements audited by the Partnership's independent accountants with respect to those Series in which the Limited Partner had an Interest. At the end of each fiscal year, the General Partner will make or cause to be made a valuation of all of the assets of the Partnership as of such fiscal year end in a manner consistent with customary practice with respect to the valuation of assets of the kind held by the Partnership. In addition, as soon as practicable after the end of each fiscal year of the Partnership, the General Partner will send a report to each person who was a Limited Partner at any time during the fiscal year then ended, setting forth such tax information as shall be necessary for the preparation by the Limited Partner of that partner's federal and state income tax returns and a report of the

⁴ Each Partnership will preserve the accounts, books and other documents required to be maintained in an easily accessible place for the first two years.

⁵ Each Partnership will preserve the accounts, books and other documents required to be maintained in an easily accessible place for the first two years.

investment activities of the Partnership during that fiscal year.

6. If a Partnership makes purchases or sales from or to an entity affiliated with the Partnership by reason of an officer, director or employee of an AIG entity (a) serving as an officer, director, general partner or investment adviser of the entity, or (b) having a 5% or more investment in the entity, such individual will not participate in the Partnership's determination of whether or not to effect the purchase or sale.

For the Commission, by the Division of Investment Management, under delegated authority.

Nancy M. Morris,

Secretary.

[FR Doc. E8-12014 Filed 5-29-08; 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 a Closed Meeting on June 3, 2008 at 2 p.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 also may 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), (6), (7), (9)(B), and (10) and 17 CFR 200.402(a)(3), (5), (6), (7), 9(ii) and (10), permit consideration of the scheduled matters at the Closed Meeting.

Commissioner Atkins, as duty officer, voted to consider the items listed for the Closed Meeting in closed session.

The subject matter of the Closed Meeting scheduled for June 3, 2008 will be:

- Formal orders of investigation;
- Institution and settlement of injunctive actions;

- Institution and settlement of administrative proceedings of an enforcement nature;

- Resolution of litigation claims;
- Collection matters; and other matters related to enforcement proceedings.

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) 551-5400.

Dated: May 27, 2008.

Florence E. Harmon,

Acting Secretary.

[FR Doc. E8-12068 Filed 5-29-08; 8:45 am]

BILLING CODE 8010-01-P

SECURITIES AND EXCHANGE COMMISSION

[File No. 500-1]

In the Matter of: Affinity Networks, Inc.; Order of Suspension of Trading

May 28, 2008.

It appears to the Securities and Exchange Commission that the public interest and the protection of investors require a suspension of trading in the securities of Affinity Networks, Inc. ("Affinity") because there is a lack of current and accurate information concerning its securities. Affinity is quoted on the Pink Sheets under the ticker symbol AFFN.

The Commission is of the opinion that the public interest and the protection of investors require a suspension of trading in the securities of the above-listed company.

Therefore, it is ordered, pursuant to section 12(k) of the Securities Exchange Act of 1934, that trading in the above-listed company is suspended for the period from 9:30 a.m. EDT May 28, 2008 through 11:59 p.m. EDT, on June 10, 2008.

By the Commission.

Florence E. Harmon,

Acting Secretary.

[FR Doc. 08-1312 Filed 5-28-08; 11:35 am]

BILLING CODE 8010-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-57852; File No. SR-Amex-2008-41]

Self-Regulatory Organizations; American Stock Exchange LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change Regarding Position and Exercise Limits for Options on the DIAMONDS Trust

May 22, 2008.

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 May 16, 2008, the American Stock Exchange LLC ("Exchange" or "Amex") filed with the

Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I and II below, which Items have been substantially prepared by the Exchange. The Exchange has designated this proposal as non-controversial under Section 19(b)(3)(A)(iii) of the Act³ and Rule 19b-4(f)(6) thereunder,⁴ which renders the proposed rule change effective upon filing with the Commission. 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 Exchange proposes to amend its rules to increase the position and exercise limits applicable to options on the DIAMONDS Trust, Series 1 ("DIA"). The text of the proposed rule change is available on the Exchange's Web site (<http://www.amex.com>), at the offices of the Exchange, and at the Commission's Public Reference Room.

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 Exchange 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. The Exchange 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

The Exchange is proposing to amend its rules pertaining to position and exercise limits for options on DIA. The Exchange proposes to increase position and exercise limits for options on DIA to 300,000 contracts on the same side of the market. The Commission previously approved a similar proposal by the Chicago Board Options Exchange, Inc. ("CBOE").⁵

³ 15 U.S.C. 78s(b)(3)(A)(iii).

⁴ 17 CFR 240.19b-4(f)(6).

⁵ See Securities Exchange Act Release No. 47346 (February 11, 2003), 68 FR 8316 (February 20, 2003) (SR-CBOE-2002-26) (approving an increase in the position limits and exercise limits to 300,000 for DIA options). The Commission stated that "given the surveillance capabilities of the [CBOE] and the

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

The Exchange also recently made permanent its increased position and exercise limits for certain equity options on the Amex which were in effect on a pilot basis.⁶ The Exchange stipulated, as part of its proposal for such permanent approval, that “its surveillance procedures and options reporting procedures, in conjunction with the financial requirements and risk management review procedures generally in place at the clearing firms and the Options Clearing Corporation, will serve to adequately address any concerns the Commission may have with respect to account(s) engaging in any manipulative schemes or assuming too high a level of risk exposure.”⁷ These representations also apply to the current proposal to increase the position and exercise limits for options on DIA. The Exchange now seeks to increase the position and exercise limits for options on DIA on the Amex to the level that such limits are in effect on the CBOE and other options exchanges (300,000 contracts on the same side of the market).

The Exchange asserts that the justifications behind the Commission’s approval of the CBOE proposal should support the same increased position and exercise limits on options on DIA on the Amex. Specifically, the Exchange believes that the “structure of the DIA options and the considerable liquidity of both the underlying cash and options market for DIA options lessen the opportunity for manipulation of this product and disruption in the underlying market that a lower position limit may protect against.”⁸

The Exchange believes that the reporting requirements imposed under the Exchange’s rules will help protect against potential manipulation.⁹ Additionally, the Exchange believes that such an increase in position and exercise limits on options on DIA on the Amex is required for competitive purposes as well as for purposes of

consistency and uniformity among the competing options exchanges. This, taken in conjunction with the permanent establishment of other increased position and exercise limits for certain equity options on Amex, supports the Exchange’s proposal to increase the position and exercise limits applicable to DIA.

2. Statutory Basis

The Exchange believes that the proposal is consistent with the requirements of Section 6(b) of the Act¹⁰ in general, and Section 6(b)(5) of the Act¹¹ in particular, in that it is designed to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system and, in general, to protect investors and the public interest. Specifically, the Exchange believes that the structure of the DIA options and the considerable liquidity of the market for DIA options diminishes the opportunity for manipulation of this product and disruption in the underlying market that a lower position limit may protect against.

B. Self-Regulatory Organization’s Statement on Burden on Competition

The Exchange believes that the proposed rule change will impose no 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

No written comments were solicited or received by the Exchange on this proposal.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The Exchange has designated the proposed rule change as one that: (1) Does not significantly affect the protection of investors or the public interest; (2) does not impose any significant burden on competition; and (3) does not become operative for 30 days from the date of filing, or such shorter time as the Commission may designate if consistent with the protection of investors and the public interest. Therefore, the foregoing rule change has become effective pursuant to Section 19(b)(3)(A) of the Act¹² and

subparagraph (f)(6) of Rule 19b-4 thereunder.¹³

The Exchange has asked the Commission to waive the operative delay to permit the proposed rule change to become operative prior to the 30th day after filing. The Exchange states that waiving the operative delay will allow the Exchange to match the position and exercise limits for the options on DIA that currently exist at other options exchanges. Because of the competitive nature of this proposal, the Exchange believes good cause exists to waive the 30-day operative delay. The Exchange notes that the Commission recently granted a waiver of the operative delay to a similar proposal by the ISE.¹⁴

The Commission believes that waiving the 30-day operative delay of the Exchange’s proposal is consistent with the protection of investors and the public interest.¹⁵ Therefore, the Commission designates the proposal to be operative upon filing.

At any time within 60 days of the filing of the proposed rule change, the Commission may summarily abrogate the 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. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission’s Internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an e-mail to rule-comments@sec.gov. Please include File No. SR-Amex-2008-41 on the subject line.

¹³ 17 CFR 240.19b-4(f)(6). In addition, Rule 19b-4(f)(6)(iii) requires a self-regulatory organization to provide the Commission with written notice of its intent to file the proposed rule change, along with a brief description and text of the proposed rule change, at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has fulfilled this requirement.

¹⁴ See Securities Exchange Act Release No. 57736 (April 29, 2008), 73 FR 25070 (May 6, 2008) (SR-ISE-2008-35).

¹⁵ For purposes only of waiving the 30-day operative delay, the Commission has considered the proposed rule’s impact on efficiency, competition, and capital formation. See 15 U.S.C. 78c(f).

depth and liquidity in both the DIA options and the underlying cash market in DIAs, the Commission believes it is permissible to significantly raise position and exercise limits for DIA options without risk of disruption to the options or underlying cash markets.” The Commission also stated that “financial and reporting requirements * * * should allow [CBOE] to detect and deter trading abuses arising from the increased position and exercise limits, and will also allow [CBOE] to monitor large positions in order to identify instances of potential risk and to assess additional margin and/or capital charges, if deemed necessary.”

⁶ See Securities Exchange Act Release No. 57415 (March 3, 2008), 73 FR 12479 (March 7, 2008) (SR-Amex-2008-16).

⁷ *Id.*

⁸ See Securities Exchange Act Release No. 47346, *supra* note 5.

⁹ See Amex Rule 906.

¹⁰ 15 U.S.C. 78f(b).

¹¹ 15 U.S.C. 78f(b)(5).

¹² 15 U.S.C. 78s(b)(3)(A).

Paper Comments

• Send paper comments in triplicate to Nancy M. Morris, Secretary, Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549-1090.

All submissions should refer to File Number SR-Amex-2008-41. This file number should be included on the subject line if e-mail is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (<http://www.sec.gov/rules/sro.shtml>). 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, 100 F Street, NE., Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. Copies of such filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File No. SR-Amex-2008-41 and should be submitted on or before June 20, 2008.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.¹⁶

J. Lynn Taylor,

Assistant Secretary.

[FR Doc. E8-12032 Filed 5-29-08; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-57856; File No. SR-Amex-2008-38]

Self-Regulatory Organizations; American Stock Exchange LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change Relating to Fixed Return Option Transaction Fees

May 23, 2008.

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 May 7, 2008, American Stock Exchange LLC ("Amex" or the "Exchange") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I, II, and III below, which Items have been prepared substantially by Amex. The Exchange has designated this proposal as one establishing or changing a member due, fee, or other charge imposed by Amex under section 19(b)(3)(A)(ii) of the Act³ and Rule 19b-4(f)(2) thereunder,⁴ which renders the proposal effective upon filing with the Commission. 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

Amex is proposing to amend its options fee schedule (the "Options Fee Schedule") to adopt transaction fees in connection with Fixed Return Options ("FROs"). The text of the proposed rule change is available at <http://www.amex.com>, the principal offices of the Exchange, and the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, Amex 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. Amex has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

³ 15 U.S.C. 78s(b)(3)(A)(ii).

⁴ 17 CFR 240.19b-4(f)(2).

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

In August 2007, the Commission approved an Exchange proposal to list and trade FROs based on individual stocks and exchange-traded funds ("ETFs").⁵ In connection with the ability to trade FROs, the Options Clearing Corporation ("OCC") also filed proposed rule changes as well as a revision to the Options Disclosure Document ("ODD"). The Commission recently approved the ODD revisions so that FROs may commence trading on the Exchange.⁶ The Exchange expects to launch FROs on May 8, 2008.

Amex proposes to adopt transaction fees in connection with FROs of (i) \$0.20 per contract side for orders of the account of specialists and registered options traders ("ROTs"), (ii) \$0.23 per contract side for orders of the account of supplemental registered options traders ("SROTs"), (iii) \$0.30 per contract side for orders of the account of non-member market makers and (iv) \$0.26 per contract side for order of the account of non-member broker-dealers and member broker-dealers.⁷ Orders for the account of customers would not be subject to a transaction charge in FROs. In all cases, the fees are charged only to Exchange members through whom the orders are placed. These transaction charges are identical to the existing transaction charges for equity options. In addition, FROs would not be subject to the options marketing fee.

FROs would also be subject to the identical BD Auto-Ex Fee that currently exists for equity options, exchange-

⁵ See Securities Exchange Act Release No. 56251 (August 14, 2007), 72 FR 46523 (August 20, 2007) (SR-Amex-2004-27).

⁶ See Securities Exchange Act Release No. 57744 (April 30, 2008) (SR-ODD-2008-01). The Commission previously approved proposed OCC rule changes in November 2007. See Securities Exchange Act Release No. 56875 (November 30, 2007), 72 FR 69274 (December 7, 2007) (SR-OCC-2007-08).

⁷ The transaction charges for specialists and ROTs each would consist of an options transaction fee of \$0.10 per contract side, an options comparison fee of \$0.05 per contract side and an options floor brokerage fee of \$0.05 per contract side. With respect to SROTs and non-member market makers, transaction charges would consist of an options transaction fee of either \$0.13 per contract side or \$0.20 per contract side, respectively, and an options comparison fee of \$0.05 per contract side and an options floor brokerage fee of \$0.05 per contract side. The transaction charges for non-member broker-dealers (broker-dealers) and member broker-dealers (firms) each would consist of an options transaction fee of \$0.19 per contract side, an options comparison fee of \$0.04 per contract side and an options floor brokerage fee of \$0.03 per contract side.

¹⁶ 17 CFR 200.30-3(a)(12).

traded fund share ("ETF") options, QQQQ options and trust issued receipt ("HOLDR") options. Accordingly, the BD Auto-Ex Fee in connection with FROs would provide that orders for the account of specialists, ROTs and non-member market makers that are automatically executed on the Exchange be subject to (i) a \$0.50 per contract side options transaction fee, (ii) a \$0.05 per contract side options comparison fee and (iii) \$0.05 per contract side options floor brokerage fee.⁸ Similarly, FRO orders for the account of member broker-dealers (Firms) and non-member broker-dealers (Broker/Dealer) that are automatically executed on the Exchange would be subject to the BD Auto-Ex Fee as follows: (i) A \$0.50 per contract side options transaction fee; (ii) a \$0.04 per contract side comparison fee and (iii) a \$0.03 per contract side floor brokerage fee.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with the objectives of section 6 of the act,⁹ in general, and furthers the objectives of section 6(b)(4),¹⁰ in particular, in that it is designed to provide for the equitable allocation of reasonable dues, fees and other charges among its members and other persons using its facilities. The Exchange notes that the proposed transaction fees are similar to the fees currently charged in connection with transactions in equity options.

B. Self-Regulatory Organization's Statement on Burden on Competition

The proposed rule change does not 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 Exchange has not solicited, and does not intend to solicit, comments on this proposed rule change. The Exchange has not received any unsolicited written comments from members or other interested parties.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing proposed rule change has been designated as a fee change pursuant to section 19(b)(3)(A)(ii) of the Act¹¹ and Rule 19b-4(f)(2)¹² thereunder, because it establishes or changes a due, fee, or other charge imposed on members by Amex. Accordingly, the proposal is effective upon filing with the Commission. At any time within 60 days of the filing of the proposed rule change, the Commission may summarily abrogate such 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. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an e-mail to rule-comments@sec.gov. Please include File Number SR-Amex-2008-38 on the subject line.

Paper Comments

- Send paper comments in triplicate to Nancy Morris, Secretary, Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549-1090.

All submissions should refer to File Number SR-Amex-2008-38. This file number should be included on the subject line if e-mail is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (<http://www.sec.gov/rules/sro.shtml>). 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, 100 F Street, NE., Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. Copies of such filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make publicly available. All submissions should refer to File Number SR-Amex-2008-38 and should be submitted on or before June 20, 2008.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.¹³

Florence E. Harmon,

Deputy Secretary.

[FR Doc. E8-12073 Filed 5-29-08; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-57858; File No. SR-BSE-2008-30]

Self-Regulatory Organizations; Boston Stock Exchange, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change Relating to Obvious Errors on the Boston Options Exchange

May 23, 2008.

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 May 22, 2008, the Boston Stock Exchange, Inc. ("BSE" or "Exchange") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I and II below, which Items have been substantially prepared by the Exchange. The Exchange filed the proposal as a "non-controversial" proposed rule change pursuant to Section 19(b)(3)(A)³ of the Act and Rule 19b-4(f)(6) thereunder,⁴ which renders the proposal effective upon filing with the Commission. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

¹³ 17 CFR 200.30-3(a)(12).

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

³ 15 U.S.C. 78s(b)(3)(A).

⁴ 17 CFR 240.19b-4(f)(6).

⁸ See Securities Exchange Act Release No. 47216 (January 17, 2003), 68 FR 5059 (January 31, 2003) (SR-Amex-2002-114). The Exchange recently amended the Options Fee Schedule to clarify that BD Auto-Ex Fees apply to Options Linkage Orders that are automatically executed. See Securities Exchange Act Release No. 57589 (April 1, 2008), 73 FR 18827 (April 7, 2008) (SR-Amex-2008-09).

⁹ 15 U.S.C. 78f.

¹⁰ 15 U.S.C. 78f(b)(4).

¹¹ 15 U.S.C. 78s(b)(3)(A)(ii).

¹² 17 CFR 240.19b-4(f)(2).

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend Section 20 (Obvious Errors) of Chapter V of the Rules of the Boston Options Exchange Group, LLC ("BOX"). The proposed rule change would redefine theoretical price ("Theoretical Price") for the purposes of determining whether an execution price constitutes an obvious error ("Obvious Error"). The text of the proposed rule change is available at the principal office of the Exchange, the Commission's Public Reference Room, and <http://www.bostonstock.com/regulatory/effective.aspx>.

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 Exchange 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. BSE 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

The Exchange believes that the Obvious Error rules and procedures on BOX provide objective criteria by which certain transactions may be analyzed if believed to have been executed at erroneously high or low prices. Section 20 of Chapter V of the BOX Rules currently defines the Theoretical Price of an options series, if the series is traded on at least one other options exchange, as "the last bid price with respect to an erroneous sell transaction, and last offer price with respect to an erroneous buy transaction, just prior to the trade disseminated by the competing options exchange that has the most liquidity in that option; or if there are no quotes for comparison purposes, as determined by the MRC."

The proposed rule change would re-define Theoretical Price to mean, with respect to options series traded on at least one other options exchange, either the last National Best Bid price (with respect to an erroneous sell transaction) or the last National Best Offer price (with respect to an erroneous buy transaction), just prior to the trade in

question. This would provide the Market Regulation Center ("MRC") with a clearly defined measure of the price on which to base their determination as to whether or not a particular transaction resulted from an erroneous price and thus was an obvious error.⁵ If approved, this proposal would continue to permit the MRC to establish the Theoretical Price when there are no quotes available for comparison purposes.

As the proposed rule change would eliminate any comparison to the "competing options exchange that has the most liquidity in that option," the Exchange proposes to remove Supplemental Material .03 to Section 20 of Chapter V of the BOX Rules and modify the formatting of certain portions of the Supplemental Material for the purposes of conforming such formatting to that of the remainder of the BOX Rules. The Exchange also proposes to make a minor change to the rule text to correct an existing typographical error.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Act,⁶ in general, and furthers the objectives of Section 6(b)(5) of the Act,⁷ in particular, in that it is designed to promote just and equitable principles of trade, to prevent fraudulent and manipulative acts, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest. Specifically, the proposed rule change would establish an objective definition of Theoretical Price when determining whether a particular transaction was or was not an Obvious Error and assure that any price adjustments made to Obvious Errors would not violate the terms of the Options Intermarket Linkage Plan.⁸

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change would 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 Exchange has neither solicited nor received written comments on the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the proposed rule change does not: (i) Significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days after the date of filing (or such shorter time as the Commission may designate if consistent with the protection of investors and the public interest), the proposed rule change has become effective pursuant to Section 19(b)(3)(A) of the Act⁹ and subparagraph (f)(6) of Rule 19b-4 thereunder.¹⁰

A proposed rule change filed under Rule 19b-4(f)(6) normally does not become operative prior to 30 days after the date of filing.¹¹ However, Rule 19b-4(f)(6)(iii) permits the Commission to designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has requested that the Commission waive the 30-day operative delay and designate the proposed rule change operative upon filing. The Commission believes that waiving the 30-day operative delay is consistent with the protection of investors and the public interest. Given that the proposed rule change is substantially the same as that of the Phlx, previously approved by the Commission,¹² the proposal does not appear to present any novel regulatory issues. In addition, waiving the 30-day operative delay ensures that the Exchange's obvious error rule conforms to the Options Intermarket Linkage Plan without delay. Therefore, the Commission designates the proposal to be operative upon filing.¹³

At any time within 60 days of the filing of the proposed rule change, the Commission may summarily abrogate such rule change if it appears to the

⁹ 15 U.S.C. 78s(b)(3)(A).

¹⁰ 17 CFR 240.19b-4(f)(6).

¹¹ 17 CFR 240.19b-4(f)(6)(iii). The Exchange has satisfied the five-day pre-filing requirement of Rule 19b-4(f)(6)(iii).

¹² See Securities Exchange Act Release No. 57712 (April 24, 2008), 73 FR 24100 (May 1, 2008) (order approving SR-Phlx-2007-69).

¹³ For purposes only of waiving the operative delay of this proposal, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

⁵ The Exchange notes that the Philadelphia Stock Exchange ("Phlx"), see Phlx Rule 1092(b), uses the NBBO to determine the theoretical price of an option.

⁶ 15 U.S.C. 78f(b).

⁷ 15 U.S.C. 78f(b)(5).

⁸ See Securities Exchange Act Release No. 43086 (July 28, 2000), 65 FR 48023 (August 4, 2000) (File No. 4-429) (order approving the Options Intermarket Linkage Plan).

Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in the 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. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an e-mail to rule-comments@sec.gov. Please include File Number SR-BSE-2008-30 on the subject line.

Paper Comments

- Send paper comments in triplicate to Nancy M. Morris, Secretary, Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549-1090.

All submissions should refer to File Number SR-BSE-2008-30. This file number should be included on the subject line if e-mail is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (<http://www.sec.gov/rules/sro.shtml>). 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, 100 F Street, NE., Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. Copies of such filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-BSE-2008-30 and should be submitted on or before June 20, 2008.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.¹⁴

J. Lynn Taylor,

Assistant Secretary.

[FR Doc. E8-12034 Filed 5-29-08; 8:45 am]

BILLING CODE 8010-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-57849; File No. SR-CBOE-2008-16]

Self-Regulatory Organizations; Chicago Board Options Exchange, Incorporated; Notice of Filing of a Proposed Rule Change To Reduce Certain Order Exposure Times From Three Seconds to One Second

May 22, 2008.

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 May 16, 2008, The Chicago Board Options Exchange, Incorporated ("CBOE" or "Exchange") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I, II, and III below, which Items have been substantially prepared by CBOE. 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 Exchange proposes to reduce the order handling and exposure periods contained in certain of its rules from three seconds to one second. The text of the proposed rule change is available on the Exchange's Web site (<http://www.cboe.org/Legal>), at CBOE's principal office, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, CBOE 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. 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

1. Purpose

The purpose of the proposed rule change is to reduce the order handling and exposure periods contained in Rules 6.45A, *Priority and Allocation of Equity Option Trades on the CBOE Hybrid System*, 6.45B, *Priority and Allocation of Trades in Index Options and Options on ETFs on the CBOE Hybrid System*, 6.74A, *Automated Improvement Mechanism* ("AIM"), and 6.74B, *Solicitation Auction Mechanism*, from three seconds to one second.

Rules 6.45A and 6.45B provide that an order entry firm may not execute an order it represents as agent with a facilitation or solicited order (referred to herein as "crossing orders") using the Hybrid Trading System ("Hybrid") unless it first complies with the three-second exposure requirement. Specifically, order entry firms may not execute a facilitation cross unless: (i) The agency order is first exposed on Hybrid for at least three seconds; (ii) the order entry firm has been bidding or offering for at least three seconds prior to receiving the agency order that is executable against such bid or offer; or (iii) the order entry firm proceeds in accordance with the floor-based open outcry crossing rules contained in CBOE Rule 6.74, *Crossing Orders*. Similarly, order entry firms may not execute an order they represent as agent against orders solicited from members and non-member broker-dealers unless the agency order is first exposed on Hybrid for at least three seconds. During this three-second exposure period for crossing orders, other members may enter orders to trade against the exposed order. Under the proposal, these exposure periods would be reduced to one second.³

Rule 6.74A contains the requirements applicable to the execution of orders using AIM. AIM allows members to enter cross transactions on Hybrid. Currently, orders entered into AIM are exposed for a random time period determined by the system that is not less than three seconds and not more than five seconds, giving an opportunity

³ For Hybrid 3.0 classes, the exposure period is established on a class-by-class basis, provided the minimum exposure time must be at least three seconds and shall not exceed 30 seconds. See CBOE Rule 6.45B.03. The Exchange is proposing to reduce the minimum time from three seconds to one second. The 30-second parameter will remain unchanged.

¹⁴ 17 CFR 200.30-3(a)(12).

¹⁵ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

for additional trading interest to be entered before the orders are automatically executed. Under the proposal, the random exposure period for AIM would be reduced to one second.

Rule 6.74B contains the requirements applicable to the execution of orders using the Solicitation Auction Mechanism (the "SAM Auction"). The SAM Auction allows members to enter larger-sized cross transactions on Hybrid (*i.e.*, orders of 500 contracts or more). Orders entered into the SAM Auction are currently exposed for a three second period, giving an opportunity for additional trading interest to be entered before the orders are automatically executed. Under the proposal, the exposure period for the SAM Auction would be reduced to one second.

The Exchange notes that in adopting the various three-second order handling and exposure periods, it recognized that three seconds would not be long enough to allow human interaction with the orders (or RFQs, as applicable). Rather, market participants had become sufficiently automated that they could react to these orders electronically. In this context, CBOE believes it would be in all market participants' best interest to minimize the exposure period to a time frame that continues to allow adequate time for market participants to electronically respond, as both the order being exposed and the participants responding are subject to market risk during the exposure period. In this respect, the Exchange states that its experience with the three-second exposure time period indicates that one second would provide an adequate response time.⁴ Most members wait

⁴ The Exchange has numerous market participants that have the capability and do opt to respond within a one-second exposure period on its Hybrid trading platform. In this regard, the Exchange notes that it has other Hybrid electronic exposure mechanisms for which timers set at or below one second provide for an adequate response time. For example, the exposure and allocation timers for the Exchange's Hybrid Agency Liaison ("HAL") mechanism are currently both set at 0.300 seconds, and numerous market participants can and do opt to respond to HAL exposure messages within this time frame. See CBOE Rule 6.14.

HAL is a feature that provides automated order handling in designated classes for qualifying electronic orders that are not automatically executed. Qualifying orders that are received by HAL are electronically exposed immediately upon receipt for an exposure period of 0.300 seconds. If during the exposure period a Market-Maker or Qualifying Member commits to trade any portion of the order, the exposure period ends and the allocation period of 0.300 seconds will begin. At the conclusion of the allocation period the order is executed or, if no responses are received, processed in accordance with the procedures set forth in Rule 6.14.

until the end of the last second of the three second period before responding to exposed orders in order to minimize market risk. Accordingly, the Exchange does not believe it is necessary or beneficial to the orders being exposed to continue to subject them to market risk for a full three seconds.

When approving the existing three-second order handling and exposure periods, the Commission concluded that, in the electronic environment of Hybrid, reducing the exposure period to three seconds could facilitate the prompt execution of orders while providing participants in Hybrid with an adequate opportunity to compete for exposed bids and offers.⁵ Continuing on that same logic, CBOE believes that reducing its order handling and exposure periods from three seconds to one second will benefit market participants. Since members react to these orders electronically, and generally only opt to respond at the tail end of the three-second period in order to minimize market risk, CBOE believes that reducing the time periods to one second will continue to provide CBOE members with sufficient time to ensure effective interaction with orders.⁶ At the same time, CBOE believes that reducing the time periods to one second will allow it to provide investors and other market participants with more timely

The Exchange believes that its experience with the HAL mechanism supports its view that one second is sufficient time for market participants to respond to CBOE's AIM and SAM Auction mechanisms, which operate on the Hybrid trading system and employ the same type of mechanical messaging as the HAL mechanism. The Exchange also believes its experience with the HAL mechanism supports its view that one second is sufficient time for market participants to have an opportunity to enter orders to trade against an order exposed in the book before the order entry firm is permitted to enter a contra-side facilitation or solicited order. This is because market participants receive mechanically messaged information about book updates, and are able and do opt to automatically submit orders and quotes in response to those book updates on the Hybrid trading system in substantially the same manner as they would respond to a HAL message. The Exchange also notes that any delay or latency associated with submitting responses to an AIM or SAM Auction, or responding to a book update, would be the same as responding to HAL because all such responses are processed over the same network.

⁵ See, e.g., Securities Exchange Act Release No. 53567 (March 29, 2006), 71 FR 17529 (April 6, 2006) (SR-CBOE-2006-09) (order approving the reduction of the exposure period for crossing orders in Hybrid under Rules 6.45A and 6.45B from ten seconds to three seconds).

⁶ The Exchange believes that the proposed timeframe would give market participants sufficient time to respond, compete, and provide price improvement for orders. The Exchange also notes that electronic systems are readily available to, if not already in place for, CBOE members that allow them to respond in a meaningful way within the proposed timeframe.

executions, thereby reducing market risk.

This shortened exposure period is fully consistent with the electronic nature of Hybrid. CBOE members have electronic systems available that would allow them to respond in a meaningful way within the proposed timeframe. It will continue to provide market participants with sufficient time to respond, compete, and provide price improvement for orders.

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with Section 6(b) of the Act⁷ in general and furthers the objectives of Section 6(b)(5) of the Act⁸ in particular in that it is designed to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest. In particular, the exchange believes that the proposed rule change will provide investors with more timely execution of their options orders, while ensuring that there is an adequate exposure of all crossing orders in the CBOE marketplace.

B. Self-Regulatory Organization's Statement on Burden on Competition

CBOE does not believe that the proposed rule change will impose any burden on competition 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

No written comments were solicited or received with respect to 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 CBOE consents, the Commission will:

(A) By order approve such proposed rule change, or

⁷ 15 U.S.C. 78f(b).

⁸ 15 U.S.C. 78f(b)(5).

(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. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an e-mail to rule-comments@sec.gov. Please include File Number SR-CBOE-2008-16 on the subject line.

Paper Comments

- Send paper comments in triplicate to Nancy M. Morris, Secretary, Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549-1090.

All submissions should refer to File Number SR-CBOE-2008-16. This file number should be included on the subject line if e-mail is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (<http://www.sec.gov/rules/sro.shtml>). 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, 100 F Street, NE., Washington, DC 20549 on official business days between the hours of 10 a.m. and 3 p.m. Copies of such filing also will be available for inspection and copying at the principal office of the CBOE. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-CBOE-2008-16 and should be submitted on or before June 20, 2008.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.⁹

J. Lynn Taylor,

Assistant Secretary.

[FR Doc. E8-12030 Filed 5-29-08; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-57850; File No. SR-CBOE-2006-105]

Self-Regulatory Organizations; Chicago Board Options Exchange, Incorporated; Order Approving a Proposed Rule Change, as Modified by Amendment No. 2, Regarding the Listing and Trading of Binary Options on Broad-Based Security Indexes

May 22, 2008.

I. Introduction

On December 29, 2006, the Chicago Board Options Exchange, Incorporated ("CBOE" or "Exchange") filed with the Securities and Exchange Commission ("Commission"), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act")¹ and Rule 19b-4 thereunder,² a proposed rule change to list and trade binary options on broad-based security indexes. The CBOE filed Amendment Nos. 1 and 2 to the proposal on September 6, 2007, and April 4, 2008,³ respectively. The proposed rule change, as modified by Amendment No. 2, was published for comment in the **Federal Register** on April 17, 2008.⁴ The Commission received no comments regarding the proposal. This order approves the proposed rule change, as amended.

II. Description of the Proposal

A. Generally

The CBOE proposes to list and trade certain cash-settled, European-style binary options on broad-based security indexes. At expiration, an option listed pursuant to this proposal would pay an exercise settlement amount equal to the exercise settlement value multiplied by the contract multiplier.⁵ Unlike a traditional option, a binary option will

pay a fixed sum at expiration regardless of the magnitude of the difference between the settlement value and the option's exercise price. A call binary index option would pay out if the settlement value of the underlying index were at or above the option's exercise price at expiration, and a put binary index option would pay out if the underlying index were below the option's exercise price at expiration.⁶

The Exchange is proposing to add a new series of rules to Chapter XXII of its rulebook (which is currently "reserved") relating to binary options. Trading of binary options would also be subject to Chapters I through XIX, XXIV, XXIVA, and XXIVB, as supplemented by the new rules of Chapter XXII.

B. Listing Standards

Under the proposal, the Exchange may from time to time approve for listing and trading on the Exchange binary option contracts on a broad-based index⁷ which has been selected in accordance with CBOE Rule 24.2 and the Interpretations and Policies thereunder.⁸ After a particular binary option class has been approved for listing and trading on the Exchange, the Exchange may from time to time open for trading series of options on that class.⁹ The Exchange may add new series of options on the same class, as provided for in CBOE Rule 24.9 and the Interpretations and Policies thereunder. Additional series of the same binary option class may be opened for trading on the Exchange when the Exchange deems it necessary to maintain an orderly market or to meet customer demand.¹⁰ The maintenance listing standards for options on broad-based indexes set forth in CBOE Rule 24.2 and the Interpretations and Policies thereunder will be applicable to binary options on broad-based indexes.¹¹ Binary options form a separate class from other options overlying the same broad-based index.¹²

Binary options traded on the Exchange will be designated as to expiration date, exercise price, exercise settlement amount, contract multiplier, and underlying broad-based index.¹³ Binary index options will be a.m.-settled unless the traditional options on

⁹ 17 CFR 200.30-3(a)(12).

¹¹ 15 U.S.C. 78s(b)(1).

¹² 17 CFR 240.19b-4.

³ Amendment No. 2 replaces the original filing and Amendment No. 1 in their entirety.

⁴ See Securities Exchange Act Release No. 57642 (April 9, 2008), 73 FR 20985.

⁵ The exercise settlement value will be an amount determined by the CBOE on a class-by-class basis and will be equal to or between \$10 or \$1,000, unless otherwise adjusted pursuant to CBOE Rule 5.7. See CBOE Rule 22.1(e).

⁶ See CBOE Rules 22.1(b) and (c).

⁷ CBOE Rule 24.1(i)(1) defines a "broad-based index" as "an index designed to be representative of a stock market as a whole or of a range of companies in unrelated industries."

⁸ See CBOE Rule 22.3(a).

⁹ See CBOE Rule 22.3(c).

¹⁰ See CBOE Rule 22.3(d).

¹¹ See CBOE Rule 22.4.

¹² See CBOE Rule 22.3(a).

¹³ See CBOE Rule 22.3(b).

the same underlying index (*i.e.*, the S&P 100 Index (“OEX”)) are p.m.-settled.¹⁴ Under the proposal, binary options may expire from one day to 36 months from the time that they are listed.¹⁵

C. The Options Clearing Corporation

The Options Clearing Corporation (“OCC”) will issue, clear, and settle the binary options contemplated in this proposal. The OCC has amended its by-laws and rules to accommodate the listing and trading of binary options.¹⁶ In addition, the CBOE understands that the OCC will submit to the Commission a proposed supplement to the Options Disclosure Document required by Rule 9b-1 under the Act¹⁷ to incorporate binary options on broad-based security indexes.

D. Position and Exercise Limits and Position Reporting Requirements

The Exchange is adopting a two-pronged approach to determine position limits for binary options.¹⁸ In determining compliance with CBOE Rule 4.11, the Exchange proposes a fixed position limit of 15,000 contracts for binary options on a broad-based index for which traditional options on the same broad-based index have no position limit, provided that the exercise settlement amount is \$10,000.¹⁹ For binary options that have an exercise settlement amount that is not equal to \$10,000, the position limit will be 15,000 times the ratio of 10,000 to the exercise settlement amount (*e.g.*, if the binary option exercise settlement amount is \$1,000, then the position limit is 150,000 contracts. If the binary option exercise settlement amount is \$12,000, then the position limit is 12,500 contracts).²⁰

The Exchange is adopting a formulaic position limit for binary options on a broad-based index for which traditional options on the same broad-based index have a position limit.²¹ The formulaic position limit will be calculated in accordance with the following methodology: (1) Determine the Market Capitalization of the S&P 500 Index; (2) determine the Market Capitalization of the broad-based index underlying the binary option; and (3) calculate the Market Capitalization Ratio of the broad-based index underlying the

binary option to the Market Capitalization of the S&P 500 Index. The position limit for binary options subject to a formulaic limit with an exercise settlement amount of \$10,000 will be: (1) 10,000 contracts if the Market Capitalization Ratio is greater than or equal to 0.50; (2) 5,000 contracts if the Market Capitalization Ratio is less than 0.50 but greater than or equal to 0.25; or (3) 2,500 contracts if the Market Capitalization Ratio is less than 0.25 but greater than or equal to 0.10.²² The Exchange will seek Commission approval prior to establishing position limits for binary options on broad-based indexes that have a Market Capitalization Ratio that is less than 0.10.²³ For binary options that have an exercise settlement amount that is not equal to \$10,000, the position limit will be the ratio of 10,000 to the exercise settlement amount multiplied by the applicable formulaic limit.²⁴

CBOE Rule 22.6 also provides that positions in binary options on the same broad-based index that have different exercise settlement amounts will be aggregated.²⁵ In determining compliance with the position limits set forth in Rule 22.6, binary options will not be aggregated with non-binary option contracts on the same or similar underlying security or broad-based index.²⁶ In addition, binary options on broad-based indexes will not be aggregated with non-binary option contracts on an underlying stock or stocks included within such broad-based index, and binary options on one broad-based index shall not be aggregated with binary options on any other broad-based index.²⁷

For purposes of the position limits established in Rule 22.6, a long position in a put binary option and a short position in a call binary option will be considered to be on the same side of the market; and a short position in a put binary option and a long position in a call binary option will be considered to be on the same side of the market.²⁸ Binary options will not be subject to the hedge exemption to the standard position limits found in Rule 4.11.²⁹ Under Rule 22.6, the following qualified hedge exemption strategies and positions will be exempt from the established binary option position limits: (1) A binary option position

“hedged” or “covered” by an appropriate amount of cash to meet the settlement obligation (*e.g.*, \$1,000 for a binary option with an exercise settlement amount of \$1,000); (2) a binary option position “hedged” or “covered” by a sufficient amount of a related or similar security to meet the settlement obligation; or (3) a binary option position “hedged” or “covered” by a traditional option covering the same underlying broad-based index sufficient to meet the settlement obligation.³⁰

Binary options will not be subject to exercise limits due to the fact that they are European-style options and are automatically exercised at expiration if the settlement value of the underlying index is equal to or greater than the exercise price of a call binary option or less than the exercise price in the case of a put binary option.³¹

CBOE Rule 22.8, “Reports Related to Position Limits and Liquidation of Positions,” states that references in Rules 4.13, “Reports Related to Position Limits,” and 4.14, “Liquidation of Positions,” to Rule 4.11 in connection with position limits will be deemed, in the case of binary options, to be to Rule 22.6. As such, in accordance with CBOE Rule 4.13(a), a position in a binary option must be reported to the Exchange via the Large Option Positions Report when an account establishes an aggregate same side of the market position of 200 or more binary options. In computing reportable binary options under existing Rule 4.13: (1) Positions in binary options that have different exercise settlement amounts will be aggregated; (2) positions in binary options will not be aggregated with non-binary option contracts on the same or similar underlying security or broad-based index; (3) positions in binary options on broad-based indexes will not be aggregated with non-binary option contracts on an underlying stock or stocks included within such broad-based index; and (4) positions in binary options on one broad-based index will not be aggregated with binary options on any other broad-based index.³² The Exchange believes that the reporting requirements and the surveillance procedures for hedged positions will enable the Exchange to closely monitor sizable positions and corresponding hedges.

E. Margin

The Exchange is amending Rule 12.3, “Margin Requirements,” to include

¹⁴ See *id.*

¹⁵ See CBOE Rule 22.3(c).

¹⁶ See Securities Exchange Act Release No. 56875 (November 30, 2007), 72 FR 69274 (December 7, 2007) (order approving File No. SR-OCC-2007-08).

¹⁷ 17 CFR 240.9b-1.

¹⁸ See CBOE Rule 22.6.

¹⁹ See CBOE Rule 22.6(a).

²⁰ See *id.*

²¹ See CBOE Rule 22.6(b).

²² See CBOE Rule 22.6(b)(4).

²³ See CBOE Rule 22.6(b)(4)(iv).

²⁴ See CBOE Rule 22.6(b)(5).

²⁵ See CBOE Rule 22.6(b)(5)(c).

²⁶ See CBOE Rule 22.6(b)(5)(d).

²⁷ See *id.*

²⁸ See CBOE Rule 22.6(e).

²⁹ See CBOE Rule 22.6(f).

³⁰ See CBOE Rule 22.6(f)(1)–(3).

³¹ See CBOE Rule 22.7.

³² See CBOE Rule 22.8.

requirements applicable to binary options. Under Rule 12.3, as amended, for a Margin Account, no binary option carried for a customer shall be considered of any value for purposes of computing the margin required in the account of such customer.³³ The initial and maintenance margin required on any binary option carried long in a customer's account is 100% of the purchase price of such binary option (*i.e.*, the premium).³⁴ In connection with a short position in a binary option, the customer margin required is the exercise settlement amount.³⁵ As for spreads, no margin is required on a binary call option (put option) carried short in a customer's account that is offset by a long binary call option (put option) for the same underlying security or instrument that expires at the same time and has an exercise price that is less than (greater than) the exercise price of the short call (put).³⁶ The long call (put) must be paid for in full.³⁷ As for a straddle/combination, when a binary call option is carried short in a customer's account and there is also carried a short binary put option that expires at the same time and has an exercise price that is less than or equal to the exercise price of the short call, the initial and maintenance margin required is the exercise settlement amount applicable to one contract.³⁸

For a cash account, a binary option carried short in a customer's account will be deemed a covered position, and eligible for the cash account, if either one of the following is held in the account at the time the option is written or is received into the account promptly thereafter: (1) Cash or cash equivalents equal to 100% of the exercise settlement amount; (2) a long binary option of the same type (put or call) for the same underlying security or instrument that is paid for in full and expires at the same time, and has an exercise price that is less than the exercise price of the short in the case of a call or greater than the exercise price of the short in the case of a put; or (3) an escrow agreement.³⁹ The escrow agreement must certify that the bank holds for the account of the customer as security for the agreement cash, cash equivalents, one or more qualified equity securities, or a combination thereof having an aggregate market value of not less than 100% of the exercise settlement amount and that

the bank will promptly pay the member organization the cash settlement amount in the event the account is assigned an exercise notice.⁴⁰ The Exchange believes that these levels are appropriate because risk exposure is limited with binary options and the customer initial and maintenance margin would be equal to the maximum risk exposure. In addition, under CBOE Rule 12.10, the CBOE may determine at any time to impose higher margin requirements than those described above when it deems such higher margin requirements to be advisable.

F. Bid-Ask Differentials, Minimum Price Variations, and Strike Price Intervals

For each binary index option traded on the Exchange, a market maker is expected to quote so as to create differences between the bid and the offer of no more than the wider of 25% of the designated exercise settlement value or \$5.00, except during the last trading day prior to the expiration, when the maximum permissible price differential is the wider of 50% of the designated exercise settlement value or \$5.00.⁴¹ The minimum price variation for binary index options, established by class, will be no less than \$0.01.⁴² The CBOE will list binary index options using the strike price intervals currently used for traditional index options.⁴³

G. FLEX Trading

Binary options will be eligible for trading as Flexible Exchange Options as provided for in Chapters XXIVA and XXIVB of the CBOE's rules.⁴⁴ The position limit methodology in CBOE Rule 22.6, discussed above, will apply to binary index options traded as Flexible Exchange Options.⁴⁵

H. Other Considerations

The CBOE represents that it believes that the Exchange and the Options Price Reporting Authority have the necessary systems capacity to handle the additional message traffic associated with the listing and trading of binary options on broad-based indexes. In addition, the CBOE represents that it has an adequate surveillance program to monitor trading in binary options on broad-based indexes, and that the Exchange intends to largely apply its existing surveillance program for

options to the trading of binary index options.⁴⁶

III. Discussion

The Commission finds that the proposed rule change, as amended, is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities exchange.⁴⁷ Specifically, the Commission finds that the proposal is consistent with Section 6(b)(5) of the Act,⁴⁸ which requires, among other things, that the rules of a national securities exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest. The Commission believes that binary options on broad-based indexes will provide investors with a potentially useful investment choice. The proposal will extend to these options the benefits of a listed exchange market, which include a centralized forum for price discovery, pre- and post-trade transparency, standardized contract specifications, and the guarantee of the OCC.

The Commission believes that the proposal is reasonably designed to address potential manipulation concerns associated with binary options' non-linear return. The initial and continued listing standard established herein provide that the Exchange may list and trade binary options only on broad-based indexes. In addition, these binary options will be a.m.-settled, unless the traditional options on the underlying index are p.m.-settled. These elements should reduce the potential for manipulating the index underlying a binary option to benefit a binary index option position.

The Commission believes that the proposed position limits and margin rules are reasonable and consistent with the Act. The proposed position limits for binary index options appear to reasonably balance the promotion of a free and open market for these securities with minimization of incentives for market manipulation. The proposed margin rules appear reasonably designed to deter a member or its

³³ See CBOE Rule 12.3(m)(1).

³⁴ See CBOE Rule 12.3(m)(1)(i).

³⁵ See CBOE Rule 12.3(m)(1)(ii).

³⁶ See CBOE Rule 12.3(m)(1)(iii).

³⁷ See *id.*

³⁸ See CBOE Rule 12.3(m)(1)(iv).

³⁹ See CBOE Rule 12.3(m)(2).

⁴⁰ See *id.*

⁴¹ See CBOE Rule 22.14(a).

⁴² See CBOE Rule 22.13(b).

⁴³ See CBOE Rule 22.3(d).

⁴⁴ See CBOE Rule 22.16.

⁴⁵ See CBOE Rule 22.16.

⁴⁶ See e-mail message from Jennifer Yeadon, Senior Attorney, CBOE, to Yvonne Fraticelli, Special Counsel, Division of Trading and Markets, dated May 20, 2008.

⁴⁷ In approving this proposed rule change, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. See 15 U.S.C. 78c(f).

⁴⁸ 15 U.S.C. 78f(b)(5).

customer from assuming an imprudent position in binary index options.

In support of this proposal, the CBOE made the following representations:

- The CBOE has in place an adequate surveillance program to monitor trading in binary options on broad-based indexes and intends to largely apply its existing surveillance program for options to the trading of binary options on broad-based indexes; and
- The CBOE has the necessary systems capacity to support the new options series that would result from the introduction of binary options on broad-based indexes.

This approval order is based on the CBOE's representations.

IV. Conclusion

It is therefore ordered, pursuant to Section 19(b)(2) of the Act,⁴⁹ that the proposed rule change (SR-CBOE-2006-105), as modified by Amendment No. 2, is approved.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.⁵⁰

J. Lynn Taylor,

Assistant Secretary.

[FR Doc. E8-12031 Filed 5-29-08; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-57865; File No. SR-CBOE-2008-02]

Self-Regulatory Organizations; Chicago Board Options Exchange, Incorporated; Order Approving Proposed Rule Change, as Modified by Amendment No. 1 Thereto, To Replace References to Certain Committees With a Reference to the Exchange

May 23, 2008.

I. Introduction

On March 17, 2008, the Chicago Board Options Exchange, Incorporated ("CBOE" or "Exchange") filed with the Securities and Exchange Commission ("Commission"), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the "Act"),¹ and Rule 19b-4 thereunder,² a proposed rule change to amend its rules to replace references to certain committees with a reference to the "Exchange." On April 7, 2008, CBOE submitted Amendment No. 1 to the proposed rule change. The proposed rule change was published for comment

in the **Federal Register** on April 14, 2008.³ The Commission received no comments on the proposal. This order approves the proposed rule change, as modified by Amendment No. 1.

II. Description of the Proposal

The Exchange proposes to amend CBOE Rules to delete certain references to the appropriate Procedure, Floor Officials, appropriate Market Performance, Membership, and Product Development Committees, as well as certain general references to committees such as the "appropriate Exchange committee." These references are being replaced with a reference to the "Exchange."

The Exchange proposes to make these changes to simplify and standardize its delegations of authority with respect to these Exchange committees. Under CBOE's organizational structure, Exchange committees can derive their authority in one of two ways. In addition to any powers and duties specifically granted in CBOE's Constitution or Rules, each committee has such other powers and duties as may be delegated to it by the Board of Directors ("Board").⁴ Thus, in some instances CBOE's Constitution or Rules specifically reference a particular committee or "appropriate Exchange committee." In other instances, the Board separately delegates a particular authority to a committee. Because the authority exercised by committees may be delegated by the Board, the Exchange believes that referencing these committees in the rule text is not necessary. Instead, the Exchange believes a better approach than making a specific reference to the above-listed committees or a general reference to the "appropriate Exchange committee" in the rule text is to simply reference the "Exchange." In this way, the Exchange would have the flexibility to determine who would perform the authorities under the CBOE Rules, which might include Exchange officials or the Board determining to delegate certain authorities to an appropriate Exchange committee.⁵ In addition, deleting references to these committees and

specifying the "Exchange" instead would be more efficient from an administrative perspective because the Exchange would not have to make a rule change merely, for instance, to accommodate a change in the title of a committee or to accommodate the reassignment of an authority to another committee.⁶

In addition, the Exchange proposes various other amendments to CBOE Rules that would accommodate the above-described changes and simplify the pertinent rule text. The Exchange has not proposed any revisions to its current disciplinary, arbitration or appeals procedures (or related Business Conduct, Arbitration and Appeals Committees) as part of the proposed rule change.⁷

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities exchange.⁸ In particular, the Commission finds that the proposal is consistent with Section 6(b)(1) of the Act,⁹ which requires that an exchange be so organized and have the capacity to be able to carry out the purposes of the Act and to comply, and to enforce compliance by its members and persons associated with its members, with the Act, the rules and regulations thereunder, and the rules of the exchange. In addition, the Commission finds that the proposal is consistent with Section 6(b)(5) of the Act,¹⁰ in that it is designed to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market

³ See Securities Exchange Act Release No. 57629 (April 7, 2008), 73 FR 20076 ("Notice").

⁴ See Rule 2.1(d).

⁵ As indicated above, Exchange committees only have authorities to the extent specifically granted in CBOE's Constitution or Rules or by Board delegation. The Board may also exercise authorities of the "Exchange" under CBOE's Constitution and Rules. In addition, authorities of the "Exchange" may be performed by other Exchange officials. For example, the Exchange's Chief Executive Officer, President or other officials or designees may have authorities of the "Exchange" as long as it is not inconsistent with CBOE's Constitution or Rules or any Board directive.

⁶ See, e.g., Securities Exchange Act Release Nos. 53537 (March 21, 2006), 71 FR 15778 (March 29, 2006) (SR-CBOE-2006-15) (deleting from the CBOE Rules any specific references to the certain named committees because the Exchange determined to eliminate these committees and reassign their respective authorities to other committees and/or to Exchange staff) and 39479 (December 22, 1997), 62 FR 68326 (December 31, 1997) (SR-CBOE-97-61) (deleting from the CBOE Rules any specific references to, and adding "appropriate" to all references that related to certain named committees).

⁷ The Commission notes that CBOE's committees relating to disciplinary, arbitration, and appeals matters and procedures are specifically defined in the CBOE Rules; any amendments to the rules relating to such committees and procedures would require CBOE to file a proposed rule change under Section 19(b) of the Act. 15 U.S.C. 78s(b).

⁸ In approving this proposed rule change, the Commission notes that it has considered the proposed rule's impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

⁹ 15 U.S.C. 78f(b)(1).

¹⁰ 15 U.S.C. 78f(b)(5).

⁴⁹ 15 U.S.C. 78s(b)(2).

⁵⁰ 17 CFR 200.30-3(a)(12).

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

and a national market system, and, in general, to protect investors and the public interest.

The Commission notes that the proposed rule change is designed to simplify and standardize delegations of authority under the CBOE Rules. The Commission notes that, under the proposed rule change, the Exchange would have the flexibility to delegate authorities under its rules to Exchange staff or an Exchange committee, as appropriate, which could foster greater efficiency from an administrative perspective. The Commission further notes that the Exchange has not proposed any revisions to its current disciplinary, arbitration or appeals procedures (or related Business Conduct, Arbitration and Appeals Committees) as part of the proposed rule change. The Commission believes that CBOE's proposal is consistent with the requirements of the Act.

III. Conclusion

It is therefore ordered, pursuant to Section 19(b)(2) of the Act,¹¹ that the proposed rule change (SR-CBOE-2008-02) is hereby approved.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.¹²

Florence E. Harmon,
Deputy Secretary.

[FR Doc. E8-12076 Filed 5-29-08; 8:45 am]

BILLING CODE 8010-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-57854; File No. SR-ISE-2008-40]

Self-Regulatory Organizations; International Securities Exchange, LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Its Schedule of Fees To Establish Fees for Transactions in Options on One Premium Product

May 22, 2008.

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 May 20, 2008, International Securities Exchange, LLC ("ISE" or the "Exchange") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I, II, and III below, which Items

have been prepared by ISE. The Exchange has designated this proposal as one establishing or changing a member due, fee, or other charge imposed by ISE under Section 19(b)(3)(A)(ii) of the Act³ and Rule 19b-4(f)(2) thereunder,⁴ which renders the proposal effective upon filing with the Commission. 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

ISE is proposing to amend its Schedule of Fees to establish fees for transactions in options on one Premium Product.⁵ The text of the proposed rule change is available at <http://www.ise.com>, the principal offices of the Exchange, and the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, ISE 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. ISE 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

The Exchange is proposing to amend its Schedule of Fees to establish fees for transactions in options on the Claymore/MAC Global Solar Energy Index ETF ("TAN").⁶ The Exchange

³ 15 U.S.C. 78s(b)(3)(A)(ii).

⁴ 17 CFR 240.19b-4(f)(2).

⁵ Premium Product is defined in the Schedule of Fees as the products enumerated therein.

⁶ Claymore® is a registered trademark of Claymore Securities, Inc. ("Claymore"). MAC Indexing LLC ("MAC") is the Index Provider for the Claymore/MAC Global Solar Energy Index ETF ("TAN"). Claymore Advisors, LLC is the Investment Advisor for TAN. Claymore is the Distributor for TAN. MAC is not affiliated with the Investment Adviser or the Distributor. The Investment Adviser has entered into a license agreement with MAC to use the MAC Global Solar Energy Index. TAN is not sponsored, endorsed, issued, sold or promoted by MAC. MAC and Claymore Securities have not licensed or authorized ISE to (i) engage in the creation, listing, provision of a market for trading, marketing, and promotion of options on TAN or (ii) to use and refer to any of their trademarks or service marks in

represents that TAN is eligible for options trading because it constitutes an "Exchange-Traded Fund Share," as defined by ISE Rule 502(h).

All of the applicable fees covered by this filing are identical to fees charged by the Exchange for all other Premium Products. Specifically, the Exchange is proposing to adopt an execution fee and a comparison fee for all transactions in options on TAN.⁷ The amount of the execution fee and comparison fee for products covered by this filing shall be \$0.15 and \$0.03 per contract, respectively, for all Public Customer Orders⁸ and Firm Proprietary orders. The amount of the execution fee and comparison fee for all ISE Market Maker transactions shall be equal to the execution fee and comparison fee currently charged by the Exchange for ISE Market Maker transactions in equity options.⁹ Finally, the amount of the execution fee and comparison fee for all non-ISE Market Maker transactions shall be \$0.37 and \$0.03 per contract, respectively.¹⁰ Further, since options on TAN are multiply-listed, the Exchange's Payment for Order Flow fee shall apply to this product. The Exchange believes the proposed rule change will further the Exchange's goal of introducing new products to the marketplace that are competitively priced.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with the objectives of Section 6 of the Act,¹¹

connection with the listing, provision of a market for trading, marketing, and promotion of options on TAN or with making disclosures concerning options on TAN under any applicable federal or state laws, rules or regulations. MAC and Claymore Securities do not sponsor, endorse, or promote such activity by ISE, and are not affiliated in any manner with ISE.

⁷ These fees will be charged only to Exchange members. Under a pilot program that is set to expire on July 31, 2008, these fees will also be charged to Linkage Principal Orders ("Linkage P Orders") and Linkage Principal Acting as Agent Orders ("Linkage P/A Orders"). The amount of the execution fee charged by the Exchange for Linkage P Orders and Linkage P/A Orders is \$0.24 per contract side and \$0.15 per contract side, respectively. See Securities Exchange Act Release No. 56128 (July 24, 2007), 72 FR 42161 (August 1, 2007) (SR-ISE-2007-55).

⁸ Public Customer Order is defined in Exchange Rule 100(a)(39) as an order for the account of a Public Customer. Public Customer is defined in Exchange Rule 100(a)(38) as a person or entity that is not a broker or dealer in securities.

⁹ The execution fee is currently between \$.21 and \$.12 per contract side, depending on the Exchange Average Daily Volume, and the comparison fee is currently \$.03 per contract side.

¹⁰ The amount of the execution and comparison fee for non-ISE Market Maker transactions executed in the Exchange's Facilitation and Solicitation Mechanisms is \$0.16 and \$0.03 per contract, respectively.

¹¹ 15 U.S.C. 78f.

¹¹ 15 U.S.C. 78s(b)(2).

¹² 17 CFR 200.30-3(a)(12).

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

in general, and furthers the objectives of Section 6(b)(4),¹² in particular, in that it is designed to provide for the equitable allocation of reasonable dues, fees and other charges among its members and other persons using its facilities.

B. Self-Regulatory Organization's Statement on Burden on Competition

The proposed rule change does not 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 Exchange has not solicited, and does not intend to solicit, comments on this proposed rule change. The Exchange has not received any unsolicited written comments from members or other interested parties.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing proposed rule change has been designated as a fee change pursuant to Section 19(b)(3)(A)(ii) of the Act¹³ and Rule 19b-4(f)(2)¹⁴ thereunder, because it establishes or changes a due, fee, or other charge imposed on members by ISE. Accordingly, the proposal is effective upon filing with the Commission. At any time within 60 days of the filing of the proposed rule change, the Commission may summarily abrogate such 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. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an e-mail to rule-comments@sec.gov. Please include File Number SR-ISE-2008-40 on the subject line.

Paper Comments

- Send paper comments in triplicate to Nancy M. Morris, Secretary, Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549-1090.

All submissions should refer to File Number SR-ISE-2008-40. This file number should be included on the subject line if e-mail is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (<http://www.sec.gov/rules/sro.shtml>). 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, 100 F Street, NE., Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. Copies of such filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make publicly available. All submissions should refer to File Number SR-ISE-2008-40 and should be submitted on or before June 20, 2008.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.¹⁵

J. Lynn Taylor,

Assistant Secretary.

[FR Doc. E8-12033 Filed 5-29-08; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-57862; File No. SR-NYSE-2008-41]

Self-Regulatory Organizations; New York Stock Exchange LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change Amending Exchange Rule 15 (Pre-Opening Indications) and Exchange Rule 123C (Market on the Close Policy and Expiration Procedures)

May 23, 2008.

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 May 16, 2008, the New York Stock Exchange LLC ("NYSE" or "Exchange") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I and II below, which Items have been substantially prepared by the Exchange. The Exchange has designated the proposed rule change as a "non-controversial" rule change pursuant to section 19(b)(3)(A) of the Act³ and Rule 19b-4(f)(6) thereunder,⁴ which renders the proposed rule change effective upon filing with the Commission. 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 Exchange proposes to amend Exchange Rule 15 (Pre-Opening Indications) and Exchange Rule 123C (Market On The Close Policy And Expiration Procedures) to allow Exchange systems to disseminate a data feed of real-time order imbalances that accumulate prior to the opening of trading on the Exchange and prior to the close of trading on the Exchange. The text of the proposed rule change is available at <http://www.nyse.com>, the Exchange, and the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, NYSE included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed

¹² 15 U.S.C. 78f(b)(4).

¹³ 15 U.S.C. 78s(b)(3)(A)(ii).

¹⁴ 17 CFR 240.19b-4(f)(2).

¹⁵ 17 CFR 200.30-3(a)(12).

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

³ 15 U.S.C. 78s(b)(3)(A).

⁴ 17 CFR 240.19b-4(f)(6).

rule change. The text of these statements may be examined at the places specified in Item IV below. NYSE 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

Currently NYSE OpenBook is a packaged suite of data feed products. In addition to the current NYSE OpenBook data feed ("NYSE OpenBook Realtime"), for no additional charge, the Exchange makes available to NYSE OpenBook recipients a separate data feed containing NYSE quotations ("NYSE BestQuote").⁵ NYSE BestQuote allows customers to see additional market interest that is not displayed in the NYSE limit order book and that, therefore, is not available in NYSE OpenBook.

Pursuant to a separate filing, the Exchange intends to add to NYSE OpenBook a new category of information regarding order imbalances prior to the market opening and closing auctions ("Order Imbalance Information").⁶ Order Imbalance Information is a data feed of real-time order imbalances that accumulate prior to the opening of trading on the Exchange and prior to the close of trading on the Exchange. Through this filing, the NYSE seeks to include Order Imbalance Information as supplemental information that may be disseminated by Exchange systems prior to the opening and closing transaction.

Background Publication of Order Imbalance Information Prior to Open and Close

On December 20, 2007, the NYSE amended Exchange Rule 15 to re-establish procedures for the publication of pre-opening price information, according to the framework established by the national market system plan ("Linkage Plan").⁷ The rule change was

sought by the Exchange in response to customer and market participant requests for the information.

Exchange Rule 15

Currently, pursuant to Exchange Rule 15 the specialist publishes a pre-opening price indication whenever the specialist, in arranging the opening transaction in a subject security, anticipates that the price of the opening transaction will be at a price that is different from the previous day's closing price on the NYSE by more than the "applicable price change." The applicable price is generally based on the NYSE closing price. Exchange Rule 15 provides five price groupings that establish the applicable price change parameters as follows:

Exchange closing price	Applicable price change (more than)
Under \$20.00	\$0.50
\$20–\$49.99	1.00
\$50.00–\$99.99	2.00
\$100–\$500	5.00
Above \$500	1.5%

Exchange Rule 15 sets forth a different method for determining pre-opening indications in American Depositary Receipts ("ADRs").⁸ Where the trading day of the underlying security in the primary foreign market concludes after trading on the NYSE for the previous day has ended, the specialists, when arranging an opening transaction on the NYSE, uses the closing price of the primary foreign market of the underlying security to determine whether such opening transaction represents a change of more than the "applicable price change." In instances where the underlying security of an ADR is still trading on its primary foreign market at the time the specialist is arranging the opening of such ADR on the NYSE, a specialist is required to look at the last sale price of the underlying security in the primary foreign market and issue a pre-opening indication if the anticipated opening price of the ADR is not on parity with the last sale price of the underlying security. The pre-opening indication is based on the change in parity between the anticipated opening price of the ADR and the last sale price of the

51808 (June 9, 2005), 70 FR 37496 (June 29, 2005). The Linkage Plan terminated on June 30, 2007.

⁸ See the NYSE glossary, which defines an ADR as "[a] receipt that is issued by a U.S. depository bank which represents shares of a foreign corporation held by the bank. * * * ADRs are quoted in U.S. dollars and trade just like any other stock. * * *

underlying security on the primary foreign market.

Exchange Rule 123C

Rule 123C⁹ (Market on the Close Policy and Expiration Procedures) contains requirements with respect to operation of the Exchange's market concerning market-on-close ("MOC") and limit-on-close ("LOC") orders as well as order entry and imbalance publication requirements. Rule 123C defines MOC and LOC orders. A MOC order is a market order that is to be executed in its entirety at the closing price. If not executed due to a trading halt or because of its terms, (e.g., buy minus or sell plus), this type of order will be cancelled.

Rule 123C defines a LOC order as one that is entered for execution at the closing price, provided that the closing price is at or within the limit specified. LOC orders are prioritized on the specialist's book by time of entry and go behind all other orders on the specialist book at that price regardless of when such other orders are received. LOC orders with prices that are better than the closing price in the subject security are guaranteed an execution unless there is a trading halt in the security. LOC orders limited at the closing price are not guaranteed an execution.

Rule 123C¹⁰ requires that all MOC and LOC orders be entered by 3:40 p.m. in any stock on any trading day, unless entered to offset a published imbalance, or on either side of the market if a regulatory halt is in effect at 3:40 p.m. or occurs after that time. Floor brokers representing MOC/LOC orders in any stock must communicate their irrevocable MOC/LOC interest to the specialist by 3:40 p.m. In addition, Rule 123C prohibits the cancellation of MOCs and LOCs after 3:40 p.m., except in the case of legitimate error (e.g., side, size, symbol, price, or duplication of an order) or when a regulatory trading halt is in effect at or occurs after 3:40 p.m.

⁹ The Exchange's Market-On-Close/Limit-On-Close Policy has been codified as Rule 123C. See Securities Exchange Act Release No. 46579 (October 1, 2002), 67 FR 63004 (October 9, 2002) (SR-NYSE-2002-31).

¹⁰ On May 19, 2004 the SEC approved amendments to Exchange Rule 123C subject to technology upgrades to the electronic entry systems for MOC and LOC orders. See Securities Exchange Act Release No. 49682 (May 11, 2004), 69 FR 28969 (May 19, 2004); SR-NYSE-2004-09. The approval further provided the Exchange would notify the Commission and Exchange membership of the implementation of such electronic entry systems. *Id.* To date the technological upgrades required to implement the previously approved amendments to Exchange Rule 123C have not been completed. The Exchange intends to formally submit a revised proposal to the Commission in order to modify its closing procedures.

⁵ The Exchange added NYSE BestQuote to the NYSE OpenBook Realtime package in October 2006. See Securities Exchange Act Release No. 54594 (October 12, 2006), 71 FR 61819 (October 19, 2006) (SR-NYSE-2006-81).

⁶ See Securities Exchange Act Release No. 57861, (May 23, 2008) (SR-NYSE-2008-42).

⁷ See Securities Exchange Act Release No. 57003 (December 20, 2007), 72 FR 73949 (December 28, 2007) (SR-NYSE-2007-112). The Linkage Plan became effective on October 1, 2006 and operated concurrently with the existing Intermarket Trading System ("ITS") Plan until March 5, 2007, at which time the ITS Plan terminated and SEC Rule 611 (the Order Protection Rule) of Reg. NMS became operative. See Securities Exchange Act Release No.

Between 3:40 and 3:50 p.m., MOC/LOC orders are irrevocable, except to correct a legitimate error or when a regulatory trading halt is in effect at or occurs after 3:40 p.m.

In the case of a regulatory halt, MOC orders may be entered until 3:50 p.m. or until the stock reopens, whichever occurs first, even if an imbalance publication occurred prior to the regulatory halt. Cancellation or reductions in size of MOC/LOC orders after 3:50 p.m. are not permitted for any reason, including in case of legitimate error.

Proposed Exchange System Dissemination of Order Imbalance Information

The Exchange proposes to include Order Imbalance Information as supplemental information that may be disseminated by Exchange systems prior to opening and closing transactions pursuant to Exchange Rules 15 and 123C respectively.

The Exchange plans to distribute the Order Imbalance Information in real-time at specified intervals prior to the opening and closing transactions. The Order Imbalance Information disseminated by the Exchange will include the publication time, imbalance side, imbalance quantity, paired quantity and symbol for each security.

Order Imbalance Information Prior to the Opening Transaction

The Order Imbalance Information disseminated prior to the opening transaction will include all interest eligible for execution in the opening transaction of the security in Exchange systems. The previous trading day's closing price on the NYSE in the security will serve as the reference price for the Order Imbalance Information disseminated prior to the opening transaction. The Order Imbalance Information disseminated prior to the opening transaction indicates to market participants the number of shares that would be required to equalize buy and sell interest (i.e. flat) at the reference.

The Exchange plans to distribute the Order Imbalance Information at specified intervals prior to the opening. Order Imbalances disseminated prior to the opening will be disseminated as follows:

- Every five minutes between 8:30 a.m. Eastern Time ("ET") and 9 a.m. ET.
- Every minute between 9 a.m. ET and 9:20 a.m. ET.
- Every 15 seconds between 9:20 a.m. ET and the opening (or 9:35 a.m. ET if the opening is delayed).

Order Imbalance Information Prior to the Closing Transaction

The Order Imbalance Information disseminated prior to the closing transaction will include all the same information used in Exchange Rule 123C(5)(Publication of MOC Imbalances).¹¹ Order Imbalance Information disseminated prior to the close will use the last sale in the security on the NYSE prior to dissemination of the Order Imbalance Information as its reference price to indicate the number of shares required to close "flat."

Similar to the dissemination of Order Imbalance Information prior to the open, Order Imbalance Information disseminated prior to the close will be distributed at specified intervals. Order Imbalances disseminated prior to the close will be disseminated as follows:

- Every fifteen seconds between 3:40 p.m. ET and 3:50 p.m. ET.
- Every five seconds between 3:50 p.m. ET and 4 p.m. ET.

On any day that the scheduled close of trading on the NYSE is earlier than 4 p.m. ET, the dissemination of Order Imbalance Information prior to the closing transaction will commence 20 minutes before the scheduled closing time. Order Imbalance Information will be disseminated every fifteen seconds for approximately 10 minutes. Thereafter, the Order Imbalance Information will be disseminated every five seconds until the scheduled closing time.

The data feed containing the Order Imbalance Information is in addition to the Publication of MOC Imbalances pursuant Exchange Rule 123C(5) that is disseminated by the specialist in his or her assigned security at 3:40 p.m. and 3:50 p.m. The Order Imbalance Information will be published through OpenBook. The mandatory publications published by the specialist pursuant to NYSE Rule 123C will be included in both the Order Imbalance Information data feed and on the Consolidated Tape. Only mandatory indications published pursuant to 123C control whether a party may enter offsetting interest.

Conclusion

The Exchange believes that the amendments to NYSE Rules 15 and

123C effectively provide useful information to the marketplace especially in situations involving price changes based on order imbalances.

2. Statutory Basis

The basis under the Act for this proposed rule change is the requirement under section 6(b)(5)¹² that an Exchange have rules that are designed to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system and, in general, to protect investors and the public interest. This amendment to Exchange Rules 15 and 123C supports the system of a free and open market and serves to protect investors and the public interest by providing market participants with supplemental market information prior to the execution of the opening and closing transactions on the NYSE.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition 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

Written comments were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change: (1) Does not significantly affect the protection of investors or the public interest; (2) does not impose any significant burden on competition; and (3) by its terms does not become operative for 30 days after the date of this filing, or such shorter time as the Commission may designate if consistent with the protection of investors and the public interest, the proposed rule change has become effective pursuant to section 19(b)(3)(A) of the Act¹³ and Rule 19b-4(f)(6) thereunder.¹⁴

A proposed rule change filed under Rule 19b-4(f)(6) normally does not become operative prior to 30 days after the date of filing. However, Rule 19b-4(f)(6)(iii)¹⁵ permits the Commission to

¹² 15 U.S.C. 78f(b)(5).

¹³ 15 U.S.C. 78s(b)(3)(A).

¹⁴ 17 CFR 240.19b-4(f)(6).

¹⁵ 17 CFR 240.19b-4(f)(6)(iii). In addition, Rule 19b-4(f)(6)(iii) requires that a self-regulatory organization submit to the Commission written notice of its intent to file the proposed rule change,

¹¹ Exchange Rule 123C(5) provides in pertinent part: Imbalance publications will include MOC orders as well as marketable LOC orders. In that regard, LOC orders to buy at a price higher than the last sale price are to be included with the buy MOC orders; LOC orders to sell at a price lower than the last sale price are to be included with the sell MOC orders. LOC orders with a limit equal to the last sale price would not be included in the imbalance calculation. * * *

designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has requested that the Commission waive the 30-day operative delay set forth in Rule 19b-4(f)(6)(iii) under the Act, which would make the rule change operative upon filing.

The Commission believes that waiving the 30-day operative delay is consistent with the protection of investors and the public interest because such waiver would immediately allow the Exchange to disseminate this supplemental information prior to the execution of the opening and closing transactions on the NYSE. Accordingly, the Commission designates the proposal to be operative upon filing with the Commission.¹⁶

At any time within 60 days of the filing of the proposed rule change, the Commission may summarily abrogate such 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. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an e-mail to rule-comments@sec.gov. Please include File Number SR-NYSE-2008-41 on the subject line.

Paper Comments

- Send paper comments in triplicate to Nancy M. Morris, Secretary, Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549-1090.

All submissions should refer to File Number SR-NYSE-2008-41. This file number should be included on the subject line if e-mail is used. To help the Commission process and review your

along with a brief description and text of the proposed rule change, at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. NYSE has satisfied the pre-filing notice requirement.

¹⁶ For purposes only of waiving the 30-day operative delay of this proposal, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (<http://www.sec.gov/rules/sro.shtml>). 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, 100 F Street, NE., Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. Copies of such filing also will be available for inspection and copying at the principal office of the NYSE. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-NYSE-2008-41 and should be submitted on or before June 20, 2008.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.¹⁷

Florence E. Harmon,
Deputy Secretary.

[FR Doc. E8-12075 Filed 5-29-08; 8:45 am]

BILLING CODE 8010-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-57851; File No. SR-Phlx-2008-38]

Self-Regulatory Organizations; Philadelphia Stock Exchange, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change Relating to Its Payment for Order Flow Pilot Program

May 22, 2008.

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 May 19, 2008, the Philadelphia Stock Exchange, Inc. ("Phlx" or "Exchange") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I, II, and III below, which Items

have been substantially prepared by the Exchange. Phlx has designated this proposal as one establishing or changing a due, fee, or other charge imposed by Phlx under Section 19(b)(3)(A)(ii) of the Act³ and Rule 19b-4(f)(2) thereunder,⁴ which renders the proposal effective upon filing with the Commission. 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 Phlx proposes to extend its payment for order flow pilot program, which is currently in effect until May 27, 2008, for an additional one-year period until May 27, 2009. The Exchange also proposes to make a minor clarifying amendment to the payment for order flow fee section of the Exchange's fee schedule. Other than extending the date of the pilot program for an additional year and making the minor technical amendment to the Exchange's fee schedule, no other changes to the Exchange's current payment for order flow program are being proposed at this time.

The text of the proposed rule change is available at the principal office of the Exchange, the Commission's Public Reference Room, and <http://www.phlx.com>.

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 Exchange 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. Phlx 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

The Exchange states that the purpose of extending the Exchange's payment for order flow program for an additional year is to remain competitive with other

¹⁷ 17 CFR 200.30-3(a)(12).

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

³ 15 U.S.C. 78s(b)(3)(A)(ii).

⁴ 17 CFR 240.19b-4(f)(2).

options exchanges that administer payment for order flow programs.⁵

Currently, the following payment for order flow fees are in effect at the Exchange:⁶ (1) Equity options (other than those equity options that trade as part of the Exchange's Penny Pilot Program),⁷ options on the Russell 2000® Index⁸ traded under the symbol RUT, and options on the one-tenth value Russell 2000® Index traded under the symbol RMN, are all assessed \$0.70 per contract; and (2) equity options that trade as part of the Exchange's Penny Pilot Program are assessed \$0.25 per contract. Trades resulting from either Directed⁹ or non-Directed Orders that are delivered electronically and executed on the Exchange are assessed a payment for order flow fee,¹⁰ while non-electronically-delivered orders (*i.e.*,

represented by a floor broker) are not assessed a payment for order flow fee.¹¹ Additionally, payment for order flow fees are not assessed on transactions executed on the Exchange that correspond with an outbound Linkage Principal Acting as Agent ("P/A") order.¹²

The Exchange states that the purpose of making the minor technical amendment to the payment for order flow section of the Exchange's fee schedule is to clarify that options on QQQQ are part of the Penny Pilot Program.¹³

This proposal is scheduled to remain in effect as a pilot program until May 27, 2009.

2. Statutory Basis

The Exchange believes that its proposal to amend its schedule of fees is consistent with Section 6(b) of the Act¹⁴ in general, and furthers the objectives of Section 6(b)(4) of the Act¹⁵ in particular, in that it is an equitable allocation of reasonable fees and other charges among Exchange members. In particular, the Exchange believes that continuing the payment for order flow program should allow the Exchange to remain competitive, which should in turn, benefit the Exchange members who are assessed the payment for order flow fee.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition 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

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing proposed rule change has been designated as a fee change pursuant to Section 19(b)(3)(A)(ii) of the

Act¹⁶ and Rule 19b-4(f)(2)¹⁷ thereunder, because it establishes or changes a due, fee, or other charge imposed by the Exchange. Accordingly, the proposal will take effect upon filing with the Commission. At any time within 60 days of the filing of such proposed rule change the Commission may summarily abrogate such 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. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an e-mail to rule-comments@sec.gov. Please include File Number SR-Phlx-2008-38 on the subject line.

Paper Comments

- Send paper comments in triplicate to Nancy M. Morris, Secretary, Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549-1090.

All submissions should refer to File Number SR-Phlx-2008-38. This file number should be included on the subject line if e-mail is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (<http://www.sec.gov/rules/sro.shtml>). 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, 100 F Street, NE., Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m.

⁵ See, *e.g.*, Securities Exchange Act Release Nos. 57094 (January 3, 2008), 73 FR 1653 (January 9, 2008) (SR-CBOE-2007-154); 55895 (June 11, 2007), 72 FR 33549 (June 18, 2007) (SR-ISE-2007-38); 55328 (February 21, 2007), 72 FR 9050 (February 28, 2007) (SR-Amex-2007-16); and 53341 (February 21, 2006), 71 FR 10085 (February 28, 2006) (SR-Amex-2006-15).

⁶ See, *e.g.*, Securities Exchange Act Release Nos. 53841 (May 19, 2006), 71 FR 30461 (May 26, 2006) (SR-Phlx-2006-33); 54297 (August 9, 2006), 71 FR 47280 (August 16, 2006) (SR-Phlx-2006-47); 54485 (September 22, 2006), 71 FR 57017 (September 28, 2006) (SR-Phlx-2006-56); 55290 (February 13, 2007), 72 FR 8051 (February 22, 2007) (SR-Phlx-2007-05); 55473 (March 13, 2007), 72 FR 13338 (March 21, 2007) (SR-Phlx-2007-12); and 55891 (June 11, 2007), 72 FR 33271 (June 15, 2007) (SR-Phlx-2007-39).

⁷ The current Penny Pilot Program, in effect through March 27, 2009, permits certain options series to be quoted and traded in increments of \$0.01. See Securities Exchange Act Release No. 56563 (September 27, 2007), 72 FR 56429 (October 3, 2007) (SR-Phlx-2007-62).

⁸ The Exchange states that Russell 2000® is a trademark and service mark of the Frank Russell Company, used under license. Neither Frank Russell Company's publication of the Russell Index nor its licensing of its trademarks for use in connection with securities or other financial products derived from a Russell Index in any way suggests or implies a representation or opinion by Frank Russell Company as to the attractiveness of investment in any securities or other financial products based upon or derived from any Russell Index. Frank Russell Company is not the issuer of any such securities or other financial products and makes no express or implied warranties of merchantability or fitness for any particular purpose with respect to any Russell Index or any data included or reflected therein, nor as to results to be obtained by any person or any entity from the use of the Russell Index or any data included or reflected therein.

⁹ See Securities Exchange Act Release No. 57094 (May 21, 2008) (SR-Phlx-2008-38) (approving the Exchange's Directed Order Program on a permanent basis).

¹⁰ Specialists and Directed ROTs who participate in the Exchange's payment for order flow program are assessed a payment for order flow fee, in addition to ROTs. Therefore, the payment for order flow fee is assessed, in effect, on equity option transactions between a customer and an ROT, a customer and a Directed ROT, or a customer and a specialist.

¹¹ Electronically-delivered orders do not include orders delivered through the Floor Broker Management System pursuant to Exchange Rule 1063.

¹² See Securities Exchange Act Release No. 57313 (February 12, 2008), 73 FR 9398 (February 20, 2008) (SR-Phlx-2008-10).

¹³ See Securities Exchange Act Release No. 56563 (September 27, 2007), 72 FR 56429 (October 3, 2007) (SR-Phlx-2007-62).

¹⁴ 15 U.S.C. 78f(b).

¹⁵ 15 U.S.C. 78f(b)(4).

¹⁶ 15 U.S.C. 78s(b)(3)(A)(ii).

¹⁷ 17 CFR 240.19b-4(f)(2).

Copies of such filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-Phlx-2008-38 and should be submitted on or before June 20, 2008.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.¹⁸

Florence E. Harmon,

Deputy Secretary.

[FR Doc. E8-12110 Filed 5-29-08; 8:45 am]

BILLING CODE 8010-01-P

DEPARTMENT OF STATE

[PUBLIC NOTICE 6240]

Culturally Significant Objects Imported for Exhibition Determinations: "Marlene Dumas: Measuring Your Own Grave"

SUMMARY: Notice is hereby given of the following determinations: Pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.*; 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, Delegation of Authority No. 236 of October 19, 1999, as amended, and Delegation of Authority No. 257 of April 15, 2003 [68 FR 19875], I hereby determine that the objects to be included in the exhibition "Marlene Dumas: Measuring Your Own Grave", imported from abroad for temporary exhibition within the United States, are of cultural significance. The objects are imported pursuant to loan agreements with the foreign owners or custodians. I also determine that the exhibition or display of the exhibit objects at The Museum of Contemporary Art, Los Angeles, CA, from on or about June 22, 2008, until on or about September 22, 2008; The Museum of Modern Art, New York, NY, beginning on or about December 14, 2008, until on or about February 16, 2009, The Menil Collection, Houston, TX, from on or about March 26, 2009, until on or about June 21, 2009, and at possible additional exhibitions or venues yet to be determined, is in the national interest. Public Notice of these Determinations is

ordered to be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: For further information, including a list of the exhibit objects, contact Julie Simpson, Attorney-Adviser, Office of the Legal Adviser, U.S. Department of State (telephone: (202) 453-8050). The address is U.S. Department of State, SA-44, 301 4th Street, SW., Room 700, Washington, DC 20547-0001.

Dated: May 27, 2008.

C. Miller Crouch,

Principal Deputy Assistant Secretary for Educational and Cultural Affairs, Department of State.

[FR Doc. E8-12217 Filed 5-29-08; 8:45 am]

BILLING CODE 4710-05-P

DEPARTMENT OF STATE

[Public Notice 6225]

Industry Advisory Panel: Notice of Open Meeting

The Industry Advisory Panel of Overseas Buildings Operations will meet on Thursday, June 26, 2008, from 9:30 a.m. until 3:30 p.m. Eastern Standard Time. The meeting will be held in room 1107 of the U.S. Department of State, located at 2201 C Street, NW., (entrance on 23rd Street) Washington, DC. For logistical and security reasons, it is imperative that everyone enter and exit using only the 23rd Street entrance. The majority of the meeting is devoted to an exchange of ideas between the Department's Bureau of Overseas Building Operations' senior management and the panel members, on design, operations, and building maintenance. Members of the public are asked to kindly refrain from joining the discussion until Director Shinnick opens the discussion to them.

Entry to the building is controlled; to obtain pre-clearance for entry, members of the public planning to attend should provide, by June 19, 2008, their name, professional affiliation, date of birth, citizenship, and a valid government-issued ID number (i.e., U.S. government ID, U.S. military ID, passport, or driver's license (and state)) by e-mailing: iapr@state.gov. Due to limited space, please remember that only one person per company may register.

If you have any questions, please contact Andrea Walk at walkam@state.gov or on (703) 516-1544.

Dated: May 16, 2008.

Richard J. Shinnick,

Director, Ad Interim, Overseas Buildings Operations, Department of State.

[FR Doc. E8-12111 Filed 5-29-08; 8:45 am]

BILLING CODE 4710-24-P

SUSQUEHANNA RIVER BASIN COMMISSION

Notice of Public Hearing and Commission Meeting

AGENCY: Susquehanna River Basin Commission.

ACTION: Notice of Public Hearing and Commission Meeting.

SUMMARY: The Susquehanna River Basin Commission will hold a public hearing as part of its regular business meeting beginning at 8:30 a.m. on June 12, 2008 in Elmira, New York. At the public hearing, the Commission will consider: (1) Approval of certain water resources projects, including one enforcement action, (2) consideration of a request to reopen Docket No. 20020819, Mountainview Thoroughbred Racing Association, Inc., and (3) a request for a hearing on an administrative appeal regarding Docket No. 20080305, Mountainview Thoroughbred Racing Association, Inc. Details concerning the matters to be addressed at the public hearing and business meeting are contained in the **SUPPLEMENTARY INFORMATION** section of this notice.

DATES: June 12, 2008.

ADDRESSES: Holiday Inn Elmira—Riverview, 760 E. Water Street, Elmira, New York. See **SUPPLEMENTARY INFORMATION** section for mailing and electronic mailing addresses for submission of written comments.

FOR FURTHER INFORMATION CONTACT: Richard A. Cairo, General Counsel, telephone: (717) 238-0423; ext. 306; fax: (717) 238-2436; e-mail: rcairo@srbc.net or Deborah J. Dickey, Secretary to the Commission, telephone: (717) 238-0423, ext. 301; fax: (717) 238-2436; e-mail: ddickey@srbc.net.

SUPPLEMENTARY INFORMATION: In addition to the public hearing and its related action items identified below, the business meeting also includes the following items on the agenda: (1) A special infrastructure presentation by Ms. Sandra Allen of the N.Y. Department of Environmental Conservation, (2) a report on the present hydrologic conditions of the basin, (3) approval of a proposal to increase the Commission's consumptive use mitigation fee, (4) a recommendation to rescind certain Commission policies, (5) approval of an FY-10 Budget, (6) approval of various grants and contracts, and (7) election of a new Chairman and Vice-Chairman to serve in the next fiscal year. The Commission will also hear a Legal Counsel's report and an update on recent activities in our regulatory program.

¹⁸ 17 CFR 200.30-3(a)(12).

Public Hearing—Projects Scheduled for Action

1. Project Sponsor and Facility: Fortuna Energy Inc. (Catatunk Creek), Town of Spencer, Tioga County, N.Y. Applications for consumptive water use of up to 0.250 mgd and surface water withdrawal of up to 0.250 mgd.

2. Project Sponsor and Facility: East Resources, Inc. (Chemung River), Town of Big Flats, Chemung County, N.Y. Applications for consumptive water use of up to 0.250 mgd and surface water withdrawal of up to 0.250 mgd.

3. Project Sponsor and Facility: Fortuna Energy Inc. (Chemung River), Chemung Town, Chemung County, N.Y. Applications for consumptive water use of up to 0.250 mgd and surface water withdrawal of up to 0.250 mgd.

4. Project Sponsor and Facility: East Resources, Inc. (Seeley Creek), Town of Southport, Chemung County, N.Y. Applications for consumptive water use of up to 0.250 mgd and surface water withdrawal of up to 0.250 mgd.

5. Project Sponsor and Facility: East Resources, Inc. (Tioga River; at Tioga Junction), Lawrence Township, Tioga County, Pa. Applications for consumptive water use of up to 0.250 mgd and surface water withdrawal of up to 0.250 mgd.

6. Project Sponsor and Facility: East Resources, Inc. (Crooked Creek; near Middlebury Center), Middlebury Township, Tioga County, Pa. Applications for consumptive water use of up to 0.250 mgd and surface water withdrawal of up to 0.250 mgd.

7. Project Sponsor and Facility: Fortuna Energy Inc. (Susquehanna River), Sheshequin Township, Bradford County, Pa. Applications for consumptive water use of up to 0.250 mgd and surface water withdrawal of up to 0.250 mgd.

8. Project Sponsor and Facility: East Resources, Inc. (Tioga River; near Mansfield), Richmond Township, Tioga County, Pa. Applications for consumptive water use of up to 0.250 mgd and surface water withdrawal of up to 0.250 mgd.

9. Project Sponsor and Facility: Fortuna Energy Inc. (Sugar Creek), West Burlington Township, Bradford County, Pa. Applications for consumptive water use of up to 0.250 mgd and surface water withdrawal of up to 0.250 mgd.

10. Project Sponsor and Facility: Fortuna Energy Inc. (Towanda Creek), Franklin Township, Bradford County, Pa. Applications for consumptive water use of up to 0.250 mgd and surface water withdrawal of up to 0.250 mgd.

11. Project Sponsor and Facility: Neptune Industries, Inc. (Lackawanna

River), Borough of Archbald, Lackawanna County, Pa. Application for surface water withdrawal of up to 0.499 mgd.

12. Project Sponsor and Facility: Keystone Landfill, Inc., Dunmore Borough, Lackawanna County, Pa. Applications for consumptive water use of up to 0.100 mgd and groundwater withdrawal of 0.020 mgd from Well 1, 0.010 mgd from Well 2, and 0.020 mgd from Well 3, and settlement of an outstanding compliance matter.

13. Project Sponsor: United States Gypsum Company. Project Facility: Washingtonville Plant (Well W-A8), Derry Township, Montour County, Pa. Application for groundwater withdrawal of 0.350 mgd.

14. Project Sponsor: Kratzer Run Development, LLC. Project Facility: Eagles Ridge Golf Club (formerly Grandview Golf Course/Susquehanna Recreation Corporation), Ferguson Township, Clearfield County, Pa. Applications for consumptive water use of up to 0.099 mgd and surface water withdrawal of up to 0.099 mgd.

15. Project Sponsor and Facility: Commonwealth Environmental Systems, L.P., Foster, Frailey and Reilly Townships, Schuylkill County, Pa. Modification of consumptive water use and groundwater approval (Docket No. 20070304).

16. Project Sponsor and Facility: Lykens Valley Golf Course (formerly Harrisburg North Golf Course), Upper Paxton Township, Dauphin County, Pa. Applications for consumptive water use of up to 0.200 mgd and surface water withdrawal of up to 0.200 mgd.

17. Project Sponsor and Facility: Spring Creek Golf Course (Spring Creek), Derry Township, Dauphin County, Pa. Applications for consumptive water use of up to 0.081 mgd and surface water withdrawal of up to 0.081 mgd.

18. Project Sponsor: Pennsy Supply, Inc. Project Facility: Hummelstown Quarry, South Hanover Township, Dauphin County, Pa. Application for surface water withdrawal of up to 29.925 mgd.

19. Project Sponsor: Titanium Hearth Technologies, Inc. Project Facility: TIMET North American Operations, Caernarvon Township, Berks County, Pa. Application for consumptive water use of up to 0.133 mgd, and settlement of an outstanding compliance matter.

20. Project Sponsor and Facility: Conestoga Country Club (Well 1), Manor and Lancaster Townships, Lancaster County, Pa. Application for groundwater withdrawal of 0.281 mgd.

21. Project Sponsor and Facility: Rock Springs Generation Facility, Rising Sun,

Cecil County, Maryland. Modification of surface water withdrawal, groundwater withdrawal, and consumptive water use approval (Docket No. 20001203).

Public Hearing—Project Scheduled for Enforcement Action

1. Project Sponsor and Facility: Standing Stone Golf Club (Docket No. 20020612), Oneida Township, Huntington County, Pa.

Public Hearing—Petition To Reopen Docket

1. Petition of East Hanover Township, *et al.*, Dauphin County, Pa., to reopen Docket No. 20020819, Mountainview Thoroughbred Racing Association, Inc.

Public Hearing—Request for Hearing on Administrative Appeal

1. Request of East Hanover Township, *et al.*, Dauphin Co., Pa., for hearing on administrative appeal of Docket No. 20080305, Mountainview Thoroughbred Racing Association, Inc.

Opportunity To Appear and Comment

Interested parties may appear at the above hearing to offer written or oral comments to the Commission on any matter on the hearing agenda, or at the business meeting to offer written or oral comments on other matters scheduled for consideration at the business meeting. The chair of the Commission reserves the right to limit oral statements in the interest of time and to otherwise control the course of the hearing and business meeting. Written comments may also be mailed to the Susquehanna River Basin Commission, 1721 North Front Street, Harrisburg, Pennsylvania 17102-2391, or submitted electronically to Richard A. Cairo, General Counsel, e-mail: rcairo@srbc.net or Deborah J. Dickey, Secretary to the Commission, e-mail: ddickey@srbc.net. Comments mailed or electronically submitted must be received prior to June 12, 2008 to be considered.

Authority: Pub. L. 91-575, 84 Stat. 1509 *et seq.*, 18 CFR parts 806, 807, and 808.

Dated: May 19, 2008.

Thomas W. Beauduy,

Deputy Director.

[FR Doc. E8-12057 Filed 5-29-08; 8:45 am]

BILLING CODE 7040-01-P

TENNESSEE VALLEY AUTHORITY**Environmental Impact Statement—Douglas and Nolichucky Reservoirs Land Management Plan, Tennessee**

AGENCY: Tennessee Valley Authority.

ACTION: Notice of Intent.

SUMMARY: The Tennessee Valley Authority (TVA) will prepare an environmental impact statement (EIS) addressing the impacts of various alternatives for managing project lands on Douglas and Nolichucky Reservoirs in northeastern Tennessee. Public comment is invited concerning both the scope of the EIS and environmental issues that should be addressed as a part of this EIS.

DATES: Comments on the scope of the EIS and the environmental issues that should be addressed in the EIS should be received on or before July 1, 2008.

ADDRESSES: Written comments should be sent to Richard L. Toennisson, Tennessee Valley Authority, 400 West Summit Hill Drive WT 11D, Knoxville, Tennessee 37902. Comments also may be submitted on the TVA Web site at <http://www.tva.com/environment/reports/dnlp>, by telephone at (866) 601-4612, or by fax at (865) 632-3451.

FOR FURTHER INFORMATION CONTACT: D. Chris Cooper, Tennessee Valley Authority, 3726 East Morris Boulevard, Morristown, Tennessee 37813. Telephone: (423) 585-2138. E-mail may be sent to *Douglas-Nolichucky_Reservoirs@tva.gov*.

SUPPLEMENTARY INFORMATION:

Background

This notice is provided in accordance with the Council on Environmental Quality's regulations (40 CFR parts 1500 to 1503), TVA's procedures for implementing the National Environmental Policy Act (NEPA), and section 106 of the National Historic Preservation Act (NHPA) and its implementing regulations (36 CFR part 800).

The Douglas and Nolichucky Reservoirs Land Management Plan (Plan) will address lands on Douglas Reservoir in Cocke, Jefferson, Hamblen, and Sevier Counties, Tennessee, and on Nolichucky Reservoir in Greene County, TN.

Douglas Dam was completed by TVA in 1942 on the French Broad River and has a generating capacity of 165,600 kilowatts. Douglas Reservoir has about 530 miles of shoreline with 28,420 acres of water surface and 2,054 acres of public land managed by TVA.

Nolichucky Dam was privately built in 1913 as a hydroelectric project on the Nolichucky River. Nolichucky Reservoir stretches six miles upstream from Nolichucky Dam and has 1,144 acres of public land managed by TVA. Due to siltation of the reservoir, the electrical generating facilities were taken out of service in 1972 and a portion of the reservoir was converted into a wildlife

management area. TVA presently manages a total of 3,198 acres of land on the two reservoirs that are the subject of this Plan.

The Plan will allocate lands to various categories of uses in accordance with the following goals: (1) Apply a systematic method of evaluating and identifying the most suitable uses of TVA public lands using resource data, stakeholder input, suitability and capability analyses, and TVA staff input; (2) identify land use zone allocations to optimize public benefit and balance competing demands for the use of public lands; (3) identify land use zone allocations to support TVA's broad regional resource development mission, which involves the management of TVA reservoir properties to provide multiple public benefits including recreation, conservation, and economic development; (4) provide a clear process by which TVA will respond to requests for use of TVA public land; (5) comply with federal regulations and executive orders; (6) ensure the protection of significant resources, including threatened and endangered species, cultural resources, wetlands, unique habitats, natural areas, water quality, and the visual character of the reservoir; and (7) provide a mechanism that allows local, state, and federal infrastructure projects when the use is compatible with the zone allocation. Plans are submitted to the TVA Board of Directors for approval and adopted as guidelines for management of TVA public land consistent with the agency's responsibilities under the TVA Act of 1933.

Potential Alternatives

The EIS will analyze a range of alternative approaches to land allocation to implement the goals of TVA's land planning and to comply with the 2006 TVA Land Policy. Under the No Action Alternative, TVA would continue to rely on the Forecast System adopted by TVA in 1965 for Douglas Reservoir. Planned uses under the Forecast System are Dam Reservation, Public Recreation, Agricultural Research, Industry, Reservoir Operations, and Commercial Recreation. Nolichucky Reservoir lands would remain unplanned.

One or more Action Alternatives are anticipated depending on the results of the public scoping and environmental analysis. Under any Action Alternative, TVA contemplates allocating lands into the following zones: Non-TVA Shoreland/Flowage Easement, TVA Project Operations, Sensitive Resource Management, Natural Resource Conservation, Industrial, Developed

Recreation, and Shoreline Access. If there are multiple Action Alternatives, they would likely differ in the amount of land allocated to each of these zones.

Under all alternatives, TVA anticipates that lands currently committed to a specific use would be allocated to that current use. Under all Action Alternatives, changes that support TVA goals and objectives and the TVA Land Policy can be considered. Committed lands include those subject to existing long-term easements, leases, licenses, and contracts; lands with outstanding land rights; and lands that are necessary for TVA project operations. The committed lands are 26 percent of the public land being planned on Douglas Reservoir and 66 percent of the public land being planned on Nolichucky Reservoir. Uncommitted lands on both reservoirs total 889 acres.

This EIS will tier from TVA's 1998 Final EIS, Shoreline Management Initiative: An Assessment of Residential Shoreline Development Impacts in the Tennessee Valley. That EIS evaluated alternative policies for managing residential shoreline development on TVA reservoirs. Residential shoreline occurs on Douglas Reservoir, and the Plan will not affect the policies for its management.

Proposed Issues To Be Addressed

The EIS will contain descriptions of the existing environmental and socioeconomic resources within the area that would be affected by the Plan. TVA's evaluation of potential impacts to these resources will include, but not necessarily be limited to, the potential impacts on water quality, water supply, aquatic and terrestrial ecology, endangered and threatened species, wetlands, prime farmlands, floodplains, recreation, aesthetics and visual resources, land use, historic and archaeological resources, and socioeconomic resources.

Scoping Process

Scoping, which is integral to the process for implementing NEPA, is a procedure that solicits public input to the EIS process to ensure that (1) issues are identified early and properly studied; (2) issues of little significance do not consume substantial time and effort; (3) the draft EIS is thorough and balanced; and (4) delays caused by an inadequate EIS are avoided. TVA's NEPA procedures require that the scoping process commence soon after a decision has been reached to prepare an EIS in order to provide an early and open process for determining the scope and for identifying the significant issues

related to a proposed action. The range of alternatives and the issues to be addressed in the EIS will be determined, in part, from written comments and comments submitted orally on the telephone or at any public meetings. The preliminary identification of reasonable alternatives and environmental issues in this notice is not meant to be exhaustive or final. Additional information on the planning process is available on the TVA Web site at <http://www.tva.com/environment/reports/dnlp/>.

TVA invites the participation of affected Federal, State, and local agencies and Indian tribes, as well as other interested persons. Pursuant to the regulations of the Advisory Council on Historic Preservation implementing Section 106 of the NHPA, TVA also solicits comments on the potential of the proposed Plan to affect historic properties. This notice also provides an opportunity under Executive Orders 11990 and 11988 for early public review of the potential for TVA's Plan to affect wetlands and floodplains, respectively.

Comments on the scope of this EIS should be submitted no later than the date given under the **DATES** section of this notice. Any comments received, including names and addresses, will become part of the administrative record and will be available for public inspection.

TVA intends to hold a public scoping meeting on June 12, 2008. The open house style meeting will be held from 4–8 p.m. EDT at Walters State Community College in Morristown, Tennessee. Upon consideration of the scoping comments, TVA will develop alternatives and identify environmental issues to be addressed in the EIS. These will be described in a report that will be available to the public. Following analysis of the environmental consequences of each alternative, TVA will prepare a draft EIS for public review and comment. Notice of availability of the draft EIS will be published by the Environmental Protection Agency in the **Federal Register**. TVA will solicit comments on the draft EIS in writing and at public meetings to be held in the project area. TVA expects to release the draft EIS in early 2009 and the final EIS in the fall of 2009.

Bridgette K. Ellis,

Senior Vice President, Office of Environment and Research.

[FR Doc. E8–11829 Filed 5–29–08; 8:45 am]

BILLING CODE 8120–08–P

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

[Docket No. DOT–OST–2007–0108]

National Task Force To Develop Model Contingency Plans To Deal With Lengthy Airline On-Board Ground Delays

AGENCY: Office of the Secretary (OST), Department of Transportation (DOT).

ACTION: Notice of meeting of advisory committee.

SUMMARY: This notice announces a meeting of the National Task Force to Develop Model Contingency Plans to Deal with Lengthy Airline On-Board Ground Delays.

DATES: The Task Force meeting is scheduled for June 16, 2008, from 8:30 a.m. to 5 p.m., Eastern Time.

ADDRESSES: The Task Force meeting will be held at the U.S. Department of Transportation (U.S. DOT), 1200 New Jersey Avenue, SE., Washington, DC, in the Oklahoma City Conference Room on the lobby level of the West Building.

FOR FURTHER INFORMATION OR TO CONTACT THE DEPARTMENT CONCERNING THE TASK FORCE:

Livaghna Chapman, Jr., or Kathleen Blank-Riether, Office of the General Counsel, U.S. Department of Transportation, 1200 New Jersey Ave., SE., W–96–429, Washington, DC 20590–0001; *Phone:* (202) 366–9342; *Fax:* (202) 366–7152; *E-mail:*

Livaghna.Chapman@dot.gov, or

Kathleen.Blankriether@dot.gov.

SUPPLEMENTARY INFORMATION:

In accordance with the Federal Advisory Committee Act (FACA), 5 U.S.C. App. 2, and the General Services Administration regulations covering management of Federal advisory committees, 41 CFR part 102–3, this notice announces a meeting of the National Task Force to Develop Model Contingency Plans to Deal with Lengthy Airline On-Board Ground Delays. The Meeting will be held on June 16, 2008, between 8:30 a.m. and 5 p.m., at the U.S. Department of Transportation (U.S. DOT), 1200 New Jersey Avenue, SE., Washington, DC, in the Oklahoma City Conference Room on the lobby level of the West Building.

DOT's Office of Inspector General recommended, in its audit report, entitled "Actions Needed to Minimize Long, On-Board Flight Delays," issued on September 25, 2007, that the Secretary of Transportation establish a national task force of airlines, airports, and the Federal Aviation Administration (FAA) to coordinate and develop contingency plans to deal with

lengthy delays, such as working with carriers and airports to share facilities and make gates available in an emergency. To effectuate this recommendation, on January 3, 2008, the Department, consistent with the requirements of the FACA, established the National Task Force to Develop Model Contingency Plans to Deal with Lengthy Airline On-Board Ground Delays. The first meeting of the Task Force took place on February 26, 2008.

The agenda topics for the June 16, 2008, meeting will include the following: (1) A briefing by the Contingency Plan Working Group, the working group that is tasked with reviewing existing airline and airport contingency plans for extended tarmac delays for best practices and developing a model contingency plan; and (2) one or more presentations on recent tarmac delay events and efforts to avoid them.

Attendance is open to the public, and time will be provided for comments by members of the public. Since access to the U.S. DOT headquarters building is controlled for security purposes, any member of the general public who plans to attend this meeting must notify the Department contact noted above ten (10) calendar days prior to the meeting. Attendance will be necessarily limited by the size of the meeting room.

Members of the public may present written comments at any time and, at the discretion of the Chairman and time permitting, oral comments at the meeting. Any oral comments permitted must be limited to agenda items and will be limited to five (5) minutes per person. Members of the public who wish to present oral comments must notify the Department contact noted above via e-mail that they wish to attend and present oral comments at least ten (10) calendar days prior to the meeting. For this June 16, 2008, meeting, no more than one hour will be set aside for oral comments. Although written material may be filed in the docket at any time, comments regarding upcoming meeting topics should be sent to the Task Force docket, (10) calendar days prior to the meeting. Members of the public may also contact the Department contact noted above to be placed on the Task Force mailing list.

Persons with a disability requiring special accommodations, such as an interpreter for the hearing impaired, should contact the Department contact noted above at least seven (7) calendar days prior to the meeting.

Notice of this meeting is provided in accordance with the FACA and the General Services Administration regulations covering management of Federal advisory committees.

Issued on: May 28, 2008.

Samuel Podberesky,

*Assistant General Counsel for Aviation
Enforcement & Proceedings, U.S. Department
of Transportation.*

[FR Doc. E8-12237 Filed 5-29-08; 8:45 am]

BILLING CODE 4910-9X-P

DEPARTMENT OF TRANSPORTATION

Transportation Border Congestion Relief Program

AGENCY: Department of Transportation (DOT).

ACTION: Notice; request for applications.

SUMMARY: The Federal Government has an important role to play in facilitating and accelerating transportation-related capacity and operational improvements at international land border crossings that will improve border travel times and help reduce associated national and regional economic costs. To fulfill this role and to encourage the greater use of non-traditional transportation project finance, delivery, and facility operation mechanisms at the Nation's critical international land border crossings, the DOT is soliciting applications from interested international land border States, bridge and tunnel operators, and private entities to participate in the Transportation Border Congestion Relief (TBCR) Program. The goal of the TBCR Program is to identify and assist international land border States with implementing innovative solutions to help address land border travel time delay and facilitate trade and travel without compromising the vital mission of securing America's borders. The DOT intends to select two or more surface transportation projects, a minimum of one on the U.S./Mexico border and one on the U.S./Canada border, which can help improve border travel times.

DATES: Applications must be received on or before June 30, 2008.

ADDRESSES: Interested parties should submit applications to Marcus J. Lemon, Esq., Chief Counsel, Federal Highway Administration, HCC-1, Room E82-328, 1200 New Jersey Avenue, SE., Washington, DC 20590 or electronically to transportationbordercongestionrelief@dot.gov.

FOR FURTHER INFORMATION CONTACT: Ms. Alla C. Shaw, Esq. (202) 366-1042, Alla.Shaw@dot.gov, HCC-30, Room E84-463, 1200 New Jersey Avenue, SE., Washington, DC 20590, HCC Team Leader, or Mr. Roger Petzold, Team Leader, Border, Interstate, and GIS Program, (202) 366-4074, Roger.Petzold@dot.gov, HEPI-10, Room E74-312, 1200 New Jersey Avenue, SE.,

Washington, DC 20590. Office hours are from 7:30 a.m. to 5 p.m., e.t., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION:

Electronic Access and Filing

An electronic copy of this document may be downloaded from the Office of the Federal Register's home page at: <http://www.archives.gov> and the Government Printing Office's Web page at: <http://www.access.gpo.gov/nara>.

Background

The DOT is establishing a Transportation Border Congestion Relief Program to demonstrate how non-traditional transportation project finance, delivery, and operation mechanisms can be used to improve land border travel times and can facilitate trade and travel without compromising the vital mission of securing America's borders within the Border Region (A Border Region is defined in section 1303(g)(1) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) (Pub. L. 109-59; Aug. 10, 2005) as any portion of a U.S. State that is within 100 miles of an international land border with Canada or Mexico). The DOT is seeking applications from the 15 international land border States, bridge and tunnel operators, or from private sector entities which identify and advance land border transportation projects that can alleviate current or forecasted congestion at or near the U.S. border with Mexico and with Canada within the border zone. The DOT envisions a selection of two or more projects that can serve as models for land border travel time improvements.

The DOT is interested in pursuing projects that can address ways to improve land border travel times because of the significance of border transportation to our Nation. More than 17 million truckloads of freight crossed America's borders with Canada and Mexico in 2005, carrying over half of the \$711 billion in products the U.S. traded with its North American neighbors. Since 1990, the value of freight shipments among the U.S., Canada, and Mexico has risen by 170 percent, growing an average of 8 percent annually. Trade between the U.S. and Canada is about \$2 billion per day. In addition to the large amounts of daily trade, at least 2 million people legally cross our borders in any given day. These huge numbers are putting a serious strain on the transportation network at and near our international land border crossings. Travel times for crossing U.S. borders have steadily

increased since 1996, frustrating individuals, families, and commerce with negative impacts on quality of life, efficiency, and prudent use of resources.

In an effort to combat the growing problems of transportation congestion, the DOT launched the "National Strategy to Reduce Congestion on America's Transportation Network" (Congestion Initiative) in May of 2006.¹ The Congestion Initiative is designed both to reduce transportation congestion in the short-term and to build the foundation for successful longer-term congestion reduction efforts.

Objectives

The primary objectives of the TBCR Program are to:

A. Reduce border travel time delays by promoting non-traditional transportation project delivery and operation approaches at or near international land border crossings.

B. Illustrate the benefits of alternative financial models.

C. Promote and support a more efficient coordination process among the various Federal and local agencies that have an interest in our Nation's land borders.

D. Improve system connectivity to facilitate trade and the safe, legitimate, movement of people and goods across the U.S. border by decreasing border travel times without compromising the vital mission of securing America's borders.

E. Demonstrate the viability of developing land border crossing projects using an investment model based on sound economics and market principles.

F. Build on the institutional expertise in place within the U.S./Mexico Joint Working Committee for Border Planning <http://www.borderplanning.fhwa.dot.gov/mexico.asp> and the U.S./Canada Transportation Border Working Group <http://www.thetbwg.org>, and interagency groups related to border facilitation.

Application Process

A land border State, bridge or tunnel operator, or private sector entity (Applicant) interested in the TBCR Program should submit a TBCR Application to the DOT. The

¹ Speaking before the National Retail Federation's annual conference on May 16, 2006, in Washington, DC, former U.S. Transportation Secretary Norman Mineta unveiled a new plan to reduce congestion plaguing America's roads, rails, and airports. The National Strategy to Reduce Congestion on America's Transportation Network includes a number of initiatives designed to reduce transportation congestion. The transcript of these remarks is available at: <http://www.dot.gov/affairs/minetasp051606.htm>. Additional information may be located at: <http://www.fightgridlocknow.gov>.

Application should address the areas of information discussed below and demonstrate how the project would provide adequate, reliable and sustainable capacity for the life of the facility. Bridge and tunnel operators and private entities should provide a written endorsement from the border State in which the proposed project is located and evidence of consultation with the appropriate foreign jurisdictions, as well as Federal agencies which will play a role in the implementation of the project, within 30 days of submitting an Application. Transportation Border Congestion Relief Applications may include new capacity development or upgrades/extensions of existing capacity. The Applicant should also state whether the proposed project will cross any Federal or Indian lands and how it will involve or impact transportation in the foreign jurisdiction. To the extent the proposed project is already in development, the Applicant should describe broadly the remaining activities that must be undertaken and the ways the proposed non-traditional approach may help the project become operational.

The Applicant may be requested to submit additional information if necessary to evaluate the Application. All proposed projects must be located within the Border Region (a Border Region is defined in section 1303(g)(1) of SAFETEA-LU as any portion of a U.S. State that is within 100 miles of an international land border with Canada or Mexico). If a border State submits more than one project, it should prioritize the proposed projects. The deadline for submitting an Application is June 30, 2008. If an Applicant submits an Application after the deadline, the Application will be considered to the extent practicable.

Applications will be evaluated and ranked based on the following elements:

1. Project Description

The Applicant should include a detailed description of the proposed land border project, including its purpose, location, preliminary design features, rough estimate of capital cost, proposed delivery schedule, likely financing mechanism(s), current level of service, and information about the status of agreement among any affected stakeholders to advance the proposed project. The Applicant should include a map with detailed information about U.S., State, and local numbered route and other important facilities clearly identified as well as information about the foreign jurisdiction(s) involved.

2. Congestion Reduction and Reduction in Land Border Travel Times

The proposed land border project may address current or future congestion. The Applicant should describe where and how the proposed project would (a) reduce current congestion levels, or (b) address future expected congestion based on projected travel trends at the land border crossing. The Applicant should discuss the impact of the project on movement of individuals or freight and/or traffic congestion. The congestion reduction discussion should present all relevant data related to the proposed congestion relief benefits of the project including information about the annual volume of commercial and passenger vehicle traffic at the relevant land border crossing, expected reduction in vehicle travel times through the land border crossing, and potential benefits to the U.S. economy.

3. Use of Intelligent Transportation Systems

Whether the proposed project is on a new or existing alignment, the Applicant should explain how transportation technologies would be used to benefit users by enhancing the mobility and efficiency of the land border crossing. Examples of mobility improvements include use of intelligent transportation systems, traffic conditions monitoring, computerized traffic control systems, traveler information systems, electronic toll collection, and open road tolling.

4. Economic Benefits and Support of Commerce

The Applicant should explain how the proposed project would support U.S. economic growth including information about how the project would improve the predictability of freight movements or travel by individuals through the land border crossing. In support of the economic benefits, the Applicant should include current data on the national and regional economic impact of delays in border travel times, etc.

5. Value to the Users of the Project

The Applicant should describe the benefits of the proposed project within the border zone to its users. Potential benefits include reduced border travel times, increased safety, faster and more convenient access to terminals for commercial vehicles, environmental benefits, truck-only lanes, and increased travel speeds, etc.

6. Innovations in Project Delivery and Finance

The Applicant should highlight any innovative project delivery and financing features proposed for the project. The Applicant should specifically address the eligibility of the proposed project for credit assistance under the Transportation Infrastructure Finance Innovation Act (TIFIA) and Private Activity Bonds (PABs).

7. Exceptional Environmental Stewardship

The Applicant should describe any proposed innovative methods for completing the environmental review process effectively, and/or any exceptional proposed measures for avoiding or mitigating air, noise, or water impacts, or impacts to environmental or cultural resources.

8. Finance Plan and Potential Private Sector Participation

The Applicant should submit an initial plan that identifies potential sources of financing and the private sector's likely role. This may include proposals for private sector financial contribution to the proposed project. Private sector participation can encompass a wide range of contractual arrangements by which public (Federal, State, or local) authorities and private entities collaborate in the financing, development, operation, and ownership of a transportation infrastructure project. Potential contractual arrangements for the project include, but are not limited to:

- (a) Long-term concessions or franchise agreements;
- (b) Design, Build, Operate and Maintain contracts;
- (c) Design, Build, Finance, and Operate contracts;
- (d) Build, Own and Operate contracts; and
- (e) Design-Build contracts.

The Applicant should describe the efficiencies likely to result from private sector participation, as well as the process likely to be used to ensure robust competition among private financial entities.

9. Planning and Coordination Status

The Applicant should provide information about the status of planning and coordination activities. The Applicant should identify and discuss: (a) The status of coordination among interested Federal agencies and local stakeholders; (b) relevant consideration and/or coordination with the governments of Canada and Mexico; (c) whether the project is included, or expected to be included, in State and

metropolitan planning organization plans and programs; (d) whether the project is consistent with plans and programs developed by empowerment zone and community organizations; (e) whether the project is consistent with plans developed for compliance with the Clean Air Act; (f) whether or not the project is supported by the U.S. Customs and Border Protection Agency or by the General Services Administration; and (g) whether or not the project has or will require a Presidential Permit.

10. Proposed Project Time-line

The Applicant should include a proposed project time-line with estimated start and completion dates for major elements of the proposed project such as:

- (a) Development phase activities (planning, feasibility analysis, revenue forecasting, environmental review, preliminary engineering and design work, and other preconstruction activities);
- (b) Inclusion of the project in the relevant State and metropolitan transportation improvement plans;
- (c) Approval needed for any required Presidential Permits;
- (d) Acquisition of real property (including land related to the project and improvements to land); and
- (e) Construction, reconstruction, and/or rehabilitation activities.

The Applicant also should describe the results of any preliminary engineering or preconstruction activities done to date and relate it to the project time-line.

Transportation Border Congestion Relief Program Development Agreement

After a project is accepted for administration under the TBCR Program, the next major action by the Applicant would be to work with DOT, the relevant border State, municipalities, Indian tribal government(s), Federal agencies, and foreign jurisdictions to draft a TBCR Program Development Agreement for the project (Development Agreement). The Development Agreement would address the commitments of all parties to the project (Federal, State, municipal and private) with respect to the financing, planning and design, environmental process, construction, operations, maintenance, and other components. The Development Agreement would also identify the specific objectives of the project and performance measures that would be used to evaluate the success of the project in achieving these objectives.

DOT Resources and Commitments To Expedite the Delivery of the Border Crossing Project

If a project is selected for participation in the TBCR Program, the DOT will work with the project sponsor to expedite the delivery of the project. Potential DOT resources and commitments include:

A. Federal Transportation Border Congestion Relief Project Team

The DOT will work with the relevant Federal agencies with an interest in the land border crossing to establish a senior-level Federal border congestion team to advance the planning and implementation of the project, including expediting, to the maximum extent practicable, their reviews for relevant permits or other approvals, and take related actions as necessary, consistent with available resources and applicable laws.

B. Accelerated Review and Conditional Approval of Experimental Features Under the FHWA SEP-15 Process

Special Experimental Project 15 (SEP-15) is designed to permit tests and experimentation in the project development process for title 23, United States Code projects. Potential areas of experimentation for TBCR Program projects include innovative finance, tolling and contracting requirements. More information about the SEP-15 program is available on the following Web site: <http://www.fhwa.dot.gov/ppp/index.htm>. The DOT is considering further experimental programs that may apply to the approved projects.

C. Expedited Commitment Process for TIFIA Credit Assistance

The TIFIA program provides three forms of credit assistance—secured loans, loan guarantees, and standby lines of credit—for surface transportation projects of national or regional significance. Each border State seeking to incorporate TIFIA credit assistance as part of a project finance plan can receive a preliminary TIFIA commitment under SEP-15.

The DOT would work with each project sponsor to establish a preliminary plan of finance incorporating TIFIA assistance. This preliminary commitment would expedite the loan review process to be undertaken should the border State's selected concessionaire seek TIFIA assistance. Information about the TIFIA credit program is available on the following Web site: <http://tifia.fhwa.dot.gov/>.

D. Priority Access to DOT Experts

Projects accepted for the TBCR Program will have access to DOT experts knowledgeable in the areas of planning, the environment, public-private partnerships, finance, construction, safety, operations, and asset management.

E. Other Discretionary Funding

The DOT will work with Applicant(s) to identify other possible discretionary funding sources.

F. Tolling and Private Activity Bonds (PAB)

Applicant(s) may consider applying to DOT for authority to toll any Federal-aid highway as part of a TBCR project. The use of tolls would not only help finance the road, but the use of tolls also, if the amounts are varied, could help manage the volume of traffic utilizing the crossing at any given point during the day. Applicants may also consider applying for an allocation of PAB authority under Section 11143 of SAFETEA-LU as part of a TBCR project. The DOT will work with any selected Applicant(s) to explore what options might be available in these areas.

Authority: 49 U.S.C. 101.

Issued on: May 23, 2008.

Thomas J. Barrett,
Deputy Secretary.

[FR Doc. E8-12055 Filed 5-29-08; 8:45 am]

BILLING CODE 4910-22-P

DEPARTMENT OF TRANSPORTATION

Federal Transit Administration

Intent To Prepare an Environmental Impact Statement for Improvements to the Danbury Rail Branch in Connecticut

AGENCY: Federal Transit Administration (FTA), U.S. Department of Transportation (DOT).

ACTION: Notice of intent to prepare an Environmental Impact Statement.

SUMMARY: The Federal Transit Administration (FTA) and the Connecticut Department of Transportation (ConnDOT), in cooperation with the Southwest Regional Planning Agency and Housatonic Valley Council of Elected Officials, intend to prepare an Environmental Impact Statement (EIS) on proposed commuter rail transit service and infrastructure improvements along the New Haven Line, Danbury Branch Rail Line in Connecticut. The New York Metropolitan Transportation Authority's Metro North Railroad

operates the New Haven Rail Line service for ConnDOT and is a cooperating agency in the EIS process.

The EIS will be prepared in accordance with the National Environmental Policy Act of 1969 (NEPA) and its implementing regulations by the Council on the Environmental Quality (40 CFR parts 1500–1508) and FTA/FHWA (23 CFR 771), as well as provisions of section 6002 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA–LU). The Draft EIS will be combined with the planning Alternatives Analysis required by Federal Transit law [49 U.S.C. 5309(a)] for projects proposed for New Starts or Small Starts funding.

The purpose of this notice is to alert interested parties regarding the intent to prepare the EIS, to provide and solicit information on the nature of the proposed project and possible alternatives, to invite public participation in the NEPA process (including providing comments on the scope of the EIS), and to announce that three public scoping meetings will be conducted.

DATES: A series of three public scoping meetings will be held in the project's study area. The public scoping meetings will be held the week of June 16, 2008 from 6 p.m. to 8 p.m. in the Towns of Wilton, Ridgefield, and New Milford, Connecticut. The following is the meeting schedule: Tuesday, June 17th 2008, E. Paul Martin Room, Town Hall, Top Floor, 10 Main Street, New Milford, CT 06776; Wednesday, June 18th, 2008, Town Hall Annex Building, Meeting Room A, 238 Danbury Road, Wilton, CT 06897; Thursday, June 19th 2008, Town Hall large conference room, Ridgefield Town Hall, 400 Main Street, Ridgefield, CT 06877. The project's initial statement of purpose and need, and the initial set of alternatives proposed for the study will be presented at these meetings. Comments may be given verbally or in writing at the scoping meeting. Every reasonable effort will be made to meet special needs. The meetings locations will be accessible to persons with disabilities. Individuals who require special accommodations, such as sign language interpreter, to participate in the meeting should contact Mr. Judd Everhart, Public Relations Office, Connecticut Department of Transportation, 2800 Berlin Turnpike, Newington, CT 06131–7546 or by telephone at (860) 594–3003.

Agency Scoping Meeting: An agency scoping meeting will be held on Tuesday, June 17, 2008, 1–3 p.m., City Hall, 155 Deer Hill Avenue, Danbury,

CT 06810. Meeting invitations along with the scoping information packet will be sent to all Federal, State, local and tribal governmental agencies that may have an interest in the proposed project.

ADDRESSES: Written comments should be sent to the following address by July 25, 2008: Mr. Andrew H. Davis, Connecticut Department of Transportation, 2800 Berlin Turnpike, Newington, CT 06131–7546 or [http://www.andrew.h.davis@po.state.ct.us](mailto:www.andrew.h.davis@po.state.ct.us). The locations of the scoping meetings are given above under **DATES**.

FOR FURTHER INFORMATION CONTACT: Mr. Donald Burns, AICP, Senior Planner, Region II, Federal Transit Administration, One Bowling Green, Room 429, New York, NY 10004. Telephone: (212) 668–2170.

SUPPLEMENTARY INFORMATION:

The Feasibility Study: Danbury Branch Electrification—Phase I (Feasibility Study), completed in 2006, developed the alternatives being considered in the Alternatives Analysis/Draft EIS (AA/DEIS) for the New Haven Line's commuter rail branch line service between Norwalk and Danbury. The Feasibility Study identified, reviewed, and evaluated a range of preliminary improvements to the Branch, including electrification, addition of passing sidings, extension of rail passenger commuter service to New Milford, and track realignments. Public information meetings were held on November 29, 2005 at the Wilton Town Hall Annex and on December 1, 2005 at the former New Milford Railroad Station, to present and discuss the results of the Feasibility Study and the alternatives recommended for further consideration in the AA/DEIS. A scoping coordination meeting was held on July 11, 2006 to discuss the scope of work with the Federal and State resource agencies, including the environmental resources to be investigated, the level of detail required for each resource, and further refinement of the alternatives.

The AA/DEIS will continue the evaluation initiated in the Feasibility Study with more detailed analysis. The Feasibility Study documentation and Final Report was published in May 2006 and can be viewed on the project Web site at <http://www.danburybranchstudy.com>.

I. Scoping

Scoping of the EIS will be accomplished through public meetings; e-mail and hard copy correspondence with interested individuals and organizations, Federal, State, and local agencies, and Native American Tribes;

and through a meeting with potential cooperating and participating public agencies. Interested parties may comment by: (1) Mailing or e-mailing written comments to the address under **ADDRESSES** above; or (2) attending one of the public scoping meetings described under **DATES** above. The FTA and ConnDOT invite all interested individuals and organizations, public agencies, and Native American Tribes to comment on the scope of the EIS including the project's purpose and need, the alternatives to be considered, the impacts to be evaluated, and the evaluation methodologies to be used. Comments at this stage should focus on refining the purpose and need statement, identifying alternatives to meet the purpose and need at lower cost or with less impact, and on identifying specific social, economic, or environmental impacts to be evaluated. The scoping period will end July 25, 2008. A scoping information packet will be posted on the project Web site at <http://www.danburybranchstudy.com> and hard copies of the packet will be distributed upon request.

During the scoping process, ConnDOT and FTA will comply with section 6002 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA–LU) requires that the lead agencies: (1) Extend an invitation to other Federal and non-Federal agencies and Native American tribes that may have an interest in the proposed project to become participating agencies; (2) provide an opportunity for involvement by participating agencies and the public in defining the purpose and need for the proposed project and the range of alternatives to be considered in the EIS; and (3) establish a plan for coordinating public and agency participation in, and comment on, the environmental review process.

II. Purpose and Need

The preliminary statement of the purpose of, and need for, the proposed project follows:

The purpose of the Danbury Branch Improvement Program and Electrification is to improve mobility options for the traveling public in the South Western and Housatonic Valley regions of Connecticut; to maintain and improve existing commuter rail service on the Branch, as well as to improve its feeder system and intermodal connections on the Branch; and to help reduce congestion in the Route 7 corridor between South Norwalk, CT and New Milford, CT.

To accomplish these purposes, the following specific objectives are defined:

- Improve interstate and intrastate transit mobility, along the north-south South Norwalk—New Milford Corridor.
- Examine enhancements to existing transit services in the corridor by electrifying the branch or portions of it.
- Enhance economic development and Transit Oriented Development (TOD) opportunities in conjunction with participating cities and towns land use plans.
- Improve mobility in the South Norwalk—New Milford Corridor by attracting trips to transit service.

Interested parties are invited to consider and comment on this preliminary statement of the purpose and need for the proposed project.

III. Alternatives

The general location of the study corridor is the existing Danbury Branch Rail Line which traverses 23.6 miles from South Norwalk, through Wilton, Cannondale, Branchville, Redding, and Bethel to Danbury, and the potential extension of the line 14.3 miles into New Milford. The project termini would be the existing branch line's southern terminus at its connection with the New Haven Line in South Norwalk, and the proposed new northern terminus in New Milford. The EIS will examine and evaluate a number of rail service and infrastructure improvement alternatives in the corridor. Additional alternatives generated by the scoping process as well as alternative station locations for the Build alternatives will also be considered.

The alternatives proposed for consideration in the EIS as a result of the Feasibility Study (2006) include: (A) The No-build alternative; (B) a Transportation System Management alternative, which include service improvements such as new outbound service, and express service; (C) South Norwalk to Danbury Improvements including electrification, addition of passing sidings, and minor track realignment; (D) extension of diesel passenger service from Danbury to New Milford with improvements including new stations and minor track realignment; and (E) partial electrification from South Norwalk to the vicinity of the Merritt 7 Station with feeder bus/rail service to complement the new service. The EIS will incorporate data and findings from the Final Report of the *Feasibility Study Danbury Branch Electrification (May 2006)*. Copies of this report are available from Mr. Andrew H. Davis of ConnDOT at the address shown above under

ADDRESSES and on the project Web site at <http://www.danburybranchstudy.com>.

Interested parties are invited to consider and comment on the alternatives proposed for consideration in the AA/DEIS.

IV. Probable Effects

FTA and ConnDOT will evaluate all significant environmental and community impacts of the alternatives that emerge from the scoping process. FTA expects the major issue to be rail noise and vibration impacts at nearby residences, property acquisition and relocation of the businesses and residences located on the acquired properties. These and any other impacts will be evaluated for both the construction period and for the long-term period of operation. Measures to mitigate adverse impacts will be developed for the AA/DEIS and finalized in the Final EIS. Interested parties are invited to consider and comment on the impacts to be evaluated in the AA/DEIS and on options and measures to avoid, minimize and mitigate adverse impacts.

V. FTA Procedures

In accordance with 23 CFR 771.105(a) and 771.133, FTA and ConnDOT will comply with all Federal environmental laws, regulations, and executive orders applicable to the proposed project during the environmental review process. These requirements include, but are not limited to, the environmental and public hearing provisions of Federal transit laws (49 U.S.C. 5301(e), 5323(b), and 5324); the project-level air quality conformity regulation of the U.S. Environmental Protection Agency (EPA) (40 CFR Part 93); Section 404(b)(1) guidelines of EPA (40 CFR Part 230); the regulation implementing Section 106 of the National Historic Preservation Act (36 CFR Part 800); the regulation implementing section 7 of the Endangered Species Act (50 CFR Part 402); Section 4(f) of the Department of Transportation Act (23 CFR part 774); and Executive Orders 12898 on Environmental Justice, 11988 on Floodplain Management, and 11990 on Wetlands.

ConnDOT anticipates seeking federal assistance from the FTA to fund the proposed project under 49 United States Code 5309 and will, therefore, be subject to regulations (49 Code of Federal Regulations (CFR) Part 611). Accordingly, following the public comment period for the AA/DEIS, ConnDOT will select a locally preferred alternative based on ridership forecasts,

service performance evaluation, estimated capital and operating costs, environmental impacts, social and economic impacts, and community support. ConnDOT will seek FTA approval to initiate Small Starts Project Development, and if FTA so approves, the Final EIS will be prepared in conjunction with the New Starts/Small Starts process.

Date Issued: May 21, 2008.

Brigid Hynes-Cherin,

Regional Administrator, Federal Transit Administration.

[FR Doc. E8-12098 Filed 5-29-08; 8:45 am]

BILLING CODE 4910-57-P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA-2008-0108]

Quiet Cars Notice of Public Meeting and Request for Comments

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Notice of public meeting, request for information.

SUMMARY: NHTSA is having a public meeting to bring together government policymakers, stakeholders from the blind community, industry representatives and public interest groups to discuss the safety of blind pedestrians encountering quiet cars including hybrids, all-electric vehicles and quiet internal combustion engine vehicles. This public meeting and the request for information, is an opportunity for an exchange among interested parties, as well as the public, on the technical and safety policy issues related to increasingly quieter cars and blind pedestrians. The date, time, location, and framework for this public meeting are announced in this notice.

DATES: *Public Meeting:* The public meeting will be held on June 23, 2008, from 9 a.m. to 3 p.m. at the Grand Hyatt Washington, Washington, DC.

Comments: Written comments may be submitted to the agency and must be received no later than August 1, 2008.

FOR FURTHER INFORMATION CONTACT: Mrs. Debbie Ascone, Office of the Senior Associate Administrator for Vehicle Safety, NHTSA, telephone 202-366-4383, e-mail Debbie.Ascone@dot.gov. She may also be reached at 1200 New Jersey Avenue, SE., Washington, DC 20590.

ADDRESSES: *Public meeting:* The public meeting will be held at the Grand Hyatt

Washington, 1000 H Street, NW., Washington, DC 20001, telephone: 202–637–4764.

Written comments: Written comments on this meeting and topic must refer to the docket number of this notice and be submitted by any of the following methods:

- **Federal eRulemaking Portal:** Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.

- **Fax:** 1–202–493–2251.

- **Mail:** Docket Management Facility, M–30, U.S. Department of Transportation, West Building, Ground Floor, Rm. W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590.

- **Hand Delivery:** West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., between 9 am and 5 pm Eastern Time, Monday through Friday, except Federal holidays.

Regardless of how you submit your comments, you should mention the docket number of this document.

You may call the Docket Management Facility at 202–366–9826.

Instructions: For detailed instructions on submitting comments, see the Procedural Matters section of this document. Note that all comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided.

SUPPLEMENTARY INFORMATION:

Background

According to R.L. Polk & Co, registration for new hybrid vehicles rose to 350,289 registrations in 2007.¹ While hybrid vehicles remain a small portion of new registered vehicles, registrations of hybrids increased 38% from 2006 to 2007. A hybrid electric vehicle (HEV) is more commonly defined as a vehicle which combines a conventional propulsion system (such as a gasoline or diesel engine) with an electric motor and has an on-board rechargeable energy storage system (such as batteries) to achieve better fuel economy than a conventional vehicle. HEVs prolong the charge on their batteries by capturing kinetic energy via regenerative braking, and some HEVs can use the combustion engine to generate electricity by spinning an electrical generator (often a motor-generator) to either recharge the battery or directly feed power to an electric motor that drives the vehicle. All HEVs have a start/stop system which can turn off the engine at idle and restart it when needed. Some hybrids are capable of being driven by only the electric motor at lower speeds (generally

up to 25 mph). As such, these vehicles can be significantly quieter than conventional gasoline powered vehicles.

Deborah Kent Stein discusses an emerging problem with HEVs in the following:

“When the hybrid is traveling at low speeds, the electric motor is very quiet. The problem arises when a hybrid car, powered by its electric motor, is traveling at slow to moderate speeds—as when it moves along a side street, emerges from a driveway or parking lot, or starts up after a red light or stop sign. Under these circumstances the engine is silent, and there is little or no sound from tire friction or wind resistance. In addition nearly all hybrids come to a full stop at red lights or stop signs, shutting off the engine completely. The engine does not idle, emitting a low, telltale purr. It makes no sound at all. A blind traveler has no indication that a car is present and preparing to move forward at any moment.”²

Mrs. Stein, chairman for the National Federation of the Blind (NFB), Committee on Automobile and Pedestrian Safety/Quiet Cars made this statement in the article “Stop, Look and Listen: Quiet Vehicles and Pedestrian Safety,” in the June 2005 issue of *The Braille Monitor*. NHTSA recognizes this is a potential safety problem and is responding to the concern and investigating the hazard of quieter vehicles to pedestrians, cyclists and others who need to be aware of approaching cars that are out of their line of sight.

While the size of the specific problem is currently unknown, the total number of pedestrian crashes in 2006 was 65,404 resulting in 4,784 fatalities and an estimated 61,000 injuries.

Since August 2007, NHTSA has been working through the Society of Automotive Engineers International (SAE) to identify effective ways to address the safety issue with quieter vehicles. The Alliance of Automobile Manufacturers and the Association of International Automobile Manufacturers, along with the SAE have formed the Vehicle Sound for Pedestrians Subcommittee under the SAE Safety and Human Factors Committee.³ This subcommittee, Vehicle Sounds for Pedestrians (VSP), created the three following Task Forces to gather information to assist in determining the technical approaches to address the problem: Audience for specification, target sound level, and type of sound and driving conditions for the sound. The VSP subcommittee is currently working to both define the

issue and understand the conditions in which these types of incidents occur and expects to propose and evaluate different methods to address the issues as these factors are better understood.

Further work of the VSP subcommittee will explore: who will benefit from the establishment of a minimum sound level for motor vehicles, what that sound level should be and the type of sound that will be necessary to have the desired effect, and under what vehicle and ambient conditions the sound is required to be heard and measured. The subcommittee is currently in the data gathering stage: what incidents have happened, where, and under what conditions. Different data sources have been identified and approached. Concurrently, the task force on sound measurement is preparing an outline for a test procedure to measure vehicle operating sounds.

Thus far, this group of human factors experts also includes a member of the American Council for the Blind and a representative of NHTSA. The group is regularly meeting at four-week intervals to study possible ways of improving the detection of quiet cars by pedestrians and to explore the feasibility of proposing an SAE Recommended Practice. In addition to the SAE initiative, NFB has commissioned Dr. Lawrence Rosenblum at the University of California-Riverside to investigate the sound made by hybrids and people's ability to detect them. At Stanford University, with financial help from the NFB, researchers have developed a prototype sound generating device that receives information about the vehicle function and transmits the information to speakers placed on the vehicle. While this vehicle-based system is one potential countermeasure for quieter vehicles, NHTSA, the automotive industry and the SAE subcommittee will continue their efforts to identify the most appropriate and effective countermeasures. In the United States House of Representatives, a bill has been introduced entitled the “Pedestrian Safety Enhancement Act of 2008,” which, if enacted, requires the Secretary of Transportation to study and establish a motor vehicle safety standard that provides for a means of alerting blind and other pedestrians of motor vehicle operation.⁴ Additionally, in December 2007, NHTSA met with representatives of the NFB to discuss this issue.

² Stop, Look, and Listen: Quiet Vehicles and Pedestrian Safety by Deborah Kent Stein; from: *The Braille Monitor*, June 2005.

³ <http://www.sae.org/servlets/works/committeeHome.do?comtID=TEITSSHF>.

⁴ <http://thomas.loc.gov/cgi-bin/query/D?c110:1:/temp/~c110LBX77::>

¹ http://usa.polk.com/news/latestnews/news_2008_0421_hybrids.htm.

Public Meeting

NHTSA is having this public meeting to discuss the technical and safety policy issues associated with the increasing presence of quieter cars and the risks to blind pedestrians. The meeting will bring together State and local government policy makers, stakeholders in the blind community, industry representatives and public interest groups.

The meeting will be open to the public, but presentations will be by invitation only. Time will be designated for open floor discussion by the general audience. Meeting participants and the public are also invited to submit comments on this issue to the docket. All materials to be presented are asked to be submitted to NHTSA in advance for appropriate dissemination to visually impaired attendees.

The sections below describe the discussion of topics for the meeting.

Statement of Problem

Representatives of the blind community will discuss the problem facing blind pedestrians around quieter vehicles. The discussion should include the explanation and known size of the problem. The presentations should identify specific situations in which vehicles are hard to hear, the sound cues that are necessary in detecting a vehicle and which of those cues are absent in those problematic locations. To gain a better understanding of the desired outcome to this problem, representatives of the blind community should discuss general ways to increase the safety of blind pedestrians and potential solutions—both desirable and undesirable to the blind community.

Pedestrian Safety

Pedestrian safety is a difficult but important issue both nationally and internationally. Presentations should discuss pedestrian safety in general as well as specifically related to the blind community. Any known incidents with pedestrians, in general and involving the blind, and quieter vehicles will be detailed. Data collection challenges should also be discussed as well as the needs to improve this data collection. There will also be discussion of current technologies to aide the blind community in safer pedestrian travel. A NHTSA representative will discuss ongoing and planned activities for pedestrian safety, identifying potential activities that could be enhanced for the blind. A representative from the international vehicle safety community will present information about the problem globally as well as work in

other nations to address pedestrians and quieter vehicles. The discussion should also include international standards for pedestrian safety and any potential solutions for this problem that have been researched internationally.

Sound Measurement and Mobility

In developing a solution to assist blind pedestrians around quieter cars, a few fundamental questions must be addressed. Presentations on this topic should include discussions of which sounds of a vehicle should be measured and the means by which to measure that sound. Any studies into this area should also be included. Sound experts should also describe average noise levels as reference points for the audience as well as extreme noise levels—both low and high extremes. A mobility expert should discuss sound cues for blind individuals and any measurement studies related to the field. There should also be discussion on mobility in rural areas and locations that lack the infrastructure for technology.

Automotive Industry Perspective

A representative from the automobile industry should speak about how the industry is addressing the problem. The discussion should include information on what current and future vehicles would qualify as quiet cars as well as what features of the car cause the reduction in sound. The automobile industry representative should also discuss what the industry is willing to commit to, product development and lead time for vehicle-based solutions.

SAE Work and Status

As was discussed previously, SAE has a subcommittee dedicated to this topic and has active working groups looking at specific details. An SAE spokesperson will discuss the process in general and the current status of this work. Additional details of the working groups should be laid out at the meeting and the representative should describe the needs of the subcommittee to continue work and expedite both the work and the process.

Potential Solutions

Research into potential ways to address this issue should include vehicle-, person-, and infrastructure-based approaches. Presentations should include current and past research into each of these areas, literature and conclusions from such. Product development, effectiveness, lead time, cost and public acceptance of solutions should also be discussed. Any potential solution that is currently marketed or planned for market would be included

in this discussion as well as the history of the development of the product.

Noise Abatement

While the lower sound of vehicles presents a safety concern for blind pedestrians, it also provides a solution to the health concern arising from noise pollution. Presentations on this topic should include federal and local perspective on noise pollution as well as the jurisdiction of noise pollution laws. The discussion should also include studies about what levels of sound are dangerous to health and studies into the magnification of sound presented by large numbers of vehicles or vehicles in confined spaces. Current or planned efforts to reduce the sound emitted by vehicles should also be discussed along with supporting research into determination of said maximum levels.

Procedural Matters

The meeting will be open to the public with advanced registration for seating on a space-available basis. Individuals wishing to register to assure a seat in the public seating area should provide their name, affiliation, phone number and e-mail address to Mrs. Debbie Ascone using the contact information at the beginning of this notice. Should it be necessary to cancel the meeting due to an emergency or some other reason, NHTSA will take all available means to notify registered participants by e-mail or telephone.

The meeting will be held at a site accessible to individuals with disabilities. Individuals who require accommodations such as sign language interpreters should contact Ms. Debbie Ascone by June 16, 2008. All written materials to be presented at the meeting will be available electronically on the day of the meeting to accommodate the needs of the visually impaired. A transcript of the meeting and other information received by NHTSA at the meeting will be placed in the docket for this notice at a later date.

How can I submit comments on this subject?

It is not necessary to attend or to speak at the public meeting to be able to comment on the issues. NHTSA invites readers to submit written comments which the agency will consider in its research and proceedings with the safety of quiet cars and pedestrians.

How do I prepare and submit comments?

Your comments must be written and in English. To ensure that your

comments are correctly filed in the Docket, please include the docket number of this document in your comments.

Your primary comments must not be more than 15 pages long (49 CFR 553.21). However, you may attach additional documents to your primary comments. There is no limit on the length of the attachments.

Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477–78) or you may visit <http://regulations.gov>.

How can I be sure that my comments were received?

If you wish Docket Management to notify you upon its receipt of your comments, enclose a self-addressed, stamped postcard in the envelope containing your comments. Upon receiving your comments, Docket Management will return the postcard by mail.

How do I submit confidential business information?

If you wish to submit any information under a claim of confidentiality, send three copies of your complete submission, including the information you claim to be confidential business information, to the Chief Counsel, National Highway Traffic Safety Administration, 1200 New Jersey Ave., SE., Washington, DC 20590. Include a cover letter supplying the information specified in our confidential business information regulation (49 CFR part 512).

In addition, send two copies from which you have deleted the claimed confidential business information to Docket Management, 1200 New Jersey Ave., SE., West Building, Room W12–140, Washington, DC 20590, or submit them electronically, in the manner described at the beginning of this notice.

Will the agency consider late comments?

We will consider all comments that Docket Management receives before the close of business on the comment closing date indicated above under **DATES**. To the extent possible, we will also consider comments that Docket Management receives after that date.

Please note that even after the comment closing date, we will continue

to file relevant information in the docket as it becomes available. Further, some people may submit late comments. Accordingly, we recommend that you periodically check the docket for new material.

How can I read the comments submitted by other people?

You may read the materials placed in the docket for this document (e.g., the comments submitted in response to this document by other interested persons) at any time by going to <http://www.regulations.gov>. Follow the online instructions for accessing the dockets. You may also read the materials at the Docket Management Facility by going to the street address given above under **ADDRESSES**. The Docket Management Facility is open between 9 a.m. and 5 p.m. Eastern Time, Monday through Friday, except Federal holidays.

Authority: 49 U.S.C. 30111, 30168; delegation of authority at 49 CFR 1.50 and 501.8.

Ronald L. Medford,

Senior Associate Administrator, Vehicle Safety.

[FR Doc. E8–12041 Filed 5–29–08; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 34284]

Southwest Gulf Railroad Company— Construction and Operation Exemption—in Medina County, TX

AGENCY: Surface Transportation Board.

ACTION: Notice of Availability of a Final Environmental Impact Statement (FEIS).

SUMMARY: On February 27, 2003, Southwest Gulf Railroad Company (SGR) filed a petition with the Surface Transportation Board (Board) pursuant to 49 U.S.C. 10502 for authority to construct and operate a rail line approximately seven miles long from a Vulcan Construction Materials, LP (VCM) proposed limestone quarry to a Union Pacific Railroad Company (UP) rail line near Dunlay, Texas. SGR proposed construction and operation of the rail line to transport limestone aggregate from VCM's proposed quarry to the UP rail line. SGR anticipates operating approximately four trains per day (comprising two inbound empty and two outbound loaded trains). Each train would consist of 100 railcars.

The Board's Section of Environmental Analysis (SEA) has prepared the FEIS was pursuant to the National

Environmental Policy Act of 1969 (NEPA), 42 United States Code (U.S.C.) 4321 *et seq.* Under NEPA, the Board must consider the environmental impacts of actions requiring Board authorization and complete its environmental review before making a final decision on a proposed action. SEA is the office within the Board that carries out the Board's responsibilities and related environmental laws and regulations, including the Council on Environmental Quality's (CEQ) regulations for implementing NEPA at 40 CFR Part 1500; the Board's environmental regulations at 49 CFR Part 1105; and the Section 106 National Historic Preservation Act of 1966 (NHPA) process.

DATES: This notice is effective on May 30, 2008.

ADDRESSES: Copies of the FEIS have been served on all interested parties and will be made available to additional parties upon request. The entire FEIS is also available for review on the Board's Web site (<http://www.stb.dot.gov>) by clicking on the "Decisions and Notices" link, then "E-LIBRARY" and searching by the Service Date (May 30, 2008) or Docket Number (FD 34284). Copies of the FEIS will also be available for public review at the following locations (hours vary, contact individual repositories for available times): the Hondo Public Library at 1011 19th Street, Hondo, Texas, telephone: (830) 426–5333; the Castroville Public Library, 802 London Street, Castroville, Texas, telephone: (830) 931–4095; and the San Antonio Central Library, 600 Soledad, San Antonio, Texas, telephone: (210) 207–2500.

FOR FURTHER INFORMATION CONTACT:

Diana Wood, Section of Environmental Analysis, Surface Transportation Board, 395 E Street, SW., Washington, DC 20423–0001, telephone (202) 245–0302, fax (202) 245–0454, or by e-mail at woodd@stb.dot.gov. Assistance for the hearing impaired is available through the Federal Information Relay Service at 1–800–877–8339.

SUPPLEMENTARY INFORMATION: SEA issued a Draft Environmental Impact Statement (DEIS) on November 5, 2004, for public review and comment. The DEIS evaluated the potential environmental impacts that could result from SGR's proposed rail line construction and operation, as well as four alternatives (including the No-Action Alternative) to SGR's Proposed Route and recommended mitigation that could be undertaken to reduce the potential impacts identified. In response to the DEIS, SEA received approximately 120 written comment

letters, as well as oral comments submitted at two public meetings held in Hondo, Texas, on December 2, 2004. After carefully reviewing all comments received, as well as additional information about the project proposal submitted by SGR, SEA decided to prepare a Supplemental Draft Environmental Impact Statement (SDEIS). The SDEIS focused on three specific matters: (1) To seek to avoid potential impacts to the historically sensitive Quihi area, it evaluated three Eastern Alternative rail routes that were not studied in detail in the DEIS and compared these three alternative routes to the four rail routes previously studied in the DEIS and to the No-Action Alternative; (2) it discussed the progress of additional historic property identification efforts following issuance of the DEIS; and (3) it provided an additional noise analysis that SEA performed based on updated operational data provided by SGR indicating that trains may operate during nighttime hours. The three eastern alternative rail routes evaluated in the SDEIS are (1) The Eastern Bypass Route, (2) the MCEAA Medina Dam Alternative, and (3) SGR's Medina Dam Modified Route. SEA also determined that a more detailed study of three rural historic landscape districts in the area (the Quihi Rural Historic District, the New Fountain Rural Historic District, and the Upper Quihi Rural Historic District) was warranted. This study was completed and included in the SDEIS. In response to the SDEIS, SEA received 237 written comments.

The FEIS provides a summary of all the comments received on the DEIS and SDEIS with SEA's corresponding responses. In response to concerns raised during the SDEIS process, the FEIS presents the Modified Eastern Bypass Route, a modification to the Eastern Bypass Route. The modification would follow the same right-of-way as the Eastern Bypass Route, but instead of bisecting the Weiblen property and Castoville West Subdivision, it would closely follow property lines to the extent practicable to minimize adverse impacts to the Weiblen and Castoville West properties, and finally connect to the Proposed Route in the southern end of the alignment before connecting to the UP main line.

SEA has concluded that the following Eastern Alternatives (the Eastern Bypass Route, the Modified Eastern Bypass Route, and the MCEAA Medina Dam Alternative) would be the environmentally preferred alignments. Should the Board authorize construction and operation of the proposed rail line, SEA recommends

that it authorize all of these routes, subject to the 91 environmental mitigation measures set out in this FEIS. These conditions, which address a number of environmental resource areas, such as groundwater; surface water and wetlands; traffic safety; noise and vibration; biological resources; air quality; land use; and historic preservation, would minimize the potential adverse environmental effects of the construction and operation of the proposal. One of the conditions requires compliance with a Programmatic Agreement, which has been signed by all the necessary parties, setting out a process for addressing potential impacts to historic sites under any of the Eastern Alternatives.

Issuance of this FEIS completes the Board's environmental review process. The Board will now make a final decision on the proposed project. In the interest of bringing this matter to closure, the Board will act as promptly as possible.

In making its final decision on the proposed project, the Board will consider the entire environmental record, including all public comments, the DEIS, the SDEIS, the FEIS, and SEA's final recommended mitigation. No project-related construction may begin until the Board's final decision has been issued and has become effective. Parties who wish to file an administrative appeal of the Board's final decision may do so in writing within 30 days from the publication of the notice of the FEIS. SEA anticipates that EPA will publish its Notice of Availability of the FEIS in the **Federal Register** on June 6, 2008 and that the deadline for filing administrative appeals will be July 7, 2008.

Decided: May 30, 2008.

By the Board, Victoria Rutson, Chief,
Section of Environmental Analysis.

Anne K. Quinlan,
Acting Secretary.

[FR Doc. E8-11954 Filed 5-29-08; 8:45 am]

BILLING CODE 4915-01-P

DEPARTMENT OF THE TREASURY

Community Development Financial Institutions Fund

Proposed Collection; Comment Request

ACTION: Notice and request for comments.

SUMMARY: The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and

other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law No. 104-13 (44 U.S.C. 3506(c)(2)(A)). Currently, the Community Development Financial Institutions Fund (the "CDFI Fund") within the Department of the Treasury is soliciting comments concerning the Community Development Financial Institutions ("CDFI") Program: Certification/Re-certification Application located at <http://www.cdfifund.gov>.

DATES: Written comments should be received on or before July 29, 2008 to be assured of consideration.

ADDRESSES: Direct all comments to Linda G. Davenport, Deputy Director for Policy and Programs, Community Development Financial Institutions Fund, U.S. Department of the Treasury, 601 13th Street, NW., Suite 200 South, Washington, DC 20005, Facsimile Number (202) 622-7754.

FOR FURTHER INFORMATION CONTACT: The Certification/Re-certification application may be obtained from the CDFI Fund's Web site at <http://www.cdfifund.gov>. Requests for additional information should be directed to Linda G. Davenport, Deputy Director for Policy and Programs, Community Development Financial Institutions Fund, U.S. Department of the Treasury, 601 13th Street, NW., Suite 200 South, Washington, DC 20005, or call (202) 622-8662. This is not a toll free number.

SUPPLEMENTARY INFORMATION:

Title: The Community Development Financial Institutions Program—Certification/Re-Certification Application.

OMB Number: 1559-0028.

Abstract: The purpose of the CDFI Program is to promote economic revitalization and community development through investment in and assistance to certified CDFIs and entities seeking CDFI certification. Through the CDFI Program, the CDFI Fund makes financial investments in and provides technical assistance grants to CDFIs and organizations seeking CDFI certification that have comprehensive business plans for creating demonstrable community development impact through the deployment of capital within their respective target markets for community development finance purposes. In order to be certified as a CDFI, an entity must submit an application for certification to the CDFI Fund.

Type of review: Extension.

Affected Public: Not-for-profit institutions, businesses or other for-profit institutions and tribal entities.

Estimated Number of Respondents: 300.

Estimated Annual Time Per Respondent: 37.5 hours.

Estimated Total Annual Burden Hours: 11,250 hours.

Requests 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 CDFI Fund, including whether the information shall have practical utility; (b) the accuracy of the CDFI Fund'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 technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Authority: 12 U.S.C. 4703, 4703 note, 4704, 4706, 4707, 4717; 12 CFR part 1805.

Dated: May 27, 2008.

Donna Gambrell,

Director, Community Development Financial Institutions Fund.

[FR Doc. E8-12089 Filed 5-29-08; 8:45 am]

BILLING CODE 4810-70-P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[REG-165868-01]

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, REG-165868-

01, Ten or More Employer Plan Compliance Information (§ 419A(f)(6)).

DATES: Written comments should be received on or before July 29, 2008 to be assured of consideration.

ADDRESSES: Direct all written comments to Glenn P. Kirkland, Internal Revenue Service, Room 6129, 1111 Constitution Avenue, NW., Washington, DC 20224.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the regulations should be directed to Allan Hopkins, at (202) 622-6665, or at Internal Revenue Service, Room 6129, 1111 Constitution Avenue, NW., Washington, DC 20224, or through the internet, at Allan.M.Hopkins@irs.gov.

SUPPLEMENTARY INFORMATION:

Title: Ten or More Employer Plan Compliance Information.

OMB Number: 1545-1795.

Regulation Project Number: REG-165868-01.

Abstract: The regulation allows the Internal Revenue Service and participating employers to verify that a ten-or-more employer welfare benefit plan complies with the requirements of section 419A(f)(6) of the Internal Revenue Code. Respondents are administrators of Ten-or-more employer plans.

Current Actions: There is no change to this existing regulation.

Type of Review: Extension of a currently approved collection.

Affected Public: Business or other for-profit or not-for-profit institutions.

Estimated Number of Respondents: 100.

Estimated Total Burden Hours: 2,500.

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: May 20, 2008.

Glenn Kirkland,

IRS Reports Clearance Officer.

[FR Doc. E8-12052 Filed 5-29-08; 8:45 am]

BILLING CODE 4830-01-P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[REG-159243-03]

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 notice of temporary and proposed rulemaking, REG-159243-03, Residence and Source Rules Involving U.S. Possessions and Other Conforming Changes.

DATES: Written comments should be received on or before July 29, 2008 to be assured of consideration.

ADDRESSES: Direct all written comments to Glenn Kirkland, Internal Revenue Service, room 6129, 1111 Constitution Avenue, NW., Washington, DC 20224.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of this regulation should be directed to Allan Hopkins, at (202) 622-6665, or at Internal Revenue Service, room 6129, 1111 Constitution Avenue, NW., Washington, DC 20224, or through the internet, at Allan.M.Hopkins@irs.gov.

SUPPLEMENTARY INFORMATION:

Title: Residence and Source Rules Involving U.S. Possessions and Other Conforming Changes.

OMB Number: 1545–1930.

Regulation Project Number: REG–159243–03.

Abstract: The regulations provide rules for determining whether an individual is a bona fide resident of a U.S. possession and whether income is derived from sources in a possession or effectively connected with the conduct of a trade of business in a possession.

Current Actions: There is no change to this proposed regulation.

Type of Review: Extension of a currently approved collection.

Affected Public: Individuals or households or businesses or other for-profit organizations.

Estimated Number of Respondents: 75,000.

Estimated Total Burden Hours: 300,000.

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: May 20, 2008.

Glenn Kirkland,

IRS Reports Clearance Officer.

[FR Doc. E8–12058 Filed 5–29–08; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Proposed Collection; Comment Request for Notice 2002–27

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 Notice 2002–27, IRA Required Minimum Distribution Reporting.

DATES: Written comments should be received on or before July 29, 2008 to be assured of consideration.

ADDRESSES: Direct all written comments to Glenn P. Kirkland, Internal Revenue Service, room 6129, 1111 Constitution Avenue NW., Washington, DC 20224.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of notice should be directed to Allan Hopkins, at (202) 622–6665, or at Internal Revenue Service, room 6129, 1111 Constitution Avenue, NW., Washington, DC 20224, or through the internet, at Allan.M.Hopkins@irs.gov.

SUPPLEMENTARY INFORMATION:

Title: IRA Required Minimum Distribution Reporting.

OMB Number: 1545–1779.

Notice Number: Notice 2002–27.

Abstract: Notice 2002–27 provides guidance with respect to the reporting requirements, that is, data that custodians and trustees of IRAs must furnish IRA owners in those instances where there must be a minimum distribution from an individual retirement arrangement.

Current Actions: There are no changes being made to the notice at this time.

Type of Review: Extension of a currently approved collection.

Affected Public: Business or other for-profit organizations, and not-for-profit institutions.

Estimated Number of Respondents: 78,000.

Estimated Average Time Per Respondent: 15 hours.

Estimated Total Annual Burden Hours: 1,170,000.

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: May 20, 2008.

Glenn Kirkland,

IRS Reports Clearance Officer.

[FR Doc. E8–12059 Filed 5–29–08; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Proposed Collection; Comment Request for Form 8848

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 Form 8848, Consent to Extend the Time To

Assess the Branch Profits Tax Under Regulations Sections 1.884-2(a) and (c).

DATES: Written comments should be received on or before July 29, 2008 to be assured of consideration.

ADDRESSES: Direct all written comments to Glenn P. Kirkland, Internal Revenue Service, room 6129, 1111 Constitution Avenue, NW., Washington, DC 20224.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the form and instructions should be directed to Allan Hopkins, at (202) 622-6665, or at Internal Revenue Service, room 6129, 1111 Constitution Avenue, NW., Washington, DC 20224, or through the internet, at Allan.M.Hopkins@irs.gov.

SUPPLEMENTARY INFORMATION:

Title: Consent To Extend the Time To Assess the Branch Profits Tax Under Regulations Sections 1.884-2(a) and (c).

OMB Number: 1545-1407.

Form Number: 8848.

Abstract: Form 8848 is used by foreign corporations that have (a) completely terminated all of their U.S. trade or business within the meaning of temporary regulations sections 1.884-2T(a) during the tax year, or (b) transferred their U.S. assets to a domestic corporation in a transaction described in Code section 381(a), if the foreign corporation was engaged in a U.S. trade or business at that time.

Current Actions: There are no changes being made to the form at this time.

Type of Review: Extension of a currently approved collection.

Affected Public: Business or other for-profit organizations.

Estimated Number of Respondents: 5,000.

Estimated Time Per Respondent: 5 hours, 46 minutes.

Estimated Total Annual Burden Hours: 22,500.

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: May 20, 2008.

Glenn P. Kirkland,

IRS Reports Clearance Officer.

[FR Doc. E8-12063 Filed 5-29-08; 8:45 am]

BILLING CODE 4830-01-P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Electronic Tax Administration Advisory Committee (ETAAC)

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of open meeting.

SUMMARY: In 1998 the Internal Revenue Service established the Electronic Tax Administration Advisory Committee (ETAAC). The primary purpose of ETAAC is for industry partners to provide an organized public forum for discussion of electronic tax administration issues in support of the overriding goal that paperless filing should be the preferred and most convenient method of filing tax and information returns. ETAAC offers constructive observations about current or proposed policies, programs, and procedures, and suggests improvements. Listed is a summary of the agenda along with the planned discussion topics.

Summarized Agenda

8:30 a.m. Meet and Greet.

9 a.m. Meeting Opens.

10:30 a.m. Meeting Adjourns.

The planned discussion topics are:

(1) Remarks from the Director of Electronic Tax Administration;

(2) Draft 2008 Report to Congress Discussion.

Note: Last-minute changes to these topics are possible and could prevent advance notice.

DATES: There will be a meeting of ETAAC on Thursday, June 19, 2008. You must register in advance to be put on the guest list and be able to show your state issued picture identification to attend the meeting. This meeting will be open to the public, and will be in a room that accommodates approximately 40 people, including members of ETAAC and IRS officials. Seats are available to members of the public on a first-come, first-served basis. Escorts will be provided so attendees are encouraged to arrive at least 30 minutes before the meeting begins.

ADDRESSES: The meeting will be held at the Internal Revenue Service, 1111 Constitution Avenue, NW., Room 2116, Washington, DC 20224.

FOR FURTHER INFORMATION CONTACT: You must provide your name to me in advance for the guest list and be able to show your state issued picture identification on the day of the meeting. Otherwise, you will not be able to attend the meeting as this is a secured building. To receive a copy of the agenda or general information about ETAAC, please contact Cassandra Daniels on 202-283-2178 or at etaac@irs.gov by Monday, June 16, 2008. Notification of intent should include your name, organization and telephone number. Please spell out all names if you leave a voice message.

SUPPLEMENTARY INFORMATION: ETAAC reports to the Director, Electronic Tax Administration, who is also the executive responsible for the electronic tax administration program. Increasing participation by external stakeholders in the development and implementation of the strategy for electronic tax administration will help IRS achieve the goal that paperless filing should be the preferred and most convenient method of filing tax and information returns.

ETAAC members are not paid for their time or services, but consistent with Federal regulations, they are reimbursed for their travel and lodging expenses to attend the public meetings, working sessions, and an orientation each year.

Dated: May 23, 2008.

Phyllis Gattos,

Acting Executive Director, Strategic Services Division.

[FR Doc. E8-12049 Filed 5-29-08; 8:45 am]

BILLING CODE 4830-01-P



Federal Register

**Friday,
May 30, 2008**

Part II

Department of Homeland Security

U.S. Customs and Border Protection

**Distribution of Continued Dumping and
Subsidy Offset to Affected Domestic
Producers; Notice**

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

Distribution of Continued Dumping and Subsidy Offset to Affected Domestic Producers

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: Notice of intent to distribute offset for Fiscal Year 2008.

SUMMARY: Pursuant to the Continued Dumping and Subsidy Offset Act of 2000, this document is U.S. Customs and Border Protection's notice of intent to distribute assessed antidumping or countervailing duties (known as the continued dumping and subsidy offset) for Fiscal Year 2008 in connection with countervailing duty orders, antidumping duty orders, or findings under the Antidumping Act of 1921. This document sets forth the case name and number of each order or finding for which funds may become available for distribution, together with the list of affected domestic producers, based on the list supplied by the United States International Trade Commission (USITC) associated with each order or finding, who are potentially eligible to receive a distribution. This document also provides the instructions for affected domestic producers (and anyone alleging eligibility to receive a distribution) to file certifications to claim a distribution in relation to the listed orders or findings.

DATES: Certifications to obtain a continued dumping and subsidy offset under a particular order or finding must be received by July 29, 2008. Any certification received after July 29, 2008 will be denied, making claimants ineligible for the distribution.

ADDRESSES: Certifications and any other correspondence should be addressed to the Assistant Commissioner, Office of Finance, U.S. Customs and Border Protection, Revenue Division, Attention: Leigh Redelman, 6650 Telecom Drive Suite 100, Indianapolis, IN 46278. Any delivery by an express or courier service requiring a street address may be addressed to 6650 Telecom Drive, Suite 100, Indianapolis, IN 46278.

FOR FURTHER INFORMATION CONTACT: For general questions regarding preparation of certifications, contact Leigh Redelman, Revenue Division, (317) 614-4462. For questions regarding legal aspects, contact William G. Rosoff, Office of International Trade, Regulations and Rulings, (202) 572-8807.

SUPPLEMENTARY INFORMATION:

Background

The Continued Dumping and Subsidy Offset Act of 2000 (CDSOA) was enacted on October 28, 2000, as part of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (the "Act"). The provisions of the CDSOA are contained in title X (§§ 1001–1003) of the Act.

The CDSOA, in § 1003 of the Act, amended title VII of the Tariff Act of 1930, as amended, by adding a new § 754 (codified at 19 U.S.C. 1675c) in order to provide that assessed duties received pursuant to a countervailing duty order, an antidumping duty order, or a finding under the Antidumping Act of 1921 will be distributed to affected domestic producers for certain qualifying expenditures that these producers incur after the issuance of such an order or finding. The term "affected domestic producer" means any manufacturer, producer, farmer, rancher or worker representative (including associations of such persons) who:

(A) Was a petitioner or interested party in support of a petition with respect to which an antidumping order, a finding under the Antidumping Act of 1921, or a countervailing duty order that has been entered,

(B) Remains in operation continuing to produce the product covered by a countervailing duty order, an antidumping duty order, or a finding under the Antidumping Act of 1921, and

(C) If a company, has not been acquired by another company or business that is related to a company that opposed the antidumping or countervailing duty investigation that led to the order or finding, *e.g.*, opposed the petition or otherwise presented evidence in opposition to the petition.

The distribution that these parties may receive is known as the continued dumping and subsidy offset.

Section 7601(a) of the Deficit Reduction Act of 2005 repealed 19 U.S.C. 1675c. According to § 7701 of the Deficit Reduction Act, the repeal takes effect as if enacted on October 1, 2005. However, § 7601(b) provides that all duties collected on an entry filed before October 1, 2007, shall be distributed as if 19 U.S.C. 1675c had not been repealed by § 7601(a).

Consequently, the full impact of the CDSOA repeal on amounts available for distribution may be delayed for several years. First, money collected on an entry filed before October 1, 2007, will continue to be subject to the distribution

procedures under former § 1675c. Second, the duty on an entry is not available for distribution until the entry is liquidated pursuant to the direction of the Department of Commerce and the duty is collected and deposited into the special account; therefore, the distribution process will continue until all entries made before October 1, 2007, are liquidated and the duties are collected. Because of the statutory constraints in the assessments of antidumping and countervailing duties, the distribution process will be continued for an undetermined period; however, the amount of money available for distribution can be expected to diminish over time. It should also be noted that amounts distributed may be subject to recovery as a result of reliquidations, court actions, administrative errors, and other reasons.

List of Orders or Findings and Affected Domestic Producers

It is the responsibility of the U.S. International Trade Commission (USITC) to ascertain and timely forward to U.S. Customs and Border Protection (CBP) a list of the affected domestic producers that are potentially eligible to receive an offset in connection with an order or finding. In this regard, it is noted that the USITC has supplied CBP with the list of individual antidumping and countervailing duty cases, and the affected domestic producers associated with each case who are potentially eligible to receive an offset. This list appears at the end of this document.

Recent decisions by the Court of International Trade (CIT) have interpreted various provisions of the CDSOA, particularly those related to the definition of the term "affected domestic producer." In *Pat Huval Restaurant & Oyster Bar, Inc. v. United States*, 2008 Ct. Int'l Trade LEXIS 23, Slip Op. 08–26 (Ct. Int'l Trade Mar. 3, 2008), the CIT held that a domestic producer's failure to file timely certifications in certain fiscal years was not necessarily a bar to seeking judicial review for disbursements made within two years of filing suit because "Customs could have done nothing but reject them." In both *SKF USA Inc. v. United States*, 451 F. Supp. 2d 1355, 1366 (Ct. Int'l Trade 2006), and *PS Chez Sidney, L.L.C. v. United States ITC*, 502 F. Supp. 2d 1318, 1325 (Ct. Int'l Trade 2007), the CIT held that the CDSOA's support requirement was unconstitutional and severed this requirement for eligibility. As a result of these decisions and a number of other pending cases, CBP has calculated and withheld from distribution an amount corresponding to the pro-rata share of

all domestic producers who have filed timely and facially accurate certifications starting in 2006, despite the fact that some claimants may not have appeared on the ITC list. Therefore, at a minimum, even under the relevant court decisions, it would not have been futile for domestic producers not appearing on the ITC list to file certifications starting in fiscal year 2006. CBP will determine the proper recipients of these funds once certain legal issues are resolved. As a result, domestic producers who are not on the USITC list but believe they nonetheless are eligible for a CDSOA distribution under one or more antidumping and/or countervailing duty cases are required, as are all potential claimants that expressly appear on the list, to file their certification(s) within 60 days after this notice is published. Certifications that are not timely filed within the requisite 60 days will be summarily denied.

Regulations Implementing the CDSOA

It is noted that CBP published Treasury Decision (T.D.) 01-68 (Distribution of Continued Dumping and Subsidy Offset to Affected Domestic Producers) in the **Federal Register** (66 FR 48546) on September 21, 2001, which was effective as of that date, in order to implement the CDSOA. The final rule added a new subpart F to part 159 of title 19, Code of Federal Regulations (19 CFR part 159, subpart F (§§ 159.61–159.64)). More specific guidance regarding the filing of certifications is provided in this notice in order to aid affected domestic producers and other domestic producers alleging eligibility (“claimants” or “domestic producers”).

Notice of Intent To Distribute Offset

This document announces that CBP intends to distribute to affected domestic producers the assessed antidumping or countervailing duties that are available for distribution in Fiscal Year 2008 in connection with those antidumping duty orders or findings or countervailing duty orders that are listed in this document. Section 159.62(a) of title 19 (19 CFR 159.62(a)) provides that CBP will publish such a notice of intention to distribute assessed duties at least 90 calendar days before the end of a fiscal year. Failure to publish the notice at least 90 calendar days before the end of the fiscal year will not impact an affected domestic producer's obligation to file a timely certification within 60 days after the notice is published.

Certifications; Submission and Content

To obtain a distribution of the offset under a given order or finding, an affected domestic producer (and anyone alleging eligibility to receive a distribution) must submit a certification for each order or finding under which a distribution is sought, to CBP, indicating their desire to receive a distribution. To be eligible to obtain a distribution, certifications must be received by CBP no later than 60 calendar days after the date of publication of this notice of intent to distribute in the **Federal Register**. All certifications not received by the 60th day will not be eligible to receive a distribution.

As required by 19 CFR 159.62(b), this notice provides the case name and number of the order or finding concerned, as well as the specific instructions for filing a certification under § 159.63 to claim a distribution. Section 159.62(b) also provides that the dollar amounts subject to distribution that are contained in the Special Account for each listed order or finding are to appear in this notice. However, these dollar amounts were not available in time for inclusion in this publication. The preliminary amounts will be posted on the CBP Web site (<http://www.cbp.gov>) in order to assist potential claimants in determining whether it would be worthwhile to file a certification in a given case. The final amounts available for distribution may be higher or lower than the preliminary amounts.

CBP will provide general information to claimants regarding the preparation of certification(s). However, it remains the sole responsibility of the domestic producer to ensure that the certification is correct, complete, and accurate so as to demonstrate the eligibility of the domestic producer for the distribution requested. Failure to ensure that the certification is correct, complete, and accurate as provided in this notice will result in the domestic producer not receiving a distribution.

Specifically, to obtain a distribution of the offset under a given order or finding, each potential claimant must timely submit a certification containing the required information detailed below as to the eligibility of the domestic producer to receive the requested distribution and the total amount of the distribution that the domestic producer is claiming. Certifications should be submitted to the Assistant Commissioner, Office of Finance, U.S. Customs and Border Protection, Revenue Division. The certification must enumerate the qualifying

expenditures incurred by the domestic producer since the issuance of an order or finding and it must demonstrate that the domestic producer is eligible to receive a distribution as an affected domestic producer or allege another basis of eligibility.

A successor to a company that was an affected domestic producer at the time of acquisition should consult 19 CFR 159.61(b)(1)(i). We note that the successor company may assume joint and several liability for the return of any overpayments arising under § 159.64(c)(3) that were previously paid to the predecessor. CBP may require the successor company to provide documents to support its eligibility to receive a distribution as set out in § 159.63(d).

A member company (or its successor) of an association that appears on the list of affected domestic producers in this notice, where the member company itself does not appear on the list, should consult 19 CFR 159.61(b)(1)(ii). Specifically, for a certification under 19 CFR 159.61(b)(1)(ii), the claimant must name the association of which it is a member and specifically establish that it was a member of the association at the time the association filed the petition with the USITC and establish that the company is a current member of the association. In order to promote accurate filings and more efficiently process the distributions, we offer the following guidance. If claimants are members of an association but the association does not file on their behalf, each association will need to provide their members with a statement which contains notarized company specific information including dates of membership, and an original signature from an authorized representative of the association. An association filing a certification on behalf of a member must also provide a power of attorney or other evidence of legal authorization from each of the domestic producers it is representing. An association filing a certification on behalf of a member is responsible for verifying the accuracy of the member's financial records, which support their claim, and is responsible for that certification. Any association filing a certification on behalf of a member is responsible for verifying the legal sufficiency and accuracy of the member's financial records, which support the claim and may be liable for repayment of any claim found to have been paid in error.

The association may file a certification in its own right to claim an offset for that order or finding, but its qualifying expenditures would be limited to those expenditures that the

association itself has incurred after the date of the order or finding in connection with the particular case.

As provided in 19 CFR 159.63(a), certifications to obtain a distribution of an offset must be received by CBP no later than 60 calendar days after the date of publication of the notice of intent in the **Federal Register**. All certifications received after the 60-day deadline will be summarily denied, making claimants ineligible for the distribution regardless of whether or not they appeared on the USITC list.

A list of all certifications received will be published on the CBP website shortly after the receipt deadline. This publication will not confirm acceptance or validity of the certification, but merely receipt of the certification. Due to the high volume of certifications, CBP is unable to respond to individual telephone or written inquiries regarding the status of a certification appearing on the list.

While there is no required format for a certification, CBP has developed a standard certification form to aid claimants in filing certifications. The certification form is available at www.pay.gov under Public Form Name entitled CDSOA. The certification form also follows this **Federal Register** Notice. The certification form may be submitted electronically through www.pay.gov or by mail. All certifications not submitted electronically must include original signatures.

Regardless of the format for a certification, per 19 CFR 159.63(b), the certification must contain the following information:

1. The date of this **Federal Register** notice;
2. The Commerce case number;
3. The case name (producer/country);
4. The name of the domestic producer and any name qualifier, if applicable (for example, any other name under which the domestic producer does business or is also known);
5. The mailing address of the domestic producer (if a post office box, the physical street address must also appear) including, if applicable, a specific room number or department;
6. The Internal Revenue Service (IRS) number (with suffix) of the domestic producer, employer identification number, or social security number, as applicable;
7. The specific business organization of the domestic producer (corporation, partnership, sole proprietorship);
8. The name(s) of any individual(s) designated by the domestic producer as the contact person(s) concerning the certification, together with the phone

number(s), mailing address and, if available, facsimile transmission number(s) and electronic mail (e-mail) address(es) for the person(s).

Correspondence from CBP will be directed to the designated contact(s) by either mail or phone or both;

9. The total dollar amount claimed;

10. The dollar amount claimed by category, as described in the section below entitled "Amount Claimed for Distribution";

11. A statement of eligibility, as described in the section below entitled "Eligibility to Receive Distribution"; and

12. For certifications not submitted electronically through www.pay.gov, an original signature by an individual legally authorized to bind the producer.

Qualifying Expenditures Which May Be Claimed for Distribution

Qualifying expenditures which may be offset by a distribution of assessed antidumping and countervailing duties encompass those expenditures that are incurred by the domestic producer after the issuance of an antidumping duty order or finding or a countervailing duty order, and prior to its termination, provided that such expenditures fall within certain categories. The repeal language parallels the termination of an order. Therefore, for duty orders or findings that have not been previously revoked, expenses must be incurred before October 1, 2007, to be eligible for offset. For duty orders or findings that have been revoked, expenses must be incurred before the effective date of the revocation to be eligible for offset. For example, assume for case A-331-802, certain frozen warm-water shrimp and prawns from Ecuador, that the order date is February 1, 2005, and that the revocation effective date is August 23, 2007. In this case, eligible expenditures would have to be incurred between February 1, 2005, and August 23, 2007.

For the convenience and ease of the domestic producers, CBP is providing guidance on what the agency takes into consideration when making a calculation for each of the following categories: (1) Manufacturing facilities: (Any facility used for the transformation of raw material into a finished product that is the subject of the related order or finding); (2) Equipment: (Goods that are used in a business environment to aid in the manufacturing of a product that is the subject of the related order or finding); (3) Research and development: (Seeking knowledge and determining the best techniques for production of the product that is the subject of the related order or finding); (4) Personnel training: (Teaching of specific useful skills to

personnel, that will improve performance in the production process of the product that is the subject of the related order or finding); (5) Acquisition of technology: (Acquisition of applied scientific knowledge and materials to achieve an objective in the production process of the product that is the subject of the related order or finding); (6) Health care benefits for employees paid for by the employer: (Health care benefits paid to employees who are producing the specific product that is the subject of the related order or finding); (7) Pension benefits for employees paid for by the employer: (Pension benefits paid to employees who are producing the specific product that is the subject of the related order or finding); (8) Environmental equipment, training, or technology: (Equipment, training, or technology used in the production of the product that is the subject of the related order or finding, that will assist in preventing potentially harmful factors from impacting the environment); (9) Acquisition of raw materials and other inputs: (Purchase of unprocessed materials or other inputs needed for the production of the product that is the subject of the related order or finding); and (10) Working capital or other funds needed to maintain production: (Assets of a business that can be applied to its production of the product that is the subject of the related order or finding).

Amount Claimed for Distribution

In calculating the amount of the distribution being claimed as an offset, the certification must indicate: (1) The total amount of any qualifying expenditures currently and previously certified by the domestic producer, and the amount certified by category; (2) The total amount of those expenditures which have been the subject of any prior distribution for the order or finding being certified under 19 U.S.C. 1675c; and (3) The net amount for new and remaining qualifying expenditures being claimed in the current certification (the total amount currently and previously certified as noted in item "(1)" above minus the total amount that was the subject of any prior distribution as noted in item "(2)" above). In accordance with 19 CFR 159.63(b)(2)(i)-(b)(2)(iii), CBP will deduct the amount of any prior distribution from the producer's claimed amount for that case. Total amounts disbursed by CBP under the CDSOA for Fiscal Years 2001 through 2007 are available on the CBP website.

Additionally, under 19 CFR 159.61(c), these qualifying expenditures must be related to the production of the same

product that is the subject of the order or finding, with the exception of expenses incurred by associations which must relate to a specific case.

Eligibility To Receive Distribution

As noted, the certification must contain a statement that the domestic producer desires to receive a distribution and is eligible to receive the distribution as an affected domestic producer or on another legal basis. Also, the domestic producer must affirm that the net amount certified for distribution does not encompass any qualifying expenditures for which distribution has previously been made (19 CFR 159.63(b)(3)(i)).

Furthermore, under 19 CFR 159.63(b)(3)(ii), where a domestic producer files a separate certification for more than one order or finding using the same qualifying expenditures as the basis for distribution in each case, each certification must list all the other orders or findings where the producer is claiming the same qualifying expenditures.

Moreover, as required by 19 U.S.C. 1675c(b)(1) and 19 CFR 159.63(b)(3)(iii), the certification must include information as to whether the domestic producer remains in operation at the time the certifications are filed and continues to produce the product covered by the particular order or finding under which the distribution is sought. If a domestic producer is no longer in operation, or no longer produces the product covered by the order or finding, the producer will not be considered an affected domestic producer entitled to receive a distribution.

In addition, as required by 19 U.S.C. 1675c(b)(5) and 19 CFR 159.63(b)(3)(iii), the domestic producer must state whether it has been acquired by a company that opposed the investigation or was acquired by a business related to a company that opposed the investigation. If a domestic producer has been so acquired, the producer will not be considered an affected domestic producer entitled to receive a distribution. However, CBP may not make a final decision regarding the claimant's eligibility to receive funds until certain legal issues which may affect the claimant's eligibility are resolved. In these instances, CBP may withhold an amount of funds corresponding to the claimant's alleged

pro rata share of funds from distribution pending the resolution of those legal issues.

The certification must be executed and dated by a party legally authorized to bind the domestic producer and it must state that the information contained in the certification is true and accurate to the best of the certifier's knowledge and belief under penalty of law, and that the domestic producer has records to support the qualifying expenditures being claimed (see section below entitled "Verification of Certification").

Moreover, as provided in 19 CFR 159.64(b)(3), overpayments to affected domestic producers are recoverable by CBP and CBP reserves the right to use all available collection tools to recover overpayments. Overpayments may occur for a variety of reasons such as reliquidations, court actions, and administrative errors.

Review and Correction of Certification

A certification that is submitted in response to this notice of distribution and received within 60 calendar days after the date of publication of the notice in the **Federal Register** may, at CBP's sole discretion, be subject to review before acceptance to ensure that all informational requirements are complied with and that any amounts set forth in the certification for current and prior qualifying expenditures, including the amount claimed for distribution, appear to be correct. A certification that is found to be materially incorrect or incomplete will be returned to the domestic producer within 15 business days after the close of the 60 calendar-day filing period, as provided in 19 CFR 159.63(c). CBP must receive a corrected certification from the domestic producer and/or an association filing on behalf of an association member within 10 business days from the date of the original denial letter. Failure to receive a correct certification will result in denial as an untimely submission of a correct certification. It is the sole responsibility of the domestic producer to ensure that the certification is correct, complete, and satisfactory so as to demonstrate the eligibility of the domestic producer to the distribution requested. Failure to ensure that the certification is correct, complete, and satisfactory will result in the domestic producer not receiving a distribution.

Verification of Certification

Certifications are subject to CBP's verification. Claimants may also be required to provide copies of additional records for further review by CBP. Therefore, parties are required to maintain records supporting their claims for a period of five years after the filing of the certification (19 CFR 159.63(d)). The records must support each qualifying expenditure enumerated in the certification and they must support how the qualifying expenditures are determined to be related to the production of the product covered by the order or finding. Although CBP will accept comments and information from the public and other domestic producers, CBP retains complete discretion regarding the initiation and conduct of investigations stemming from such information.

Disclosure of Information in Certifications; Acceptance by Producer

The name of the claimant, the total dollar amount claimed by the party on the certification, as well as the total dollar amount that CBP actually disburses to that affected domestic producer as an offset, will be available for disclosure to the public, as specified in 19 CFR 159.63(e). To this extent, the submission of the certification is construed as an understanding and acceptance on the part of the domestic producer that this information will be disclosed to the public. Alternatively, a statement in a certification that this information is proprietary and exempt from disclosure will result in CBP's rejection of the certification.

List of Orders or Findings and Related Domestic Producers

The list of individual antidumping duty orders or findings and countervailing duty orders is set forth below (following the CDSOA certification form), together with the affected domestic producers associated with each order or finding who are potentially eligible to receive an offset. Those domestic producers not on the list must allege another basis for eligibility in their certification.

Dated: May 27, 2008.

Eugene Schied,

Assistant Commissioner, Office of Finance.

BILLING CODE 9111-14-P

Department of Homeland Security

OMB No. 1651-0086

U.S. Customs and Border Protection

Continued Dumping and Subsidy Offset Act of 2000 Form

Claimant's Information

1. Claimant's Name: _____

(As it appears on USITC List or Association Membership List, if applicable)
(If person's name list Last Name, First Name)

2. Mailing Address: _____

3. Address 2: _____

4. City: _____

5. State: _____

6. ZIP/Postal Code: _____

☐ Check here if Mailing Address is a PO Box.

(Street Address is required when Mailing Address is a PO Box)

7. Street Address: _____

8. Address 2: _____

9. City: _____

10. State: _____

11. ZIP/Postal Code: _____

12. Business Type (select one):

☐ Sole Proprietorship☐ Partnership☐ Corporation

13. Number Type (select one and enter number below):

☐ Social Security Number☐ Employee Identification Number☐ Federal Tax Identification Number

Enter Number Here _____

Contact Information

(Primary Contact For All Certification Related Inquiries)

14. Contact Person: _____

15. Contact Email: _____

16. Contact Phone: _____

17. Contact Fax: _____

(If Different From Claimant's Mailing Address)

18. Address: _____

19. Address 2: _____

20. City: _____

21. State: _____

22. ZIP/Postal Code: _____

Federal Register Notice Information

23. Date of Federal Register Notice: _____

24. Are you claiming a CDSOA distribution as a successor company?
(See 19 C.F.R. 159.61(b)(i)) ☐ Yes ☐ No

If YES, please provide the name of the company and the date of the succession:

Name _____ Date _____

25. Are you an association, coalition, or cooperative that appears on the
USITC list and files on behalf of your members?
(See 19 C.F.R. 159.61(b)(ii)) ☐ Yes ☐ NoIf YES, please provide Power of Attorney within 10 days of filing certification. Please mail
Power of Attorney to the following address:Assistant Commissioner
Office of Finance
Bureau of Customs and Border Protection
Revenue Division
Attn: Leigh Redelman
6650 Telecom Drive
Indianapolis, IN 4627826. Are you filing as a member of an association, coalition, or
cooperative that appears on the USITC list? ☐ Yes ☐ No

If YES, please provide name of organization and the date you became a member:

Name _____ Start Date _____

Qualifying Expenditures for Current Year

27. Manufacturing Facilities	_____
28. Equipment	_____
29. Research and Development	_____
30. Personnel Training	_____
31. Acquisition of Technology	_____
32. Health Care Benefits for Employees Paid For by the Employer	_____
33. Pension Benefits for Employees Paid For by the Employer	_____
34. Environmental Equipment, Training or Technology	_____
35. Acquisition of Raw Materials and Other Inputs	_____
36. Working Capital or Other Funds Needed to Maintain Production	_____
37. Total Amount of Qualifying Expenditures Currently Certified	_____
38. Total Amount of Qualifying Expenditures Previously Certified	_____
39. Total Amount of Qualifying Expenditures Currently and Previously Certified	_____

41. List Case Information For All The Cases With The Same Qualifying Expenditures On The Lines Provided Below

*Formula (Total Amt of Qualifying Expenditures Currently and Previously Certified - Prior Year Distributions = Net Amt)

[illegible]

Statement of Eligibility

42. _____ (Claimant's Name as it appears on USITC List or Association Membership List, if applicable) desire to receive a distribution and is eligible to receive a distribution as an affected domestic producer. I affirm that the net amount certified for distribution does not encompass any qualifying expenditures for which distributions previously have been made.

43. _____ (Claimant's Name as it appears on USITC List or Association Membership List, if applicable) remains in operation and continues to produce the product covered by the particular order or finding under which the distribution is sought.

44. _____ (Claimant's Name as it appears on USITC List or Association Membership List, if applicable) has not been acquired by a company that opposed the investigation or acquired by a business related to a company that opposed the investigation.

Certification

The information contained in this certification is true and accurate to the best of the knowledge and belief, under penalty of law, of the claimant and the claimant has records to support the qualifying expenditures being claimed.

45. Print Name of Person(s) Legally Authorized to Bind Producer _____

46. Date _____

47. Signature of Person(s) Legally Authorized to Bind Producer _____

48. Title of Person(s) Legally Authorized to Bind Producer _____

49. By submitting this certification, the certifier, _____, states that they are legally authorized to bind the producer and that information contained in the certification is true and accurate to the best of the certifier's knowledge and belief under penalty of law and the domestic producer has records to support the qualifying expenditures being claimed.

Privacy and Paperwork Reduction Act Statement

This statement is provided pursuant to the Privacy Act of 1974 (P.L. 93-579) for individuals seeking distributions under the Continued Dumping and Subsidy Offset Act of 2000 (19 U.S.C. § 1675c, as amended). The requested information is collected under the authority of 19 U.S.C. 1675c. The information collected on this form will be used by CBP to determine a claimant's eligibility for a distribution under the Continued Dumping and Subsidy Offset Act of 2000. Furnishing the information on this form is voluntary, however, failure to provide all requested information may result in denial of your certification. The name of the claimant, the total dollar amount claimed by that party on the certification, as well as the total dollar amount that CBP actually disburses to that claimant as an offset, will be available for disclosure to the public, as specified in 19 C.F.R. § 159.63. Public Law 104-134 (April 26, 1996) requires that any person doing business with the Federal government furnish a social security number or tax identification number.

We estimate this form will take an average of 1 hour to complete, including the time for reviewing instructions, getting the needed data, and reviewing the completed form. Send comments regarding our estimate or any other aspect of this form, including suggestions for reducing completion time, to CBP Office of Finance Revenue Division. The OMB number, 1651-0086, is currently valid. CBP may not collect this information; and you are not required to respond, unless this number is displayed.

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
A-122-006	AA1921-49	Steel Jacks/Canada	Bloomfield Manufacturing (formerly Harrah Manufacturing) Seaburn Metal Products Duval
A-122-047	AA1921-127	Elemental Sulphur/Canada	Amstar Sugar
A-122-085	731-TA-3	Sugar and Syrups/Canada	Northwest Food Producers' Association
A-122-401	731-TA-196	Red Raspberries/Canada	Oregon Caneberry Commission Rader Farms Ron Roberts Shuksan Frozen Food Washington Red Raspberry Commission
A-122-503	731-TA-263	Iron Construction Castings/Canada	Alhambra Foundry Allegheny Foundry Bingham & Taylor Campbell Foundry Charlotte Pipe & Foundry Deeter Foundry East Jordan Foundry Le Baron Foundry Municipal Castings Neenah Foundry Opelika Foundry Pinkerton Foundry Tyler Pipe US Foundry & Manufacturing Vulcan Foundry
A-122-506	731-TA-276	Oil Country Tubular Goods/Canada	CF&I Steel Copperweld Tubing Cyclops KPC Lone Star Steel LTV Steel Maverick Tube Quanex US Steel
A-122-601	731-TA-312	Brass Sheet and Strip/Canada	Allied Industrial Workers of America American Brass Bridgeport Brass Chase Brass & Copper Hussey Copper International Association of Machinists & Aerospace Workers Mechanics Educational Society of America (Local 56) The Miller Company Olin Revere Copper Products United Steelworkers of America
A-122-605	731-TA-367	Color Picture Tubes/Canada	Industrial Union Department, AFL-CIO International Association of Machinists & Aerospace Workers International Brotherhood of Electrical Workers International Union of Electronic, Electrical, Technical, Salaried and Machine Workers Philips Electronic Components Group United Steelworkers of America Zenith Electronics
A-122-804	731-TA-422	Steel Rails/Canada	Bethlehem Steel CF&I Steel
A-122-814	731-TA-528	Pure Magnesium/Canada	Magnesium Corporation of America
A-122-822	731-TA-614	Corrosion-Resistant Carbon Steel Flat Products/Canada.	Armco Steel Bethlehem Steel California Steel Industries Geneva Steel Gulf States Steel Inland Steel Industries LTV Steel Lukens Steel National Steel Nextech Rouge Steel Co Sharon Steel

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
A-122-823	731-TA-575	Cut-to-Length Carbon Steel Plate/Canada	Theis Precision Steel Thompson Steel US Steel United Steelworkers of America WCI Steel Weirton Steel Bethlehem Steel California Steel Industries Geneva Steel Gulf States Steel Inland Steel Industries Lukens Steel National Steel Nextech Sharon Steel Theis Precision Steel Thompson Steel US Steel United Steelworkers of America
A-122-830	731-TA-789	Stainless Steel Plate in Coils/Canada	Allegheny Ludlum Armco Steel J&L Specialty Steel Lukens Steel North American Stainless
A-122-838	731-TA-928	Softwood Lumber/Canada	71 Lumber Co Almond Bros Lbr Co Anthony Timberlands Balfour Lbr Co Ball Lumber Banks Lumber Company Barge Forest Products Co Beadles Lumber Co Bearden Lumber Bennett Lumber Big Valley Band Mill Bighorn Lumber Co Inc Blue Mountain Lumber Buddy Bean Lumber Burgin Lumber Co Ltd Burt Lumber Company C&D Lumber Co Ceda-Pine Veneer Cersosimo Lumber Co Inc Charles Ingram Lumber Co Inc Charleston Heart Pine Chesterfield Lumber Chips Chocorua Valley Lumber Co Claude Howard Lumber Clearwater Forest Industries CLW Inc CM Tucker Lumber Corp Coalition for Fair Lumber Imports Executive Committee Cody Lumber Co Collins Pine Co Collums Lumber Columbus Lumber Co Contoocook River Lumber Conway Guiteau Lumber Cornwright Lumber Co Crown Pacific Daniels Lumber Inc Dean Lumber Co Inc Deltic Timber Corporation Devils Tower Forest Products DiPrizio Pine Sales Dorchester Lumber Co DR Johnson Lumber East Brainerd Lumber Co East Coast Lumber Company Eas-Tex Lumber ECK Wood Products

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
			Ellingson Lumber Co Elliott Sawmilling Empire Lumber Co Evergreen Forest Products Excalibur Shelving Systems Inc Exley Lumber Co FH Stoltze Land & Lumber Co FL Turlington Lbr Co Inc Fleming Lumber Flippo Lumber Floragen Forest Products Frank Lumber Co Franklin Timber Co Fred Tebb & Sons Fremont Sawmill Frontier Resources Garrison Brothers Lumber Co and Subsidiaries Georgia Lumber Gilman Building Products Godfrey Lumber Granite State Forest Prod Inc Great Western Lumber Co Greenville Molding Inc Griffin Lumber Company Guess Brothers Lumber Gulf Lumber Gulf States Paper Guy Bennett Lumber Hampton Resources Hancock Lumber Hankins Inc Hankins Lumber Co Harrigan Lumber Harwood Products Haskell Lumber Inc Hatfield Lumber Hedstrom Lumber Herrick Millwork Inc HG Toler & Son Lumber Co Inc HG Wood Industries LLC Hogan & Storey Wood Prod Hogan Lumber Co Hood Industries HS Hofler & Sons Lumber Co Inc Hubbard Forest Ind Inc HW Culp Lumber Co Idaho Veneer Co Industrial Wood Products Intermountain Res LLC International Paper J Franklin Jones Lumber Co Inc Jack Batte & Sons Inc Jasper Lumber Company JD Martin Lumber Co JE Jones Lumber Co Jerry G Williams & Sons JH Knighton Lumber Co Johnson Lumber Company Jordan Lumber & Supply Joseph Timber Co JP Haynes Lbr Co Inc JV Wells Inc JW Jones Lumber Keadle Lumber Enterprises Keller Lumber King Lumber Co Konkolville Lumber Langdale Forest Products Laurel Lumber Company Leavitt Lumber Co Leesville Lumber Co Limington Lumber Co Longview Fibre Co

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
			Lovell Lumber Co Inc M Kendall Lumber Co Manke Lumber Co Marriner Lumber Co Mason Lumber MB Heath & Sons Lumber Co MC Dixon Lumber Co Inc Mebane Lumber Co Inc Metcalf Lumber Co Inc Millry Mill Co Inc Moose Creek Lumber Co Moose River Lumber Morgan Lumber Co Inc Mount Yonah Lumber Co Nagel Lumber New Kearsarge Corp New South Nicolet Hardwoods Nieman Sawmills SD Nieman Sawmills WY North Florida Northern Lights Timber & Lumber Northern Neck Lumber Co Ochoco Lumber Co Olon Belcher Lumber Co Owens and Hurst Lumber Packaging Corp of America Page & Hill Forest Products Paper, Allied-Industrial, Chemical and Energy Workers International Union Parker Lumber Pate Lumber Co Inc PBS Lumber Pedigo Lumber Co Piedmont Hardwood Lumber Co Pine River Lumber Co Pinecrest Lumber Co Pleasant River Lumber Co Pleasant Western Lumber Inc Plum Creek Timber Pollard Lumber Portac Potlatch Potomac Supply Precision Lumber Inc Pruitt Lumber Inc R Leon Williams Lumber Co RA Yancey Lumber Rajala Timber Co Ralph Hamel Forest Products Randy D Miller Lumber Rappahannock Lumber Co Regulus Stud Mills Inc Riley Creek Lumber Roanoke Lumber Co Robbins Lumber Robertson Lumber Roseburg Forest Products Co Rough & Ready RSG Forest Products Rushmore Forest Products RY Timber Inc Sam Mabry Lumber Co Scotch Lumber SDS Lumber Co Seacoast Mills Inc Seago Lumber Seattle-Snohomish Seneca Sawmill Shaver Wood Products Shearer Lumber Products Shuqualak Lumber SI Storey Lumber

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
			Sierra Forest Products Sierra Pacific Industries Sigfridson Wood Products Silver City Lumber Inc Somers Lbr & Mfg Inc South & Jones South Coast Southern Forest Industries Inc Southern Lumber St Laurent Forest Products Starfire Lumber Co Steely Lumber Co Inc Stimson Lumber Summit Timber Co Sundance Lumber Superior Lumber Swanson Superior Forest Products Inc Swift Lumber Tamarack Mill Taylor Lumber & Treating Inc Temple-Inland Forest Products Thompson River Lumber Three Rivers Timber Thrift Brothers Lumber Co Inc Timco Inc Tolleson Lumber Toney Lumber TR Miller Mill Co Tradewinds of Virginia Ltd Travis Lumber Co Tree Source Industries Inc Tri-State Lumber TTT Studs United Brotherhood of Carpenters and Joiners Viking Lumber Co VP Kiser Lumber Co Walton Lumber Co Inc Warm Springs Forest Products Westvaco Corp Wilkins, Kaiser & Olsen Inc WM Shepherd Lumber Co WR Robinson Lumber Co Inc Wrenn Brothers Inc Wyoming Sawmills Yakama Forest Products Younce & Ralph Lumber Co Inc Zip-O-Log Mills Inc
A-122-840	731-TA-954	Carbon and Certain Alloy Steel Wire Rod/Canada ..	AmeriSteel Birmingham Steel Cascade Steel Rolling Mills Connecticut Steel Corp Co-Steel Raritan GS Industries Keystone Consolidated Industries North Star Steel Texas Nucor Steel-Nebraska (a division of Nucor Corp) Republic Technologies International Rocky Mountain Steel Mills North Dakota Wheat Commission
A-122-847	731-TA-1019B	Hard Red Spring Wheat/Canada	General Housewares
A-201-504	731-TA-297	Porcelain-on-Steel Cooking Ware/Mexico	Burdette Coward
A-201-601	731-TA-333	Fresh Cut Flowers/Mexico	California Floral Council Floral Trade Council Florida Flower Association Gold Coast Uanko Nursery Hollandia Wholesale Florist Manatee Fruit Monterey Flower Farms Topstar Nursery
A-201-802	731-TA-451	Gray Portland Cement and Clinker/Mexico	Alamo Cement Blue Circle BoxCrow Cement Calaveras Cement

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
A-201-805	731-TA-534	Circular Welded Nonalloy Steel Pipe/Mexico	Capitol Aggregates Centex Cement Florida Crushed Stone Gifford-Hill Hanson Permanente Cement Ideal Basic Industries Independent Workers of North America (Locals 49, 52, 89, 192 and 471) International Union of Operating Engineers (Local 12) National Cement Company of Alabama National Cement Company of California Phoenix Cement Riverside Cement Southdown Tarmac America Texas Industries Allied Tube & Conduit American Tube Bull Moose Tube Century Tube CSI Tubular Products Cyclops Laclede Steel LTV Tubular Products Maruichi American Sharon Tube USX Western Tube & Conduit Wheatland Tube
A-201-806	731-TA-547	Carbon Steel Wire Rope/Mexico	Bridon American Macwhyte Paulsen Wire Rope The Rochester Corporation United Automobile, Aerospace and Agricultural Implement Workers (Local 960) Williamsport Wire-rope Works Wire Rope Corporation of America
A-201-809	731-TA-582	Cut-to-Length Carbon Steel Plate/Mexico	Bethlehem Steel California Steel Industries Geneva Steel Gulf States Steel Inland Steel Industries Lukens Steel National Steel Nextech Sharon Steel Theis Precision Steel Thompson Steel US Steel United Steelworkers of America
A-201-817	731-TA-716	Oil Country Tubular Goods/Mexico	IPSCO Koppel Steel Maverick Tube Newport Steel North Star Steel US Steel USS/Kobe
A-201-820	731-TA-747	Fresh Tomatoes/Mexico	Accomack County Farm Bureau Ad Hoc Group of Florida, California, Georgia, Pennsylvania, South Carolina, Tennessee and Virginia Tomato Growers Florida Farm Bureau Federation Florida Fruit and Vegetable Association Florida Tomato Exchange Florida Tomato Growers Exchange Gadsden County Tomato Growers Association South Carolina Tomato Association
A-201-822	731-TA-802	Stainless Steel Sheet and Strip/Mexico	Allegheny Ludlum Armco Bethlehem Steel Carpenter Technology Corp

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
A-201-827	731-TA-848	Large-Diameter Carbon Steel Seamless Pipe/Mexico.	J&L Specialty Steel North American Stainless United Steelworkers of America North Star Steel
A-201-828	731-TA-920	Welded Large Diameter Line Pipe/Mexico	Timken US Steel United Steelworkers of America USS/Kobe American Cast Iron Pipe Berg Steel Pipe Bethlehem Steel Napa Pipe/Oregon Steel Mills Saw Pipes USA Stupp US Steel
A-201-830	731-TA-958	Carbon and Certain Alloy Steel Wire Rod/Mexico	AmeriSteel Birmingham Steel Cascade Steel Rolling Mills Connecticut Steel Corp Co-Steel Raritan GS Industries Keystone Consolidated Industries North Star Steel Texas Nucor Steel-Nebraska (a division of Nucor Corp) Republic Technologies International Rocky Mountain Steel Mills
A-201-831	731-TA-1027 ...	Prestressed Concrete Steel Wire Strand/Mexico	American Spring Wire Corp Insteel Wire Products Co Sivaco Georgia LLC Strand Tech Martin Inc Sumiden Wire Products Corp
A-201-834	731-TA-1085 ...	Purified Carboxymethylcellulose/Mexico	Aqualon Co a Division of Hercules Inc
A-274-804	731-TA-961	Carbon and Certain Alloy Steel Wire Rod/Trinidad & Tobago.	AmeriSteel Birmingham Steel Cascade Steel Rolling Mills Connecticut Steel Corp Co-Steel Raritan GS Industries Keystone Consolidated Industries North Star Steel Texas Nucor Steel-Nebraska (a division of Nucor Corp) Republic Technologies International Rocky Mountain Steel Mills
A-301-602	731-TA-329	Fresh Cut Flowers/Colombia	Burdette Coward California Floral Council Floral Trade Council Florida Flower Association Gold Coast Uanko Nursery Hollandia Wholesale Florist Manatee Fruit Monterey Flower Farms Pajaro Valley Greenhouses Topstar Nursery
A-307-803	731-TA-519	Gray Portland Cement and Clinker/Venezuela	Florida Crushed Stone Southdown Tarmac America
A-307-805	731-TA-537	Circular Welded Nonalloy Steel Pipe/Venezuela	Allied Tube & Conduit American Tube Bull Moose Tube Century Tube CSI Tubular Products Cyclops Laclede Steel LTV Tubular Products Maruichi American Sharon Tube USX Western Tube & Conduit Wheatland Tube
A-307-807	731-TA-570	Ferrosilicon/Venezuela	AIMCOR Alabama Silicon

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
A-307-820	731-TA-931	Silicomanganese/Venezuela	American Alloys Globe Metallurgical Oil, Chemical and Atomic Workers (Local 389) Silicon Metaltech United Autoworkers of America (Local 523) United Steelworkers of America (Locals 2528, 3081, 5171 and 12646) Eramet Marietta Paper, Allied-Industrial, Chemical and Energy Workers International Union, Local 5-0639
A-331-602	731-TA-331	Fresh Cut Flowers/Ecuador	Burdette Coward California Floral Council Floral Trade Council Florida Flower Association Gold Coast Uanko Nursery Hollandia Wholesale Florist Manatee Fruit Monterey Flower Farms Topstar Nursery Atlantic Salmon of Maine Cooke Aquaculture US DE Salmon Global Aqua USA Island Aquaculture Maine Coast Nordic Scan Am Fish Farms Treats Island Fisheries Trumpet Island Salmon Farm
A-337-803	731-TA-768	Fresh Atlantic Salmon/Chile	LK Bowman Modern Mushroom Farms Monterey Mushrooms Mount Laurel Canning Mushroom Canning Southwood Farms Sunny Dell Foods United Canning
A-337-804	731-TA-776	Preserved Mushrooms/Chile	A&A Berry Farms Bahler Farms Bear Creek Farms David Burns Columbia Farms Columbia Fruit George Culp Dobbins Berry Farm Enfield Firestone Packing George Hoffman Farms Heckel Farms Wendell Kreder Curt Maberry Maberry Packing Mike & Jean's Nguyen Berry Farms Nick's Acres North Fork Parson Berry Farm Pickin 'N' Pluckin Postage Stamp Farm Rader RainSweet Scenic Fruit Silverstar Farms Tim Straub Thoeny Farms Townsend Tsugawa Farms Udike Berry Farms Van Laeken Farms
A-337-806	731-TA-948	Individually Quick Frozen Red Raspberries/Chile	Alhambra Foundry Allegheny Foundry Bingham & Taylor Campbell Foundry Charlotte Pipe & Foundry
A-351-503	731-TA-262	Iron Construction Castings/Brazil	

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
A-351-505	731-TA-278	Malleable Cast Iron Pipe Fittings/Brazil	Deeter Foundry East Jordan Foundry Le Baron Foundry Municipal Castings Neenah Foundry Opelika Foundry Pinkerton Foundry Tyler Pipe US Foundry & Manufacturing Vulcan Foundry Grinnell Stanley G Flagg Stockham Valves & Fittings U-Brand Ward Manufacturing
A-351-602	731-TA-308	Carbon Steel Butt-Weld Pipe Fittings/Brazil	Ladish Mills Iron Works Steel Forgings Tube Forgings of America Weldbend
A-351-603	731-TA-311	Brass Sheet and Strip/Brazil	Allied Industrial Workers of America American Brass Bridgeport Brass Chase Brass & Copper Hussey Copper International Association of Machinists & Aerospace Workers Mechanics Educational Society of America (Local 56) The Miller Company Olin Revere Copper Products United Steelworkers of America
A-351-605	731-TA-326	Frozen Concentrated Orange Juice/Brazil	Alcoma Packing B&W Canning Berry Citrus Products Caulkins Indiantown Citrus Citrus Belle Citrus World Florida Citrus Mutual
A-351-804	731-TA-439	Industrial Nitrocellulose/Brazil	Hercules
A-351-806	731-TA-471	Silicon Metal/Brazil	American Alloys Globe Metallurgical International Union of Electronics, Electrical, Machine and Furniture Workers (Local 693) Oil, Chemical and Atomic Workers (Local 389) Silicon Metaltech SiMETCO Textile Processors, Service Trades, Health Care Professional and Technical Employees (Local 60) United Steelworkers of America (Locals 5171, 8538 and 12646)
A-351-809	731-TA-532	Circular Welded Nonalloy Steel Pipe/Brazil	Allied Tube & Conduit American Tube Bull Moose Tube Century Tube CSI Tubular Products Cyclops Laclede Steel LTV Tubular Products Maruichi American Sharon Tube USX Western Tube & Conduit Wheatland Tube
A-351-817	731-TA-574	Cut-to-Length Carbon Steel Plate/Brazil	Bethlehem Steel California Steel Industries Geneva Steel Gulf States Steel Inland Steel Industries Lukens Steel National Steel Nextech

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
A-351-819	731-TA-636	Stainless Steel Wire Rod/Brazil	Sharon Steel Theis Precision Steel Thompson Steel US Steel United Steelworkers of America AL Tech Specialty Steel Armco Steel Carpenter Technology Republic Engineered Steels Talley Metals Technology United Steelworkers of America
A-351-820	731-TA-641	Ferrosilicon/Brazil	AIMCOR Alabama Silicon American Alloys Globe Metallurgical Oil, Chemical and Atomic Workers (Local 389) Silicon Metaltech United Autoworkers of America (Local 523) United Steelworkers of America (Locals 2528, 3081, 5171 and 12646)
A-351-824	731-TA-671	Silicomanganese/Brazil	Elkem Metals Oil, Chemical and Atomic Workers (Local 3-639)
A-351-825	731-TA-678	Stainless Steel Bar/Brazil	AL Tech Specialty Steel Carpenter Technology Crucible Specialty Metals Electralloy Republic Engineered Steels Slater Steels Talley Metals Technology United Steelworkers of America
A-351-826	731-TA-708	Seamless Pipe/Brazil	Koppel Steel Quanex Timken United States Steel
A-351-828	731-TA-806	Hot-Rolled Carbon Steel Flat Products/Brazil	Acme Steel Bethlehem Steel California Steel Industries Gallatin Steel Geneva Steel Gulf States Steel Independent Steelworkers IPSCO Ispat/Inland LTV Steel National Steel Nucor Rouge Steel Co Steel Dynamics US Steel United Steelworkers of America WCI Steel Weirton Steel Wheeling-Pittsburgh Steel Corp
A-351-832	731-TA-953	Carbon and Certain Alloy Steel Wire Rod/Brazil	AmeriSteel Birmingham Steel Cascade Steel Rolling Mills Connecticut Steel Corp Co-Steel Raritan GS Industries Keystone Consolidated Industries North Star Steel Texas Nucor Steel-Nebraska (a division of Nucor Corp) Republic Technologies International Rocky Mountain Steel Mills
A-351-837	731-TA-1024 ...	Prestressed Concrete Steel Wire Strand/Brazil	American Spring Wire Corp Insteel Wire Products Co Sivaco Georgia LLC Strand Tech Martin Inc Sumiden Wire Products Corp
A-351-840	731-TA-1089 ...	Certain Orange Juice/Brazil	A Duda & Sons Inc Alico Inc John Barnelt Ben Hill Griffin Inc

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
			Bliss Citrus BTS A Florida General Partnership Cain Groves California Citrus Mutual Cedar Haven Inc Citrus World Inc Clonts Groves Inc Davis Enterprises Inc D Edwards Dickinson Evans Properties Inc Florida Citrus Commission Florida Citrus Mutual Florida Farm Bureau Federation Florida Fruit & Vegetable Association Florida State of Department of Citrus Flying V Inc GBS Groves Inc Graves Brothers Co H&S Groves Hartwell Groves Inc Holly Hill Fruit Products Co Jack Melton Family Inc K-Bob Inc L Dicks Inc Lake Pickett Partnership Inc Lamb Revocable Trust Gerilyn Rebecca S Lamb Trustee Lykes Bros Inc Martin J McKenna Orange & Sons Inc Osgood Groves William W Parshall PH Freeman & Sons Pierie Grove Raymond & Melissa Pierie Roper Growers Cooperative Royal Brothers Groves Seminole Tribe of Florida Inc Silverman Groves/Rilla Cooper Smoak Groves Inc Sorrells Groves Inc Southern Gardens Groves Corp Southern Gardens Processing Corp Southern Groves Citrus Sun Ag Inc Sunkist Growers Inc Texas Citrus Exchange Texas Citrus Mutual Texas Produce Association Travis Wise Management Inc Uncle Matt's Fresh Inc Varn Citrus Growers Inc
A-357-007	731-TA-157	Carbon Steel Wire Rod/Argentina	Atlantic Steel Continental Steel Georgetown Steel North Star Steel Raritan River Steel
A-357-405	731-TA-208	Barbed Wire and Barbless Wire Strand/Argentina ...	CF&I Steel Davis Walker Forbes Steel & Wire Oklahoma Steel Wire
A-357-802	731-TA-409	Light-Walled Rectangular Tube/Argentina	Bull Moose Tube Hannibal Industries Harris Tube Maruichi American Searing Industries Southwestern Pipe Western Tube & Conduit
A-357-804	731-TA-470	Silicon Metal/Argentina	American Alloys Elkem Metals Globe Metallurgical International Union of Electronics, Electrical, Machine and Furniture Workers (Local 693)

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
A-357-809	731-TA-707	Seamless Pipe/Argentina	Oil, Chemical and Atomic Workers (Local 389) Silicon Metaltech SiMETCO SKW Alloys Textile Processors, Service Trades, Health Care Professional and Technical Employees (Local 60) United Steelworkers of America (Locals 5171, 8538 and 12646) Koppel Steel Quanex Timken United States Steel
A-357-810	731-TA-711	Oil Country Tubular Goods/Argentina	IPSCO Koppel Steel Lone Star Steel Maverick Tube Newport Steel North Star Steel US Steel USS/Kobe
A-357-812	731-TA-892	Honey/Argentina	AH Meyer & Sons Adee Honey Farms Althoff Apiaries American Beekeeping Federation American Honey Producers Association Anderson Apiaries Arroyo Apiaries Artesian Honey Producers B Weaver Apiaries Bailey Enterprises Barkman Honey Basler Honey Apiary Beals Honey Bears Paw Apiaries Beaverhead Honey Bee Biz Bee Haven Honey Belliston Brothers Apiaries Big Sky Honey Bill Rhodes Honey Richard E Blake Curt Bronnenbery Brown's Honey Farms Brumley's Bees Buhmann Apiaries Carys Honey Farms Chaparrel Honey Charles Apiaries Mitchell Charles Collins Honey Conor Apiaries Coy's Honey Farm Dave Nelson Apiaries Delta Bee Eisele's Pollination & Honey Ellingsoa's Elliott Curtis & Sons Charles L Emmons, Sr Gause Honey Gene Brandi Apiaries Griffith Honey Haff Apiaries Hamilton Bee Farms Hamilton Honey Happie Bee Harvest Honey Harvey's Honey Hiatt Honey Hoffman Honey Hollman Apiaries Honey House Honeybee Apiaries Gary M Honl

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
			Rand William Honl and Sydney Jo Honl James R & Joann Smith Trust Jaynes Bee Products Johnston Honey Farms Larry Johnston Ke-An Honey Kent Honeybees Lake-Indianhead Honey Farms Lamb's Honey Farm Las Flores Apiaries Mackrill Honey Farms & Sales Raymond Marquette Mason & Sons Honey McCoy's Sunny South Apiaries Merrimack Valley Apiaries & Evergreen Honey Met 2 Honey Farm Missouri River Honey Mitchell Brothers Honey Monda Honey Farm Montana Dakota Honey Northern Bloom Honey Noye's Apiaries Oakes Honey Oakley Honey Farms Old Mill Apiaries Opp Honey Oro Dulce Peterson's "Naturally Sweet" Honey Potoczak Bee Farms Price Apiaries Pure Sweet Honey Farms Robertson Pollination Service Robson Honey William Robson Rosedale Apiaries Ryan Apiaries Schmidt Honey Farms Simpson Apiaries Sioux Honey Association Smoot Honey Solby Honey Stahlman Apiaries Steve E Parks Apiaries Stroope Bee & Honey T&D Honey Bee Talbott's Honey Terry Apiaries Thompson Apiaries Triple A Farm Tropical Blossom Honey Tubbs Apiaries Venable Wholesale Walter L Wilson Buzz 76 Apiaries Wiebersiek Honey Farms Wilmer Farms Brent J Woodworth Wooten's Golden Queens Yaddof Apiaries
A-357-814	731-TA-898	Hot-Rolled Steel Products/Argentina	Bethlehem Steel Gallatin Steel Independent Steelworkers IPSCO LTV Steel National Steel Nucor Rouge Steel Co Steel Dynamics US Steel United Steelworkers of America WCI Steel Inc Weirton Steel Wheeling-Pittsburgh Steel Corp Jessop Steel
A-401-040	AA1921-114	Stainless Steel Plate/Sweden	

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
A-401-601	731-TA-316	Brass Sheet and Strip/Sweden	Allied Industrial Workers of America American Brass Bridgeport Brass Chase Brass & Copper Hussey Copper International Association of Machinists & Aerospace Workers Mechanics Educational Society of America (Local 56) The Miller Company Olin Revere Copper Products United Steelworkers of America
A-401-603	731-TA-354	Stainless Steel Hollow Products/Sweden	AL Tech Specialty Steel Allegheny Ludlum Steel ARMCO Carpenter Technology Crucible Materials Damascus Tubular Products Specialty Tubing Group
A-401-801	731-TA-397-A	Ball Bearings/Sweden	Barden Corp Emerson Power Transmission Kubar Bearings MPB Rollway Bearings Torrington
A-401-801	731-TA-397-B	Cylindrical Roller Bearings/Sweden	Barden Corp Emerson Power Transmission MPB Rollway Bearings Torrington
A-401-805	731-TA-586	Cut-to-Length Carbon Steel Plate/Sweden	Bethlehem Steel California Steel Industries Geneva Steel Gulf States Steel Inland Steel Industries Lukens Steel National Steel Nextech Sharon Steel Theis Precision Steel Thompson Steel US Steel United Steelworkers of America
A-401-806	731-TA-774	Stainless Steel Wire Rod/Sweden	AL Tech Specialty Steel Carpenter Technology Republic Engineered Steels Talley Metals Technology United Steelworkers of America
A-401-808	731-TA-1087 ...	Purified Carboxymethylcellulose/Sweden	Aqualon Co a Division of Hercules Inc
A-403-801	731-TA-454	Fresh and Chilled Atlantic Salmon/Norway	Heritage Salmon
A-405-802	731-TA-576	Cut-to-Length Carbon Steel Plate/Finland	The Coalition for Fair Atlantic Salmon Trade Bethlehem Steel California Steel Industries Geneva Steel Gulf States Steel Inland Steel Industries Lukens Steel National Steel Nextech Sharon Steel Theis Precision Steel Thompson Steel US Steel United Steelworkers of America
A-405-803	731-TA-1084 ...	Purified Carboxymethylcellulose/Finland	Aqualon Co a Division of Hercules Inc
A-412-801	731-TA-399-A	Ball Bearings/United Kingdom	Barden Corp Emerson Power Transmission Kubar Bearings McGill Manufacturing Co MPB Rexnord Inc Rollway Bearings

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
A-412-801	731-TA-399-B	Cylindrical Roller Bearings/United Kingdom	Torrington Barden Corp Emerson Power Transmission MPB Rollway Bearings Torrington
A-412-803	731-TA-443	Industrial Nitrocellulose/United Kingdom	Hercules
A-412-805	731-TA-468	Sodium Thiosulfate/United Kingdom	Calabrian
A-412-814	731-TA-587	Cut-to-Length Carbon Steel Plate/United Kingdom ..	Bethlehem Steel California Steel Industries Geneva Steel Gulf States Steel Inland Steel Industries Lukens Steel National Steel Nextech Sharon Steel Theis Precision Steel Thompson Steel US Steel United Steelworkers of America
A-412-818	731-TA-804	Stainless Steel Sheet and Strip/United Kingdom	Allegheny Ludlum Armco Steel Bethlehem Steel Butler Armco Independent Union Carpenter Technology Corp J&L Specialty Steel North American Stainless United Steelworkers of America Zanesville Armco Independent Organization
A-412-822	731-TA-918	Stainless Steel Bar/United Kingdom	Carpenter Technology Crucible Specialty Metals Electralloy Empire Specialty Steel Republic Technologies International Slater Steels United Steelworkers of America
A-421-701	731-TA-380	Brass Sheet and Strip/Netherlands	Allied Industrial Workers of America American Brass Bridgeport Brass Chase Brass & Copper Hussey Copper International Association of Machinists & Aerospace Workers Mechanics Educational Society of America (Local 56) The Miller Company North Coast Brass & Copper Olin Pegg Metals Revere Copper Products United Steelworkers of America
A-421-804	731-TA-608	Cold-Rolled Carbon Steel Flat Products/Netherlands	Armco Steel Bethlehem Steel California Steel Industries Gulf States Steel Inland Steel Industries LTV Steel National Steel Nextech Rouge Steel Co Sharon Steel Theis Precision Steel Thompson Steel US Steel United Steelworkers of America WCI Steel Weirton Steel
A-421-805	731-TA-652	Aramid Fiber/Netherlands	E I du Pont de Nemours
A-421-807	731-TA-903	Hot-Rolled Steel Products/Netherlands	Bethlehem Steel Gallatin Steel Independent Steelworkers IPSCO

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
			LTV Steel National Steel Nucor Rouge Steel Co Steel Dynamics US Steel United Steelworkers of America WCI Steel Inc Weirton Steel Wheeling-Pittsburgh Steel Corp Aqualon Co a Division of Hercules Inc Florida Sugar Marketing and Terminal Association
A-421-811	731-TA-1086 ...	Purified Carboxymethylcellulose/Netherlands	
A-423-077	AA1921-198	Sugar/Belgium	Albright & Wilson
A-423-602	731-TA-365	Industrial Phosphoric Acid/Belgium	FMC Hydrite Chemical Monsanto Stauffer Chemical
A-423-805	731-TA-573	Cut-to-Length Carbon Steel Plate/Belgium	Bethlehem Steel California Steel Industries Geneva Steel Gulf States Steel Inland Steel Industries Lukens Steel National Steel Nextech Sharon Steel Theis Precision Steel Thompson Steel US Steel United Steelworkers of America
A-423-808	731-TA-788	Stainless Steel Plate in Coils/Belgium	Allegheny Ludlum Armco Steel Lukens Steel North American Stainless United Steelworkers of America
A-427-001	731-TA-44	Sorbitol/France	Lonza Pfizer
A-427-009	731-TA-96	Industrial Nitrocellulose/France	Hercules
A-427-078	AA1921-199	Sugar/France	Florida Sugar Marketing and Terminal Association
A-427-098	731-TA-25	Anhydrous Sodium Metasilicate/France	PQ
A-427-602	731-TA-313	Brass Sheet and Strip/France	Allied Industrial Workers of America American Brass Bridgeport Brass Chase Brass & Copper Hussey Copper International Association of Machinists & Aerospace Workers Mechanics Educational Society of America (Local 56) The Miller Company Olin Revere Copper Products United Steelworkers of America
A-427-801	731-TA-392-A	Ball Bearings/France	Barden Corp Emerson Power Transmission Kubar Bearings McGill Manufacturing Co MPB Rexnord Inc Rollway Bearings Torrington
A-427-801	731-TA-392-B	Cylindrical Roller Bearings/France	Barden Corp Emerson Power Transmission MPB Rollway Bearings Torrington
A-427-801	731-TA-392-C	Spherical Plain Bearings/France	Barden Corp Emerson Power Transmission Kubar Bearings McGill Manufacturing Co Rexnord Inc Rollway Bearings Torrington

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
A-427-804	731-TA-553	Hot-Rolled Lead and Bismuth Carbon Steel Products/France.	Bethlehem Steel Inland Steel Industries USS/Kobe Steel Armco Steel
A-427-808	731-TA-615	Corrosion-Resistant Carbon Steel Flat Products/France.	Bethlehem Steel California Steel Industries Geneva Steel Gulf States Steel Inland Steel Industries LTV Steel Lukens Steel National Steel Nextech Rouge Steel Co Sharon Steel Theis Precision Steel Thompson Steel US Steel United Steelworkers of America WCI Steel Weirton Steel
A-427-811	731-TA-637	Stainless Steel Wire Rod/France	AL Tech Specialty Steel Armco Steel Carpenter Technology Republic Engineered Steels Talley Metals Technology United Steelworkers of America
A-427-814	731-TA-797	Stainless Steel Sheet and Strip/France	Allegheny Ludlum Armco Steel Bethlehem Steel Butler Armco Independent Union Carpenter Technology Corp North American Stainless United Steelworkers of America Zanesville Armco Independent Organization
A-427-816	731-TA-816	Cut-to-Length Carbon Steel Plate/France	Bethlehem Steel Geneva Steel IPSCO Steel National Steel US Steel United Steelworkers of America
A-427-818	731-TA-909	Low Enriched Uranium/France	United States Enrichment Corp USEC Inc
A-427-820	731-TA-913	Stainless Steel Bar/France	Carpenter Technology Crucible Specialty Metals Electralloy Empire Specialty Steel Republic Technologies International Slater Steels United Steelworkers of America
A-428-082	AA1921-200	Sugar/Germany	Florida Sugar Marketing and Terminal Association
A-428-602	731-TA-317	Brass Sheet and Strip/Germany	Allied Industrial Workers of America American Brass Bridgeport Brass Chase Brass & Copper Hussey Copper International Association of Machinists & Aerospace Workers Mechanics Educational Society of America (Local 56) The Miller Company Olin Revere Copper Products United Steelworkers of America
A-428-801	731-TA-391-A	Ball Bearings/Germany	Barden Corp Emerson Power Transmission Kubar Bearings McGill Manufacturing Co MPB Rexnord Inc Rollway Bearings

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
A-428-801	731-TA-391-B	Cylindrical Roller Bearings/Germany	Torrington Barden Corp Emerson Power Transmission MPB Rollway Bearings Torrington
A-428-801	731-TA-391-C	Spherical Plain Bearings/Germany	Barden Corp Emerson Power Transmission Rollway Bearings Torrington
A-428-802	731-TA-419	Industrial Belts/Germany	The Gates Rubber Company The Goodyear Tire and Rubber Company
A-428-803	731-TA-444	Industrial Nitrocellulose/Germany	Hercules
A-428-807	731-TA-465	Sodium Thiosulfate/Germany	Calabrian
A-428-814	731-TA-604	Cold-Rolled Carbon Steel Flat Products/Germany ...	Armco Steel Bethlehem Steel California Steel Industries Gulf States Steel Inland Steel Industries LTV Steel National Steel Nextech Rouge Steel Co Sharon Steel Theis Precision Steel Thompson Steel US Steel United Steelworkers of America WCI Steel Weirton Steel
A-428-815	731-TA-616	Corrosion-Resistant Carbon Steel Flat Products/ Germany.	Armco Steel Bethlehem Steel California Steel Industries Geneva Steel Gulf States Steel Inland Steel Industries LTV Steel Lukens Steel National Steel Nextech Rouge Steel Co Sharon Steel Theis Precision Steel Thompson Steel US Steel United Steelworkers of America WCI Steel Weirton Steel
A-428-816	731-TA-578	Cut-to-Length Carbon Steel Plate/Germany	Bethlehem Steel California Steel Industries Geneva Steel Gulf States Steel Inland Steel Industries Lukens Steel National Steel Nextech Sharon Steel Theis Precision Steel Thompson Steel US Steel United Steelworkers of America WCI Steel Weirton Steel
A-428-820	731-TA-709	Seamless Pipe/Germany	Bethlehem Steel California Steel Industries Geneva Steel Gulf States Steel Inland Steel Industries Lukens Steel National Steel Nextech Sharon Steel Theis Precision Steel Thompson Steel US Steel United Steelworkers of America Koppel Steel Quanex Timken
A-428-821	731-TA-736	Large Newspaper Printing Presses/Germany	United States Steel
A-428-825	731-TA-798	Stainless Steel Sheet and Strip/Germany	Rockwell Graphics Systems Allegheny Ludlum Armco Steel Bethlehem Steel Butler Armco Independent Union Carpenter Technology Corp J&L Specialty Steel

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
A-428-830	731-TA-914	Stainless Steel Bar/Germany	North American Stainless United Steelworkers of America Zanesville Armco Independent Organization Carpenter Technology Crucible Specialty Metals Electralloy Empire Specialty Steel Republic Technologies International Slater Steels United Steelworkers of America
A-437-601	731-TA-341	Tapered Roller Bearings/Hungary	L&S Bearing Timken Torrington
A-437-804	731-TA-426	Sulfanilic Acid/Hungary	Nation Ford Chemical
A-447-801	731-TA-340C ..	Solid Urea/Estonia	Agrico Chemical American Cyanamid CF Industries First Mississippi Mississippi Chemical Terra International WR Grace
A-449-804	731-TA-878	Steel Concrete Reinforcing Bar/Latvia	AB Steel Mill Inc AmeriSteel Auburn Steel Birmingham Steel Border Steel Cascade Steel Rolling Mills Inc CMC Steel Group Co-Steel Inc Marion Steel North Star Steel Co Nucor Steel Rebar Trade Action Coalition Riverview Steel Sheffield Steel TAMCO TXI-Chaparral Steel Co
A-451-801	731-TA-340D ..	Solid Urea/Lithuania	Agrico Chemical American Cyanamid CF Industries First Mississippi Mississippi Chemical Terra International WR Grace
A-455-802	731-TA-583	Cut-to-Length Carbon Steel Plate/Poland	Bethlehem Steel California Steel Industries Geneva Steel Gulf States Steel Inland Steel Industries Lukens Steel National Steel Nextech Sharon Steel Theis Precision Steel Thompson Steel US Steel United Steelworkers of America
A-455-803	731-TA-880	Steel Concrete Reinforcing Bar/Poland	AB Steel Mill Inc AmeriSteel Auburn Steel Birmingham Steel Border Steel Cascade Steel Rolling Mills Inc CMC Steel Group Co-Steel Inc Marion Steel North Star Steel Co Nucor Steel Rebar Trade Action Coalition Riverview Steel Sheffield Steel TAMCO TXI-Chaparral Steel Co

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
A-469-007	731-TA-126	Potassium Permanganate/Spain	Carus Chemical
A-469-803	731-TA-585	Cut-to-Length Carbon Steel Plate/Spain	Bethlehem Steel
			California Steel Industries
			Geneva Steel
			Gulf States Steel
			Inland Steel Industries
			Lukens Steel
			National Steel
			Nextech
			Sharon Steel
			Theis Precision Steel
			Thompson Steel
			US Steel
			United Steelworkers of America
A-469-805	731-TA-682	Stainless Steel Bar/Spain	AL Tech Specialty Steel
			Carpenter Technology
			Crucible Specialty Metals
			Electralloy
			Republic Engineered Steels
			Slater Steels
			Talley Metals Technology
			United Steelworkers of America
A-469-807	731-TA-773	Stainless Steel Wire Rod/Spain	AL Tech Specialty Steel
			Carpenter Technology
			Republic Engineered Steels
			Talley Metals Technology
			United Steelworkers of America
A-469-810	731-TA-890	Stainless Steel Angle/Spain	Slater Steels
			United Steelworkers of America
A-469-814	731-TA-1083	Chlorinated Isocyanurates/Spain	BioLab Inc
			Clearon Corp
			Occidental Chemical Corp
A-471-806	731-TA-427	Sulfanilic Acid/Portugal	Nation Ford Chemical
A-475-059	AA1921-167	Pressure-Sensitive Plastic Tape/Italy	Minnesota Mining & Manufacturing
A-475-601	731-TA-314	Brass Sheet and Strip/Italy	Allied Industrial Workers of America
			American Brass
			Bridgeport Brass
			Chase Brass & Copper
			Hussey Copper
			International Association of Machinists & Aerospace Workers
			Mechanics Educational Society of America (Local 56)
			The Miller Company
			Olin
			Revere Copper Products
A-475-703	731-TA-385	Granular Polytetrafluoroethylene/Italy	United Steelworkers of America
			E I du Pont de Nemours
A-475-801	731-TA-393-A	Ball Bearings/Italy	ICI Americas
			Barden Corp
			Emerson Power Transmission
			Kubar Bearings
			McGill Manufacturing Co
			MPB
			Rexnord Inc
			Rollway Bearings
			Torrington
A-475-801	731-TA-393-B	Cylindrical Roller Bearings/Italy	Barden Corp
			Emerson Power Transmission
			MPB
			Rollway Bearings
			Torrington
A-475-802	731-TA-413	Industrial Belts/Italy	The Gates Rubber Company
			The Goodyear Tire and Rubber Company
A-475-811	731-TA-659	Grain-Oriented Silicon Electrical Steel/Italy	Allegheny Ludlum
			Armco Steel
			Butler Armco Independent Union
			United Steelworkers of America
			Zanesville Armco Independent Union
A-475-814	731-TA-710	Seamless Pipe/Italy	Koppel Steel
			Quanex
			Timken
			United States Steel

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
A-475-816	731-TA-713	Oil Country Tubular Goods/Italy	Bellville Tube IPSCO Koppel Steel Lone Star Steel Maverick Tube Newport Steel North Star Steel US Steel USS/Kobe
A-475-818	731-TA-734	Pasta/Italy	A Zerega's Sons American Italian Pasta Borden D Merlino & Sons Dakota Growers Pasta Foulds Gilster-Mary Lee Gooch Foods Hershey Foods LaRinascente Macaroni Co Pasta USA Philadelphia Macaroni ST Specialty Foods
A-475-820	731-TA-770	Stainless Steel Wire Rod/Italy	AL Tech Specialty Steel Carpenter Technology Republic Engineered Steels Talley Metals Technology United Steelworkers of America
A-475-822	731-TA-790	Stainless Steel Plate in Coils/Italy	Allegheny Ludlum Armco Steel J&L Specialty Steel Lukens Steel North American Stainless United Steelworkers of America
A-475-824	731-TA-799	Stainless Steel Sheet and Strip/Italy	Allegheny Ludlum Armco Steel Bethlehem Steel Butler Armco Independent Union Carpenter Technology Corp J&L Specialty Steel North American Stainless United Steelworkers of America Zanesville Armco Independent Organization
A-475-826	731-TA-819	Cut-to-Length Carbon Steel Plate/Italy	Bethlehem Steel Geneva Steel Gulf States Steel IPSCO Steel National Steel US Steel United Steelworkers of America
A-475-828	731-TA-865	Stainless Steel Butt-Weld Pipe Fittings/Italy	Flo-Mac Inc Gerlin Markovitz Enterprises Shaw Alloy Piping Products Taylor Forge Stainless
A-475-829	731-TA-915	Stainless Steel Bar/Italy	Carpenter Technology Crucible Specialty Metals Electralloy Empire Specialty Steel Republic Technologies International Slater Steels United Steelworkers of America
A-479-801	731-TA-445	Industrial Nitrocellulose/Yugoslavia	Hercules
A-484-801	731-TA-406	Electrolytic Manganese Dioxide/Greece	Chemetals Kerr-McGee Rayovac
A-485-601	731-TA-339	Solid Urea/Romania	Agrico Chemical American Cyanamid CF Industries First Mississippi Mississippi Chemical Terra International WR Grace
A-485-602	731-TA-345	Tapered Roller Bearings/Romania	L&S Bearing

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
A-485-801	731-TA-395	Ball Bearings/Romania	Timken Torrington Barden Corp Emerson Power Transmission Kubar Bearings MPB Rollway Bearings Torrington
A-485-803	731-TA-584	Cut-to-Length Carbon Steel Plate/Romania	Bethlehem Steel California Steel Industries Geneva Steel Gulf States Steel Inland Steel Industries Lukens Steel National Steel Nextech Sharon Steel Theis Precision Steel Thompson Steel US Steel United Steelworkers of America Koppel Steel
A-485-805	731-TA-849	Small-Diameter Carbon Steel Seamless Pipe/Romania.	North Star Steel Sharon Tube Timken US Steel United Steelworkers of America USS/Kobe Vision Metals' Gulf States Tube
A-485-806	731-TA-904	Hot-Rolled Steel Products/Romania	Bethlehem Steel Gallatin Steel Independent Steelworkers IPSCO LTV Steel National Steel Nucor Rouge Steel Co Steel Dynamics US Steel United Steelworkers of America WCI Steel Inc Weirton Steel Wheeling-Pittsburgh Steel Corp
A-489-501	731-TA-273	Welded Carbon Steel Pipe and Tube/Turkey	Allied Tube & Conduit American Tube Bernard Epps Bock Industries Bull Moose Tube Central Steel Tube Century Tube Copperweld Tubing Cyclops Hughes Steel & Tube Kaiser Steel Laclede Steel Maruichi American Maverick Tube Merchant Metals Phoenix Steel Pittsburgh Tube Quanex Sharon Tube Southwestern Pipe UNR-Leavitt Welded Tube Western Tube & Conduit Wheatland Tube
A-489-602	731-TA-364	Aspirin/Turkey	Dow Chemical Monsanto
A-489-805	731-TA-735	Pasta/Turkey	Norwich-Eaton A Zerega's Sons American Italian Pasta

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
A-489-807	731-TA-745	Steel Concrete Reinforcing Bar/Turkey	Borden D Merlino & Sons Dakota Growers Pasta Foulds Gilster-Mary Lee Gooch Foods Hershey Foods LaRinascente Macaroni Co Pasta USA Philadelphia Macaroni ST Specialty Foods AmeriSteel Auburn Steel Birmingham Steel Commercial Metals Marion Steel New Jersey Steel
A-507-502	731-TA-287	Raw In-Shell Pistachios/Iran	Blackwell Land California Pistachio Orchard Keenan Farms Kern Pistachio Hulling & Drying Los Ranchos de Poco Pedro Pistachio Producers of California
A-508-604	731-TA-366	Industrial Phosphoric Acid/Israel	TM Duche Nut Albright & Wilson FMC Hydrite Chemical Monsanto Stauffer Chemical
A-533-502	731-TA-271	Welded Carbon Steel Pipe and Tube/India	Allied Tube & Conduit American Tube Bernard Epps Bock Industries Bull Moose Tube Central Steel Tube Century Tube Copperweld Tubing Cyclops Hughes Steel & Tube Kaiser Steel Laclede Steel Maruichi American Maverick Tube Merchant Metals Phoenix Steel Pittsburgh Tube Quanex Sharon Tube Southwestern Pipe UNR-Leavitt Welded Tube Western Tube & Conduit Wheatland Tube
A-533-806	731-TA-561	Sulfanilic Acid/India	R-M Industries
A-533-808	731-TA-638	Stainless Steel Wire Rod/India	AL Tech Specialty Steel Armco Steel Carpenter Technology Republic Engineered Steels Talley Metals Technology United Steelworkers of America
A-533-809	731-TA-639	Forged Stainless Steel Flanges/India	Gerlin Ideal Forging Maass Flange Markovitz Enterprises
A-533-810	731-TA-679	Stainless Steel Bar/India	AL Tech Specialty Steel Carpenter Technology Crucible Specialty Metals Electralloy Republic Engineered Steels Slater Steels Talley Metals Technology United Steelworkers of America
A-533-813	731-TA-778	Preserved Mushrooms/India	LK Bowman

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
A-533-817	731-TA-817	Cut-to-Length Carbon Steel Plate/India	Modern Mushroom Farms Monterey Mushrooms Mount Laurel Canning Mushroom Canning Southwood Farms Sunny Dell Foods United Canning Bethlehem Steel Geneva Steel Gulf States Steel IPSCO Steel National Steel Tuscaloosa Steel US Steel United Steelworkers of America
A-533-820	731-TA-900	Hot-Rolled Steel Products/India	Bethlehem Steel Gallatin Steel Independent Steelworkers IPSCO LTV Steel National Steel Nucor Rouge Steel Co Steel Dynamics US Steel United Steelworkers of America WCI Steel Inc Weirton Steel Wheeling-Pittsburgh Steel Corp
A-533-823	731-TA-929	Silicomanganese/India	Eramet Marietta Paper, Allied-Industrial, Chemical and Energy Workers International Union, Local 5-0639
A-533-824	731-TA-933	Polyethylene Terephthalate Film, Sheet and Strip (PET Film)/India.	DuPont Teijin Films
A-533-828	731-TA-1025 ...	Prestressed Concrete Steel Wire Strand/India	Mitsubishi Polyester Film LLC SKC America Inc Toray Plastics (America) American Spring Wire Corp Insteel Wire Products Co Sivaco Georgia LLC Strand Tech Martin Inc Sumiden Wire Products Corp
A-533-838	731-TA-1061 ...	Carbazole Violet Pigment 23/India	Allegheny Color Corp Barker Fine Color Inc Clariant Corp Nation Ford Chemical Co Sun Chemical Co
A-533-843	731-TA-1096 ...	Certain Lined Paper School Supplies/India	Fay Paper Products Inc MeadWestvaco Consumer & Office Products Norcom Inc Pacon Corp Roaring Spring Blank Book Co Top Flight Inc United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union, AFL-CIO-CLC (USW)
A-538-802	731-TA-514	Cotton Shop Towels/Bangladesh	Milliken
A-549-502	731-TA-252	Welded Carbon Steel Pipe and Tube/Thailand	Allied Tube & Conduit American Tube Bernard Epps Bock Industries Bull Moose Tube Central Steel Tube Century Tube Copperweld Tubing Cyclops Hughes Steel & Tube Kaiser Steel Laclede Steel Maruichi American Maverick Tube Merchant Metals

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
A-549-601	731-TA-348	Malleable Cast Iron Pipe Fittings/Thailand	Phoenix Steel Pittsburgh Tube Quanex Sharon Tube Southwestern Pipe UNR-Leavitt Welded Tube Western Tube & Conduit Wheatland Tube Grinnell Stanley G Flag Stockham Valves & Fittings U-Brand Ward Manufacturing
A-549-807	731-TA-521	Carbon Steel Butt-Weld Pipe Fittings/Thailand	Hackney Ladish Mills Iron Works Steel Forgings Tube Forgings of America
A-549-812	731-TA-705	Furfuryl Alcohol/Thailand	QO Chemicals
A-549-813	731-TA-706	Canned Pineapple/Thailand	International Longshoreman's and Warehouseman's Union
A-549-817	731-TA-907	Hot-Rolled Steel Products/Thailand	Maui Pineapple Bethlehem Steel Gallatin Steel Independent Steelworkers IPSCO LTV Steel National Steel Nucor Rouge Steel Co Steel Dynamics US Steel United Steelworkers of America WCI Steel Inc Weirton Steel
A-549-820	731-TA-1028 ...	Prestressed Concrete Steel Wire Strand/Thailand ...	Wheeling-Pittsburgh Steel Corp American Spring Wire Corp Insteel Wire Products Co Sivaco Georgia LLC Strand Tech Martin Inc Sumiden Wire Products Corp
A-549-821	731-TA-1045 ...	Polyethylene Retail Carrier Bags/Thailand	Aargus Plastics Inc Advance Polybags Inc Advance Polybags (Nevada) Inc Advance Polybags (Northeast) Inc Alpha Industries Inc Alpine Plastics Inc Ampac Packaging LLC API Enterprises Inc Command Packaging Continental Poly Bags Inc Durabag Co Inc Europackaging LLC Genpak LLC (formerly Continental Superbag LLC) Genpak LLC (formerly Strout Plastics) Hilex Poly Co LLC Inteplast Group Ltd PCL Packaging Inc Poly-Pak Industries Inc Roplast Industries Inc Superbag Corp Unistar Plastics LLC Vanguard Plastics Inc VS Plastics LLC
A-552-801	731-TA-1012 ...	Certain Frozen Fish Fillets/Vietnam	America's Catch Inc Aquafarms Catfish Inc Carolina Classics Catfish Inc Catfish Farmers of America Consolidated Catfish Companies Inc Delta Pride Catfish Inc Fish Processors Inc Guidry's Catfish Inc

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
			Haring's Pride Catfish Harvest Select Catfish (Alabama Catfish Inc) Heartland Catfish Co (TT&W Farm Products Inc) Prairie Lands Seafood (Illinois Fish Farmers Cooperative) Pride of the Pond Pride of the South Catfish Inc Prime Line Inc Seabrook Seafood Inc Seacat (Arkansas Catfish Growers) Simmons Farm Raised Catfish Inc Southern Pride Catfish LLC Verret Fisheries Inc
A-557-805	731-TA-527	Extruded Rubber Thread/Malaysia	Globe Manufacturing
A-557-809	731-TA-866	Stainless Steel Butt-Weld Pipe Fittings/Malaysia	North American Rubber Thread
			Flo-Mac Inc
			Gerlin
			Markovitz Enterprises
			Shaw Alloy Piping Products
			Taylor Forge Stainless
A-557-813	731-TA-1044	Polyethylene Retail Carrier Bags/Malaysia	Aargus Plastics Inc
			Advance Polybags Inc
			Advance Polybags (Nevada) Inc
			Advance Polybags (Northeast) Inc
			Alpha Industries Inc
			Alpine Plastics Inc
			Ampac Packaging LLC
			API Enterprises Inc
			Command Packaging
			Continental Poly Bags Inc
			Durabag Co Inc
			Europackaging LLC
			Genpak LLC (formerly Continental Superbag LLC)
			Genpak LLC (formerly Strout Plastics)
			Hilex Poly Co LLC
			Inteplast Group Ltd
			PCL Packaging Inc
			Poly-Pak Industries Inc
			Roplast Industries Inc
			Superbag Corp
			Unistar Plastics LLC
			Vanguard Plastics Inc
			VS Plastics LLC
A-559-502	731-TA-296	Small Diameter Standard and Rectangular Pipe and Tube/Singapore.	Allied Tube & Conduit
			American Tube
			Bull Moose Tube
			Cyclops
			Hannibal Industries
			Laclede Steel
			Pittsburgh Tube
			Sharon Tube
			Western Tube & Conduit
			Wheatland Tube
A-559-601	731-TA-370	Color Picture Tubes/Singapore	Industrial Union Department, AFL-CIO
			International Association of Machinists & Aerospace Workers
			International Brotherhood of Electrical Workers
			International Union of Electronic, Electrical, Technical, Salaried and Machine Workers
			Philips Electronic Components Group
			United Steelworkers of America
			Zenith Electronics
A-559-801	731-TA-396	Ball Bearings/Singapore	Barden Corp
			Emerson Power Transmission
			Kubar Bearings
			McGill Manufacturing Co
			MPB
			Rexnord Inc
			Rollway Bearings
			Torrington
A-559-802	731-TA-415	Industrial Belts/Singapore	The Gates Rubber Company
			The Goodyear Tire and Rubber Company

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
A-560-801	731-TA-742	Melamine Institutional Dinnerware/Indonesia	Carlisle Food Service Products Lexington United Plastics Manufacturing LK Bowman
A-560-802	731-TA-779	Preserved Mushrooms/Indonesia	Modern Mushroom Farms Monterey Mushrooms Mount Laurel Canning Mushroom Canning Southwood Farms Sunny Dell Foods United Canning
A-560-803	731-TA-787	Extruded Rubber Thread/Indonesia	North American Rubber Thread
A-560-805	731-TA-818	Cut-to-Length Carbon Steel Plate/Indonesia	Bethlehem Steel Geneva Steel Gulf States Steel IPSCO Steel National Steel Tuscaloosa Steel US Steel United Steelworkers of America
A-560-811	731-TA-875	Steel Concrete Reinforcing Bar/Indonesia	AB Steel Mill Inc AmeriSteel Birmingham Steel Border Steel Cascade Steel Rolling Mills Inc CMC Steel Group Co-Steel Inc Marion Steel North Star Steel Co Nucor Steel Rebar Trade Action Coalition Riverview Steel Sheffield Steel TAMCO
A-560-812	731-TA-901	Hot-Rolled Steel Products/Indonesia	TXI-Chaparral Steel Co Bethlehem Steel Gallatin Steel Independent Steelworkers IPSCO LTV Steel National Steel Nucor Rouge Steel Co Steel Dynamics US Steel United Steelworkers of America WCI Steel Inc Weirton Steel Wheeling-Pittsburgh Steel Corp
A-560-815	731-TA-957	Carbon and Certain Alloy Steel Wire Rod/Indonesia	AmeriSteel Birmingham Steel Cascade Steel Rolling Mills Connecticut Steel Corp Co-Steel Raritan GS Industries Keystone Consolidated Industries North Star Steel Texas Nucor Steel-Nebraska (a division of Nucor Corp) Republic Technologies International Rocky Mountain Steel Mills
A-560-818	731-TA-1097 ...	Certain Lined Paper School Supplies/Indonesia	Fay Paper Products Inc MeadWestvaco Consumer & Office Products Norcom Inc Pacon Corp Roaring Spring Blank Book Co Top Flight Inc United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union, AFL-CIO-CLC (USW)
A-565-801	731-TA-867	Stainless Steel Butt-Weld Pipe Fittings/Philippines ..	Flo-Mac Inc Gerlin Markovitz Enterprises

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
A-570-001	731-TA-125	Potassium Permanganate/China	Shaw Alloy Piping Products
A-570-002	731-TA-130	Chloropicrin/China	Taylor Forge Stainless
			Carus Chemical
			LCP Chemicals & Plastics
A-570-003	731-TA-103	Cotton Shop Towels/China	Niklor Chemical
			Milliken
			Texel Industries
			Wikit
A-570-007	731-TA-149	Barium Chloride/China	Chemical Products
A-570-101	731-TA-101	Greige Polyester Cotton Printcloth/China	Alice Manufacturing
			Clinton Mills
			Dan River
			Greenwood Mills
			Hamrick Mills
			M Lowenstein
			Mayfair Mills
			Mount Vernon Mills
A-570-501	731-TA-244	Natural Bristle Paint Brushes/China	Baltimore Brush
			Bestt Liebco
			Elder & Jenks
			EZ Paints
			H&G Industries
			Joseph Lieberman & Sons
			Purdy
			Rubberset
			Thomas Paint Applicators
			Wooster Brush
A-570-502	731-TA-265	Iron Construction Castings/China	Alhambra Foundry
			Allegheny Foundry
			Bingham & Taylor
			Campbell Foundry
			Charlotte Pipe & Foundry
			Deeter Foundry
			East Jordan Foundry
			Le Baron Foundry
			Municipal Castings
			Neenah Foundry
			Opelika Foundry
			Pinkerton Foundry
			Tyler Pipe
			US Foundry & Manufacturing
A-570-504	731-TA-282	Petroleum Wax Candles/China	Vulcan Foundry
			The Al Root Company
			Candle Artisans Inc
			Candle-Lite
			Cathedral Candle
			Colonial Candle of Cape Cod
			General Wax & Candle
			Lenox Candles
			Lumi-Lite Candle
			Meuch-Kreuzer Candle
			National Candle Association
			Will & Baumer
			WNS
A-570-506	731-TA-298	Porcelain-on-Steel Cooking Ware/China	General Housewares
A-570-601	731-TA-344	Tapered Roller Bearings/China	L&S Bearing
			Timken
			Torrington
A-570-802	731-TA-441	Industrial Nitrocellulose/China	Hercules
A-570-803	731-TA-457-A	Axes and Adzes/China	Council Tool Co Inc
			Warwood Tool
			Woodings-Verona
A-570-803	731-TA-457-B	Bars and Wedges/China	Council Tool Co Inc
			Warwood Tool
			Woodings-Verona
A-570-803	731-TA-457-C	Hammers and Sledges/China	Council Tool Co Inc
			Warwood Tool
			Woodings-Verona
A-570-803	731-TA-457-D	Picks and Mattocks/China	Council Tool Co Inc
			Warwood Tool
			Woodings-Verona
A-570-804	731-TA-464	Sparklers/China	BJ Alan
			Diamond Sparkler

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
A-570-805	731-TA-466	Sodium Thiosulfate/China	Elkton Sparkler
A-570-806	731-TA-472	Silicon Metal/China	Calabrian
			American Alloys
			Elkem Metals
			Globe Metallurgical
			International Union of Electronics, Electrical, Machine and Furniture Workers (Local 693)
			Oil, Chemical and Atomic Workers (Local 389)
			Silicon Metaltech
			SIMETCO
			SKW Alloys
			Textile Processors, Service Trades, Health Care Professional and Technical Employees (Local 60)
			United Steelworkers of America (Locals 5171, 8538 and 12646)
A-570-808	731-TA-474	Chrome-Plated Lug Nuts/China	Consolidated International Automotive
			Key Manufacturing
			McGard
A-570-811	731-TA-497	Tungsten Ore Concentrates/China	Curtis Tungsten
			US Tungsten
A-570-814	731-TA-520	Carbon Steel Butt-Weld Pipe Fittings/China	Hackney
			Ladish
			Mills Iron Works
			Steel Forgings
			Tube Forgings of America
A-570-815	731-TA-538	Sulfanilic Acid/China	R-M Industries
A-570-819	731-TA-567	Ferrosilicon/China	AIMCOR
			Alabama Silicon
			American Alloys
			Globe Metallurgical
			Oil, Chemical and Atomic Workers (Local 389)
			Silicon Metaltech
			United Autoworkers of America (Local 523)
			United Steelworkers of America (Locals 2528, 3081, 5171 and 12646)
A-570-822	731-TA-624	Helical Spring Lock Washers/China	Illinois Tool Works
A-570-825	731-TA-653	Sebacic Acid/China	Union Camp
A-570-826	731-TA-663	Paper Clips/China	ACCO USA
			Labelon/Noesting
			TRICO Manufacturing
A-570-827	731-TA-669	Cased Pencils/China	Blackfeet Indian Writing Instrument
			Dixon-Ticonderoga
			Empire Berol
			Faber-Castell
			General Pencil
			JR Moon Pencil
			Musgrave Pen & Pencil
			Panda
			Writing Instrument Manufacturers Association, Pencil Section
A-570-828	731-TA-672	Silicomanganese/China	Elkem Metals
			Oil, Chemical and Atomic Workers (Local 3-639)
A-570-830	731-TA-677	Coumarin/China	Rhone-Poulenc
A-570-831	731-TA-683	Fresh Garlic/China	A&D Christopher Ranch
			Belridge Packing
			Colusa Produce
			Denice & Filice Packing
			El Camino Packing
			The Garlic Company
			Vessey and Company
A-570-832	731-TA-696	Pure Magnesium/China	Dow Chemical
			International Union of Operating Engineers (Local 564)
			Magnesium Corporation of America
			United Steelworkers of America (Local 8319)
A-570-835	731-TA-703	Furfuryl Alcohol/China	QO Chemicals
A-570-836	731-TA-718	Glycine/China	Chatterm
			Hampshire Chemical
A-570-840	731-TA-724	Manganese Metal/China	Elkem Metals
			Kerr-McGee
A-570-842	731-TA-726	Polyvinyl Alcohol/China	Air Products and Chemicals
A-570-844	731-TA-741	Melamine Institutional Dinnerware/China	Carlisle Food Service Products
			Lexington United

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
A-570-846	731-TA-744	Brake Rotors/China	Plastics Manufacturing Brake Parts Coalition for the Preservation of American Brake Drum and Rotor Aftermarket Manufacturers Iroquois Tool Systems Kelsey Hayes Kinetic Parts Manufacturing Overseas Auto Parts Wagner Brake
A-570-847	731-TA-749	Persulfates/China	FMC
A-570-848	731-TA-752	Crawfish Tail Meat/China	A&S Crawfish Acadiana Fisherman's Co-Op Arnaudville Seafood Atchafalaya Crawfish Processors Basin Crawfish Processors Bayou Land Seafood Becnel's Meat & Seafood Bellard's Poultry & Crawfish Bonanza Crawfish Farm Cajun Seafood Distributors Carl's Seafood Catahoula Crawfish Choplin SFD CJ's Seafood & Purged Crawfish Clearwater Crawfish Crawfish Processors Alliance Harvey's Seafood Lawtell Crawfish Processors Louisiana Premium Seafoods Louisiana Seafood LT West Phillips Seafood Prairie Cajun Wholesale Seafood Dist Riceland Crawfish Schexnider Crawfish Seafood International Distributors Sylvester's Processors Teche Valley Seafood
A-570-849	731-TA-753	Cut-to-Length Carbon Steel Plate/China	Acme Metals Inc Bethlehem Steel Geneva Steel Gulf States Steel Lukens Inc National Steel US Steel United Steelworkers of America
A-570-850	731-TA-757	Collated Roofing Nails/China	Illinois Tool Works International Staple and Machines Stanley-Bostitch
A-570-851	731-TA-777	Preserved Mushrooms/China	LK Bowman Modern Mushroom Farms Monterey Mushrooms Mount Laurel Canning Mushroom Canning Southwood Farms Sunny Dell Foods United Canning
A-570-852	731-TA-814	Creatine Monohydrate/China	Pfanstiehl Laboratories
A-570-853	731-TA-828	Aspirin/China	Rhodia
A-570-855	731-TA-841	Non-Frozen Apple Juice Concentrate/China	Coloma Frozen Foods Green Valley Apples of California Knouse Foods Coop Mason County Fruit Packers Coop Tree Top
A-570-856	731-TA-851	Synthetic Indigo/China	Buffalo Color United Steelworkers of America
A-570-860	731-TA-874	Steel Concrete Reinforcing Bar/China	AB Steel Mill Inc AmeriSteel Auburn Steel Birmingham Steel Border Steel Cascade Steel Rolling Mills Inc CMC Steel Group

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
A-570-862	731-TA-891	Foundry Coke/China	Co-Steel Inc Marion Steel North Star Steel Co Nucor Steel Rebar Trade Action Coalition Riverview Steel Sheffield Steel TAMCO TXI-Chaparral Steel Co ABC Coke Citizens Gas and Coke Utility Erie Coke Sloss Industries Corp Tonawanda Coke United Steelworkers of America
A-570-863	731-TA-893	Honey/China	AH Meyer & Sons Adee Honey Farms Althoff Apiaries American Beekeeping Federation American Honey Producers Association Anderson Apiaries Arroyo Apiaries Artesian Honey Producers B Weaver Apiaries Bailey Enterprises Barkman Honey Basler Honey Apiary Beals Honey Bears Paw Apiaries Beaverhead Honey Bee Biz Bee Haven Honey Belliston Brothers Apiaries Big Sky Honey Bill Rhodes Honey Richard E Blake Curt Bronnenbery Brown's Honey Farms Brumley's Bees Buhmann Apiaries Carys Honey Farms Chaparral Honey Charles Apiaries Mitchell Charles Collins Honey Conor Apiaries Coy's Honey Farm Dave Nelson Apiaries Delta Bee Eisele's Pollination & Honey Ellingsoa's Elliott Curtis & Sons Charles L Emmons, Sr Gause Honey Gene Brandi Apiaries Griffith Honey Haff Apiaries Hamilton Bee Farms Hamilton Honey Happie Bee Harvest Honey Harvey's Honey Hiatt Honey Hoffman Honey Hollman Apiaries Honey House Honeybee Apiaries Gary M Honl Rand William Honl and Sydney Jo Honl James R & Joann Smith Trust Jaynes Bee Products Johnston Honey Farms Larry Johnston

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
			Ke-An Honey Kent Honeybees Lake-Indianhead Honey Farms Lamb's Honey Farm Las Flores Apiaries Mackrill Honey Farms & Sales Raymond Marquette Mason & Sons Honey McCoy's Sunny South Apiaries Merrimack Valley Apiaries & Evergreen Honey Met 2 Honey Farm Missouri River Honey Mitchell Brothers Honey Monda Honey Farm Montana Dakota Honey Northern Bloom Honey Noye's Apiaries Oakes Honey Oakley Honey Farms Old Mill Apiaries Opp Honey Oro Dulce Peterson's "Naturally Sweet" Honey Potoczak Bee Farms Price Apiaries Pure Sweet Honey Farms Robertson Pollination Service Robson Honey William Robson Rosedale Apiaries Ryan Apiaries Schmidt Honey Farms Simpson Apiaries Sioux Honey Association Smoot Honey Solby Honey Stahlman Apiaries Steve E Parks Apiaries Stroope Bee & Honey T&D Honey Bee Talbott's Honey Terry Apiaries Thompson Apiaries Triple A Farm Tropical Blossom Honey Tubbs Apiaries Venable Wholesale Walter L Wilson Buzz 76 Apiaries Wiebersiek Honey Farms Wilmer Farms Brent J Woodworth Wooten's Golden Queens Yaddof Apiaries
A-570-864	731-TA-895	Pure Magnesium (Granular)/China	Concerned Employees of Northwest Alloys Magnesium Corporation of America United Steelworkers of America United Steelworkers of America (Local 8319)
A-570-865	731-TA-899	Hot-Rolled Steel Products/China	Bethlehem Steel Gallatin Steel Independent Steelworkers IPSCO LTV Steel National Steel Nucor Rouge Steel Co Steel Dynamics US Steel United Steelworkers of America WCI Steel Inc Weirton Steel
A-570-866	731-TA-921	Folding Gift Boxes/China	Wheeling-Pittsburgh Steel Corp Field Container Harvard Folding Box

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
A-570-867	731-TA-922	Automotive Replacement Glass Windshields/China	Sterling Packaging Superior Packaging PPG Industries Safelite Glass Viracon/Curvite Inc Visteon Corporation
A-570-868	731-TA-932	Folding Metal Tables and Chairs/China	Krueger International McCourt Manufacturing Meco Virco Manufacturing
A-570-873	731-TA-986	Ferrovandium/China	Bear Metallurgical Co Shieldalloy Metallurgical Corp
A-570-875	731-TA-990	Non-Malleable Cast Iron Pipe Fittings/China	Anvil International Inc Buck Co Inc Frazier & Frazier Industries Ward Manufacturing Inc
A-570-877	731-TA-1010 ...	Lawn and Garden Steel Fence Posts/China	Steel City Corp
A-570-878	731-TA-1013 ...	Saccharin/China	PMC Specialties Group Inc
A-570-879	731-TA-1014 ...	Polyvinyl Alcohol/China	Celanese Ltd E I du Pont de Nemours & Co
A-570-880	731-TA-1020 ...	Barium Carbonate/China	Chemical Products Corp
A-570-881	731-TA-1021 ...	Malleable Iron Pipe Fittings/China	Anvil International Inc Buck Co Inc Ward Manufacturing Inc
A-570-882	731-TA-1022 ...	Refined Brown Aluminum Oxide/China	C-E Minerals Treibacher Schleifmittel North America Inc Washington Mills Co Inc
A-570-884	731-TA-1034 ...	Certain Color Television Receivers/China	Five Rivers Electronic Innovations LLC Industrial Division of the Communications Workers of America (IUECWA) International Brotherhood of Electrical Workers (IBEW)
A-570-886	731-TA-1043 ...	Polyethylene Retail Carrier Bags/China	Aargus Plastics Inc Advance Polybags Inc Advance Polybags (Nevada) Inc Advance Polybags (Northeast) Inc Alpha Industries Inc Alpine Plastics Inc Ampac Packaging LLC API Enterprises Inc Command Packaging Continental Poly Bags Inc Durabag Co Inc Europackaging LLC Genpak LLC (formerly Continental Superbag LLC) Genpak LLC (formerly Strout Plastics) Hilex Poly Co LLC Inteplast Group Ltd PCL Packaging Inc Poly-Pak Industries Inc Roplast Industries Inc Superbag Corp Unistar Plastics LLC Vanguard Plastics Inc VS Plastics LLC
A-570-887	731-TA-1046 ...	Tetrahydrofurfuryl Alcohol/China	Penn Specialty Chemicals Inc
A-570-888	731-TA-1047 ...	Ironing Tables and Certain Parts Thereof/China	Home Products International Inc
A-570-890	731-TA-1058 ...	Wooden Bedroom Furniture/China	American Drew American of Martinsville Bassett Furniture Industries Inc Bebe Furniture Carolina Furniture Works Inc Carpenters Industrial Union Local 2093 Century Furniture Industries Country Craft Furniture Inc Craftique Crawford Furniture Mfg Corp EJ Victor Inc Forest Designs Harden Furniture Inc Hart Furniture Higdon Furniture Co IUE Industrial Division of CWA Local 82472

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
			Johnston Tombigbee Furniture Mfg Co Kincaid Furniture Co Inc L & J G Stickley Inc Lea Industries Michels & Co MJ Wood Products Inc Mobel Inc Modern Furniture Manufacturers Inc Moosehead Mfg Co Oakwood Interiors O'Sullivan Industries Inc Pennsylvania House Inc Perdues Inc Sandberg Furniture Mfg Co Inc Stanley Furniture Co Inc Statton Furniture Mfg Assoc T Copeland & Sons Teamsters, Chauffeurs, Warehousemen and Helpers Local 991 Tom Seely Furniture UBC Southern Council of Industrial Workers Local Union 2305 United Steelworkers of America Local 193U Vaughan Furniture Co Inc Vaughan-Bassett Furniture Co Inc Vermont Tubbs Webb Furniture Enterprises Inc
A-570-891	731-TA-1059 ...	Hand Trucks and Certain Parts Thereof/China	B&P Manufacturing Gleason Industrial Products Inc Harper Trucks Inc Magline Inc Precision Products Inc Wesco Industrial Products Inc
A-570-892	731-TA-1060 ...	Carbazole Violet Pigment 23/China	Allegheny Color Corp Barker Fine Color Inc Clariant Corp Nation Ford Chemical Co Sun Chemical Co
A-570-894	731-TA-1070 ...	Certain Tissue Paper Products/China	American Crepe Corp Cindus Corp Eagle Tissue LLC Flower City Tissue Mills Co and Subsidiary Garlock Printing & Converting Corp Green Mtn Specialties Inc Hallmark Cards Inc Pacon Corp Paper, Allied-Industrial, Chemical and Energy Workers International Union AFL-CIO ("PACE") Paper Service LTD Putney Paper Seaman Paper Co of MA Inc
A-570-895	731-TA-1069 ...	Certain Crepe Paper Products/China	American Crepe Corp Cindus Corp Paper, Allied-Industrial, Chemical and Energy Workers International Union AFL-CIO ("PACE") Seaman Paper Co of MA Inc
A-570-896	731-TA-1071 ...	Alloy Magnesium/China	Garfield Alloys Inc Glass, Molders, Pottery, Plastics & Allied Workers International Local 374 Halaco Engineering MagReTech Inc United Steelworkers of America Local 8319 US Magnesium LLC
A-570-899	731-TA-1091 ...	Artists' Canvas/China	Duro Art Industries ICG/Holliston Mills Inc Signature World Class Canvas LLC Tara Materials Inc
A-570-898	731-TA-1082 ...	Chlorinated Isocyanurates/China	BioLab Inc Clearon Corp Occidental Chemical Corp
A-570-901	731-TA-1095 ...	Certain Lined Paper School Supplies/China	Fay Paper Products Inc MeadWestvaco Consumer & Office Products Norcom Inc

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
			Pacon Corp Roaring Spring Blank Book Co Top Flight Inc United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union, AFL-CIO-CLC (USW)
A-570-904	731-TA-1103 ...	Certain Activated Carbon/China	Calgon Carbon Corp
A-570-905	731-TA-1104 ...	Certain Polyester Staple Fiber/China	Norit Americas Inc
			DAK Americas LLC
			Formed Fiber Technologies LLC
			Nan Ya Plastics Corp America
			Palmetto Synthetics LLC
			United Synthetics Inc (USI)
			Wellman Inc
A-580-008	731-TA-134	Color Television Receivers/Korea	Committee to Preserve American Color Television
			Independent Radionic Workers of America
			Industrial Union Department, AFL-CIO
			International Brotherhood of Electrical Workers
			International Union of Electrical, Radio and Machine Workers
A-580-507	731-TA-279	Malleable Cast Iron Pipe Fittings/Korea	Grinnell
			Stanley G Flag
			Stockham Valves & Fittings
			U-Brand
			Ward Manufacturing
A-580-601	731-TA-304	Top-of-the-Stove Stainless Steel Cooking Ware/Korea.	Farberware
			Regal Ware
			Revere Copper & Brass
			WearEver/Proctor Silex
A-580-603	731-TA-315	Brass Sheet and Strip/Korea	Allied Industrial Workers of America
			American Brass
			Bridgeport Brass
			Chase Brass & Copper
			Hussey Copper
			International Association of Machinists & Aerospace Workers
			Mechanics Educational Society of America (Local 56)
			The Miller Company
			Olin
			Revere Copper Products
A-580-605	731-TA-369	Color Picture Tubes/Korea	United Steelworkers of America
			Industrial Union Department, AFL-CIO
			International Association of Machinists & Aerospace Workers
			International Brotherhood of Electrical Workers
			International Union of Electronic, Electrical, Technical, Salaried and Machine Workers
			Philips Electronic Components Group
			United Steelworkers of America
			Zenith Electronics
A-580-803	731-TA-427	Small Business Telephone Systems/Korea	American Telephone & Telegraph
			Comdial
			Eagle Telephonic
A-580-805	731-TA-442	Industrial Nitrocellulose/Korea	Hercules
A-580-807	731-TA-459	Polyethylene Terephthalate Film/Korea	E I du Pont de Nemours
			Hoechst Celanese
			ICI Americas
A-580-809	731-TA-533	Circular Welded Nonalloy Steel Pipe/Korea	Allied Tube & Conduit
			American Tube
			Bull Moose Tube
			Century Tube
			CSI Tubular Products
			Cyclops
			Laclede Steel
			LTV Tubular Products
			Maruichi American
			Sharon Tube
			USX
			Western Tube & Conduit
			Wheatland Tube

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
A-580-810	731-TA-540	Welded ASTM A-312 Stainless Steel Pipe/Korea ...	Avesta Sandvik Tube Bristol Metals Crucible Materials Damascus Tubular Products United Steelworkers of America
A-580-811	731-TA-546	Carbon Steel Wire Rope/Korea	Bridon American Macwhyte Paulsen Wire Rope The Rochester Corporation United Automobile, Aerospace and Agricultural Implement Workers (Local 960) Williamsport Wire-rope Works Wire Rope Corporation of America
A-580-812	731-TA-556	DRAMs of 1 Megabit and Above/Korea	Micron Technology NEC Electronics Texas Instruments
A-580-813	731-TA-563	Stainless Steel Butt-Weld Pipe Fittings/Korea	Flo-Mac Inc Gerlin Markovitz Enterprises Shaw Alloy Piping Products Taylor Forge Stainless
A-580-815	731-TA-607	Cold-Rolled Carbon Steel Flat Products/Korea	Armco Steel Bethlehem Steel California Steel Industries Gulf States Steel Inland Steel Industries LTV Steel National Steel Nextech Rouge Steel Co Sharon Steel Theis Precision Steel Thompson Steel US Steel United Steelworkers of America WCI Steel Weirton Steel
A-580-816	731-TA-618	Corrosion-Resistant Carbon Steel Flat Products/Korea.	Armco Steel Bethlehem Steel California Steel Industries Geneva Steel Gulf States Steel Inland Steel Industries LTV Steel Lukens Steel National Steel Nextech Rouge Steel Co Sharon Steel Theis Precision Steel Thompson Steel US Steel United Steelworkers of America WCI Steel Weirton Steel
A-580-825	731-TA-715	Oil Country Tubular Goods/Korea	Bellville Tube IPSCO Koppel Steel Lone Star Steel Maverick Tube Newport Steel North Star Steel US Steel USS/Kobe
A-580-829	731-TA-772	Stainless Steel Wire Rod/Korea	AL Tech Specialty Steel Carpenter Technology Republic Engineered Steels Talley Metals Technology United Steelworkers of America
A-580-831	731-TA-791	Stainless Steel Plate in Coils/Korea	Allegheny Ludlum Armco Steel

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
A-580-834	731-TA-801	Stainless Steel Sheet and Strip/Korea	J&L Specialty Steel Lukens Steel North American Stainless United Steelworkers of America Allegheny Ludlum Armco Steel Bethlehem Steel Butler Armco Independent Union Carpenter Technology Corp J&L Specialty Steel North American Stainless United Steelworkers of America Zanesville Armco Independent Organization
A-580-836	731-TA-821	Cut-to-Length Carbon Steel Plate/Korea	Bethlehem Steel Geneva Steel Gulf States Steel IPSCO Steel National Steel Tuscaloosa Steel US Steel United Steelworkers of America
A-580-839	731-TA-825	Polyester Staple Fiber/Korea	Arteva Specialties Sarl E I du Pont de Nemours Intercontinental Polymers Wellman
A-580-841	731-TA-854	Structural Steel Beams/Korea	Northwestern Steel and Wire Nucor Nucor-Yamato Steel TXI-Chaparral Steel United Steelworkers of America
A-580-844	731-TA-877	Steel Concrete Reinforcing Bar/Korea	AB Steel Mill Inc AmeriSteel Auburn Steel Birmingham Steel Border Steel Cascade Steel Rolling Mills Inc CMC Steel Group Co-Steel Inc Marion Steel North Star Steel Co Nucor Steel Rebar Trade Action Coalition Riverview Steel Sheffield Steel TAMCO TXI-Chaparral Steel Co
A-580-846	731-TA-889	Stainless Steel Angle/Korea	Slater Steels United Steelworkers of America
A-580-847	731-TA-916	Stainless Steel Bar/Korea	Carpenter Technology Crucible Specialty Metals Electralloy Empire Specialty Steel Republic Technologies International Slater Steels United Steelworkers of America
A-580-850	731-TA-1017 ...	Polyvinyl Alcohol/Korea	Celanese Ltd E I du Pont de Nemours & Co
A-580-852	731-TA-1026 ...	Prestressed Concrete Steel Wire Strand/Korea	American Spring Wire Corp Insteel Wire Products Co Sivaco Georgia LLC Strand Tech Martin Inc Sumiden Wire Products Corp
A-583-008	731-TA-132	Small Diameter Carbon Steel Pipe and Tube/ Tawian.	Allied Tube & Conduit American Tube Bull Moose Tube Copperweld Tubing J&L Steel Kaiser Steel Merchant Metals Pittsburgh Tube Southwestern Pipe Western Tube & Conduit

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
A-583-009	731-TA-135	Color Television Receivers/Taiwan	Committee to Preserve American Color Television Independent Radionic Workers of America Industrial Union Department, AFL-CIO International Brotherhood of Electrical Workers International Union of Electrical, Radio and Machine Workers
A-583-080	AA1921-197	Carbon Steel Plate/Taiwan	Bethlehem Steel China Steel US Steel
A-583-505	731-TA-277	Oil Country Tubular Goods/Taiwan	CF&I Steel Copperweld Tubing Cyclops KPC Lone Star Steel LTV Steel Maverick Tube Quanex US Steel
A-583-507	731-TA-280	Malleable Cast Iron Pipe Fittings/Taiwan	Grinnell Stanley G Flagg Stockham Valves & Fittings U-Brand Ward Manufacturing General Housewares Farberware
A-583-508	731-TA-299	Porcelain-on-Steel Cooking Ware/Taiwan	Regal Ware Revere Copper & Brass WearEver/Proctor Silex
A-583-603	731-TA-305	Top-of-the-Stove Stainless Steel Cooking Ware/Taiwan.	Ladish Mills Iron Works Steel Forgings Tube Forgings of America Weldbend
A-583-605	731-TA-310	Carbon Steel Butt-Weld Pipe Fittings/Taiwan	Bull Moose Tube Hannibal Industries Harris Tube Maruichi American Searing Industries Southwestern Pipe Western Tube & Conduit
A-583-803	731-TA-410	Light-Walled Rectangular Tube/Taiwan	American Telephone & Telegraph Comdial Eagle Telephonic Consolidated International Automotive Key Manufacturing McGard
A-583-806	731-TA-428	Small Business Telephone Systems/Taiwan	Allied Tube & Conduit American Tube Bull Moose Tube Century Tube CSI Tubular Products Cyclops Laclede Steel LTV Tubular Products Maruichi American Sharon Tube USX Western Tube & Conduit Wheatland Tube
A-583-810	731-TA-475	Chrome-Plated Lug Nuts/Taiwan	Avesta Sandvik Tube Bristol Metals Crucible Materials Damascus Tubular Products United Steelworkers of America
A-583-814	731-TA-536	Circular Welded Nonalloy Steel Pipe/Taiwan	Flo-Mac Inc Gerlin Markovitz Enterprises Shaw Alloy Piping Products Taylor Forge Stainless Illinois Tool Works
A-583-815	731-TA-541	Welded ASTM A-312 Stainless Steel Pipe/Taiwan	Gerlin Ideal Forging
A-583-816	731-TA-564	Stainless Steel Butt-Weld Pipe Fittings/Taiwan	
A-583-820	731-TA-625	Helical Spring Lock Washers/Taiwan	
A-583-821	731-TA-640	Forged Stainless Steel Flanges/Taiwan	

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
A-583-824	731-TA-729	Polyvinyl Alcohol/Taiwan	Maass Flange
A-583-825	731-TA-743	Melamine Institutional Dinnerware/Taiwan	Markovitz Enterprises
			Air Products and Chemicals
			Carlisle Food Service Products
			Lexington United
A-583-826	731-TA-759	Collated Roofing Nails/Taiwan	Plastics Manufacturing
			Illinois Tool Works
			International Staple and Machines
			Stanley-Bostitch
A-583-827	731-TA-762	SRAMs/Taiwan	Micron Technology
A-583-828	731-TA-775	Stainless Steel Wire Rod/Taiwan	AL Tech Specialty Steel
			Carpenter Technology
			Republic Engineered Steels
			Talley Metals Technology
			United Steelworkers of America
A-583-830	731-TA-793	Stainless Steel Plate in Coils/Taiwan	Allegheny Ludlum
			Armco Steel
			J&L Specialty Steel
			Lukens Steel
			North American Stainless
			United Steelworkers of America
A-583-831	731-TA-803	Stainless Steel Sheet and Strip/Taiwan	Allegheny Ludlum
			Armco Steel
			Bethlehem Steel
			Butler Armco Independent Union
			Carpenter Technology Corp
			J&L Specialty Steel
			North American Stainless
			United Steelworkers of America
			Zanesville Armco Independent Organization
A-583-833	731-TA-826	Polyester Staple Fiber/Taiwan	Arteva Specialties Sarl
			Intercontinental Polymers
A-583-835	731-TA-906	Hot-Rolled Steel Products/Taiwan	Wellman
			Bethlehem Steel
			Gallatin Steel
			Independent Steelworkers
			IPSCO
			LTV Steel
			National Steel
			Nucor
			Rouge Steel Co
			Steel Dynamics
			US Steel
			United Steelworkers of America
			WCI Steel Inc
			Weirton Steel
A-583-837	731-TA-934	Polyethylene Terephthalate Film, Sheet and Strip (PET Film)/Taiwan.	Wheeling-Pittsburgh Steel Corp
			DuPont Teijin Films
			Mitsubishi Polyester Film LLC
			SKC America Inc
			Toray Plastics (America)
A-588-005	731-TA-48	High Power Microwave Amplifiers/Japan	Aydin
			MCL
A-588-015	AA1921-66	Television Receivers/Japan	AGIV (USA)
			Casio Computer
			CBM America
			Citizen Watch
			Funai Electric
			Hitachi
			Industrial Union Department
			JC Penny
			Matsushita
			Mitsubishi Electric
			Montgomery Ward
			NEC
			Orion Electric
			PT Imports
			Philips Electronics
			Philips Magnavox
			Sanyo
			Sharp
			Toshiba

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
A-588-028	AA1921-111	Roller Chain/Japan	Toshiba America Consumer Products Victor Company of Japan Zenith Electronics Acme Chain Division, North American Rockwell American Chain Association Atlas Chain & Precision Products Diamond Chain Link-Belt Chain Division, FMC Morse Chain Division, Borg Warner Rex Chainbelt Jovanovich Supply LFSI Trans-Pacific Trading
A-588-029	AA1921-85	Fish Netting of Man-Made Fiber/Japan	Avocet Cat Eye Diversified Products NS International Sanyo Electric Stewart-Warner
A-588-038	AA1921-98	Bicycle Speedometers/Japan	Monsanto AMSTED Industries E I du Pont de Nemours American Honda Motor Federal Mogul Ford Motor General Motors Honda Hoover-NSK Bearing Isuzu Itocho ITOCHU International Kanematsu-Goshu USA Kawasaki Heavy Duty Industries Komatsu America Koyo Seiko Kubota Tractor Mitsubishi Motorambar Nachi America Nachi Western Nachi-Fujikoshi Nippon Seiko Nissan Motor Nissan Motor USA NSK NTN Subaru of America Sumitomo Suzuki Motor Timken Toyota Motor Sales Yamaha Motors
A-588-041	AA1921-115	Synthetic Methionine/Japan	Polycast Technology
A-588-045	AA1921-124	Steel Wire Rope/Japan	Melamine Chemical
A-588-046	AA1921-129	Polychloroprene Rubber/Japan	American Spring Wire
A-588-054	AA1921-143	Tapered Roller Bearings 4 Inches and Under/Japan	Armco Steel Bethlehem Steel CF&I Steel Florida Wire & Cable EF Johnson Motorola Ladish Mills Iron Works Steel Forgings Tube Forgings of America Weldbend L&S Bearing Timken Torrington Grinnell Stanley G Flagg Stockham Valves & Fittings U-Brand
A-588-055	AA1921-154	Acrylic Sheet/Japan	
A-588-056	AA1921-162	Melamine/Japan	
A-588-068	AA1921-188	Prestressed Concrete Steel Wire Strand/Japan	
A-588-405	731-TA-207	Cellular Mobile Telephones/Japan	
A-588-602	731-TA-309	Carbon Steel Butt-Weld Pipe Fittings/Japan	
A-588-604	731-TA-343	Tapered Roller Bearings Over 4 Inches/Japan	
A-588-605	731-TA-347	Malleable Cast Iron Pipe Fittings/Japan	

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
A-588-609	731-TA-368	Color Picture Tubes/Japan	Ward Manufacturing Industrial Union Department, AFL-CIO International Association of Machinists & Aerospace Workers International Brotherhood of Electrical Workers International Union of Electronic, Electrical, Technical, Salaried and Machine Workers Philips Electronic Components Group United Steelworkers of America Zenith Electronics
A-588-702	731-TA-376	Stainless Steel Butt-Weld Pipe Fittings/Japan	Flo-Mac Inc Flowline Shaw Alloy Piping Products Taylor Forge Stainless
A-588-703	731-TA-377	Internal Combustion Industrial Forklift Trucks/Japan	Ad-Hoc Group of Workers from Hyster's Berea, Kentucky and Sulligent, Alabama Facilities Allied Industrial Workers of America Hyster Independent Lift Truck Builders Union International Association of Machinists & Aerospace Workers
A-588-704	731-TA-379	Brass Sheet and Strip/Japan	United Shop & Service Employees Allied Industrial Workers of America American Brass Bridgeport Brass Chase Brass & Copper Hussey Copper International Association of Machinists & Aerospace Workers Mechanics Educational Society of America (Local 56) The Miller Company North Coast Brass & Copper Olin Pegg Metals Revere Copper Products United Steelworkers of America
A-588-706	731-TA-384	Nitrile Rubber/Japan	Uniroyal Chemical
A-588-707	731-TA-386	Granular Polytetrafluoroethylene/Japan	E I du Pont de Nemours ICI Americas
A-588-802	731-TA-389	3.5" Microdisks/Japan	Verbatim
A-588-804	731-TA-394-A	Ball Bearings/Japan	Barden Corp Emerson Power Transmission Kubar Bearings McGill Manufacturing Co MPB Rexnord Inc Rollway Bearings Torrington
A-588-804	731-TA-394-B	Cylindrical Roller Bearings/Japan	Barden Corp Emerson Power Transmission Kubar Bearings MPB Rollway Bearings Torrington
A-588-804	731-TA-394-C	Spherical Plain Bearings/Japan	Barden Corp Emerson Power Transmission Kubar Bearings Rollway Bearings Torrington
A-588-806	731-TA-408	Electrolytic Manganese Dioxide/Japan	Chemetals Kerr-McGee Rayovac
A-588-807	731-TA-414	Industrial Belts/Japan	The Gates Rubber Company The Goodyear Tire and Rubber Company
A-588-809	731-TA-426	Small Business Telephone Systems/Japan	American Telephone & Telegraph Comdial Eagle Telephonic
A-588-810	731-TA-429	Mechanical Transfer Presses/Japan	Allied Products United Autoworkers of America United Steelworkers of America
A-588-811	731-TA-432	Drafting Machines/Japan	Vemco
A-588-812	731-TA-440	Industrial Nitrocellulose/Japan	Hercules

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
A-588-815	731-TA-461	Gray Portland Cement and Clinker/Japan	Calaveras Cement Hanson Permanente Cement Independent Workers of North America (Locals 49, 52, 89, 192 and 471) International Union of Operating Engineers (Local 12) National Cement Co Inc National Cement Company of California Southdown
A-588-817	731-TA-469	Electroluminescent Flat-Panel Displays/Japan	The Cherry Corporation Electro Plasma Magnascreen OIS Optical Imaging Systems Photonics Technology Planar Systems Plasmaco
A-588-823	731-TA-571	Professional Electric Cutting Tools/Japan	Black & Decker
A-588-826	731-TA-617	Corrosion-Resistant Carbon Steel Flat Products/Japan.	Bethlehem Steel California Steel Industries Geneva Steel Gulf States Steel Lukens Steel Nextech Rouge Steel Co Sharon Steel Theis Precision Steel Thompson Steel US Steel United Steelworkers of America WCI Steel Weirton Steel
A-588-831	731-TA-660	Grain-Oriented Silicon Electrical Steel/Japan	Allegheny Ludlum Armco Steel United Steelworkers of America
A-588-833	731-TA-681	Stainless Steel Bar/Japan	AL Tech Specialty Steel Carpenter Technology Crucible Specialty Metals Electralloy Republic Engineered Steels Slater Steels Talley Metals Technology United Steelworkers of America
A-588-835	731-TA-714	Oil Country Tubular Goods/Japan	IPSCO Koppel Steel Lone Star Steel Co Maverick Tube Newport Steel North Star Steel US Steel
A-588-836	731-TA-727	Polyvinyl Alcohol/Japan	Air Products and Chemicals
A-588-837	731-TA-737	Large Newspaper Printing Presses/Japan	Rockwell Graphics Systems
A-588-838	731-TA-739	Clad Steel Plate/Japan	Lukens Steel
A-588-839	731-TA-740	Sodium Azide/Japan	American Azide
A-588-840	731-TA-748	Gas Turbo-Compressor Systems/Japan	Demag Delaval Dresser-Rand United Steelworkers of America
A-588-841	731-TA-750	Vector Supercomputers/Japan	Cray Research
A-588-843	731-TA-771	Stainless Steel Wire Rod/Japan	AL Tech Specialty Steel Carpenter Technology Republic Engineered Steels Talley Metals Technology United Steelworkers of America
A-588-845	731-TA-800	Stainless Steel Sheet and Strip/Japan	Allegheny Ludlum Armco Steel Bethlehem Steel Butler Armco Independent Union Carpenter Technology Corp J&L Specialty Steel North American Stainless United Steelworkers of America
A-588-846	731-TA-807	Hot-Rolled Carbon Steel Flat Products/Japan	Zanesville Armco Independent Organization Acme Steel

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
			Bethlehem Steel California Steel Industries Gallatin Steel Geneva Steel Gulf States Steel Independent Steelworkers IPSCO Ispat/Inland LTV Steel Nucor Rouge Steel Co Steel Dynamics US Steel United Steelworkers of America WCI Steel Weirton Steel Wheeling-Pittsburgh Steel Corp
A-588-847	731-TA-820	Cut-to-Length Carbon Steel Plate/Japan	Bethlehem Steel Geneva Steel Gulf States Steel IPSCO Steel Tuscaloosa Steel US Steel United Steelworkers of America
A-588-850	731-TA-847	Large-Diameter Carbon Steel Seamless Pipe/Japan	North Star Steel Timken US Steel United Steelworkers of America
A-588-851	731-TA-847	Small-Diameter Carbon Steel Seamless Pipe/Japan	USS/Kobe Koppel Steel North Star Steel Sharon Tube Timken US Steel United Steelworkers of America USS/Kobe
A-588-852	731-TA-853	Structural Steel Beams/Japan	Vision Metals' Gulf States Tube Northwestern Steel and Wire Nucor Nucor-Yamato Steel TXI-Chaparral Steel
A-588-854	731-TA-860	Tin-Mill Products/Japan	United Steelworkers of America Independent Steelworkers United Steelworkers of America Weirton Steel
A-588-856	731-TA-888	Stainless Steel Angle/Japan	Slater Steels
A-588-857	731-TA-919	Welded Large Diameter Line Pipe/Japan	United Steelworkers of America American Cast Iron Pipe Berg Steel Pipe Bethlehem Steel Napa Pipe/Oregon Steel Mills Saw Pipes USA Stupp US Steel
A-588-861	731-TA-1016 ...	Polyvinyl Alcohol/Japan	Celenex Ltd
A-588-862	731-TA-1023 ...	Certain Ceramic Station Post Insulators/Japan	E I du Pont de Nemours & Co Lapp Insulator Co LLC Newell Porcelain Co Inc Victor Insulators Inc
A-588-866	731-TA-1090 ...	Superalloy Degassed Chromium/Japan	Eramet Marietta Inc
A-602-803	731-TA-612	Corrosion-Resistant Carbon Steel Flat Products/ Australia.	Armco Steel Bethlehem Steel California Steel Industries Geneva Steel Gulf States Steel Inland Steel Industries LTV Steel Lukens Steel National Steel Nextech Rouge Steel Co Sharon Steel

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
A-791-805	731-TA-792	Stainless Steel Plate in Coils/South Africa	Theis Precision Steel Thompson Steel US Steel United Steelworkers of America WCI Steel Weirton Steel Allegheny Ludlum Armco Steel J&L Specialty Steel Lukens Steel North American Stainless United Steelworkers of America Koppel Steel
A-791-808	731-TA-850	Small-Diameter Carbon Steel Seamless Pipe/South Africa.	North Star Steel Sharon Tube Timken US Steel United Steelworkers of America USS/Kobe Vision Metals' Gulf States Tube
A-791-809	731-TA-905	Hot-Rolled Steel Products/South Africa	Bethlehem Steel Gallatin Steel Independent Steelworkers IPSCO LTV Steel National Steel Nucor Rouge Steel Co Steel Dynamics US Steel United Steelworkers of America WCI Steel Inc Weirton Steel Wheeling-Pittsburgh Steel Corp
A-791-815	731-TA-987	Ferrovanadium/South Africa	Bear Metallurgical Co Shieldalloy Metallurgical Corp
A-821-801	731-TA-340E ..	Solid Urea/Russia	Agrico Chemical American Cyanamid CF Industries First Mississippi Mississippi Chemical Terra International WR Grace
A-821-802	731-TA-539-C	Uranium/Russia	Ferret Exploration First Holding Geomex Minerals IMC Fertilizer Malapai Resources Oil, Chemical and Atomic Workers Pathfinder Mines Power Resources Rio Algom Mining Solution Mining Total Minerals Umetco Minerals Uranium Resources
A-821-804	731-TA-568	Ferrosilicon/Russia	AIMCOR Alabama Silicon American Alloys Globe Metallurgical Oil, Chemical and Atomic Workers (Local 389) Silicon Metaltech United Autoworkers of America (Local 523) United Steelworkers of America (Locals 2528, 3081, 5171 and 12646)
A-821-805	731-TA-697	Pure Magnesium/Russia	Dow Chemical International Union of Operating Engineers (Local 564) Magnesium Corporation of America United Steelworkers of America (Local 8319)
A-821-807	731-TA-702	Ferrovanadium and Nitrided Vanadium/Russia	Shieldalloy Metallurgical
A-821-809	731-TA-808	Hot-Rolled Carbon Steel Flat Products/Russia	Acme Steel

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
			Bethlehem Steel California Steel Industries Gallatin Steel Geneva Steel Gulf States Steel Independent Steelworkers IPSCO Ispat/Inland LTV Steel National Steel Nucor Rouge Steel Co Steel Dynamics US Steel United Steelworkers of America WCI Steel Weirton Steel Wheeling-Pittsburgh Steel Corp Agrium Air Products and Chemicals El Dorado Chemical LaRoche Mississippi Chemical Nitram Wil-Gro Fertilizer Globe Metallurgical Inc SIMCALA Inc Garfield Alloys Inc Glass, Molders, Pottery, Plastics & Allied Workers International Local 374 Halaco Engineering MagReTech Inc United Steelworkers of America Local 8319 US Magnesium LLC Agrico Chemical American Cyanamid CF Industries First Mississippi Mississippi Chemical Terra International WR Grace AB Steel Mill Inc AmeriSteel Auburn Steel Birmingham Steel Border Steel Cascade Steel Rolling Mills Inc CMC Steel Group Co-Steel Inc Marion Steel North Star Steel Co Nucor Steel Rebar Trade Action Coalition Riverview Steel Sheffield Steel TAMCO TXI-Chaparral Steel Co Agrico Chemical American Cyanamid CF Industries First Mississippi Mississippi Chemical Terra International WR Grace Ferret Exploration First Holding Geomex Minerals IMC Fertilizer Malapai Resources Oil, Chemical and Atomic Workers Pathfinder Mines Power Resources Rio Algom Mining
A-821-811	731-TA-856	Ammonium Nitrate/Russia	
A-821-817	731-TA-991	Silicon Metal/Russia	
A-821-819	731-TA1072	Pure and Alloy Magnesium/Russia	
A-822-801	731-TA-340B ..	Solid Urea/Belarus	
A-822-804	731-TA-873	Steel Concrete Reinforcing Bar/Belarus	
A-823-801	731-TA-340H ..	Solid Urea/Ukraine	
A-823-802	731-TA-539-E	Uranium/Ukraine	

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
A-823-804	731-TA-569	Ferrosilicon/Ukraine	Solution Mining Total Minerals Umetco Minerals Uranium Resources AIMCOR Alabama Silicon American Alloys Globe Metallurgical Oil, Chemical and Atomic Workers (Local 389) Silicon Metaltech United Autoworkers of America (Local 523) United Steelworkers of America (Locals 2528, 3081, 5171 and 12646)
A-823-805	731-TA-673	Silicomanganese/Ukraine	Elkem Metals Oil, Chemical and Atomic Workers (Local 3-639)
A-823-809	731-TA-882	Steel Concrete Reinforcing Bar/Ukraine	AB Steel Mill Inc AmeriSteel Auburn Steel Birmingham Steel Border Steel Cascade Steel Rolling Mills Inc CMC Steel Group Co-Steel Inc Marion Steel North Star Steel Co Nucor Steel Rebar Trade Action Coalition Riverview Steel Sheffield Steel TAMCO TXI-Chaparral Steel Co
A-823-810	731-TA-894	Ammonium Nitrate/Ukraine	Agrium Air Products and Chemicals Committee for Fair Ammonium Nitrate Trade El Dorado Chemical LaRoche Industries Mississippi Chemical Nitram Prodica
A-823-811	731-TA-908	Hot-Rolled Steel Products/Ukraine	Bethlehem Steel Gallatin Steel Independent Steelworkers IPSCO LTV Steel National Steel Nucor Rouge Steel Co Steel Dynamics US Steel United Steelworkers of America WCI Steel Inc Weirton Steel Wheeling-Pittsburgh Steel Corp
A-823-812	731-TA-962	Carbon and Certain Alloy Steel Wire Rod/Ukraine ...	AmeriSteel Birmingham Steel Cascade Steel Rolling Mills Connecticut Steel Corp Co-Steel Raritan GS Industries Keystone Consolidated Industries North Star Steel Texas Nucor Steel-Nebraska (a division of Nucor Corp) Republic Technologies International Rocky Mountain Steel Mills
A-831-801	731-TA-340A ..	Solid Urea/Armenia	Agrico Chemical American Cyanamid CF Industries First Mississippi Mississippi Chemical Terra International
A-834-806	731-TA-902	Hot-Rolled Steel Products/Kazakhstan	WR Grace Bethlehem Steel Gallatin Steel

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
			Independent Steelworkers IPSCO LTV Steel National Steel Nucor Rouge Steel Co Steel Dymanics US Steel United Steelworkers of America WCI Steel Inc Weirton Steel Wheeling-Pittsburgh Steel Corp
A-834-807	731-TA-930	Silicomanganese/Kazakhstan	Eramet Marietta Paper, Allied-Industrial, Chemical and Energy Workers International Union, Local 5-0639
A-841-804	731-TA-879	Steel Concrete Reinforcing Bar/Moldova	AB Steel Mill Inc AmeriSteel Auburn Steel Birmingham Steel Border Steel Cascade Steel Rolling Mills Inc CMC Steel Group Co-Steel Inc Marion Steel North Star Steel Co Nucor Steel Rebar Trade Action Coalition Riverview Steel Sheffield Steel TAMCO TXI-Chaparral Steel Co
A-841-805	731-TA-959	Carbon and Certain Alloy Steel Wire Rod/Moldova	AmeriSteel Birmingham Steel Cascade Steel Rolling Mills Connecticut Steel Corp Co-Steel Raritan GS Industries Keystone Consolidated Industries North Star Steel Texas Nucor Steel-Nebraska (a division of Nucor Corp) Republic Technologies International Rocky Mountain Steel Mills
A-842-801	731-TA-340F ...	Solid Urea/Tajikistan	Agrico Chemical American Cyanamid CF Industries First Mississippi Mississippi Chemical Terra International WR Grace
A-843-801	731-TA-340G ..	Solid Urea/Turkmenistan	Agrico Chemical American Cyanamid CF Industries First Mississippi Mississippi Chemical Terra International WR Grace
A-843-802	731-TA-539	Uranium/Kazakhstan	Ferret Exploration First Holding Geomex Minerals IMC Fertilizer Malapai Resources Oil, Chemical and Atomic Workers Pathfinder Mines Power Resources Rio Algom Mining Solution Mining Total Minerals Umetco Minerals Uranium Resources
A-843-804	731-TA-566	Ferrosilicon/Kazakhstan	AIMCOR Alabama Silicon American Alloys Globe Metallurgical

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
A-844-801	731-TA-340I	Solid Urea/Uzbekistan	Oil, Chemical and Atomic Workers (Local 389) Silicon Metaltech United Autoworkers of America (Local 523) United Steelworkers of America (Locals 2528, 3081, 5171 and 12646) Agrico Chemical American Cyanamid CF Industries First Mississippi Mississippi Chemical Terra International WR Grace
A-844-802	731-TA-539-F	Uranium/Uzbekistan	Ferret Exploration First Holding Geomex Minerals IMC Fertilizer Malapai Resources Oil, Chemical and Atomic Workers Pathfinder Mines Power Resources Rio Algom Mining Solution Mining Total Minerals Umetco Minerals Uranium Resources Koppel Steel
A-851-802	731-TA-846	Small-Diameter Carbon Steel Seamless Pipe/Czech Republic.	North Star Steel Sharon Tube Timken US Steel United Steelworkers of America USS/Kobe Vision Metals' Gulf States Tube National Pork Producers Council Wilson Foods
C-122-404	701-TA-224	Live Swine/Canada	Bethlehem Steel CF&I Steel
C-122-805	701-TA-297	Steel Rails/Canada	Magnesium Corporation of America
C-122-815	701-TA-309-A	Alloy Magnesium/Canada	Magnesium Corporation of America
C-122-815	701-TA-309-B	Pure Magnesium/Canada	71 Lumber Co Almond Bros Lbr Co Anthony Timberlands Balfour Lbr Co Ball Lumber Banks Lumber Company Barge Forest Products Co Beadles Lumber Co Bearden Lumber Bennett Lumber Big Valley Band Mill Bighorn Lumber Co Inc Blue Mountain Lumber Buddy Bean Lumber Burgin Lumber Co Ltd Burt Lumber Company C&D Lumber Co Ceda-Pine Veneer Cersosimo Lumber Co Inc Charles Ingram Lumber Co Inc Charleston Heart Pine Chesterfield Lumber Chips Chocorua Valley Lumber Co Claude Howard Lumber Clearwater Forest Industries CLW Inc CM Tucker Lumber Corp Coalition for Fair Lumber Imports Executive Committee Cody Lumber Co Collins Pine Co Collums Lumber
C-122-839	701-TA-414	Softwood Lumber/Canada	

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
			Columbus Lumber Co Contoocook River Lumber Conway Guiteau Lumber Cornwright Lumber Co Crown Pacific Daniels Lumber Inc Dean Lumber Co Inc Deltic Timber Corporation Devils Tower Forest Products DiPrizio Pine Sales Dorchester Lumber Co DR Johnson Lumber East Brainerd Lumber Co East Coast Lumber Company Eas-Tex Lumber ECK Wood Products Ellingson Lumber Co Elliott Sawmilling Empire Lumber Co Evergreen Forest Products Excalibur Shelving Systems Inc Exley Lumber Co FH Stoltze Land & Lumber Co FL Turlington Lbr Co Inc Fleming Lumber Flippo Lumber Floragen Forest Products Frank Lumber Co Franklin Timber Co Fred Tebb & Sons Fremont Sawmill Frontier Resources Garrison Brothers Lumber Co and Subsidiaries Georgia Lumber Gilman Building Products Godfrey Lumber Granite State Forest Prod Inc Great Western Lumber Co Greenville Molding Inc Griffin Lumber Company Guess Brothers Lumber Gulf Lumber Gulf States Paper Guy Bennett Lumber Hampton Resources Hancock Lumber Hankins Inc Hankins Lumber Co Harrigan Lumber Harwood Products Haskell Lumber Inc Hatfield Lumber Hedstrom Lumber Herrick Millwork Inc HG Toler & Son Lumber Co Inc HG Wood Industries LLC Hogan & Storey Wood Prod Hogan Lumber Co Hood Industries HS Hofler & Sons Lumber Co Inc Hubbard Forest Ind Inc HW Culp Lumber Co Idaho Veneer Co Industrial Wood Products Intermountain Res LLC International Paper J Franklin Jones Lumber Co Inc Jack Batte & Sons Inc Jasper Lumber Company JD Martin Lumber Co JE Jones Lumber Co Jerry G Williams & Sons JH Knighton Lumber Co

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
			Johnson Lumber Company Jordan Lumber & Supply Joseph Timber Co JP Haynes Lbr Co Inc JV Wells Inc JW Jones Lumber Keadle Lumber Enterprises Keller Lumber King Lumber Co Konkolville Lumber Langdale Forest Products Laurel Lumber Company Leavitt Lumber Co Leesville Lumber Co Limington Lumber Co Longview Fibre Co Lovell Lumber Co Inc M Kendall Lumber Co Manke Lumber Co Marriner Lumber Co Mason Lumber MB Heath & Sons Lumber Co MC Dixon Lumber Co Inc Mebane Lumber Co Inc Metcalf Lumber Co Inc Millry Mill Co Inc Moose Creek Lumber Co Moose River Lumber Morgan Lumber Co Inc Mount Yonah Lumber Co Nagel Lumber New Kearsarge Corp New South Nicolet Hardwoods Nieman Sawmills SD Nieman Sawmills WY North Florida Northern Lights Timber & Lumber Northern Neck Lumber Co Ochoco Lumber Co Olon Belcher Lumber Co Owens and Hurst Lumber Packaging Corp of America Page & Hill Forest Products Paper, Allied-Industrial, Chemical and Energy Workers International Union Parker Lumber Pate Lumber Co Inc PBS Lumber Pedigo Lumber Co Piedmont Hardwood Lumber Co Pine River Lumber Co Pinecrest Lumber Co Pleasant River Lumber Co Pleasant Western Lumber Inc Plum Creek Timber Pollard Lumber Portac Potlatch Potomac Supply Precision Lumber Inc Pruitt Lumber Inc R Leon Williams Lumber Co RA Yancey Lumber Rajala Timber Co Ralph Hamel Forest Products Randy D Miller Lumber Rappahannock Lumber Co Regulus Stud Mills Inc Riley Creek Lumber Roanoke Lumber Co Robbins Lumber Robertson Lumber

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
			Roseburg Forest Products Co Rough & Ready RSG Forest Products Rushmore Forest Products RY Timber Inc Sam Mabry Lumber Co Scotch Lumber SDS Lumber Co Seacoast Mills Inc Seago Lumber Seattle-Snohomish Seneca Sawmill Shaver Wood Products Shearer Lumber Products Shuqualak Lumber SI Storey Lumber Sierra Forest Products Sierra Pacific Industries Sigfridson Wood Products Silver City Lumber Inc Somers Lbr & Mfg Inc South & Jones South Coast Southern Forest Industries Inc Southern Lumber St Laurent Forest Products Starfire Lumber Co Steely Lumber Co Inc Stimson Lumber Summit Timber Co Sundance Lumber Superior Lumber Swanson Superior Forest Products Inc Swift Lumber Tamarack Mill Taylor Lumber & Treating Inc Temple-Inland Forest Products Thompson River Lumber Three Rivers Timber Thrift Brothers Lumber Co Inc Timco Inc Tolleson Lumber Toney Lumber TR Miller Mill Co Tradewinds of Virginia Ltd Travis Lumber Co Tree Source Industries Inc Tri-State Lumber TTT Studs United Brotherhood of Carpenters and Joiners Viking Lumber Co VP Kiser Lumber Co Walton Lumber Co Inc Warm Springs Forest Products Westvaco Corp Wilkins, Kaiser & Olsen Inc WM Shepherd Lumber Co WR Robinson Lumber Co Inc Wrenn Brothers Inc Wyoming Sawmills Yakama Forest Products Younce & Ralph Lumber Co Inc Zip-O-Log Mills Inc AmeriSteel Birmingham Steel Cascade Steel Rolling Mills Connecticut Steel Corp Co-Steel Raritan GS Industries Keystone Consolidated Industries North Star Steel Texas Nucor Steel-Nebraska (a division of Nucor Corp) Republic Technologies International
C-122-841	701-TA-418	Carbon and Certain Alloy Steel Wire Rod/Canada ..	

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
C-122-848	701-TA-430B ..	Hard Red Spring Wheat/Canada	Rocky Mountain Steel Mills
C-201-505	701-TA-265	Porcelain-on-Steel Cooking Ware/Mexico	North Dakota Wheat Commission
C-201-810	701-TA-325	Cut-to-Length Carbon Steel Plate/Mexico	General Housewares
			Bethlehem Steel
			California Steel Industries
			Geneva Steel
			Gulf States Steel
			Inland Steel Industries
			Lukens Steel
			National Steel
			Nextech
			Sharon Steel
			Theis Precision Steel
			Thompson Steel
			US Steel
			United Steelworkers of America
C-307-804	303-TA-21	Gray Portland Cement and Clinker/Venezuela	Florida Crushed Stone
			Southdown
			Tarmac America
C-307-808	303-TA-23	Ferrosilicon/Venezuela	AIMCOR
			Alabama Silicon
			American Alloys
			Globe Metallurgical
			Oil, Chemical and Atomic Workers (Local 389)
			Silicon Metaltech
			United Autoworkers of America (Local 523)
			United Steelworkers of America (Locals 2528, 3081, 5171 and 12646)
C-333-401	701-TA-E	Cotton Shop Towels/Peru	Durafab
			Kleen-Tex Industries
			Lewis Eckert Robb
			Milliken
			Pavis & Harcourt
C-351-037	104-TAA-21	Cotton Yarn/Brazil	American Yarn Spinners Association
			Harriet & Henderson Yarns
			LaFar Industries
C-351-504	701-TA-249	Heavy Iron Construction Castings/Brazil	Alhambra Foundry
			Allegheny Foundry
			Bingham & Taylor
			Campbell Foundry
			Charlotte Pipe & Foundry
			Deeter Foundry
			East Jordan Foundry
			Le Baron Foundry
			Municipal Castings
			Neenah Foundry
			Opelika Foundry
			Pinkerton Foundry
			Tyler Pipe
			US Foundry & Manufacturing
			Vulcan Foundry
C-351-604	701-TA-269	Brass Sheet and Strip/Brazil	Allied Industrial Workers of America
			American Brass
			Bridgeport Brass
			Chase Brass & Copper
			Hussey Copper
			International Association of Machinists & Aerospace Workers
			Mechanics Educational Society of America (Local 56)
			The Miller Company
			Olin
			Revere Copper Products
			United Steelworkers of America
C-351-818	701-TA-320	Cut-to-Length Carbon Steel Plate/Brazil	Bethlehem Steel
			California Steel Industries
			Geneva Steel
			Gulf States Steel
			Inland Steel Industries
			Lukens Steel
			National Steel
			Nextech
			Sharon Steel

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C-351-829	701-TA-384	Hot-Rolled Carbon Steel Flat Products/Brazil	Theis Precision Steel Thompson Steel US Steel United Steelworkers of America Acme Steel Bethlehem Steel California Steel Industries Gallatin Steel Geneva Steel Gulf States Steel Independent Steelworkers IPSCO Ispat/Inland LTV Steel National Steel Nucor Rouge Steel Co Steel Dynamics US Steel United Steelworkers of America WCI Steel Weirton Steel Wheeling-Pittsburgh Steel Corp AmeriSteel Birmingham Steel Cascade Steel Rolling Mills Connecticut Steel Corp Co-Steel Raritan GS Industries Keystone Consolidated Industries North Star Steel Texas Nucor Steel-Nebraska (a division of Nucor Corp) Republic Technologies International Rocky Mountain Steel Mills
C-351-833	701-TA-417	Carbon and Certain Alloy Steel Wire Rod/Brazil	Atlantic Steel Continental Steel Georgetown Steel North Star Steel Raritan River Steel
C-357-004	701-TA-A	Carbon Steel Wire Rod/Argentina	
C-357-813	701-TA-402	Honey/Argentina	AH Meyer & Sons Adee Honey Farms Althoff Apiaries American Beekeeping Federation American Honey Producers Association Anderson Apiaries Arroyo Apiaries Artesian Honey Producers B Weaver Apiaries Bailey Enterprises Barkman Honey Basler Honey Apiary Beals Honey Bears Paw Apiaries Beaverhead Honey Bee Biz Bee Haven Honey Belliston Brothers Apiaries Big Sky Honey Bill Rhodes Honey Richard E Blake Curt Bronnenbery Brown's Honey Farms Brumley's Bees Buhmann Apiaries Carys Honey Farms Chaparrel Honey Charles Apiaries Mitchell Charles Collins Honey Conor Apiaries Coy's Honey Farm Dave Nelson Apiaries Delta Bee

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
			Eisele's Pollination & Honey Ellingsoa's Elliott Curtis & Sons Charles L Emmons, Sr Gause Honey Gene Brandi Apiaries Griffith Honey Haff Apiaries Hamilton Bee Farms Hamilton Honey Happie Bee Harvest Honey Harvey's Honey Hiatt Honey Hoffman Honey Hollman Apiaries Honey House Honeybee Apiaries Gary M Honl Rand William Honl and Sydney Jo Honl James R & Joann Smith Trust Jaynes Bee Products Johnston Honey Farms Larry Johnston Ke-An Honey Kent Honeybees Lake-Indianhead Honey Farms Lamb's Honey Farm Las Flores Apiaries Mackrill Honey Farms & Sales Raymond Marquette Mason & Sons Honey McCoy's Sunny South Apiaries Merrimack Valley Apiaries & Evergreen Honey Met 2 Honey Farm Missouri River Honey Mitchell Brothers Honey Monda Honey Farm Montana Dakota Honey Northern Bloom Honey Noye's Apiaries Oakes Honey Oakley Honey Farms Old Mill Apiaries Opp Honey Oro Dulce Peterson's "Naturally Sweet" Honey Potoczak Bee Farms Price Apiaries Pure Sweet Honey Farms Robertson Pollination Service Robson Honey William Robson Rosedale Apiaries Ryan Apiaries Schmidt Honey Farms Simpson Apiaries Sioux Honey Association Smoot Honey Solby Honey Stahlman Apiaries Steve E Parks Apiaries Stroope Bee & Honey T&D Honey Bee Talbott's Honey Terry Apiaries Thompson Apiaries Triple A Farm Tropical Blossom Honey Tubbs Apiaries Venable Wholesale Walter L Wilson Buzz 76 Apiaries Wiebersiek Honey Farms

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
C-357-815	701-TA-404	Hot-Rolled Steel Products/Argentina	Wilmer Farms Brent J Woodworth Wooten's Golden Queens Yaddof Apiaries Bethlehem Steel Gallatin Steel Independent Steelworkers IPSCO LTV Steel National Steel Nucor Rouge Steel Co Steel Dynamics US Steel United Steelworkers of America WCI Steel Inc Weirton Steel Wheeling-Pittsburgh Steel Corp
C-401-401	701-TA-231	Cold-Rolled Carbon Steel Flat Products/Sweden	Bethlehem Steel Chaparral US Steel
C-401-804	701-TA-327	Cut-to-Length Carbon Steel Plate/Sweden	Bethlehem Steel California Steel Industries Geneva Steel Gulf States Steel Inland Steel Industries Lukens Steel National Steel Nextech Sharon Steel Theis Precision Steel Thompson Steel US Steel United Steelworkers of America
C-403-802	701-TA-302	Fresh and Chilled Atlantic Salmon/Norway	Heritage Salmon The Coalition for Fair Atlantic Salmon Trade
C-408-046	104-TAA-7	Sugar/EU	AJ Yates Alexander & Baldwin American Farm Bureau Federation American Sugar Cane League American Sugarbeet Growers Association Amstar Sugar Florida Sugar Cane League Florida Sugar Marketing and Terminal Association H&R Brokerage Hawaiian Agricultural Research Center Leach Farms Michigan Farm Bureau Michigan Sugar Rio Grande Valley Sugar Growers Association Sugar Cane Growers Cooperative of Florida Talisman Sugar US Beet Sugar Association United States Beet Sugar Association United States Cane Sugar Refiners' Association
C-412-815	701-TA-328	Cut-to-Length Carbon Steel Plate/United Kingdom ..	Bethlehem Steel California Steel Industries Geneva Steel Gulf States Steel Inland Steel Industries Lukens Steel National Steel Nextech Sharon Steel Theis Precision Steel Thompson Steel US Steel United Steelworkers of America
C-412-821	701-TA-412	Low Enriched Uranium/United Kingdom	United States Enrichment Corp USEC Inc
C-421-601	701-TA-278	Fresh Cut Flowers/Netherlands	Burdette Coward California Floral Council Floral Trade Council

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
C-421-809	701-TA-411	Low Enriched Uranium/Netherlands	Florida Flower Association Gold Coast Uanko Nursery Hollandia Wholesale Florist Manatee Fruit Monterey Flower Farms Topstar Nursery United States Enrichment Corp USEC Inc
C-423-806	701-TA-319	Cut-to-Length Carbon Steel Plate/Belgium	Bethlehem Steel California Steel Industries Geneva Steel Gulf States Steel Inland Steel Industries Lukens Steel National Steel Nextech Sharon Steel Theis Precision Steel Thompson Steel US Steel United Steelworkers of America
C-423-809	701-TA-376	Stainless Steel Plate in Coils/Belgium	Allegheny Ludlum Armco Steel Lukens Steel North American Stainless United Steelworkers of America
C-427-603	701-TA-270	Brass Sheet and Strip/France	Allied Industrial Workers of America American Brass Bridgeport Brass Chase Brass & Copper Hussey Copper International Association of Machinists & Aerospace Workers Mechanics Educational Society of America (Local 56) The Miller Company Olin Revere Copper Products United Steelworkers of America
C-427-805	701-TA-315	Hot-Rolled Lead and Bismuth Carbon Steel Products/France.	Bethlehem Steel
C-427-810	701-TA-348	Corrosion-Resistant Carbon Steel Flat Products/France.	Inland Steel Industries USS/Kobe Steel Armco Steel
C-427-815	701-TA-380	Stainless Steel Sheet and Strip/France	Bethlehem Steel California Steel Industries Geneva Steel Gulf States Steel Inland Steel Industries LTV Steel Lukens Steel National Steel Nextech Rouge Steel Co Sharon Steel Theis Precision Steel Thompson Steel US Steel United Steelworkers of America WCI Steel Weirton Steel
C-427-817	701-TA-387	Cut-to-Length Carbon Steel Plate/France	Allegheny Ludlum Armco Steel Bethlehem Steel Butler Armco Independent Union Carpenter Technology Corp North American Stainless United Steelworkers of America Zanesville Armco Independent Organization Bethlehem Steel Geneva Steel IPSCO Steel

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
C-427-819	701-TA-409	Low Enriched Uranium/France	National Steel US Steel United Steelworkers of America United States Enrichment Corp USEC Inc
C-428-817	701-TA-340	Cold-Rolled Carbon Steel Flat Products/Germany ...	Armco Steel Bethlehem Steel California Steel Industries Gulf States Steel Inland Steel Industries LTV Steel National Steel Nextech Rouge Steel Co Sharon Steel Theis Precision Steel Thompson Steel US Steel United Steelworkers of America WCI Steel Weirton Steel Armco Steel
C-428-817	701-TA-349	Corrosion-Resistant Carbon Steel Flat Products/ Germany.	Bethlehem Steel California Steel Industries Geneva Steel Gulf States Steel Inland Steel Industries LTV Steel Lukens Steel National Steel Nextech Rouge Steel Co Sharon Steel Theis Precision Steel Thompson Steel US Steel United Steelworkers of America WCI Steel Weirton Steel
C-428-817	701-TA-322	Cut-to-Length Carbon Steel Plate/Germany	Bethlehem Steel California Steel Industries Geneva Steel Gulf States Steel Inland Steel Industries Lukens Steel National Steel Nextech Sharon Steel Theis Precision Steel Thompson Steel US Steel United Steelworkers of America WCI Steel Weirton Steel
C-428-829	701-TA-410	Low Enriched Uranium/Germany	Bethlehem Steel California Steel Industries Geneva Steel Gulf States Steel Inland Steel Industries Lukens Steel National Steel Nextech Sharon Steel Theis Precision Steel Thompson Steel US Steel United Steelworkers of America United States Enrichment Corp USEC Inc
C-437-805	701-TA-426	Sulfanilic Acid/Hungary	Nation Ford Chemical
C-469-004	701-TA-178	Stainless Steel Wire Rod/Spain	AL Tech Specialty Steel Armco Steel Carpenter Technology Colt Industries Cyclops Guterl Special Steel Joslyn Stainless Steels Republic Steel
C-469-804	701-TA-326	Cut-to-Length Carbon Steel Plate/Spain	Bethlehem Steel California Steel Industries Geneva Steel Gulf States Steel Inland Steel Industries Lukens Steel National Steel Nextech Sharon Steel

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
C-475-812	701-TA-355	Grain-Oriented Silicon Electrical Steel/Italy	Theis Precision Steel Thompson Steel US Steel United Steelworkers of America Allegheny Ludlum Armco Steel Butler Armco Independent Union United Steelworkers of America Zanesville Armco Independent Union
C-475-815	701-TA-362	Seamless Pipe/Italy	Koppel Steel Quanex Timken United States Steel
C-475-817	701-TA-364	Oil Country Tubular Goods/Italy	IPSCO Koppel Steel Lone Star Steel Maverick Tube Newport Steel North Star Steel US Steel
C-475-819	701-TA-365	Pasta/Italy	USS/Kobe A Zerega's Sons American Italian Pasta Borden D Merlino & Sons Dakota Growers Pasta Foulds Gilster-Mary Lee Gooch Foods Hershey Foods LaRinascente Macaroni Co Pasta USA Philadelphia Macaroni ST Specialty Foods
C-475-821	701-TA-373	Stainless Steel Wire Rod/Italy	AL Tech Specialty Steel Carpenter Technology Republic Engineered Steels Talley Metals Technology United Steelworkers of America
C-475-823	701-TA-377	Stainless Steel Plate in Coils/Italy	Allegheny Ludlum Armco Steel J&L Specialty Steel Lukens Steel North American Stainless United Steelworkers of America
C-475-825	701-TA-381	Stainless Steel Sheet and Strip/Italy	Allegheny Ludlum Armco Steel Bethlehem Steel Butler Armco Independent Union Carpenter Technology Corp J&L Specialty Steel North American Stainless United Steelworkers of America
C-475-827	701-TA-390	Cut-to-Length Carbon Steel Plate/Italy	Zanesville Armco Independent Organization Bethlehem Steel Geneva Steel Gulf States Steel IPSCO Steel National Steel US Steel
C-475-830	701-TA-413	Stainless Steel Bar/Italy	United Steelworkers of America Carpenter Technology Crucible Specialty Metals Electralloy Empire Specialty Steel Republic Technologies International Slater Steels United Steelworkers of America
C-489-502	701-TA-253	Welded Carbon Steel Pipe and Tube/Turkey	Allied Tube & Conduit American Tube Bernard Epps Bock Industries Bull Moose Tube

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
			Central Steel Tube Century Tube Copperweld Tubing Cyclops Hughes Steel & Tube Kaiser Steel Laclede Steel Maruichi American Maverick Tube Merchant Metals Phoenix Steel Pittsburgh Tube Quanex Sharon Tube Southwestern Pipe UNR-Leavitt Welded Tube Western Tube & Conduit Wheatland Tube
C-489-806	701-TA-366	Pasta/Turkey	A Zerega's Sons American Italian Pasta Borden D Merlino & Sons Dakota Growers Pasta Foulds Gilster-Mary Lee Gooch Foods Hershey Foods LaRinascente Macaroni Co Pasta USA Philadelphia Macaroni ST Specialty Foods
C-507-501	N/A	Raw In-Shell Pistachios/Iran	Blackwell Land Co Cal Pure Pistachios Inc California Pistachio Commission California Pistachio Orchards Keenan Farms Inc Kern Pistachio Hulling & Drying Co-Op Los Rancheros de Poco Pedro Pistachio Producers of California TM Duche Nut Co Inc
C-507-601	N/A	Roasted In-Shell Pistachios/Iran	Cal Pure Pistachios Inc California Pistachio Commission Keenan Farms Inc Kern Pistachio Hulling & Drying Co-Op Pistachio Producers of California TM Duche Nut Co Inc
C-508-605	701-TA-286	Industrial Phosphoric Acid/Israel	Albright & Wilson FMC Hydrite Chemical Monsanto Stauffer Chemical
C-533-063	303-TA-13	Iron Metal Castings/India	Campbell Foundry Le Baron Foundry Municipal Castings Neenah Foundry Pinkerton Foundry US Foundry & Manufacturing Vulcan Foundry
C-533-807	701-TA-318	Sulfanilic Acid/India	R-M Industries
C-533-818	701-TA-388	Cut-to-Length Carbon Steel Plate/India	Bethlehem Steel Geneva Steel Gulf States Steel IPSCO Steel National Steel Tuscaloosa Steel US Steel United Steelworkers of America
C-533-821	701-TA-405	Hot-Rolled Steel Products/India	Bethlehem Steel Gallatin Steel Independent Steelworkers IPSCO LTV Steel

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
C-533-825	701-TA-415	Polyethylene Terephthalate Film, Sheet and Strip (PET Film)/India.	National Steel Nucor Rouge Steel Co Steel Dynamics US Steel United Steelworkers of America WCI Steel Inc Weirton Steel Wheeling-Pittsburgh Steel Corp DuPont Teijin Films
C-533-829	701-TA-432	Prestressed Concrete Steel Wire Strand/India	Mitsubishi Polyester Film LLC SKC America Inc Toray Plastics (America) American Spring Wire Corp Insteel Wire Products Co Sivaco Georgia LLC Strand Tech Martin Inc Sumiden Wire Products Corp
C-533-839	701-TA-437	Carbazole Violet Pigment 23/India	Allegheny Color Corp Barker Fine Color Inc Clariant Corp Nation Ford Chemical Co Sun Chemical Co
C-533-844	701-TA-442	Certain Lined Paper School Supplies/India	Fay Paper Products Inc MeadWestvaco Consumer & Office Products Norcom Inc Pacon Corp Roaring Spring Blank Book Co Top Flight Inc United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union, AFL-CIO-CLC (USW)
C-535-001	701-TA-202	Cotton Shop Towels/Pakistan	Milliken
C-549-818	701-TA-408	Hot-Rolled Steel Products/Thailand	Bethlehem Steel Gallatin Steel Independent Steelworkers IPSCO LTV Steel National Steel Nucor Rouge Steel Co Steel Dynamics US Steel United Steelworkers of America WCI Steel Inc Weirton Steel Wheeling-Pittsburgh Steel Corp
C-560-806	701-TA-389	Cut-to-Length Carbon Steel Plate/Indonesia	Bethlehem Steel Geneva Steel Gulf States Steel IPSCO Steel National Steel Tuscaloosa Steel US Steel United Steelworkers of America
C-560-813	701-TA-406	Hot-Rolled Steel Products/Indonesia	Bethlehem Steel Gallatin Steel Independent Steelworkers IPSCO LTV Steel National Steel Nucor Rouge Steel Co Steel Dynamics US Steel United Steelworkers of America WCI Steel Inc Weirton Steel Wheeling-Pittsburgh Steel Corp
C-560-819	701-TA-443	Certain Lined Paper School Supplies/Indonesia	Fay Paper Products Inc MeadWestvaco Consumer & Office Products

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
C-580-602	701-TA-267	Top-of-the-Stove Stainless Steel Cooking Ware/Korea.	Norcom Inc Pacon Corp Roaring Spring Blank Book Co Top Flight Inc United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union, AFL-CIO-CLC (USW) Farberware
C-580-818	701-TA-342	Cold-Rolled Carbon Steel Flat Products/Korea	Regal Ware Revere Copper & Brass WearEver/Proctor Silex Armco Steel Bethlehem Steel California Steel Industries Gulf States Steel Inland Steel Industries LTV Steel National Steel Nextech Rouge Steel Co Sharon Steel Theis Precision Steel Thompson Steel US Steel United Steelworkers of America WCI Steel Weirton Steel Armco Steel
C-580-818	701-TA-350	Corrosion-Resistant Carbon Steel Flat Products/Korea.	Bethlehem Steel California Steel Industries Geneva Steel Gulf States Steel Inland Steel Industries LTV Steel Lukens Steel National Steel Nextech Rouge Steel Co Sharon Steel Theis Precision Steel Thompson Steel US Steel United Steelworkers of America WCI Steel Weirton Steel
C-580-835	701-TA-382	Stainless Steel Sheet and Strip/Korea	Allegheny Ludlum Armco Steel Bethlehem Steel Butler Armco Independent Union Carpenter Technology Corp J&L Specialty Steel North American Stainless United Steelworkers of America Zanesville Armco Independent Organization
C-580-837	701-TA-391	Cut-to-Length Carbon Steel Plate/Korea	Bethlehem Steel Geneva Steel Gulf States Steel IPSCO Steel National Steel Tuscaloosa Steel US Steel United Steelworkers of America
C-580-842	701-TA-401	Structural Steel Beams/Korea	Northwestern Steel and Wire Nucor Nucor-Yamato Steel TXI-Chaparral Steel United Steelworkers of America
C-580-851	701-TA-431	DRAMs and DRAM Modules/Korea	Dominion Semiconductor LLC/Micron Technology Inc Infineon Technologies Richmond LP

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
C-583-604	701-TA-268	Top-of-the-Stove Stainless Steel Cooking Ware/Taiwan.	Micron Technology Inc Farberware
C-791-806	701-TA-379	Stainless Steel Plate in Coils/South Africa	Regal Ware Revere Copper & Brass WearEver/Proctor Silex Allegheny Ludlum Armco Steel J&L Specialty Steel Lukens Steel North American Stainless United Steelworkers of America
C-791-810	701-TA-407	Hot-Rolled Steel Products/South Africa	Bethlehem Steel Gallatin Steel Independent Steelworkers IPSCO LTV Steel National Steel Nucor Rouge Steel Co Steel Dynamics US Steel United Steelworkers of America WCI Steel Inc Weirton Steel Wheeling-Pittsburgh Steel Corp
A-331-802	731-TA-1065 ...	Certain Frozen Warmwater Shrimp and Prawns/Ecuador.	Abadie, Al J
A-351-838	731-TA-1063 ...	Certain Frozen Warmwater Shrimp and Prawns/Brazil.	Abadie, Anthony Abner, Charles
A-533-840	731-TA-1066 ...	Certain Frozen Warmwater Shrimp and Prawns/India.	Abraham, Steven Abshire, Gabriel J
A-549-822	731-TA-1067 ...	Certain Frozen Warmwater Shrimp and Prawns/Thailand.	Ackerman, Dale J Acosta, Darryl L
A-552-802	731-TA-1068 ...	Certain Frozen Warmwater Shrimp and Prawns/Vietnam.	Acosta, Jerry J Sr Acosta, Leonard C
A-570-893	731-TA-1064 ...	Certain Frozen Warmwater Shrimp and Prawns/China.	Acosta, Wilson Pula Sr Adam, Denise T Adam, Michael A Adam, Richard B Jr Adam, Sherry P Adam, William E Adams, Alcide J Jr Adams, Dudley Adams, Elizabeth L Adams, Ervin Adams, Ervin Adams, George E Adams, Hursy J Adams, James Arthur Adams, Kelly Adams, Lawrence J Jr Adams, Randy Adams, Ritchie Adams, Steven A Adams, Ted J Adams, Tim Adams, Whitney P Jr Agoff, Ralph J Aguilar, Rikardo Aguillard, Roddy G Alario, Don Ray Alario, Nat Alario, Pete J Alario, Timmy Albert, Craig J Albert, Junior J Alexander, Everett O

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			Alexander, Robert F Jr Alexie, Benny J Alexie, Corkey A Alexie, Dolphy Alexie, Felix Jr Alexie, Gwendolyn Alexie, John J Alexie, John V Alexie, Larry J Sr Alexie, Larry Jr Alexie, Vincent L Jr Alexis, Barry S Alexis, Craig W Alexis, Micheal Alexis, Monique Alfonso, Anthony E Jr Alfonso, Jesse Alfonso, Nicholas Alfonso, Paul Anthony Alfonso, Randy Alfonso, Terry S Jr Alfonso, Vernon Jr Alfonso, Yvette Alimia, Angelo A Jr Allemand, Dean J Allen, Annie Allen, Carolyn Sue Allen, Jackie Allen, Robin Allen, Wayne Allen, Wilbur L Allen, Willie J III Allen, Willie Sr Alphonso, John Ancalade, Leo J Ancar, Claudene Ancar, Jerry T Ancar, Joe C Ancar, Merlin Sr Ancar, William Sr Ancelet, Gerald Ray Anderson, Andrew David Anderson, Ernest W Anderson, Jerry Anderson, John Anderson, Lynwood Anderson, Melinda Rene Anderson, Michael Brian Anderson, Ronald L Sr Anderson, Ronald Louis Jr Andonie, Miguel Andrews, Anthony R Andry, Janice M Andry, Rondey S Angelle, Louis Anglada, Eugene Sr Ansardi, Lester Anselmi, Darren Aparicio, Alfred Aparicio, David Aparicio, Ernest Arabie, Georgia P Arabie, Joseph Arcement, Craig J Arcement, Lester C Arcemont, Donald Sr Arceneaux, Matthew J Arceneaux, Michael K Areas, Christopher J Armbruster, John III Armbruster, Paula D Armstrong, Jude Jr Arnesen, George

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			Arnold, Lonnie L Jr Arnona, Joseph T Armondin, Robert Arthur, Brenda J Assavedo, Floyd Atwood, Gregory Kenneth Au, Chow D Au, Robert Aucoin, Dewey F Aucoin, Earl Aucoin, Laine A Aucoin, Perry J Austin, Dennis Austin, Dennis J Authement, Brice Authement, Craig L Authement, Dion J Authement, Gordon Authement, Lance M Authement, Larry Authement, Larry Sr Authement, Roger J Authement, Sterling P Autin, Bobby Autin, Bruce J Autin, Kenneth D Autin, Marvin J Autin, Paul F Jr Autin, Roy Avenel, Albert J Jr Ba Wells, Tran Thi Babb, Conny Babin, Brad Babin, Joey L Babin, Klint Babin, Molly Babin, Norman J Babineaux, Kirby Babineaux, Vicki Bach, Ke Van Bach, Reo Long Backman, Benny Badeaux, Todd Baham, Dewayne Bailey, Albert Bailey, Antoine III Bailey, David B Sr Bailey, Don Baker, Clarence Baker, Donald Earl Baker, James Baker, Kenneth Baker, Ronald J Balderas, Antonio Baldwin, Richard Prentiss Ballard, Albert Ballas, Barbara A Ballas, Charles J Baltz, John F Ban, John Bang, Bruce K Barbaree, Joe W Barbe, Mark A and Cindy Barber, Louie W Jr Barber, Louie W Sr Barbier, Percy T Barbour, Raymond A Bargainear, James E Barisich, George A Barisich, Joseph J Barnette, Earl Barnhill, Nathan Barrios, Clarence

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			Barrios, Corbert J Barrios, Corbert M Barrios, David Barrios, John Barrios, Shane James Barrois, Angela Gail Barrois, Dana A Barrois, Tracy James Barrois, Wendell Jude Jr Barthe, Keith Sr Barthelemy, Allen M Barthelemy, John A Barthelemy, Rene T Sr Barthelemy, Walter A Jr Bartholomew, Mitchell Bartholomew, Neil W Bartholomew, Thomas E Bartholomew, Wanda C Basse, Donald J Sr Bates, Mark Bates, Ted Jr Bates, Vernon Jr Battle, Louis Baudoin, Drake J Baudoin, Murphy A Baudouin, Stephen Bauer, Gary Baye, Glen P Bean, Charles A Beazley, William E Becnel, Glenn J Becnel, Kent Beecher, Carol F Beechler, Ronald Bell, James E Bell, Ronald A Bellanger, Arnold Bellanger, Clifton Bellanger, Scott J Belsome, Derrell M Belsome, Karl M Bennett, Cecil A Jr Bennett, Gary Lynn Bennett, Irin Jr Bennett, James W Jr Bennett, Louis Benoit, Francis J Benoit, Nicholas L Benoit, Paula T Benoit, Tenna J Jr Benton, Walter T Berger, Ray W Bergeron, Alfred Scott Bergeron, Jeff Bergeron, Nolan A Bergeron, Ulysses J Bernard, Lamont L Berner, Mark J Berthelot, Gerard J Sr Berthelot, James A Berthelot, Myron J Bertrand, Jerl C Beverung, Keith J Bianchini, Raymond W Bickham, Leo E Bienvenu, Charles Biggs, Jerry W Sr Bigler, Delbert Billington, Richard Billiot, Alfredia Billiot, Arthur Billiot, Aubrey Billiot, Barell J

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			Billiot, Betty Billiot, Bobby J Billiot, Brian K Billiot, Cassidy Billiot, Charles Sr Billiot, Chris J Sr Billiot, E J E Billiot, Earl W Sr Billiot, Ecton L Billiot, Emary Billiot, Forest Jr Billiot, Gerald Billiot, Harold J Billiot, Jacco A Billiot, Jake A Billiot, James Jr Billiot, Joseph S Jr Billiot, Laurence V Billiot, Leonard F Jr Billiot, Lisa Billiot, Mary L Billiot, Paul J Sr Billiot, Shirley L Billiot, Steve M Billiot, Thomas Adam Billiot, Thomas Sr Billiot, Wenceslaus Jr Billiot, Alexander J Biron, Yale Black, William C Blackston, Larry E Blackwell, Wade H III Blackwell, Wade H Jr Blanchard, Albert Blanchard, Andrew J Blanchard, Billy J Blanchard, Cyrus Blanchard, Daniel A Blanchard, Dean Blanchard, Douglas Jr Blanchard, Dwayne Blanchard, Elgin Blanchard, Gilbert Blanchard, Jade Blanchard, James Blanchard, John F Jr Blanchard, Katie Blanchard, Kelly Blanchard, Matt Joseph Blanchard, Michael Blanchard, Quentin Timothy Blanchard, Roger Sr Blanchard, Walton H Jr Bland, Quyen T Blouin, Roy A Blume, Jack Jr Bodden, Arturo Bodden, Jasper Bollinger, Donald E Bolotte, Darren W Bolton, Larry F Bondi, Paul J Bonvillain, Jimmy J Bonvillian, Donna M Boone, Clifton Felix Boone, Donald F II Boone, Donald F III (Ricky) Boone, Gregory T Boquet, Noriss P Jr Boquet, Wilfred Jr Bordelon, Glenn Sr Bordelon, James P Bordelon, Shelby P

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
			Borden, Benny Borne, Crystal Borne, Dina L Borne, Edward Joseph Jr Borne, Edward Sr Bosarge, Hubert Lawrence Bosarge, Robert Bosarge, Sandra Bosarge, Steve Boudlauch, Durel A Jr Boudoin, Larry Terrell Boudoin, Nathan Boudreaux, Brent J Boudreaux, Elvin J III Boudreaux, James C Jr Boudreaux, James N Boudreaux, Jessie Boudreaux, Leroy A Boudreaux, Mark Boudreaux, Paul Sr Boudreaux, Richard D Boudreaux, Ronald Sr Boudreaux, Sally Boudreaux, Veronica Boudwin, Dwayne Boudwin, Jewel James Sr Boudwin, Wayne Bouise, Norman Boulet, Irwin J Jr Boullion, Debra Bourg, Allen T Bourg, Benny Bourg, Chad J Bourg, Channon Bourg, Chris Bourg, Douglas Bourg, Glenn A Bourg, Jearmie Sr Bourg, Kent A Bourg, Mark Bourg, Nolan P Bourg, Ricky J Bourgeois, Albert P Bourgeois, Brian J Jr Bourgeois, Daniel Bourgeois, Dwayne Bourgeois, Jake Bourgeois, Johnny M Bourgeois, Johnny M Jr Bourgeois, Leon A Bourgeois, Louis A Bourgeois, Merrie E Bourgeois, Randy P Bourgeois, Reed Bourgeois, Webley Bourn, Chris Bourque, Murphy Paul Bourque, Ray Bousegard, Duvic Jr Boutte, Manuel J Jr Bouvier, Colbert A II Bouzigard, Dale J Bouzigard, Edgar J III Bouzigard, Eeris Bowers, Harold Bowers, Tommy Boyd, David E Sr Boyd, Elbert Boykin, Darren L Boykin, Thomas Carol Bradley, James Brady, Brian Brandhurst, Kay

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			Brandhurst, Ray E Sr Brandhurst, Raymond J Braneff, David G Brannan, William P Branom, Donald James Jr Braud, James M Brazan, Frank J Breaud, Irvin F Jr Breaux, Barbara Breaux, Brian J Breaux, Charlie M Breaux, Clifford Breaux, Colin E Breaux, Daniel Jr Breaux, Larry J Breaux, Robert J Jr Breaux, Shelby Briscoe, Robert F Jr Britsch, L D Jr Broussard, Dwayne E Broussard, Eric Broussard, Keith Broussard, Larry Broussard, Mark A Broussard, Roger David Broussard, Roger R Broussard, Steve P Brown, Cindy B Brown, Colleen Brown, Donald G Brown, John W Brown, Paul R Brown, Ricky Brown, Toby H Bruce, Adam J Bruce, Adam J Jr Bruce, Bob R Bruce, Daniel M Sr Bruce, Eli T Sr Bruce, Emelda L Bruce, Gary J Sr Bruce, James P Bruce, Lester J Jr Bruce, Margie L Bruce, Mary P Bruce, Nathan Bruce, Robert Bruce, Russell Brudnock, Peter Sr Brunet, Elton J Brunet, Joseph A Brunet, Joseph A Brunet, Levy J Jr Brunet, Raymond Sr Bryan, David N Bryant, Ina Fay V Bryant, Jack D Sr Bryant, James Larry Buford, Ernest Bui, Ben Bui, Dich Bui, Dung Thi Bui, Huong T Bui, Ngan Bui, Nhuan Bui, Nuoi Van Bui, Tai Bui, Tieu Bui, Tommy Bui, Xuan and De Nguyen Bui, Xuanmai Bull, Delbert E Bundy, Belvina (Kenneth)

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			Bundy, Kenneth Sr Bundy, Nicky Bundy, Ronald J Bundy, Ronnie J Buquet, John Jr Buras, Clayton M Buras, Leander Buras, Robert M Jr Buras, Waylon J Burlett, Elliott C Burlett, John C Jr Burnell, Charles B Burnell, Charles R Burnham, Deanna Lea Burns, Stuart E Burroughs, Lindsey Hilton Jr Burton, Ronnie Busby, Hardy E Busby, Tex H Busch, RC Bush, Robert A Bussey, Tyler Butcher, Dorothy Butcher, Rocky J Butler, Albert A Butler, Aline M Bychurch, Johnny Bychurch, Johnny Jr Cabanilla, Alex Caboz, Jose Santos Cacioppo, Anthony Jr Caddell, David Cadriere, Mae Quick Cadriere, Ronald J Cahill, Jack Caillouet, Stanford Jr Caison, Jerry Lane Jr Calcagno, Stephen Paul Sr Calderone, John S Callahan, Gene P Sr Callahan, Michael J Callahan, Russell Callais, Ann Callais, Franklin D Callais, Gary D Callais, Michael Callais, Michael Callais, Sandy Callais, Terrence Camardelle, Anna M Camardelle, Chris J Camardelle, David Camardelle, Edward J III Camardelle, Edward J Jr Camardelle, Harris A Camardelle, Knowles Camardelle, Noel T Camardelle, Tilman J Caminita, John A III Campo, Donald Paul Campo, Kevin Campo, Nicholas J Campo, Roy Campo, Roy Sr Camus, Ernest M Jr Canova, Carl Cantrelle, Alvin Cantrelle, Eugene J Cantrelle, Otis A Sr Cantrelle, Otis Jr (Buddy) Cantrelle, Philip A Cantrelle, Tate Joseph Canty, Robert Jamies

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			Cao, Anna Cao, Billy Cao, Billy Viet Cao, Binh Quang Cao, Chau Cao, Dan Dien Cao, Dung Van Cao, Gio Van Cao, Heip A Cao, Linh Huyen Cao, Nghia Thi Cao, Nhieu V Cao, Si-Van Cao, Thanh Kim Cao, Tuong Van Carinhas, Jack G Jr Carl, Joseph Allen Carlos, Gregory Carlos, Irvin Carmadelle, David J Carmadelle, Larry G Carmadelle, Rudy J Carrere, Anthony T Jr Carrier, Larry J Caruso, Michael Casanova, David W Sr Cassagne, Alphonse G III Cassagne, Alphonse G IV Cassidy, Mark Casso, Joseph Castelin, Gilbert Castelin, Sharon Castellanos, Raul L Castelluccio, John A Jr Castille, Joshua Caulfield, Adolph Jr Caulfield, Hope Caulfield, James M Jr Caulfield, Jean Cepriano, Salvador Cerde, Julius W Jr Cerise, Marla Chabert, John Chaisson, Dean J Chaisson, Henry Chaisson, Vincent A Chaix, Thomas B III Champagne, Brian Champagne, Harold P Champagne, Kenton Champagne, Leon J Champagne, Leroy A Champagne, Lori Champagne, Timmy D Champagne, Willard Champlin, Kim J Chance, Jason R Chancey, Jeff Chapa, Arturo Chaplin Robert G Sr Chaplin, Saxby Stowe Charles, Christopher Charpentier, Allen J Charpentier, Alvin J Charpentier, Daniel J Charpentier, Lawrence Charpentier, Linton Charpentier, Melanie Charpentier, Murphy Jr Charpentier, Robert J Chartier, Michelle Chau, Minh Huu Chauvin, Anthony

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			Chauvin, Anthony P Jr Chauvin, Carey M Chauvin, David James Chauvin, James E Chauvin, Kimberly Kay Cheeks, Alton Bruce Cheers, Elwood Chenier, Ricky Cheramie, Alan Cheramie, Alan J Jr Cheramie, Alton J Cheramie, Berwick Jr Cheramie, Berwick Sr Cheramie, Daniel James Sr Cheramie, Danny Cheramie, David J Cheramie, David P Cheramie, Dickey J Cheramie, Donald Cheramie, Enola Cheramie, Flint Cheramie, Harold L Cheramie, Harry J Sr Cheramie, Harry Jr Cheramie, Harvey Jr Cheramie, Harvey Sr Cheramie, Henry J Sr Cheramie, James A Cheramie, James P Cheramie, Jody P Cheramie, Joey J Cheramie, Johnny Cheramie, Joseph A Cheramie, Lee Allen Cheramie, Linton J Cheramie, Mark A Cheramie, Murphy J Cheramie, Nathan A Sr Cheramie, Neddy P Cheramie, Nicky J Cheramie, Ojess M Cheramie, Paris P Cheramie, Robbie Cheramie, Rodney E Jr Cheramie, Ronald Cheramie, Roy Cheramie, Roy A Cheramie, Sally K Cheramie, Terry J Cheramie, Terry Jr Cheramie, Timmy Cheramie, Tina Cheramie, Todd M Cheramie, Tommy Cheramie, Wayne A Cheramie, Wayne A Jr Cheramie, Wayne F Sr Cheramie, Wayne J Cheramie, Webb Jr Chevalier, Mitch Chew, Thomas J Chhun, Samantha Chiasson, Jody J Chiasson, Manton P Jr Chiasson, Michael P Childress, Gordon Chisholm, Arthur Chisholm, Henry Jr Christen, David Jr Christen, Vernon Christmas, John T Jr Chung, Long V Ciaccio, Vance

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			Cibilic, Bozidar Cieutat, John Cisneros, Albino Ciuffi, Michael L Clark, James M Clark, Jennings Clark, Mark A Clark, Ricky L Cobb, Michael A Cochran, Jimmy Coleman, Ernest Coleman, Freddie Jr Colletti, Rodney A Collier, Ervin J Collier, Wade Collins, Bernard J Collins, Bruce J Jr Collins, Donald Collins, Earline Collins, Eddie F Jr Collins, Jack Collins, Jack Collins, Julius Collins, Lawson Bruce Sr Collins, Lindy S Jr Collins, Logan A Jr Collins, Robert Collins, Timmy P Collins, Vendon Jr Collins, Wilbert Jr Collins, Woodrow Colson, Chris and Michelle Comardelle, Michael J Comeaux, Allen J Compeaux, Curtis J Compeaux, Gary P Compeaux, Harris Cone, Jody Contreras, Mario Cook, Edwin A Jr Cook, Edwin A Sr Cook, Joshua Cook, Larry R Sr Cook, Scott Cook, Theodore D Cooksey, Ernest Neal Cooper, Acy J III Cooper, Acy J Jr Cooper, Acy Sr Cooper, Christopher W Cooper, Jon C Cooper, Marla F Cooper, Vincent J Copeman, John R Corley, Ronald E Cornett, Eddie Cornwall, Roger Cortez, Brenda M Cortez, Cathy Cortez, Curtis Cortez, Daniel P Cortez, Edgar Cortez, Keith J Cortez, Leslie J Cosse, Robert K Coston, Clayton Cotsovolos, John Gordon Coulon, Allen J Jr Coulon, Allen J Sr Coulon, Amy M Coulon, Cleveland F Coulon, Darrin M Coulon, Don

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			Coulon, Earline N Coulon, Ellis Jr Coursey, John W Courville, Ronnie P Cover, Darryl L Cowdrey, Michael Dudley Cowdrey, Michael Nelson Crain, Michael T Crawford, Bryan D Crawford, Steven J Creamer, Quention Credeur, Todd A Sr Credeur, Tony J Creppel, Carlton Creppel, Catherine Creppel, Craig Anthony Creppel, Freddy Creppel, Isadore Jr Creppel, Julinne G III Creppel, Kenneth Creppel, Kenneth Creppel, Nathan J Jr Creppell, Michel P Cristina, Charles J Crochet, Sterling James Crochet, Tony J Crosby, Benjy J Crosby, Darlene Crosby, Leonard W Jr Crosby, Ted J Crosby, Thomas Crum, Lonnie Crum, Tommy Lloyd Cruz, Jesus Cubbage, Melinda T Cuccia, Anthony J Cuccia, Anthony J Jr Cuccia, Kevin Cumbie, Bryan E Cure, Mike Curole, Keith J Curole, Kevin P Curole, Margaret B Curole, Willie P Jr Cutrer, Jason C Cvitanovich, T Daigle, Alfred Daigle, Cleve and Nona Daigle, David John Daigle, EJ Daigle, Glenn Daigle, Jamie J Daigle, Jason Daigle, Kirk Daigle, Leonard P Daigle, Lloyd Daigle, Louis J Daigle, Melanie Daigle, Michael J Daigle, Michael Wayne and JoAnn Daisy, Jeff Dale, Cleveland L Dang, Ba Dang, Dap Dang, David Dang, Duong Dang, Khang Dang, Khang and Tam Phan Dang, Loan Thi Dang, Minh Dang, Minh Van Dang, Son Dang, Tao Kevin

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			Dang, Thang Duc Dang, Thien Van Dang, Thuong Dang, Thuy Dang, Van D Daniels, David Daniels, Henry Daniels, Leslie Danos, Albert Sr Danos, James A Danos, Jared Danos, Oliver J Danos, Ricky P Danos, Rodney Danos, Timothy A d'Antignac, Debi d'Antignac, Jack Dantin, Archie A Dantin, Mark S Sr Dantin, Stephen Jr Dao, Paul Dao, Vang Dao-Nguyen, Chrysti Darda, Albert L Jr Darda, Gertrude Darda, Herbert Darda, J C Darda, Jeremy Darda, Tammy Darda, Trudy Dardar, Alvin Dardar, Basile J Dardar, Basile Sr Dardar, Cindy Dardar, David Dardar, Donald S Dardar, Edison J Sr Dardar, Gayle Picou Dardar, Gilbert B Dardar, Gilbert Sr Dardar, Isadore J Jr Dardar, Jacqueline Dardar, Jonathan M Dardar, Lanny Dardar, Larry J Dardar, Many Dardar, Neal A Dardar, Norbert Dardar, Patti V Dardar, Percy B Sr Dardar, Rose Dardar, Rusty J Dardar, Samuel Dardar, Summersgill Dardar, Terry P Dardar, Toney M Jr Dardar, Toney Sr Dargis, Stephen M Dassau, Louis David, Philip J Jr Davis, Cliff Davis, Daniel A Davis, Danny A Davis, James Davis, John W Davis, Joseph D Davis, Michael Steven Davis, Ronald B Davis, William T Jr Davis, William Theron Dawson, JT de la Cruz, Avery T Dean, Ilene L

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			Dean, John N Dean, Stephen DeBarge, Brian K DeBarge, Sherry DeBarge, Thomas W Decoursey, John Dedon, Walter Deere, Daryl Deere, David E Deere, Dennis H Defelice, Robin Defelice, Tracie L DeHart, Ashton J Sr Dehart, Bernard J Dehart, Blair Dehart, Clevis Dehart, Clevis Jr DeHart, Curtis P Sr Dehart, Eura Sr Dehart, Ferrell John Dehart, Leonard M DeHart, Troy DeJean, Chris N Jr DeJean, Chris N Sr Dekemel, Bonnie D Dekemel, Wm J Jr Delande, Paul Delande, Ten Chie Delatte, Michael J Sr Delaune, Kip M Delaune, Thomas J Delaune, Todd J Delcambre, Carroll A Delgado, Jesse Delino, Carlton Delino, Lorene Deloach, Stephen W Jr DeMoll, Herman J Jr DeMoll, Herman J Sr DeMoll, James C Jr DeMoll, Ralph DeMoll, Robert C DeMoll, Terry R DeMolle, Freddy DeMolle, Otis Dennis, Fred Denty, Steve Deroche, Barbara H Derouen, Caghe Deshotel, Rodney DeSilvey, David Despaux, Byron J Despaux, Byron J Jr Despaux, Glen A Despaux, Ken Despaux, Kerry Despaux, Suzanna Detillier, David E DeVaney, Bobby C Jr Dickey, Wesley Frank Diep, Vu Dinger, Anita Dinger, Corbert Sr Dinger, Eric Dingler, Mark H Dinh, Chau Thanh Dinh, Khai Duc Dinh, Lien Dinh, Toan Dinh, Vincent Dion, Ernest Dion, Paul A Dion, Thomas Autry

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			Disalvo, Paul A Dismuke, Robert E Sr Ditcharo, Dominick III Dixon, David Do, Cuong V Do, Dan C Do, Dung V Do, Hai Van Do, Hieu Do, Hung V Do, Hung V Do, Johnny Do, Kiet Van Do, Ky Hong Do, Ky Quoc Do, Lam Do, Liet Van Do, Luong Van Do, Minh Van Do, Nghiep Van Do, Ta Do, Ta Phon Do, Than Viet Do, Thanh V Do, Theo Van Do, Thien Van Do, Tinh A Do, Tri Do, Vi V Doan, Anh Thi Doan, Joseph Doan, Mai Doan, Minh Doan, Ngoc Doan, Tran Van Domangue, Darryl Domangue, Emile Domangue, Mary Domangue, Michael Domangue, Paul Domangue, Ranzell Sr Domangue, Stephen Domangue, Westley Domingo, Carolyn Dominique, Amy R Dominique, Gerald R Donini, Ernest N Donnelly, David C Donohue, Holly M Dooley, Denise F Dopson, Craig B Dore, Presley J Dore, Preston J Jr Dorr, Janthan C Jr Doucet, Paul J Sr Downey, Colleen Doxey, Robert Lee Sr Doxey, Ruben A Doxey, William L Doyle, John T Drawdy, John Joseph Drury, Bruce W Jr Drury, Bruce W Sr Drury, Bryant J Drury, Eric S Drury, Helen M Drury, Jeff III Drury, Kevin Drury, Kevin S Sr Drury, Steve R Drury, Steven J Dubberly, James F Dubberly, James Michael

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			Dubberly, James Michael Jr Dubberly, John J Dubois, Euris A Dubois, John D Jr Dubois, Lonnie J Duck, Kermit Paul Dudenhefer, Anthony Dudenhefer, Connie S Dudenhefer, Eugene A Dudenhefer, Milton J Jr Duet, Brad J Duet, Darrel A Duet, Guy J Duet, Jace J Duet, Jay Duet, John P Duet, Larson Duet, Ramie Duet, Raymond J Duet, Tammy B Duet, Tyrone Dufrene, Archie Dufrene, Charles Dufrene, Curt F Dufrene, Elson A Dufrene, Eric F Dufrene, Eric F Jr Dufrene, Eric John Dufrene, Golden J Dufrene, Jeremy M Dufrene, Juliette B Dufrene, Leroy J Dufrene, Milton J Dufrene, Ronald A Jr Dufrene, Ronald A Sr Dufrene, Scottie M Dufrene, Toby Dugar, Edward A II Dugas, Donald John Dugas, Henri J IV Duhe, Greta Duhe, Robert Duhon, Charles Duhon, Douglas P Duncan, Faye E Duncan, Gary Duncan, Loyde C Dunn, Bob Duong, Billy Duong, Chamroeun Duong, EM Duong, Ho Tan Phi Duong, Kong Duong, Mau Duplantis, Blair P Duplantis, David Duplantis, Frankie J Duplantis, Maria Duplantis, Teddy W Duplantis, Wedgir J Jr Duplessis, Anthony James Sr Duplessis, Bonnie S Duplessis, Clarence R Dupre, Brandon P Dupre, Cecile Dupre, David A Dupre, Davis J Jr Dupre, Easton J Dupre, Jimmie Sr Dupre, Linward P Dupre, Mary L Dupre, Michael J Dupre, Michael J Jr

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			Dupre, Randall P Dupre, Richard A Dupre, Rudy P Dupre, Ryan A Dupre, Tony J Dupre, Troy A Dupree, Bryan Dupree, Derrick Dupree, Malcolm J Sr Dupuis, Clayton J Durand, Walter Y Dusang, Melvin A Duval, Denva H Sr Duval, Wayne Dyer, Nadine D Dyer, Tony Dykes, Bert L Dyson, Adley L Jr Dyson, Adley L Sr Dyson, Amy Dyson, Casandra Dyson, Clarence III Dyson, Jimmy Jr Dyson, Jimmy L Sr Dyson, Kathleen Dyson, Maricela Dyson, Phillip II Dyson, Phillip Sr Dyson, William Eckerd, Bill Edens, Angela Blake Edens, Donnie Edens, Jeremy Donald Edens, Nancy M Edens, Steven L Edens, Timothy Dale Edgar, Daniel Edgar, Joey Edgerson, Roosevelt Edwards, Tommy W III Ellerbee, Jody Duane Ellison, David Jr Encalade, Alfred Jr Encalade, Anthony T Encalade, Cary Encalade, Joshua C Encalade, Stanley A Enclade, Joseph L Enclade, Michael Sr and Jeannie Pitre Enclade, Rodney J Enclade, Alfred Ennis, A L Jr Erickson, Grant G Erlinger, Carroll Erlinger, Gary R Eschete, Keith A Esfeller, Benny A Eskine, Kenneth Esponge, Ernest J Estaves, David Sr Estaves, Ricky Joseph Estay, Allen J Estay, Wayne Esteves, Anthony E Jr Estrada, Orestes Evans, Emile J Jr Evans, Kevin J Evans, Lester Evans, Lester J Jr Evans, Tracey J Sr Everson, George C Eymard, Brian P Sr Eymard, Jervis J and Carolyn B

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			Fabiano, Morris C Fabra, Mark Fabre, Alton Jr Fabre, Ernest J Fabre, Kelly V Fabre, Peggy B Fabre, Sheron Fabre, Terry A Fabre, Wayne M Falcon, Mitchell J Falgout, Barney Falgout, Jerry P Falgout, Leroy J Falgout, Timothy J Fanguy, Barry G Fanning, Paul Jr Farris, Thomas J Fasone, Christopher J Fasone, William J Faulk, Lester J Favaloro, Thomas J Favre, Michael Jr Fazende, Jeffery Fazende, Thomas Fazende, Thomas G Fazzio, Anthony Fazzio, Douglas P Fazzio, Maxine J Fazzio, Steve Felarise, EJ Felarise, Wayne A Sr Fernandez, John Fernandez, Laudelino Ferrara, Audrey B Ficarino, Dominick Jr Fields, Bryan Fillinich, Anthony Fillinich, Anthony Sr Fillinich, Jack Fincher, Penny Fincher, William Fisch, Burton E Fisher, Kelly Fisher, Kirk Fisher, Kirk A Fitch, Adam Fitch, Clarence J Jr Fitch, Hanson Fitzgerald, Burnell Fitzgerald, Kirk Fitzgerald, Kirk D Fitzgerald, Ricky J Jr Fleming, John M Fleming, Meigs F Fleming, Mike Flick, Dana Flores, Helena D Flores, Thomas Flowers, Steve W Flowers, Vincent F Folse, David M Folse, Heath Folse, Mary L Folse, Ronald B Fonseca, Francis Sr Fontaine, William S Fontenot, Peggy D Ford, Judy Ford, Warren Wayne Foreman, Ralph Jr Foret, Alva J Foret, Billy J Foret, Brent J

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			Foret, Glenn Foret, Houston Foret, Jackie P Foret, Kurt J Sr Foret, Lovelace A Sr Foret, Loveless A Jr Foret, Mark M Foret, Patricia C Forrest, David P Forsyth, Hunter Forsythe, John Fortune, Michael A France, George J Francis, Albert Franklin, James K Frankovich, Anthony Franks, Michael Frauenberger, Richard Wayne Frazier, David J Frazier, David M Frazier, James Frazier, Michael Frederick, Davis Frederick, Johnnie and Jeannie Fredrick, Michael Freeman, Arthur D Freeman, Darrel P Sr Freeman, Kenneth F Freeman, Larry Scott Frelich, Charles P Frelich, Floyd J Frelich, Kent Frerics, Doug Frerks, Albert R Jr Frickey, Darell Frickey, Darren Frickey, Dirk I Frickey, Eric J Frickey, Harry J Jr Frickey, Jimmy Frickey, Rickey J Frickey, Westley J Friloux, Brad Frisella, Jeanette M Frisella, Jerome A Jr Frost, Michael R Fruge, Wade P Gadson, James Gaines, Dwayne Gala, Christine Galjour, Jess J Galjour, Reed Gallardo, John W Gallardo, Johnny M Galliano, Anthony Galliano, Horace J Galliano, Joseph Sr Galliano, Logan J Galliano, Lynne L Galliano, Moise Jr Galloway, AT Jr Galloway, Jimmy D Galloway, Judy L Galloway, Mark D Galt, Giles F Gambarella, Luvencie J Ganoi, Kristine Garcia, Ana Maria Garcia, Anthony Garcia, Edward Garcia, Kenneth Garner, Larry S Gary, Dalton J

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			Gary, Ernest J Gary, Leonce Jr Garza, Andrew Garza, Jose H Gaskill, Elbert Clinton and Sandra Gaspar, Timothy Gaspard, Aaron and Hazel C Gaspard, Dudley A Jr Gaspard, Leonard J Gaspard, Michael A Gaspard, Michael Sr Gaspard, Murry Gaspard, Murry A Jr Gaspard, Murry Sr Gaspard, Murvin Gaspard, Ronald Sr Gaspard, Ronald Wayne Jr Gaubert, Elizabeth Gaubert, Gregory M Gaubert, Melvin Gaudet, Allen J IV Gaudet, Ricky Jr Gauthier, Hewitt J Sr Gautreaux, William A Gay, Norman F Gay, Robert G Gazzier, Daryl G Gazzier, Emanuel A Gazzier, Wilfred E Gegenheimer, William F Geiling, James Geisman, Tony Gentry, Robert Gentry, Samuel W Jr George, James J Jr Gerica, Clara Gerica, Peter Giambrone, Corey P Gibson, Eddie E Gibson, Joseph Gibson, Ronald F Gilden, Eddie Jr Gilden, Eddie Sr Gilden, Inez W Gilden, Wayne Gillikin, James D Girard, Chad Paul Giroir, Mark S Gisclair, Anthony J Gisclair, Anthony Joseph Sr Gisclair, August Gisclair, Dallas J Sr Gisclair, Doyle A Gisclair, Kip J Gisclair, Ramona D Gisclair, Wade Gisclair, Walter Glover, Charles D Glynn, Larry Goetz, George Goings, Robert Eugene Golden, George T Golden, William L Gollot, Brian Gollot, Edgar R Gonzales, Arnold Jr Gonzales, Mrs Cyril E Jr Gonzales, Rene R Gonzales, Rudolph S Jr Gonzales, Rudolph S Sr Gonzales, Sylvia A Gonzales, Tim J Gonzalez, Jorge Jr

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			Gonzalez, Julio Gordon, Donald E Gordon, Patrick Alvin Gore, Henry H Gore, Isabel Gore, Pam Gore, Thomas L Gore, Timothy Ansel Gottschalk, Gregory Gourgues, Harold C Jr Goutierrez, Tony C Govea, Joaquin Graham, Darrell Graham, Steven H Granger, Albert J Sr Granich, James Granier, Stephen J Grass, Michael Graves, Robert N Sr Gray, Jeannette Gray, Monroe Gray, Shirley E Gray, Wayne A Sr Graybill, Ruston Green, Craig X Green, James W Green, James W Jr Green, Shaun Greenlaw, W C Jr Gregoire, Ernest L Gregoire, Rita M Gregory, Curtis B Gregory, Mercedes E Grice, Raymond L Jr Griffin, Alden J Sr Griffin, Craig Griffin, David D Griffin, Elvis Joseph Jr Griffin, Faye Griffin, Faye Ann Griffin, Jimmie J Griffin, Nolty J Griffin, Rickey Griffin, Sharon Griffin, Timothy Griffin, Troy D Groff, Alfred A Groff, John A Groover, Hank Gros, Brent J Sr Gros, Craig J Gros, Danny A Gros, Gary Sr Gros, Junius A Jr Gros, Keven Gros, Michael A Gross, Homer Grossie, Janet M Grossie, Shane A Grossie, Tate Grow, Jimmie C Guenther, John J Guenther, Raphael Guerra, Bruce Guerra, Chad L Guerra, Fabian C Guerra, Guy A Guerra, Jerry V Sr Guerra, Kurt P Sr Guerra, Ricky J Sr Guerra, Robert Guerra, Ryan Guerra, Troy A

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			Guerra, William Jr Guidroz, Warren J Guidry, Alvin A Guidry, Andy J Guidry, Arthur Guidry, Bud Guidry, Calvin P Guidry, Carl J Guidry, Charles J Guidry, Chris J Guidry, Clarence P Guidry, Clark Guidry, Clint Guidry, Clinton P Jr Guidry, Clyde A Guidry, David Guidry, Dobie Guidry, Douglas J Sr Guidry, Elgy III Guidry, Elgy Jr Guidry, Elwin A Jr Guidry, Gerald A Guidry, Gordon Jr Guidry, Guillaume A Guidry, Harold Guidry, Jason Guidry, Jessie J Guidry, Jessie Joseph Guidry, Jonathan B Guidry, Joseph T Jr Guidry, Keith M Guidry, Kenneth J Guidry, Kerry A Guidry, Marco Guidry, Maurin T and Tamika Guidry, Michael J Guidry, Nolan J Sr Guidry, Randy Peter Sr Guidry, Rhonda S Guidry, Robert C Guidry, Robert Joseph Guidry, Robert Wayne Guidry, Roger Guidry, Ronald Guidry, Roy Anthony Guidry, Roy J Guidry, Tammy Guidry, Ted Guidry, Thomas P Guidry, Timothy Guidry, Troy Guidry, Troy Guidry, Ulysses Guidry, Vicki Guidry, Wayne J Guidry, Wyatt Guidry, Yvonne Guidry-Calva, Holly A Guilbeaux, Donald J Guilbeaux, Lou Guillie, Shirley Guillory, Horace H Guillot, Benjamin J Jr Guillot, Rickey A Gulledege, Lee Gutierrez, Anita Guy, Jody Guy, Kimothy Paul Guy, Wilson Ha, Cherie Lan Ha, Co Dong Ha, Lai Thuy Thi Ha, Lyanna

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			Hadwall, John R Hafford, Johnny Hagan, Jules Hagan, Marianna Haiglea, Robbin Richard Hales, William E Halili, Rhonda L Hall, Byron S Hall, Darrel T Sr Hall, Lorrie A Hammer, Michael P Hammock, Julius Michael Hancock, Jimmy L Handlin, William Sr Hang, Cam T Hansen, Chris Hansen, Eric P Hanson, Edmond A Harbison, Louis Hardee, William P Hardison, Louis Hardy John C Hardy, Sharon Harmon, Michelle Harrington, George J Harrington, Jay Harris, Bobby D Harris, Buster Harris, Jimmy Wayne Sr Harris, Johnny Ray Harris, Kenneth A Harris, Ronnie Harris, Susan D Harris, William Harrison, Daniel L Hartmann, Leon M Jr Hartmann, Walter Jr Hattaway, Errol Henry Haycock, Kenneth Haydel, Gregory Hayes, Clinton Hayes, Katherine F Hayes, Lod Jr Hean, Hong Heathcock, Walter Jr Hebert, Albert Joseph Hebert, Bernie Hebert, Betty Jo Hebert, Chris Hebert, Craig J Hebert, David Hebert, David Jr Hebert, Earl J Hebert, Eric J Hebert, Jack M Hebert, Johnny Paul Hebert, Jonathan Hebert, Jules J Hebert, Kim M Hebert, Lloyd S III Hebert, Michael J Hebert, Myron A Hebert, Norman Hebert, Patrick Hebert, Patrick A Hebert, Pennington Jr Hebert, Philip Hebert, Robert A Hebert, Terry W Hedrick, Gerald J Jr Helmer, Claudia A Helmer, Gerry J Helmer, Herman C Jr

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			Helmer, Kenneth Helmer, Larry J Sr Helmer, Michael A Sr Helmer, Rusty L Helmer, Windy Hemmenway, Jack Henderson, Brad Henderson, Curtis Henderson, David A Jr Henderson, David A Sr Henderson, Johnny Henderson, Olen Henderson, P Loam Henry, Joanne Henry, Rodney Herbert, Patrick and Terry Hereford, Rodney O Jr Hereford, Rodney O Sr Hernandez, Corey Herndon, Mark Hertel, Charles W Hertz, Edward C Sr Hess, Allen L Sr Hess, Henry D Jr Hess, Jessica R Hess, Wayne B Hewett, Emma Hewett, James Hickman, John Hickman, Marvin Hicks, Billy M Hicks, James W Hicks, Larry W Hicks, Walter R Hien, Nguyen Higgins, Joseph J III Hill, Darren S Hill, Joseph R Hill, Sharon Hill, Willie E Jr Hills, Herman W Hingle, Barbara E Hingle, Rick A Hingle, Roland T Jr Hingle, Roland T Sr Hingle, Ronald J Hinojosa, R Hinojosa, Randy Hinojosa, Ricky A Hipps, Nicole Marie Ho, Dung Tan Ho, Hung Ho, Jennifer Ho, Jimmy Ho, Lam Ho, Nam Ho, Nga T Ho, O Ho, Sang N Ho, Thanh Quoc Ho, Thien Dang Ho, Tien Van Ho, Tri Tran Hoang, Dung T Hoang, Hoa T and Tam Hoang Hoang, Huy Van Hoang, Jennifer Vu Hoang, John Hoang, Julie Hoang, Kimberly Hoang, Linda Hoang, Loan Hoang, San Ngoc

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			Hoang, Tro Van Hoang, Trung Kim Hoang, Trung Tuan Hoang, Vincent Huynh Hodges, Ralph W Hoffpaviiz, Harry K Holland, Vidal Holler, Boyce Dwight Jr Hollier, Dennis J Holloway, Carl D Hong, Tai Van Hood, Malcolm Hopton, Douglas Horaist, Shawn P Hostettler, Warren L II Hotard, Claude Hotard, Emile J Jr Howard, Jeff Howerin, Billy Sr Howerin, Wendell Sr Hubbard, Keith Hubbard, Perry III Huber, Berry T Huber, Charles A Huck, Irma Elaine Huck, Steven R Huckabee, Harold Hue, Patrick A Hughes, Brad J Hults, Thomas Hutcherson, Daniel J Hutchinson, Douglas Hutchinson, George D Hutchinson, William H Hutto, Cynthia E Hutto, Henry G Jr Huynh, Chien Thi Huynh, Dong Xuan Huynh, Dung Huynh, Dung V Huynh, Hai Huynh, Hai Huynh, Hai Van Huynh, Hoang D Huynh, Hoang Van Huynh, Hung Huynh, James N Huynh, Johnny Hiep Huynh, Johnnie Huynh, Kim Huynh, Lay Huynh, Long Huynh, Mack Van Huynh, Mau Van Huynh, Minh Huynh, Minh Van Huynh, Nam Van Huynh, Thai Huynh, Tham Thi Huynh, Thanh Huynh, The V Huynh, Tri Huynh, Truc Huynh, Tu Huynh, Tu Huynh, Tung Van Huynh, Van X Huynh, Viet Van Huynh, Vuong Van Hymel, Joseph Jr Hymel, Michael D Hymel, Nolan J Sr Ingham, Herbert W

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			Inglis, Richard M Ingraham, Joseph S Ingraham, Joyce Ipock, Billy Ipock, William B Ireland, Arthur Allen Iver, George Jr Jackson, Alfred M Jackson, Carl John Jackson, David Jackson, Eugene O Jackson, Glenn C Jr Jackson, Glenn C Sr Jackson, James Jerome Jackson, John D Jackson, John Elton Sr Jackson, Levi Jackson, Nancy L Jackson, Robert W Jackson, Shannon Jackson, Shaun C Jackson, Steven A Jacob, Ronald R Jacob, Warren J Jr Jacobs, L Anthony Jacobs, Lawrence F Jarreau, Billy and Marilyn Jarvis, James D Jaye, Emma Jeanfreau, Vincent R Jefferies, William Jemison, Timothy Michael Sr Jennings, Jacob Joffrion, Harold J Jr Johnson, Albert F Johnson, Ashley Lamar Johnson, Bernard Jr Johnson, Brent W Johnson, Bruce Warem Johnson, Carl S Johnson, Carolyn Johnson, Clyde Sr Johnson, David G Johnson, David Paul Johnson, Gary Allen Sr Johnson, George D Johnson, Michael A Johnson, Randy J Johnson, Regenia Johnson, Robert Johnson, Ronald Ray Sr Johnson, Steve Johnson, Thomas Allen Jr Johnston, Ronald Joly, Nicholas J Jr Jones, Charles Jones, Clinton Jones, Daisy Mae Jones, Jeffery E Jones, Jerome N Sr Jones, John W Jones, Larry Jones, Len Jones, Michael G Sr Jones, Paul E Jones, Perry T Sr Jones, Ralph William Jones, Richard G Sr Jones, Stephen K Jones, Wayne Joost, Donald F Jordan, Dean Jordan, Hubert William III (Bert)

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			Jordan, Hurbert W Jr Judalet, Ramon G Judy, William Roger Julian, Ida Julian, John I Sr Juneau, Anthony Sr Juneau, Bruce Juneau, Robert A Jr and Laura K Jurjevich, Leander J Kain, Jules B Sr Kain, Martin A Kalliainen, Dale Kalliainen, Richard Kang, Chamroeun Kang, Sambo Kap, Brenda Keen, Robert Steven Keenan, Robert M Kellum, Kenneth Sr Kellum, Larry Gray Sr Kellum, Roxanne Kelly, Roger B Kelly, Thomas E Kendrick, Chuck J Kennair, Michael S Kennedy, Dothan Kenney, David Jr Kenney, Robert W Kent, Michael A Keo, Bunly Kerchner, Steve Kern, Thurmond Khin, Sochenda Khui, Lep and Nga Ho Kidd, Frank Kiesel, Edward C and Lorraine T Kiff, Hank J Kiff, Melvin Kiffe, Horace Kim, Puch Kimbrough, Carson Kim-Tun, Soeun King, Andy A King, Donald Jr King, James B King, Thornell King, Wesley Kit, An Kizer, Anthony J Kleimann, Robert Knapp, Alton P Jr Knapp, Alton P Sr Knapp, Ellis L Jr Knapp, Melvin L Knapp, Theresa Knecht, Frederick Jr Knezek, Lee Knight, George Knight, Keith B Knight, Robert E Koch, Howard J Kong, Seng Konitz, Bobby Koo, Herman Koonce, Curtis S Koonce, Howard N Kopszywa, Mark L Kopszywa, Stanley J Kotulja, Stejepan Kraemer, Bridget Kraemer, Wilbert J Kraemer, Wilbert Jr Kramer, David

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			Krantz, Arthur Jr Krantz, Lori Kraver, C W Kreger, Ronald A Sr Kreger, Roy J Sr Kreger, Ryan A Krennerich, Raymond A Kroke, Stephen E Kruth, Frank D Kuchler, Alphonse L III Kuhn, Bruce A Sr Kuhn, Gerard R Jr Kuhn, Gerard R Sr Kuhns, Deborah LaBauve, Kerry LaBauve, Sabrina LaBauve, Terry LaBiche, Todd A LaBove, Carroll LaBove, Frederick P Lachica, Jacqueline Lachico, Douglas Lacobon, Tommy W Jr Lacobon, Tony C LaCoste, Broddie LaCoste, Carl LaCoste, Dennis E LaCoste, Grayland J LaCoste, Malcolm Jr LaCoste, Melvin LaCoste, Melvin W Jr LaCoste, Ravin J Jr LaCoste, Ravin Sr Ladner, Clarence J III Ladson, Earlene G LaFont, Douglas A Sr LaFont, Edna S LaFont, Jackin LaFont, Noces J Jr LaFont, Weyland J Sr LaFrance, Joseph T Lagarde, Frank N Lagarde, Gary Paul Lagasse, Michael F Lai, Hen K Lai, Then Lam, Cang Van Lam, Cui Lam, Dong Van Lam, Hiep Tan Lam, Lan Van Lam, Lee Phen Lam, Phan Lam, Qui Lam, Sochen Lam, Tai Lam, Tinh Huu Lambas, Jessie J Sr Lanclos, Paul Landry, David A Landry, Dennis J Landry, Edward N Jr Landry, George Landry, George M Landry, James F Landry, Jude C Landry, Robert E Landry, Ronald J Landry, Samuel J Jr Landry, Tracy Lane, Daniel E Lapeyrouse, Lance M Lapeyrouse, Rosalie

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			Lapeyrouse, Tillman Joseph LaRive, James L Jr LaRoche, Daniel S Lasseigne, Betty Lasseigne, Blake Lasseigne, Floyd Lasseigne, Frank Lasseigne, Harris Jr Lasseigne, Ivy Jr Lasseigne, Jefferson Lasseigne, Jefferson P Jr Lasseigne, Johnny J Lasseigne, Marlene Lasseigne, Nolan J Lasseigne, Trent Lat, Chhiet Latapie, Charlotte A Latapie, Crystal Latapie, Jerry Latapie, Joey G Latapie, Joseph Latapie, Joseph F Sr Latapie, Travis Latiolais, Craig J Latiolais, Joel Lau, Ho Thanh Laughlin, James G Laughlin, James Mitchell Laurent, Yvonne M Lavergne, Roger Lawdros, Terrance Jr Layrisson, Michael A III Le, Amanda Le, An Van Le, Ben Le, Binh T Le, Cheo Van Le, Chinh Thanh Le, Chinh Thanh and Yen Vo Le, Cu Thi Le, Dai M Le, Dale Le, David Rung Le, Du M Le, Duc V Le, Duoc M Le, Hien V Le, Houston T Le, Hung Le, Jimmy Le, Jimmy and Hoang Le, Khoa Le, Kim Le, Ky Van Le, Lang Van Le, Lily Le, Lisa Tuyet Thi Le, Loi Le, Minh Van Le, Muoi Van Le, My Le, My V Le, Nam and Xhan-Minh Le Le, Nam Van Le, Nhieu T Le, Nhut Hoang Le, Nu Thi Le, Phuc Van Le, Que V Le, Quy Le, Robert Le, Sam Van Le, Sau V

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			Le, Son Le, Son Le, Son H Le, Son Quoc Le, Son Van Le, Su Le, Tam V Le, Thanh Huong Le, Tong Minh Le, Tony Le, Tracy Lan Chi Le, Tuan Nhu Le, Viet Hoang Le, Vui Leaf, Andrew Scott Leary, Roland LeBeauf, Thomas LeBlanc, Donnie LeBlanc, Edwin J LeBlanc, Enoch P LeBlanc, Gareth R III LeBlanc, Gareth R Jr LeBlanc, Gerald E LeBlanc, Hubert C LeBlanc, Jerald LeBlanc, Jesse Jr LeBlanc, Keenon Anthony LeBlanc, Lanvin J LeBlanc, Luke A LeBlanc, Marty J LeBlanc, Marty J Jr LeBlanc, Mickel J LeBlanc, Robert Patrick LeBlanc, Scotty M LeBlanc, Shelton LeBlanc, Terry J LeBoeuf, Brent J LeBoeuf, Emery J LeBoeuf, Joseph R LeBoeuf, Tammy Y LeBouef, Dale LeBouef, Edward J LeBouef, Ellis J Jr LeBouef, Gillis LeBouef, Jimmie LeBouef, Leslie LeBouef, Lindy J LeBouef, Micheal J LeBouef, Raymond LeBouef, Tommy J LeBouef, Wiley Sr LeBourgeois, Stephen A LeCompte, Alena LeCompte, Aubrey J LeCompte, Etha LeCompte, Jesse C Jr LeCompte, Jesse Jr LeCompte, Jesse Sr LeCompte, Lyle LeCompte, Patricia F LeCompte, Todd LeCompte, Troy A Sr Ledet, Brad Ledet, Bryan Ledet, Carlton Ledet, Charles J Ledet, Jack A Ledet, Kenneth A Ledet, Mark Ledet, Maxine B Ledet, Mervin Ledet, Phillip John Ledoux, Dennis

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			Ledwig, Joe J Lee, Carl Lee, James K Lee, Marilyn Lee, Otis M Jr Lee, Raymond C Lee, Robert E Lee, Steven J Leek, Mark A LeGaux, Roy J Jr Legendre, Kerry Legendre, Paul Leger, Andre LeGros, Alex M LeJeune, Philip Jr LeJeune, Philip Sr LeJeune, Ramona V LeJeunee, Debbie LeJuine, Eddie R LeLand, Allston Bochet Leland, Rutledge B III Leland, Rutledge B Jr LeLeaux, David Leleux, Kevin J Lemoine, Jeffery Jr Leonard, Dan Leonard, Dexter J Jr Leonard, Micheal A Lepine, Leroy L Lesso, Rudy Jr Lester, Shawn Levron, Dale T Levy, Patrick T Lewis, Kenneth Lewis, Mark Steven Libersat, Anthony R Libersat, Kim Licatino, Daniel Jr Lichenstein, Donald L Lilley, Douglas P Lim, Chhay Lim, Koung Lim, Tav Seng Linden, Eric L Liner, Claude J Jr Liner, Harold Liner, Jerry Liner, Kevin Liner, Michael B Sr Liner, Morris T Jr Liner, Morris T Sr Liner, Tandy M Linh, Pham Linwood, Dolby Lirette, Alex J Sr Lirette, Bobby and Sheri Lirette, Chester Patrick Lirette, Daniel J Lirette, Dean J Lirette, Delvin J Jr Lirette, Delvin Jr Lirette, Desaire J Lirette, Eugis P Sr Lirette, Guy A Lirette, Jeannie Lirette, Kern A Lirette, Ron C Lirette, Russell (Chico) Jr Lirette, Shaun Patrick Lirette, Terry J Sr Little, William A Little, William Boyd Liv, Niem S

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			Livaudais, Ernest J Liverman, Harry R LoBue, Michael Anthony Sr Locascio, Dustin Lockhart, William T Lodrigue, Jimmy A Lodrigue, Kerry Lombardo, Joseph P Lombas, James A Jr Lombas, Kim D Londrie, Harley Long, Cao Thanh Long, Dinh Long, Robert Longo, Ronald S Jr Longwater, Ryan Heath Loomer, Rhonda Lopez, Celestino Lopez, Evelio Lopez, Harry N Lopez, Ron Lopez, Scott Lopez, Stephen R Jr Lord, Michael E Sr Loupe, George Jr Loupe, Ted Lovell, Billy Lovell, Bobby Jason Lovell, Bradford John Lovell, Charles J Jr Lovell, Clayton Lovell, Douglas P Lovell, Jacob G Lovell, Lois Lovell, Slade M Luke, Bernadette C Luke, David Luke, Dustan Luke, Henry Luke, Jeremy Paul Luke, Keith J Luke, Patrick A Luke, Patrick J Luke, Paul Leroy Luke, Rudolph J Luke, Samantha Luke, Sidney Jr Luke, Terry Patrick Jr Luke, Terry Patrick Sr Luke, Timothy Luke, Wiltz J Lund, Ora G Luneau, Ferrell J Luong, Kevin Luong, Thu X Lusczy, Lydia Lusczy, Richard Lutz, William A Luu, Binh Luu, Vinh Luu, Vinh V Ly, Bui Ly, Hen Ly, Hoc Ly, Kelly D Ly, Nu Ly, Sa Ly, Ven Lyall, Rosalie Lycett, James A Lyons, Berton J Lyons, Berton J Sr Lyons, Jack

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			Lyons, Jerome M Mackey, Marvin Sr Mackie, Kevin L Maggio, Wayne A Magwood, Edwin Wayne Mai, Danny V Mai, Lang V Mai, Tai Mai, Trach Xuan Maise, Rubin J Maise, Todd Majoue, Ernest J Majoue, Nathan L Malcombe, David Mallett, Irvin Ray Mallett, Jimmie Mallett, Lawrence J Mallett, Mervin B Mallett, Rainbow Mallett, Stephney Malley, Ned F Jr Mamolo, Charles H Sr Mamolo, Romeo C Jr Mamolo, Terry A Mancera, Jesus Manuel, Joseph R Manuel, Shon Mao, Chandarasy Mao, Kim Marcel, Michelle Marchese, Joe Jr Mareno, Ansley Mareno, Brent J Mareno, Kenneth L Marie, Allen J Marie, Marty Marmande, Al Marmande, Alidore Marmande, Denise Marquize, Heather Marquizz, Kip Marris, Roy C Jr Martin, Darren Martin, Dean J Martin, Dennis Martin, Jody W Martin, John F III Martin, Michael A Martin, Nora S Martin, Rod J Martin, Roland J Jr Martin, Russel J Sr Martin, Sharon J Martin, Tanna G Martin, Wendy Martinez, Carl R Martinez, Henry Martinez, Henry Joseph Martinez, Lupe Martinez, Michael Martinez, Rene J Mason, James F Jr Mason, Johnnie W Mason, Luther Mason, Mary Lois Mason, Percy D Jr Mason, Walter Matherne, Anthony Matherne, Blakland Sr Matherne, Bradley J Matherne, Claude I Jr Matherne, Clifford P Matherne, Curlis J

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			Matherne, Forest J Matherne, George J Matherne, Glenn A Matherne, Grace L Matherne, James C Matherne, James J Jr Matherne, James J Sr Matherne, Joey A Matherne, Keith Matherne, Larry Jr Matherne, Louis M Sr Matherne, Louis Michael Matherne, Nelson Matherne, Thomas G Matherne, Thomas G Jr Matherne, Thomas Jr Matherne, Thomas M Sr Matherne, Wesley J Mathews, Patrick Mathurne, Barry Matte, Martin J Sr Mauldin, Johnny Mauldin, Mary Mauldin, Shannon Mavar, Mark D Mayeux, Lonies A Jr Mayeux, Roselyn P Mayfield, Gary Mayfield, Henry A Jr Mayfield, James J III Mayon, Allen J Mayon, Wayne Sr McAnespy, Henry McAnespy, Louis McCall, Marcus H McCall, R Terry Sr McCarthy, Carliss McCarthy, Michael McCauley, Byron Keith McCauley, Katrina McClantoc, Robert R and Debra McClellan, Eugene Gardner McCormick, Len McCuiston, Denny Carlton McDonald, Allan McElroy, Harry J McFarlain, Merlin J Jr McGuinn, Dennis McIntosh, James Richard McIntyre, Michael D McIver, John H Jr McKendree, Roy McKenzie, George B McKinzie, Bobby E McKoin, Robert McKoin, Robert F Jr McLendon, Jonathon S McNab, Robert Jr McQuaig, Don W McQuaig, Oliver J Medine, David P Mehaffey, John P Melancon, Brent K Melancon, Neva Melancon, Rickey Melancon, Roland Jr Melancon, Roland T Jr Melancon, Sean P Melancon, Terral J Melancon, Timmy J Melanson, Ozimea J III Melerine, Angela Melerine, Brandon T

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			Melerine, Claude A Melerine, Claude A Jr Melerine, Dean J Melerine, Eric W Jr Melerine, John D Sr Melerine, Linda C Melerine, Raymond Joseph Melford, Daniel W Sr Mello, Nelvin Men, Sophin Menendez, Wade E Meneses, Dennis Meneses, James H Meneses, Jimmy Meneses, Louis Menge, Lionel A Menge, Vincent J Mercy, Dempsey Merrick, Harold A Merrick, Kevin Sr Merritt, Darren Sr Messer, Chase Meyers, Otis J Miarm, Soeum Michel, Steven D Middleton, Dan Sr Migues, Henry Migues, Kevin L Sr Milam, Ricky Miles, Ricky David Miley, Donna J Milletto, Joseph Miller, David W Miller, Fletcher N Miller, James A Miller, Larry B Miller, Mabry Allen Jr Miller, Michael E Miller, Michele K Miller, Randy A Miller, Rhonda E Miller, Wayne Millet, Leon B Millington, Donnie Millington, Ronnie Millis, Moses Millis, Raeford Millis, Timmie Lee Mine, Derrick Miner, Peter G Minh, Kha Minh, Phuc-Truong Mitchell, Ricky Allen Mitchell, Todd Mitchum, Francis Craig Mixon, G C Mobley, Bryan A Mobley, Jimmy Sr Mobley, Robertson Mock, Frank Sr Mock, Frankie E Jr Mock, Jesse R II Mock, Terry Lyn Molero, Louis F III Molero, Louis Frank Molinere, Al L Molinere, Floyd Molinere, Roland Jr Molinere, Stacey Moll, Angela Moll, Jerry J Jr Moll, Jonathan P Moll, Julius J

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			Moll, Randall Jr Mollere, Randall Mones, Philip J Jr Mones, Tino Moody, Guy D Moore, Carl Stephen Moore, Curtis L Moore, Kenneth Moore, Richard Moore, Willis Morales, Anthony Morales, Clinton A Morales, Daniel Jr Morales, Daniel Sr Morales, David Morales, Elwood J Jr Morales, Eugene J Jr Morales, Eugene J Sr Morales, Kimberly Morales, Leonard L Morales, Phil J Jr Morales, Raul Moran, Scott Moreau, Allen Joseph Moreau, Berlin J Sr Moreau, Daniel R Moreau, Hubert J Moreau, Mary Moreau, Rickey J Sr Morehead, Arthur B Jr Moreno, Ansley Morgan, Harold R Morici, John Morris, Herbert Eugene Morris, Jesse A Morris, Jesse A Sr Morris, Preston Morrison, Stephen D Jr Morton, Robert A Morvant, Keith M Morvant, Patsy Lishman Moschettieri, Chalam Moseley, Kevin R Motley, Michele Mouille, William L Mouton, Ashton J Moveront, Timothy Mund, Mark Murphy, Denis R Muth, Gary J Sr Myers, Joseph E Jr Na, Tran Van Naccio, Andrew Nacio, Lance M Nacio, Noel Nacio, Philocles J Sr Naquin, Alton J Naquin, Andrew J Sr Naquin, Antoine Jr Naquin, Autry James Naquin, Bobby J and Sheila Naquin, Bobby Jr Naquin, Christine Naquin, Dean J Naquin, Donna P Naquin, Earl Naquin, Earl L Naquin, Freddie Naquin, Gerald Naquin, Henry Naquin, Irvin J Naquin, Jerry Joseph Jr Naquin, Kenneth J Jr

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			Naquin, Kenneth J Sr Naquin, Linda L Naquin, Lionel A Jr Naquin, Mark D Jr Naquin, Marty J Sr Naquin, Milton H IV Naquin, Oliver A Naquin, Robert Naquin, Roy A Naquin, Vernon Navarre, Curtis J Navero, Floyd G Jr Neal, Craig A Neal, Roy J Jr Neely, Bobby H Nehlig, Raymond E Sr Neil, Dean Neil, Jacob Neil, Julius Neil, Robert J Jr Neil, Tommy Sr Nelson, Billy J Sr Nelson, Deborah Nelson, Elisha W Nelson, Ernest R Nelson, Faye Nelson, Fred H Sr Nelson, Gordon Kent Sr Nelson, Gordon W III Nelson, Gordon W Jr Nelson, John Andrew Nelson, William Owen Jr Nelton, Aaron J Jr Nelton, Steven J Nettleton, Cody Newell, Ronald B Newsome, Thomas E Newton, Paul J Nghiem, Billy Ngo, Chuong Van Ngo, Duc Ngo, Hung V Ngo, Liem Thanh Ngo, Maxie Ngo, The T Ngo, Truong Dinh Ngo, Van Lo Ngo, Vu Hoang Ngoc, Lam Lam Ngu,Thoi Nguyen, Amy Nguyen, An Hoang Nguyen, Andy Dung Nguyen, Andy T Nguyen, Anh and Thanh D Tiet Nguyen, Ba Nguyen, Ba Van Nguyen, Bac Van Nguyen, Bao Q Nguyen, Bay Van Nguyen, Be Nguyen, Be Nguyen, Be Nguyen, Be Em Nguyen, Bich Thao Nguyen, Bien V Nguyen, Binh Nguyen, Binh Cong Nguyen, Binh V Nguyen, Binh Van Nguyen, Binh Van Nguyen, Binh Van Nguyen, Bui Van

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			Nguyen, Ca Em Nguyen, Can Nguyen, Can Van Nguyen, Canh V Nguyen, Charlie Nguyen, Chien Nguyen, Chien Van Nguyen, Chin Nguyen, Chinh Van Nguyen, Christian Nguyen, Chuc Nguyen, Chung Nguyen, Chung Van Nguyen, Chuong Hoang Nguyen, Chuong V Nguyen, Chuyen Nguyen, Coolly Dinh Nguyen, Cuong Nguyen, Dai Nguyen, Dan T Nguyen, Dan Van Nguyen, Dan Van Nguyen, Dang Nguyen, Danny Nguyen, David Nguyen, Day Van Nguyen, De Van Nguyen, Den Nguyen, Diem Nguyen, Dien Nguyen, Diep Nguyen, Dinh Nguyen, Dinh V Nguyen, Dong T Nguyen, Dong Thi Nguyen, Dong X Nguyen, Duc Nguyen, Duc Van Nguyen, Dung Nguyen, Dung Anh and Xuan Duong Nguyen, Dung Ngoc Nguyen, Dung Van Nguyen, Dung Van Nguyen, Duoc Nguyen, Duong V Nguyen, Duong Van Nguyen, Duong Xuan Nguyen, Francis N Nguyen, Frank Nguyen, Gary Nguyen, Giang T Nguyen, Giang Truong Nguyen, Giau Van Nguyen, Ha T Nguyen, Ha Van Nguyen, Hai Van Nguyen, Hai Van Nguyen, Han Van Nguyen, Han Van Nguyen, Hang Nguyen, Hanh T Nguyen, Hao Van Nguyen, Harry H Nguyen, Henri Hiep Nguyen, Henry-Trang Nguyen, Hien Nguyen, Hien V Nguyen, Hiep Nguyen, Ho Nguyen, Ho V Nguyen, Hoa Nguyen, Hoa Nguyen, Hoa N

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			Nguyen, Hoa Van Nguyen, Hoang Nguyen, Hoang Nguyen, Hoang T Nguyen, Hoi Nguyen, Hon Xuong Nguyen, Huan Nguyen, Hung Nguyen, Hung Nguyen, Hung Nguyen, Hung M Nguyen, Hung Manh Nguyen, Hung Van Nguyen, Hung-Joseph Nguyen, Huu Nghia Nguyen, Hy Don N Nguyen, Jackie Tin Nguyen, James Nguyen, James N Nguyen, Jefferson Nguyen, Jennifer Nguyen, Jimmy Nguyen, Jimmy Nguyen, Joachim Nguyen, Joe Nguyen, John R Nguyen, John Van Nguyen, Johnny Nguyen, Joseph Minh Nguyen, Kenny Hung Mong Nguyen, Kevin Nguyen, Khai Nguyen, Khanh Nguyen, Khanh and Viet Dinh Nguyen, Khanh Q Nguyen, Khiem Nguyen, Kien Phan Nguyen, Kim Nguyen, Kim Mai Nguyen, Kim Thoa Nguyen, Kinh V Nguyen, Lai Nguyen, Lai Nguyen, Lai Tan Nguyen, Lam Nguyen, Lam Van Nguyen, Lam Van Nguyen, Lam Van Nguyen, Lan Nguyen, Lang Nguyen, Lang Nguyen, Lanh Nguyen, Lap Van Nguyen, Lap Van Nguyen, Le Nguyen, Lien and Hang Luong Nguyen, Lien Thi Nguyen, Linda Oan Nguyen, Linh Thi Nguyen, Linh Van Nguyen, Lintt Danny Nguyen, Lluu Nguyen, Loc Nguyen, Loi Nguyen, Loi Nguyen, Long Phi Nguyen, Long T Nguyen, Long Viet Nguyen, Luom T Nguyen, Mai Van Nguyen, Man Nguyen, Mao-Van Nguyen, Mary

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			Nguyen, Mary Nguyen, Melissa Nguyen, Minh Nguyen, Minh Nguyen, Minh Nguyen, Minh Nguyen, Minh Nguyen, Minh Ngoc Nguyen, Minh Van Nguyen, Moot Nguyen, Mui Van Nguyen, Mung T Nguyen, Muoi Nguyen, My Le Thi Nguyen, My Tan Nguyen, My V Nguyen, Nam Van Nguyen, Nam Van Nguyen, Nam Van Nguyen, Nam Van Nguyen, Nancy Nguyen, Nancy Nguyen, Nghi Nguyen, Nghi Q Nguyen, Nghia Nguyen, Nghiep Nguyen, Ngoc Tim Nguyen, Ngoc Van Nguyen, Nguyet Nguyen, Nhi Nguyen, Nho Van Nguyen, Nina Nguyen, Nuong Nguyen, Peter Nguyen, Peter Thang Nguyen, Peter V Nguyen, Phe Nguyen, Phong Nguyen, Phong Ngoc Nguyen, Phong T Nguyen, Phong Xuan Nguyen, Phu Huu Nguyen, Phuc Nguyen, Phuoc H Nguyen, Phuoc Van Nguyen, Phuong Nguyen, Phuong Nguyen, Quang Nguyen, Quang Nguyen, Quang Dang Nguyen, Quang Dinh Nguyen, Quang Van Nguyen, Quoc Van Nguyen, Quyen Minh Nguyen, Quyen T Nguyen, Quyen-Van Nguyen, Ran T Nguyen, Randon Nguyen, Richard Nguyen, Richard Nghia Nguyen, Rick Van Nguyen, Ricky Tinh Nguyen, Roe Van Nguyen, Rose Nguyen, Sam Nguyen, Sandy Ha Nguyen, Sang Van Nguyen, Sau V Nguyen, Si Ngoc Nguyen, Son Nguyen, Son Thanh Nguyen, Son Van Nguyen, Song V

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			Nguyen, Steve Nguyen, Steve Q Nguyen, Steven Giap Nguyen, Sung Nguyen, Tai Nguyen, Tai The Nguyen, Tai Thi Nguyen, Tam Nguyen, Tam Minh Nguyen, Tam Thanh Nguyen, Tam V Nguyen, Tam Van Nguyen, Tan Nguyen, Ten Tan Nguyen, Thach Nguyen, Thang Nguyen, Thanh Nguyen, Thanh Nguyen, Thanh Nguyen, Thanh Phuc Nguyen, Thanh V Nguyen, Thanh Van Nguyen, Thanh Van Nguyen, Thanh Van Nguyen, Thanh Van Nguyen, Thao Nguyen, Thi Bich Hang Nguyen, Thiet Nguyen, Thiet Nguyen, Tho Duke Nguyen, Thoa D Nguyen, Thoa Thi Nguyen, Thomas Nguyen, Thu Nguyen, Thu and Rose Nguyen, Thu Duc Nguyen, Thu Van Nguyen, Thuan Nguyen, Thuan Nguyen, Thuong Nguyen, Thuong Van Nguyen, Thuy Nguyen, Thuyen Nguyen, Thuyen Nguyen, Tinh Nguyen, Tinh Van Nguyen, Toan Nguyen, Toan Van Nguyen, Tommy Nguyen, Tony Nguyen, Tony Nguyen, Tony Nguyen, Tony D Nguyen, Tony Hong Nguyen, Tony Si Nguyen, Tra Nguyen, Tra Nguyen, Tracy T Nguyen, Tri D Nguyen, Trich Van Nguyen, Trung Van Nguyen, Tu Van Nguyen, Tuan Nguyen, Tuan A Nguyen, Tuan H Nguyen, Tuan Ngoc Nguyen, Tuan Q Nguyen, Tuan Van Nguyen, Tung Nguyen, Tuyen Duc Nguyen, Tuyen Van Nguyen, Ty and Ngoc Ngo Nguyen, Van H

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			Nguyen, Van Loi Nguyen, Vang Van Nguyen, Viet Nguyen, Viet Nguyen, Viet V Nguyen, Viet Van Nguyen, Vinh Van Nguyen, Vinh Van Nguyen, Vinh Van Nguyen, VT Nguyen, Vu Minh Nguyen, Vu T Nguyen, Vu Xuan Nguyen, Vui Nguyen, Vuong V Nguyen, Xuong Kim Nhan, Tran Quoc Nhon, Seri Nichols, Steve Anna Nicholson, Gary Nixon, Leonard Noble, Earl Noland, Terrel W Normand, Timothy Norris, Candace P Norris, John A Norris, Kenneth L Norris, Kevin J Nowell, James E Noy, Phen Nunez, Conrad Nunez, Jody Nunez, Joseph Paul Nunez, Randy Nunez, Wade Joseph Nyuyen, Toan Oberling, Darryl O'Blance, Adam O'Brien, Gary S O'Brien, Mark O'Brien, Michele Ogden, John M Oglesby, Henry Oglesby, Phyllis O'Gwynn, Michael P Sr Ohmer, Eva G Ohmer, George J Olander, Hazel Olander, Rodney Olander, Roland J Olander, Russell J Olander, Thomas Olano, Kevin Olano, Owen J Olano, Shelby F Olds, Malcolm D Jr Olinde, Wilfred J Jr Oliver, Charles O'Neil, Carey Oracoy, Brad R Orage, Eugene Orlando, Het Oteri, Robert F Oubre, Faron P Oubre, Thomas W Ourks, SokHoms K Owens, Larry E Owens, Sheppard Owens, Timothy Pacaccio, Thomas Jr Padgett, Kenneth J Palmer, Gay Ann P Palmer, John W

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			Palmer, Mack Palmisano, Daniel P Palmisano, Dwayne Jr Palmisano, Kim Palmisano, Larry J Palmisano, Leroy J Palmisano, Robin G Pam, Phuong Bui Parfait, Antoine C Jr Parfait, Jerry Jr Parfait, John C Parfait, Joshua K Parfait, Mary F Parfait, Mary S Parfait, Olden G Jr Parfait, Robert C Jr Parfait, Robert C Sr Parfait, Rodney Parfait, Shane A Parfait, Shelton J Parfait, Timmy J Parker, Clyde A Parker, Franklin L Parker, Paul A Parker, Percy Todd Parks, Daniel Duane Parks, Ellery Doyle Jr Parrett, Joseph D Jr Parria, Danny Parria, Gavin C Sr Parria, Gillis F Jr Parria, Gillis F Sr Parria, Jerry D Parria, Kip G Parria, Lionel J Sr Parria, Louis III Parria, Louis J Sr Parria, Louis Jr Parria, Michael Parria, Ronald Parria, Ross Parris, Troy M Parrish, Charles Parrish, Walter L Passmore, Penny Pate, Shane Paterbaugh, Richard Patingo, Roger D Paul, Robert Emmett Payne, John Francis Payne, Stuart Peatross, David A Pelas, James Curtis Pelas, Jeffery Pellegrin, Corey P Pellegrin, Curlynn Pellegrin, James A Jr Pellegrin, Jordey Pellegrin, Karl Pellegrin, Karl J Pellegrin, Randy Pellegrin, Randy Sr Pellegrin, Rodney J Sr Pellegrin, Samuel Pellegrin, Troy Sr Peltier, Clyde Peltier, Rodney J Pena, Bartolo Jr Pena, Israel Pendarvis, Gracie Pennison, Elaine Pennison, Milton G Pequeno, Julius

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			Percle, David P Perez, Allen M Perez, David J Perez, David P Perez, Derek Perez, Edward Jr Perez, Henry Jr Perez, Joe B Perez, Tilden A Jr Perez, Warren A Jr Perez, Warren A Sr Perez, Wesley Perrin, Dale Perrin, David M Perrin, Edward G Sr Perrin, Errol Joseph Jr Perrin, Jerry J Perrin, Kenneth V Perrin, Kevin Perrin, Kline J Sr Perrin, Kurt M Perrin, Michael Perrin, Michael A Perrin, Murphy P Perrin, Nelson C Jr Perrin, Pershing J Jr Perrin, Robert Perrin, Tim J Perrin, Tony Persohn, William T Peshoff, Kirk Lynn Pete, Alfred F Jr Pete, Alfred F Sr Pfleeger, William A Pham, An V Pham, Anh My Pham, Bob Pham, Cho Pham, Cindy Pham, David Pham, Dung Pham, Dung Phuoc Pham, Dung Phuoc Pham, Duong Van Pham, Gai Pham, Hai Pham, Hai Hong Pham, Hien Pham, Hien C Pham, Hiep Pham, Hieu Pham, Huan Van Pham, Hung Pham, Hung V Pham, Hung V Pham, Huynh Pham, John Pham, Johnny Pham, Joseph S Pham, Kannin Pham, Nga T Pham, Nhung T Pham, Osmond Pham, Paul P Pham, Phong-Thanh Pham, Phung Pham, Quoc V Pham, Steve Ban Pham, Steve V Pham, Thai Van Pham, Thai Van Pham, Thanh Pham, Thanh

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			Pham, Thanh V Pham, Thinh Pham, Thinh V Pham, Tommy V Pham, Tran and Thu Quang Pham, Ut Van Phan, Anh Thi Phan, Banh Van Phan, Cong Van Phan, Dan T Phan, Hoang Phan, Hung Thanh Phan, Johnny Phan, Lam Phan, Luyen Van Phan, Nam V Phan, Thong Phan, Tien V Phan, Toan Phan, Tu Van Phat, Lam Mau Phelps, John D Phillips, Bruce A Phillips, Danny D Phillips, Gary Phillips, Harry Louis Phillips, James C Jr Phillips, Kristina W Phipps, AW Phonthaasa, Khaolop Phorn, Phen Pickett, Kathy Picou, Calvin Jr Picou, Gary M Picou, Jennifer Picou, Jerome J Picou, Jordan J Picou, Randy John Picou, Ricky Sr Picou, Terry Pierce, Aaron Pierce, Dean Pierce, Elwood Pierce, Imogene Pierce, Stanley Pierce, Taffie Boone Pierre, Ivy Pierre, Joseph Pierre, Joseph C Jr Pierre, Paul J Pierre, Ronald J Pierron, Jake Pierron, Patsy H Pierron, Roger D Pinell, Ernie A Pinell, Harry J Jr Pinell, Jody J Pinell, Randall James Pinnell, Richard J Pinnell, Robert Pitre, Benton J Pitre, Carol Pitre, Claude A Sr Pitre, Elrod Pitre, Emily B Pitre, Glenn P Pitre, Herbert Pitre, Jeannie Pitre, Leo P Pitre, Robert Jr Pitre, Robin Pitre, Ryan P Pitre, Ted J

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			Pittman, Roger Pizani, Bonnie Pizani, Craig Pizani, Jane Pizani, Terrill J Pizani, Terry M Pizani, Terry M Jr Plaisance, Arthur E Plaisance, Burgess Plaisance, Darren Plaisance, Dean J Sr Plaisance, Dorothy B Plaisance, Dwayne Plaisance, Earl J Jr Plaisance, Errance H Plaisance, Evans P Plaisance, Eves A III Plaisance, Gideons Plaisance, Gillis S Plaisance, Henry A Jr Plaisance, Jacob Plaisance, Jimmie J Plaisance, Joyce Plaisance, Keith Plaisance, Ken G Plaisance, Lawrence J Plaisance, Lucien Jr Plaisance, Peter A Sr Plaisance, Peter Jr Plaisance, Richard J Plaisance, Russel P Plaisance, Russell P Sr Plaisance, Thomas Plaisance, Thomas J Plaisance, Wayne P Plaisance, Whitney III Plork, Phan Poche, Glenn J Jr Poche, Glenn J Sr Pockrus, Gerald Poencot, Russell Jr Poillion, Charles A Polito, Gerald Polkey, Gary J Polkey, Richard R Jr Polkey, Ronald Polkey, Shawn Michael Pollet, Lionel J Sr Pomgoria, Mario Ponce, Ben Ponce, Lewis B Poon, Raymond Pope, Robert Popham, Winford A Poppell, David M Porche, Ricky J Portier, Bobby Portier, Chad Portier, Corinne L Portier, Penelope J Portier, Robbie Portier, Russel A Sr Portier, Russell Potter, Hubert Edward Jr Potter, Robert D Potter, Robert J Pounds, Terry Wayne Powers, Clyde T Prejean, Dennis J Price, Carl Price, Curtis Price, Edwin J Price, Franklin J

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			Price, George J Sr Price, Norris J Sr Price, Steve J Jr Price, Timmy T Price, Wade J Price, Warren J Prihoda, Steve Primeaux, Scott Pritchard, Dixie J Pritchard, James Ross Jr Prosperie, Claude J Jr Prosperie, Myron Prout, Rollen Prout, Sharonski K Prum, Thou Pugh, Charles D Jr Pugh, Charles Sr Pugh, Cody Pugh, Deanna Pugh, Donald Pugh, Nickolas Punch, Alvin Jr Punch, Donald J Punch, Todd M Punch, Travis J Purata, Maria Purse, Emil Purvis, George Quach, Duc Quach, James D Quach, Joe Quach, Si Tan Quinn, Dora M Racca, Charles Racine, Sylvan P Jr Radulic, Igor Ragas, Albert G Ragas, Gene Ragas, John D Ragas, Jonathan Ragas, Richard A Ragas, Ronda S Ralph, Lester B Ramirez, Alfred J Jr Randazzo, John A Jr Randazzo, Rick A Rando, Stanley D Ranko, Ellis Gerald Rapp, Dwayne Rapp, Leroy and Sedonia Rawlings, John H Sr Rawlings, Ralph E Rawls, Norman E Ray, Leo Ray, William C Jr Raynor, Steven Earl Readenour, Kelty O Reagan, Roy Reason, Patrick W Reaux, Paul S Sr Reaves, Craig A Reaves, Laten Rebert, Paul J Sr Rebert, Steve M Jr Rebstock, Charles Recter, Lance Jr Rector, Warren L Redden, Yvonne Regnier, Leoncea B Remondet, Garland Jr Renard, Lanny Reno, Edward Reno, George C

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			Reno, George H Reno, George T Reno, Harry Revell, Ben David Reyes, Carlton Reyes, Dwight D Sr Reynon, Marcello Jr Rhodes, Randolph N Rhoto, Christopher L Ribardi, Frank A Rich, Wanda Heafner Richard, Bruce J Richard, David L Richard, Edgar J Richard, James Ray Richard, Melissa Richard, Randall K Richardson, James T Richert, Daniel E Richo, Earl Sr Richoux, Dudley Donald Jr Richoux, Irvin J Jr Richoux, Judy Richoux, Larry Richoux, Mary A Riego, Raymond A Riffle, Josiah B Rigaud, Randall Ryan Riggs, Jeffrey B Riley, Jackie Sr Riley, Raymond Rinkus, Anthony J III Rios, Amado Ripp, Norris M Robbins, Tony Robert, Dan S Roberts, Michael A Robertson, Kevin Robeson, Richard S Jr Robichaux, Craig J Robin, Alvin G Robin, Cary Joseph Robin, Charles R III Robin, Danny J Robin, Donald Robin, Floyd A Robin, Kenneth J Sr Robin, Ricky R Robinson, Johnson P III Robinson, Walter Roccaforte, Clay Rodi, Dominick R Rodi, Rhonda Rodrigue, Brent J Rodrigue, Carrol Sr Rodrigue, Glenn Rodrigue, Lerlene Rodrigue, Reggie Sr Rodrigue, Sonya Rodrigue, Wayne Rodriguez, Barry Rodriguez, Charles V Sr Rodriguez, Gregory Rodriguez, Jesus Rodriguez, Joseph C Jr Roeum, Orn Rogers, Barry David Rogers, Chad Rogers, Chad M Rogers, Kevin J Rogers, Nathan J Rojas, Carlton J Sr Rojas, Curtis Sr

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			Rojas, Dennis J Jr Rojas, Dennis J Sr Rojas, Gordon V Rojas, Kerry D Rojas, Kerry D Jr Rojas, Randy J Sr Rojas, Raymond J Jr Roland, Brad Roland, Mathias C Roland, Vincent Rollins, Theresa Rollo, Wayne A Rome, Victor J IV Romero, D H Romero, Kardel J Romero, Norman Romero, Philip J Ronquille, Glenn Ronquille, Norman C Ronquillo, Earl Ronquillo, Richard J Ronquillo, Timothy Roseburrough, Charles R Jr Ross, Dorothy Ross, Edward Danny Jr Ross, Leo L Ross, Robert A Roth, Joseph F Jr Roth, Joseph M Jr Rotolo, Carolyn Rotolo, Feliz Rouse, Jimmy Roussel, Michael D Jr Roy, Henry Lee Jr Rudolph, Chad A Ruiz, Donald W Ruiz, James L Ruiz, Paul E Ruiz, Paul R Russell, Bentley R Russell, Casey Russell, Daniel Russell, James III Russell, Julie Ann Russell, Michael J Russell, Nicholas M Russell, Paul Rustick, Kenneth Ruttley, Adrian K Ruttley, Ernest T Jr Ruttley, JT Ryan, James C Sr Rybiski, Rhebb R Ryder, Luther V Sadler, Stewart Sagnes, Everett Saha, Amanda K Saling, Don M Saltalamacchia, Preston J Saltalamacchia, Sue A Salvato, Lawrence Jr Samanie, Caroll J Samanie, Frank J Samsome, Don Sanamo, Troy P Sanchez, Augustine Sanchez, Jeffery A Sanchez, Juan Sanchez, Robert A Sanders, William Shannon Sandras, R J Sandras, R J Jr Sandrock, Roy R III

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			Santini, Lindberg W Jr Santiny, James Santiny, Patrick Sapia, Carroll J Jr Sapia, Eddie J Jr Sapia, Willard Saturday, Michael Rance Sauce, Carlton Joseph Sauce, Joseph C Jr Saucier, Houston J Sauls, Russell Savage, Malcolm H Savant, Raymond Savoie, Allen Savoie, Brent T Savoie, James Savoie, Merlin F Jr Savoie, Reginald M II Sawyer, Gerald Sawyer, Rodney Scarabin, Clifford Scarabin, Michael J Schaffer, Kelly Schaubhut, Curry A Schellinger, Lester B Jr Schexnaydre, Michael Schirmer, Robert Jr Schjott, Joseph J Sr Schlindwein, Henry Schmit, Paul A Jr Schmit, Paul A Sr Schmit, Victor J Jr Schouest, Ellis J III Schouest, Ellis Jr Schouest, Juston Schouest, Mark Schouest, Noel Schrimpf, Robert H Jr Schultz, Troy A Schwartz, Sidney Scott, Aaron J Scott, Audie B Scott, James E III Scott, Milford P Scott, Paul Seabrook, Terry G Seal, Charles T Seal, Joseph G Seaman, Garry Seaman, Greg Seaman, Ollie L Jr Seaman, Ollie L Sr Seang, Meng Sehon, Robert Craig Sekul, Morris G Sekul, S George Sellers, Isaac Charles Seng, Sophan Serigne, Adam R Serigne, Elizabeth Serigne, James J III Serigne, Kimmie J Serigne, Lisa M Serigne, Neil Serigne, O'Neil N Serigne, Richard J Sr Serigne, Rickey N Serigne, Ronald Raymond Serigne, Ronald Roch Serigne, Ross Serigny, Gail Serigny, Wayne A Serpas, Lenny Jr

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			Sessions, William O III Sessions, William O Jr Sevel, Michael D Sevin, Carl Anthony Sevin, Earline Sevin, Janell A Sevin, Joey Sevin, Nac J Sevin, O'Neil and Symantha Sevin, Phillip T Sevin, Shane Sevin, Shane Anthony Sevin, Stanley J Sevin, Willis Seymour, Janet A Shackelford, David M Shaffer, Curtis E Shaffer, Glynnon D Shay, Daniel A Shilling, Jason Shilling, L E Shugars, Robert L Shutt, Randy Sifuentes, Esteban Sifuentes, Fernando Silver, Curtis A Jr Simon, Curnis Simon, John Simon, Leo Simpson, Mark Sims, Donald L Sims, Mike Singley, Charlie Sr Singley, Glenn Singley, Robert Joseph Sirgo, Jace Sisung, Walter Sisung, Walter Jr Skinner, Gary M Sr Skinner, Richard Skipper, Malcolm W Skrmetta, Martin J Smelker, Brian H Smith, Brian Smith, Carl R Jr Smith, Clark W Smith, Danny Smith, Danny M Jr Smith, Donna Smith, Elmer T Jr Smith, Glenda F Smith, James E Smith, Margie T Smith, Mark A Smith, Nancy F Smith, Raymond C Sr Smith, Tim Smith, Walter M Jr Smith, William T Smithwick, Ted Wayne Smoak, Bill Smoak, William W III Snell, Erick Snodgrass, Sam Soeung, Phat Soileau, John C Sr Sok, Kheng Sok, Montha Sok, Nhip Solet, Darren Solet, Donald M Solet, Joseph R Solet, Raymond J

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			Solorzano, Marilyn Son, Kim Son, Sam Nang Son, Samay Son, Thuong Cong Soprano, Daniel Sork, William Sou, Mang Soudelier, Louis Jr Soudelier, Shannon Sour, Yem Kim Southerland, Robert Speir, Barbara Kay Spell, Jeffrey B Spell, Mark A Spellmeyer, Joel F Sr Spencer, Casey Spiers, Donald A Sprinkle, Avery M Sprinkle, Emery Shelton Jr Sprinkle, Joseph Warren Squarsich, Kenneth J Sreiy, Siphon St Amant, Dana A St Ann, Mr and Mrs Jerome K St Pierre, Darren St Pierre, Scott A Staves, Patrick Stechmann, Chad Stechmann, Karl J Stechmann, Todd Steele, Arnold D Jr Steele, Henry H III Steen, Carl L Steen, James D Steen, Kathy G Stein, Norris J Jr Stelly, Adlar Stelly, Carl A Stelly, Chad P Stelly, Delores Stelly, Sandrus J Sr Stelly, Sandrus Jr Stelly, Toby J Stelly, Veronica G Stelly, Warren Stephenson, Louis Stevens, Alvin Stevens, Curtis D Stevens, Donald Stevens, Glenda Stewart, Chester Jr Stewart, Derald Stewart, Derek Stewart, Fred Stewart, Jason F Stewart, Ronald G Stewart, William C Stiffler, Thanh Stipelcovich, Lawrence L Stipelcovich, Todd J Stockfett, Brenda Stokes, Todd Stone-Rinkus, Pamela Strader, Steven R Strickland, Kenneth Strickland, Rita G Stuart, James Vernon Stutes, Rex E Sulak, Billy W Sun, Hong Sreng Surmik, Donald D Swindell, Keith M

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			Sylve, Dennis A Sylve, James L Sylve, Nathan Sylve, Scott Sylvesr, Paul A Ta, Ba Van Ta, Chris Tabb, Calvin Taliancich, Andrew Taliancich, Ivan Taliancich, Joseph M Taliancich, Srecka Tan, Ho Dung Tan, Hung Tan, Lan T Tan, Ngo The Tang, Thanh Tanner, Robert Charles Taravella, Raymond Tassin, Alton J Tassin, Keith P Tate, Archie P Tate, Terrell Tauzier, Kevin M Taylor, Doyle L Taylor, Herman R Taylor, Herman R Jr Taylor, J P Jr Taylor, John C Taylor, Leander J Sr Taylor, Leo Jr Taylor, Lewis Taylor, Nathan L Taylor, Robert L Taylor, Robert M Teap, Phal Tek, Heng Templat, Paul Terluin, John L III Terrebonne, Adrein Scott Terrebonne, Alphonse J Terrebonne, Alton S Jr Terrebonne, Alton S Sr Terrebonne, Carol Terrebonne, Carroll Terrebonne, Chad Terrebonne, Chad Sr Terrebonne, Daniel J Terrebonne, Donavon J Terrebonne, Gary J Sr Terrebonne, Jimmy Jr Terrebonne, Jimmy Sr Terrebonne, Kline A Terrebonne, Lanny Terrebonne, Larry F Jr Terrebonne, Scott Terrebonne, Steven Terrebonne, Steven Terrebonne, Toby J Terrel, Chad J Sr Terrell, C Todd Terrio, Brandon James Terrio, Harvey J Jr Terry, Eloise P Tesvich, Kuzma D Thac, Dang Van Thach, Phuong Thai, Huynh Tan Thai, Paul Thai, Thomas Thanh, Thien Tharpe, Jack Theriot, Anthony

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			Theriot, Carroll A Jr Theriot, Clay J Jr Theriot, Craig A Theriot, Dean P Theriot, Donnie Theriot, Jeffery C Theriot, Larry J Theriot, Lynn Theriot, Mark A Theriot, Roland P Jr Theriot, Wanda J Thibodeaux, Jared Thibodeaux, Bart James Thibodeaux, Brian A Thibodeaux, Brian M Thibodeaux, Calvin A Jr Thibodeaux, Fay F Thibodeaux, Glenn P Thibodeaux, Jeffrey Thibodeaux, Jonathan Thibodeaux, Josephine Thibodeaux, Keith Thibodeaux, Tony J Thibodeaux, Warren J Thidobaux, James V Sr Thiet, Tran Thomas, Alvin Thomas, Brent Thomas, Dally S Thomas, Janie G Thomas, John Richard Thomas, Kenneth Ward Thomas, Monica P Thomas, Ralph L Jr Thomas, Ralph Lee Jr Thomas, Randall Thomas, Robert W Thomas, Willard N Jr Thomassie, Gerard Thomassie, Nathan A Thomassie, Philip A Thomassie, Ronald J Thomassie, Tracy Joseph Thompson, Bobbie Thompson, David W Thompson, Edwin A Thompson, George Thompson, James D Jr Thompson, James Jr Thompson, John E Thompson, John R Thompson, Randall Thompson, Sammy Thompson, Shawn Thong, R Thonn, John J Jr Thonn, Victor J Thorpe, Robert Lee Jr Thurman, Charles E Tiet, Thanh Duc Tilghman, Gene E Tillett, Billy Carl Tillman, Lewis A Jr Tillman, Timothy P and Yvonne M Tillotson, Pat Tinney, Mark A Tisdale, Georgia W Tiser, Oscar Tiser, Thomas C Jr Tiser, Thomas C Sr To, Cang Van To, Du Van Todd, Fred Noel

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			Todd, Patricia J Todd, Rebecca G Todd, Robert C and Patricia J Todd, Vonnie Frank Jr Tompkins, Gerald Paul II Toney, George Jr Tong, Hai V Tony, Linh C Toomer, Christina Abbott Toomer, Christy Toomer, Frank G Jr Toomer, Jeffrey E Toomer, Kenneth Toomer, Lamar K Toomer, Larry Curtis and Tina Toomer, William Kemp Torrible, David P Torrible, Jason Touchard, Anthony H Touchard, John B Jr Touchard, Paul V Jr Touchet, Eldridge III Touchet, Eldridge Jr Toups, Anthony G Toups, Bryan Toups, Jeff Toups, Jimmie J Toups, Kim Toups, Manuel Toups, Ted Toups, Tommy Toureau, James Tower, H Melvin Townsend, Harmon Lynn Townsend, Marion Brooks Tra, Hop T Trabeau, James D Trahan, Allen A Jr Trahan, Alvin Jr Trahan, Druby Trahan, Dudley Trahan, Elie J Trahan, Eric J Trahan, James Trahan, Karen C Trahan, Lynn P Sr Trahan, Ricky Trahan, Ronald J Trahan, Tracey L Trahan, Wayne Paul Tran, Allen Hai Tran, Andana Tran, Anh Tran, Anh Tran, Anh N Tran, Bay V Tran, Bay Van Tran, Binh Tran, Binh Van Tran, Ca Van Tran, Cam Van Tran, Chau V Tran, Chau Van Tran, Chau Van Tran, Chi T Tran, Christina Phuong Tran, Chu V Tran, Cuong Tran, Cuong Tran, Danny Duc Tran, Den Tran, Dien Tran, Dinh M

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			Tran, Dinh Q Tran, Doan Tran, Dung Van Tran, Duoc Tran, Duoc Tran, Duong Tran, Eric Tran, Francis Tran, Francis Tran, Giang Tran, Giao Tran, Ha Mike Tran, Hai Tran, Hien H Tran, Hiep Phuoc Tran, Hieu Tran, Hoa Tran, Hoa Tran, Hue T Tran, Huey Tran, Hung Tran, Hung Tran, Hung Tran, Hung P Tran, Hung Van Tran, Hung Van Tran, Hung Viet Tran, James N Tran, John Tran, Johnny Dinh Tran, Joseph Tran, Joseph T Tran, Khan Van Tran, Khanh Tran, Kim Tran, Kim Chi Thi Tran, Lan Tina Tran, Le and Phat Le Tran, Leo Van Tran, Loan Tran, Long Tran, Long Van Tran, Luu Van Tran, Ly Tran, Ly Van Tran, Mai Thi Tran, Mary Tran, Miel Van Tran, Mien Tran, Mike Tran, Mike Dai Tran, Minh Huu Tran, Muoi Tran, My T Tran, Nam Van Tran, Nang Van Tran, Nghia and T Le Banh Tran, Ngoc Tran, Nhanh Van Tran, Nhieu T Tran, Nhieu Van Tran, Nho Tran, Peter Tran, Phu Van Tran, Phuc D Tran, Phuc V Tran, Phung Tran, Quan Van Tran, Quang Quang Tran, Quang T Tran, Quang Van Tran, Qui V Tran, Quy Van

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			Tran, Ran Van Tran, Sarah T Tran, Sau Tran, Scotty Tran, Son Tran, Son Van Tran, Steven Tuan Tran, Tam Tran, Te Van Tran, Than Tran, Thang Van Tran, Thanh Tran, Thanh Tran, Thanh Van Tran, Theresa Tran, Thi Tran, Thich Van Tran, Thien Tran, Thien Van Tran, Thiet Tran, Tommy Tran, Tony Tran, Tri Tran, Trinh Tran, Trung Tran, Trung Van Tran, Tu Tran, Tuan Tran, Tuan Tran, Tuan Minh Tran, Tuong Van Tran, Tuyet Thi Tran, Van T Tran, Victor Tran, Vinh Tran, Vinh Q Tran, Vinh Q Tran, Vui Kim Trang, Tan Trapp, Tommy Treadaway, Michael Tregle, Curtis Trehoan, William Paul Treuil, Gary J Trevino, Manuel Treybig, E H "Buddy" Jr Triche, Donald G Trieu, Hiep and Jackie Trieu, Hung Hoa Trieu, Jasmine and Ly Trieu, Lorie and Tam Trieu, Tam Trinh, Christopher B Trinh, Philip P Trosclair, Clark K Trosclair, Clark P Trosclair, Eugene P Trosclair, James J Trosclair, Jerome Trosclair, Joseph Trosclair, Lori Trosclair, Louis V Trosclair, Patricia Trosclair, Randy Trosclair, Ricky Trosclair, Wallace Sr Truong, Andre Truong, Andre V Truong, Be Van Truong, Benjamin Truong, Dac Truong, Huan Truong, Kim

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			Truong, Nhut Van Truong, Steve Truong, Tham T Truong, Thanh Minh Truong, Them Van Truong, Thom Truong, Timmy Trutt, George W Sr Trutt, Wanda Turlich, Mervin A Turner, Calvin L Tyre, John Upton, Terry R Valentino, J G Jr Valentino, James Vallot, Christopher A Vallot, Nancy H Valure, Hugh P Van Alsbury, Charles Van Gordstnoven, Jean J Van Nguyen, Irving Van, Than Van, Vui Vanacor, Kathy D Vanacor, Malcolm J Sr Vanicor, Bobbie VanMeter, Matthew T VanMeter, William Earl Varney, Randy L Vath, Raymond S Veasel, William E III Vegas, Brien J Vegas, Percy J Vegas, Terry J Vegas, Terry J Jr Vegas, Terry Jr Vela, Peter Verdin, Aaron Verdin, Av Verdin, Bradley J Verdin, Brent A Verdin, Charles A Verdin, Charles E Verdin, Coy P Verdin, Curtis A Jr Verdin, Delphine Verdin, Diana A Verdin, Ebro W Verdin, Eric P Verdin, Ernest Joseph Sr Verdin, Jeff C Verdin, Jeffrey A Verdin, Jessie J Verdin, John P Verdin, Joseph Verdin, Joseph A Jr Verdin, Joseph Cleveland Verdin, Joseph D Jr Verdin, Joseph S Verdin, Joseph W Jr Verdin, Justilien G Verdin, Matthew W Sr Verdin, Michel A Verdin, Paul E Verdin, Perry Anthony Verdin, Rodney Verdin, Rodney P Verdin, Rodney P Verdin, Skylar Verdin, Timmy J Verdin, Toby Verdin, Tommy P Verdin, Tony J

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			Verdin, Troy Verdin, Vincent Verdin, Viness Jr Verdin, Wallace P Verdin, Webb A Sr Verdin, Wesley D Sr Verdine, Jimmy R Vermeulen, Joseph Thomas Verret, Darren L Verret, Donald J Verret, Ernest J Sr Verret, James A Verret, Jean E Verret, Jimmy J Sr Verret, Johnny R Verret, Joseph L Verret, Paul L Verret, Preston Verret, Quincy Verret, Ronald Paul Sr Versaggi, Joseph A Versaggi, Salvatore J Vicknair, Brent J Sr Vicknair, Duane P Vicknair, Henry Dale Vicknair, Ricky A Vidrine, Bill and Kathi Vidrine, Corey Vidrine, Richard Vila, William F Villers, Joseph A Vincent, Gage Tyler Vincent, Gene Vincent, Gene B Vincent, Robert N Vise, Charles E III Vizier, Barry A Vizier, Christopher Vizier, Clovis J III Vizier, Douglas M Vizier, Tommie Jr Vo, Anh M Vo, Chin Van Vo, Dam Vo, Dan M Vo, Dany Vo, Day V Vo, Duong V Vo, Dustin Vo, Hai Van Vo, Hanh Xuan Vo, Hien Van Vo, Hoang The Vo, Hong Vo, Hung Thanh Vo, Huy K Vo, Johnny Vo, Kent Vo, Lien Van Vo, Man Vo, Mark Van Vo, Minh Hung Vo, Minh Ngoc Vo, Minh Ray Vo, Mong V Vo, My Dung Thi Vo, My Lynn Vo, Nga Vo, Nhon Tai Vo, Nhu Thanh Vo, Quang Minh Vo, Sang M Vo, Sanh M

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			Vo, Song V Vo, Tan Thanh Vo, Tan Thanh Vo, Thanh Van Vo, Thao Vo, Thuan Van Vo, Tien Van Vo, Tom Vo, Tong Ba Vo, Trao Van Vo, Truong Vo, Van Van Vo, Vi Viet Vodopija, Benjamin S Vogt, James L Voisin, Eddie James Voisin, Joyce Voison, Jamie Von Harten, Harold L Vona, Michael A Vongrith, Richard Vossler, Kirk Vu, Hung Vu, John H Vu, Khanh Vu, Khoi Van Vu, Quan Quoc Vu, Ruyen Viet Vu, Sac Vu, Sean Vu, Tam Vu, Thiem Ngoc Vu, Thuy Vu, Tom Vu, Tu Viet Vu, Tuyen Jack Vu, Tuyen Viet Wade, Calvin J Jr Wade, Gerard Waguespack, David M Sr Waguespack, Randy P II Wainwright, Vernon Walker, Jerry Walker, Rogers H Wallace, Dennis Wallace, Edward Wallace, John A Wallace, John K Wallace, Trevis L Waller, Jack Jr Waller, John M Waller, Mike Wallis, Craig A Wallis, Keith Walters, Samuel G Walton, Marion M Wannage, Edward Joseph Wannage, Fred Jr Wannage, Frederick W Sr Ward, Clarence Jr Ward, Olan B Ward, Walter M Washington, Clifford Washington, John Emile III Washington, Kevin Washington, Louis N Wattigney, Cecil K Jr Wattigney, Michael Watts, Brandon A Watts, Warren Webb, Bobby Webb, Bobby N Webb, Josie M

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			Webre, Donald Webre, Dudley A Webster, Harold Weeks, Don Franklin Weems, Laddie E Weinstein, Barry C Weiskopf, Rodney Weiskopf, Rodney Sr Weiskopf, Todd Welch, Amos J Wells, Douglas E Wells, Stephen Ray Wendling, Steven W Wescovich, Charles W Wescovich, Wesley Darryl Whatley, William J White, Allen Sr White, Charles White, Charles Fulton White, David L White, Gary Farrell White, James Hugh White, Perry J White, Raymond White, Robert Sr Wicher, John Wiggins, Chad M Sr Wiggins, Ernest Wiggins, Harry L Wiggins, Kenneth A Wiggins, Matthew Wilbur, Gerald Anthony Wilcox, Robert Wiles, Alfred Adam Wiles, Glen Gilbert Wiles, Sonny Joel Sr Wilkerson, Gene Dillard and Judith Wilkinson, William Riley Williams, Allen Jr Williams, Andrew Williams, B Dean Williams, Clyde L Williams, Dale A Williams, Emmett J Williams, Herman J Jr Williams, J T Williams, John A Williams, Johnny Paul Williams, Joseph H Williams, Kirk Williams, Leopold A Williams, Mark A Williams, Mary Ann C Williams, Melissa A Williams, Nina Williams, Oliver Kent Williams, Parish Williams, Roberto Williams, Ronnie Williams, Scott A Williams, Steven Williams, Thomas D Williamson, Richard L Sr Willyard, Derek C Willyard, Donald R Wilson, Alward Wilson, Hosea Wilson, Joe R Wilson, Jonathan Wilson, Katherine Wiltz, Allen Wing, Melvin Wiseman, Allen

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			Wiseman, Clarence J Jr Wiseman, Jean P Wiseman, Joseph A Wiseman, Michael T Jr Wiseman, Michael T Sr Wolfe, Charles Woods, John T III Wright, Curtis Wright, Leonard Wright, Randy D Yeamans, Douglas Yeamans, Neil Yeamans, Ronnie Yoeuth, Peon Yopp, Harold Yopp, Jonathon Yopp, Milton Thomas Young, James Young, Taing Young, Willie Yow, Patricia D Yow, Richard C Zanca, Anthony V Sr Zar, Ashley A Zar, Carl J Zar, John III Zar, Steve Zar, Steven Zar, Troy A Zerinque, John S Jr Zirlott, Curtis Zirlott, Jason D Zirlott, Jeremy Zirlott, Kimberly Zirlott, Milton Zirlott, Perry Zirlott, Rosa H Zito, Brian C Zuvich, Michael A Jr Ad Hoc Shrimp Trade Action Committee Bryan Fishermens' Co-Op Inc Louisiana Shrimp Association South Carolina Shrimpers Association Vietnamese-American Commerical Fisherman's Union 3-G Enterprize dba Griffin's Seafood A & G Trawlers Inc A & T Shrimping A Ford Able Seafood A J Horizon Inc A&M Inc A&R Shrimp Co A&T Shrimping AAH Inc AC Christopher Sea Food Inc Ace of Trade LLC Adriana Corp AJ Boats Inc AJ Horizon Inc AJ's Seafood Alario Inc Alcide J Adams Jr Aldebaran Inc Aldebran Inc Alexander and Dola Alfred Englade Inc Alfred Trawlers Inc Allen Hai Tran dba Kien Giang Al's Shrimp Co Al's Shrimp Co LLC Al's Shrimp Co LLC Al's Whosale & Retail Alton Cheeks

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			Amada Inc Amber Waves Amelia Isle American Beauty American Beauty Inc American Eagle Enterprise Inc American Girl American Seafood Americana Shrimp Amvina II Amvina II Amy D Inc Amy's Seafood Mart An Kit Andy Boy Andy's SFD Angel Annie Inc Angel Leigh Angel Seafood Inc Angela Marie Inc Angela Marie Inc Angelina Inc Anna Grace LLC Anna Grace LLC Annie Thornton Inc Annie Thornton Inc Anthony Boy I Anthony Boy I Anthony Fillinich Sr Apalachee Girl Inc Aparicio Trawlers Inc dba Marcosa Apple Jack Inc Aquila Seafood Inc Aquillard Seafood Argo Marine Arnold's Seafood Arroya Cruz Inc Art & Red Inc Arthur Chisholm A-Seafood Express Ashley Deeb Inc Ashley W 648675 Asian Gulf Corp Atlantic Atocha Troy A LeCompte Sr Atwood Enterprises B & B Boats Inc B & B Seafood B&J Seafood BaBe Inc Baby Ruth Bailey, David B Sr—Bailey's Seafood Bailey's Seafood of Cameron Inc Bait Inc Bait Inc Baker Shrimp Bama Love Inc Bama Sea Products Inc Bao Hung Inc Bao Hung Inc Bar Shrimp Barbara Brooks Inc Barbara Brooks Inc Barisich Inc Barisich Inc Barnacle-Bill Inc Barney's Bait & Seafood Barrios Seafood Bay Boy Bay Islander Inc Bay Sweeper Nets Baye's Seafood 335654 Bayou Bounty Seafood LLC

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			Bayou Caddy Fisheries Inc Bayou Carlin Fisheries Bayou Carlin Fisheries Inc Bayou Shrimp Processors Inc BBC Trawlers Inc BBS Inc Beachcomber Inc Beachcomber Inc Bea's Corp Beecher's Seafood Believer Inc Bennett's Seafood Benny Alexie Bergeron's Seafood Bertileana Corp Best Sea-Pack of Texas Inc Beth Lomonte Inc Beth Lomonte Inc Betty B Betty H Inc Bety Inc BF Millis & Sons Seafood Big Daddy Seafood Inc Big Grapes Inc Big Kev Big Oak Seafood Big Oak Seafood Big Oaks Seafood Big Shrimp Inc Billy J Foret—BJF Inc Billy Sue Inc Billy Sue Inc Biloxi Freezing & Processing Binh Duong BJB LLC Blain & Melissa Inc Blanca Cruz Inc Blanchard & Cheramie Inc Blanchard Seafood Blazing Sun Inc Blazing Sun Inc Blue Water Seafood Bluewater Shrimp Co Bluffton Oyster Co Boat Josey Wales Boat Josey Wales LLC Boat Monica Kiff Boat Warrior Bob-Rey Fisheries Inc Bodden Trawlers Inc Bolillo Prieto Inc Bon Secour Boats Inc Bon Secour Fisheries Inc Bon Secur Boats Inc Bonnie Lass Inc Boone Seafood Bosarge Boats Bosarge Boats Bosarge Boats Inc Bottom Verification LLC Bowers Shrimp Bowers Shrimp Farm Bowers Valley Shrimp Inc Brad Friloux Brad Nicole Seafood Bradley John Inc Bradley's Seafood Mkt Brara Cruz Inc Brenda Darlene Inc Brett Anthony Bridgeside Marina Bridgeside Seafood Bridget's Seafood Service Inc

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
			Bridget's Seafood Service Inc BRS Seafood BRS Seafood Bruce W Johnson Inc Bubba Daniels Inc Bubba Tower Shrimp Co Buccaneer Shrimp Co Buchmer Inc Buck & Peed Inc Buddy Boy Inc Buddy's Seafood Bumble Bee Seafoods LLC Bumble Bee Seafoods LLC Bundy Seafood Bundy's Seafood Bunny's Shrimp Burgbe Gump Seafood Burnell Trawlers Inc Burnell Trawlers Inc/Mamacita/Swamp Irish Buster Brown Inc By You Seafood C & R Trawlers Inc CA Magwood Enterprises Inc Cajun Queen of LA LLC Calcasien Point Bait N More Inc Cam Ranh Bay Camardelle's Seafood Candy Inc Cao Family Inc Cap Robear Cap'n Bozo Inc Capn Jasper's Seafood Inc Capt Aaron Capt Adam Capt Anthony Inc Capt Bean (Richard A Ragas) Capt Beb Inc Capt Bill Jr Inc Capt Brother Inc Capt Bubba Capt Buck Capt Carl Capt Carlos Trawlers Inc Capt Chance Inc Capt Christopher Inc Capt Chuckie Capt Craig Capt Craig Inc Capt Crockett Inc Capt Darren Hill Inc Capt Dennis Inc Capt Dickie Inc Capt Dickie V Inc Capt Doug Capt Eddie Inc Capt Edward Inc Capt Eli's Capt Elroy Inc Capt Ernest LLC Capt Ernest LLC Capt GDA Inc Capt George Capt H & P Corp Capt Havey Seafood Capt Henry Seafood Dock Capt Huy Capt JDL Inc Capt Jimmy Inc Capt Joe Capt Johnny II Capt Jonathan Capt Jonathan Inc Capt Joshua Inc

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
			Capt Jude 520556 13026 Capt Ken Capt Kevin Inc Capt Ko Inc Capt Koung Lim Capt Larry Seafood Market Capt Larry's Inc Capt LC Corp Capt LD Seafood Inc Capt Linton Inc Capt Mack Inc Capt Marcus Inc Capt Morris Capt Opie Capt P Inc Capt Pappie Inc Capt Pat Capt Paw Paw Capt Pete Inc Capt Peter Long Inc Capt Pool Bear II's Seafood Capt Quang Capt Quina Inc Capt Richard Capt Ross Inc Capt Roy Capt Russell Jr Inc Capt Ryan Inc Capt Ryan's Capt Sam Capt Sang Capt Scar Inc Capt Scott Capt Scott 5 Capt Scott Seafood Capt Sparkers Shrimp Capt St Peter Capt T&T Corp Capt Thien Capt Tommy Inc Capt Two Inc Capt Van's Seafood Capt Walley Inc Capt Zoe Inc Captain Allen's Bait & Tackle Captain Arnulfo Inc Captain Blair Seafood Captain Dexter Inc Captain D's Captain Homer Inc Captain Jeff Captain JH III Inc Captain Joshua Captain Larry'O Captain Miss Cammy Nhung Captain Regis Captain Rick Captain T/Thiet Nguyen Captain Tony Captain Truong Phi Corp Captain Vinh Cap't-Brandon Captian Thomas Trawler Inc Carlino Seafood Carly Sue Inc Carmelita Inc Carolina Lady Inc Carolina Sea Foods Inc Caroline and Calandra Inc Carson & Co Carson & Co Inc Cary Encalade Trawling Castellano's Corp

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
			Cathy Cheramie Inc CBS Seafood & Catering LLC CBS Seafood & Catering LLC Cecilia Enterprise Inc CF Gollot & Son Sfd Inc CF Gollott and Son Seafood Inc Chackbay Lady Chad & Chaz LLC Challenger Shrimp Co Inc Chalmette Marine Supply Co Inc Chalmette Net & Trawl Chapa Shrimp Trawlers Chaplin Seafood Charlee Girl Charles Guidry Inc Charles Sellers Charles White Charlotte Maier Inc Charlotte Maier Inc Chef Seafood Ent LLC Cheramies Landing Cherry Pt Seafood Cheryl Lynn Inc Chez Francois Seafood Chilling Pride Inc Chin Nguyen Co Chin Nguyen Co Chinatown Seafood Co Inc Chines Cajun Net Shop Chris Hansen Seafood Christian G Inc Christina Leigh Shrimp Co Christina Leigh Shrimp Company Inc Christina Leigh Shrimp Company Inc Cieutat Trawlers Cinco de Mayo Inc Cindy Lynn Inc Cindy Mae Inc City Market Inc CJ Seafood CJs Seafood Clifford Washington Clinton Hayes—C&S Enterprises of Brandon Inc Cochran's Boat Yard Colorado River Seafood Colson Marine Comm Fishing Commercial Fishing Service CFS Seafoods Cong Son Cong-An Inc Country Girl Inc Country Inc Courtney & Ory Inc Cowdrey Fish Cptn David Crab-Man Bait Shop Craig A Wallis, Keith Wallis dba W&W Dock & 10 boats Cristina Seafood CRJ Inc Cruillas Inc Crusader Inc Crustacean Frustration Crystal Gayle Inc Crystal Light Inc Crystal Light Inc Curtis Henderson Custom Pack Inc Custom Pack Inc Cyril's Ice House & Supplies D & A Seafood D & C Seafood Inc D & J Shrimping LLC

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
			D & M Seafood & Rental LLC D Ditcharo Jr Seafoods D G & R C Inc D S L & R Inc D&T Marine Inc Daddys Boys DaHa Inc/Cat'Sass DAHAPA Inc Dale's Seafood Inc Dang Nguyen Daniel E Lane Danny Boy Inc Danny Max David & Danny Inc David C Donnelly David Daniels David Ellison Jr David Gollott Sfd Inc David W Casanova's Seafood David White David's Shrimping Co Davis Seafood Davis Seafood Davis Seafood Inc Dawn Marie Deana Cheramie Inc Deanna Lea Dean's Seafood Deau Nook Debbe Anne Inc Deep Sea Foods Inc/Jubilee Foods Inc Delcambre Seafood Dell Marine Inc Dennis Menesses Seafood Dennis' Seafood Inc Dennis Shrimp Co Inc Desperado DFS Inc Diamond Reef Seafood Diem Inc Dinh Nguyen Dixie General Store LLC Dixie Twister Dominick's Seafood Inc Don Paco Inc Donald F Boone II Dong Ngyuen Donini Seafoods Inc Donna Marie Donovan Tien I & II Dopson Seafood Dorada Cruz Inc Double Do Inc Double Do Inc Doug and Neil Inc Douglas Landing Doxey's Oyster & Shrimp Dragnet II Dragnet Inc Dragnet Seafood LLC Dubberly's Mobile Seafood Dudenhoefer Seafood Dugas Shrimp Co LLC Dunamis Towing Inc Dupree's Seafood Duval & Duval Inc Dwayne's Dream Inc E & M Seafood E & T Boating E Gardner McClellan E&E Shrimp Co Inc East Coast Seafood East Coast Seafood

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
			East Coast Seafood East Coast Seafood Edisto Queen LLC Edward Garcia Trawlers EKV Inc El Pedro Fishing & Trading Co Inc Eliminator Inc Elizabeth Nguyen Ellerbee Seafoods Ellie May Elmira Pflueckhahn Inc Elmira Pflueckhahn Inc Elvira G Inc Emily's SFD Emmanuel Inc Ensenada Cruz Inc Enterprise Enterprise Inc Equalizer Shrimp Co Inc Eric F Dufrene Jr LLC Erica Lynn Inc Erickson & Jensen Seafood Packers Ethan G Inc Excalibur LLC F/V Apalachee Warrior F/V Atlantis I F/V Capt Walter B F/V Captain Andy F/V Eight Flags F/V Mary Ann F/V Miss Betty F/V Morning Star F/V Nam Linh F/V Olivia B F/V Phuoc Thanh Mai II F/V Sea Dolphin F/V Southern Grace F/V Steven Mai F/V Steven Mai II Famer Boys Catfish Kitchens Family Thing Father Dan Inc Father Lasimir Inc Father Mike Inc Fiesta Cruz Inc Fine Shrimp Co Fire Fox Inc Fisherman's Reef Shrimp Co Fishermen IX Inc Fishing Vessel Enterprise Inc Five Princesses Inc FKM Inc Fleet Products Inc Flower Shrimp House Flowers Seafood Co Floyd's Wholesale Seafood Inc Fly By Night Inc Forest Billiot Jr Fortune Shrimp Co Inc FP Oubre Francis Brothers Inc Francis Brothers Inc Francis III Frank Toomer Jr Fran-Tastic Too Frederick-Dan Freedom Fishing Inc Freeman Seafood Frelich Seafood Inc Frenchie D-282226 Fripp Point Seafood G & L Trawling Inc G & O Shrimp Co Inc

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
			G & O Trawlers Inc G & S Trawlers Inc G D Ventures II Inc G G Seafood G R LeBlanc Trawlers Inc Gail's Bait Shop Gale Force Inc Gambler Inc Gambler Inc Garijak Inc Gary F White Gator's Seafood Gay Fish Co Gay Fish Co GeeChee Fresh Seafood Gemita Inc Gene P Callahan Inc George J Price Sr Ent Inc Georgia Shrimp Co LLC Gerica Marine Gilden Enterprises Gillikin Marine Railways Inc Gina K Inc Gisco Inc Gisco Inc Glenda Guidry Inc Gloria Cruz Inc Go Fish Inc God's Gift God's Gift Shrimp Vessel Gogie Gold Coast Seafood Inc Golden Gulf Coast Pkg Co Inc Golden Phase Inc Golden Text Inc Golden Text Inc Golden Text Inc Goldenstar Gollott Brothers Sfd Co Inc Gollott's Oil Dock & Ice House Inc Gonzalez Trawlers Inc Gore Enterprises Inc Gore Enterprises Inc Gore Seafood Co Gore Seafood Inc Gove Lopez Graham Fisheries Inc Graham Shrimp Co Inc Graham Shrimp Co Inc Gramps Shrimp Co Grandma Inc Grandpa's Dream Grandpa's Dream Granny's Garden and Seafood Green Flash LLC Greg Inc Gregory Mark Gaubert Gregory Mark Gaubert Gregory T Boone Gros Tete Trucking Inc Guidry's Bait Shop Guidry's Net Shop Gulf Central Seaood Inc Gulf Crown Seafood Co Inc Gulf Fish Inc Gulf Fisheries Inc Gulf Island Shrimp & Seafood II LLC Gulf King Services Inc Gulf Pride Enterprises Inc Gulf Seaway Seafood Inc Gulf Shrimp Gulf South Inc Gulf Stream Marina LLC

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
			Gulf Sweeper Inc (Trawler Gulf Sweeper) Gypsy Girl Inc H & L Seafood Hack Berry Seafood Hagen & Miley Inc Hailey Marie Inc Hanh Lai Inc Hannah Joyce Inc Hardy Trawlers Hardy Trawlers Harrington Fish Co Inc Harrington Seafood & Supply Inc Harrington Shrimp Co Inc Harrington Trawlers Inc Harris Fisheries Inc Hazel's Hustler HCP LLC Heather Lynn Inc Heavy Metal Inc Hebert Investments Inc Hebert's Mini Mart LLC Helen E Inc Helen Kay Inc Helen Kay Inc Helen W Smith Inc Henderson Seafood Henry Daniels Inc Hermosa Cruz Inc Hi Seas of Dulac Inc Hien Le Van Inc High Hope Inc Hoang Anh Hoang Long I, II Holland Enterprises Holly Beach Seafood Holly Marie's Seafood Market Hombre Inc Home Loving Care Co Hondumex Ent Inc Hong Nga Inc Hongri Inc Houston Foret Seafood Howerin Trawlers Inc HTH Marine Inc Hubbard Seafood Hurricane Emily Seafood Inc Hutcherson Christian Shrimp Inc Huyen Inc Icy Seafood II Inc ICY Seafood Inc Icy Seafood Inc Ida's Seafood Rest & Market Ike & Zack Inc Independent Fish Company Inc Inflation Inc Integrity Fisheries Inc Integrity Fishing Inc International Oceanic Ent Interstate Vo LLC Intracoastal Seafood Inc Iorn Will Inc Irma Trawlers Inc Iron Horse Inc Isabel Maier Inc Isabel Maier Inc Isla Cruz Inc J & J Rentals Inc J & J Trawler's Inc J & R Seafood J Collins Trawlers J D Land Co Jackie & Hiep Trieu Jacob A Inc

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			Jacquelin Marie Inc Jacquelin Marie Inc James D Quach Inc James E Scott III James F Dubberly James Gadson James J Matherne Jr James J Matherne Sr James Kenneth Lewis Sr James LaRive Jr James W Green Jr dba Miss Emilie Ann James W Hicks Janet Louise Inc Jani Marie JAS Inc JBS Packing Co Inc JBS Packing Inc JCM Jean's Bait Jeff Chancey Jemison Trawler's Inc Jenna Dawn LLC Jennifer Nguyen—Capt T Jensen Seafood Pkg Co Inc Jesse LeCompte Jr Jesse LeCompte Sr Jesse Shantelle Inc Jessica Ann Inc Jessica Inc Jesus G Inc Jimmy and Valerie Bonvillain Jimmy Le Inc Jim's Cajen Shrimp Joan of Arc Inc JoAnn and Michael W Daigle Jody Martin Joe Quach Joel's Wild Oak Bait Shop & Fresh Seafood John A Norris John J Alexie John Michael E Inc John V Alexie Johnny & Joyce's Seafood Johnny O Co Johnny's Seafood John's Seafood Joker's Wild Jones—Kain Inc Joni John Inc (Leon J Champagne) Jon's C Seafood Inc Joseph Anthony Joseph Anthony Inc Joseph Garcia Joseph Martino Joseph Martino Corp Joseph T Vermeulen Josh & Jake Inc Joya Cruz Inc JP Fisheries Julie Ann LLC Julie Hoang Julie Shrimp Co Inc (Trawler Julie) Julio Gonzalez Boat Builders Inc Justin Dang JW Enterprise K & J Trawlers K&D Boat Company K&S Enterprises Inc Kallianen Seafoods Inc KAM Fishing Kandi Sue Inc Karl M Belsome LLC KBL Corp

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
			KDH Inc Keith M Swindell Kellum's Seafood Kellum's Seafood Kelly Marie Inc Ken Lee's Dock LLC Kenneth Guidry Kenny-Nancy Inc Kentucky Fisheries Inc Kentucky Trawlers Inc Kevin & Bryan (M/V) Kevin Dang Khang Dang Khanh Huu Vu Kheng Sok Shrimping Kim & James Inc Kim Hai II Inc Kim Hai Inc Kim's Seafood Kingdom World Inc Kirby Seafood Klein Express KMB Inc Knight's Seafood Inc Knight's Seafood Inc Knowles Noel Camardelle Kramer's Bait Co Kris & Cody Inc KTC Fishery LLC L & M L & N Friendship Corp L & O Trawlers Inc L & T Inc L&M LA—3184 CA La Belle Idee La Macarela Inc La Pachita Inc LA-6327-CA LaBauve Inc LaBauve Inc Lade Melissa Inc Lady Agnes II Lady Agnes III Lady Amelia Inc Lady Anna I Lady Anna II Lady Barbara Inc Lady Carolyn Inc Lady Catherine Lady Chancery Inc Lady Chelsea Inc Lady Danielle Lady Debra Inc Lady Dolcina Inc Lady Gail Inc Lady Katherine Inc Lady Kelly Inc Lady Kelly Inc Lady Kristie Lady Lavang LLC Lady Liberty Seafood Co Lady Lynn Ltd Lady Marie Inc Lady Melissa Inc Lady Shelly Lady Shelly Lady Snow Inc Lady Stephanie Lady Susie Inc Lady T Kim Inc Lady TheLna Lady Toni Inc

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
			Lady Veronica Lafitte Frozen Foods Corp Lafont Inc Lafourche Clipper Inc Lafourche Clipper Inc Lamarah Sue Inc Lan Chi Inc Lan Chi Inc Lancero Inc Lanny Renard and Daniel Bourque Lapeyrouse Seafood Bar Groc Inc Larry G Kellum Sr Larry Scott Freeman Larry W Hicks Lasseigne & Sons Inc Laura Lee Lauren O Lawrence Jacobs Sfd Lazaretta Packing Inc Le & Le Inc Le Family Inc Le Family Inc Le Tra Inc Leek & Millington Trawler Privateeer Lee's Sales & Distribution Leonard Shrimp Producers Inc Leoncea B Regnier Lerin Lane Li Johnson Liar Liar Libertad Fisheries Inc Liberty I Lighthouse Fisheries Inc Lil Aly Lil Arthur Inc Lil BJ LLC Lil Robbie Inc Lil Robbie Inc Lil Robin Lil Robin Lilla Lincoln Linda & Tot Inc Linda Cruz Inc Linda Hoang Shrimp Linda Lou Boat Corp Linda Lou Boat Corp Lisa Lynn Inc Lisa Lynn Inc Little Andrew Inc Little Andy Inc Little Arthur Little David Gulf Trawler Inc Little Ernie Gulf Trawler Inc Little Ken Inc Little Mark Little William Inc Little World LJL Inc Long Viet Nguyen Longwater Seafood dba Ryan H Longwater Louisiana Gulf Shrimp LLC Louisiana Lady Inc Louisiana Man Louisiana Newpack Shrimp Co Inc Louisiana Pride Seafood Inc Louisiana Pride Seafood Inc Louisiana Seafood Dist LLC Louisiana Shrimp & Packing Inc Louisiana Shrimp and Packing Co Inc Lovely Daddy II & III Lovely Jennie Low Country Lady (Randolph N Rhodes)

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
			Low County Lady Luchador Inc Lucky Lucky I Lucky Jack Inc Lucky Lady Lucky Lady II Lucky Leven Inc Lucky MV Lucky Ocean Lucky Sea Star Inc Lucky Star Lucky World Lucky's Seafood Market & Poboys LLC Luco Drew's Luisa Inc Lupe Martinez Inc LV Marine Inc LW Graham Inc Lyle LeCompte Lynda Riley Inc Lynda Riley Inc M & M Seafood M V Sherry D M V Tony Inc M&C Fisheries M/V Baby Doll M/V Chevo's Bitch M/V Lil Vicki M/V Loco-N Motion M/V Patsy K 1556871 M/V X L Mabry Allen Miller Jr Mad Max Seafood Madera Cruz Inc Madison Seafood Madlin Shrimp Co Inc Malibu Malolo LLC Mamacita Inc Man Van Nguyen Manteo Shrimp Co Marco Corp Marcos A Maria Elena Inc Maria Sandi Mariachi Trawlers Inc Mariah Jade Shrimp Company Marie Teresa Inc Marine Fisheries Marisa Elida Inc Mark and Jace Marleann Martin's Fresh Shrimp Mary Bea Inc Master Brandon Inc Master Brock Master Brock Master Dylan Master Gerald Trawlers Inc Master Hai Master Hai II Master Henry Master Jared Inc Master Jhy Inc Master John Inc Master Justin Inc Master Justin Inc Master Ken Inc Master Kevin Inc Master Martin Inc Master Mike Inc Master NT Inc

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
			Master Pee-Wee Master Ronald Inc Master Scott Master Scott II Master Seelos Inc Master T Master Tai LLC Master Tai LLC Mat Roland Seafood Co Maw Doo Mayflower McQuaig Shrimp Co Inc Me Kong Melerine Seafood Melody Shrimp Co Mer Shrimp Inc Michael Lynn Michael Nguyen Michael Saturday's Fresh Every Day South Carolina Shrimp Mickey Nelson Net Shop Mickey's Net Midnight Prowler Mike's Seafood Inc Miley's Seafood Inc Militelio and Son Inc Miller & Son Seafood Inc Miller Fishing Milliken & Son's Milton J Dufrene and Son Inc Milton Yopp—Capt'n Nathan & Thomas Winfield Minh & Liem Doan Mis Quynh Chi II Miss Adrianna Inc Miss Alice Inc Miss Ann Inc Miss Ann Inc Miss Ashleigh Miss Ashleigh Inc Miss Barbara Miss Barbara Inc Miss Bernadette A Inc Miss Bertha (M/V) Miss Beverly Kay Miss Brenda Miss Candace Miss Candace Nicole Inc Miss Carla Jean Inc Miss Caroline Inc Miss Carolyn Louise Inc Miss Caylee Miss Charlotte Inc Miss Christine III Miss Cleda Jo Inc Miss Courtney Inc Miss Courtney Inc Miss Cynthia Miss Danielle Gulf Trawler Inc Miss Danielle LLC Miss Dawn Miss Ellie Inc Miss Faye LLC Miss Fina Inc Miss Georgia Inc Miss Hannah Miss Hannah Inc Miss Hazel Inc Miss Hilary Inc Miss Jennifer Inc Miss Joanna Inc Miss Julia Miss Kandy Tran LLC Miss Kandy Tran LLC

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
			Miss Karen Miss Kathi Inc Miss Kathy Miss Kaylyn LLC Miss Khayla Miss Lil Miss Lillie Inc Miss Liz Inc Miss Loraine Miss Loraine Inc Miss Lori Dawn IV Inc Miss Lori Dawn V Inc Miss Lori Dawn VI Inc Miss Lori Dawn VII Inc Miss Lorie Inc Miss Luana D Shrimp Co Miss Luana D Shrimp Co Miss Madeline Inc Miss Madison Miss Marie Miss Marie Inc Miss Marilyn Louis Inc Miss Marilyn Louise Miss Marilyn Louise Inc Miss Marissa Inc Miss Martha Inc Miss Martha Inc Miss Mary T Miss Myle Miss Narla Miss Nicole Miss Nicole Inc Miss Plum Inc Miss Quynh Anh I Miss Quynh Anh I LLC Miss Quynh Anh II LLC Miss Redemption LLC Miss Rhianna Inc Miss Sambath Miss Sandra II Miss Sara Ann Miss Savannah Miss Savannah II Miss Soriya Miss Suzanne Miss Sylvia Miss Than Miss Thom Miss Thom Inc Miss Tina Inc Miss Trinh Trinh Miss Trisha Inc Miss Trisha Inc Miss Verna Inc Miss Vicki Miss Victoria Inc Miss Vivian Inc Miss WillaDean Miss Winnie Inc Miss Yvette Inc Miss Yvonne Misty Morn Eat Misty Star MJM Seafood Inc M'M Shrimp Co Inc Mom & Dad Inc Mona-Dianne Seafood Montha Sok and Tan No Le Moon River Inc Moon Tillett Fish Co Inc Moonlight Moonlight Mfg Moore Trawlers Inc

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
			Morgan Creek Seafood Morgan Rae Inc Morning Star Morrison Seafood Mother Cabrini Mother Teresa Inc Mr & Mrs Inc Mr & Mrs Inc Mr Coolly Mr Fox Mr Fox Mr G Mr Gaget LLC Mr Henry Mr Natural Inc Mr Neil Mr Phil T Inc Mr Sea Inc Mr Verdin Inc Mr Williams Mrs Judy Too Mrs Tina Lan Inc Ms Alva Inc Ms An My Angel II My Blues My Dad Whitney Inc My Girls LLC My Thi Tran Inc My Three Sons Inc My V Le Inc My-Le Thi Nguyen Myron A Smith Inc Nancy Joy Nancy Joy Inc Nancy Joy Inc Nanny Granny Inc Nanny Kat Seafood LLC Napolean Seafoods Napoleon II Napoleon Seafood Napoleon SF Naquin's Seafood Nautilus LLC Nelma Y Lane Nelson and Son Nelson Trawlers Inc Nelson's Quality Shrimp Company Nevgulmarco Co Inc New Deal Comm Fishing New Way Inc Nguyen Day Van Nguyen Express Nguyen Int'l Enterprises Inc Nguyen Shipping Inc NHU UYEN Night Moves of Cut Off Inc Night Shift LLC Night Star North Point Trawlers Inc North Point Trawlers Inc Nuestra Cruz Inc Nunez Seafood Oasis Ocean Bird Inc Ocean Breeze Inc Ocean Breeze Inc Ocean City Corp Ocean Emperor Inc Ocean Harvest Wholesale Inc Ocean Pride Seafood Inc Ocean Seafood Ocean Select Seafood LLC

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
			Ocean Springs Seafood Market Inc Ocean Wind Inc Oceanica Cruz Inc Odin LLC Old Maw Inc Ole Holbrook's Fresh Fish Market LLC Ole Nelle One Stop Bait & Ice Open Sea Inc Orage Enterprises Inc Orn Roem Shrimping Otis Cantrelle Jr Otis M Lee Jr Owens Shrimping Palmetto Seafood Inc Papa Rod Inc Papa T Pappy Inc Pappy's Gold Parfait Enterprises Inc Paris/Asia Parramore Inc Parrish Shrimping Inc Pascagoula Ice & Freezer Co Inc Pat-Lin Enterprises Inc Patricia Foret Patrick Sutton Inc Patty Trish Inc Paul Piazza and Son Inc Paw Paw Allen Paw Paw Pride Inc Pearl Inc dba Indian Ridge Shrimp Co Pei Gratia Inc Pelican Point Seafood Inc Penny V LLC Perlita Inc Perseverance I LLC Pete & Queenie Inc Phat Le and Le Tran Phi Long Inc Phi-Ho LLC Pip's Place Marina Inc Plaisance Trawlers Inc Plata Cruz Inc Poc-Tal Trawlers Inc Pointe-Aux-Chene Marina Pontchaubrain Blue Crab Pony Express Poppee Poppy's Pride Seafood Port Bolivar Fisheries Inc Port Marine Supplies Port Royal Seafood Inc Poteet Seafood Co Inc Potter Boats Inc Price Seafood Inc Prince of Tides Princess Ashley Inc Princess Celine Inc Princess Cindy Inc Princess Lorie LLC Princess Mary Inc Prosperity PT Fisheries Inc Punch's Seafood Mkt Purata Trawlers Inc Pursuer Inc Quality Seafood Quang Minh II Inc Queen Lily Inc Queen Mary Queen Mary Inc Quinta Cruz Inc

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
			Quoc Bao Inc Quynh NHU Inc Quynh Nhu Inc R & J Inc R & K Fisheries LLC R & L Shrimp Inc R & P Fisheries R & R Bait/Seafood R & S Shrimping R & T Atocha LLC R&D Seafood R&K Fisheries LLC R&R Seafood RA Lesso Brokerage Co Inc RA Lesso Seafood Co Inc Rachel-Jade Ralph Lee Thomas Jr Ralph W Jones Ramblin Man Inc Ranchero Trawlers Inc Randall J Pinell Inc Randall J Pinell Inc Randall K and Melissa B Richard Randall Pinell Randy Boy Inc Randy Boy Inc Rang Dong Raul L Castellanos Raul's Seafood Raul's Seafood Rayda Cheramie Inc Raymond LeBouef RCP Seafood I II III RDR Shrimp Inc Reagan's Seafood Rebecca Shrimp Co Inc Rebel Seafood Regulus Rejimi Inc Reno's Sea Food Res Vessel Reyes Trawlers Inc Rick's Seafood Inc Ricky B LLC Ricky G Inc Riffle Seafood Rigolets Bait & Seafood LLC Riverside Bait & Tackle R.J's Roatex Ent Inc Robanie C Inc Robanie C Inc Robanie C Inc Robert E Landry Robert H Schrimpf Robert Johnson Robert Keenan Seafood Robert Upton or Terry Upton Robert White Seafood Rockin Robbin Fishing Boat Inc Rodney Hereford Jr Rodney Hereford Sr Rodney Hereford Sr Roger Blanchard Inc Rolling On Inc Romo Inc Ronald Louis Anderson Jr Rosa Marie Inc Rose Island Seafood RPM Enterprises LLC Rubi Cruz Inc Ruf-N-Redy Inc Rutley Boys Inc

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
			Sadie D Seafood Safe Harbour Seafood Inc Salina Cruz Inc Sally Kim III Sally Kim IV Sam Snodgrass & Co Samaira Inc San Dia Sand Dollar Inc Sandy N Sandy O Inc Santa Fe Cruz Inc Santa Maria I Inc Santa Maria II Santa Monica Inc Scavanger Scooby Inc Scooby Inc Scottie and Juliette Dufrene Scottie and Juliette Dufrene Sea Angel Sea Angel Inc Sea Bastion Inc Sea Drifter Inc Sea Durbin Inc Sea Eagle Sea Eagle Fisheries Inc Sea Frontier Inc Sea Gold Inc Sea Gulf Fisheries Inc Sea Gypsy Inc Sea Hawk I Inc Sea Horse Fisheries Sea Horse Fisheries Inc Sea King Inc Sea Pearl Seafood Company Inc Sea Queen IV Sea Trawlers Inc Sea World Seabrook Seafood Inc Seabrook Seafood Inc Seafood & Us Inc Seaman's Magic Inc Seaman's Magic Inc Seaside Seafood Inc Seaweed 2000 Seawolf Seafood Second Generation Seafood Shark Co Seafood Inter Inc Sharon—Ali Michelle Inc Shelby & Barbara Seafood Shelby & Barbara Seafood Shelia Marie LLC Shell Creek Seafood Inc Shirley Elaine Shirley Girl LLC Shrimp Boat Patrice Shrimp Boating Inc Shrimp Express Shrimp Man Shrimp Networks Inc Shrimp Trawler Shrimper Shrimper Shrimpy's Si Ky Lan Inc Si Ky Lan Inc Si Ky Lan Inc Sidney Fisheries Inc Silver Fox Silver Fox LLC Simon Sims Shrimping

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
			Skip Toomer Inc Skip Toomer Inc Skyla Marie Inc Smith & Sons Seafood Inc Snowdrift Snowdrift Sochenda Soeung Phat Son T Le Inc Son's Pride Inc Sophie Marie Inc Soul Mama Inc Souther Obsession Inc Southern Lady Southern Nightmare Inc Southern Star Southshore Seafood Spencers Seafood Sprig Co Inc St Anthony Inc St Daniel Phillip Inc St Dominic St Joseph St Joseph St Joseph II Inc St Joseph III Inc St Joseph IV Inc St Martin St Martyrs VN St Mary Seafood St Mary Seven St Mary Tai St Michael Fuel & Ice Inc St Michael's Ice & Fuel St Peter St Peter 550775 St Teresa Inc St Vincent Andrew Inc St Vincent Gulf Shrimp Inc St Vincent One B St Vincent One B Inc St Vincent SF St Vincent Sfd Inc Start Young Inc Steamboat Bills Seafood Stella Mestre Inc Stephen Dantin Jr Stephney's Seafood Stipelcovich Marine Wks Stone-Co Farms LP Stone-Co Farms LP Stormy Sean Inc Stormy Seas Inc Sun Star Inc Sun Swift Inc Sunshine Super Coon Inc Super Cooper Inc Swamp Irish Inc Sylvan P Racine Jr—Capt Romain T & T Seafood T Brothers T Cvitanovich Seafood LLC Ta Do Ta T Vo Inc Ta T Vo Inc Tana Inc Tanya Lea Inc Tanya Lea Inc Tanya Lea Inc Tasha Lou T-Brown Inc Tee Frank Inc

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
			Tee Tigre Inc Tercera Cruz Inc Terrebonne Seafood Inc Terri Monica Terry Luke Corp Terry Luke Corp Terry Luke Corp Terry Lynn Inc Te-Sam Inc Texas 1 Inc Texas 18 Inc Texas Lady Inc Texas Pack Inc Tex-Mex Cold Storage Inc Tex-Mex Cold Storage Inc Thai & Tran Inc Thai Bao Inc Thanh Phong The Boat Phat Tai The Fishermans Dock The Last One The Light House Bait & Seafood Shack LLC The Mayporter Inc The NGO The Seafood Shed Thelma J Inc Theresa Seafood Inc Third Tower Inc Thomas Winfield—Capt Nathan Thompson Bros Three C's Three Dads Three Sons Three Sons Inc Three Sons Inc Thunder Roll Thunderbolt Fisherman's Seafood Inc Thy Tra Inc Thy Tra Inc Tidelands Seafood Co Inc Tiffani Claire Inc Tiffani Claire Inc Tiger Seafood Tikede Inc Timmy Boy Corp Tina Chow Tina T LLC Tino Mones Seafood TJ's Seafood Toan Inc Todd Co Todd's Fisheries Tom LE LLC Tom Le LLC Tom N & Bill N Inc Tommy Bui dba Mana II Tommy Cheramie Inc Tommy Gulf Sea Food Inc Tommy's Seafood Inc Tonya Jane Inc Tony-N Tookie Inc Tot & Linda Inc T-Pops Inc Tran Phu Van Tran's Express Inc Travis—Shawn Travis—Shawn Trawler Azteca Trawler Becky Lyn Inc Trawler Capt GC Trawler Capt GC II Trawler Dalia

Commerce Case No.	Commission Case No.	Product/country	Petitioners/supporters
			Trawler Doctor Bill Trawler Gulf Runner Trawler HT Seaman Trawler Joyce Trawler Kristi Nicole Trawler Kyle & Courtney Trawler Lady Catherine Trawler Lady Gwen Doe Trawler Linda B Inc Trawler Linda June Trawler Little Brothers Trawler Little Gavino Trawler Little Rookie Inc Trawler Mary Bea Trawler Master Alston Trawler Master Jeffery Inc Trawler Michael Anthony Inc Trawler Mildred Barr Trawler Miss Alice Inc Trawler Miss Jamie Trawler Miss Kelsey Trawler Miss Sylvia Inc Trawler Mrs Viola Trawler Nichols Dream Trawler Raindear Partnership Trawler Rhonda Kathleen Trawler Rhonda Lynn Trawler Sandra Kay Trawler Sarah Jane Trawler Sea Wolf Trawler Sea Wolf Trawler SS Chaplin Trawler The Mexican Trawler Wallace B Trawler Wylie Milam Triple C Seafood Triple T Enterprises Inc Triplets Production Tropical SFD Troy A LeCompte Sr True World Foods Inc T's Seafood Tu Viet Vu TVN Marine Inc TVN Marine Inc Two Flags Inc Tyler James Ultima Cruz Inc UTK Enterprises Inc V & B Shrimping LLC Valona Sea Food Valona Seafood Inc Van Burren Shrimp Co Vaquero Inc Varon Inc Venetian Isles Marina Venice Seafood Exchange Inc Venice Seafood LLC Vera Cruz Inc Veronica Inc Versaggi Shrimp Corp Victoria Rose Inc Viet Giang Corp Vigilante Trawlers Inc Village Creek Seafood Villers Seafood Co Inc Vina Enterprises Inc Vincent L Alexie Jr Vincent Piazza Jr & Sons Seafood Inc Vin-Penny Vivian Lee Inc Von Harten Shrimp Co Inc VT & L Inc

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Federal Register

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Friday, May 30, 2008

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LIST OF PUBLIC LAWS

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Passed over the President's veto:**H.R. 2419/P.L. 110–234**

Food, Conservation, and Energy Act of 2008 (May 22, 2008; 122 Stat. 923)

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