

Reader Aids

Federal Register

Vol. 69, No. 193

Wednesday, October 6, 2004

CUSTOMER SERVICE AND INFORMATION

Federal Register/Code of Federal Regulations	
General Information, indexes and other finding aids	202-741-6000
Laws	741-6000
Presidential Documents	
Executive orders and proclamations	741-6000
The United States Government Manual	741-6000
Other Services	
Electronic and on-line services (voice)	741-6020
Privacy Act Compilation	741-6064
Public Laws Update Service (numbers, dates, etc.)	741-6043
TTY for the deaf-and-hard-of-hearing	741-6086

ELECTRONIC RESEARCH

World Wide Web

Full text of the daily Federal Register, CFR and other publications is located at: <http://www.gpoaccess.gov/nara/index.html>

Federal Register information and research tools, including Public Inspection List, indexes, and links to GPO Access are located at: http://www.archives.gov/federal_register/

E-mail

FEDREGTOC-L (Federal Register Table of Contents LISTSERV) is an open e-mail service that provides subscribers with a digital form of the Federal Register Table of Contents. The digital form of the Federal Register Table of Contents includes HTML and PDF links to the full text of each document.

To join or leave, go to <http://listserv.access.gpo.gov> and select *Online mailing list archives, FEDREGTOC-L, Join or leave the list (or change settings)*; then follow the instructions.

PENS (Public Law Electronic Notification Service) is an e-mail service that notifies subscribers of recently enacted laws.

To subscribe, go to <http://listserv.gsa.gov/archives/publaws-l.html> and select *Join or leave the list* (or change settings); then follow the instructions.

FEDREGTOC-L and **PENS** are mailing lists only. We cannot respond to specific inquiries.

Reference questions. Send questions and comments about the Federal Register system to: fedreg.info@nara.gov

The Federal Register staff cannot interpret specific documents or regulations.

FEDERAL REGISTER PAGES AND DATE, OCTOBER

58799-59118.....	1
59119-59540.....	4
59541-59758.....	5
59759-60076.....	6

CFR PARTS AFFECTED DURING OCTOBER

At the end of each month, the Office of the Federal Register publishes separately a List of CFR Sections Affected (LSA), which lists parts and sections affected by documents published since the revision date of each title.

3 CFR

Proclamations:	
7822.....	59539
7823.....	59759

5 CFR

591.....	59761
----------	-------

7 CFR

6.....	59763
60.....	59708
301.....	59119
1206.....	59120
1776.....	59764
1783.....	59770

Proposed Rules:

923.....	59551
1776.....	59836
1783.....	59836
4280.....	59650

9 CFR

317.....	58799
381.....	58799

10 CFR

50.....	58804
73.....	58820

11 CFR

104.....	59775
110.....	59775

12 CFR

335.....	59780
----------	-------

14 CFR

13.....	59490
23.....	58822
39.....	58824, 58826, 58828, 59541, 59788, 59790
71.....	59129, 59303
91.....	59752

Proposed Rules:

39.....	59147, 59148, 59151, 59153, 59557, 59559, 59837
71.....	58859, 59756
73.....	58860
97.....	59756

15 CFR

744.....	59303
----------	-------

16 CFR

Proposed Rules:	
642.....	58861
698.....	58861

17 CFR

1.....	59544
211.....	59130

Proposed Rules:

228.....	59094
229.....	59094
232.....	59094
240.....	59094
249.....	59094
270.....	59094

19 CFR

Proposed Rules:

133.....	59562
----------	-------

21 CFR

520.....	59131
888.....	59132

Proposed Rules:

361.....	59569
----------	-------

26 CFR

Proposed Rules:

1.....	58873
48.....	59572

29 CFR

Proposed Rules:

1910.....	59306
1915.....	59306
1917.....	59306
1918.....	59306
1926.....	59306

30 CFR

914.....	58830
----------	-------

Proposed Rules:

906.....	58873
----------	-------

33 CFR

100.....	59793, 59795, 59797
117.....	59135, 59136
165.....	58833, 58834, 59136, 59799, 59801, 59803, 59806, 59808

36 CFR

Proposed Rules:

1270.....	58875
-----------	-------

37 CFR

2.....	59809
270.....	59648

38 CFR

Proposed Rules:

5.....	59072
--------	-------

39 CFR

20.....	59545
111.....	59139, 59545

40 CFR

35.....	59810
52.....	59546, 59812

63.....58837	101.....59145	33.....59700	2144.....59166
271.....59139	Proposed Rules:	36.....59699	2146.....59166
300.....58839	0.....59166	39.....59702	2149.....59166
Proposed Rules:	2.....59166	52.....59700, 59703	2152.....59166
52.....59572, 59839	101.....59166	53.....59699	
180.....59843	48 CFR	Proposed Rules:	49 CFR
261.....59156	Ch. 1.....59698, 59699	1511.....59843	171.....58841
271.....59165	1.....59699	1552.....59843	173.....58841
42 CFR	5.....59700	2101.....59166	571.....58843, 59146
71.....59144	7.....59701	2102.....59166	1002.....58855
47 CFR	11.....59701	2103.....59166	
0.....59145	12.....59700	2104.....59166	50 CFR
1.....58840, 59145	13.....59699, 59700, 59701	2105.....59166	17.....59996
15.....59500	14.....59700, 59703	2109.....59166	300.....59303
27.....59500	15.....59701	2110.....59166	648.....59550, 59815
54.....59145	17.....59700	2115.....59166	660.....59816
73.....58840, 59500	19.....59699, 59700	2116.....59166	679.....59834, 59835
90.....59500	22.....59700	2131.....59166	Proposed Rules:
	25.....59700	2132.....59166	17.....58876, 59844, 59859
		2137.....59166	

REMINDERS

The items in this list were editorially compiled as an aid to Federal Register users. Inclusion or exclusion from this list has no legal significance.

RULES GOING INTO EFFECT OCTOBER 6, 2004**COMMERCE DEPARTMENT
Patent and Trademark Office**

Trademark cases:

- Trademark Electronic Applications System—Drawings filed electronically; pixel requirement waiver; published 10-6-04

**ENVIRONMENTAL
PROTECTION AGENCY**

Water pollution control:

- Clean Water Act—State and interstate monies appropriation; allotment formulas revision; published 10-6-04

**FEDERAL DEPOSIT
INSURANCE CORPORATION**

Nonmember insured banks; securities disclosure; published 10-6-04

**HEALTH AND HUMAN
SERVICES DEPARTMENT
Centers for Medicare &
Medicaid Services**

Senior Executive Service: Performance Review Board; membership; published 10-6-04

**COMMENTS DUE NEXT
WEEK****AGRICULTURE
DEPARTMENT
Agricultural Marketing
Service**

Cotton classing, testing and standards:

- Classification services to growers; 2004 user fees; Open for comments until further notice; published 5-28-04 [FR 04-12138]

Nectarines and peaches grown in—

- California; comments due by 10-15-04; published 8-16-04 [FR 04-18616]

Oranges, grapefruit, tangerines, and tangelos grown in—

- Florida; comments due by 10-15-04; published 8-16-04 [FR 04-18614]

**AGRICULTURE
DEPARTMENT****Animal and Plant Health
Inspection Service**

Plant Protection Act:

- Methyl bromide treatments or applications; official quarantine uses; comments due by 10-12-04; published 8-12-04 [FR 04-18445]

**AGRICULTURE
DEPARTMENT****Food Safety and Inspection
Service**

Meat and poultry inspection:

- Countries eligible to export meat and meat products to United States; addition of San Marino to list; comments due by 10-12-04; published 8-13-04 [FR 04-18567]

**COMMERCE DEPARTMENT
National Oceanic and
Atmospheric Administration**

Fishery conservation and management:

- Atlantic highly migratory species—Pelagic longline fishery; sea turtle interaction and mortality reduction; comments due by 10-12-04; published 8-12-04 [FR 04-18474]

West Coast States and Western Pacific fisheries—

- Oregon sport fisheries; Pacific halibut; comments due by 10-12-04; published 9-27-04 [FR 04-21553]

**CORPORATION FOR
NATIONAL AND
COMMUNITY SERVICE**

AmeriCorps National Service Program; provisions and requirements; comment request; comments due by 10-12-04; published 8-13-04 [FR 04-18594]

**COURT SERVICES AND
OFFENDER SUPERVISION
AGENCY FOR THE
DISTRICT OF COLUMBIA**

Semi-annual agenda; Open for comments until further notice; published 12-22-03 [FR 03-25121]

DEFENSE DEPARTMENT

Acquisition regulations:

- Fidelity and forgery bonds; comments due by 10-12-04; published 8-10-04 [FR 04-18085]
- Resolving tax problems; comments due by 10-12-04; published 8-10-04 [FR 04-18084]

Civilian health and medical program of uniformed services (CHAMPUS): TRICARE program—

- Unproven drugs, devices, medical treatments and procedures; exclusion clarification; comments due by 10-12-04; published 8-10-04 [FR 04-18182]

**ENERGY DEPARTMENT
Energy Efficiency and
Renewable Energy Office**

Consumer products; energy conservation program:

- Energy conservation standards—Commercial packaged boilers; test procedures and efficiency standards; Open for comments until further notice; published 12-30-99 [FR 04-17730]

**ENERGY DEPARTMENT
Federal Energy Regulatory
Commission**

Electric rate and corporate regulation filings:

- Virginia Electric & Power Co. et al.; Open for comments until further notice; published 10-1-03 [FR 03-24818]

**ENVIRONMENTAL
PROTECTION AGENCY**

Air programs:

- Fuel and fuel additives—California Phase 3 reformulated gasoline; enforcement exemptions; comments due by 10-12-04; published 8-11-04 [FR 04-18380]

Stratospheric ozone protection—

- Methyl bromide phaseout; critical use exemption process; comments due by 10-12-04; published 8-25-04 [FR 04-18933]

Air programs; approval and promulgation; State plans for designated facilities and pollutants:

- Virginia; comments due by 10-12-04; published 9-10-04 [FR 04-20429]

Air quality implementation plans; approval and promulgation; various States:

- California; comments due by 10-14-04; published 9-14-04 [FR 04-20682]
- Virginia; comments due by 10-12-04; published 9-9-04 [FR 04-20132]

Environmental statements; availability, etc.:

Coastal nonpoint pollution control program—Minnesota and Texas; Open for comments until further notice; published 10-16-03 [FR 03-26087]

Pesticides; tolerances in food, animal feeds, and raw agricultural commodities: Forchlorfenuron; N-(2-chloro-4-pyridinyl)-N'-phenylurea; comments due by 10-12-04; published 8-11-04 [FR 04-18383]

Isodecyl alcohol ethoxylated (2-8 moles) polymer with chloromethyl oxirane; comments due by 10-12-04; published 8-13-04 [FR 04-18574]

Privacy Act; implementation; comments due by 10-14-04; published 9-14-04 [FR 04-20678]

Solid wastes:

State solid waste landfill permit program—Minnesota; comments due by 10-12-04; published 9-10-04 [FR 04-20503]

Minnesota; comments due by 10-12-04; published 9-10-04 [FR 04-20504]

Superfund program:

National oil and hazardous substances contingency plan—National priorities list update; comments due by 10-12-04; published 8-13-04 [FR 04-18655]

Water pollution; effluent guidelines for point source categories:

Meat and poultry products processing facilities; Open for comments until further notice; published 9-8-04 [FR 04-12017]

**FARM CREDIT
ADMINISTRATION**

Farm credit system:

Loan policies and operations, etc—Other financial institutions and investments in Farmers' notes; comments due by 10-14-04; published 9-14-04 [FR 04-20607]

**FARM CREDIT SYSTEM
INSURANCE CORPORATION**

Farm credit system:

Golden parachute and indemnification payments; comments due by 10-14-04; published 7-16-04 [FR 04-16225]

**FEDERAL
COMMUNICATIONS
COMMISSION**

Common carrier services:

Access charges—
Subscriber line charges assessments; comments due by 10-12-04; published 8-13-04 [FR 04-18550]
Commercial mobile radio services—
Maritime communications; comments due by 10-12-04; published 8-10-04 [FR 04-18258]

HEALTH AND HUMAN SERVICES DEPARTMENT

Food and Drug Administration

Foods and cosmetics:
Prohibited cattle materials; use; comments due by 10-12-04; published 7-14-04 [FR 04-15881]
Reports and guidance documents; availability, etc.:
Evaluating safety of antimicrobial new animal drugs with regard to their microbiological effects on bacteria of human health concern; Open for comments until further notice; published 10-27-03 [FR 03-27113]
Medical devices—
Dental noble metal alloys and base metal alloys; Class II special controls; Open for comments until further notice; published 8-23-04 [FR 04-19179]

HOMELAND SECURITY DEPARTMENT

Customs and Border Protection Bureau

Organization and functions; field organization, ports of entry, etc.:
Rockford, IL; port limits extension; comments due by 10-12-04; published 8-13-04 [FR 04-18514]

HOMELAND SECURITY DEPARTMENT

Coast Guard

Anchorage regulations:
Maryland; Open for comments until further notice; published 1-14-04 [FR 04-00749]
Drawbridge operations:
Massachusetts; comments due by 10-15-04; published 6-24-04 [FR 04-14370]
Virginia; comments due by 10-15-04; published 6-28-04 [FR 04-14628]

Ports and waterways safety:
Naval Base San Diego, CA; security zone; comments due by 10-13-04;

published 9-13-04 [FR 04-20545]

HOMELAND SECURITY DEPARTMENT

Immigration:

Mexican nationals; admission time limit extension; comments due by 10-12-04; published 8-13-04 [FR 04-18651]

INTERIOR DEPARTMENT

Fish and Wildlife Service

Endangered and threatened species permit applications
Recovery plans—

Paiute cutthroat trout; Open for comments until further notice; published 9-10-04 [FR 04-20517]

Endangered and threatened species:

Critical habitat designations—
California tiger salamander; comments due by 10-12-04; published 8-10-04 [FR 04-17464]
Santa Ana sucker; comments due by 10-12-04; published 10-1-04 [FR 04-22196]

Incidental take permits—
Sussex and Southampton Counties, VA; red-cockaded woodpecker; comments due by 10-12-04; published 8-13-04 [FR 04-18629]

INTERIOR DEPARTMENT

National Park Service

Special regulations:
Apostle Islands National Lakeshore, WI; snowmobile and off-road motor vehicle routes designation and portable ice augers and power engines use; comments due by 10-12-04; published 8-12-04 [FR 04-18429]

INTERIOR DEPARTMENT

Surface Mining Reclamation and Enforcement Office

Permanent program and abandoned mine land reclamation plan submissions:
Kentucky; comments due by 10-14-04; published 9-14-04 [FR 04-20660]
Virginia; comments due by 10-14-04; published 9-14-04 [FR 04-20661]

LABOR DEPARTMENT

Employment and Training Administration

Federal-State Unemployment Compensation Program;

State unemployment compensation information; confidentiality and disclosure requirements; comments due by 10-12-04; published 8-12-04 [FR 04-18333]

LABOR DEPARTMENT

Mine Safety and Health Administration

Coal mine safety and health:
Underground mines—
Low-and medium-voltage diesel-powered electrical generators; comments due by 10-14-04; published 7-26-04 [FR 04-16903]

LABOR DEPARTMENT

Occupational Safety and Health Administration

Construction safety and health standards:
Steel erection; skeletal structural steel slip resistance; comments due by 10-13-04; published 7-15-04 [FR 04-16084]

NATIONAL AERONAUTICS AND SPACE

ADMINISTRATION

Acquisition regulations:
Final scientific and technical reports clause; alternate III use in small business innovation and research and technology transfer contracts; comments due by 10-12-04; published 8-12-04 [FR 04-18365]

NUCLEAR REGULATORY COMMISSION

Environmental statements; availability, etc.:
Fort Wayne State Developmental Center; Open for comments until further notice; published 5-10-04 [FR 04-10516]

SMALL BUSINESS ADMINISTRATION

Disaster loan areas:
Maine; Open for comments until further notice; published 2-17-04 [FR 04-03374]

OFFICE OF UNITED STATES TRADE REPRESENTATIVE

Trade Representative, Office of United States

Generalized System of Preferences:
2003 Annual Product Review, 2002 Annual Country Practices Review, and previously deferred product decisions; petitions disposition; Open for comments until further notice; published 7-6-04 [FR 04-15361]

TRANSPORTATION DEPARTMENT

Federal Aviation Administration

Airworthiness directives:
Boeing; Open for comments until further notice; published 8-16-04 [FR 04-18641]
Bombardier-Rotax GmbH; comments due by 10-12-04; published 8-12-04 [FR 04-18440]
Empresa Brasileira de Aeronautica S.A. (EMBRAER); comments due by 10-12-04; published 9-9-04 [FR 04-20402]
General Electric Co.; comments due by 10-15-04; published 8-16-04 [FR 04-18642]
MD Helicopters, Inc.; comments due by 10-12-04; published 8-10-04 [FR 04-17793]
Pratt & Whitney; comments due by 10-15-04; published 8-16-04 [FR 04-18644]

Airworthiness standards:

Special conditions—
AMSAFE, Inc.; comments due by 10-14-04; published 9-14-04 [FR 04-20622]
Boeing Model 777 series airplanes; comments due by 10-13-04; published 9-23-04 [FR 04-21393]

Transport category airplanes—
Flight guidance systems; safety standards; comments due by 10-12-04; published 8-13-04 [FR 04-18351]

Class D and E airspace; comments due by 10-14-04; published 8-30-04 [FR 04-19736]

TRANSPORTATION DEPARTMENT

Federal Railroad Administration

Railroad locomotive safety standards:
Event recorders
Public hearing; comments due by 10-11-04; published 9-8-04 [FR 04-20416]

TRANSPORTATION DEPARTMENT

National Highway Traffic Safety Administration

Importation of vehicles and equipment subject to Federal safety, bumper, and theft prevention standards:

Registered importers; vehicles not originally manufactured to conform with the Federal standards; comments due by 10-15-04; published 8-24-04 [FR 04-18833]

Motor vehicle safety standards:

Hydrogen, fuel cell, and alternative fuel safety research; four-year plan; comment request; comments due by 10-12-04; published 7-14-04 [FR 04-15971]

Side impact protection; reporting requirements; comments due by 10-14-04; published 5-17-04 [FR 04-10931]

TRANSPORTATION DEPARTMENT

Research and Special Programs Administration

Hazardous materials; miscellaneous amendments;

comments due by 10-12-04; published 8-12-04 [FR 04-18357]

**TREASURY DEPARTMENT
Internal Revenue Service**

Income taxes, etc.:

Election out of generation skipping transfer (GST) deemed allocations; comments due by 10-12-04; published 7-13-04 [FR 04-15752]

Income taxes:

Partnerships and their partners; sale of qualified small business stock; gain deferral; comments due by 10-11-04; published 7-15-04 [FR 04-15964]

LIST OF PUBLIC LAWS

This is a continuing list of public bills from the current session of Congress which have become Federal laws. It

may be used in conjunction with "PLUS" (Public Laws Update Service) on 202-741-6043. This list is also available online at http://www.archives.gov/federal_register/public_laws/public_laws.html.

The text of laws is not published in the **Federal Register** but may be ordered in "slip law" (individual pamphlet) form from the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402 (phone, 202-512-1808). The text will also be made available on the Internet from GPO Access at <http://www.gpoaccess.gov/plaws/index.html>. Some laws may not yet be available.

H.R. 5183/P.L. 108-310

Surface Transportation Extension Act of 2004, Part V

(Sept. 30, 2004; 118 Stat. 1144)

Last List October 5, 2004

Public Laws Electronic Notification Service (PENS)

PENS is a free electronic mail notification service of newly enacted public laws. To subscribe, go to <http://listserv.gsa.gov/archives/publaws-l.html>

Note: This service is strictly for E-mail notification of new laws. The text of laws is not available through this service. **PENS** cannot respond to specific inquiries sent to this address.