Reader Aids

Federal Register

Vol. 69, No. 200

Monday, October 18, 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 (orchange 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
59119–595404
59541–597585
59759–60076
60077–60282 7
60283–60536 8
60537–60794 12
60795–60942
60943–61142 14
61143–61300 15
61301–61438 18

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	ch title.	
3 CFR		11 CFR
Proclamations:		104
7822	50530	110
7823		10 OFD
7824		12 CFR
7825		204
7826		308
7827		335
7828		747
7829		14 CED
7830		14 CFR
7831		13
Administrative Orders:		23
Presidential		25
Determinations:		39
No. 2004-53 of		59541,
September 30,		60799,
2004	60943	60807,
No. 2004-54 of	000 10	
September 30.		71
2004	60945	
		91
5 CFR		97
591	59761	150
730		Proposed
Proposed Rules:	01140	39
550	60097	59153,
330	00007	60098,
7 CFR		
6	50762	71
		73
60	59708	95
6059119	59708 9, 60537	-
6059119 611591	59708 9, 60537 60283	95 97
6059119 611987	59708 9, 60537 60283 60947	95 97 15 CFR
60	59708 9, 60537 60283 60947 59120	95 97 15 CFR 730
60	59708 9, 60537 60283 60947 59120 60537	95 97 15 CFR 730 734
60	59708 9, 60537 60283 60947 59120 60537 59764	95 97 15 CFR 730 734
60	59708 9, 60537 60283 60947 59120 60537 59764	95
60	59708 9, 60537 60283 60947 59120 60537 59764 59770	95 97 15 CFR 730 734 746 770
60	59708 9, 60537 60283 60947 59120 60537 59764 59770	95 97 15 CFR 730 734 746 770
60	59708 9, 60537 60283 60947 59120 60537 59764 59770 60567 60320	95
60	59708 9, 60537 60283 60947 59120 60537 59764 59770 60567 60320 59551	95
60	59708 9, 60537 60283 60947 59120 60537 59764 59770 60567 60320 59551 61323	95
60	59708 9, 60537 60283 60947 59120 60537 59764 59770 60567 60320 59551 61323 61159	95
60	59708 9, 60537 60283 60947 59120 60537 59764 59770 60567 60320 59551 61323 61159 59836	95
60	59708 9, 60537 60283 60947 59120 60537 59764 59770 60567 60320 59551 61159 61159 59836 59836	95
60	59708 9, 60537 60283 60947 59120 60537 59764 59770 60567 60320 59551 61159 61159 59836 59836	95
60	59708 9, 60537 60283 60947 59120 60537 59764 59770 60567 60320 59551 61159 61159 59836 59836	95
60	59708 9, 60537 60283 60947 59120 60537 59764 59770 60567 60320 59551 61123 61159 59836 59836 59836	95
60	59708 9, 60537 60283 60947 59120 60537 59764 59770 60567 60320 59551 61123 61159 59836 59836 59836	95
60	59708 9, 60537 60283 60947 59120 60537 59764 59770 60567 60320 59551 61123 61159 59836 59836 59836	95
60	59708 9, 60537 60283 60947 59120 60537 59764 59770 60567 60320 59551 61323 61159 59836 59836 59650	95
60	59708 9, 60537 60283 60947 59120 60537 59764 59770 60567 60320 59551 61323 61159 59836 59836 59650	95
60	59708 9, 60537 60283 60947 59120 60537 59764 59770 60567 60320 59551 61323 61159 59836 59836 59650 60939	95
60	59708 9, 60537 60283 60947 59120 60537 59764 59770 60567 60320 59551 61323 61159 59836 59836 59650 60939	95
60	59708 9, 60537 60283 60947 59120 60537 59764 59770 60567 60320 59551 61323 61159 59836 59836 59650 60939	95
60	59708 9, 60537 60283 60947 59120 60537 59764 59770 60320 59551 61323 61159 59836 59836 59836 59839 60939	95
60	59708 9, 60537 60283 60947 59120 60537 59764 59770 60320 59551 61323 61159 59836 59836 59836 59839 60939	95
60	59708 9, 60537 60283 60947 59120 60537 59764 59770 60320 59551 61323 61159 59836 59836 59836 59839 60939	95

110......60567

104	
12 CFR 204	61301 59780
14 CFR	
13	58822 60797 58828, 60081, 60804, 60952, 61305 60284, 60956 60534
Proposed Pulsos	
7158859, 7395	59837, 60106, 60971 59756 58860
97	59756
15 CFR	
730	60545 59303 60545 60545 60545
736 740 744 752	60829 60829 60829
764 772 904	60829
995 996	.61165
16 CFR Proposed Rules: 642698	
17 CFR	
1 211	

23260287	191559306	2360320	759701
24060287	191759306	5259572, 59839, 60328,	1159701
24960287	191859306	60974	1259700
	192659306	6360837	
Proposed Rules:	192059300		1359699, 59700, 59701
22859094	30 CFR	27160975	1459700, 59703
22959094		8160328	1559701
23259094	91458830	16360320	1759700
24059094	Proposed Rules:	17760320	1959699, 59700
24959094	90658873	17860320	2259700
27059094		17960320	2559700
	32 CFR	18059843, 60320	3359700
18 CFR	19960547	26159156	3659699
Dranged Dules		27159165, 60110, 60975	3959702
Proposed Rules:	70661311, 61312, 61313,		5259700, 59703, 60967
3561180	61314, 61316	42 CFR	
19 CFR	22 CED	71 50144	5359699
	33 CFR	7159144	185260967
19160082	10059793, 59795, 59797	40360242	185360967
Proposed Rules:	11759135, 59136, 60555	41260242	187260967
13359562, 60936	15160309	41360242	Proposed Rules:
100	16558833, 58834, 59136,	41860242	151159843
20 CFR	59799, 59801, 59803, 59806,	46060242	1552
	59808	48060242	210159166
40460224		48260242	210259166
40860224	Proposed Rules:	48360242	
41660224	11060592	48560242	210359166
	11760595, 60597	48960242	210459166
21 CFR	16560600	40900242	210559166
7460307		44 CFR	210959166
35061148	36 CFR		211059166
51060811	24260957	6460309	211559166
52059131, 60547		45.050	211659166
· · · · · · · · · · · · · · · · · · ·	Proposed Rules:	45 CFR	213159166
52260308	127058875	225160094	213259166
55660308	37 CFR	225260094	
55860547	3/ CFR	225360094	213759166
88859132	259809	Proposed Rules:	214459166
Proposed Rules:	27059648	Ch. XXV60603	214659166
1660108	Proposed Rules:	CII. XXV00003	214959166
11860108	25261325	47 CFR	215259166
36159569	25761325	_	
	25961325	059145	
22 CFR	25901325	158840, 59145, 61317	49 CFR
F1 C0011	38 CFR	1559500	160562
5160811		2759500	17158841
25 CFR	160083	5459145	17358841
	360083	6460311, 61152	57158843, 59146, 60316,
17060957	Proposed Rules:	7358840, 59500, 60316,	
	559072	60560, 60561	60563, 60968, 61154, 61322 100258855
26 CFR		9059500, 60561	100256655
160222, 61309	39 CFR		
60261309	2059545	10159145	50 CFR
		Proposed Rules:	
Proposed Rules:	11159139, 59545	059166	1759996
158873	50160090, 61085	259166	10060957
4859572	40.0EB	5461334	22261155
00.050	40 CFR	6461184	22361155
28 CFR	3559810	7360344, 60346, 60604,	30059303
Proposed Rules:	5259546, 59812, 60962	60605	64859550, 59815, 60565
1661323	6358837, 60813	7661193	66059816, 61157
	18060820	10159166	67959834, 59835, 60566,
29 CFR	26160557	101	60828, 60970
402261150l	27159139, 60091, 60964	48 CFR	·
			Proposed Rules:
404461150	30058839	Ch. 159698, 59699, 60967	1758876, 59844, 59859,
Proposed Rules:	Proposed Rules:	159699	60110, 60134, 60138, 60605,
191059306	960320	559700	60706

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 18, 2004

ENVIRONMENTAL PROTECTION AGENCY

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

Kentucky; published 9-16-04 Minnesota; published 8-18-04

Utah; published 8-19-04

FEDERAL COMMUNICATIONS COMMISSION

Common carrier services:

Controlling the Assault of Non-Solicited Pornography and Marketing Act of 2003 and Telephone Consumer Protection Act of 1991; implementation—

Consumer protection from unwanted mobile service commercial messages; published 9-16-04

Consumer protection from unwanted mobile service commercial messages; correction; published 10-8-04

HOMELAND SECURITY DEPARTMENT

Coast Guard

Drawbridge operations:
Massachusetts; published
10-4-04

PERSONNEL MANAGEMENT OFFICE

Pay administration:
Premium pay limitations;
published 9-17-04

TRANSPORTATION DEPARTMENT

Federal Aviation Administration

Airworthiness directives:
Pratt & Whitney Canada;
published 10-1-04

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]

AGRICULTURE DEPARTMENT

Animal and Plant Health Inspection Service

Exportation and importation of animals and animal products:

Tuberculosis in cattle; import requirements; comments due by 10-25-04; published 8-24-04 [FR 04-19313]

Interstate transportation of animals and animal products (quarantine):

Sheep and goats; approved livestock facilities; identification and recordkeeping requirements; comments due by 10-25-04; published 8-26-04 [FR 04-19516]

AGRICULTURE DEPARTMENT

Commodity Credit Corporation

Loan and purchase programs:

Honey; nonrecourse marketing assistance loan and loan deficiency payment regulations; comments due by 10-25-04; published 8-25-04 [FR 04-19401]

COMMERCE DEPARTMENT Economic Analysis Bureau

International services surveys:

BE-80; benchmark survey of financial services transactions between U.S. financial services providers and unaffiliated foreign persons; comments due by 10-26-04; published 8-27-04 [FR 04-19561]

COMMERCE DEPARTMENT Industry and Security Bureau

Export administration regulations:

Agricultural commodities exported to Cuba; licensing procedures; comments due by 10-28-04; published 9-28-04 [FR 04-21733]

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]

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 10-21-04 [FR 04-17730]

ENERGY DEPARTMENTFederal 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 pollution controls:

Testing highway and nonroad engines; test procedures; omnibus technical amendments; comments due by 10-29-04; published 9-10-04 [FR 04-19223]

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

New York; comments due by 10-25-04; published 9-24-04 [FR 04-21497]

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:

Flumioxazin; comments due by 10-25-04; published 8-25-04 [FR 04-19034]

Folpet; comments due by 10-25-04; published 8-25-04 [FR 04-19036]

Pyrimethanil; comments due by 10-25-04; published 8-26-04 [FR 04-19525]

Superfund program:

Landowner liability protection; standards for conducting appropriate inquiries into previous ownership, uses, and environmental conditions of property; comments due by 10-25-04;

published 8-26-04 [FR 04-19429]

National oil and hazardous substances contingency plan—

National priorities list update; comments due by 10-27-04; published 9-27-04 [FR 04-21493]

National priorities list update; comments due by 10-27-04; published 9-27-04 [FR 04-21494]

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]

FEDERAL COMMUNICATIONS COMMISSION

Emergency Alert System; review; comments due by 10-29-04; published 8-30-04 [FR 04-19743]

Radio services, special:

Fixed microwave services— 37.0-38.6 GHz and 38.6-40.0 GHz bands; competitive bidding; comments due by 10-26-04; published 8-27-04 [FR 04-18807]

Radio stations; table of assignments:

Various states; comments due by 10-25-04; published 9-15-04 [FR 04-20787]

Television broadcasting:

Local television markets; joint sales agreements; attribution; comments due by 10-27-04; published 9-24-04 [FR 04-21504]

FEDERAL TRADE COMMISSION

Fair and Accurate Credit Transactions Act; implementation:

Prescreen opt-out notices; comments due by 10-28-04; published 10-1-04 [FR 04-22039]

HEALTH AND HUMAN SERVICES DEPARTMENT Centers for Medicare &

Medicaid Services

State Children's Health Insurance Program:

Allotments and grants to States—

Payment error measurement rate; correction; comments due by 10-27-04; published 9-24-04 [FR 04-21198]

HEALTH AND HUMAN SERVICES DEPARTMENT

Food and Drug Administration

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

Coast Guard

Anchorage regulations:

Maryland; Open for comments until further notice; published 1-14-04 [FR 04-00749]

Drawbridge operations:

Virginia; comments due by 10-26-04; published 8-27-04 [FR 04-19564]

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—

Colorado butterfly plant; comments due by 10-25-04; published 9-24-04 [FR 04-21480]

INTERIOR DEPARTMENT

Acquisition regulations:

Woody biomass utilization; comments due by 10-26-04; published 8-27-04 [FR 04-19592]

JUSTICE DEPARTMENT Drug Enforcement Administration

Controlled substances; manufacturers, distributors, and dispensers; registration:

Pseudoephedrine, ephedrine, and phenylpropanolamine; security requirements; comments due by 10-2804; published 7-30-04 [FR 04-17356]

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; comments due by 10-28-04; published 9-13-04 [FR 04-20596]

Dassault; comments due by 10-28-04; published 9-28-04 [FR 04-21643]

Empresa Brasileira de Aeronautica S.A. (EMBRAER); comments due by 10-28-04; published 9-28-04 [FR 04-21644]

Saab; comments due by 10-25-04; published 9-28-04 [FR 04-21645]

Class D and E airspace; comments due by 10-26-04; published 9-22-04 [FR 04-21226]

Class E airspace; comments due by 10-25-04; published 9-10-04 [FR 04-20486]

TRANSPORTATION DEPARTMENT

Federal Highway Administration

Engineering and traffic operations:

Uniform Traffic Control Devices Manual—

Traffic sign retroreflectivity;

maintenance methods; comments due by 10-28-04; published 7-30-04 [FR 04-17409]

TREASURY DEPARTMENT Internal Revenue Service

Excise taxes:

Taxable fuel entry; comments due by 10-28-04; published 7-30-04 [FR 04-17450]

Income taxes:

Charitable contributions; allocation and apportionment of deductions; comments due by 10-26-04; published 7-28-04 [FR 04-17080]

TREASURY DEPARTMENT

Government Securities Act regulations:

Government securities; custodial holdings; comments due by 10-25-04; published 9-23-04 [FR 04-21334]

VETERANS AFFAIRS DEPARTMENT

Auditing requirements and contracting provisions:

Audits of States and local governments, etc.; grants and agreements with higher education institutions, hospitals, and other non-profit organizations; comments due by 10-25-04; published 8-25-04 [FR 04-18748]

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. 1308/P.L. 108-311

Working Families Tax Relief Act of 2004 (Oct. 4, 2004; 118 Stat. 1166)

H.R. 265/P.L. 108-312

Mount Rainier National Park Boundary Adjustment Act of 2004 (Oct. 5, 2004; 118 Stat. 1194)

H.R. 1521/P.L. 108-313

Johnstown Flood National Memorial Boundary Adjustment Act of 2004 (Oct. 5, 2004; 118 Stat. 1196)

H.R. 1616/P.L. 108-314

Martin Luther King, Junior, National Historic Site Land Exchange Act (Oct. 5, 2004; 118 Stat. 1198)

H.R. 1648/P.L. 108-315

Carpinteria and Montecito Water Distribution Systems Conveyance Act of 2004 (Oct. 5, 2004; 118 Stat. 1200)

H.R. 1732/P.L. 108-316

To amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Williamson County, Texas, Water Recycling and Reuse Project, and for other purposes. (Oct. 5, 2004; 118 Stat. 1202)

H.R. 2696/P.L. 108-317

Southwest Forest Health and Wildfire Prevention Act of 2004 (Oct. 5, 2004; 118 Stat. 1204)

H.R. 3209/P.L. 108-318

To amend the Reclamation Project Authorization Act of 1972 to clarify the acreage for which the North Loup division is authorized to provide irrigation water under the Missouri River Basin project. (Oct. 5, 2004; 118 Stat. 1211)

H.R. 3249/P.L. 108-319

To extend the term of the Forest Counties Payments Committee. (Oct. 5, 2004; 118 Stat. 1212)

H.R. 3389/P.L. 108-320

To amend the Stevenson-Wydler Technology Innovation Act of 1980 to permit Malcolm Baldrige National Quality Awards to be made to nonprofit organizations. (Oct. 5, 2004; 118 Stat. 1213)

H.R. 3768/P.L. 108-321

Timucuan Ecological and Historic Preserve Boundary Revision Act of 2004 (Oct. 5, 2004; 118 Stat. 1214)

S.J. Res. 41/P.L. 108-322

Commemorating the opening of the National Museum of the

American Indian. (Oct. 5, 2004; 118 Stat. 1216)

H.R. 4654/P.L. 108-323

To reauthorize the Tropical Forest Conservation Act of 1998 through fiscal year 2007, and for other purposes. (Oct. 6, 2004; 118 Stat. 1218)

Last List October 6, 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.