

profit" use, the land, as stated in the Act, "shall revert to the United States" (43 U.S.C. 869–2(a)). The State of Nevada proposes to change the use of the 102.5 acre parcel, located wholly within the above described 480 acre tract of land from a State prison use to a commercial (for profit) work related, privately owned industrial facility. If pursued, this new use would trigger the R&PP Act reverter or require its enforcement. Consequently, the State of Nevada has applied to the BLM to purchase, pursuant to section 203 of the Federal Land Policy Management Act of 1976 (Pub. L. 94–579), as amended, 43 U.S.C. 1713, of the following described parcel of land, free and clear of the R&PP Act reversionary interest of the United States, as pertaining to the particular parcel:

**Mount Diablo Meridian, Nevada**

T. 25 S., R. 59 E.

Section 12: NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ ,  
E $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ ,  
S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ ,  
E $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ ,  
SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ ,  
SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 13: NE $\frac{1}{4}$ NE $\frac{1}{4}$

(Approximately 102.5 acres)

If the proposed sale is approved, the State of Nevada would pay the fair market value of this land in the sum of \$823,000.00, as determined by the BLM authorized officer having taken into account an appraisal, conducted in accordance with the applicable appraisal standards and that assumed the land to be free and clear of the outstanding reversionary interest now held by the United States.

Direct sale procedures to the State of Nevada are considered appropriate, in this case, as the 102.5 acre parcel of land described above was patented previously to the State of Nevada, and transfer of the Federal reversionary interest to any other entity would not protect existing equities of the State of Nevada in the land. The direct sale is consistent with current BLM land use planning for the area. The commercial use of this parcel would benefit the State of Nevada by use of prison labor to train them with skills to return to society.

The conveyance for the reversionary interest of the 102.5 acres will be subject to the provisions of the Federal Land Policy and Management Act and applicable regulations of the Secretary of the Interior, and the land will continue to be subject to the following:

1. The reservation of a right-of-way thereon for ditches or canals constructed by the authority of the

United States, Act of August 30, 1890 (26 Stat. 391, 43 U.S.C. 945).

2. All minerals shall be reserved to the United States, together with the right to prospect for, mine and remove such deposits from the same under applicable law and such regulations as the Secretary of the Interior may prescribe.

3. Subject to:

a. Valid existing rights;

b. A right-of-way for railroad purposes granted to the San Pedro, Los Angeles and Salt Lake Railroad Company, its successors or assigns, on April 20, 1906, by right-of-way CC–00360, pursuant to the Act of March 3, 1875, (18 Stat. 482, 43 U.S.C. 934–939);

c. A right-of-way for pipeline purposes granted to the Calnev Pipeline Company, its successors or assigns, on October 21, 1960, under the Act of February 15, 1901, 31 Stat. 790, 43 U.S.C. 959. (Nev–056213);

d. A right-of-way for roadway and communication purposes granted to the American Towers Corporation, its successors or assigns on March 22, 1960, by right-of-way No. Nev–053815, pursuant to the Act of October 21, 1976 (43 U.S.C. 1761) with an expiration date of March 21, 2010.

Detailed information concerning this action, including the environmental report and approved appraisal report, is available for review at the Las Vegas Field Office, Bureau of Land Management, 4701 N. Torrey Pines Dr., Las Vegas, Nevada 89130.

Any adverse comments regarding the proposed action will be reviewed by the State Director. In the absence of any adverse comments, the decision relative to the proposed action, when made by the Field Manager, BLM Las Vegas Field Office, will become effective October 17, 2005. The lands will not be offered for conveyance until after the decision becomes effective.

**Authority:** 43 CFR 2711.1–2(a) and (c).

Dated: July 11, 2005.

**Sharon DiPinto,**

*Assistant Field Manager, Division of Lands,  
Las Vegas, NV.*

[FR Doc. 05–16315 Filed 8–16–05; 8:45 am]

**BILLING CODE 4310–HC–P**

**DEPARTMENT OF THE INTERIOR**

**Bureau of Land Management**

[WO–120–05–1630–PD]

**Final Supplementary Rule for the Public Lands Administered by the Bureau of Land Management, Arizona State Office, Relating to Possession of Open Containers of Alcohol While Operating or Riding on/in Motor Vehicles**

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Final supplementary rule.

**SUMMARY:** The Bureau of Land Management (BLM) is publishing a final supplementary rule to apply to the public lands administered by the Arizona State Office. The final supplementary rule prohibits the illegal use of alcohol on public lands. BLM needs the final supplementary rule to protect natural resources and the health and safety of public land users. The final supplementary rule will allow BLM law enforcement officers to enforce a regulation prohibiting the possession of open containers of alcohol while operating or riding on/in motor vehicles on public lands in a manner consistent with current Arizona State law and BLM California supplementary rules.

**DATES:** Effective August 17, 2005.

**ADDRESSES:** Suggestions and inquiries may be sent to Lyle Shaver, Special Agent-in-Charge, Bureau of Land Management, Arizona State Office, 222 N. Central Avenue, Phoenix, AZ 85004, (602) 417–9317.

**FOR FURTHER INFORMATION CONTACT:** Lyle Shaver, Special Agent-in-Charge, BLM Arizona State Office, 222 N. Central Avenue, Phoenix, AZ 85004, (602) 417–9317.

**SUPPLEMENTARY INFORMATION:**

**I. Discussion of the Final Supplementary Rule**

The final supplementary rule will apply to all public lands administered by BLM's Arizona State Office, *i.e.*, all public lands in Arizona. In keeping with BLM's performance goal to reduce threats to public health and safety and property, the final supplementary rule is necessary to protect the natural resources and to provide for safe public recreation and public health. Alcohol-related offenses are a growing problem on the public lands. Hundreds of people are injured each year while operating or riding on/in motor vehicles on public lands. A large percentage of these injury accidents are alcohol-related. The final supplementary rule will provide BLM

with a tool to increase law enforcement efforts related to driving under the influence and ultimately reduce the number of alcohol related incidents and deaths.

A proposed supplementary rule was published in the **Federal Register** on November 26, 2004, and no comments were received (69 FR 68974). Therefore, BLM Arizona State Office is proceeding with the final supplementary rule as proposed, with a minor editorial change in the definition section for clarity. The definition section in the proposed rule seemed to imply that some other provision might change the meaning of defined terms. Since that is not the case, we removed the language suggesting that possibility.

BLM finds good cause to make this supplementary rule effective the date of publication. The supplementary rule is urgently needed for protection of public safety and health, and is non-controversial, as demonstrated by the absence of public comments on the proposed supplementary rule. The absence of public comments supports a finding of good cause because a delay in the effective date of this rule would be unnecessary given the level of public interest.

## II. Procedural Information

### *Executive Order 12866, Regulatory Planning and Review*

This final supplementary rule is not a significant regulatory action and is not subject to review by the Office of Management and Budget under Executive Order 12866. The final supplementary rule will not have an annual effect of \$100 million or more on the economy. It will not adversely affect in a material way the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities. It is directed at preventing unlawful personal behavior on public lands for purposes of protecting public health and safety.

The final supplementary rule will not create a serious inconsistency or otherwise interfere with an action taken or planned by another agency. The final supplementary rule will not materially alter the budgetary effects of entitlements, grants, user fees or loan programs or the rights or obligations of their recipients, and will not raise novel legal or policy issues. The final supplementary rule will merely enable BLM law enforcement personnel to enforce a regulation pertaining to unlawful possession of an open container of alcohol on public lands in a manner that mirrors current State of

Arizona law and BLM California supplementary rule.

### *Regulatory Flexibility Act*

Congress enacted the Regulatory Flexibility Act of 1980, as amended, 5 U.S.C. 601–612, (RFA) to ensure that Government regulations do not unnecessarily or disproportionately burden small entities. The RFA requires a regulatory flexibility analysis if a rule would have a significant economic impact, either detrimental or beneficial, on a substantial number of small entities. The final supplementary rule will protect the health and safety of individuals, property, and resources on the public lands, including those connected to small businesses, organizations, and governments, and will have no effect on legal activities of these small entities. Therefore, BLM has determined under the RFA that these rules would not have a significant economic impact on a substantial number of small entities.

### *Small Business Regulatory Enforcement Fairness Act (SBREFA)*

This final supplementary rule does not constitute a “major rule” as defined at 5 U.S.C. 804(2). Again, the final supplementary rule only pertains to individuals who may be unlawfully using alcohol on the public lands. The final rule will assist in the protection of the public lands and those who use them, including small business concessionaires and outfitters. The final supplementary rule will have no effect on costs, prices, competition, or commercial use of the public lands.

### *Unfunded Mandates Reform Act*

This final supplementary rule will not impose an unfunded mandate on State, local, or tribal governments, in the aggregate, or the private sector of more than \$100 million in any year; nor will this final supplementary rule have significant or unique effects on small governments. The final supplementary rule will be patterned on Arizona State law and the BLM California supplementary rule. Therefore, BLM is not required to prepare a statement containing the information required by the Unfunded Mandates Reform Act at 2 U.S.C. 1532.

### *Executive Order 12630, Governmental Action and Interference With Constitutionally Protected Property Rights (Takings)*

The final supplementary rule does not have significant takings implications, and does not cause the impairment of any private property rights. The final supplementary rule will not provide for

the surrender or confiscation of any legal personal or real property. Therefore, the Department of the Interior has determined that the final supplementary rule does not require preparation of a takings assessment under this Executive Order.

### *Executive Order 13132, Federalism*

The final supplementary rule 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 the responsibilities among the various levels of government. The final supplementary rule applies only to public lands administered by the Arizona State Office and does not address jurisdictional issues involving the Arizona State government. Therefore, in accordance with Executive Order 13132, BLM has determined that the final supplementary rule does not have sufficient federalism implications to warrant preparation of a federalism assessment.

### *Executive Order 13175, Consultation and Coordination With Indian Tribal Governments*

In accordance with E.O. 13175, we have found that this final supplementary rule does not include policies that have tribal implications. Since the rule does not change BLM policy and does not involve Indian reservation lands or resources, we have determined that the government-to-government relationships should remain unaffected. The final supplementary rule only prohibits the unlawful possession of alcoholic beverages on public lands.

### *Executive Order 12988, Civil Justice Reform*

Under Executive Order 12988, the Office of the Solicitor has determined that this final supplementary rule will not unduly burden the judicial system and that it meets the requirements of sections 3(a) and 3(b)(2) of the Order.

### *Paperwork Reduction Act*

This final supplementary rule does not contain information collection requirements that the Office of Management and Budget must approve under the Paperwork Reduction Act of 1995, 44 U.S.C. 3501 *et seq.*

### *National Environmental Policy Act*

BLM has determined this final supplementary rule is categorically excluded from environmental review under section 102(2)(C) of the National Environmental Policy Act, pursuant to 516 Departmental Manual (DM) Chapter

2, Appendix 1. Section 1.4 provides a categorical exclusion for law enforcement and legal transactions, including arrests and investigations. In addition, the final supplementary rule does not meet any of the ten criteria for exceptions to categorical exclusions listed in 516 DM, Chapter 2, Appendix 2. Pursuant to Council on Environmental Quality regulations (40 CFR 1508.4) and the environmental policies and procedures of the Department of the Interior, the term "categorical exclusion" means a category of actions which do not individually or cumulatively have a significant effect on the human environment and that have been found to have no such effect in procedures adopted by a Federal agency, and for which neither an environmental assessment nor environmental impact statement is required.

*Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use*

This final supplementary rule is not a significant energy action. The final rule will not have an adverse effect on energy supplies, production or consumption. It only addresses the possession of alcoholic beverages on public lands, and has no conceivable connection with energy policy.

*Author*

The principal author of this supplementary rule is Lyle Shaver, Special Agent-in-Charge, Arizona State Office, Bureau of Land Management, Department of the Interior.

Under the authority of 43 CFR 8365.1-6 and 43 U.S.C. 1733(a), the Arizona State Director, Bureau of Land Management, issues a final supplementary rule for public lands administered by the Arizona State Office.

**Supplementary Rule on Possession of Open Containers of Alcoholic Beverages on Public Lands in the State of Arizona**

The Arizona State Office issues this supplementary rule under the Federal Land Policy and Management Act (FLPMA), 43 U.S.C. 1733(a), 1740, and 43 CFR 8365.1-6.

No person shall have in their possession, or on their person, an open container that contains an alcoholic beverage while operating or riding on/ in a motor vehicle or off-road vehicle on public lands in the State of Arizona administered by the BLM, Arizona State Office.

*1. Definitions*

The following definitions will apply to the supplementary rule:

a. A motor vehicle is defined as any self-propelled device in, upon, or by which a person is or may be transported, including a vehicle that is propelled by electric power. Exempt from this definition are motorized wheelchairs. "Off-road vehicle" is defined in 43 CFR 8340.0-5(a).

b. Operator means any person who operates, drives, controls, or otherwise has charge of a mechanical mode of transportation or any other mechanical equipment.

c. Public lands means any lands and interests in lands owned by the United States and administered by the Secretary of the Interior through the Bureau of Land Management without regard to how the United States acquired ownership. This includes, but is not limited to, a paved or unpaved parking lot or other paved or unpaved area where vehicles are parked or areas where the public may drive a motorized vehicle, paved or unpaved roads, routes or trails.

d. Open container means any bottle, can, jar or other receptacle that contains alcohol and that has been opened, has had its seal broken or the contents of which have been partially removed.

*2. Limitations*

a. This section does not apply to:

i. An open container stored in the trunk of a motor vehicle or, if a motor vehicle is not equipped with a trunk, to an open container stored in some other portion of the motor vehicle designed for the storage of luggage and not normally occupied by or readily accessible to the operator or passengers; or

ii. An open container stored in the living quarters of a motor home or camper; or

iii. Unless otherwise prohibited, an open container carried or stored in a motor vehicle that is parked and the vehicle's occupant(s) are camping.

iv. For the purpose of paragraph (a)(i) of this section, a utility compartment or glove compartment is deemed to be readily accessible to the operator and passengers of a motor vehicle.

*Penalties*

Under the Federal Land Policy and Management Act of 1976 43 U.S.C. 1733(a), and the Sentencing Reform Act of 1984, as amended, 18 U.S.C. 3551, 3571, persons who violate this restriction are subject to arrest and, upon conviction, may be fined up to

\$100,000 and/or imprisoned for not more than 12 months.

**Elaine Y. Zielinski,**

*Arizona State Director.*

[FR Doc. 05-16314 Filed 8-16-05; 8:45 am]

**BILLING CODE 4310-32-P**

**INTERNATIONAL TRADE COMMISSION**

**[Investigations Nos. 701-TA-401 and 731-TA-853 and 854 (Review)]**

**Structural Steel Beams From Japan and Korea**

**AGENCY:** United States International Trade Commission.

**ACTION:** Notice of Commission determination to conduct full five-year reviews concerning the countervailing duty order on structural steel beams from Korea and the antidumping duty orders on structural steel beams from Japan and Korea.

**SUMMARY:** The Commission hereby gives notice that it will proceed with full reviews pursuant to section 751(c)(5) of the Tariff Act of 1930 (19 U.S.C. 1675(c)(5)) to determine whether revocation of the countervailing duty order on structural steel beams from Korea and the antidumping duty orders on structural steel beams from Japan and Korea would be likely to lead to continuation or recurrence of material injury within a reasonably foreseeable time. A schedule for the reviews will be established and announced at a later date. For further information concerning the conduct of these reviews and rules of general application, consult the Commission's Rules of Practice and Procedure, part 201, subparts A through E (19 CFR part 201), and part 207, subparts A, D, E, and F (19 CFR part 207).

**DATES:** Effective August 5, 2005.

**FOR FURTHER INFORMATION CONTACT:** Mary Messer (202-205-3193), Office of Investigations, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436. Hearing-impaired persons can obtain information on this matter 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 (<http://www.usitc.gov>). The public record for these reviews may be viewed on the