

Reader Aids

Federal Register

Vol. 69, No. 195

Friday, October 8, 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
60077-60282.....	7
60283-60536.....	8

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
7824.....	60275
7825.....	60277
7826.....	60279

5 CFR

591.....59761

Proposed Rules:

550.....60097

7 CFR

6.....	59763
60.....	59708
301.....	59119
611.....	60283
1206.....	59120
1776.....	59764
1783.....	59770

Proposed Rules:

457.....	60320
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
747.....	60077

14 CFR

13.....	59490
23.....	58822
39.....	58824, 58826, 58828,
	59541, 59788, 59790, 60081
71.....	59129, 59303, 60284,
	60285, 60286
91.....	59752, 60534

Proposed Rules:

39.....	59147, 59148, 59151,
	59153, 59557, 59559, 59837,
	60098, 60100, 60104, 60106
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
232.....	60287
240.....	60287
249.....	60287

Proposed Rules:

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

19 CFR

191.....	60082
----------	-------

Proposed Rules:

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

20 CFR

404.....	60224
408.....	60224
416.....	60224

21 CFR

74.....	60307
522.....	60308
556.....	60308
520.....	59131
888.....	59132

Proposed Rules:

16.....	60108
118.....	60108
361.....	59569

26 CFR

1.....	60222
--------	-------

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

151.....60309	81.....60328	27.....59500	2101.....59166
165.....58833, 58834, 59136, 59799, 59801, 59803, 59806, 59808	163.....60320	54.....59145	2102.....59166
36 CFR	177.....60320	64.....60311	2103.....59166
Proposed Rules:	178.....60320	73.....58840, 59500, 60316	2104.....59166
1270.....58875	179.....60320	90.....59500	2105.....59166
37 CFR	180.....59843, 60320	101.....59145	2109.....59166
2.....59809	261.....59156	Proposed Rules:	2110.....59166
270.....59648	271.....59165, 60110	0.....59166	2115.....59166
38 CFR	42 CFR	2.....59166	2116.....59166
1.....60083	71.....59144	73.....60344, 60346	2131.....59166
3.....60083	403.....60242	101.....59166	2132.....59166
Proposed Rules:	412.....60242	48 CFR	2137.....59166
5.....59072	413.....60242	Ch. 1.....59698, 59699	2144.....59166
39 CFR	418.....60242	1.....59699	2146.....59166
20.....59545	460.....60242	5.....59700	2149.....59166
111.....59139, 59545	480.....60242	7.....59701	2152.....59166
501.....60090	482.....60242	11.....59701	
40 CFR	483.....60242	12.....59700	49 CFR
35.....59810	485.....60242	13.....59699, 59700, 59701	171.....58841
52.....59546, 59812	489.....60242	14.....59700, 59703	173.....58841
63.....58837	44 CFR	15.....59701	571.....58843, 59146, 60316
271.....59139, 60091	64.....60309	17.....59700	1002.....58855
300.....58839	45 CFR	19.....59699, 59700	
Proposed Rules:	2251.....60094	22.....59700	50 CFR
9.....60320	2252.....60094	25.....59700	17.....59996
23.....60320	2253.....60094	33.....59700	300.....59303
52.....59572, 59839, 60328	47 CFR	36.....59699	648.....59550, 59815
	0.....59145	39.....59702	660.....59816
	1.....58840, 59145	52.....59700, 59703	679.....59834, 59835
	15.....59500	53.....59699	Proposed Rules:
		Proposed Rules:	17.....58876, 59844, 59859, 60110, 60134, 60138
		1511.....59843	
		1552.....59843	

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 8, 2004**AGRICULTURE DEPARTMENT****Natural Resources Conservation Service**

Conservation operations:
Soil surveys; published 10-8-04

ENVIRONMENTAL PROTECTION AGENCY

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

Virginia; published 8-9-04

Water pollution; effluent guidelines for point source categories:

Meat and poultry products processing facilities; published 9-8-04

HEALTH AND HUMAN SERVICES DEPARTMENT**Food and Drug Administration**

Animal drugs, feeds, and related products:
Flunixin; published 10-8-04

TRANSPORTATION DEPARTMENT**Federal Aviation Administration**

Air traffic operating and flight rules, etc.:

Flights between United States and Libya; prohibition (SFAR No. 65); removed; published 10-8-04

TRANSPORTATION DEPARTMENT**Research and Special Programs Administration**

Pipeline safety:
Pressure limiting and regulating stations; published 9-8-04

RULES GOING INTO EFFECT OCTOBER 9, 2004**HOMELAND SECURITY DEPARTMENT****Coast Guard**

Regattas and marine parades:
Chesapeake Ultra Triathlon; published 10-6-04

Clarksville Hydroplane Challenge; 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. 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.