

reduced without decreasing the level of safety available to consumers. In this review, the Commission considered the requirements of the standard and implementing rules; a memorandum from the Commission staff with attached background documents; and an informational briefing. The Commission decided that revision of the requirements for the frequency of testing to support guaranties set forth in § 1610.37 may be possible to eliminate any unnecessary burden which may be imposed on the regulated industry without diminishing the level of safety currently afforded to the public by the standard. The Commission also decided to propose reduction of the period required by § 1610.38 for maintenance of records of testing to support guaranties from three years to one year.¹

The proposal for amendment of the guaranty testing rules was published in the *Federal Register* of August 12, 1983 (47 FR 35006). That notice proposed revision of existing § 1610.37, which now prescribes the kinds and frequency of tests to support initial guaranties, with a requirement that each person or firm issuing an initial guaranty of a product, fabric, or related material which is subject to the standard shall support that guaranty with a "program of reasonable and representative tests."

The proposed amendment would leave the number and frequency of tests to the discretion of the person or firm issuing the initial guaranty.

The proposed amendments also contained provisions to exempt certain types of fabric from any requirement for further testing to support guaranties, because experience gained by the industry and the Commission in testing under the standard indicates that these fabrics will always pass the test in the standard. The fabrics which were proposed for exemption from requirements for further testing to support guaranties are:

(1) All plain surface fabrics weighing 2.6 ounces or more per square yard, without regard to fiber content; and

(2) All fabrics made entirely from acrylic, modacrylic, nylon, olefin, or polyester fibers, or entirely from combinations of those fibers, both plain surface and raised-fiber surface, regardless of weight. The proposal also solicited comments about any other types of fabrics which consistently yield acceptable results when tested under the standard, and which should be added to the list of fabrics exempted

¹ Commissioner Edith Barksdale Sloan voted against proposing to reduce the period required for retention of test records.

from requirements for further testing to support guaranties.

The Commission also proposed amendment of § 1610.38 to reduce the period required for retention of records of testing to support guaranties from three years to one year.

A more detailed description of the proposed amendments is contained in the notice of proposal at 47 FR 35008-35009, under the heading "Highlights of Proposal."

Comments on Proposal

In response to the proposed amendments, the Commission received written comments from three manufacturers, seven trade associations, and one consumer group. Those comments, a staff briefing package discussing the comments, and all documents cited in the notice of proposal are available for inspection in the Commission's public reading room, 8th floor, 1111 18th Street, N.W., Washington, D.C., or from the Office of the Secretary, Consumer Product Safety Commission, Washington, D.C. 20207; telephone: (301) 492-6800.

At a meeting of September 22, 1983, to consider issuance of final amendments based on the proposal, the Commission expressed concern that consumer groups may not have been aware of or fully understood the proposal for amendment of the guaranty testing rules. Although the notice of proposal contained a certification that the proposed amendments, if issued on a final basis, would not have a significant economic impact on a substantial number of small businesses, the Commission also expressed concern at that meeting that many small businesses and associations representing such firms may have been unaware of the proceeding for amendment of the guaranty testing rules.

The Commission directed the staff to contact individuals and groups representing consumers and small businesses to ensure that they are aware of the proceeding and have an opportunity to comment on the proposal, if they desire to do so.

The Commission staff is in the process of calling individuals and groups representing the interests of consumers and small businesses to carry out the direction of the Commission. If requested, the staff may conduct one or more public meetings with such individuals or groups to explain the purpose and provisions of the proposal of August 12, 1982. The time, date, and place of any such meeting will be announced in the Commission's public calendar. Any person or group desiring further information about the proposed amendments should call L. James

Sharman, Office of Program Management at (301) 492-6554.

The Commission will consider all comments received through February 13, 1983, in response to this notice, as well as all comments previously submitted in response to the notice of August 12, 1982, before taking any final action in this proceeding.

Dated: December 7, 1983.

Sadye E. Dunn,

Secretary,

Consumer Product Safety Commission.

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 351

[Docket No. 82N-0291]

Vaginal Drug Products for Over-the-Counter Human Use; Establishment of a Monograph

Correction

In FR Doc. 83-27596 beginning on page 46694 of the issue of Thursday, October 13, 1983, make the following corrections:

1. On page 46703 in the table, the first entry in the last column should be moved down one line.
2. In the same table on page 46704 the entry for "Sodium lauryl sulfate" should read "Sodium lauryl sulfate".
3. On pages 46705 and 46729, everywhere the word "providone-iodine" appears it should read "povidone-iodine".
4. On page 46706, the middle column, last line of paragraph (24), the number "95:938-939" should read "94:938-939".
5. On page 46717, middle column, third line from the end of the third complete paragraph, "bacteria from the disinfectant action and possibly leading to" should be inserted between "of" and "a".
6. On page 46725, third column, fourth line of paragraph f., the word "excess" should be inserted between the words "remove" and "cervical".
7. On page 46727, third column, insert "351.158 Label of vaginal drug products containing active ingredients for the relief of minor irritations of the vagina." in numerical order following 351.156. The present 351.158 should be renumbered 351.160. The third line of the renumbered 351.160 should end in the word "a".

8. On page 46729, third column, seventh line of the last paragraph, the word "These" should read "Three".

BILLING CODE 1505-01-M

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 52

Environmental Taxes on Petroleum and Certain Chemicals; Proposed Rulemaking

Correction

In FR Doc. 83-28756 beginning on page 48839 in the issue of Friday, October 21, 1983, make the following corrections:

1. On page 48839, second column, second line, "April 1, 1982" should have read "April 1, 1981".

2. On page 48841, in § 52.4611-1(b)(1), third column, ninth line, "spillage" should have read "spillage".

3. On page 48842, in § 52.4612-1(a)(9)(ii), third column, Example 1, fourth line, "crude" should have read "gas".

4. On page 48844, in § 52.4661-1(c)(3), first column, Example 2, last line, "(\$.87 x 25)" should have read "(\$4.87 x 25)".

5. On page 48846, in § 52.4662-2(b)(1)(iii), third column, "Sold resale" should have read "Sold for resale".

6. On page 48848, in § 52.4662-2(b)(5)(iv)(B), first column, in the Exemption Certificate, twenty-first line, "he" should have read "the".

7. On page 48848, in § 52.4662-2(d)(3), third column, Example (2), last line, insert a period at the end of the line.

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DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

30 CFR Part 913

Public Comment on Substantive Issues in the Illinois Permanent Regulatory Program

AGENCY: Office of Surface Mining Reclamation and Enforcement (OSM), Interior.

ACTION: Proposed rule.

SUMMARY: On July 29, 1982, the Illinois South Project, Inc. and nine other Illinois organizations challenged the June 1, 1982 decision of the Secretary of the Interior approving the Illinois permanent regulatory program under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). On November 30, 1983,

the United States District Court for the Central District of Illinois, at the request of the Secretary, remanded the case to the Secretary to review the issues raised by the plaintiffs in light of the legal developments since June 1, 1982. OSM is announcing a public comment period during which interested persons may submit comments on the substantive issues contained in the litigation.

Following the comment period and consideration of the issues, the Secretary will issue a final decision.

DATES: Written comments must be received by January 13, 1984, not later than 4:30 p.m. at the address listed below.

ADDRESSES: Written comments may be hand-delivered to: Office of Surface Mining, U.S. Department of the Interior, Administrative Record (Illinois), Room 5315, 1100 L Street, NW., Washington, D.C.; or mailed to: Office of Surface Mining, U.S. Department of the Interior, Administrative Record (Illinois), 1951 Constitution Avenue, N.W., Washington, D.C. 20240.

Copies of the Illinois program, a listing of any scheduled public meetings and all written comments received in response to this notice will be available for review in the Administrative Record Room and at the OSM Springfield Field Office, 600 E. Monroe Street, Room 20, Springfield, Illinois 62701, Monday through Friday, 8:30 a.m. to 4:00 p.m., excluding holidays.

FOR FURTHER INFORMATION CONTACT: Mary Crouter, Division of State Program Assistance, Program Operations and Inspection, Office of Surface Mining, 1951 Constitution Avenue, NW., Washington, D.C. 20240; Telephone: (202) 343-5361.

SUPPLEMENTARY INFORMATION:

I. Public Comment Procedures

Written Comments

Written comments should be specific, pertain only to the issues proposed in this rulemaking, and include explanations in support of the commenter's recommendations. Comments received after the closing date of the comment period will not necessarily be considered or be included in the Administrative Record for the final rulemaking. All comments received during the comment period will be available for public review in the Administrative Record.

Public Meetings

Persons wishing to meet with OSM representatives to discuss this matter may request a meeting at OSM's Washington Office by contacting the

person listed under "FOR FURTHER INFORMATION CONTACT". All such meetings are open to the public and, if possible, notices of meetings will be posted in advance in the Administrative Record room (1100 L Street). A written summary of each public meeting will be made a part of the Administrative Record.

II. Background

The Illinois program was conditionally approved by the Secretary of the Interior on June 1, 1982 (47 FR 23858). Information pertinent to the general background, revisions, modifications, and amendments to the proposed permanent program submission, as well as the Secretary's findings, the disposition of comments and a detailed explanation of the conditions of approval of the Illinois program can be found in the June 1, 1982 Federal Register.

III. Litigation

On July 29, 1982, the Illinois South Project, Inc. (Illinois South) and nine other Illinois organizations filed suit in the United States District Court for the Central District of Illinois challenging the Secretary's decision. Illinois South Project v. Watt (C.D. Illinois, Civil Action No. 82-2229). The plaintiffs alleged numerous substantive and procedural deficiencies in the Secretary's decision. On June 24, 1983, a hearing on the case was held in Danville, Illinois, at which time the parties agreed to a schedule for filing motions for summary judgment and supporting memoranda. Subsequently, the Federal defendants filed a motion requesting that the issues in the case be remanded for further consideration in light of legal developments that have occurred since June 1, 1982. Since the Secretary's approval of the Illinois program, OSM has completed a major regulatory reform effort to revise the Federal regulations. Many of these revisions have a bearing on the substantive issues contained in the Illinois South litigation. On November 30, 1983, the District Court ordered the case remanded to the Secretary to review the issues raised by the plaintiffs in their complaint and motion for summary judgment. The order of remand states that within two weeks the Secretary will publish a notice in the Federal Register requesting comment on the substantive issues in this case. In order to assist in identifying the substantive issues, the District Court ordered that this Federal Register notice contain the Table of Contents to plaintiffs' memorandum in support of