

Reader Aids

Federal Register

Vol. 69, No. 172

Tuesday, September 7, 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, SEPTEMBER

53335-53602.....	1
53603-53790.....	2
53791-53998.....	3
53999-54192.....	7

CFR PARTS AFFECTED DURING SEPTEMBER

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	249.....	53550
Executive Orders:	18 CFR	
12333 (See EO	342.....	53800
13354).....	19 CFR	
53589	122.....	54179
12333 (Amended by	21 CFR	
EO 13355).....	20.....	53615
53593	201.....	53801
12333 (See EO	522.....	53617, 53618
13356).....	Proposed Rules:	
53599	20.....	53662
12958 (See EO	22 CFR	
13354).....	22.....	53618
53589	24 CFR	
12958 (See EO	24.....	53978
13356).....	236.....	53558
53599	26 CFR	
13311 (See EO	1.....	53804
13356).....	Proposed Rules:	
53599	1.....	53373, 53664, 54067
13353.....	26.....	53862
53585	301.....	54067
13354.....	28 CFR	
53589	549.....	53804
13355.....	29 CFR	
53593	Proposed Rules:	
13356.....	1210.....	53373
53599	31 CFR	
7 CFR	1.....	54002
59.....	356.....	53619
53784	33 CFR	
226.....	117.....	53337, 53805
53502	Proposed Rules:	
301.....	100.....	53373
53335	117.....	53376
457.....	36 CFR	
53500, 54179	7.....	53626, 53630
916.....	Proposed Rules:	
53791	7.....	54072
917.....	1228.....	54091
53791	38 CFR	
Proposed Rules:	19.....	53807
784.....	20.....	53807
54049	39 CFR	
8 CFR	111.....	53641, 53808, 54005
215.....	310.....	54006
53603	320.....	54006
235.....	Proposed Rules:	
53603	111.....	53664, 53665, 53666
252.....		
53603		
14 CFR		
21.....		
53335		
39.....		
53336, 53603, 53605,		
53607, 53609, 53794, 53999		
71.....		
53614, 53976, 54000		
73.....		
53795, 53796		
91.....		
53337		
97.....		
53798		
Proposed Rules:		
25.....		
53841		
39.....		
53366, 53655, 53658,		
53846, 53848, 53853, 53855,		
53858, 54053, 54055, 54058,		
54060, 54065		
71.....		
53661, 53860, 53861		
16 CFR		
Proposed Rules:		
436.....		
53661		
17 CFR		
200.....		
54182		
240.....		
54182		
Proposed Rules:		
37.....		
53367		
38.....		
53367		
210.....		
53550		
240.....		
53550		

40 CFR	46 CFR	48 CFR	541.....53354
5253778, 53835, 52006, 54019	67.....53838	1871.....53652	Proposed Rules:
63.....53338, 53980	47 CFR	Proposed Rules:	10.....53385
170.....53341	2.....54027	19.....53780	395.....53386
761.....54025	15.....54027	52.....53780	
Proposed Rules:	25.....53838, 54037	49 CFR	50 CFR
51.....53378	32.....53645	106.....54042	20.....53564, 53990
52.....54097	51.....53645	107.....54042	600.....53359
63.....53380, 53987	64.....53346	171.....53352, 54042	635.....53359
166.....53866	65.....53645	172.....54042	648.....53359, 53839
312.....54097	73.....53352	173.....54042	660.....53359, 53362, 54047
	Proposed Rules:	178.....54042	679.....53359, 53364, 53653
44 CFR	64.....53382	179.....54042	Proposed Rules:
64.....53835		180.....54042	679.....53397
			680.....53397

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 SEPTEMBER 7, 2004**COMMERCE DEPARTMENT
National Oceanic and Atmospheric Administration**

Endangered Species Act:
Joint counterpart consultation regulations; published 8-5-04

Fishery conservation and management:
Northeastern United States fisheries—
Atlantic bluefish; published 8-6-04

**DEFENSE DEPARTMENT
Army Department**

Publication of rules affecting public; requirements and policies; published 8-6-04

Correction; published 8-20-04

ENVIRONMENTAL PROTECTION AGENCY

Air pollution; standards of performance for new stationary sources:
Industrial-commercial-institutional steam generating units; published 7-7-04

Air quality implementation plans; approval and promulgation; various States; air quality planning purposes; designation of areas:
Ohio; published 7-8-04

Air quality implementation plans; approval and promulgation; various States:
Hawaii; published 7-9-04
Washington; published 8-5-04

Toxic substances:
Inventory update rule; corrections; published 7-7-04

Water pollution control:
National Pollutant Discharge Elimination System—
Cooling water intake structures at Phase II existing facilities; requirements; published 7-9-04

FEDERAL COMMUNICATIONS COMMISSION

Common carrier services:

Satellite communications—
Space station licensing rules and policies; published 8-6-04

Practice and procedure:
Maximum forfeiture penalties; inflation adjustment; published 8-6-04

Radio stations; table of assignments:
California; published 7-30-04
Various States; published 8-3-04

HOMELAND SECURITY DEPARTMENT

Coast Guard
Alternate hull examination program for passenger vessels, and underwater surveys for nautical school, offshore supply, passenger, and sailing school vessels; published 8-5-04

Drawbridge operations:
District of Columbia; published 8-6-04

**INTERIOR DEPARTMENT
Fish and Wildlife Service**

Endangered Species Act:
Joint counterpart consultation regulations; published 8-5-04

POSTAL SERVICE

Organization, functions, and authority delegations:
Private Express Statutes; obsolete addresses correction; published 9-7-04

SECURITIES AND EXCHANGE COMMISSION

Investment companies:
Investment company governance practices; published 8-2-04

Securities:
Short sales; published 8-6-04

TRANSPORTATION DEPARTMENT

Federal Aviation Administration
Airworthiness directives:
Air Tractor, Inc.; published 7-30-04
Sikorsky; published 8-2-04

TREASURY DEPARTMENT

Disclosure of records:
Legal proceedings; access to information and records; clarification; published 9-7-04

COMMENTS DUE NEXT WEEK**AGENCY FOR INTERNATIONAL DEVELOPMENT**

Food commodities transfer for use in disaster relief,

and economic development, and other assistance; comments due by 9-18-04; published 8-19-04 [FR 04-19007]

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]

Dates (domestic) produced or packed in—
California; comments due by 9-15-04; published 8-16-04 [FR 04-18610]

Oranges, grapefruit, tangerines, and tangelos grown in—
Florida; comments due by 9-15-04; published 8-16-04 [FR 04-18607]

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

Livestock and poultry disease control:
Bovine spongiform encephalopathy prevention in U.S. cattle; Federal mitigation measures; comments due by 9-13-04; published 7-14-04 [FR 04-15882]

AGRICULTURE DEPARTMENT**Forest Service**

National Forest System lands:
Travel management; designated routes and areas for motor vehicle use; comments due by 9-13-04; published 7-15-04 [FR 04-15775]

Special areas:

Inventoried roadless area management; State petitions; comments due by 9-14-04; published 7-16-04 [FR 04-16191]

AGRICULTURE DEPARTMENT**Food Safety and Inspection Service**

Meat and poultry inspection:
Bovine spongiform encephalopathy prevention in U.S. cattle; Federal mitigation measures; comments due by 9-13-04; published 7-14-04 [FR 04-15882]

**COMMERCE DEPARTMENT
National Oceanic and Atmospheric Administration**

Endangered and threatened species:

Marine and anadromous species—
West Coast salmonids; 27 evolutionary significant units; listing determinations; comments due by 9-13-04; published 6-14-04 [FR 04-12706]

Right whale ship strike reduction
Meetings; comments due by 9-15-04; published 7-9-04 [FR 04-15612]

Fishery conservation and management:
Alaska; fisheries of
Exclusive Economic Zone—
Gulf of Alaska and Bering Sea and Aleutian Islands groundfish; comments due by 9-13-04; published 7-14-04 [FR 04-15974]

Northeastern United States fisheries—
Summer flounder, scup, and black sea bass; comments due by 9-14-04; published 8-30-04 [FR 04-19623]

West Coast States and Western Pacific fisheries—
West Coast salmon; comments due by 9-16-04; published 9-1-04 [FR 04-19970]

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**Army Department**

Law enforcement and criminal investigations:
Law enforcement reporting; comments due by 9-14-04; published 7-16-04 [FR 04-16227]

DEFENSE DEPARTMENT**Federal Acquisition Regulation (FAR):**

Government property rental and special tooling; comments due by 9-13-04; published 7-15-04 [FR 04-15815]

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 quality implementation plans; approval and promulgation; various States:
Minnesota; comments due by 9-17-04; published 8-18-04 [FR 04-18765]
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]

Pesticide programs:
Pesticide container and containment standards; comments due by 9-15-04; published 8-13-04 [FR 04-18601]

Pesticides; tolerances in food, animal feeds, and raw agricultural commodities:
Spiroxamine; comments due by 9-14-04; published 7-16-04 [FR 04-16216]

Water pollution control:
Ocean dumping; site designations—
Palm Beach Harbor and Port Everglades Harbor, FL; comments due by 9-13-04; published 7-30-04 [FR 04-17375]

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:
Federal Agricultural Mortgage Corp.; non-program investments and liquidity; comments due by 9-13-04; published 6-14-04 [FR 04-12998]

**FEDERAL
COMMUNICATIONS
COMMISSION**

Digital television stations; table of assignments:

Colorado; comments due by 9-13-04; published 7-29-04 [FR 04-17247]

Radio services, special:

Amateur service—
Miscellaneous amendments; comments due by 9-16-04; published 8-17-04 [FR 04-18718]

Radio stations; table of assignments:

Utah; comments due by 9-13-04; published 7-29-04 [FR 04-17240]

Various States; comments due by 9-16-04; published 8-3-04 [FR 04-17674]

**FEDERAL DEPOSIT
INSURANCE CORPORATION**

International banking regulations; activities of insured state nonmember banks operating in foreign countries and insured U.S. branches of foreign banks; comments due by 9-17-04; published 7-19-04 [FR 04-15757]

**FEDERAL TRADE
COMMISSION**

Controlling the Assault of Non-Solicited Pornography and Marketing Act of 2003; implementation:

CAN-SPAM rule; definitions, implementation, and reporting requirements; comments due by 9-13-04; published 8-13-04 [FR 04-18565]

**GENERAL SERVICES
ADMINISTRATION**

Federal Acquisition Regulation (FAR):

Government property rental and special tooling; comments due by 9-13-04; published 7-15-04 [FR 04-15815]

**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]

**HEALTH AND HUMAN
SERVICES DEPARTMENT**

Federal claims collection; comments due by 9-13-04; published 7-13-04 [FR 04-15693]

Federal claims collection:

Involuntary salary offset; comments due by 9-13-04; published 7-13-04 [FR 04-15692]

**HOELAND SECURITY
DEPARTMENT**

Coast Guard

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

Drawbridge operations:

California; comments due by 9-16-04; published 6-18-04 [FR 04-13821]

Ports and waterways safety:

Chesapeake Bay, Patapsco and Severn Rivers, MD; safety zone; comments due by 9-16-04; published 8-2-04 [FR 04-17529]

Suisun Bay, CA; security zone; comments due by 9-17-04; published 7-19-04 [FR 04-16247]

Regattas and marine parades:

Cambridge Offshore Challenge; comments due by 9-16-04; published 8-27-04 [FR 04-19565]

Portsmouth, VA; hydroplane races; comments due by 9-15-04; published 8-31-04 [FR 04-19801]

**INTERIOR DEPARTMENT
Surface Mining Reclamation
and Enforcement Office**

Permanent program and abandoned mine land reclamation plan submissions:

Wyoming; comments due by 9-16-04; published 8-17-04 [FR 04-18775]

**LABOR DEPARTMENT
Mine Safety and Health
Administration**

Coal mine safety and health:

Underground mines—

High-voltage continuous mining machines; electrical safety standards; comments due by 9-14-04; published 7-16-04 [FR 04-15841]

Education and training:

Shaft and slope construction mine workers; training standards; comments due

by 9-14-04; published 7-16-04 [FR 04-15842]

**LIBRARY OF CONGRESS
Copyright Office, Library of
Congress**

Copyright office and procedures:

Registration refusal reconsideration procedures; comments due by 9-13-04; published 7-13-04 [FR 04-15853]

**NATIONAL AERONAUTICS
AND SPACE
ADMINISTRATION**

Federal Acquisition Regulation (FAR):

Government property rental and special tooling; comments due by 9-13-04; published 7-15-04 [FR 04-15815]

**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]

Spent nuclear fuel and high-level radioactive waste; independent storage; licensing requirements:
Approved spent fuel storage casks; list; comments due by 9-13-04; published 8-13-04 [FR 04-18511]

**SECURITIES AND
EXCHANGE COMMISSION**

Investment advisers:

Hedge fund advisers; registration; comments due by 9-15-04; published 7-28-04 [FR 04-16888]

**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]

McDonnell Douglas; comments due by 9-17-04; published 8-3-04 [FR 04-17592]

Pratt & Whitney; comments due by 9-13-04; published 7-15-04 [FR 04-16006]

Pratt & Whitney Canada; comments due by 9-17-04; published 7-19-04 [FR 04-16005]

VETERANS AFFAIRS DEPARTMENT

Adjudication; pensions, compensation, dependency, etc.:

Disruption of normal business practices; exceptions to definition; comments due by 9-17-04; published 7-19-04 [FR 04-16308]

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. 4842/P.L. 108-302
United States-Morocco Free Trade Agreement Implementation Act (Aug. 17, 2004; 118 Stat. 1103)
Last List August 12, 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.