



Federal Register

8-24-01

Vol. 66 No. 165

Pages 44521-44944

Friday

Aug. 24, 2001



The **FEDERAL REGISTER** is published daily, Monday through Friday, except official holidays, by the Office of the Federal Register, National Archives and Records Administration, Washington, DC 20408, under the Federal Register Act (44 U.S.C. Ch. 15) and the regulations of the Administrative Committee of the Federal Register (1 CFR Ch. I). The Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402 is the exclusive distributor of the official edition.

The **Federal Register** provides a uniform system for making available to the public regulations and legal notices issued by Federal agencies. These include Presidential proclamations and Executive Orders, Federal agency documents having general applicability and legal effect, documents required to be published by act of Congress, and other Federal agency documents of public interest.

Documents are on file for public inspection in the Office of the Federal Register the day before they are published, unless the issuing agency requests earlier filing. For a list of documents currently on file for public inspection, see <http://www.nara.gov/fedreg>.

The seal of the National Archives and Records Administration authenticates the **Federal Register** as the official serial publication established under the Federal Register Act. Under 44 U.S.C. 1507, the contents of the **Federal Register** shall be judicially noticed.

The **Federal Register** is published in paper and on 24x microfiche. It is also available online at no charge as one of the databases on GPO Access, a service of the U.S. Government Printing Office.

The online edition of the **Federal Register** is issued under the authority of the Administrative Committee of the Federal Register as the official legal equivalent of the paper and microfiche editions (44 U.S.C. 4101 and 1 CFR 5.10). It is updated by 6 a.m. each day the **Federal Register** is published and it includes both text and graphics from Volume 59, Number 1 (January 2, 1994) forward.

GPO Access users can choose to retrieve online **Federal Register** documents as TEXT (ASCII text, graphics omitted), PDF (Adobe Portable Document Format, including full text and all graphics), or SUMMARY (abbreviated text) files. Users should carefully check retrieved material to ensure that documents were properly downloaded.

On the World Wide Web, connect to the **Federal Register** at <http://www.access.gpo.gov/nara>. Those without World Wide Web access can also connect with a local WAIS client, by Telnet to swais.access.gpo.gov, or by dialing (202) 512-1661 with a computer and modem. When using Telnet or modem, type swais, then log in as guest with no password.

For more information about GPO Access, contact the GPO Access User Support Team by E-mail at gpoaccess@gpo.gov; by fax at (202) 512-1262; or call (202) 512-1530 or 1-888-293-6498 (toll free) between 7 a.m. and 5 p.m. Eastern time, Monday-Friday, except Federal holidays.

The annual subscription price for the **Federal Register** paper edition is \$638, or \$697 for a combined **Federal Register**, Federal Register Index and List of CFR Sections Affected (LSA) subscription; the microfiche edition of the **Federal Register** including the Federal Register Index and LSA is \$253. Six month subscriptions are available for one-half the annual rate. The charge for individual copies in paper form is \$9.00 for each issue, or \$9.00 for each group of pages as actually bound; or \$2.00 for each issue in microfiche form. All prices include regular domestic postage and handling. International customers please add 25% for foreign handling. Remit check or money order, made payable to the Superintendent of Documents, or charge to your GPO Deposit Account, VISA, MasterCard or Discover. Mail to: New Orders, Superintendent of Documents, P.O. Box 371954, Pittsburgh, PA 15250-7954.

There are no restrictions on the republication of material appearing in the **Federal Register**.

How To Cite This Publication: Use the volume number and the page number. Example: 66 FR 12345.

SUBSCRIPTIONS AND COPIES

PUBLIC

Subscriptions:

Paper or fiche	202-512-1800
Assistance with public subscriptions	512-1806

General online information 202-512-1530; 1-888-293-6498

Single copies/back copies:

Paper or fiche	512-1800
Assistance with public single copies	512-1803

FEDERAL AGENCIES

Subscriptions:

Paper or fiche	523-5243
Assistance with Federal agency subscriptions	523-5243



Contents

Federal Register

Vol. 66, No. 165

Friday, August 24, 2001

Editorial Note: In the **Federal Register** table of contents of August 23, 2001, the final rule under Agriculture Department should have read:

Agriculture Department

RULES

Export sales reporting requirements:
Beef, 44291

Administrative Committee of the Federal Register

See Federal Register, Administrative Committee

Agriculture Department

See Forest Service

Air Force Department

NOTICES

Meetings:

U.S. Nuclear Command and Control System End-to-End
Review Federal Advisory Committee, 44606

Arts and Humanities, National Foundation

See National Foundation on the Arts and the Humanities

Blind or Severely Disabled, Committee for Purchase From People Who Are

See Committee for Purchase From People Who Are Blind or Severely Disabled

Centers for Disease Control and Prevention

NOTICES

Meetings:

Disease, Disability, and Injury Prevention and Control
Special Emphasis Panels, 44637

Centers for Medicare & Medicaid Services

PROPOSED RULES

Medicare:

Hospital outpatient services; prospective payment system,
44671–44912

Medicare and Medicaid:

Anesthesia services; hospital participation conditions
Correction, 44585–44586

Civil Rights Commission

NOTICES

Meetings; State advisory committees:

Oregon, 44593

Commerce Department

See Economic Development Administration

See Export Administration Bureau

See International Trade Administration

See National Institute of Standards and Technology

See National Oceanic and Atmospheric Administration

See Patent and Trademark Office

NOTICES

Agency information collection activities:

Submission for OMB review; comment request, 44593–
44594

Committee for Purchase From People Who Are Blind or Severely Disabled

NOTICES

Procurement list; additions and deletions, 44591–44592

Corporation for National and Community Service

NOTICES

Agency information collection activities:

Submission for OMB review; comment request, 44605

Defense Department

See Air Force Department

PROPOSED RULES

Acquisition regulations:

Large business concerns; customary progress payment
rate, 44588–44589

NOTICES

Grants and cooperative agreements; availability, etc.:

Small Business Competitiveness Demonstration Program,
44605–44606

Economic Development Administration

NOTICES

Trade adjustment assistance eligibility determination
petitions:

New Holland Lingerie, Inc., et al., 44594–44595

Employment Standards Administration

NOTICES

Agency information collection activities:

Proposed collection; comment request, 44647–44649

Minimum wages for Federal and federally-assisted

construction; general wage determination decisions,
44649–44650

Energy Department

See Federal Energy Regulatory Commission

NOTICES

Powerplant and industrial fuel use; new electric
powerplant coal capability:

Self-certification filings—
Pierce Power, LLC, et al., 44606–44607

Environmental Protection Agency

RULES

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

Pennsylvania, 44528–44548

PROPOSED RULES

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

Connecticut, 44582–44585

Maryland, 44574–44578

Pennsylvania, 44568–44574, 44578–44582

Water pollution control:

Marine sanitation devices—

Florida Keys National Marine Sanctuary, FL; no
discharge zone, 44585

NOTICES

Environmental statements; availability, etc.:

Agency statements—

Comment availability, 44621–44622

Weekly receipts, 44620–44621

Meetings:

- Combustion turbines; monitoring and reporting requirements, 44622
- Tribal Pesticide Program Council, 44622–44624

Pesticide, food, and feed additive petitions:

- Interregional Research Project (No. 4), 44624–44629
- Rohm & Haas Co., 44629–44634

Superfund; response and remedial actions, proposed settlements, etc.:

- Atlantic Richfield Co., International Smelter Site, UT, 44634

Executive Office of the President
See Presidential Documents

Export Administration Bureau

NOTICES

Meetings:

- Materials Technical Advisory Committee, 44595
- Regulations and Procedures Technical Advisory Committee, 44595–44596

Federal Aviation Administration

PROPOSED RULES

Airworthiness directives:

- Boeing, 44553–44555
- Boeing; withdrawn, 44561–44562
- McDonnell Douglas, 44562–44565
- Rolls-Royce Corp., 44560–44561
- SOCATA-Groupe AEROSPATIALE, 44556–44560

Federal Communications Commission

RULES

Radio stations; table of assignments:

- Kentucky, 44549
- Washington, 44548

PROPOSED RULES

Radio stations; table of assignments:

- Michigan, 44586–44587
- Oklahoma and Texas, 44586, 44588
- Texas, 44587

NOTICES

Agency information collection activities:

- Proposed collection; comment request, 44634–44635

Common carrier services:

- Telecommunications Act of 1996; implementation—
- Advanced telecommunications capability deployment; inquiry, 44636

Federal Deposit Insurance Corporation

NOTICES

Meetings; Sunshine Act, 44636

Federal Energy Regulatory Commission

NOTICES

Electric rate and corporate regulation filings:

- American Ref-Fuel Co. of Southeastern Connecticut et al., 44613–44614
- DTE Energy Co. et al., 44614–44617

Environmental statements; notice of intent:

- Kern River Gas Transmission Co., 44617–44620

Applications, hearings, determinations, etc.:

- AES Red Oak, LLC, 44607–44608
- Consolidated Edison Co. of New York, Inc., 44608
- Electric City Energy Producers, LLC, 44608
- Equitec Power, LLC, 44609
- Halt Co. of Ohio, 44609

- Jackson County Power, LLC, 44609–44610
- Megawatt Marketing, LLC, 44610
- Morrow Power, LLC, 44610–44611
- New England Power Pool et al., 44611
- Nordic Energy Barge No. 1, L.L.C., et al., 44611
- Peoples Energy Services Corp., 44611–44612
- Santa Rosa Energy, LLC, 44612
- Somerset Windpower, LLC, 44612
- Vector Pipeline L.P., 44612–44613

Federal Register, Administrative Committee

RULES

Federal Register publications; prices and availability, 44523–44525

Federal Reserve System

RULES

Credit by brokers and dealers (Regulation T):

- Foreign margin stocks; list, 44525–44526

NOTICES

Banks and bank holding companies:

- Change in bank control, 44636–44637
- Formations, acquisitions, and mergers, 44637

Financial Management Service

See Fiscal Service

Fiscal Service

RULES

Book-entry Treasury bonds, notes, and bills:

- Uniform Commercial Code; substantially identical State statute determinations—
- South Carolina, 44526

Food and Drug Administration

NOTICES

Meetings:

- Blood Products Advisory Committee, 44637–44638
- Medical Devices Advisory Committee, 44638

Forest Service

NOTICES

Reports and guidance documents; availability, etc.:

- Forest transportation system; administrative policy
- Interim direction; comment request, 44590–44591

Health and Human Services Department

See Centers for Disease Control and Prevention
See Centers for Medicare & Medicaid Services
See Food and Drug Administration
See National Institutes of Health

Housing and Urban Development Department

NOTICES

Agency information collection activities:

- Submission for OMB review; comment request, 44640

Grants and cooperative agreements; availability, etc.:

- Facilities to assist homeless—
- Excess and surplus Federal property, 44913–44944

Immigration and Naturalization Service

NOTICES

Immigration:

- Detained aliens requesting release under *Zadvydas v. Davis*, 44646

Interior Department

See Land Management Bureau

Internal Revenue Service**PROPOSED RULES**

Income taxes:

- Testamentary trusts; qualified subchapter S trust election, 44565–44568

International Boundary and Water Commission, United States and Mexico**NOTICES**

Environmental statements; availability, etc.:

- Tijuana, Baja California; emergency deliveries of part of Mexico's Colorado River waters through Southern California aqueducts, 44650–44652

International Trade Administration**NOTICES**

Antidumping:

- Fresh garlic from—
 - China, 44596–44600
- Static random access memory semiconductors from—
 - Taiwan, 44600

Applications, hearings, determinations, etc.:

- St Louis Science Center, 44600–44601

Justice Department*See* Immigration and Naturalization Service**NOTICES**

Pollution control; consent judgments:

- Commerce Holding Co., Inc., 44645–44646
- Continental Equities, Inc., 44646

Labor Department*See* Employment Standards Administration**NOTICES**

Agency information collection activities:

- Submission for OMB review; comment request, 44646–44647

Land Management Bureau**NOTICES**

Agency information collection activities:

- Proposed collection; comment request, 44640–44643

Oil and gas leases:

- Arizona, 44643
- New Mexico, 44643

Public land orders:

- New Mexico, 44643–44644

Realty actions; sales, leases, etc.:

- New Mexico, 44644–44645
- Utah, 44645

Maritime Administration**NOTICES**

Agency information collection activities:

- Proposed collection; comment request, 44662

Mexico and United States, International Boundary and Water Commission*See* International Boundary and Water Commission, United States and Mexico**National Aeronautics and Space Administration****NOTICES**

Meetings:

- Advisory Council, 44652

National Foundation on the Arts and the Humanities**NOTICES**

Meetings:

- Fellowships Advisory Panel, 44652

National Highway Traffic Safety Administration**NOTICES**

Meetings:

- Safety performance standards; vehicle regulatory program, 44662–44663

Motor vehicle safety standards; exemption petitions, etc.:

- International Truck & Engine Corp., 44663
- Reliance Trailer Co., LLC, 44663–44664

National Institute of Standards and Technology**NOTICES**

Meetings:

- Advanced Technology Visiting Committee, 44601

National Institutes of Health**NOTICES**

Recombinant DNA molecules research:

- Actions under guidelines
- Proposed, 44638–44640

National Oceanic and Atmospheric Administration**RULES**

Endangered and threatened species:

- Sea turtle conservation—
 - California/Oregon drift gillnet fishery; leatherback sea turtles; incidental take level, 44549–44552

Fishery conservation and management:

- West Coast States and Western Pacific fisheries—
 - Pacific Coast groundfish, 44552

Nuclear Regulatory Commission**NOTICES***Applications, hearings, determinations, etc.:*

- Niagara Mohawk Power Corp., 44653–44655

Patent and Trademark Office**RULES**

Registration of agents and representative for Enrollment and

- Discipline Director in disciplinary proceedings; interpretation, 44526–44527

NOTICES

Electronic products; availability from Information Products Division, 44601–44603

Native American Tribes, federally and State recognized;

- official insignia database establishment and maintenance, 44603–44605

Presidential Documents**ADMINISTRATIVE ORDERS**

Pakistan; waiver of sanctions on export of select U.S.

- Munitions List U.S.- origin parts and ammunition (Presidential Determination No. 2001-23), 44521

Public Debt Bureau*See* Fiscal Service**Public Health Service***See* Centers for Disease Control and Prevention*See* Food and Drug Administration*See* National Institutes of Health

Secret Service**NOTICES**

Senior Executive Service:

Performance Review Boards; membership, 44666–44667

Securities and Exchange Commission**NOTICES**

Self-regulatory organizations; proposed rule changes:

Chicago Board Options Exchange, Inc., 44655–44656

Depository Trust Co., 44656–44657

National Association of Securities Dealers, Inc., 44657–44659

Options Clearing Corp., 44659–44661

Stock Clearing Corp. of Philadelphia, 44661

Small Business Administration**NOTICES**

Meetings:

Regulatory Fairness Boards—

Tri-Regional, 44661–44662

Surface Transportation Board**NOTICES**

Railroad services abandonment:

CSX Transportation, Inc., 44664–44665

Transportation Department

See Federal Aviation Administration

See Maritime Administration

See National Highway Traffic Safety Administration

See Surface Transportation Board

Treasury Department

See Fiscal Service

See Internal Revenue Service

See Secret Service

NOTICES

Agency information collection activities:

Submission for OMB review; comment request, 44665–44666

Veterans Affairs Department**RULES**

Adjudication; pensions, compensation, dependency, etc.; and disabilities rating schedule:

Adaptive equipment for automobiles or other conveyances; eligibility certification, 44527–44528

NOTICES

Agency information collection activities:

Proposed collection; comment request, 44667–44669

Submission for OMB review; comment request, 44669–44670

Separate Parts In This Issue**Part II**

Department of Health and Human Services, Centers for Medicare & Medicaid Services, 44671–44912

Part III

Department of Housing and Urban Development, 44913–44944

Reader Aids

Consult the Reader Aids section at the end of this issue for phone numbers, online resources, finding aids, reminders, and notice of recently enacted public laws.

CFR PARTS AFFECTED IN THIS ISSUE

A cumulative list of the parts affected this month can be found in the Reader Aids section at the end of this issue.

1 CFR

1144523

3 CFR**Administrative Orders:**

Presidential

Determinations:

No. 2001-23 of August

9, 200144521

12 CFR

22044525

14 CFR**Proposed Rules:**

39 (6 documents)44553,

44556, 44558, 44550, 44561,

44562

26 CFR**Proposed Rules:**

144565

31 CFR

35744526

37 CFR

1044526

38 CFR

344527

40 CFR

52 (5 documents)44528,

44532, 44538, 44544, 44547

Proposed Rules:

52 (9 documents)44568,

44571, 44574, 44578, 44580,

44581, 44582

6244582

14044585

42 CFR**Proposed Rules:**

41344672

41644585

41944672

48244585

48544585

48944672

47 CFR

73 (2 documents)44548,

44549

Proposed Rules:

73 (4 documents)44586,

44587, 44588

48 CFR**Proposed Rules:**

23244588

25244588

50 CFR

22344549

22444549

66044552