



# Federal Register

---

2-27-02

Vol. 67 No. 39

Pages 8859-9184

Wednesday

Feb. 27, 2002



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](http://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](mailto: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 \$699, or \$764 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 \$264. Six month subscriptions are available for one-half the annual rate. The charge for individual copies in paper form is \$10.00 for each issue, or \$10.00 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: 67 FR 12345.

## SUBSCRIPTIONS AND COPIES

### PUBLIC

#### Subscriptions:

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

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

#### Single copies/back copies:

Paper or fiche 202-512-1800  
Assistance with public single copies 1-866-512-1800  
(Toll-Free)

### FEDERAL AGENCIES

#### Subscriptions:

Paper or fiche 202-523-5243  
Assistance with Federal agency subscriptions 202-523-5243

### What's NEW!

#### Federal Register Table of Contents via e-mail

Subscribe to FEDREGTOC, to receive the **Federal Register** Table of Contents in your e-mail every day.

If you get the HTML version, you can click directly to any document in the issue.

To subscribe, go to <http://listserv.access.gpo.gov> and select:

*Online mailing list archives*

*FEDREGTOC-L*

*Join or leave the list*

Then follow the instructions.



# Contents

Federal Register

Vol. 67, No. 39

Wednesday, February 27, 2002

## Agency for International Development

### NOTICES

Agency information collection activities:  
Proposed collection; comment request, 8931–8932

## Agriculture Department

See Food and Nutrition Service  
See Forest Service

## Alcohol, Tobacco and Firearms Bureau

### RULES

Organization, functions, and authority delegations:  
Appropriate ATF officers, 8878–8881

### NOTICES

Organization, functions, and authority delegations:  
Subordinate ATF officials, 9043–9044

## Bonneville Power Administration

### NOTICES

Environmental statements; availability, etc.:  
Mint Farm Generation Project, WA, 8948

## Broadcasting Board of Governors

### RULES

Freedom of Information Act; implementation, 8866–8874  
Privacy Act; implementation, 8874–8878

## Centers for Medicare & Medicaid Services

See Inspector General Office, Health and Human Services  
Department

### RULES

Medicare:  
Ambulance services fee schedule and physician  
certification requirements for coverage of  
nonemergency ambulance services, 9099–9135

## Coast Guard

### RULES

Boating safety:  
Personal flotation devices for children; Federal  
requirements for wearing aboard recreational vessels,  
8881–8885

### PROPOSED RULES

Ports and waterways safety:  
Boston Marine Inspection and Captain of Port Zone, MA;  
safety and security zones, 8915–8918  
North Carolina sea coast and Cape Fear River and  
Beaufort Inlet approaches; port access routes study,  
8918

## Commerce Department

See Export Administration Bureau  
See International Trade Administration  
See National Oceanic and Atmospheric Administration

### NOTICES

Agency information collection activities:  
Submission for OMB review; comment request, 8935–  
8936

## Consumer Product Safety Commission

### NOTICES

Settlement agreements:  
Regent International Corp., Inc., 8942–8944

## Copyright Office, Library of Congress

### PROPOSED RULES

Copyright office and procedures:  
Sound recordings under statutory license; notice to  
owners of use of their work  
Correction, 9045

## Defense Department

See Navy Department

## Education Department

### NOTICES

Agency information collection activities:  
Submission for OMB review; comment request, 8945–  
8946

## Employment and Training Administration

### NOTICES

Agency information collection activities:  
Proposed collection; comment request, 9005–9008

## Energy Department

See Bonneville Power Administration  
See Federal Energy Regulatory Commission  
See Western Area Power Administration

### NOTICES

Organization, functions, and authority delegations:  
Federal Energy Regulatory Commission, 8946–8948  
Radioactive waste:  
Yucca Mountain, NV—  
Site recommendation consideration; recommendation  
to President and supporting documents  
availability, 9047–9068

## Environmental Protection Agency

### RULES

Air pollutants, hazardous; national emission standards:  
Leather finishing operations, 9155–9172

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

California, 8893–8897

Maryland, 8897–8899

Hazardous waste program authorizations:

Delaware, 8900–8902

### PROPOSED RULES

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

California, 8924–8925

Maryland, 8925

Hazardous waste program authorizations:

Delaware, 8925–8926

### NOTICES

Committees; establishment, renewal, termination, etc.:

Good Neighbor Environmental Board, 8965–8966

Meetings:

Scientific Counselors Board Executive Committee, 8968

Municipal solid waste landfill permit programs; adequacy  
determinations:

Northern Mariana Islands, 8966–8968

Pesticide, food, and feed additive petitions:

Bird Shield Repellent Corp., 8968–8971

Reports and guidance documents; availability, etc.:  
 Corrective action activities completion at RCRA facilities,  
 9173–9178  
 Toxic and hazardous substances control:  
 New chemicals—  
 Receipt and status information, 8974–8978  
 Test marketing exemption approvals, 8971–8974

#### Export Administration Bureau

##### NOTICES

Meetings:  
 Materials Processing Equipment Technical Advisory  
 Committee, 8936–8937

#### Federal Aviation Administration

##### RULES

Class D airspace, 8859–8860

##### PROPOSED RULES

Airworthiness directives:  
 MT-Propeller Entwicklung GMBH, 8910–8912

##### NOTICES

Aeronautical land-use assurance; waivers:  
 Central Illinois Regional Airport, IL, 9018–9019  
 George M. Bryan Field Airport, MS, 9019  
 Environmental statements; availability, etc.:  
 Potomac Consolidated Terminal Radar Approach Control  
 (TRACON); airspace redesign, 9019–9020  
 Meetings:  
 RTCA, Inc., 9020  
 Passenger facility charges; applications, etc.:  
 Morgantown Municipal Airport, WV, 9020–9021

#### Federal Communications Commission

##### RULES

Digital television stations; table of assignments:  
 Oklahoma, 8906

Radio stations; table of assignments:  
 Colorado, 8906

##### PROPOSED RULES

Digital television stations; table of assignments:  
 Ohio, 8926

##### NOTICES

Common carrier services:  
 Wireless telecommunications services—  
 Cellular rural service area licenses; reserve prices or  
 minimum opening bids, etc.; comment request,  
 8978–8982  
 Reports and guidance documents; availability, etc.:  
 Current and future spectrum use by energy, water, and  
 railroad industries; comment request, 8982–8983

#### Federal Deposit Insurance Corporation

##### NOTICES

Meetings; Sunshine Act, 8983

#### Federal Election Commission

##### NOTICES

Meetings; Sunshine Act, 8983

#### Federal Emergency Management Agency

##### RULES

Fire prevention and control:  
 Firefighters Assistance Grant Program, 9141–9154  
 National Flood Insurance Program:  
 Increased rates for coverage, 8902–8906

#### Federal Energy Regulatory Commission

##### NOTICES

Electric rate and corporate regulation filings:  
 Enron Corp. et al., 8952–8954  
 Environmental statements; availability, etc.:  
 Kern River Gas Transmission Co., 8954–8955  
 Hydroelectric applications, 8955–8962  
 National Register of Historic Places:  
 Programmatic agreement for managing properties;  
 restricted service list—  
 Batesville (city) and Independence County, AR, 8962–  
 8963  
*Applications, hearings, determinations, etc.:*  
 FPL Energy Maine Hydro LLC, 8948  
 Gulf South Pipeline Co., LP, 8948–8949  
 Jewett, Dale P., et al., 8949  
 Kern River Gas Transmission Co., 8949  
 KeySpan-Ravenswood, Inc., 8949–8950  
 PG&E Gas Transmission, Northwest Corp., 8950  
 Public Service Co. of New Mexico, 8950  
 Public Utility District No. 1 of Pend Oreille County, WA,  
 8950–8951  
 SCG Pipeline, Inc., 8951  
 U-T Offshore System, L.L.C., et al., 8951  
 Viking Gas Transmission Co., 8951–8952

#### Federal Maritime Commission

##### NOTICES

Agreements filed, etc., 8983–8984  
 Complaints filed:  
 Hellman Worldwide Logistics, Inc., et al., 8984

#### Federal Motor Carrier Safety Administration

##### NOTICES

Motor carrier safety standards:  
 Driver qualifications—  
 Adler, Dennis, et al.; vision requirement exemptions  
 denied, 9021–9025

#### Federal Reserve System

##### NOTICES

Banks and bank holding companies:  
 Permissible nonbanking activities, 8984

#### Federal Retirement Thrift Investment Board

##### PROPOSED RULES

Thrift Savings Plan:  
 Employee elections to contribute and funds withdrawal  
 methods, 8908–8910

#### Federal Trade Commission

##### NOTICES

Premerger notification waiting periods; early terminations,  
 8984–8985  
 Privacy Act:  
 Systems of records, 8985–8987

#### Fish and Wildlife Service

##### RULES

Alaska National Interest Lands Conservation Act; Title VIII  
 implementation (subsistence priority):  
 Klawock River and Lake; emergency closure and  
 adjustments, 8891–8892  
 Mountain goats and moose; temporary season closure and  
 harvest limits changes, 8888–8891

##### PROPOSED RULES

Alaska National Interest Lands Conservation Act; Title VIII  
 implementation (subsistence priority):  
 Fish; subsistence taking and customary trade, 8918–8924

**NOTICES**

Comprehensive conservation plans; availability, etc.:  
Shiawassee National Wildlife Refuge, MI, et al., 8992

**Food and Drug Administration****RULES**

Animal drugs, feeds, and related products:  
Chlorhexidine ointment, 8860

**NOTICES**

Human drugs:  
Patent extension; regulatory review period  
determinations—  
RELENZA, 8988

**Food and Nutrition Service****NOTICES**

Agency information collection activities:  
Proposed collection; comment request, 8932–8933  
Child nutrition programs:  
National School Lunch, Commodity School, School  
Breakfast, Special Milk, Child and Adult Care, and  
Summer Food Service Programs—  
Income eligibility guidelines, 8933–8934

**Forest Service****RULES**

Alaska National Interest Lands Conservation Act; Title VIII  
implementation (subsistence priority):  
Klawock River and Lake; emergency closure and  
adjustments, 8891–8892  
Mountain goats and moose; temporary season closure and  
harvest limits changes, 8888–8891

**PROPOSED RULES**

Alaska National Interest Lands Conservation Act; Title VIII  
implementation (subsistence priority):  
Fish; subsistence taking and customary trade, 8918–8924

**NOTICES**

Meetings:  
Resource Advisory Committees—  
North Mt. Baker-Snoqualmie, 8935  
Snohomish County, 8935

**General Services Administration****RULES**

Federal travel:  
Relocation allowances; correction, C9-27764

**Health and Human Services Department**

See Centers for Medicare & Medicaid Services  
See Food and Drug Administration  
See Health Resources and Services Administration  
See Inspector General Office, Health and Human Services  
Department

**Health Resources and Services Administration****NOTICES**

Grants and cooperative agreements; availability, etc.:  
Public Health Training Centers Program, 8988–8989  
Meetings:  
Infant Mortality Advisory Committee, 8989

**Housing and Urban Development Department****NOTICES**

Agency information collection activities:  
Submission for OMB review; comment request, 8991–  
8992  
Grants and cooperative agreements; availability, etc.:  
Fair Housing Assistance Program; certification list, 9137–  
9139

**Inspector General Office, Health and Human Services  
Department****NOTICES**

Program exclusions; list, 8989–8991

**Interior Department**

See Fish and Wildlife Service  
See Land Management Bureau  
See National Park Service  
See Reclamation Bureau

**Internal Revenue Service****PROPOSED RULES**

Income taxes:  
Miscellaneous Federal tax matters; correction, 8912–8915

**International Trade Administration****NOTICES**

Antidumping:  
Tapered roller bearings and parts, finished and  
unfinished, from—  
China, 8937  
Welded large diameter line pipe from—  
Mexico, 8937–8938  
Overseas trade mission:  
2002 trade missions—  
Beijing and Shanghai, China; business development  
mission, 8939–8941  
*Applications, hearings, determinations, etc.:*  
Howard Hughes Medical Institute et al., 8938–8939  
Scripps Research Institute, 8939  
University of—  
Georgia, 8939

**International Trade Commission****NOTICES**

Import investigations:  
Non-malleable cast iron pipe fittings from—  
China, 9004–9005

**Labor Department**

See Employment and Training Administration  
See Mine Safety and Health Administration  
See Pension and Welfare Benefits Administration

**Land Management Bureau****NOTICES**

Realty actions; sales, leases, etc.:  
New Mexico, 8992–8993  
Survey plat filings:  
Michigan, 8993  
Withdrawal and reservation of lands:  
Arizona, 8993–8994

**Library of Congress**

See Copyright Office, Library of Congress

**Maritime Administration****NOTICES**

Coastwise trade laws; administrative waivers:  
BOADICEA, 9026–9027  
LADY SADIE, 9025–9026  
MISS TEAK, 9027–9028  
PERCEPTION, 9027

**Mine Safety and Health Administration****RULES**

Metal and nonmetal mine safety and health:

Underground mines—

Diesel particulate matter exposure of miners, 9179–9184

**National Aeronautics and Space Administration****NOTICES**

Patent licenses; non-exclusive, exclusive, or partially exclusive:

Makel Engineering, Inc., 9008

**National Highway Traffic Safety Administration****NOTICES**

Agency information collection activities:

Submission for OMB review; comment request, 9028–9029

**National Oceanic and Atmospheric Administration****RULES**

Fishery conservation and management:

Alaska; fisheries of Exclusive Economic Zone—

Rock sole/Flathead sole/ other flatfish, 8906–8907

**PROPOSED RULES**

Fishery conservation and management:

Caribbean, Gulf of Mexico, and South Atlantic fisheries—

Gulf of Mexico and South Atlantic coastal migratory pelagic resources and Gulf of Mexico reef fish, 8926–8927

West Coast States and Western Pacific fisheries—

Western Pacific Fishery Management Council; meetings, 8927–8930

**NOTICES**

Permits:

Marine mammals, 8941–8942

**National Park Service****NOTICES**

Native American human remains and associated funerary objects:

Reclamation Bureau, Central Arizona Project Repository and Phoenix Area Office, AZ—

Inventory from various sites in Arizona, 8994–9002

University of Denver, Anthropology Department and Museum, CO—

Inventory from Navajo County, AZ, and San Juan County, NM, 9002–9003

**Navy Department****NOTICES**

Inventions, Government-owned; availability for licensing, 8944–8945

**Nuclear Regulatory Commission****NOTICES**

Environmental statements; availability, etc.:

Omaha Public Power District, 9008–9009

**Pension and Welfare Benefits Administration****NOTICES**

Employee benefit plans; prohibited transaction exemptions:

Deutsche Bank AG et al., 9069–9097

**Personnel Management Office****NOTICES**

Agency information collection activities:

Proposed collection; comment request, 9009

Submission for OMB review; comment request, 9009–9010

**Public Health Service**

*See* Food and Drug Administration

*See* Health Resources and Services Administration

**Reclamation Bureau****NOTICES**

Central Valley Project Improvement Act:

Water management plans; evaluation criteria, 9003–9004

**Research and Special Programs Administration****NOTICES**

Hazardous materials:

Applications; exemptions, renewals, etc., 9029–9031

**Saint Lawrence Seaway Development Corporation****RULES**

Seaway regulations and rules:

Ballast water; Great Lakes shipping industry codes compliance, 8885–8888

**Securities and Exchange Commission****NOTICES**

Investment Company Act of 1940:

Exemption applications—

Goldman, Sachs & Co. et al., 9010–9016

**State Department****RULES**

Inter-American Convention on International Commercial

Arbitration; procedure rules, 8860–8866

**NOTICES**

Agency information collection activities:

Submission for OMB review; comment request, 9016–9017

Meetings:

International Economic Policy Advisory Committee, 9017

**Transportation Department**

*See* Coast Guard

*See* Federal Aviation Administration

*See* Federal Motor Carrier Safety Administration

*See* Maritime Administration

*See* National Highway Traffic Safety Administration

*See* Research and Special Programs Administration

*See* Saint Lawrence Seaway Development Corporation

**NOTICES**

Aviation proceedings:

Agreements filed; weekly receipts, 9017–9018

Certificates of public convenience and necessity and foreign air carrier permits; weekly applications, 9018

**Treasury Department**

*See* Alcohol, Tobacco and Firearms Bureau

*See* Internal Revenue Service

**NOTICES**

Agency information collection activities:

Proposed collection; comment request, 9031–9043

**Western Area Power Administration****NOTICES**

Floodplain and wetlands protection; environmental review determinations; availability, etc.:

Grand County, CO; Supply Creek Crossing, Grandy

Pumping Plant-Mary's Lake 69-kilovolt transmission line, 8963–8964

Power rate adjustments:  
Boulder Canyon Project, 8964–8965

---

**Separate Parts In This Issue**

**Part II**  
Energy Department, 9047–9068

**Part III**  
Labor Department, Pension and Welfare Benefits  
Administration, 9069–9097

**Part IV**  
Health and Human Services Department, Centers for  
Medicare & Medicaid Services, 9099–9135

**Part V**  
Housing and Urban Development Department, 9137–9139

**Part VI**  
Federal Emergency Management Agency, 9141–9154

**Part VII**  
Environmental Protection Agency, 9155–9172

**Part VIII**  
Environmental Protection Agency, 9173–9178

**Part IX**  
Labor Department, Mine Safety and Health Administration,  
9179–9184

---

**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.

To subscribe to the Federal Register Table of Contents LISTSERV electronic mailing list, 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.

**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.

**5 CFR****Proposed Rules:**

1600.....8908  
1650.....8908

**14 CFR**

71.....8859

**Proposed Rules:**

39.....8910

**21 CFR**

524.....8860

**22 CFR**

194.....8860  
503.....8866  
505.....8874

**26 CFR****Proposed Rules:**

1.....8912  
31.....8912  
46.....8912  
301.....8912

**27 CFR**

45.....8878  
46.....8878

**30 CFR**

57.....9180

**33 CFR**

175.....8881  
401.....8885

**Proposed Rules:**

165.....8915  
167.....8918

**36 CFR**

242 (2 documents) .....8889,  
8891

**Proposed Rules:**

242.....8918

**37 CFR****Proposed Rules:**

201.....9045

**40 CFR**

52 (3 documents) ...8893, 8894,  
8897  
63.....9156  
271.....8900

**Proposed Rules:**

52 (2 documents) ...8924, 8925  
271.....8925

**41 CFR**

302-17.....9045

**42 CFR**

410.....9100  
414.....9100

**44 CFR**

61.....8902  
152.....9142

**47 CFR**

73 (2 documents) .....8906

**Proposed Rules:**

73.....8926

**50 CFR**

100 (2 documents) .....8888,  
8891  
679.....8906

**Proposed Rules:**

100.....8918  
622.....8926  
660.....8927