



# Federal Register

---

9-3-02

Vol. 67 No. 170

Pages 56211-56474

Tuesday

Sept. 3, 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.

### FEDERAL REGISTER WORKSHOP

## THE FEDERAL REGISTER: WHAT IT IS AND HOW TO USE IT

- FOR:** Any person who uses the **Federal Register** and Code of Federal Regulations.
- WHO:** Sponsored by the Office of the Federal Register.
- WHAT:** Free public briefings (approximately 3 hours) to present:
1. The regulatory process, with a focus on the Federal Register system and the public's role in the development of regulations.
  2. The relationship between the **Federal Register** and Code of Federal Regulations.
  3. The important elements of typical **Federal Register** documents.
  4. An introduction to the finding aids of the FR/CFR system.
- WHY:** To provide the public with access to information necessary to research Federal agency regulations which directly affect them. There will be no discussion of specific agency regulations.

### WASHINGTON, DC

**WHEN:** September 24, 2002—9:00 a.m. to noon  
**WHERE:** Office of the Federal Register  
Conference Room  
800 North Capitol Street, NW.  
Washington, DC  
(3 blocks north of Union Station Metro)

**RESERVATIONS:** 202-523-4538; or  
[info@fedreg.nara.gov](mailto:info@fedreg.nara.gov)



# Contents

Federal Register

Vol. 67, No. 170

Tuesday, September 3, 2002

## Agency for Healthcare Research and Quality

### NOTICES

#### Meetings:

Health Services Research Initial Review Group  
Committee, 56292

## Agriculture Department

See Animal and Plant Health Inspection Service

See Commodity Credit Corporation

See Farm Service Agency

See Forest Service

See Grain Inspection, Packers and Stockyards  
Administration

## Animal and Plant Health Inspection Service

### RULES

#### User fees:

Agricultural and quarantine inspection services; current  
fees extension beyond 2002 FY, 56217–56218

## Architectural and Transportation Barriers Compliance Board

### RULES

Americans with Disabilities Act; implementation:

Accessibility guidelines—  
Recreation facilities, 56351–56440

### PROPOSED RULES

Americans with Disabilities Act; implementation:

Accessibility guidelines—  
Recreation facilities, 56440–56441

## Census Bureau

### NOTICES

#### Meetings:

Census Advisory Committees, 56266–56267

## Centers for Disease Control and Prevention

### NOTICES

Reports and guidance documents; availability, etc.:

Healthcare-associated pneumonia prevention, 56292–  
56293

## Children and Families Administration

### NOTICES

#### Meetings:

Mental Retardation, President's Committee, 56293

## Coast Guard

### RULES

Ports and waterways safety:

Narragansett Bay et al., RI; safety and security zones,  
56222–56225

Safety zones and security zones, etc.; list of temporary  
rules

Correction, 56222

Regattas and marine parades:

St. Mary's Seahawk Sprint, 56220–56221

### PROPOSED RULES

Drawbridge operations:

Massachusetts, 56247–56249

Ports and waterways safety:

Oahu, Maui, Hawaii, and Kauai, HI; anchorages and  
security zones, 56245–56247

## Commerce Department

See Census Bureau

See Industry and Security Bureau

See International Trade Administration

See National Oceanic and Atmospheric Administration

See National Telecommunications and Information  
Administration

## Commission of Fine Arts

### NOTICES

Meetings, 56281

## Committee for the Implementation of Textile Agreements

### NOTICES

Textile and apparel categories:

Illegal transshipment; entry denial—

Macau; Cheerful Garment Factory et al., 56282

## Commodity Credit Corporation

### NOTICES

Grants and cooperative agreements; availability, etc.:

Cattle Feed Program, 56260–56262

Loan and purchase programs:

2002-crop sugar marketing allotments and cane sugar  
allotment; hearing, 56262–56263

## Defense Department

See Navy Department

## Education Department

### NOTICES

Agency information collection activities:

Proposed collection; comment request, 56284–56285

## Energy Department

See Energy Efficiency and Renewable Energy Office

See Federal Energy Regulatory Commission

## Energy Efficiency and Renewable Energy Office

### PROPOSED RULES

Consumer products; energy conservation program:

Dishwashers; test procedures, 56232–56244

## Environmental Protection Agency

### RULES

Pesticides; tolerances in food, animal feeds, and raw  
agricultural commodities:

Lactic acid, ethyl ester, and lactic acid, n-butyl ester,  
56225–56229

### PROPOSED RULES

Air quality planning purposes; designation of areas:

Washington, 56249–56252

### NOTICES

Air pollution control:

Citizens suits; proposed settlements—

Louisiana Environmental Action Network, 56288

State operating permits programs—

Missouri, 56288–56289

Meetings:

Motor vehicle emission factors; mobile source emissions  
models; MOBILE, NONROAD, and MOVES models;  
workshop, 56289

Reports and guidance documents; availability, etc.:  
 Diesel engine exhaust; health assessment document,  
 56290

#### **Executive Office of the President**

See Presidential Documents  
 See Trade Representative, Office of United States

#### **Farm Service Agency**

##### **NOTICES**

Grants and cooperative agreements; availability, etc.:  
 Cattle Feed Program, 56260–56262

#### **Federal Aviation Administration**

##### **RULES**

Airworthiness directives:  
 Raytheon, 56218–56219

#### **Federal Communications Commission**

##### **NOTICES**

Agency information collection activities:  
 Proposed collection; comment request, 56290–56291  
 Meetings:  
 Technological Advisory Council, 56291

#### **Federal Energy Regulatory Commission**

##### **NOTICES**

*Applications, hearings, determinations, etc.:*  
 Canyon Creek Compression Co., 56285–56286  
 Dauphin Island Gathering Partners, 56286  
 Energy Investments Management, Inc., 56286  
 Iroquois Gas Transmission System, L.P., 56286–56287  
 Midwest Independent System Operator et al., 56287  
 Northwest Pipeline Corp., 56287  
 PG&E Gas Transmission, Northwest Corp., 56287–56288

#### **Federal Highway Administration**

##### **NOTICES**

Environmental statements; notice of intent:  
 Pottawattamie County, IA, and Douglas County, NE,  
 56341

#### **Federal Railroad Administration**

##### **NOTICES**

Meetings:  
 Railroad Safety Advisory Committee, 56343–56344  
 Railroad Safety Advisory Committee; working group  
 activity update, 56341–56343

#### **Federal Reserve System**

##### **NOTICES**

Banks and bank holding companies:  
 Change in bank control, 56291  
 Formations, acquisitions, and mergers, 56291–56292  
 Federal Open Market Committee:  
 Domestic policy directives, 56292

#### **Federal Transit Administration**

##### **NOTICES**

Buy America waivers:  
 North American Bus Industries, 56344  
 Orion Bus Industries, 56344–56345  
 Environmental statements; availability, etc.:  
 Eugene-Springfield, OR—  
 North Eugene Bus Rapid Transit Corridor, 56345–56346  
 North Springfield Bus Rapid Transit Corridor, 56346

#### **Fine Arts Commission**

See Commission of Fine Arts

#### **Fish and Wildlife Service**

##### **PROPOSED RULES**

Endangered and threatened species:  
 Truckee barberry, 56254–56257  
 Westslope cutthroat trout; status review, 56257–56259

##### **NOTICES**

Endangered and threatened species permit applications,  
 56296–56297

#### **Forest Service**

##### **NOTICES**

Meetings:  
 Resource Advisory Committees—  
 Madera County, 56263

#### **Geological Survey**

##### **NOTICES**

Agency information collection activities:  
 Submission for OMB review; comment request, 56297–  
 56298

#### **Grain Inspection, Packers and Stockyards Administration**

##### **NOTICES**

Agency designation actions:  
 Illinois, 56263  
 Various States, 56264–56266

#### **Health and Human Services Department**

See Agency for Healthcare Research and Quality  
 See Centers for Disease Control and Prevention  
 See Children and Families Administration  
 See Substance Abuse and Mental Health Services  
 Administration

##### **PROPOSED RULES**

Privacy Act:  
 Systems of records, 56252–56254

#### **Housing and Urban Development Department**

##### **NOTICES**

Agency information collection activities:  
 Submission for OMB review; comment request, 56295–  
 56296  
 Federal National Mortgage Association (Fannie Mae) and  
 Federal Home Loan Mortgage Corporation (Freddie  
 Mac); utility allowances, 56471–56473

#### **Industry and Security Bureau**

##### **NOTICES**

Meetings:  
 Regulations and Procedures Technical Advisory  
 Committee, 56267

#### **Interior Department**

See Fish and Wildlife Service  
 See Geological Survey  
 See Land Management Bureau  
 See National Park Service

#### **Internal Revenue Service**

##### **PROPOSED RULES**

Income taxes:  
 Foreign personal holding company income; definition  
 Hearing cancellation, 56244

##### **NOTICES**

Agency information collection activities:  
 Proposed collection; comment request, 56348–56349  
 Meetings:  
 Art Advisory Panel, 56349–56350

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

## Antidumping:

Oil country tubular goods from—  
Mexico, 56269–56271

## Antidumping and countervailing duties:

Administrative review requests, 56267–56268

Five year (sunset) reviews—

Initiation of reviews, 56268–56269

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

## Import investigations:

Carbon steel plate from—

Various countries, 56311–56313

**Justice Department**

See Justice Programs Office

**Justice Programs Office****NOTICES**

## Grants and cooperative agreements; availability, etc.:

Victim Assistance Program, 56443–56458

**Labor Department**

See Pension and Welfare Benefits Administration

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

## Classification of public lands:

Nevada, 56298

## Closure of public lands:

Idaho, 56298–56299

Montana, 56299

## Coal leases, exploration licenses, etc.:

Kentucky, 56300–56301

New Mexico, 56298

Utah, 56299–56300

## Environmental statements; notice of intent:

California Desert Conservation Area Plan, CA, 56300

San Juan/San Miguel Resource Area, CO, 56301–56302

## Meetings:

Resource Advisory Councils—

Arizona, 56302

## Motor vehicle use restrictions:

Wyoming, 56302–56303

## Oil and gas leases:

New Mexico, 56303

## Opening of public lands:

Wyoming, 56303

## Realty actions; sales, leases, etc.:

California, 56303–56304

New Mexico, 56304

Utah, 56459–56460

## Recreation management restrictions, etc.:

Colorado public lands; unlawful use of alcohol by  
underage persons, driving under influence of alcohol  
and/or drugs, and drug paraphernalia possession,  
56305–56307

## Resource management plans, etc.:

Taos Resource Area, NM, 56301

## Withdrawal and reservation of lands:

New Mexico, 56307–56308

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

## Motor vehicle safety standards; exemption petitions, etc.:

Bridgestone/Firestone North American Tire, LLC, 56347

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

## Fishery conservation and management:

Alaska; fisheries of Exclusive Economic Zone—

Atka mackerel, 56231

Deep-water species; closure to vessels using trawl gear  
in Gulf of Alaska, 56230–56231

Northeastern United States fisheries—

Summer flounder, 56229–56230

**NOTICES**

## Marine mammals:

Incidental taking; authorization letters, etc.—

Navy Department; San Nicolas Island, CA; missile  
launch operations; pinnipeds, 56271–56276

## Meetings:

Gulf of Mexico Fishery Management Council, 56277

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

## Environmental statements; availability, etc.:

Channel Islands National Park, CA—

Santa Cruz Island primary restoration plan, 56308–  
56309

Devils Tower National Monument, WY; general  
management plan, 56309–56310

Mary McLeod Bethune Council House National Historic  
Site, Washington, DC, 56310–56311

## Reports and guidance documents; availability, etc.:

Resource damage assessment and restoration; policies  
and procedures; Director's Order and Handbook  
availability, 56311

**National Science Foundation****NOTICES**

## Agency information collection activities:

Proposed collection; comment request, 56315–56316

## Meetings:

Environmental Biology Proposal Review, 56316

**National Telecommunications and Information Administration****NOTICES**

## Electronic Signatures in Global and National Commerce Act:

Court documents exception; comment request, 56277–  
56279

Hazardous materials and dangerous goods shipping  
papers exception; comment request, 56279–56281

**Navy Department****NOTICES**

## Privacy Act:

Systems of records, 56282–56284

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

## Operating licenses, amendments; no significant hazards considerations; biweekly notices, 56317–56333

*Applications, hearings, determinations, etc.:*

South Carolina Electric & Gas Co., 56316–56317

**Office of United States Trade Representative**

See Trade Representative, Office of United States

**Overseas Private Investment Corporation****NOTICES**

## Meetings; Sunshine Act, 56333

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

Employee benefit plans; class exemptions:  
Individual life insurance contracts and annuities, 56313–56315

**Presidential Documents****PROCLAMATIONS**

Argentina; duty-free treatment under generalized system of preferences (Proc. 7586), 56211–56213

**EXECUTIVE ORDERS**

Waterfront facilities; security and protection (EO 13273), 56215

**Public Health Service**

See Agency for Healthcare Research and Quality  
See Centers for Disease Control and Prevention  
See Substance Abuse and Mental Health Services Administration

**Securities and Exchange Commission****RULES**

Organization, functions, and authority delegations:  
General Counsel, 56219–56220

**Securities:**

Beneficial ownership reports; accelerated filing deadlines; rule and form amendments, 56461–56469

**NOTICES**

Meetings; Sunshine Act, 56333

Self-regulatory organizations; proposed rule changes:

National Association of Securities Dealers, Inc., 56333–56335

Philadelphia Stock Exchange, Inc., 56335–56338

**Small Business Administration****NOTICES**

Disaster loan areas:

California; correction, 56338–56339

Pennsylvania, 56339

**State Department****NOTICES**

Meetings:

Labor Diplomacy Advisory Committee, 56339

**Substance Abuse and Mental Health Services Administration****NOTICES**

Federal agency urine drug testing; certified laboratories meeting minimum standards, list, 56293–56295

**Surface Transportation Board****NOTICES**

Railroad operation, acquisition, construction, etc.:

Burlington Northern & Santa Fe Railway Co., 56347–56348

**Textile Agreements Implementation Committee**

See Committee for the Implementation of Textile Agreements

**Trade Representative, Office of United States****NOTICES**

Agency information collection activities:

Submission for OMB review; comment request, 56339–56340

**Transportation Department**

See Coast Guard

See Federal Aviation Administration

See Federal Highway Administration

See Federal Railroad Administration

See Federal Transit Administration

See National Highway Traffic Safety Administration

See Surface Transportation Board

**NOTICES**

Air carriers:

U.S. passenger airlines agreements—

Delta/Northwest/Continental; code-sharing and frequent-flyer program reciprocity agreements, 56340–56341

**Treasury Department**

See Internal Revenue Service

**Separate Parts In This Issue****Part II**

Architectural and Transportation Barriers Compliance Board, 56351–56441

**Part III**

Justice Department, Justice Programs Office, 56443–56458

**Part IV**

Interior Department, Land Management Bureau, 56459–56460

**Part V**

Securities and Exchange Commission, 56461–56469

**Part VI**

Housing and Urban Development Department, 56471–56473

**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.

**3 CFR****Proclamations:**

7586.....56211

**Executive Orders:**

10173 (Amended by

EO 13273).....56215

13273.....56215

**7 CFR**

354.....56217

**10 CFR****Proposed Rules:**

430.....56232

**14 CFR**

39.....56218

**17 CFR**

200.....56219

240.....56462

249.....56462

274.....56462

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

1.....56244

**33 CFR**

100 (2 documents) .....56220,

56222

117.....56222

165 (2 documents) .....56222

**Proposed Rules:**

110.....56245

117.....56247

165.....56245

**36 CFR**

1191.....56352

**Proposed Rules:**

1190.....56441

1191.....56441

**40 CFR**

180.....56225

**Proposed Rules:**

81.....56249

**45 CFR****Proposed Rules:**

5b.....56252

**50 CFR**

648.....56229

679 (2 documents) .....56230,

56231

**Proposed Rules:**

17 (2 documents) .....56254,

56257