Notices

Federal Register
Vol. 54, No. 41
Friday, March 3, 1989

[illegible] section of the FEDERAL REGISTER [illegible] documents other than rules or [illegible] rules that are applicable to the [illegible] Notices of hearings and [illegible]gations, committee meetings, agency [illegible] and rulings, delegations of [illegible], filing of petitions and [illegible]tions and agency statements of [illegible]ation and functions are examples [illegible] documents appearing in this section.

[illegible]RTMENT OF AGRICULTURE

[illegible] Service

[illegible] Environmental Policy Act; [illegible] Policy and Procedures

[illegible]: Forest Service, USDA.

[illegible]: Notice of interim policy and [illegible]dures.

[illegible]ARY: On January 23, 1989, the [illegible]ary of Agriculture gave notice of [illegible]on of final rules revising [illegible]istrative appeal procedures for [illegible]al Forest Service System plan and [illegible] decisions. The new rules at 36 [illegible] Part 217 introduce a new type of [illegible]mental document—a Decision [illegible]. In order to implement the new [illegible] procedures, the Forest Service [illegible] issue direction immediately to its [illegible] officers on when and how to [illegible]re a Decision Memo. This direction [illegible]ng issued as an Interim Directive to [illegible] Service Handbook 1909.15, [illegible]nmental Policy and Procedures [illegible]book, and is effective February 22, [illegible] to coincide with the effective date [illegible] rules at 36 CFR Part 217.

[illegible]TIVE DATE: February 22, 1989

[illegible] FURTHER INFORMATION CONTACT: [illegible]tions and comments about this [illegible]y should be addressed to David E. [illegible]ham, Director of Environmental [illegible]dination, Forest Service, USDA, [illegible] Box 96090, Washington, DC 20090-[illegible], phone (202) 447-4708.

[illegible]LEMENTARY INFORMATION: As noted [illegible] summary, new rules governing [illegible]istrative appeal of National Forest [illegible] plan and project decisions were [illegible]shed January 23, 1989, at 54 FR [illegible]-3370, and became effective [illegible]ary 22, 1989. The rules at 36 CFR [illegible] establish a new type of [illegible]nmental document called a [illegible]ision Memo," which is defined as a [illegible]ent in which a forest officer [illegible] a decision to categorically [illegible] a proposed action from documentation in an environmental impact statement or environmental assessment.

In order to implement the new appeal rule in a timely fashion, the Forest Service must issue direction to its employees on how and when to prepare a Decision Memo. These instructions are being issued as an Interim Directive (ID) to FSH 1909.15, Environmental Policy and Procedures Handbook, which contains the detailed guidance needed by Forest Service employees to comply with the National Environmental Policy Act (NEPA) and Council on Environmental Quality implementing regulations at 40 CFR Parts 1500–1508. As required by those rules, the Forest Service hereby given notice of the interim procedures.

Prior to issuance of the interim directive, the agency had begun a comprehensive review and revision of its NEPA policy and procedures and is in the final stages of preparing those revisions for publication in the Federal Register. Upon publication, the public will be invited to submit comments on the proposed revisions. The Decision Memo procedures now being issued as an interim directive will be included in the more comprehensive proposed revision of the agency's policy and procedure. Therefore, the agency is not requesting public comment on the interim directive at this time.

A copy of the interim directive as it is being issued in the Forest Service directive system appears at the end of this notice. In accordance with Forest Service policy, the interim directive will stay in effect up to one year unless removed.

George M. Leonard,
Associate Chief

Date: February 24, 1989.

FOREST SERVICE HANDBOOK

Washington, DC

FSH 1909.15—Environmental Policy and Procedures Handbook

Interim Directive No. 2
February 28, 1989.

Duration: One year.
Chapter: 20—Environmental Analysis.
Posting Notice: Last ID was No. 1, which has expired.

On February 22, 1989, the new administrative appeal procedures at 36 CFR Part 217 becamse effective. Section 217.3 of the new rules proivdes that decisions documented in a Decision Memo, Decision Notice, or Record of Decision may be appealed under the rules in Part 217. A Decision Memo is a new type of environmental document to be prepared by Forest Service employees. In order to implement the new appeal rules, it is necessary to provide interim direction on when a Decision Memo should be prepared and on the format and content of this type of decision document.

For ease of use and consistency of implementation, this interim directive (ID) also integrates guidance on categorical exlcusions with the guidance on how and when to prepare a Decision Memo. Specifically, this ID (1) enumerates the categories established by the Department of Agriculture at 7 CFR 1b.3 as categorically excluded from documentation in an EIS or EA; (2) identifies the categories of actions for which a project file and Decision Memo must be prepared; (3) defines the content of a project file; and (4) requires notice of a decision to proceed with an action that has been categorically excluded from documentation. The direction on categorical exclusions is identical to that issued in ID No. 16 to FSM 1950, dated August, 1988, which is being removed by separate posting notice.

26—Categories of Actions Excluded From Documentation in an EIS or EA. (40 CFR 1508.4)

26.1—Categories for Whoih a Project File and a Decision Memo Are Not Required. A project file is not required for the categories of actions listed in sections 26.1a and 26.1b. However, a project file may be established for such an action at the discretion of the responsible official.

26.1a—Categories Established by the Secretary. The rules at 7 CFR 1b.3 exclude from documentation in an environmental impact statement (EIS) or an environmental assessment (EA) the following categories of actions:

§ 1b.3 Categorical exclusions.

(a) The following are categories of activities which have been determined not to have a significant effect on the human environment and are excluded from the preparation of environmental assessments (EA's) or environmental impact statements (EIS's), unless

individual agency procedures prescribe otherwise.

(1) Policy development, planning and implementation which relate to routine activities, such as personnel, organizational changes, or similar administrative functions;

(2) Activities which deal solely with the funding of programs, such as program budget proposals, disbursements, and transfer or reprogramming of funds;

(3) Inventories, research activities, and studies, such as resource inventories and routine data collection when such actions are clearly limited in context and intensity;

(4) Educational and informational programs and activities;

(5) Civil and criminal law enforcement and investigative activities;

(6) Activities which are advisory and consultative to other agencies and public and private entities, such as legal counseling and representation;

(7) Activities related to trade representation and market development activities abroad.

26.1b—Categories Established by the Chief. The following categories of routine administrative and maintenance actions normally do not individually or cumulatively have a significant effect (40 CFR 1508.22) on the quality of the human environment and, therefore, may be categorically excluded from documentation in an environmental impact statement (EIS) or environmental assessment (EA):

1. Administrative actions, such as road and area closures; restrictions on travel or use, such as camping, boating, or hunting; and posting signs and markers.

2. Construction of low-impact facilities or improvements, such as auxiliary support buildings or other structures; picnic areas and campgrounds; temporary and other low-standard roads, such as traffic service level "D" roads (FSH 7709.56); and trails.

3. Repair and maintenance activities, such as on buildings, grounds, trails, rights-of-way, and range improvements.

26.2—Categories of Actions for Which a Project File and a Decision Memo Are Required. Maintain a project file and prepare a Decision Memo for the following categories of proposed actions:

1. Low-impact silvicultural activities that are limited in size and duration and that primarily use existing roads and facilities, such as firewood and miscellaneous forest product sales; salvage, thinning, and small harvest cuts of less than 100,000 board feet or less than 10 acres; site preparation; and planting and seeding.

2. Low-impact range management activities, such as fencing, seeding, and installing water facilities.

3. Issuance or modification of authorizations or agreements for such uses of lands or facilities as road maintenance and additional use of existing roads, rights-of-way, and easements.

4. Low-impact pest management activities, such as suppressing nuisance insects and poisonous plants in campgrounds and picnic areas; controlling cone and seed insects in seed orchards; and fumigating to control weeds in nurseries.

5. Mineral and energy activities of limited size, duration, and degree of disturbance, such as preliminary exploration and removal of small mineral samples.

6. Fish and wildlife management activities, such as improving habitat, installing fish ladders, and stocking native or established species.

7. Transfer of interests in land, such as sales, exchanges, or interchanges pursuant to the Small Tracts Act; purchases and gifts; and small transfers and trades with other Federal agencies.

26.2a—Content of Project File. As a minimum, a project file on a proposed action as listed in sec. 26.2 should include:

1. A list of the names of interested and affected people, groups, and agencies contacted during scoping;

2. The results of scoping and the subsequent environmental analysis;

3. A copy of the Decision Memo (sec. 27);

4. A list of the people, agencies, and groups notified of the decision;

5. Other notice used to inform interested and affected persons of the decision to proceed with or to implement an action that has been categorically excluded.

27—Documentation of Decisions in a Decision Memo

A Decision Memo is not required if a proposed action has been categorically excluded from documentation in an environmental impact statement or an environmental assessment under categories in sections 26.1a (7 CFR 1b.3) or section 26.1b of this chapter. However, interested and affected persons must be informed in an appropriate manner (sec. 11.5).

A Decision Memo is required if the proposed action has been categorically excluded from documentation in an EIS or EA under the categories listed in section 26.2. These decisions are subject to review under 36 CFR 217.6.

27.1—Format and Content. The format of the Decision Memo is not intended to replicate the format of a correspondence memorandum (FSH 8209.12). Generally, Decision Memos should conform to the following format and content although sections may be combined or rearranged in the interest of clarity and brevity.

1. *Heading.* The heading consists of the following elements:

(a) Title of document—"Decision Memo."

(b) The title of the proposed action.

(c) The location of the proposed action (including the Forest Service administrative unit, county, and state). In some cases, including the legal land description is appropriate.

2. *Proposed action.* Describe the proposed action, the decision to be implemented, and reasons for making the decision.

3. *Scoping and public involvement.* Describe the scoping process used and the issues identified. It may be appropriate to identify or refer to the interested and affected agencies, organizations, and persons contacted.

4. *Reasons for categorically excluding the proposed action.* This section includes:

(a) Identification of the category (sec. 26) into which the proposed action falls.

(b) Finding that no extraordinary circumstances exist that might cause the action to have significant effects.

5. *Finding required by other laws.* Include any findings required by any other laws. For example, findings of consistency with the forest plan, suitability, and vegetation management required by the National Forest Management Act (FSM 1922.41 and FSH 1909.12, sec. 5.3).

6. *Implementation date.* Include the date when the responsible official intends to implement the decision (sec. 51).

7. *Administrative review or appeal opportunities.* State whether the decision is subject to review or appeal, cite the applicable regulations (36 CFR Part 217), and identify when and where to file a request for review or appeal.

8. *Contact person.* Include the name, address, and phone number of the Forest Service employee who can supply further information about the decision.

9. *Signature and date.* The responsible official must sign and date the Decision Memo on the date the date the decision is made.

27.2—Notice and Distribution of Decision Memo. Distribute the Decision

...ifiers in a manner designed to inform agencies, organizations, and persons interested in or affected by the proposed action.

...). For decisions subject to appeal under 36 CFR Part 217, the responsible official shall promptly mail the Decision Notice to those who, in writing, have requested it, and to those who are known to have participated in the decisionmaking process.

...). The responsible official may provide other forms of notice, including legal notice in newspapers of general circulation in the area where the proposed action is to be implemented.

When required by E.O. 12372 send notices to the State Single Point of Contact or, in cases where a State has elected not to establish a Single Point of Contact, the State official(s) involved.

[FR Doc. 89-4971 Filed 3-2-89; 8:45 am]

BILLING CODE 3410-11-M

COMMISSION ON CIVIL RIGHTS

Kansas Advisory Committee; Agenda and Notice of Public Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a meeting of the Kansas Advisory Committee to the Commission will convene at 9:00 a.m. and adjourn at 5:30 p.m., on March 9, 1989 at the Ramada Inn-Downtown, 420 East 6th Street, Topeka, Kansas. The purpose of the meeting is to review the status of current Committee projects and discuss issues which are possible subjects for future activities.

Persons desiring additional information, or planning a presentation to the Committee, should contact Committee Chairperson, Burdett A. Loomis, or Williams L. Muldrow, Acting Director of the Central Regional Division (816) 426-5253, (TDD 816/426-5009). Hearing impaired persons who will attend the meeting and require the services of a sign language interpreter, should contact the Regional Division at least five (5) working days before the scheduled date of the meeting.

The meeting will be conducted pursuant to the provisions of the rules and regulations of the Commission.

Dated at Washington, DC, February 7, 1989.

Melvin L. Jenkins,

Acting Staff Director.

[FR Doc. 89-5040 Filed 3-2-89; 8:45 am]

BILLING CODE 6335-01-M

DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-007]

Barium Chloride from the People's Republic of China; Termination of Antidumping Duty Administrative Reviews

AGENCY: International Trade Administration/Import Administration, Department of Commerce.

ACTION: Notice of termination of antidumping duty administrative reviews.

SUMMARY: On November 18, 1987 and December 5, 1988, the Department of Commerce initiated administrative reviews of the antidumping duty order on barium chloride from the People's Republic of China. The Department has now determined to terminate those reviews.

EFFECTIVE DATE: March 7, 1989.

FOR FURTHER INFORMATION CONTACT: Michael Rill or Maureen Flannery, Office of Antidumping Compliance, International Trade Administration, U.S. Department of Commerce, Washington, DC 20230, telephone: (202) 377-3601/2923.

SUPPLEMENTARY INFORMATION:

Background

On November 18, 1987 and December 5, 1988, in response to requests received from the petitioner in this case, the Department of Commerce published notices of initiation of administrative review of the antidumping duty order on barium chloride from the People's Republic of China (52 FR 44161 and 53 FR 48951). Those notices stated that we would review entries from Sinochem during the periods October 1, 1986 through September 30, 1987 and October 1, 1987 through September 30, 1988, respectively.

The petitioner subsequently withdrew its requests for review on January 5, 1989. Accordingly, the Department has determined to terminate the reviews.

This notice is in accordance with section 751(a)(1) of the Tariff Act of 1930 (19 U.S.C. 1675(a)(1)) and section 353.53a of the Commerce Regulations (19 CFR 353.53a).

Dated: February 27, 1989.

Jan W. Mares,

Assistant Secretary for Import Administration.

[FR Doc. 89-5013 Filed 3-2-89; 8:45 am]

BILLING CODE 3510-DS-M

University of Kentucky, et al.; Consolidated Decision on Applications for Duty-Free Entry of Electron Microscopes

This is a decision consolidated pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897; 15 CFR Part 301). Related records can be viewed between 8:30 a.m. and 5:00 p.m. in Room 2841, U.S. Department of Commerce, 14th and Constitution Avenue, NW., Washington, DC.

Docket Number: 88-228. University of Kentucky, Lexington, KY 40536-0293. *Instrument:* Electron Microscope with Accessories, Model EM 902PC. *Manufacturer:* Carl Zeiss, West Germany. *Intended Use:* See notice at 53 FR 30084, August 10, 1988. *Instrument Ordered:* April 15, 1988.

Docket Number: 88-229. *Applicant:* University of Virginia, Charlottesville, VA 22908. *Instrument:* Electron Microscope with Accessories, Model CEM 902. *Manufacturer:* Carl Zeiss, West Germany. *Intended Use:* See notice at 53 FR 30084, August 10, 1988. *Instrument Ordered:* April 22, 1988.

Docket Numbers: 88-230 and 88-232. *Applicant:* University of Kentucky, Lexington, KY 40536-0084. *Instrument:* Electron Microscope, Models H-7000-3T and H-7000. *Manufacturer:* Hitachi Scientific, Japan. *Intended Use:* See notices at 53 FR 30084, August 10, 1988. *Instruments Ordered:* December 23, 1987.

Docket Number: 88-233. *Applicant:* Carnegie Mellon University, Pittsburgh, PA 15213. *Instrument:* Electron Microscope, Model HB501. *Manufacturer:* VG Microscopes, Ltd., United Kingdom. *Intended Use:* See notice at 53 FR 31077, August 17, 1988. *Instrument Ordered:* September 29, 1987.

Docket Number: 88-235. *Applicant:* University of Pennsylvania, Philadelphia, PA 19104-6058. *Instrument:* Electron Microscope, Model JEM-1200/EX/SEG/DP/DP. *Manufacturer:* JEOL, Ltd., Japan. *Intended Use:* See notice at 53 FR 31077, August 17, 1988. *Instrument Ordered:* January 15, 1988.

Docket Number: 88-236. *Applicant:* Baylor College of Medicine, Houston, TX 77030. *Instrument:* Electron Microscope, Model JEM-1200/EX/SEG/DP/DP. *Manufacturer:* JEOL, Ltd., Japan. *Intended Use:* See notice at 53 FR 31077, August 17, 1988. *Instrument Ordered:* April 21, 1988.

Docket Number: 88-239. *Applicant:* Occidental College, Los Angeles, CA 90041. *Instrument:* Electron Microscope, Model EM 109. *Manufacturer:* Carl