

vehicle—\$80.00, with the maximum amount of \$160.00 payable by a family (husband, wife, and minor children under 18 years-of-age). Payable following approval of the application but before use of the DCL by each participant. This fee is non-refundable, but may be waived by the district director. If a participant wishes to enroll more than one vehicle for use in the PORTPASS system, he or she will be assessed with an additional fee of—\$42 for each additional vehicle enrolled.

* * * * *

Form I-823. For application to a PORTPASS program under section 286 of the Act—\$25.00, with the maximum amount of \$50.00 payable by a family (husband, wife, and minor children under 18 years of age). The application fee may be waived by the district director. If fingerprints are required, the inspector will inform the applicant of the current Federal Bureau of Investigation fee for conducting fingerprint checks prior to accepting the application fee. Both the application fee (if not waived) and the fingerprint fee must be paid to the Immigration and Naturalization Service before the application will be processed. The fingerprint fee may not be waived. For replacement of PORTPASS documentation during the participation period—\$25.00.

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Dated: September 27, 1996.

Doris Meissner,

Commissioner, Immigration and Naturalization Service.

[FR Doc. 96-26286 Filed 10-9-96; 11:44 am]

BILLING CODE 4410-10-M

Food Safety and Inspection Service

9 CFR Parts 304, 308, 310, 320, 327, 381, 416, and 417

[Docket No. 93-016-6N]

Pathogen Reduction/HACCP Regional Implementation Conference

AGENCY: Food Safety and Inspection Service, USDA.

ACTION: Notice of Meeting.

SUMMARY: The Food Safety and Inspection Service (FSIS) is holding six regional one-day conferences, "Pathogen Reduction/HACCP Regional Implementation Conference." The purpose of the conferences is to brief the public on the content of the final rule, "Pathogen Reduction; Hazard Analysis and Critical Control Point (HACCP) Systems," published on July 25, 1996, and discuss its implementation.

DATES: See **SUPPLEMENTARY INFORMATION** for dates and times of the meetings.

ADDRESSES: See **SUPPLEMENTARY INFORMATION** for the location of the meetings.

FOR FURTHER INFORMATION CONTACT: To register for the conference, call (800) 485-4429, FAX (202) 501-7642, or E-mail usdafs/s=sconfer@mhs.attmail.com. If you require a sign language interpreter or other special accommodations, contact Ms. Shelia Johnson at (202) 501-7138 by October 7, 1996.

SUPPLEMENTARY INFORMATION:

On July 25, 1996, FSIS published a final rule, "Pathogen Reduction; Hazard Analysis and Critical Control Point (HACCP) Systems" (61 FR 38805). This rule introduced sweeping changes to the meat and poultry inspection system. In the preamble to the final rule, FSIS announced that it would hold implementation conferences in Washington, DC and in various cities around the country (61 FR 38813). The following is a list of locations, dates, and times for each of the six regional implementation conferences.

Conference location	Date	Time
Chicago, Illinois: O'Hare Ballroom, Clarion International at O'Hare Hotel, 6810 North Mannheim Road, Rosemont, Illinois.	October 15, 1996	8:00 a.m.—5:00 p.m.
Kansas City, Missouri: Liberty Room, Westin Crown Center Hotel, One Pershing Road, Kansas City, Missouri.	October 17, 1996	8:00 a.m.—5:00 p.m.
Dallas, Texas: Bank One Center, Fifth Floor, 1717 Main Street, Dallas, Texas	October 22, 1996	8:00 a.m.—5:00 p.m.
Oakland, California: Henry J. Kaiser Convention Center, 10 Tenth Street, Oakland, California.	October 24, 1996	8:00 a.m.—5:00 p.m.
Boston, Massachusetts: Tip O'Neill Federal Building, 10 Causeway Street, Boston, Massachusetts.	November 7, 1996	8:00 a.m.—5:00 p.m.
Atlanta, Georgia: Capitol Ballroom, Radisson Hotel Atlanta, 165 Courtland and International Boulevard, Atlanta, Georgia.	November 13, 1996	8:00 a.m.—5:00 p.m.

At each conference, FSIS officials will discuss Sanitation Standard Operating Procedures, *E. coli* verification testing, HACCP requirements, *Salmonella* testing, and enforcement issues. Time will be allotted for questions and answers.

Done at Washington, DC, on: October 7, 1996.

Michael R. Taylor,

Acting Under Secretary for Food Safety.

[FR Doc. 96-26165 Filed 10-8-96; 12:05 pm]

BILLING CODE 3410-DM-P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

15 CFR Part 400

[Docket No. 960912257-6257-01; Order No. 849]

RIN 0625-AA48

Lapse of Authority Provision; Inactive Foreign-Trade Zones

AGENCY: Foreign-Trade Zones Board, International Trade Administration, Commerce.

ACTION: Rule-related notice.

SUMMARY: Upon review of Section 400.28(a)(5) of the regulations of the Foreign-Trade Zones Board (15 CFR Part 400) (the "lapse provision") and consideration of comments received in

response to Federal Register notices given on April 1, 1996 (61 FR 14290) and on July 8, 1996 (61 FR 35711), the Foreign-Trade Zones (FTZ) Board adopts the following interpretive guidelines and procedures in its implementation of the lapse provision.

EFFECTIVE DATE: October 11, 1996.

FOR FURTHER INFORMATION CONTACT: John J. Da Ponte, Jr., Executive Secretary, Foreign-Trade Zones Board, room 3716, U.S. Department of Commerce, Pennsylvania Avenue and 14th Street NW, Washington, DC 20230 (202/482-2862).

SUPPLEMENTARY INFORMATION:

Background

On October 8, 1991, the Foreign-Trade Zones Board amended its regulations to include, inter alia, a "lapse provision",

which provides for the lapse of authority for certain inactive foreign-trade zones. See *Final Rules: Foreign-Trade Zones Board*, 56 Fed. Reg. 50790 (1991); 15 CFR § 400.28(a)(5). Grants of authority for foreign-trade zones and subzones issued prior to November 7, 1991, were expressly subject to the condition that activation occur within a reasonable time. The adoption of Section 400.28(a)(5) was intended to codify and define this proviso, which is needed in the interest of efficient program operation. The provision first goes into effect on November 8, 1996, for zones approved prior to November 8, 1991, and thereafter it will have a continuing effect for zones not activated within five years of approval.

Comments from most of the zone grantees initially affected (some 15 percent of approved projects) indicate that despite no actual shipments under FTZ procedures their FTZ projects were still an active part of state/local economic development programs and that they wish to take appropriate steps necessary to avoid losing FTZ authority. The guidelines and procedures being adopted take this into account, providing an alternative form of FTZ activation for projects that are actively offering FTZ services as well as a reinstatement period prior to termination of authority.

Classification

This rulemaking action was determined to be not significant for purposes of Executive Order 12866. Because notice and comment are not required by 5 U.S.C. 553 or any other statute for these interpretative guidelines and procedures, a regulatory flexibility analysis is not required and was not prepared for purposes of the Regulatory Flexibility Act. This rulemaking involves information collection requirements which are cleared under OMB Control No. 0625-0139 and 0625-0109 for purposes of the Paperwork Reduction Act.

Foreign-Trade Zones Board Interpretive Guidelines and Procedures (15 CFR § 400.28(a)(5))

Activation Defined

A zone grantee which will have reported in its annual report to the FTZ Board the receipt of shipments under FTZ procedures (and under Customs activation approval) at any time prior to November 8, 1996, and thereafter within five years of the issuance of the grant of authority for the zone or subzone, is deemed to have fulfilled the FTZ activation requirement.

A zone project at which no shipments have been actually received under FTZ procedures, but which is active in offering FTZ services to the public, may alternatively fulfill the FTZ activation requirement by: (1) obtaining Customs activation approval under Section 146.6 of the Customs regulations (19 CFR Part 146) from the Customs Port Director for the area; (2) submitting a zone schedule to the Executive Secretary of the FTZ Board and to the Customs Port Director pursuant to Section 400.42(b) of the FTZ regulations; and, (3) notifying the Executive Secretary in writing upon the completion of (1) and (2) that the zone is open for business.

The fulfillment of the requirements in either of the two preceding paragraphs constitutes "FTZ activation" for purposes of the "lapse provision" and it preserves active FTZ authority for all general-purpose zone sites in a zone plan. Subzones are individually subject to the requirements.

Reinstatement Period

During the 18-month period following a lapse of authority ("reinstatement period"), zone grantees may apply for reinstatement of FTZ authority for general-purpose zone sites and for individual subzones upon completion of the FTZ activation requirements during that period. Grantees should notify the Executive Secretary when steps are being taken to qualify for reinstatement.

During the reinstatement period, the authority for the affected zone or subzone is considered lapsed, unless and until reinstatement occurs. Termination of authority would occur at the end of the 18-month reinstatement period for a zone or subzone not reinstated during the period (as noted below, under certain conditions, grantees may request that the processing of certain pending applications be continued during this period). Upon termination of authority, zones and subzones affected will be dropped from lists maintained by the FTZ Staff and published in the FTZ Board's annual report.

Guidelines

1. A zone which had been in FTZ activation at any time and for any length of time within the applicable time frame (i.e., prior to the lapse date) is not affected by the lapse provision.

2. The FTZ activation of any part of a general-purpose zone or a subzone will suffice to preserve FTZ authority for all of the general-purpose sites of a zone project, but not for any particular subzone which has not been activated. Thus, each subzone is considered separately. (The lapse of authority for a

subzone does not affect the basic authority of a zone grantee which has otherwise met the FTZ activation requirements.)

3. The starting time for tolling whether a lapse of authority has occurred will be from the time of the original grant of authority for a zone project, and it will affect all general-purpose zone sites and subzones associated with the project, however recently approved. With regard to a zone project which meets the activation requirements but has inactive subzones, the starting time for tolling such subzones will be from the time of the original grant of authority for the subzone.

4. Applications submitted to or pending with the FTZ Board or the FTZ Staff from any affected zone shall become inactive if zone authority lapses, but the processing of such applications may be resumed upon written request of a zone grantee made within 90 days of a lapse of authority if the site involved in the application is part of an activation plan. (New applications may be considered for acceptance for filing under the same conditions, except that applications for minor modifications to zone projects under Section 400.26(c) proposing changes that are part of an activation plan may be so considered up to 60 days prior to the end of the reinstatement period.)

5. FTZ activation of a general-purpose zone or subzone may be determined by the Board to extend to separate, but related, general-purpose zones or subzones approved for the same grantee if the projects were approved in the same Board action or if the projects are significantly interrelated in terms of their administration as an element of state/regional/local economic development programs (in the case of subzones, if the sites are administered as a unit by the subzone company), providing that the Customs Port Director for the area concurs.

(Note: The lapse provision is not intended to preclude the voluntary relinquishment of grants of authority which are inactive with no prospects for activation or reactivation.)

Review Procedure

Beginning November 8, 1996, the FTZ Staff will conduct periodic reviews with regard to zone projects that appear to be affected by Section 400.28(a)(5). Information as to zones and subzones for which authority has lapsed or terminated will be provided to the U.S. Customs Service by the FTZ Staff.

Authority for Determinations/Decisions

The Executive Secretary shall make determinations and decisions on matters relating to the lapse of authority provision, including FTZ activation and reinstatement. Appeals from such determinations and decisions may be made to the Board by affected zone grantees as provided for in Section 400.47 (15 CFR Part 400).

By order of the Foreign-Trade Zones Board, Washington, D.C., this 7th day of October 1996.

Robert S. LaRussa,

Acting Assistant Secretary for Import Administration, Alternate Chairman, Foreign-Trade Zones Board.

[FR Doc. 96-26215 Filed 10-10-96; 8:45 am]

BILLING CODE 3510-DS-P

National Oceanic and Atmospheric Administration

15 CFR Part 946

[Docket No. 960418114-6278-04]

RIN 0648-AF72

Weather Service Modernization Criteria

AGENCY: National Weather Service, National Oceanic and Atmospheric Administration, Department of Commerce.

ACTION: Final rule.

SUMMARY: In accordance with the Weather Service Modernization Act, 15 U.S.C. 313n (the Act), the National Weather Service (NWS) is publishing an amendment to its criteria for modernization actions requiring certification. This amendment adds criteria unique to closing a field office to ensure that closure actions will not result in any degradation of service. Closing a field office is the final step in an often complex transition process in which a field office is carefully phased out at the same time as one or more associated Weather Forecast Offices (WFO) assume the service responsibilities for that office.

EFFECTIVE DATE: October 11, 1996.

ADDRESSES: Requests for copies of documents stated in the preamble as being available upon request should be sent to Julie Scanlon, NOAA/NWS, SSMC2, Room 9332, 1325 East-West Highway, Silver Spring, Maryland 20910.

FOR FURTHER INFORMATION CONTACT: Nicholas Scheller, 301-713-0454.

SUPPLEMENTARY INFORMATION: On June 6, 1996, the NWS published, for comment, proposed modernization criteria unique to closing a field office (see 61 FR

28804). In that notice, there were two minor errors. The first was a typographical error in section II.A.5 of Attachment 1 to the June 6, 1996 notice, as was pointed out in one of the public comments (see comment B.1. below). The correct figure is 10,000 feet as indicated in section 706(b)(4) of Public Law 102-567. The second error appeared in the Supplementary Information section of the June 6, 1996 notice. Under "Evaluation of Services to In-state Users", the list of field offices planned for closure that are the only field office in a state incorrectly included Weather Service Office (WSO) Hartford, CT. The correct list of field offices planned for closure that are the only field office in a state is: WSO Baltimore, MD; WSO Concord, NH; WSO Providence, RI; and WSO Wilmington, DE.

After consideration of the public comments that were received and, after consultation with the National Research Council's (NRC) NWS Modernization Committee and the Modernization Transition Committee (MTC), the NWS is now establishing the final modernization criteria for closing a field office. Consultation with the NRC's NWS Modernization Committee was completed on September 9, 1996. During consultation with the MTC on September 19, 1996, the MTC offered the following:

The Modernization Transition Committee (MTC) has reviewed the comments received in response to the notice in the Federal Register, considered information provided through presentations and reports, and thoroughly discussed the issue of closure of National Weather Service offices in relationship to modernization with the following conclusions:

1. The criteria for closure are consistent with the need to maintain timely and accurate weather services; and
2. When applied the criteria will ensure no degradation of weather services.

Therefore, the MTC recommends the adoption of the closure criteria.

Peter R. Leavitt,

Chair, Modernization Transition Committee.

Public comments were received from a trade journal, Minnesota Cold Weather Resource Center, and the State of Hawaii.

The issues and concerns raised in the comments and NWS' response follows.

A. Comments Generally Related to the Proposed Closure Criteria

1. *Comment:* Three comments addressed various aspects of notification of modernization actions: (a) One comment stated that "The current NWS procedure of posting proposed NWS actions in the Federal Register without

concurrent notification to known interested parties, especially individuals, local affected communities, etc. is totally unacceptable"; (b) two comments stated that advertised local public hearings should be held in communities affected by proposed modernization actions, particularly certifications; (c) one comment expressed frustration about the continual change of timetables concerning the status of the International Falls office; and (d) one comment requested that the State of Hawaii be kept fully informed on the status of modernization activities and receive copies of certifications.

Response: (a) *Notification of Modernization Actions*—The Federal Register is the Federal Government's official means of providing notification of actions, requesting public comments, etc. Public Law 102-567 specifically requires NWS to publish certain modernization actions in the Federal Register. These include proposed and final modernization criteria (section 704) and proposed and final certifications (section 706). Also, the Federal Advisory Committee Act requires advanced notification of Federal advisory committee meetings be published in the Federal Register. Since the MTC is a Federal advisory committee, established by section 707 of Public Law 102-567, notification of MTC meetings are published in the Federal Register.

In recognition of the fact that weather service users may not read the Federal Register regularly, NWS has taken additional steps to advise interested parties of opportunities to provide input on modernization actions. For example, in May 1996, NWS published proposed automation criteria in the Federal Register for public comment. Coincident with this publication, NWS mailed over 3,000 letters to users advising them of the opportunity to comment. Also, when the proposed closure criteria were published in the Federal Register in June 1996, NWS sent a letter to each member of Congress advising them of the opportunity to comment.

Beyond the Federal Register, there are several other ways in which NWS keeps interested parties informed on modernization actions. A National Implementation Plan (NIP) is published annually as required by section 703 of Public Law 102-567. In addition to describing the overall NWS modernization program, the NIP provides a detailed status report on implementation progress and state-by-state notification tables that list completed and upcoming (next 3 years)