

ACTION: Notice.

SUMMARY: The Grain Inspection, Packers and Stockyards Administration (GIPSA) is soliciting comments on its proposal to change the voluntary United States Standards for Beans. Specifically, GIPSA is proposing to change the name of the class Black Turtle Soup beans to Black beans and to establish a separate grade chart for Cranberry beans. These changes have been requested by the industry in order to improve the usability of the voluntary United States Standards for Beans.

DATES: Comments must be submitted on or before September 2, 1997.

ADDRESSES: Written comments may be submitted to Sharon Vassiliades at GIPSA, USDA, STOP 3649, 1400 Independence Avenue, S.W., Washington, D.C. 20250-3649; faxed to (202) 720-4628; or e-mailed to svassili@fgisdc.usda.gov.

All comments received will be made available for public inspection at the above address during regular business hours (8 a.m.—3:30 p.m.).

The current United States Standards for Beans, along with the proposed changes, is available either through the above addresses or by accessing GIPSA's Home Page on the Internet at: www.usda.gov/gipsa/strulreg/standard/beans.

FOR FURTHER INFORMATION CONTACT: Contact Sharon Vassiliades at (202) 720-1738.

SUPPLEMENTARY INFORMATION: Section 203(c) of the Agricultural Marketing Act of 1946, as amended, directs and authorizes the Secretary of Agriculture "to develop and improve standards of quality, condition, quantity, grade, and packaging and recommend and demonstrate such standards in order to encourage uniformity and consistency in commercial practices* * *". The Grain Inspection, Packers and Stockyards Administration (GIPSA) is committed to carrying out this authority in a manner that facilitates the marketing of agricultural commodities and makes copies of official standards available upon request. The United States Standards for Beans do not appear in the Code of Federal Regulations but are maintained by the U.S. Department of Agriculture.

The Grain Inspection, Packers and Stockyards Administration (GIPSA) is proposing to change the United States Standards for Beans using the procedures it published in the **Federal Register** on February 13, 1997 (62 FR 6705). Specifically, GIPSA is proposing to change the name of the class Black

Turtle Soup beans to Black beans and to establish a separate grade chart for Cranberry beans.

In June 1995, the Michigan Bean Commission and the Michigan Bean Shippers Association requested that the U.S. Standards for Beans be revised to establish a separate grade chart for Cranberry beans. Currently, the grades and grade requirements for Cranberry and Yelloweye beans are shown together on one chart. These groups also asked that the class Black Turtle Soup beans be renamed as Black beans.

Cranberry beans are grown predominately in Michigan. Traditionally, most Cranberry beans have been exported to Italy. The Cranberry bean market has expanded, and these beans are now being shipped in volume to Spain, Portugal, and other Mediterranean countries. As commerce has grown, acreage has increased to include parts of Minnesota and North Dakota. To ensure continued market stability, U.S. producers and shippers need more precise export tonnage information. Currently, the Department of Commerce combines Cranberry and Yelloweye bean export information into one database. Establishing a separate grade chart for Cranberry beans will enable the Department of Commerce to develop a separate database for Cranberry beans.

Michigan is also the primary producer of Black Turtle Soup beans. These beans are commonly known in the United States, and throughout the world, as Black beans. According to the Michigan Bean Commission and the Michigan Bean Shippers Association, "The Black bean has been saddled with the ill-advised, meaningless, and in many circles, derogatory label 'Black Turtle Soup' bean too long." These groups feel that the U.S. class designation, Black Turtle Soup bean, is confusing to potential Black bean buyers. For this reason, the U.S. bean industry strongly favors renaming the class Black Turtle Soup beans as Black beans.

Accordingly, GIPSA has determined that establishing a separate grade chart for Cranberry beans and renaming the class Black Turtle Soup beans as Black beans will improve the usability of U.S. Standards for Beans.

These standard changes were recommended to us and reviewed by the affected trade. Therefore, GIPSA is publishing this notice with a 30-day comment period which will provide a sufficient amount of time for interested persons to comment on changes to the standards.

Authority: 7 U.S.C. 1621 *et seq.*

Dated: July 24, 1997.

James R. Baker,
Administrator.

[FR Doc. 97-20100 Filed 7-31-97; 8:45 am]

BILLING CODE 3410-EN-P

DEPARTMENT OF AGRICULTURE**Rural Utilities Service**

Notice of Intent To Prepare an Environmental Impact Statement for the Jackson County Water Association, Jackson County Lake Project and Notice of Public Scoping Meeting

AGENCY: Rural Utilities Service, USDA.

ACTION: Notice of intent and notice of meeting.

SUMMARY: The Rural Utilities Service (RUS), announces its intent to prepare an Environmental Impact Statement (EIS) pursuant to the National Environmental Policy Act of 1969 (NEPA) (U.S.C. 4231 *et seq.*) in accordance with the Council on Environmental Quality regulations for implementing the procedural provisions of NEPA (40 CFR 1500-1508) and Agency regulations 7 CFR 1940-G. The primary scope of the EIS is to evaluate the environmental impacts of and alternatives to the Jackson County Water Association's applications for financial assistance to provide water supply for the residents of Jackson and surrounding counties. This project, known as the Jackson County Lake (Project), is one of the initiatives developed for the Kentucky Highlands Empowerment Zone. The project proposes to construct a 115 foot tall dam on the Laurel Fork of the Rockcastle River in Jackson County, Kentucky creating a 640 acre lake, storing approximately 28,440 acre feet of water. Included in the proposal is a raw water intake, pumps, water treatment plant upgrade from 1.0 million gallons per day (MGD) to 2.0 MGD, and pipelines necessary for transporting raw water to the Jackson County Water Association's water treatment plant for treatment and distribution to residents in Jackson County and portions of Lee, Madison, Owsley, and Rockcastle Counties. In addition to improving the water supply of the areas specified above, the Project will serve to meet a stated goal of the Kentucky Highland Empowerment Zone's Strategic Plan for increasing local recreational and tourism opportunities in the Jackson County area.

The RUS has received two pre-applications from the Jackson County

Water Association for the (1) Phase IV Water Plant Expansion Project and (2) Jackson County Lake Project. The first application requests financial assistance solely from RUS and the second application requests financial assistance from the RUS, Appalachian Region Commission, Kentucky Department of Transportation, Kentucky Highland Empowerment Zone, and Housing and Urban Development (HUD). In accordance with 40 CFR 1501.5, Lead Agencies, the RUS will be the lead Agency for the EIS and under consideration and negotiation for cooperating agencies are the U.S. Forest Service; the Department of the Army, Corps of Engineers, Nashville District; Jackson County EZ Community, Incorporated; and the Jackson County Water Association, as recipient for Community Development Block Grant funds. Since the activities encompassed by both applications are so interconnected, the Project shall be, for the purposes of the National Environmental Policy Act, considered as one action.

With this notice, RUS invites any affected Federal, State, and local Agencies and other interested persons to comment on the scope, alternatives, and significant issues to be analyzed in depth in the EIS. The public scoping meeting will be held on August 21, 1997, at the Jackson County Courthouse, McKee, KY, at 7:00 pm.

Public participation is an integral component of the environmental review process for Federal actions. Public participation will be especially important during the scoping phase of the project. RUS and the cooperating agencies will be seeking information, comments, and assistance from Federal, State, and local agencies and other individuals who may be interested in or affected by the proposed action. This input will be used in preparing the draft EIS. Comments submitted during the scoping process should be in writing. The comments should describe as clearly and completely as possible any issues the commenter has with the proposal.

The draft EIS (DEIS) will be filed with the U. S. Environmental Protection Agency (USEPA) and will be available for public comment by the Summer or Fall of 1998. At that time, the USEPA will publish a notice of the availability of the DEIS in the **Federal Register** and the applicant and EZ officials will publish notices in local newspapers. The comment period will be 45 days from the date the USEPA publishes their **Federal Register** notice of the availability of the DEIS.

RUS and the cooperating agencies, believe it is important to give reviewers notice of several court rulings related to public participation in the environmental review process. First, reviewers of the DEIS must structure their participation in the environmental review of the proposal so that it is meaningful and alerts the agencies to the reviewer's position and contentions, *Vermont Yankee Nuclear Power Corp. v. NRDC*, 435 U.S. 519, 553(1978). Also environmental objections that could be raised at the DEIS stage but that are not raised until after the completion of the final EIS may be waived or dismissed by the courts, *City of Angoon v. Hodel*, 803 F. 2d 1016 1022 (9th Circuit, 1986) and *Wisconsin Heritages, Inc. v. Harris*, 490 F. Supp. 1334, 1338 (E.D.Wis. 1980). Because of these court rulings, it is very important that those interested in this proposed action participate at each opportunity for public involvement so that substantive comments and objectives are made available to the Federal agencies involved at a time when they can meaningfully consider them and respond to them accordingly.

To assist the involved Federal agencies in identifying and considering issues and concerns on the proposed action, comments on the DEIS should be as specific as possible. It is also helpful if the comments refer to the specific pages or chapters of the DEIS. Comments may also address the adequacy of the DEIS or the merits of the alternatives formulated and discussed in the statement. Reviewers may wish to refer to the Council on Environmental Quality Regulations for implementing the procedural provisions of the National Environmental Policy Act at 40 CFR 1503.3 in addressing these points.

After the comment period ends on the DEIS, the comments will be analyzed, considered, and responded to by the agencies involved in preparing the final EIS (FEIS). The FEIS is scheduled to be completed approximately 30 days after the end of the comment period on the DEIS. The public will again have the opportunity to review and comment on the FEIS. Upon completion of a 45 day public comment period, the RUS will document its decision regarding the Project and reasons for the decision in a Record of Decision.

Those persons who choose not to comment on the scope of the document at this time but desire a copy of the DEIS should send their names and addresses to Mark S. Plank at the address listed below.

DATES: Written comments on the scope of the EIS will be accepted 15 days after the public scoping meeting is held.

ADDRESSES: Comments should be sent to Mark S. Plank, USDA, Rural Utilities Service, Engineering and Environmental Staff, Stop 1571, Washington, D.C., 20250-1571, telephone (202) 720-1649 or fax (202) 720-0820 or Thomas G. Fern, State Director, USDA, Rural Development State Office, 771 Corporate Drive, Suite 200, Lexington, KY 40503, (606) 224-7300 or fax (606) 224-7340.

FOR FURTHER INFORMATION CONTACT: Jim Letcher, Vernon Brown, or Ken Slone, USDA, Rural Development State Office, 771 Corporate Drive, Suite 200, Lexington, KY 40503, (606) 224-7300 or Mark S. Plank, at the address and telephone number above.

SUPPLEMENTARY INFORMATION: Pursuant to Subchapter C, Part I (Empowerment Zones, Enterprise Communities and Rural Development Investment Areas) of Title XIII of the Omnibus Budget Reconciliation Act of 1993, Jackson County, Kentucky, is located in an area designated as an Empowerment Zone/Enterprise Community (EZ/EC) (see **Federal Register** Vol. 60, No. 24, February 6, 1995). The purpose of the EZ/EC initiative is to empower rural communities and their residents to create opportunities for economic development as part of a Federal-State-local and private sector partnership. The proposed action is an integral component of the EZ/EC initiative as identified in the Kentucky Highland Empowerment Zone's Strategic Plan. The proposed action will improve the area's water supply necessary for promoting economic development in the area. At the present time the water supply for the area consists of the existing Tyner Lake. Water withdrawals from Tyner Lake are at near capacity and raw water emergency situations occur during periods of low rainfall.

Prior to submitting applications to RUS and other Federal and state agencies for financial assistance, local and Jackson County Empowerment Zone officials held a series of public meetings exploring alternative project sites for the Project, which has been an ongoing proposal since the early to mid 1980s. Project sites that have been at one time or another considered are as follows: Horse Lick Site No. 1; Laurel Fork/Indian Creek Site No. 1; Laurel Fork/Highway 290 Bridge Site No. 2; War Fork Site No. 1; War Fork/Hughes Fork Site No. 2; South Fork/ Highway 89 Site No. 4 (small lake); South Fork/ Highway 89 Bridge Site No. 4 (large lake); South Fork/War Fork Site No. 3A

(small lake); and South Fork/War Fork No. 3A (large lake). Preliminary studies concluded that the Horse Lick and Water Fork watershed should be preserved due to environmental sensitivities. Of the sites previously considered, local officials are proposing that the preferred alternative sites for an impoundment structure are located within the Laurel Fork watershed. There are two primary dam sites to be considered—(1) Laurel Fork near the confluence with Indian Creek and (2) Laurel Fork near the Highway 290 Bridge. The EIS proposes to document the extensive analyses already performed and evaluate in detail the two sites that have been designated as preferred alternatives by local officials. Which ever site is chosen, the applicant and Empowerment Zone officials will be required to secure a construction permit from the Kentucky Department for Environmental Protection, Division of Waters and a Section 10, Rivers and Harbor Act permit from the Department of the Army, Corps of Engineers.

Dick Mansfield,

Assistant Administrator, Water and Environmental Programs.

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COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

Procurement List; Additions

AGENCY: Committee for Purchase From People Who Are Blind or Severely Disabled.

ACTION: Additions to the procurement list.

SUMMARY: This action adds to the Procurement List commodities and service to be furnished by nonprofit agencies employing persons who are blind or have other severe disabilities.

EFFECTIVE DATE: September 2, 1997.

ADDRESSES: Committee for Purchase From People Who Are Blind or Severely Disabled, Crystal Square 3, Suite 403, 1735 Jefferson Davis Highway, Arlington, Virginia 22202-3461.

FOR FURTHER INFORMATION CONTACT: Beverly Milkman (703) 603-7740.

SUPPLEMENTARY INFORMATION: On February 21, June 6 and 13, 1997, the Committee for Purchase From People Who Are Blind or Severely Disabled published notices (62 F.R. 8003, 31065 and 32288) of proposed additions to the Procurement List.

The following comments pertain to Strap, Webbing (5340-01-114-7712):

Comments were received from the current contractor for this webbing strap and from another manufacturer of webbing straps. The current contractor indicated that addition of the strap to the Procurement List would have a severe adverse impact on the company because of the loss of tooling and equipment costs and possible loss of jobs in a firm that had recently substantially reduced its manufacturing staff. The other manufacturer objected to the Committee removing from the competitive marketplace yet another Government item it considers itself capable of making.

This strap represents a very small percentage of the current contractor's total sales. Tooling and equipment costs are a business decision a contractor undertakes to get specific business. Because no company is guaranteed continuing contracts under the Government's competitive bidding system, the contractor could lose this investment even if the Committee did not add the strap to the Procurement List. While the contractor noted that it had reduced its staff recently, it did not indicate that its sales, which expanded considerably over the past decade, had fallen to the point that this contract represented a significant portion of its business. In addition, the Committee has been advised by the contracting activity that there is a substantial amount of other webbing strap business that has not been placed on the Procurement List, which represents potential business for the current contractor and other commercial firms. For all these reasons, the Committee has concluded that addition of the strap to the Procurement List will not have a severe adverse impact on the current contractor.

The Committee does not consider loss of the opportunity to bid on Government procurements of an item for which a bidder does not hold a contract to constitute severe adverse impact on a company, because the company would lose only the hope of getting a contract and not actual business. While the commenting manufacturer has been raising the same argument periodically with the Committee for many years, it has not been able to show actual impact on its business from Procurement List additions where it has not been the current contractor. Moreover, as noted above, a large number of webbing straps remain available for the commenting manufacturer to compete to supply. Consequently, the Committee has concluded that addition of this webbing strap to the Procurement List will not

have a severe adverse impact on the commenting manufacturer.

After consideration of the material presented to it concerning capability of qualified nonprofit agencies to provide the commodities and service and impact of the additions on the current or most recent contractors, the Committee has determined that the commodities and service listed below are suitable for procurement by the Federal Government under 41 U.S.C. 46-48c and 41 CFR 51-2.4.

I certify that the following action will not have a significant impact on a substantial number of small entities. The major factors considered for this certification were:

1. The action will not result in any additional reporting, recordkeeping or other compliance requirements for small entities other than the small organizations that will furnish the commodities and service to the Government.

2. The action will not have a severe economic impact on current contractors for the commodities and service.

3. The action will result in authorizing small entities to furnish the commodities and service to the Government.

4. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-O'Day Act (41 U.S.C. 46-48c) in connection with the commodities and service proposed for addition to the Procurement List.

Accordingly, the following commodities and service are hereby added to the Procurement List:

Commodities

Strap, Webbing
5340-01-114-7712
Tape, Electronic Data Processing
7045-01-086-2044
Mophead, Looped-end
7920-01-437-8636
7920-01-437-9805
7920-01-437-9806
7920-01-437-9810
7920-01-437-9811
Vest, Grenade Carrier
8415-01-317-1622

Service

Administrative/General Support Services,
Various Field Offices,
Richmond/Charlottesville, Virginia

This action does not affect current contracts awarded prior to the effective date of this addition or options that may be exercised under those contracts.

Beverly L. Milkman,

Executive Director.

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