

the AARQ Operating Agreement, or the breach thereof, including inter alia a Member's qualification for a distribution, the interpretation of documents, or the distribution itself, shall be settled by arbitration administered by the American Arbitration Association in accordance with its Commercial Arbitration Rules, and judgment on the award rendered by the arbitrator may be entered in any court having jurisdiction thereof.

#### *Confidential Information*

Confidential export documentation and any other confidential information submitted to AARQ by an applicant for membership, by a Member in connection with qualifying for a distribution, or by any person in connection with the TRQ System shall be marked "Confidential" and submitted to the Administrator, who shall maintain its confidentiality. The Administrator shall not disclose such confidential information to any Member other than the submitter, or to any officers, agents, or employees of any Member other than the submitter, and shall not disclose such confidential information to any other person except to another neutral third party as necessary to make the determination for which the information was submitted, to process distributions, or in connection with the arbitration of a dispute.

#### *Annual Reports*

In accordance with its Bylaws, AARQ shall publish an annual report, including a statement of the operating expenses and aggregate data on the distribution of proceeds, as reflected in the audited financial statement of the AARQ TRQ System.

#### *Amendments*

During the first eight years of the operation of the TRQ System, any amendment to the following fundamental provisions of the TRQ System shall take effect only upon the unanimous approval by all Voting Members of AARQ: provisions relating to (i) qualification for membership in AARQ, except the amount of the nonrefundable fee, (ii) the paragraph entitled "Open tender process; Persons or entities eligible to bid," and (iii) the disposition of tender proceeds. In addition, no reduction may be made in the distribution required to be made to the Rice Foundation for research and expenses related thereto, unless approved by unanimous consent of the Rice Producer Legislative Groups of Arkansas, California, Louisiana, Mississippi, Missouri, and Texas. The Board of Directors of AARQ shall

otherwise have authority to amend the provisions of the TRQ System as set forth in the Bylaws of AARQ.

#### *Cooperation With the U.S. Government and the European Commission*

AARQ will provide whatever information and consultations may be useful in order to ensure effective consultations between the U.S. Government and the European Commission concerning the implementation and operation of the TRQ System. In particular, while maintaining the confidentiality of confidential information submitted by bidders and Members, AARQ will provide its annual report, regular reports following the tender for each TRQ Tranche, reports on distributions of tender proceeds, and/or any other information that might be requested by the U.S. Government. Directly or through the U.S. Government, AARQ will endeavor to accommodate any information requests from the Commission (while protecting confidential data), and will consult with the Commission as appropriate.

#### *Miscellaneous Implementing Provisions*

AARQ and/or its members may (i) meet, discuss and provide for an administrative structure to implement the foregoing tariff rate quota management system, assess its operations and provide modifications as necessary to improve its workability, (ii) meet, exchange and discuss information regarding the structure and method for implementing the foregoing tariff rate quota management system, (iii) meet, exchange and discuss the types of information needed regarding the bidding process, distribution of the bid proceeds, and past export transactions that are necessary for implementation of the system, (iv) meet, exchange and discuss information concerning U.S. and foreign agreements, legislation and regulations affecting the TRQ management system, (v) and otherwise meet, discuss and exchange information as necessary to implement the activities described above and take the necessary action to implement the foregoing TRQ management system.

#### *Abbreviated Amendment Procedures*

New AARQ members may be incorporated as Members in the Certificate through an abbreviated amendment procedure. Under the procedure, AARQ will notify the Secretary of Commerce and the Attorney General, in writing, of those members of AARQ that wish to be included as Members in the Certificate. The notification will include a certification from each such member of its domestic

and export sales of Products in its preceding fiscal year. Notice of the members so identified shall be published in the **Federal Register**. If 30 days or more following publication in the **Federal Register**, the Secretary of Commerce, with the concurrence of the Attorney General, determines that the incorporation in the Certificate of the members through the abbreviated amendment procedure is consistent with the standards of the Act, the Secretary of Commerce shall amend the Certificate to incorporate such members, effective as of the date on which the application for amendment is deemed submitted. If the Secretary of Commerce does not so amend the Certificate within 60 days of publication in the **Federal Register**, such amendment must be sought through the normal amendment procedure.

Dated: November 19, 1997.

**Morton Schnabel,**

*Acting Director, Office of Export Trading Company Affairs.*

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## DEPARTMENT OF COMMERCE

### National Institute of Standards and Technology

[Docket No. 971031260-7260-01]

#### **Voluntary Product Standard PS 2-92 "Performance Standard for Wood- Based Structural-Use Panels"; Request for Comments**

**AGENCY:** National Institute of Standards and Technology (NIST), Commerce.

**ACTION:** Notice and request for comments on Voluntary Product Standard PS 2-92.

**SUMMARY:** The National Institute of Standards and Technology (NIST) provides notice that on behalf of the Department of Commerce NIST is conducting the five-year review of Voluntary Product Standard (VPS) PS 2-92 "Performance Standard for Wood-Based Structural-Use Panels" as required by Department Procedures. The Standing Committee for PS 2-92, responsible for maintaining the standard, is assisting NIST in implementing the review which is conducted to determine if the standard has become obsolete, technically inadequate, no longer acceptable to or used by the industry, or inconsistent with law or established public policy. Upon completion of the review, the Standing Committee will make a recommendation to NIST as to whether

the standard should be reaffirmed, amended, revised, or withdrawn.

**DATES:** Written comments should be supported by written data, views, or arguments and must be received on or before January 23, 1998 to be assured of consideration.

**ADDRESSES:** Written comments are to be directed to Barbara M. Meigs, Technical Standards Activities Program, Office of Standards Services, Building 820, Room 164, National Institute of Standards and Technology, Gaithersburg, MD 20899.

**FOR FURTHER INFORMATION CONTACT:**

Requests for a copy of PS 2-92 or for additional information are to be directed to Barbara M. Meigs, Technical Standards Activities Program, Office of Standards Services, National Institute of Standards and Technology, *telephone:* 301-975-4025, *fax:* 301-926-1559; *e-mail:* barbara.meigsnist.gov.

**SUPPLEMENTARY INFORMATION:** Voluntary Product Standard PS 2-92 establishes inspection, test, and labeling procedures for assessing the acceptability of wood-based structural-use panels for construction sheathing and single-floor applications for a variety of products; namely, plywood, wafer board, oriented strand board, structural particle board, and composite panels. It provides performance requirements, adhesive bond durability, panel construction and workmanship, dimensions and tolerances, marking, and moisture content of structural-use panels. The Standard classifies panels by exposure durability and by grade. It provides test methods, a glossary of trade terms and definitions, and a quality certification program whereby agencies can inspect, sample, and test products for qualification under this Standard. Information regarding reinspection practices is provided in an appendix.

PS 2-92, published in 1992, was developed and is maintained in accordance with Department "Procedures for the Development of Voluntary Product Standards" established in Part 10, Title 15, of the Code of Federal Regulations (15 CFR Part 10, as amended; 51 FR 119 dated June 20, 1986).

Section 10.10 of the Procedures requires that each VPS standard be reviewed by the Department with such assistance of the Standing Committee (responsible for maintaining the standard) or others, as may be deemed appropriate by the Department, within five years after initial issuance or last revision of the standard.

Upon completion of the review of PS 2-92, the Standing Committee for PS 2-92 and NIST will act to reaffirm, amend,

revise, or withdraw the standard, as appropriate.

**Authority:** 15 U.S.C. 272.

Dated: November 17, 1997.

**Elaine Buntin-Mines,**

*Director, Program Office.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### National Estuarine Research Reserve System

**AGENCY:** Office of Ocean and Coastal Resource Management (OCRM), National Ocean Service (NOS), National Oceanic and Atmospheric Administration, Department of Commerce.

**ACTION:** Notice of Public Meeting and Intent to Prepare a Draft Environmental Impact Statement.

**SUMMARY:** In accordance with the National Environmental Policy Act and with section 315 of the Coastal Zone Management Act of 1972; as amended, the State of Florida and the National Oceanic and Atmospheric Administration (NOAA) intend to conduct a public scoping meeting on the proposed Guana Tolomato Matanzas (GTM) National Estuarine Research Reserve (NERR) in Florida to solicit comments on significant issues related to the preparation of a Draft Environmental Impact Statement (DEIS) and Draft Management Plan (DMP). The DEIS and DMP address research, monitoring, education and resource protection needs for the reserve.

**DATE AND TIME:** Wednesday, December 10, 1997 at 7:00 p.m.

**ADDRESSES:** St. Johns County Auditorium, Government Complex, 4020 Lewis Speedway, St. Augustine, Florida 32095.

**FOR FURTHER INFORMATION CONTACT:**

Anna Marie Hartman, Bureau of Coastal and Aquatic Managed Areas, Division of Marine Resources, Department of Environmental Protection at (850) 488-3456; or Nathalie Peter, Sanctuaries and Reserves Division, Office of Ocean and Coastal Resource Management, NOAA, at (301) 713-3132, ext. 119.

**SUPPLEMENTARY INFORMATION:** In October 1997, NOAA Sanctuaries and Reserves Division (SRD) approved the nomination of the Guana Tolomato Matanzas (GTM) estuarine systems as a proposed National Estuarine Research Reserve. Research reserves provide

natural coastal habitats as field laboratories for baseline ecological studies and education programs. Research and monitoring programs are designed to enhance scientific understanding of the coastal environment and aid in resource management decision making.

The proposed GTM Reserve encompasses approximately 53,333 acres of publicly owned lands and waters in St. Johns and Flagler Counties on the east coast of Florida. It consists of two sites: the Guana River and Tolomato River estuarine system located north of St. Augustine and the Matanzas River south of St. Augustine. The proposed reserve is an area important to many resident and migratory fish and waterfowl and a variety of threatened and endangered species, including the manatee, the least tern, and the loggerhead, green and leatherback turtles. Major habitat types include beach dunes, salt and freshwater marshes, cypress and hardwood swamps, shell mounds, and xeric hammocks. The Matanzas Inlet is the last naturally occurring inlet on the east coast of Florida that has not been subject to dredging and other manmade disturbances.

The Department of Environmental Protection (DEP) has developed a draft management plan for the NERR which identifies specific needs and priorities related to research, monitoring, education, and stewardship at the proposed site. It also presents draft action plans for administration, a volunteer program, public access, facilities/construction, and boundaries/land acquisition.

At the public meeting, DEP and NOAA will provide a synopsis of the draft management plan and will solicit comments on significant environmental issues that will be incorporated into a DEIS.

The public meeting will be held in St. Augustine, Florida at the St. Johns County Auditorium, Government Complex, 4020 Lewis Speedway, on December 10, 1997, from 7:00 p.m. to 9:00 p.m.

Interested parties who wish to submit suggestions, comments or substantive information regarding the scope or content of the proposed DEIS/DMP are invited to attend the above meeting. Parties who wish to respond in writing should do so by December 26, 1997, to Anna Marie Hartman, Department of Environmental Protection, Division of Marine Resources, Bureau of Coastal and Aquatic Managed Areas, 3900 Commonwealth Boulevard, MS 235 Tallahassee, Florida 32399-3000, or Nathalie Peter, NOAA Sanctuaries and