

# Notices

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This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

## DEPARTMENT OF AGRICULTURE

### Commodity Credit Corporation

#### Change in Procurement Process for Peanut Butter

**AGENCY:** Commodity Credit Corporation, USDA.

**ACTION:** Notice.

**SUMMARY:** The Commodity Credit Corporation (CCC) intends to purchase commercial quality peanut butter for use in its domestic feeding programs. Beginning November 16, 1998, CCC will no longer purchase peanut butter using USDA specifications. CCC will develop a qualified products list using samples received from contractors. Bids will only be accepted from contractors listed on the qualified products list.

**EFFECTIVE DATE:** November 16, 1998.

**FOR FURTHER INFORMATION CONTACT:** Timothy Reaman, Chief, Miscellaneous Product Branch, Kansas City Commodity Office, 9200 Ward Parkway, Kansas City, Missouri, 64114, telephone (816) 823-2832, fax (816) 823-4195; or Dean Jensen, Chief, Contract Management Branch, 1400 Independence Avenue, SW, STOP 0551, Washington, DC 20250, telephone (202) 720-2115, fax (202) 690-1809.

**SUPPLEMENTARY INFORMATION:** On November 16, 1998, CCC will begin purchasing standard retail commercial quality peanut butter with a history of consumer acceptance. Labels may be commercial brand name or generic labels; however, labels must comply with the Nutrition Labeling and Education Act requirements. Under this process, contractors will submit a representative sample of their product, in original packaging, to an independent third party laboratory for sensory and quality analysis. Peanut butter which is determined to be equivalent to or exceeds the quality which would be acceptable in the trade for a generic retail store brand, will be placed on an

qualified products list. Bids will only be accepted from this list. Any style of container may be used provided the seller complies with best commercial practices for handling, shipping, and storage of the containers. Contractors must submit a Certificate of Compliance (COC) as described in the Federal Acquisition Regulation (FAR) 48 CFR part 46.315, and FAR clause 52.246-15, for each lot of product produced under contract. Commercial laboratories may be used for all analysis provided they are capable of performing all required tests, and use methods approved by the Association of Analytical Chemists (AOAC), and the American Oil Chemist Society (AOCS).

Suppliers will be audited under the guidelines of the Total Quality Systems Audit Program (TQSA). TQSA will serve as a method of verification that a supplier has met and continues to meet contract requirements and to verify accuracy of the contractor's COC. TQSA will include a review of documentation and records, onsite quality system audits, and product reviews both at the point of production and at destination.

Failure of suppliers to deliver a product of an equivalent quality from that which was evaluated by the sensory panel may constitute a cause for termination for default or provide cause for suspension or debarment from participation in Government procurement and other programs.

Signed at Washington, DC, on October 20, 1998.

**Keith Kelly,**

*Executive Vice President, Commodity Credit Corporation.*

[FR Doc. 98-28996 Filed 10-28-98; 8:45 am]

BILLING CODE 3410-05-P

## DEPARTMENT OF AGRICULTURE

### Food and Nutrition Service

#### Agency Information Collection Activities: Proposed Collection; Comment Request—7 CFR Part 235 State Administrative Expense Fund Regulations

**AGENCY:** Food and Nutrition Service, USDA.

**ACTION:** Notice.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, this Notice announces the Food and

Nutrition Service's (FNS) intention to request Office of Management and Budget (OMB) review of the information collection related to State administrative expense funds, including the adjustments to be made as a result of the final rule, Food Distribution Program-Reduction of the Paperwork Burden.

**DATES:** To be assured of consideration, comments must be received by December 28, 1998.

**ADDRESSES:** Send comments and requests for copies of this information collection to: Mr. Terry Hallberg, Chief, Program Analysis and Monitoring Branch, Child Nutrition Division, Food and Nutrition Service, U.S. Department of Agriculture, 3101 Park Center Drive, Room 1008, Alexandria, Virginia 22302.

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

All responses to this Notice will be summarized and included in the request for OMB approval, and will become a matter of public record.

**FOR FURTHER INFORMATION CONTACT:** Terry Hallberg at (703) 305-2590.

#### SUPPLEMENTARY INFORMATION:

*Title:* 7 CFR part 235, State Administrative Expense Funds Regulations.

*OMB Number:* 0584-0067.

*Expiration Date:* September 30, 1998.

*Type of Request:* Reinstatement with change of a previously approved collection for which approval has expired.

*Abstract:* Section 7 of the Child Nutrition Act of 1966 (Pub. L. 89-642) 42 U.S.C. 1776, authorizes the Department to provide Federal funds to State agencies (SAs) for administering the Child Nutrition Programs. 7 CFR part 235, State Administrative Expense

Funds (SAE), sets forth procedures and recordkeeping requirements for use by SAs in reporting and maintaining records of their needs and uses of SAE funds. The final rule, Food Distribution Program-Reduction of the Paperwork Burden (62 FR 53727, October 16, 1997), makes agreements between the U.S. Department of Agriculture (Department) and State agencies to operate food distribution programs ongoing, instead of annual, with amendments to be added at the request of the Department. The agreement, FCS-74, Federal-State Agreement, is contained in the information collections for part 235.

**Estimate of Burden:** The reporting burden for this collection of information is estimated at 6,950 burden hours. The recordkeeping burden is estimated at 13,961 burden hours, which is comprised of the maintenance of records to document usage of SAE funds. The increase in reporting burden hours is associated with an increase in the number of State agencies from 84 to 87. The substantial decrease in the recordkeeping burden hours is due to increased automation within State agencies and alternate State agencies.

**Estimated Number of Respondents:** 87 respondents.

**Average Number of Responses per Respondent:** 213 responses.

**Estimated Total Annual Burden on Respondents:** 20,912 burden hours.

Dated: October 20, 1998.

**Samuel Chambers, Jr.,**

*Acting Administrator.*

[FR Doc. 98-28985 Filed 10-28-98; 8:45 am]

BILLING CODE 3410-30-P

## DEPARTMENT OF AGRICULTURE

### Forest Service

#### **El Luky Duk Placer Claim, Suction Dredging; Nez Perce National Forest, Idaho County, ID**

**AGENCY:** Forest Service, USDA.

**ACTION:** Notice; intent to prepare environmental impact statement.

**SUMMARY:** The Forest Service will prepare an environmental impact statement (EIS) to analyze and disclose the environmental effects of dredging on the El Luky Duk placer claim on the South Fork Clearwater River. The claimant has proposed using four different dredges (an eight-inch, a six-inch, a five-inch, and a three-inch), one at a time, to remove possible gold deposits from the gravel and at bedrock in the South Fork Clearwater River. The proposal is to operate for two years between the first of July to the first week

in October. The El Luky Duk placer claim is located in portions of Sections 20, 21, 27 and 28, T29N, R7E, BPM. The suction dredging is proposed for a reach of the river in Section 27.

**DATES:** Written comments and suggestions should be received on or before November 30, 1998.

**ADDRESSES:** Send written comments and suggestions on the proposed action or requests for a map of the proposed action or to be placed on the project mailing list to Michael R. McGee, Acting District Ranger, Red River Ranger District, P.O. Box 416, Elk City, Idaho 83525.

**FOR FURTHER INFORMATION CONTACT:** Jo Ellis, District Geologist, Red River Ranger District, P.O. Box 416, Elk City, Idaho 83525, phone (208) 842-2245.

**SUPPLEMENTARY INFORMATION:** The proposed action is proposed pursuant to the 1872 Mining Law, the Organic Administration Act of 1897 and Forest Service mining regulations, Title 36 Code of Federal Regulations (CFR), Part 228, Subpart A. The United States mining laws at 30 U.S.C. 21-54 confer a statutory right to enter upon the public land to search for and remove certain minerals. The Forest Service has the responsibility to make sure that the activities are conducted so as to minimize adverse environmental impacts to National Forest System lands, 36 CFR, Part 228, Subpart A.

The proposal involves processing approximately 325 cubic yards of river gravel over a 150 foot section of the South Fork Clearwater River. A cross section approximately eight feet wide and six feet deep would be processed. The process involves utilizing high pressure water pumps driven by gasoline-powered motors which create suction in a flexible intake pipe. A mixture of streambed sediment and water is vacuumed into the intake pipe and passed over a sluice box mounted on a floating barge. Dense particles (including gold) are trapped in the sluice box. The remainder of the entrained material is discharged into the stream as tailings or spoils. A hole is created in the gravel so bedrock is exposed. Cracks in the bedrock are then cleaned with the suction. Large boulders or rootwads are moved by cables attached to a winch.

The Forest Service will consider a range of alternatives to the proposed action. One of these will be the "no action" alternative, in which the Plan of Operations would not be approved. Additional alternatives will examine varying intensity and duration of the proposed activities, including restrictions on the size of equipment

and length of seasonal operation, as well as respond to the issues and other resource values.

Public participation is an important part of the project, commencing with the initial scoping process (40 CFR 1501.7), which starts with publication of this notice and continues for the next 30 days. In addition, the public is encouraged to visit with Forest Service officials at any time during the analysis and prior to the decision. The Forest Service will be seeking information, comments, and assistance from Federal, State, and local agencies, the Nez Perce Tribe, and other individuals or organizations who may be interested in or affected by the proposed action.

Comments from the public and other agencies will be used in preparation of the draft EIS. The scoping process will be used to:

1. Identify potential issues;
2. Identify major issues to be analyzed in depth;
3. Eliminate minor issues or those which have been covered by a relevant previous environmental analysis, such as the Nez Perce National Forest Plan EIS;
4. Identify alternatives to the proposed action;
5. Identify potential environmental effects of the proposed action and alternatives (i.e., direct, indirect, and cumulative effects).

While public participation in this analysis is welcome at any time, comments received within 30 days of the publication of this notice will be especially useful in the preparation of the draft EIS, which is expected to be filed with the Environmental Protection Agency and available for public review in January 1999. A 45-day comment period will follow publication of a Notice of Availability of the draft EIS in the **Federal Register**. The comments received will be analyzed and considered in preparation of a final EIS, which is expected to be filed in June 1999. A Record of Decision will be issued not less than 30 days after publication of a Notice of Availability of the final EIS in the **Federal Register**.

The Forest Service believes it is important at this early stage to give reviewers notice of several court rulings related to public participation in the environmental review process. First, reviewers of draft EISs must structure their participation in the environmental review of the proposal in such a way that it is meaningful and alerts an agency to the reviewer's position and contentions. *Vermont Yankee Nuclear Power Corp. v. NRDC*, 435 U.S.C. 519, 513, (1978). Also, environmental objections that could be raised at the