

Dated: July 21, 1999.

**Linda Engelmeier,**

*Departmental Forms Clearance Officer, Office of Chief Information Officer.*

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## CONSUMER PRODUCT SAFETY COMMISSION

### Proposed Collection; Comment Request—Testing and Recordkeeping Requirements for Carpets and Rugs

**AGENCY:** Consumer Product Safety Commission.

**ACTION:** Notice.

**SUMMARY:** As required by the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the Consumer Product Safety Commission requests comments on a proposed extension of approval, through November 30, 2002, of information collection requirements for manufacturers and importers of carpets and rugs. The collection of information is in regulations implementing the Standard for the Surface Flammability of Carpets and Rugs (16 CFR Part 1630) and the Standard for the Surface Flammability of Small Carpets and Rugs (16 CFR Part 1631). These regulations establish requirements for testing and recordkeeping for manufacturers and importers who furnish guaranties for products subject to the carpet flammability standards. The Commission will consider all comments received in response to this notice before requesting an extension of approval of this collection of information from the Office of Management and Budget.

**DATES:** The Office of the Secretary must receive comments not later than September 27, 1999.

**ADDRESSES:** Written comments should be captioned "Carpets and Rugs; Paperwork Reduction Act," and mailed to the Office of the Secretary, Consumer Product Safety Commission, Washington, DC 20207, or delivered to that office, room 502, 4330 East-West Highway, Bethesda, Maryland 20814. Written comments may also be sent to the Office of the Secretary by facsimile at (301) 504-0127 or by e-mail at [cpssc@cpssc.gov](mailto:cpssc@cpssc.gov).

**FOR FURTHER INFORMATION CONTACT:** For information about the proposed collection of information call or write Linda L. Glatz, Management and Program Analyst, Office of Planning and Evaluation, Consumer Product Safety Commission, Washington, DC 20207; (301) 504-0416, Ext. 2226.

## SUPPLEMENTARY INFORMATION:

### A. The Standards

Carpets and rugs that have one dimension greater than six feet, a surface area greater than 24 square feet, and are manufactured for sale in or imported into the United States are subject to the Standard for the Surface Flammability of Carpets and Rugs (16 CFR Part 1630). Carpets and rugs that have no dimension greater than six feet and a surface area not greater than 24 square feet are subject to the Standard for the Surface Flammability of Small Carpets and Rugs (16 CFR Part 1631).

Both of these standards were issued under the Flammable Fabrics Act (FFA) (15 U.S.C. 1191 *et seq.*). Both standards require that products subject to their provisions must pass a flammability test that measures resistance to a small, timed ignition source. Small carpets and rugs that do not pass the flammability test comply with the standard for small carpets and rugs if they are permanently labeled with the statement that they fail the standard and should not be used near sources of ignition.

Section 8 of the FFA (15 U.S.C. 1197) provides that a person who receives a guaranty in good faith that a product complies with an applicable flammability standard is not subject to criminal prosecution for a violation of the FFA resulting from the sale of any product covered by the guaranty. Section 8 of the FFA requires that a guaranty must be based on "reasonable and representative" tests. Many manufacturers and importers of carpets and rugs issue guaranties that the products they produce or import comply with the applicable standard. Regulations implementing the carpet flammability standards prescribe requirements for testing and recordkeeping by firms that issue guaranties. See 16 CFR Part 1630, Subpart B, and 16 CFR Part 1631, Subpart B. The Commission uses the information compiled and maintained by firms that issue these guaranties to help protect the public from risks of injury or death associated with carpet fires. More specifically, the information helps the Commission arrange corrective actions if any products covered by a guaranty fail to comply with the applicable standard in a manner that creates a substantial risk of injury or death to the public. The Commission also uses this information to determine whether the requisite testing was performed to support the guaranties.

The Office of Management and Budget (OMB) approved the collection of information in the regulations under

control number 3041-0017. OMB's most recent extension of approval expires on November 30, 1999. The Commission now proposes to request an extension of approval without change for the collection of information in the regulations.

### B. Estimated Burden

The Commission staff estimates that the enforcement rules result in an industry expenditure of a total of 63,840 hours for testing and recordkeeping. However, the Commission is unable to estimate the total dollar cost incurred by the industry. The Commission staff estimates that 120 firms are subject to the information collection requirements because the firms have elected to issue a guaranty of compliance with the FFA. The number of tests that a firm issuing a guaranty of compliance would be required to perform each year varies, depending upon the number of carpet styles and the annual volume of production. The staff estimates that the average firm issuing a continuing guaranty under the FFA is required to conduct a maximum of 200 tests per year. The actual number of tests required by a given firm may vary from 1 to 200, depending upon the number of carpet styles and the annual production volume. For example, if a firm manufactures 100,000 linear yards of carpet each year, and has obtained consistently passing test results, only one test per year is required. The time required to conduct each test is estimated by the staff to be 2½ hours plus the time required to establish and maintain the test record.

The estimated annual cost of the information and collection requirements to the Federal government is approximately \$15,000. This sum includes three staff months and travel costs expended for examination of the records required to be maintained.

### C. Request for Comments

The Commission solicits written comments from all interested persons about the proposed collection of information. The Commission specifically solicits information relevant to the following topics:

- Whether the collection of information described above is necessary for the proper performance of the Commission's functions, including whether the information would have practical utility;
- Whether the estimated burden of the proposed collection of information is accurate;
- Whether the quality, utility, and clarity of the information to be collected could be enhanced; and

—Whether the burden imposed by the collection of information could be minimized by use of automated, electronic or other technological collection techniques, or other forms of information technology.

Dated: July 22, 1999.

**Sadye E. Dunn,**

*Secretary, Consumer Product Safety Commission.*

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## DEPARTMENT OF DEFENSE

### Department of the Air Force

#### Notice of Intent To Prepare an Environmental Impact Statement for El Rancho Road Bridge Replacement Project, Vandenberg Air Force Base, California

In accordance with the National Environmental Policy Act of 1969, the United States Air Force (USAF) is issuing this notice to advise the public that the USAF intends to prepare an Environmental Impact Statement (EIS) to assess potential environmental impacts of the proposed actions and possible alternatives for the El Rancho Road Bridge Replacement Project at Vandenberg Air Force Base, California. The proposed action is to construct a causeway bridge on El Rancho Road that will span the entire San Antonio Creek floodplain. Identified alternatives are to build a system of elevated culverts spanning the entire stream and bridge area, or to take no action and continue regular debris and sedimentation clearing in the affected area.

A scoping meeting is planned in Lompoc, California for the purpose of identifying environmental concerns that need to be addressed in the EIS. Notice of the time and location of the meeting will be made available to the community using the local news media. The schedule for the scoping meeting is as follows:

Date	Location	Time
18 Aug 99 .....	Lompoc City Council .....	6:30 p.m.

The purpose of this meeting is to identify the environmental issues and concerns that should be analyzed in developing the EIS. Public input and comments are solicited concerning the environmental aspects of the proposed program. To assure the USAF will have sufficient time to fully consider public inputs on issues, written comments

should be mailed to ensure receipt no later than September 1, 1999.

Please direct written comments or request for further information concerning El Rancho Road Bridge Replacement Project to: James L. Johnston, 30 CES/CEV, 806 13th Street, Suite 116, Vandenberg AFB, CA 93437-5242, (805) 605-0633.

**Janet A. Long,**

*Air Force Federal Register Liaison Officer.*

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## DEPARTMENT OF DEFENSE

### Department of the Army

#### Inland Waterways Users Board

**AGENCY:** Department of the Army, DoD.

**ACTION:** Notice (Request for nominations).

**SUMMARY:** Section 302 of Public Law (PL) 99-662 established the Inland Waterways Users Board. The Board is an independent Federal advisory committee. Its 11 members are appointed by the Secretary of the Army. This notice is to solicit nominations for four (4) appointments or reappointments to two-year terms that will begin January 1, 2000.

**ADDRESSES:** Office of the Assistant Secretary of the Army (Civil Works), Department of the Army, Washington, DC 20310-0103. Attention: Inland Waterways Users Board Nominations Committee.

**FOR FURTHER INFORMATION CONTACT:** Dr. Joseph W. Westphal, Assistant Secretary of the Army (Civil Works), (703) 697-8986.

**SUPPLEMENTARY INFORMATION:** The selection, service, and appointment of Board members are covered by provisions of Section 302 of PL 99-662. The substance of those provisions is as follows:

#### a. Selection

Members are to be selected from the spectrum of commercial carriers and shippers using the inland and intracoastal waterways, to represent geographical regions, and to be representative of waterborne commerce as determined by commodity ton-miles statistics.

#### b. Service

The board is required to meet at least semi-annually to develop and make recommendations to the Secretary of the Army on waterways construction and rehabilitation priorities and spending levels for commercial navigation

improvements, and report its recommendations annually to the Secretary and Congress.

#### c. Appointment

The operation of the Board and appointment of its members are subject to the Federal Advisory Committee Act (Pub. L. 92-463, as amended) and departmental implementing regulations. Members serve without compensation but their expenses due to Board activities are reimbursable. The considerations specified in section 302 for the selection of the Board members, and certain terms used therein, have been interpreted, supplemented, or otherwise clarified as follows:

##### (1) Carriers and Shippers

The law uses the terms "primary users and shippers." Primary users has been interpreted to mean the providers of transportation services on inland waterways such as barge or towboat operators. Shippers has been interpreted to mean the purchasers of such services for the movement of commodities they own or control. Individuals are appointed to the Board, but they must be either a carrier or shipper, or represent a firm that is a carrier or shipper. For that purpose a trade or regional association is neither a shipper or primary user.

##### (2) Geographical Representation

The law specifies "various" regions. For the purpose of selecting Board members, the waterways subjected to fuel taxes and described in Pub. L. 95-502, as amended, have been aggregated into six regions. They are (1) the Upper Mississippi River and its tributaries above the mouth of the Ohio; (2) the Lower Mississippi River and its tributaries below the mouth of the Ohio and above Baton Rouge; (3) the Ohio River and its tributaries; (4) the Gulf Intracoastal Waterway in Louisiana and Texas; (5) the Gulf Intracoastal Waterway east of New Orleans and associated fuel-taxed waterways including the Tennessee-Tombigbee, plus the Atlantic Intracoastal Waterway below Norfolk; and (6) the Columbia-Snake Rivers System and Upper Willamette. The intent is that each region shall be represented by at least one Board member, with that representation determined by the regional concentration of the individual's traffic on the waterways.

##### (3) Commodity Representation

Waterway commerce has been aggregated into six commodity categories based on "inland" ton-miles shown in Waterborne Commerce of the