

Area	Detour	Gros Cap	Any Harbor
Harbor Movage	N/A	N/A	\$674

(c) Area 8 (Undesignated Waters):

Service	Lake Superior
Six Hour Period	\$281
Docking/Undocking	\$268

6. Section 404.420 is revised to read as follows:

§ 404.420 Cancellation, delay or interruption in rendition of services.

(a) Except as provided in this section, whenever the passage of a ship is interrupted and the services of a U.S. pilot are retained during the period of the interruption or when a U.S. pilot is detained on board a ship after the end of an assignment for the convenience of the ship, the ship shall pay an additional charge calculated on a basic rate of \$54 for each hour or part of an hour during which each interruption or detention lasts with a maximum basic rate of \$851 for each continuous 24 hour period during which the interruption or detention continues. There is no charge for an interruption or detention caused by ice, weather or traffic, except during the period beginning the 1st of December and ending on the 8th of the following April. No charge may be made for an interruption or detention if the total interruption or detention ends during the 6 hour period for which a charge has been made under §§ 404.405–404.410.

(b) When the departure or movage of a ship for which a U.S. pilot has been ordered is delayed for the convenience of the ship for more than one hour after the U.S. pilot reports for duty at the designated boarding point or after the time for which the pilot is ordered, whichever is later, the ship shall pay an additional charge calculated on a basic rate of \$54 for each hour or part of an hour including the first hour of the delay, with a maximum basic rate of \$851 for each continuous 24 hour period of the delay.

(c) When a U.S. pilot reports for duty as ordered and the order is cancelled, the ship shall pay:

(1) A cancellation charge calculated on a basic rate of \$322;

(2) A charge for reasonable travel expenses if the cancellation occurs after the pilot has commenced travel; and

(3) If the cancellation is more than one hour after the pilot reports for duty at the designated boarding point or after the time for which the pilot is ordered,

whichever is later, a charge calculated on a basic rate of \$54 for each hour or part of an hour including the first hour, with a maximum basic rate of \$851 for each 24 hour period.

§ 404.425 [Amended]

7. Section 404.425 is amended by replacing the term “§§ 404.405, 404.410, and 404.420” with the term “§§ 404.405, 404.407, 404.410 and 404.420”.

8. Section 404.428 is revised to read as follows:

§ 404.428 Basic rates and charges for carrying a U.S. pilot beyond normal change point or for boarding at other than the normal boarding point.

If a U.S. pilot is carried beyond the normal change point or is unable to board at the normal boarding point, the ship shall pay at the rate of \$329 per day or part thereof, plus reasonable travel expenses to or from the pilot's base. These charges are not applicable if the ship utilizes the services of the pilot beyond the normal change point and the ship is billed for these services. The change points to which this section applies are designated in § 404.450.

PART 407—[AMENDED]

9. The authority citation for Part 407 continues to read as follows:

Authority: 46 U.S.C. 8105, 9303, 9304; 49 CFR 1.52.

10. Appendix A to Part 407, Step 1.C. and Step 5(2) are revised to read as follows:

Appendix A to Part 407—Ratemaking Analyses and Methodology

* * * * *

Step 1.C.—Adjustment for Inflation or Deflation

(1) In making projections of future expenses, expenses that are subject to inflationary or deflationary pressures are adjusted. Costs not subject to inflation or deflation are not adjusted. Annual cost inflation or deflation rates will be projected to the succeeding navigation season, reflecting the gradual increase or decrease in costs throughout the year. The inflation adjustment will be based on the preceding year's change in the Consumer Price Index for the North Central Region of the United States.

* * * * *

Step 5: * * *

(2) The allowed Return on Investment (ROI) is based on the preceding year's average annual rate of return for new issues of high grade corporate securities.

* * * * *

Issued at Washington, D.C. on September 17, 1996.

Saint Lawrence Seaway Development Corporation.

Gail C. McDonald,
Administrator.

[FR Doc. 96–24489 Filed 9–24–96; 8:45 am]

BILLING CODE 4910–61–P

DEPARTMENT OF VETERANS AFFAIRS**38 CFR Part 3**

RIN 2900–A100

Claims Based on Exposure to Ionizing Radiation (Prostate Cancer and Any Other Cancer)

AGENCY: Department of Veterans Affairs.

ACTION: Proposed rule.

SUMMARY: This document proposes to amend the Department of Veterans Affairs (VA) adjudication regulations concerning compensation for diseases claimed to be the result of exposure to ionizing radiation. This would implement a decision by the Secretary of Veterans Affairs that based on all evidence currently available to him prostate cancer and any other cancers are “radiogenic diseases.” The intended affect of this action is to add these conditions to the list of radiogenic diseases for service-connected compensation purposes.

DATES: Comments must be received on or before November 25, 1996.

ADDRESSES: Mail or hand deliver written comments to: Director, Office of Regulations Management (02D), Department of Veterans Affairs, 810 Vermont Avenue, NW, Room 1154 Washington, DC 20420. Comments should indicate that they are in response to “RIN 2900–A100.” All written comments received will be available for public inspection at the above address in the Office of Regulations Management, Room 1158, between the hours of 8 a.m. and 4:30 p.m., Monday through Friday (except holidays).

FOR FURTHER INFORMATION CONTACT: John Bisset, Jr., Consultant, Program Management Staff, Compensation and Pension Service, Veterans Benefits

Administration, 810 Vermont Avenue, NW., Washington, DC 20420, telephone (202) 273-7213.

SUPPLEMENTARY INFORMATION: The Veterans' Dioxin and Radiation Exposure Compensation Standards Act, Pub. L. 98-542, required VA to develop regulations establishing standards and criteria for adjudicating veterans' claims for service-connected compensation for diseases claimed to be the result of exposure to ionizing radiation. In response to that requirement, VA has defined the term "radiogenic disease" to mean a disease that may be induced by ionizing radiation and established a list of diseases that satisfy that definition at 38 CFR 3.311(b)(2). That list is not an exclusive list, however, and since 1985 VA has added a number of conditions to it.

When the Secretary determines that a significant statistical association exists between exposure to ionizing radiation and any disease under the standards established at 38 CFR 1.17, VA adds that disease to the list of radiogenic diseases found at 38 CFR 3.311(b)(2). Before making such a determination, the Secretary receives the advice of the Veterans Advisory Committee on Environmental Hazards (VACEH) based on its evaluation of scientific and medical studies.

On April 25-26, 1995, the VACEH held a public meeting in Washington, DC, and reviewed 53 medical and scientific studies having to do with radiation exposure and subsequent development of disease. Based upon its assessment of those studies and the scientific literature that it had previously reviewed and deemed to be valid, the VACEH concluded that it would be appropriate to consider prostate cancer as being associated with radiation exposure for purposes of VA's compensation system. Based on that recommendation, the Secretary has preliminarily determined that an association exists between radiation exposure and prostate cancer.

In response to a request from the Under Secretary for Benefits, the VACEH addressed the question of the radiogenicity of cancer generally. The VACEH concluded that, on the basis of current scientific knowledge, exposure to ionizing radiation can be a contributing factor in the development of any malignancy. The degree to which radiation exposure is a factor varies depending on the type of malignancy, the amount, rate and type of radiation exposure, and other relevant risk factors

such as age at the time of exposure. After reviewing this recommendation, the Secretary has preliminarily determined that an association exists between radiation exposure and any other cancer not listed at 38 CFR 3.311(b)(2).

The Secretary hereby certifies that this regulatory amendment will not have a significant economic impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act (RFA), 5 U.S.C. 601-612. The reason for this certification is that these amendments would not directly affect any small entities. Only VA beneficiaries could be directly affected. Therefore, pursuant to 5 U.S.C. 605(b), these amendments are exempt from the initial and final regulatory flexibility analysis requirements of section 603 and 604.

(The Catalog of Federal Domestic Assistance program numbers are 64.109 and 64.110.)

List of Subjects in 38 CFR Part 3

Administrative practice and procedure, Claims, Disability benefits, Health care, Pensions, Veterans, Vietnam.

Approved: June 4, 1996.
Jesse Brown,
Secretary of Veterans Affairs.

For the reasons set forth in the preamble, 38 CFR part 3 is proposed to be amended as follows:

PART 3—ADJUDICATION

Subpart A—Pension, Compensation, and Dependency and Indemnity Compensation

1. The authority citation for part 3, subpart A continues to read as follows:

Authority: 38 U.S.C. 501(a), unless otherwise noted.

2. In § 3.311, paragraph (b)(2)(xxi) is amended by removing "and"; and paragraph (b)(2)(xxii) is amended by removing "." and adding, in its place, ";"; and new paragraphs (b)(2)(xxiii) and (b)(2)(xxiv) are added to read as follows:

§ 3.311 Claims based on exposure to ionizing radiation.

* * * * *

(b) * * *

(2) * * *

(xxiii) Prostate cancer; and

(xxiv) Any other cancer.

* * * * *

[FR Doc. 96-24521 Filed 9-24-96; 8:45 am]

BILLING CODE 8320-01-P

FEDERAL MARITIME COMMISSION

46 CFR Part 540

[Docket No. 94-06]

Financial Responsibility Requirements for Nonperformance of Transportation

AGENCY: Federal Maritime Commission.

ACTION: Further Notice of Proposed Rulemaking; Extension of time to Comment.

SUMMARY: The proposed rule in this proceeding (61 FR 33059, June 26, 1996) would, *inter alia*, remove the current \$15 million coverage ceiling for nonperformance of transportation by passenger vessel operators, and replace the ceiling with sliding-scale coverage requirements keyed to passenger vessel operators' financial rating length of operation in United States trades and satisfactory explanation of claims for nonperformance of transportation. Sixty days originally was provided for comment and a 30-day extension subsequently was granted. The Maritime Administration now requests an additional 30 days for comment. Upon consideration of this request a further extension is granted but, in view of the total amount of time already provided for comment, the extension is limited to 20 days.

DATES: Comments due on or before October 15, 1996.

ADDRESSES: Send comments (original and fifteen copies) to: ¹ Joseph C. Polking, Secretary, Federal Maritime Commission, 800 North Capitol, St., NW, Washington, DC 20573-0001, (202) 523-5725.

FOR FURTHER INFORMATION CONTACT: Bryant L. VanBrakle, Director, Bureau of Tariffs Certification and Licensing, Federal Maritime Commission, 800 North Capitol, St., NW, Washington, D.C. 20573-0001, (202) 523-5796.

Joseph C. Polking,

Secretary.

[FR Doc. 96-24477 Filed 9-24-96; 8:45 am]

BILLING CODE 6730-01-M

¹ The Commission also requests, but does not require, that commenters submit an electronic copy of their comments in ASCII, WordPerfect or Microsoft Word format.