

report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. This rule is not a "major rule" as defined by 5 U.S.C. 804(2).

List of Subjects in 40 CFR Part 180

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: February 18, 1998.

James Jones,

Director, Registration Division, Office of Pesticide Programs.

Therefore, 40 CFR chapter I is amended as follows:

PART 180—[AMENDED]

1. The authority citation for part 180 continues to read as follows:

Authority: 21 U.S.C. 346a and 371.

§ 180.361 [Amended]

2. In § 180.361, by amending paragraph (b) in the table, for the commodities "Mint hay, fresh" and "Mint oil" by removing "5/31/98" and by adding in its place "5/31/99".

[FR Doc. 98-5410 Filed 3-3-98; 8:45 am]

BILLING CODE 6560-50-F

DEPARTMENT OF TRANSPORTATION

Coast Guard

46 CFR Part 56

[USCG-1998-3560]

Coast Guard Acceptance of Resiliently Seated Valves

AGENCY: Coast Guard, DOT.

ACTION: Notice of policy; request for comments.

SUMMARY: The Coast Guard announces an interim policy concerning the acceptance of resiliently seated valves as an alternatives to the requirements in 46 CFR 56.20-15. Additionally, the Coast Guard requests the public's comments on how the Coast Guard should proceed in the future regarding any regulatory revision of the current criteria for the acceptance of resiliently seated valves as contained in 46 CFR 56.20-15.

DATES: Comments must reach the Docket Management Facility on or before May 4, 1998.

ADDRESSES: You may mail comments to the Docket Management Facility, [USCG-1998-3560], U.S. Department of Transportation, Room PL-401, 400 7th Street SW., Washington DC 20590-0001, or deliver them to Room PL-401, located on the Plaza Level of the Nassif Building at the same address between 10 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is (202) 366-9329.

The Docket Management Facility maintains the public docket for this notice. Comments, and documents as indicated in this preamble, will become part of this docket and will be available for inspection or copying at Room PL-401, located on the Plaza Level of the Nassif Building at the address above between 10 a.m. and 5 p.m., Monday through Friday, except Federal holidays. You may also access this docket on the Internet at <http://dms.dot.gov>.

FOR FURTHER INFORMATION CONTACT:

Mr. Wayne M. Lundy, Systems Engineering Division (G-MSE-3), U.S. Coast Guard Headquarters, telephone (202) 267-2206 for questions concerning the substance of this notice or Carol Kelly, Coast Guard Dockets Team Leader, or Paulette Twine, Chief, Documentary Services Division, U.S. Department of Transportation, telephone (202) 366-9329 for questions concerning the filing and reviewing of comments.

SUPPLEMENTARY INFORMATION:

Request for Comments

Persons submitting comments should include their names and addresses, identify this notice [USCG-1998-3560] and the reason for each comment. Please submit two copies of all comments and attachments in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing to the DOT Docket Management Facility at the address under **ADDRESSES**. Persons wanting acknowledgment of receipt of comments should enclose stamped, self-addressed postcards or envelopes. The Coast Guard will consider all comments received during the comment period and may change this policy in view of the comments.

Background and Purpose

Over the past twelve months, the Coast Guard has received several inquiries from the marine industry, including valve manufacturers and distributors, regarding the acceptance criteria for resiliently seated valves addressed in 46 CFR 56.20-15. The current issue is whether the existing acceptance criteria found in the 1989 version of 46 CFR 56.20-15. The current

issue is whether the existing acceptance criteria found in the 1989 version of 46 CFR 56.20-15 is significantly stricter than the criteria previously applied to the resiliently seated valves grandfathered by the regulatory project on vessel piping systems (CGD 77-140; 50 FR 1072, January 9, 1985, and 54 FR 40592, October 2, 1989). In the preamble to the Notice of Proposed Rulemaking on vessel piping systems (CGD 77-140; 50 FR 1074, January 9, 1985), Category A resiliently seated valves were previously recognized by the Coast Guard as acceptable for continued service, without additional testing, provided there were no changes in the design or materials, and no casualty data or Coast Guard tests which would indicate a need to withdraw the acceptance. The preamble to the Final Rule on vessel piping systems (CGD 77-140; 54 FR 40592, October 2, 1989), stated that 46 CFR 56.20-15 was revised to clarify the requirements of resiliently seated valves. However, neither the Notice of Proposed Rulemaking nor the Final Rule discussed that the intent of the regulatory changes to 46 CFR 56.20-15 was to increase the acceptance criteria for new resiliently seated valves beyond the previous acceptance criteria applied to resiliently seated valves.

Recent inquiries have caused the Coast Guard to review and re-evaluate past policies and practices employed in the development and evolution of the acceptance criteria for resiliently seated valves over the past 35 years. In addition, the Coast Guard reviewed its casualty data available during the same period. From this effort, the Coast Guard concluded that the existing acceptance criteria contained in 46 CFR 56.20-15 did, in fact, exceed the acceptance criteria applied to previously accepted resiliently seated valves, but that the change in acceptance criteria was unintended. Additionally, the Coast Guard was unable to identify any casualty data which justified an increase in the stringency of the criteria for acceptance of new resiliently seated valves.

As a result of this review, the Coast Guard will, as an interim policy until a regulatory project can be published to revise 46 CFR 56.20-15, consider new resiliently seated valves for acceptance as Category A that demonstrate a level of safety equivalent to previously accepted resiliently seated valves that have shown satisfactory service for at least 5 years. This may be done by demonstrating that the valves provide for performance or dimensional equivalence to previously accepted resiliently seated valve designs. Precedent for acceptance of equivalents

exists in other sections of Title 46, such as 46 CFR 30.15-1. The comparisons for performance or dimensional equivalence must be certified by a recognized independent testing facility, a classification society recognized under the Alternate Compliance Program, or a licensed professional engineer (P.E.) acceptable under the provisions of Navigation and Vessel Inspection Circular (NVIC) 10-92. This written certification should be submitted with other supporting documentation when applying for approval by the Coast Guard.

Comparison tests of performance should demonstrate that the effective closure (internal leakage with the resilient seat removed) of a new resiliently seated valve is equivalent with that of a previously accepted resiliently seated valve. New resiliently seated valves being submitted for acceptance by the Coast Guard based on performance equivalency must have a flow coefficient (Cv), when in the closed condition with the resilient material removed, that is within acceptable tolerances, as indicated in Instrument Society of America standard ISA-S75.02-1996, of the Cv of a previously accepted resiliently seated valve. New resiliently seated valves being submitted to the Coast Guard for acceptance based on dimensional equivalency must demonstrate that the dimensions of the pressure-containing components (valve body, disk, and stem, etc.) are within acceptable tolerances, based on a recognized industry standard, such as American Petroleum Institute (API) 609 (1997), Manufacturers Standardization Society (MSS) SP-67 (1990), or American National Standards Institute (ANSI) B16.10 (1992), of the dimensions of the previously accepted resiliently seated valve. Regardless of which method is demonstrated, the materials of the pressure-containing components for all new resiliently seated valves shall comply with the requirements of 46 CFR 56.60.

Notwithstanding this interim policy, valve manufacturers continue to have the option of demonstrating compliance with the existing regulations in 46 CFR 56.20-15. Those seeking acceptance of new resiliently seated valves under the provisions of this policy notice or, alternatively, those choosing to continue to use the existing 46 CFR 56.20-15, should submit supporting documentation for approval to the Coast Guard Marine Safety Center, 400 7th Street, SW., Washington, DC 20590-0001.

Additionally, the Coast Guard solicits the public's comments on how it should proceed with the revision or

amendment of the existing regulatory requirements for resiliently seated valves as contained in 46 CFR 56.20-15. The Coast Guard has identified five potential options on how to proceed as follows: incorporation by reference of an industry standard (develop a suitable industry standard working in conjunction with a voluntary standards development organization, e.g., the American Society for Testing and Materials F-25 Technical Committee on Shipbuilding); evaluation of the need to have any standard for resiliently seated valves; revise the acceptance criteria requirements within existing 46 CFR 56.20-15 to reflect acceptance criteria applied to previously accepted resiliently seated valves; maintain the acceptance criteria contained in existing 46 CFR 56.20-15 and set an effective date upon which the acceptance of previously accepted resiliently seated valves would terminate; or maintain the acceptance criteria as currently exists in 46 CFR 56.20-15. The preferred option for the Coast Guard, at this juncture, is to pursue development of an industry standard which can be considered for incorporation by reference into 46 CFR 56.20-15. Therefore, the Coast Guard encourages submission of written data, views, or arguments regarding the five options addresses above or any other alternative option. Also, the Coast Guard is soliciting comments which address. The service history of previously accepted resiliently seated valves; compliance of previously accepted resiliently seated valve designs with the current leakage rate criteria found in 46 CFR 56.20-15(c)(1); the need for a leakage rate criteria with the seat removed as an option in lieu of fire tests; compliance of designs with an acceptable fire test (e.g., American Petroleum Institute (API) standard 607); and the need for the current three categories of resiliently seated valves, (Category A, Category B, and positive shut-off). The Coast Guard will carefully consider all comments received and may initiate a regulatory project to adopt one of these or another alternative.

Dated February 26, 1998.

Joseph J. Angelo,

Acting Assistant Commandant for Marine Safety and Environmental Protection

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ENVIRONMENTAL PROTECTION AGENCY

48 CFR Parts 1511, 1515, and 1552

[FRL-5968-9]

Acquisition Regulation: Administrative Amendments

AGENCY: Environmental Protection Agency.

ACTION: Interim rule with request for comments.

SUMMARY: The Environmental Protection Agency (EPA) is amending the EPA Acquisition Regulation (EPAAR) (48 CFR Chapter 15) to include a requirement that any report prepared under an Agency contract identify the contract under which it was prepared and the name of the contractor who prepared the report, and to make an administrative change in the approval levels for Source Selection.

DATES: This interim rule is effective on March 4, 1998. Comments should be submitted not later than May 4, 1998.

ADDRESSES: Written comments should be submitted to the contact listed below at the following address: U.S. Environmental Protection Agency, Office of Acquisition Management (3802R), 401 M Street, SW, Washington, D.C. 20460. Comments and data may also be submitted electronically by sending electronic mail (e-mail) to: Senzel.Louise@epamail.epa.gov. Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Comments and data will also be accepted on disks in WordPerfect in 6.1 format or ASCII file format. No Confidential Business Information (CBI) should be submitted through e-mail. Electronic comments on this rule may be filed on-line at many Federal Depository Libraries.

FOR FURTHER INFORMATION CONTACT: Louise Senzel, U.S. EPA, Office of Acquisition Management, (3802R), 401 M Street, SW, Washington, D.C. 20460, Telephone: (202) 564-4367.

SUPPLEMENTARY INFORMATION:

A. Background

This interim rule includes a requirement that any report prepared under an Agency contract identify the contract under which it was prepared and the name of the contractor who prepared the report as required by section 411 of Public Law 105-65, October 27, 1997, and makes an administrative change in the approval levels for Source Selection.

Section 411 of Public Law 105-65 (EPA's appropriation act) states except