

life oranges are grown: *Provided*, That such application provided the committee with adequate information to allow the committee to determine the validity of such application. Each applicant shall be given written notice of the committee's action as soon as it is taken.

Dated: September 7, 1989.

William J. Doyle,

Acting Deputy Director, Fruit and Vegetable Division.

[FR Doc. 89-21397 Filed 9-11-89; 8:45 am]

BILLING CODE 3410-02-M

## DEPARTMENT OF THE INTERIOR

### Office of Surface Mining Reclamation and Enforcement

#### 30 CFR Part 935

#### Ohio Permanent Regulatory Program; Remining

**AGENCY:** Office of Surface Mining Reclamation and Enforcement (OSMRE), Interior.

**ACTION:** Proposed rule; reopening of public comment period.

**SUMMARY:** OSMRE is reopening the public comment period on Revised Program Amendment No. 37 to the Ohio permanent regulatory program (hereinafter referred to as the Ohio program) under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The amendments proposed in Revised Program Amendment No. 37 are intended to respond to OSMRE questions about proposed Program Amendment No. 37 concerning the remining of previously affected areas. The proposed changes in Revised Program Amendment No. 37 are also intended to adopt revisions to chapter 1513 of the Ohio Revised Code (ORC) enacted through House Bill No. 399 of the Ohio General Assembly.

This notice sets forth the times and locations that the Ohio program and proposed amendments to that program will be available for public inspection, the comment period during which interested persons may submit written comments on the proposed amendments, and the procedures that will be followed regarding the public hearing, if one is requested.

**DATES:** Written comments must be received on or before 4:00 p.m. on October 12, 1989. If requested, a public hearing on the proposed amendments will be held at 1:00 p.m. on October 10, 1989. Requests to present oral testimony at the hearing must be received on or before 4:00 p.m. on September 27, 1989.

**ADDRESSES:** Written comments and requests to testify at the hearing should be mailed or hand-delivered to Ms. Nina Rose Hatfield, Director, Columbus Field Office, at the address listed below. Copies of the Ohio program, the proposed amendments, and all written comments received in response to this notice will be available for public review at the addresses listed below during normal business hours, Monday through Friday, excluding holidays. Each requester may receive, free of charge, one copy of the proposed amendments by contacting OSMRE's Columbus Field Office.

Office of Surface Mining Reclamation and Enforcement, Columbus Field Office, 2242 South Hamilton Road, Room 202, Columbus, Ohio 43232, Telephone: (614) 866-0578

Ohio Department of Natural Resources, Division of Reclamation, Fountain Square, Building B-3, Columbus, Ohio 43224, Telephone: (614) 265-6675

**FOR FURTHER INFORMATION CONTACT:** Ms. Nina Rose Hatfield, Director, Columbus Field Office, (614) 866-0578.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

On August 16, 1982, the Secretary of the Interior conditionally approved the Ohio program. Information on the general background of the Ohio program submission, including the Secretary's findings, the disposition of comments, and a detailed explanation of the conditions of approval of the Ohio program, can be found in the August 10, 1982 *Federal Register* (47 FR 34668). Subsequent actions concerning the conditions of approval and program amendments are identified at 30 CFR 935.11, 935.12, 935.15, and 935.16.

##### II. Discussion of the Proposed Amendments

By letter dated January 20, 1989 (Administrative Record No. OH-1131), the Ohio Department of Natural Resources, Division of Reclamation (Ohio) submitted proposed Program Amendment No. 37 to the Ohio program. The proposed amendments were initiated by Ohio to take advantage of the increased flexibility afforded to the Ohio Environmental Protection Agency (OEPA) under the amended Clean Water Act. Ohio's proposed amendments were intended to create incentives for mine operators to enter, mine, and reclaim areas that were previously affected by mining and which, as a result, have continuing water pollution.

On February 7, 1989, OSMRE published a notice in the *Federal*

*Register* (54 FR 5940) announcing receipt of proposed Program Amendment No. 37 and inviting public comment on its adequacy. The public comment period ended on March 9, 1989. The public hearing scheduled for March 6, 1989 was not held because no one requested an opportunity to testify.

By letter dated July 26, 1989 (Administrative Record No. OH-1203), OSMRE requested additional information from Ohio concerning several aspects of the proposed amendment.

By letter dated August 16, 1989 (Administrative Record No. OH-1201) Ohio submitted responses to OSMRE's questions about proposed Program Amendment No. 37. With its responses, Ohio submitted Revised Program Amendment No. 37 incorporating changes resulting from OSMRE's questions and from revisions to Chapter 1513 of the Ohio Revised Code (ORC) enacted through House Bill No. 399 of the Ohio General Assembly.

The changes proposed by Ohio in Revised Program Amendment No. 37 are briefly discussed below. In addition to the specific changes discussed below, numerous other nonsubstantive changes are being made throughout these statutes and rules to correct grammar, punctuation, and paragraph number and letter notations.

(1) ORC section 1513.07(B)(2)(s): The previous version of this paragraph proposed in Program Amendment No. 37 is being rewritten to clarify that "previously mined areas" means areas that were affected by coal mining operations before August 3, 1977; to include the authorization of reclamation as well as mining operations; to delete reference to "pollution abatement areas" in this paragraph; and to clarify that the pollution abatement plan may improve water quality with respect to pH, iron, and manganese.

(2) ORC section 1513.07(E)(7): The previous version of this paragraph proposed in Program Amendment No. 37 is being rewritten to clarify the conditions which an applicant must demonstrate in order for the Chief of the Ohio Department of Natural Resources, Division of Reclamation (the Chief) to authorize coal mining and reclamation operations in previously mined areas. Paragraph (E)(7)(f) is being rewritten to clarify that the partners and corporate officers of the applicant must not have any existing legal responsibilities to reclaim or treat water discharge from the area of proposed remining, must not have had any mining permits revoked or suspended with respect to water quality within eighteen months prior to the

application, and must not have forfeited a reclamation bond or similar security within the United States.

(3) ORC section 1513.16(F)(1): This paragraph is being rewritten to include a description of the operator's pollution abatement plan, if applicable, in the newspaper advertisement announcing the operator's filing of a request for bond release.

(4) ORC section 1513.16(F)(3)(a), (b), and (c): The previous versions of these paragraphs proposed in Program Amendment No. 37 are being rewritten to specify that remaining areas being considered for bond release under this paragraph are those authorized by the Chief under ORC 1513.07(E)(7); to include the requirement that the operator comply with the approved pollution abatement plan for bond release; and to specify that additional bond release requirements for pollution abatement areas are established by the Chief in ORC section 1513.02.

(5) ORC section 1513.16(H)(2)(b) and (H)(3)(b): These paragraphs are being rewritten to delete the mining license number from the information provided by the operator when requesting an inspection of the permit area.

(6) ORC section 1513.16(H)(2)(d) and (H)(3)(d): These paragraphs are being rewritten to delete the presumption of reclamation approval by the Chief if the Chief does not notify the operator within the prescribed period following a request for inspection that the reclamation is not approved. These changes were previously approved by OSMRE in Program Amendment No. 25 and have been enacted in Ohio House Bill No. 399.

(7) OAC section 1501.13-4-15: The version of this new rule proposed in Program Amendment No. 37 is being rewritten as follows:

*Paragraph (B)(6):* The reference to 33 U.S.C. Section 1311(p) is being corrected.

*Paragraph (E)(1)(a):* References are being added to include partners of the applicant, if the applicant is a partnership, and the director and controlling officers, if the applicant is a corporation.

*Paragraphs (E)(1)(a)(i) and (ii):* Reference is being added to the water treatment and reclamation responsibilities under ORC Chapter 1513.

*Paragraph (E)(1)(a)(iv):* Reference is being added to coal or surface mining bond or security deposited in lieu of bond in this or any other State or within the United States.

*Paragraph (E)(5):* This new criterion for authorization of remaining is being added. No authorization may be granted by the Chief until a remaining NPDES

permit has been issued by the Ohio Environmental Protection Agency and a copy of the remaining NPDES permit has been provided to the Chief.

*Paragraph (G)(1):* The phrase "which are not encountered during mining or the implementation of the abatement plan" is being deleted.

*Paragraph (G)(2):* The phrase "which are encountered during mining or the implementation of the abatement plan" is being deleted.

*Paragraph (G)(3):* This paragraph explaining the term "encountered" is being deleted. Subsequent paragraphs are being renumbered.

*Paragraph (G)(5):* This paragraph is being rewritten to delete statements about the operator's compliance with the effluent limitations established in the remaining NPDES permit and limitations for settleable and suspended solids pursuant to 40 CFR Part 434.

### III. Public Comment Procedures

In accordance with the provisions of 30 CFR 732.17(h), OSMRE is now seeking comment on whether the amendments proposed by Ohio satisfy the applicable program approval criteria of 30 CFR 732.15. If the amendments are deemed adequate, they will become part of the Ohio program.

#### Written Comments

Written comments should be specific, pertain only to the issues proposed in this rulemaking, and include explanations in support of the commenter's recommendations. Comments received after the time indicated under "DATES" or at locations other than the Columbus Field Office will not necessarily be considered in the final rulemaking or included in the Administrative Record.

#### Public Hearing

Persons wishing to comment at the public hearing should contact the person listed under "FOR MORE INFORMATION CONTACT" by 4:00 p.m. by September 27, 1989. If no one requests an opportunity to comment at a public hearing, the hearing will not be held.

Filing of a written statement at the time of the hearing is requested as it will greatly assist the transcriber. Submission of written statements in advance of the hearing will allow OSMRE officials to prepare adequate responses and appropriate questions.

The public hearing will continue on the specified date until all persons scheduled to comment have been heard. Persons in the audience who have not been scheduled to comment and who wish to do so will be heard following those scheduled. The hearing will end

after all persons scheduled to comment and persons present in the audience who wish to comment have been heard.

#### Public Meeting

If only one person requests an opportunity to comment at a hearing, a public meeting, rather than a public hearing, may be held. Persons wishing to meet with OSMRE representatives to discuss the proposed amendments may request a meeting at the Columbus Field Office by contacting the person listed under "FOR FURTHER INFORMATION CONTACT." All such meetings shall be open to the public and, if possible, notices of the meetings will be posted at the locations listed under "ADDRESSES." A written summary of each public meeting will be made a part of the Administrative Record.

#### List of Subjects in 30 CFR Part 935

Coal mining, Intergovernmental relations, Surface mining, Underground mining.

Dated: August 31, 1989.

Carl C. Close,

Assistant Director, Eastern Field Operations.  
[FR Doc. 89-21380 Filed 9-11-89; 8:45 am]

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### NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

#### 36 CFR Part 1230

RIN 3095-AA22

#### Micrographics Records Management

**AGENCY:** National Archives and Records Administration.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The National Archives and Records Administration (NARA) proposes to revise regulations relating to microfilming Federal records and to the maintenance, use, and disposition of microform records. The proposed rule would update references to Federal and industry micrographics standards. It would also provide separate standards for microfilming and storing permanent records and temporary records and would revise requirements relating to the inspection of microforms making the standards for temporary records less stringent than those for permanent records. The proposed rule would affect Federal agencies and private contractors that microfilm records for Federal agencies.

**DATES:** Comments must be received by November 13, 1989.

**ADDRESSES:** Comments should be sent to Director, Policy and Program Analysis Division, National Archives and Records Administration (NAA), Washington, DC 20408.

**FOR FURTHER INFORMATION CONTACT:** John A. Constance or Nancy Allard at 202-523-3214 (FTS 523-3214).

**SUPPLEMENTARY INFORMATION:** The industry micrographics standards cited in the current 36 CFR part 1230 require updating to reflect the latest editions of the standards. These standards will be incorporated by reference in the final rule.

In addition, NARA proposes to provide separate filming and storage requirements for unscheduled records and records designated as permanent in a NARA approved records disposition schedule and for records of temporary value. Current § 1230.14 is revised to cover film and image requirements for permanent records and unscheduled records. New § 1230.16 is added to provide guidance on film and image requirements for temporary records, duplicates, and user copies.

The proposed rule makes a number of changes in the inspection requirements in § 1230.22. Currently, agencies must inspect master films of permanent microform records every 2 years, even after the records have been transferred to a Federal records center operated by NARA. The inspection requirement is based on ANSI PH1.43-1985 and is intended to ensure the degradation of film is found and corrected before the permanent record images on the film are completely lost.

The proposed rule would require agencies to conduct inspections when the records are 2 years old and every 2 years thereafter until transferred to a Federal records center or to the National Archives. Film cannot be transferred to the National Archives until the first inspection has been performed. Permanent microforms may be transferred to a Federal records center only after the agency has performed the first inspection or has certified that the microform will be inspected by the agency, an agency contractor, or the Federal records center (on a reimbursable basis) when the records become 2 years old. NARA will assume responsibility for inspecting the microforms after they are transferred to NARA custody (after the initial 2-year inspection).

The proposed rule simplifies the sampling technique to require a randomly selected sample of 1,000 microform units (rolls of film, single microfiche, or similar appropriate unit) or 1 percent of the total number of

microform units in the collection. At least one microform unit must be inspected in collections of less than 100 units.

Under the proposed rule, agencies would no longer be required to send inspection reports to the NARA Office of Records Administration (NI) within 30 days after the inspection was completed. Instead, the proposed rule requires results of inspections conducted by the creating agency to be documented and attached to the SF 135 when permanent microforms are transferred to a Federal records center for storage or to the SF 258 if the permanent microforms are transferred directly to the National Archives.

This rule is not a major rule for the purposes of Executive Order 12291 of February 17, 1981. As required by the Regulatory Flexibility Act, it is hereby certified that this proposed rule will not have a significant impact on small business entities.

#### List of Subjects in 36 CFR Part 1230

Archives and records; Incorporation by reference; Micrographics.

For the reasons set forth in the preamble, NARA proposes to amend part 1230 of title 36 of the Code of Federal Regulations as follows:

#### PART 1230—MICROGRAPHICS

1. The authority statement for part 1230 continues to read as follows:

Authority: 44 U.S.C. 2907, 3302 and 3312.

2. Section 1230.1 is revised to read as follows:

##### § 1230.1 Scope of part.

This part provides standards for using micrographic technology in the creation, use, storage, retrieval, preservation, and disposition of Federal records. Agencies should also consult 41 CFR subpart 201-45.1 for General Services Administration (GSA) requirements relating to micrographics management for Federal records.

3. Section 1230.2 is revised to read as follows:

##### § 1230.2 Authority.

As provided in 44 U.S.C. chapters 29 and 33, the Archivist of the United States is authorized to establish standards for the photographic and microphotographic production and reproduction of records by Federal agencies for the purpose of destroying the original records; to establish uniform standards within the Government for the creation, storage, use, and disposition of processed microform records; and to establish, maintain, and operate

centralized microfilming services for Federal agencies.

4. Section 1230.3 is added to read as follows:

#### § 1230.3 Publications incorporated by reference.

(a) The following publications cited in this part are hereby incorporated by reference. They are available from the issuing organization at the addresses listed in this section. They are also available for inspection at the Office of the Federal Register Information Center, Room 8301, 1100 L Street NW., Washington, DC 20408. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 USC 552(a) and 1 CFR part 51. These materials are incorporated as they exist on the date of the approval, and a notice of any change in these materials will be published in the Federal Register.

(b) *American National Standard Institute (ANSI) and International (ISO) Standards.* ANSI and ISO standards cited in this part are available from the American National Standards Institute, 1430 Broadway, New York City, NY 10018.

ANSI IT9.1-1988, American National Standard for Imaging Media (Film)—Silver-Gelatin Type—Specifications for Stability.

ANSI PH1.43-1985, American National Standard for Photography (film)—Processed Safety Film—Storage.

ANSI IT9.2-1988, American National Standard for Imaging Media—Processed Films, Plates, and Papers—Filing Enclosures and Containers for Storage.

ANSI/ISO 5/2-1985, ANSI PH2.19-1986, International Standard for Photography (Sensitometry)—Density Measurements—Geometric Conditions for Transmission Density.

ANSI/ISO 5/3-1984, ANSI PH2.18-1985, International Standard for Photography (Sensitometry)—Density Measurements—Spectral Conditions.

ANSI/ISO 3334-1979, International Standard for Microcopying ISO Test Chart No. 2—Description and Use in Photographic Documentary Reproduction.

(c) *Association of Information and Image Management (AIIM) Standards.* The following AIIM standards are available from the Association for Information and Image Management, 1100 Wayne Avenue, Suite 1100, Silver Spring, MD 20910.

ANSI/AIIM (NMA) MS1-1981, Practice for Operational Practice/Inspection and Quality Control for Alphanumeric Computer-Output Microforms.

ANSI/AIIM MS5-1985, American National Standard for Micrographics—N microfiche.

ANSI/AIIM (NMA) MS14-1988, Specifications for 16 and 35mm in Roll Microfilm.

ANSI/AIIM (NMA) MS19-1987, Recommended Practice for Identification of Microforms.

ANSI/AIIM (NMA) MS23-1983, Practice for Operational Procedures/Inspection and Quality Control of First Generation, Silver-Gelatin Microfilm of Documents.

ANSI/MS 32-1987, Standard for Micrographics—Microrecording of Engineering Source Documents on 35mm Microfilm.

ANSI/AIIM MS41-1988, Unitized Microfilm Carriers (Aperture, Camera, Copy, and Image Cards).

ANSI/AIIM MS43-1988, Recommended Practice for Operational Procedures/Inspection and Quality Control of Duplicate Microforms of Documents and from COM.

ANSI/SIP34-1989, Microspots and Aging Blemishes. This is a republication of NBS HB96, Inspection of Processed Photographic Record Films for Aging Blemishes.

(d) *National Institute of Standards and Technology (NIST) publications.* The following publication is available from the National Institute of Standards and Technology (NIST was formerly the National Bureau of Standards (NBS)), Office of Standard Reference Materials, Rm. B311 Chemistry, Gaithersburg, MD 20899.

NBS-SRM 1610a-1982, Microcopy Resolution Test Chart.

5. Section 1230.4 is revised to read as follows:

#### § 1230.4 Definitions.

For the purpose of this part the following definitions shall apply:

*Archival microfilm.* A photographic film that meets the standards described in § 1230.14 and that is suitable for the preservation of permanent records when stored in accordance with § 1230.20.

*Archival storage conditions.* Storage conditions, as specified in § 1230.20(a), that are suitable for the preservation of photographic film appraised as having permanent value. Archival storage conditions prolong the useful life of both permanent and temporary photographic records.

*Computer Output Microfilm (COM).* Microfilm containing data produced by a recorder from computer generated signals.

*Facility.* An area set aside for equipment and operations required in the production or reproduction of microforms either for internal use or for

the use of other organizational elements of the Federal Government.

*Microfilm.* (a) Raw (unexposed and unprocessed) fine-grain, high resolution photographic film with characteristics that make it suitable for use in micrographics;

(b) The process of recording microimages on film; or

(c) A fine-grain, high resolution photographic film containing an image greatly reduced in size from the original.

*Microform.* A term used for any form containing microimages.

*Microimage.* A unit of information such as a page of text or a drawing, that has been made too small to be read without magnification.

*Permanent record.* Any record (see definition in 44 U.S.C. 3301) that has been determined by the Archivist of the United States to have sufficient historical or other value to warrant its continued preservation by the Government.

*Temporary record.* Any record determined by the Archivist of the United States to contain information of transient value in accordance with Part 1228 of this chapter. Temporary records may warrant microfilming for economies of storage and distribution.

*Unscheduled record.* Any record that has not been appraised by NARA, i.e., a record that has neither been approved for disposal nor designated as permanent by the Archivist of the United States in accordance with Part 1228 of this chapter.

*Use or work copies.* Duplicates of original film which are prepared for use as reference copies or as duplication masters for recurring or large-scale duplication. These copies are not to be confused with the preservation master copies which are stored under the conditions in § 1230.20 and which are not to be used for reference purposes.

6. Subpart A is revised to read as follows:

#### Subpart A—Standards for Microfilming Records

##### Sec.

1230.10 Authorization.

1230.12 Preparatory steps prior to filming.

1230.14 Film and image requirements for permanent records or unscheduled records.

1230.16 Film and image requirements for temporary records, duplicates, and user copies.

#### Subpart A—Standards for Microfilming Records

##### § 1230.10 Authorization.

(a) Agencies proposing to microfilm permanent records or unscheduled records shall submit Standard Form (SF)

115, Request for Records Disposition Authority, in accordance with part 1228 of this chapter. The SF 115 shall provide for the disposition of original records and microforms.

(1) Agencies proposing microfilming methods and procedures meeting the standards in § 1230.14(a) shall include on the SF 115 the following certification: "This certifies that the records described on this form will be microfilmed in accordance with the standards set forth in 36 CFR part 1230."

(2) Agencies having proposed microfilming methods, materials and procedures that do not meet the standards in § 1230.14(a) shall include on the SF 115 a description of the system and standards proposed for use.

(b) The approved retention period for temporary records shall be applied to microform copies of such records; the original records shall be destroyed upon verification of the microfilm, unless legal requirements preclude early destruction of the originals. The agency, not the Federal Records Center, is responsible for carrying out the provisions of this paragraph for records stored in a Federal Records Center. NARA approval is not required prior to implementation of this paragraph.

(c) Agencies proposing to retain and store the silver original microforms of permanent records after disposal of the original records shall include on the SF 115 a statement that the agency's storage conditions shall comply with the standards of § 1230.20 and that the inspections required by § 1230.22 will be performed.

##### § 1230.12 Preparatory steps prior to filming.

(a) The integrity of the original records authorized for disposal shall be maintained by ensuring that the microforms are adequate substitutes for the original records and serve the purpose for which such records were created or maintained. Copies shall be complete and contain all information shown on the originals.

(b) The records shall be arranged, identified, and indexed so that any particular document or component of the records can be located. Each microform roll or fiche shall include accurate titling information on a titling target or header. At a minimum, titling information shall include the name of the agency and organization; the title of the records; the number or identifier for each unit of film; the security classification, if any; and the inclusive dates, names, or other data identifying the records to be included on a unit of film.

(c) Each microform shall contain an identification target showing the date of filming. When possible, to give the film copy better legal standing, the target shall also show the signature of the person authorizing the microfilming and the dated signature(s) of the camera operator(s). When the microfilm is directly generated by a computer (COM), the target shall contain the names of the persons since signatures cannot be conveniently added. See ANSI/AIIM (NMA) MS19-1987 for standards for identification targets.

(d) The following formats are mandatory standards for microforms.

(1) *Roll film.* The formats described in ANSI/AIIM (NMA) MS14-1988 shall be used for microfilming source documents or computer generated information (COM) on 16mm and 35mm roll film. A reduction ratio of 1:24 shall be used whenever document size and quality permits. See § 1230.14 (d) for determining the appropriate reduction ratio and format for meeting the image quality requirements. When microfilming on 35mm film for aperture card applications, the format dimensions in AIIM/MSS 32-1987, Table 1 shall be mandatory and the aperture card format "D Aperture" shown in ANSI/AIIM MS41-1988, Figure 1 shall be used.

(2) *Microfiche.* For microfilming source documents or computer generated information (COM) on microfiche, the appropriate formats and reduction ratios prescribed in ANSI/AIIM MS 5-1985 shall be used as specified for the size and quality of the documents being filmed. See § 1230.14 (d) for determining the appropriate reduction ratio and format for meeting the image quality requirements.

(e) *Index placement.* When filming original (source) documents all indexes,

registers, or other finding aids, if microfilmed, shall be placed in the first frames at the beginning of a roll of film or in the last frames of a microfiche or microfilm jacket. Computer-generated microforms shall have the indexes following the data on a roll of film or in the last frames of a microfiche or microfilm jacket. Other index locations may be used only if dictated by special system constraints.

**§ 1230.14 Film and image requirements for permanent records or unscheduled records.**

(a) *Application.* The following standards shall apply to the microfilming of permanent records where the original paper record will be destroyed. Systems that produce original permanent records on microfilm with no paper originals, such as computer output microfilm (COM), shall be designed so that they produce microfilm which meets the standards of this section. Unscheduled records from systems such as COM must also meet the standards of this section. Unscheduled paper records may not be destroyed after microfilming.

(b) *Film stock standards.* Only polyester-based film that conforms to ANSI IT9.1-1988 shall be used in all applications, except when generating film to be spliced to existing rolls of cellulose acetate film, when cellulose triacetate film that conforms to ANSI IT91-1988 shall be used. To ensure protection for permanent records, agencies using microfilm systems which do not produce silver gelatin originals meeting these standards shall submit with the Standard Form 115 required by § 1230.10 a schedule for the production of silver gelatin duplicates meeting the standards.

(c) *Processing standards.* Microforms shall be processed so that the residual thiosulfate ion concentration will not exceed 0.014 grams per square meter in accordance with ANSI IT9-1-1988. Processing shall be in accordance with processing procedures in ANSI/AIIM (NMA) MS1-1981 and MS23-1983.

(d) *Quality standards.*—(1) *Resolution.* The method for determining minimum resolution on microforms of source documents shall conform to the Quality Index Method for determining resolution and anticipated losses when duplicating as described in ANSI/AIIM MS23-1983 and MS43-198. Computer Output Microforms (COM) shall meet the requirements of ANSI/AIIM MS1-1981. Resolution tests shall be performed using a NBS-SRM 1010a-1982, Microcopy Resolution Test Chart (a calibrated and certified photographic reproduction) as specified in ANSI/ISO 3334-1979, (the standard practice for using the test chart) and the patterns will be read following the instructions of ANSI/ISO 3334-1979. The character used to determine the height used in the Quality Index formula shall be the smallest character used to display information. A Quality Index of five is required at the third generation level.

(2) *Background density of images.* The background ISO standard visual diffuse transmission density on microforms shall be appropriate to the type of documents being filmed. The procedure for density measurement is described in ANSI/AIIM MS23-1983 and the densitometer shall be in accordance with ANSI/ISO 5/3-1984, for spectral conditions and ANSI/ISO 5/2-1985, for geometric conditions for transmission density. Recommended visual diffuse transmission background densities for images of documents are as follows:

Classification	Description of document	Background density
Group 1 .....	High-quality, high-contrast printed books, periodicals, and black typing.....	1.3-1.5
Group 2 .....	Fine-line originals, black opaque pencil writing, and documents with small high-contrast printing.....	1.15-1.4
Group 3 .....	Pencil and ink drawings, faded printing, and very small printing, such as footnotes at the bottom of a printed page.....	1.0-1.2
Group 4 .....	Low-contrast manuscripts and drawings, graph paper with pale, fine-colored lines; letters typed with a worn ribbon; and poorly printed, faint documents.	0.8-1.0
Group 5 .....	Poor-contrast documents (special exception).....	0.7-0.85

Recommended visual diffuse transmission densities for computer generated images are as follows:

Film type	Process	Density measurement method	Min. Dmax*	Max. Dmix*	Minimum density difference
Silver gelatin.....	Conventional.....	Printing or diffuse.....	0.75	0.15	0.60
Silver gelatin.....	Full reversal.....	Printing.....	1.50	0.20	1.30

\*Character or line density, measured with a microdensitometer or by comparing the film under a microscope with an image of a known density.

(3) *Line or Stroke Width.* Due to optical limitations in most photographic systems, film images of thin lines appearing in the original document will tend to fill in as a function of their width and density. Therefore, as the reduction ratio of a given system is increased, the background density shall be reduced as needed to ensure that the copies produced will contain legible characters.

**§ 1230.16 Film and image requirements for temporary records, duplicates, and user copies.**

(a) *Film stocks.* The preferred film stock for all microforms is specified in § 1230.14(b). However, for economic reasons and systems applications, other film types may be better suited for microforms containing temporary records, and for duplicates and user copies. Diazo, vesicular, electrophotographic, and thermographic type films may be used to microfilm temporary records.

(b) *Processing.* The films will be processed according to the manufacturers' instruction.

(c) *Quality Standards.*—(1) *Resolution.* See § 1230.14(d)(1) for method of determining resolution. A Quality Index of five is recommended at the level of the specific number of generations used in the system for temporary records, duplicates and user copies.

(2) *Background density of images.* The densities recommended in § 1230.14(d)(2) apply to microforms of temporary records, duplicates and user copies. However, a ten percent per generation wider range is acceptable.

(i) For diazo and electrophotographic films with ISO standard visual diffuse transmission density shall be measured in accordance with ANSI/ISO 5/3-1984, ANSI PH2.18-1985 for spectral conditions and ANSI/ISO 5/2-1985, for geometric conditions.

(ii) For vesicular and other light scattering films the ISO standard for f/4.5 projection transmission density shall be measured in accordance with ANSI/ISO 5/2-1985, for geometric conditions for transmission density.

7. Subpart B is revised to read as follows:

**Subpart B—Standards for the Storage, Use and Disposition of Microform Records**

Sec.

- § 1230.20 Storage.
- § 1230.22 Inspection.
- § 1230.24 Use of microform records.
- § 1230.26 Disposition of microform records.

**Subpart B—Standards for the Storage, Use and Disposition of Microform Records**

**§ 1230.20 Storage.**

(a) *Permanent records.* The conditions specified in ANSI PH1.43-1985 and ANSI IT9.2-1988, are required for storing permanent record microforms.

(b) *Temporary records.* Temporary microform records can be safely stored under the same conditions as temporary paper records.

**§ 1230.22 Inspection.**

(a) *Permanent records.*

(1) Master films of permanent records microfilmed in order to dispose of the original record and master films of permanent records originally created on microfilm shall be inspected when 2 years old and, until they are transferred to a Federal records center or to the National Archives, every 2 years thereafter. The inspection shall be made on a randomly selected sample consisting of 1000 microform units, or 1 percent of the total number of microform units in the collection, whichever is smaller. At least one microform unit must be inspected in collections of less than 100 units. The term "microform unit" refers to a single roll of microfilm, a microfiche, or similar appropriate unit for inspection. The term "collection" refers to microform units which were processed on the same equipment within a short time span and which have been stored together in the same environment since their creation.

(2) Microforms cannot be accepted for deposit with the National Archives of the United States until the first inspection (occurring after it is 2 years old) has been performed. Permanent microforms may be transferred to a Federal records center only after the agency has performed the first inspection or has certified that the microforms will be inspected by the agency, an agency contractor, or the Federal records center (on a reimbursable basis) when they become 2 years old.

(3) To facilitate inspection, an inventory of microfilm must be maintained, listing each microform series/publication by production date, producer, processor, format, and results of previous inspections.

(4) The elements of the inspection shall consist of:

(i) An inspection for aging blemishes following the guidelines in the AIIM/SIP34-1989;

(ii) A rereading of resolution targets;

(iii) A remeasurement of density; and

(iv) A certification of the environmental conditions under which

the microforms are stored, as specified in § 1230.20(a)

(5) An inspection log shall be maintained and furnished in hard copy form to NARA in accordance with § 1230.26(b). Information to be contained in the log shall include:

(i) A complete description of all records tested (title; number or identifier for each unit of film; security classification, if any; and inclusive dates, names, or other data identifying the records on the unit of film);

(ii) The date of inspection;

(iii) The elements of inspection;

(iv) Any defects uncovered; and

(v) The corrective action taken.

In addition, the log shall contain the results of all archival film tests required by § 1230.14.

(6) A copy of the inspection report shall be furnished to NARA in accordance with § 1230.26(b). The inspection report shall include:

(i) The quantity of microform records on hand, i.e., number of rolls and number of microfiche;

(ii) The quantity of microforms inspected;

(iii) The condition of the microforms;

(iv) A summary of any defects discovered; and

(v) A summary of corrective action taken.

(7) An agency having in its custody a master microform that is deteriorating, as shown by the inspection, shall prepare a silver duplicate in accordance with § 1230.14 to replace the deteriorating master. The duplicated film will be subject to the 2-year inspection required before transfer to a Federal Record Center or to the National Archives.

(8) Inspection should be performed in an environmentally controlled area which avoids pollutant gases and particulates, temperatures in excess of 70 °F (20 °C) or relative humidities above 55 percent.

(b) *Temporary records.* Inspection by sampling procedures described in § 1230.22(a) is recommended but not required.

**§ 1230.24 Use of microform records.**

(a) The master microform shall not be used for reference purposes. Duplicates shall be used for reference and for further duplication on a recurring basis or for large-scale duplication, as well as for distribution of records on microform. Agency procedures shall ensure that the master microforms remain clean and undamaged during the duplication process.

(b) Agencies retaining the original record in accordance with an approved

records disposition schedule may apply agency standards for the use of microform records.

**§ 1230.26 Disposition of microform records.**

The disposition of microform records shall be carried out in the same manner prescribed for other types of records in part 1228 of this chapter with the following additional requirements:

(a) The silver gelatin original (or a silver gelatin duplicate negative microform record created in accordance with § 1230.14) plus one copy (silver, diazo, electrophotographic, or vesicular) of each permanent or unscheduled record microfilmed by an agency, shall be transferred to an approved agency records center, the National Archives, or to a Federal records center, at the time that the records are to be retired in accordance with the approved records disposition schedule. Non-silver copies must be packaged separately and stored separately from silver originals.

(b) The microforms shall be accompanied by:

(1) Information identifying the agency and organization; the title of the records; the number or identifier for each unit of film; the security classification, if any; the inclusive dates, names, or other data identifying the records to be included on a unit of film;

(2) Any finding aids relevant to the microform that are not contained in the microform; and

(3) The inspection log forms and inspection reports required by § 1230.22(a) (5) and (6).

(c) The information required in this paragraph (b) shall be attached to the SF 135 when records are being transferred to a Federal records center and to the SF 258 when records are being transferred to the legal custody of the National Archives.

Dated: August 22, 1989.

Don W. Wilson,

Archivist of the United States.

[FR Doc. 89-21374 Filed 9-11-89; 8:45 am]

BILLING CODE 7515-01-M

**DEPARTMENT OF VETERANS AFFAIRS**

**38 CFR Part 4**

RIN 2900-AD99

**Definition of Marginal Employment in Consideration of Total Evaluations Based on Individual Unemployability**

**AGENCY:** Department of Veterans Affairs.

**ACTION:** Correction; proposed regulations.

**SUMMARY:** On August 28, 1989, commencing on page 35507 (54 FR 35507-35508), the Department of Veterans Affairs (VA) published a proposed rule to amend the Schedule for Rating Disabilities to define marginal employment in consideration of total disability ratings based on unemployability of an individual. In § 4.16 a phrase was inadvertently left out of the published text. The portion left out currently appears in 38 CFR 4.16 and was to remain as published. VA is republishing that text to prevent any confusion over the changes being made. In addition, a typographical error in § 4.16(a) is being corrected. VA regrets the errors and hereby corrects them.

**FOR FURTHER INFORMATION CONTACT:** Mr. Joel Drebmus, Consultant, Regulations Staff (211B), Compensation and Pension Service, Veterans Benefits Administration, (202) 233-3005.

**List of Subjects in 38 CFR Part 4**

Handicapped, Pensions, Veterans.

Dated: September 6, 1989.

Donald R. Howell,

Acting Chief, Directives Management Division.

**PART 4—[CORRECTED]**

1. On page 35508, in the third column, in 38 CFR part 4, Schedule for Rating Disabilities, in § 4.16(a) the first sentence of the undesignated flush left paragraph is corrected to read as follows:

**§ 4.16 [Corrected]**

(a) *Total disability ratings for compensation based on unemployability of the individual.*

It is provided further that the existence or degree of nonservice-connected disabilities or previous unemployability status will be disregarded where the percentages referred to in this paragraph for the service-connected disability or disabilities are met and in the judgment of the rating agency such service-connected disabilities render the veteran unemployable.

2. On the same page, in the same column, in § 4.16(a), in the undesignated flush left paragraph remove the phrase "as the poverty threshold of one person." where it appears and add, in its place, the phrase "as the poverty threshold for one person."

[FR Doc. 89-21366 Filed 9-11-89; 8:45 am]

BILLING CODE 8320-01-M

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 761**

[OPTS-66008G; FRL-3645-3]

**Polychlorinated Biphenyls; Manufacturing, Processing, and Distribution in Commerce Exemptions; Reopening of Comment Period**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule and reopening of comment period.

**SUMMARY:** This notice reopens the comment period on an amendment to a petition in the proposed rule issued in the *Federal Register* of August 24, 1988. EPA has accepted for review an amendment to the exemption petition from the prohibition against the processing and distribution in commerce of polychlorinated biphenyls (PCBs). In this document, EPA proposes to grant the amendment exemption petition. EPA, thereby, reopens the comment period and solicits comment on the amendment to this petition only.

**DATES:** This document reopens the comment period only for the additional amendment to a petition as described herein until October 12, 1989. An informal hearing will be scheduled if requested.

**ADDRESSES:** All comments should reference the docket control number OPTS-66008G, and be sent in triplicate to: TSCA Public Docket Office (TS-793), Office of Toxic Substances, Environmental Protection Agency, Rm. G004 NE Mall, 401 M St. SW., Washington, DC 20460.

**FOR FURTHER INFORMATION CONTACT:** Michael M. Stahl, Director, Environmental Assistance Division (TS-799), Office of Toxic Substances, Environmental Protection Agency, Rm. EB-44, 401 M St. SW., Washington, DC 20460, Telephone: (202) 554-1404, TDD: (202) 554-0551.

**SUPPLEMENTARY INFORMATION:**

**I. Background**

For a discussion of the statutory authority for this rulemaking, the history of this rulemaking, and standards for granting an exemption, see the proposed rule issued in the *Federal Register* of August 24, 1988 (53 FR 32326).

**II. Disposition of Pending Exemption Petitions**

On July 26, 1988, Electrical Apparatus Service Association (EASA) submitted to EPA an amendment to their current

exemption petition to allow processing and distribution in commerce of PCB-contaminated fluid from component parts during activities of servicing and buying and selling of used transformers, while a double-rinse method for the non-porous components from PCB-contaminated transformers is being developed.

EASA also asserts both economic loss and detriment to society if reuse of the component parts is prohibited. Although EPA makes no judgment regarding this claim, EPA acknowledges that without stocks of component parts, there could be a severe detriment to equipment users as a result of the interruption of electrical services as well as the premature disposal of reusable units.

Therefore, due to the non-porous nature of these component parts and because of the relatively small amounts of PCBs involved (less than 10 percent of the original petition amount), EPA has determined that the activity of reusing non-porous component parts, does not pose an unreasonable risk under TSCA, section 6(e)(3)(B)(i).

To demonstrate compliance with the TSCA good faith efforts standard, EASA also submitted evidence to EPA that there may be no substitute for some components needed to repair or rebuild equipment, and that it is not feasible to sample the existing stockpiles of components for historic PCB contamination.

EASA submitted a substantial amount of evidence to indicate an effort to develop a double-rinse procedure similar to that in the spill clean-up policy. EASA maintains that the introduction of the double-rinsed, non-porous component parts back onto the PCB-contaminated transformers will not change the original parts per million PCB content of the transformer into which the component is incorporated.

EPA concludes that an exemption that is limited to processing and distribution in commerce of the PCB residues on non-porous transformer component parts meets both the no unreasonable risk and good faith efforts standards.

Therefore, EPA has determined to grant the petition for 1 year to continue processing and distribution in commerce of non-porous components that may have PCB residues. EPA has determined that the renewal of a class exemption for EASA members to reuse components, will be contingent upon EASA members showing further efforts to reduce their involvement with PCBs during buying and selling activities.

It shall be incumbent upon the petitioner, in future requests for renewal of their exemption, to show evidence of good faith efforts in eliminating their

inventories of PCB-contaminated transformers in uncontained storage areas and, also, that establishing stockpiles of component parts can be effectively decontaminated.

### III. Official Rulemaking Record

This proposed rule is a continuation of docket number OPTS-66008F and includes all information listed in the original proposed rule published in the Federal Register of August 24, 1988 (53 FR 32326).

### IV. Other Regulatory Requirements

EPA discussed Executive Order 12291, the Regulatory Flexibility Act, and the Paperwork Reduction Act in detail in the August 24, 1988 proposal, and no changes are indicated for this document.

#### List of Subjects in 40 CFR Part 761

Environmental protection, Hazardous substances, Labeling, Polychlorinated biphenyls, Reporting and recordkeeping requirements.

Dated: August 24, 1989.

Michael Shapiro,  
*Acting Director, Office of Toxic Substances.*

Therefore, it is proposed that 40 CFR part 761 be amended as follows:

#### PART 761—[AMENDED]

1. The authority citation for part 761 would continue to read as follows:

Authority: 15 U.S.C. 2605, 2607, and 2611; subpart G is also issued under 15 U.S.C. 2614 and 2616.

2. Section 761.80 is amended by adding paragraph (p) to read as follows:

§ 761.80 Manufacturing, processing, and distribution in commerce exemptions.

(p) The Administrator grants the following petitioner 1 year to continue to process and distribute in commerce non-porous components that may have PCB residues.

(1) Electrical Apparatus Service Association, St. Louis, MO 63132, provided the following conditions are met:

(i) Demonstration of the efficacy of a method to decontaminate existing stocks of non-porous components.

(ii) A list showing that the PCB-contaminated transformers in inventory have been identified and placed in PCB storage areas with proper containment as outlined in § 761.85(b).

(iii) Evidence that all future sources of the components, including inventories of PCB-contaminated transformers stored onsite for reuse, shall be properly identified and managed.

(2) [Reserved]

[FR Doc. 89-21413 Filed 9-11-89; 8:45 am]

BILLING CODE 6560-50-M

### FEDERAL COMMUNICATIONS COMMISSION

#### 47 CFR Parts 2, 22, 90

[General Docket 88-96]

#### Amendment of the Commission's Rules Relative to Allocation of the 849-851/894-896 MHz Bands

AGENCY: Federal Communications Commission.

ACTION: Proposed rule; motion to accept late-filed comments.

SUMMARY: This action accepts late-filed comments filed by the Goeken Group Corporation (Goeken Group) to the *Notice of Proposed Rule Making* in this proceeding. Further, it provides for reply comments to the Goeken Group comments to be filed until October 9, 1989. This action is in response to a *Motion To Accept Late Filed Comments*, filed by the Goeken Group. The Goeken Group requested that the comments be accepted since they provide new information that could not have been filed in a timely manner due to Mr. John Goeken's affiliation at that time with the GTE Corporation.

DATES: Reply comments are due October 9, 1989.

ADDRESSES: Federal Communications Commission, Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Rodney Small, telephone (202) 653-8116.

SUPPLEMENTARY INFORMATION: The Proposed Rule was published on May 13, 1988, 53 FR 17082.

Federal Communications Commission.

Thomas P. Stanley,  
*Chief Engineer.*

[FR Doc. 89-21318 Filed 9-11-89; 8:45 am]

BILLING CODE 6712-01-M

#### 47 CFR Part 73

[MM Docket No. 89-384, RM-6884]

#### Radio Broadcasting Services; Epworth, IA

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission requests comments on a petition by Margaret