

applies to a PLAM, then the original issue discount on the PLAM is not deductible prior to the time when the original issue discount is paid.

(2) *Time when original issue discount treated as paid.* For purposes of paragraph (e)(1) of this section, each payment other than a qualified periodic interest payment as defined in paragraph (d)(4) of this section shall be treated first as a payment of original issue discount to the extent the original issue discount has accrued as of the date of the payment and has not been treated as paid previously, and second as a payment of principal.

(3) *Example.* The provisions of this paragraph (e) may be illustrated by the following example:

Example. The facts are the same as the example in paragraph (d)(7) of this section. In addition, A is an individual who uses the cash receipts and disbursements method of accounting. Thus, under section 1275(b)(2) and paragraph (e)(1) of this section, A's interest deduction under section 163 for accrued original issue discount is limited to the lesser of the accrued original issue discount or the amount paid. Thus, for the three-month period ending October 1, 1990, A's deduction under section 163 is limited to \$1,447.10 (\$479.47 + 481.96 + 485.67), which represents \$1,003.15 of qualified periodic interest and \$443.95 of accrued original issue discount. A's interest deduction may also be limited by some other provision of the Code or regulations. For example, see section 163(h) and the regulations thereunder.

(f) *Legend.* Under section 1275(c)(1), no information concerning original issue discount is required to be set forth on a PLAM.

(g) *Effective date.* This section is effective for price level adjusted mortgages issued after January 9, 1990.

Par. 4. A new § 1.6050H-2T is added to read as follows:

§ 1.6050H-2T Payments of accrued original issue discount (temporary).

(a) *Definition of interest.* For purposes of § 1.6050H-1 and § 1.6060H-2, in the case of a price level adjusted mortgage ("PLAM") described in § 1.1275-6T(b)(1), the term "interest" includes payments of accrued original issue discount. The portion of each payment that is treated as a payment of original issue discount is determined under § 1.1275-6T.

(b) *Effective date.* This section is effective for price level adjusted mortgages issued after January 9, 1990.

Fred T. Goldberg, Jr.,
Commissioner of Internal Revenue.

Approved: December 22, 1989.

Kenneth W. Gideon,

Assistant Secretary of the Treasury.

[FR Doc. 90-484 Filed 1-9-90; 8:45 am]

BILLING CODE 4830-01-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 165

[COTP Duluth, MN Regulation 89-03]

Safety Zone Regulations; Lake Superior—Keweenaw Point, MI

AGENCY: Coast Guard, DOT.

ACTION: Emergency rule.

SUMMARY: The Coast Guard is establishing a 100 yard safety zone around the grounded Coast Guard Cutter *Mesquite* (WLB 305). The zone is needed to protect the vessel from unauthorized access until weather conditions allow completion of salvage operations.

Entry into this zone is prohibited unless authorized by the Captain of the Port.

EFFECTIVE DATE: This regulation becomes effective at 0001 on December 23, 1989. It terminates at midnight on June 22, 1990, unless sooner terminated by the Captain of the Port.

FOR FURTHER INFORMATION CONTACT: Lt. J.C. Hillerns, MSO Duluth, (218) 720-5286.

SUPPLEMENTARY INFORMATION: In accordance with 5 U.S.C. 553, a notice of proposed rulemaking was not published for this regulation and good cause exists for making it effective in less than 30 days after Federal Register publication.

Publishing an NPRM and delaying its effective date would be contrary to the public interest since immediate action is needed to prevent injury to persons in the area, possible damage to the vessel, or interference with salvage operations.

Drafting Information

The drafter of this regulation is Lt. J.C. Hillerns, Project Officer for the Captain of the Port.

Discussion of Regulation

The U.S. Coast Guard Cutter *Mesquite* (WLB-305), a 180-foot buoy tender, ran aground on December 4, 1989, near Keweenaw Point, MI, in Lake Superior. Heavy weather and strong seas precluded the completion of salvage operations. Long range forecasts and historically bad winter conditions in this area resulted in a decision to postpone further salvage efforts until spring 1990. Until that time, the Coast Guard will continue to monitor the condition of the vessel and safeguard the equipment still on board.

This safety zone is necessary to prevent injury to unauthorized persons who may try to board the vessel and to

protect the vessel itself. Warning signs will be clearly posted.

This regulation is issued pursuant to 33 U.S.C. 1225 and 1231 as set out in the authority citation for title 33, Code of Federal Regulations, part 165. It supercedes COTP Security Zone #165T0908.

Federalism

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 12612, and it has been determined that the proposed rulemaking does not have sufficient federalism implications to warrant the preparation of a federalism assessment.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Security measures, Vessels, Waterways.

Regulation

In consideration of the foregoing, subpart F of part 165 of title 33, Code of Federal Regulations, is amended as follows:

1. The authority citation for part 165 continues to read as follows:

Authority: 33 U.S.C. 1225 and 1231; 50 U.S.C. 191; 49 CFR 1.46 and 33 CFR 1.05-1(g), 6.04-1, and 160.5.

2. A new § 165.T0909 is added to read as follows:

§ 165.T0909 Safety Zone: Lake Superior—Keweenaw Point, MI.

(a) *Location.* The following area is a Safety Zone: In the vicinity of Keweenaw Point, MI, area, a circular zone with a radius of 100 yards around the grounded Coast Guard Cutter *Mesquite* will be kept clear. The vessel's approximate position is 047-23.9N, 087-42.8W.

(b) *Effective Dates:* This regulation becomes effective at 0001 hours on December 23, 1989. It terminates on June 22, 1990, unless sooner terminated by the Captain of the Port.

(c) *Regulations:* (1) This regulation supercedes COTP Duluth, MN Security Zone Regulation #165T0908 dated December 4, 1989.

(2) In accordance with the general regulations in 165.23 of this part, entry into this zone is prohibited unless authorized by the Captain of the Port.

(3) Persons desiring to enter the safety zone may do so only with prior approval of the Captain of the Port, Duluth, MN.

Dated: December 14, 1989.

T.M. Curelli,
Lieutenant Commander, Acting Captain of the
Port, U.S. Coast Guard, Duluth, MN.
[FR Doc. 90-398 Filed 1-8-90; 8:45 am]
BILLING CODE 4910-14-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[FRL-3703-4]

Approval and Promulgation of Implementation Plans; State of Missouri—Permit Fees

AGENCY: Environmental Protection
Agency (EPA).

ACTION: Final rule.

SUMMARY: This rulemaking takes final action to approve a revision to the Missouri State Implementation Plan (SIP) which: (1) Gives the Missouri Air Conservation Commission (MACC) the legal authority to establish rules to increase the filing fee and to require a processing fee for construction permits; and (2) amends the Missouri Department of Natural Resources (MDNR) Rule 10 CSR 10-6.060, Permits Required, fee system for air permits. This action is in response to section 110(a)(2)(K) of the Clean Air Act (Act) which requires states to include a permit fee system in their SIPs.

Missouri initially submitted the SIP revision to EPA on January 24, 1989. Review of the revision indicates that Missouri has met the requirements of section 110(a)(2)(K) of the Act.

DATES: This action will become effective on March 12, 1990 unless notice is received by February 8, 1990 that someone wishes to submit adverse or critical comments. If the effective date is delayed, timely notice will be published in the Federal Register.

ADDRESSES: Copies of the documents relevant to this action are available for public inspection during business hours at:

Environmental Protection Agency,
Region VII, Air Branch, 726 Minnesota
Avenue, Kansas City, Kansas 66101
Missouri Department of Natural
Resources, Air Pollution Control
Program, Jefferson State Office
Building, 205 Jefferson Street,
Jefferson City, Missouri 65101
Public Information Reference Unit,
Environmental Protection Agency, 401
M Street SW., Washington, DC 20460

FOR FURTHER INFORMATION CONTACT:
Michael T. Marshall at (913) 236-2893
(FTS 757-2893).

SUPPLEMENTARY INFORMATION:

Background

Section 110(a)(2)(K) of the Act requires states to include a permit fee system in their SIPs. The states are required to collect fees from owners or operators of major stationary sources for permits issued pursuant to the Act. The fees should be sufficient to cover the reasonable costs of reviewing and acting upon any application for such a permit and the cost of implementing and enforcing the terms and conditions of such permit (excluding court costs and other costs associated with any enforcement action).

In 1981, EPA developed a "Permit Fee Guideline" (EPA-450/2-81-003) to assist states with the preparation of revisions to their SIPs which address the permit fee requirement. The guideline includes a review of the Act requirements for permit fees: Legislative history and relevant court cases; costs to be considered; basic program implementation considerations; and examples of fee systems in effect around the country. According to the guideline document, the states are given considerable flexibility in selecting the types of fees they could use to recover permit-related expenses. The guideline states that "(at) a minimum, fees should be collected, for permits required under the Act, from major stationary sources as defined in section 302(j) of the Act, and as further defined under section 169(l) for prevention of significant deterioration, and section 169A(g)(7) for visibility protection."

The original MACC Law, passed in 1967, gave the MACC the authority to adopt regulations to require permits prior to the construction or modification of an air contaminant source. MACC adopted a construction permit regulation for the four regulated areas of the state (St. Louis in 1968, Kansas City in 1969, Springfield-Greene County in 1969, and the remainder of the state in 1970). These were included in the original SIP.

The Missouri General Assembly changed the state legal authority in 1972 to require a fee be paid when submitting a request for a construction permit. The legal authority and the changed regulations requiring a \$25 filing fee for construction permits were made part of the Missouri SIP (40 CFR 52.1320 (5) and (6)). In 1976 Missouri recodified all state rules into a "Code of State Regulations" (CSR), and in 1979 the MACC withdrew the previous four area rules and consolidated them into one construction permit rule (10 CSR 10-6.060, Permits Required). 10 CSR 10-6.060 was made part of the Missouri SIP in 1980 (40 CFR 52.1320(c)(18)).

Missouri Submittal

In 1988, the Missouri 84th General Assembly passed legal authority (HB-1187) requiring the MACC to establish a permit fee regulation to require a permit applicant to reimburse the state for "all reasonable costs incurred" in processing a permit. HB-1187 increased the filing fee to \$100 and added an hourly rate with an upper limit of \$100 per hour.

The proposed changes to 10 CSR 10-6.060, Permits Required, were published in Volume 13, Number 18, September 19, 1989, of the Missouri Register. MACC held a public hearing, after a 30-day public notice period, on October 19, 1988. MACC adopted the changes to the rule. The "Order of Rulemaking" was published in the Volume 13, Number 24, December 19, 1988, Missouri Register. The rule became effective January 1, 1989.

Review of the Missouri Submittal

The Missouri submittal has been reviewed to determine if it meets the requirements of the Act and applicable EPA policies. 10 CSR 10-6.060, Permits Required, as amended, fulfills the requirements of HB-1187 by providing a fee system for MDNR to recover all reasonable costs associated with the processing of construction permit applications. The increased filing fee of \$100 per application and an hourly rate of \$50 should be sufficient to recover all costs incurred by MDNR to process a construction permit. The funds collected are deposited directly into a special fund, "Natural Resources Protection Fund—Air Pollution Permit Fee Subaccount."

The state of Missouri held a public hearing as described above on the various portions of the Missouri SIP. The state submitted the amendments to 10 CSR 10-6.060 on January 24, 1989, to Region VII EPA as a revision to the Missouri SIP. The legal authority for the increased filing fee and the permit processing fee was submitted to Region VII on September 27, 1989, as an addendum to the January 24, 1989, request for SIP revision.

The comments on the proposed amendments to 10 CSR 10-6.060 are summarized and the state responses provided in the Missouri Register of December 19, 1989, where the final amendments are printed. Certifications that the hearings took place were submitted with the SIP revision request. Region VII EPA has reviewed the SIP revision and found it, along with the existing Missouri SIP, to satisfy the requirements of section 110(a)(2)(K) of the Act.

By this notice EPA is approving those sections Chapter 643, Revised Statutes of Missouri, which were amended by the passage of HB-1187 in 1988, and revisions to 10 CSR 6.060, Permits Required, relating to the permit fee requirements, as meeting the requirements of section 110(a)(2)(K) of the Act.

EPA has reviewed this revision to the Missouri SIP and is approving it as submitted. EPA is publishing this action without prior proposal because the Agency views this as a noncontroversial amendment and anticipates no adverse comments. This action will be effective March 12, 1990 unless, within 30 days of its publication, notice is received that adverse or critical comments will be submitted.

If such notice is received, this action will be withdrawn before the effective date by publishing two subsequent notices. One notice will withdraw the final action and another will begin a new rulemaking by announcing a proposal of the action and establishing a comment period. If no such comments are received, the public is advised that this action will be effective March 12, 1990.

Nothing in this action should be construed as permitting, allowing, or establishing a precedent for any future request for revision to any SIP. Each request for revision to the SIP shall be considered separately in light of specific technical, economic, and environmental

factors, and in relation to relevant statutory and regulatory requirements.

This action has been classified as a Table 3 action by the Regional Administrator under the procedures published in the Federal Register on January 19, 1989 (54 FR 2214-2225). On January 6, 1989, the Office of Management and Budget waived Tables 2 and 3 SIP revisions (54 FR 2222) from the requirements of Section 3 of Executive Order 12291 for a period of two years.

Under 5 U.S.C. Section 605(b), I certify that this SIP revision will not have a significant economic impact on a substantial number of small entities. (See 46 FR 8709.)

Under Section 307(b)(1) of the Act, as amended, petitions for judicial review of this action must be filed in the U.S. Court of Appeals for the appropriate circuit by March 12, 1990. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 52

Air pollution control, Carbon monoxide, Hydrocarbons, Incorporation by reference, Lead, Nitrogen dioxide, Ozone, Particulate matter, and Sulfur oxides.

Note: Incorporation by reference of the State Implementation Plan for the state of Missouri was approved by the Director of the Federal Register on July 1, 1982.

Dated: December 7, 1989.

Morris Kay,

Regional Administrator.

40 CFR part 52 is amended as follows:

PART 52—[AMENDED]

Subpart AA—Missouri

1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401-7642.

2. Section 52.1320 is amended by adding paragraph (c)(69) to read as follows:

§ 52.1320 Identification of plan.

* * * * *

(c) * * *

(69) A plan revision to change the construction permit fees was submitted by the Department of Natural Resources on January 24, 1989, and September 27, 1989.

(i) Incorporation by reference

(A) Revision to 10 CSR 10-6.060, Permits Required, amended December 19, 1988, effective January 1, 1989.

(ii) Additional material

(A) Chapter 643 RSMo (House Bill Number 1187) passed by the General Assembly of the state of Missouri in 1988.

* * * * *

[FR Doc. 90-458 Filed 1-8-90; 8:45 am]

BILLING CODE 6560-50-M

Proposed Rules

Federal Register

Vol. 55, No. 6

Tuesday, January 9, 1990

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 932

[Docket No. FV-90-121]

Proposed Expenses and Assessment Rate for Marketing Order Covering Olives Grown in California

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Proposed rule.

SUMMARY: This proposed rule would authorize expenditures and establish an assessment rate under Marketing Order 932 for the 1990 fiscal year (January through December) established for that order. The proposal is needed for the California Olive Committee (committee) to incur operating expenses during the 1990 fiscal year and to collect funds during that year to pay those expenses. This would facilitate program operations. Funds to administer this program are derived from assessments on handlers.

DATE: Comments must be received by January 19, 1990.

ADDRESSES: Interested persons are invited to submit written comments concerning this proposal rule to: Docket Clerk, Fruit and Vegetable Division, AMS, USDA, P.O. Box 96456, room 2525-S, Washington, DC 20090-6456. Three copies of all written material shall be submitted, and they will be available for public inspection in the Office of the Docket Clerk during regular business hours. All comments should reference the docket number and date and page number of this issue of the Federal Register.

FOR FURTHER INFORMATION CONTACT: Patrick Packnett, Marketing Order Administration Branch, Fruit and Vegetable Division, AMS, USDA, P.O.

Box 96456, room 2530-S, Washington, DC 20090-6456, telephone (202) 475-3862.

SUPPLEMENTARY INFORMATION: This rule is proposed under Marketing Order No. 932 (7 CFR 932) regulating the handling of olives grown in California. The order is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), hereinafter referred to as the Act.

This proposed rule has been reviewed under Executive Order 12291 and Departmental Regulation 1512-1 and has been determined to be a "non-major" rule under criteria contained therein.

Pursuant to requirements set forth in the Regulatory Flexibility Act (RFA), the Administrator of the Agricultural Marketing Service (AMS) has considered the economic impact of this proposed rule on small entities.

The purposes of the RFA is to fit regulatory actions to the scale of business subject to such actions in order that small businesses will not be unduly or disproportionately burdened. Marketing orders issued pursuant to the Act, and rules issued thereunder, are unique in that they are brought about through group action of essentially small entities acting on their own behalf. Thus, both statutes have small entity orientation and compatibility.

There are approximately seven handlers of California olives regulated under this marketing order each season, and approximately 1,390 olive producers in California. Small agricultural producers have been defined by the Small Business Administration (13 CFR 121.2) as those having annual receipts of less than \$500,000, and small agricultural service firms are defined as those whose annual receipts are less than \$3,500,000. Most, but not all, of the olive producers and none of the olive handlers may be classified as small entities.

The California olive marketing order, administered by the Department of Agriculture (Department), requires that the assessment rate for a particular fiscal year shall apply to all assessable olives received by regulated handlers from the beginning of such year. An annual budget of expenses is prepared by the committee and submitted to the Department for approval. The members of the committee are olive producers

and handlers. They are familiar with the committee's needs and with the costs for goods, services and personnel in their local areas and are thus in a position to formulate appropriate budgets. The budgets are formulated and discussed in public meetings. Thus, all directly affected persons have an opportunity to participate and provide input.

The assessment rate recommended by the committee is derived by dividing anticipated expenses by expected olive receipts (in tons). Because that rate is applied to actual receipts, it must be established at a rate which will produce sufficient income to pay the committee's expected expenses.

The committee met on December 12, 1989, and unanimously recommended 1990 fiscal year expenditures of \$2,067,940 and an assessment rate of \$20.68 per ton of assessable olives received by handlers under M.O. 932. In comparison, 1989 fiscal year budgeted expenditures were \$1,902,322 and the assessment rate was \$25.39 per ton. Last year's assessment income was approximately \$1,900,000 based on receipts of 73,000 assessable tons.

Major expenditure items budgeted for the 1990 fiscal year compared with those budgeted in 1989 (in parentheses) are \$337,540 (\$469,540) for program administration, \$8,650 (\$0) for capital equipment purchases, \$94,500 (\$79,032) for production research, \$790,000 (\$760,000) for consumer advertising, \$667,000 (\$398,500) for food service advertising, \$152,250 (\$195,250) for public relations and \$18,000 (\$0) for miscellaneous promotional expenditures. The committee has reallocated expenditures which can be directly attributed to marketing from its administrative budget to its marketing budget. This accounts for the substantial difference between 1989 and 1990 fiscal year budgeted expenditures in the program administration and food service advertising budget categories. The \$165,618 increase in budgeted expenditures from 1989 is mainly attributed to the increased emphasis to be placed on food service industry promotional programs with the food service industry.

Estimated assessment income of \$2,068,000 for the 1990 fiscal period based on handler receipts of 100,000

tons of assessable olives will be utilized to cover the proposed expenses. Last year's assessment income was approximately \$1,900,000 based on the receipts of 73,000 assessable tons. The committee also unanimously recommended that excess income from the 1989 fiscal year (\$22,807) be placed in its reserve, resulting in a reserve well within the maximum amount authorized under the order.

While this proposed action would impose some additional costs on handlers, the costs are in the form of uniform assessments on all handlers. Some of the additional costs may be passed onto producers. However, these costs would be significantly offset by the benefits derived from the operation of the marketing order. Therefore, the Administrator of the AMS has determined that this action would not have a significant economic impact on a substantial number of small entities.

Based on the foregoing, it is found and determined that a comment period of less than 30 days is appropriate because the budget and assessment rate approvals for the olive program need to be expedited. The committee needs to have sufficient funds to pay its expenses which are incurred on a continuous basis.

List of Subjects in 7 CFR Part 932

California, Marketing agreements, Olives.

For the reasons set forth in the preamble, it is proposed that 7 CFR part 932 be amended as follows:

PART 932—OLIVES GROWN IN CALIFORNIA

1. The authority citation for 7 CFR part 932 continues to read as follows:

Authority: Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674.

2. New § 932.224, is added to read as follows:

§ 932.224 Expenses and assessment rate.

Expenses of \$2,067,940 by the California Olive Committee are authorized, and an assessment rate of \$20.68 per ton of assessable olives is established, for the fiscal year ending on December 31, 1990. Unexpended funds from the 1989 fiscal year may be carried over as a reserve.

Dated: January 4, 1990.

Charles R. Brader,

Director, Fruit and Vegetable Division.

[FR Doc. 90-456 Filed 1-8-90; 8:45 am]

BILLING CODE 3410-02-M

DEPARTMENT OF THE TREASURY

Customs Service

19 CFR Part 12

Proposed Customs Regulations Amendments Concerning the Importation of Chemicals Subject to the Toxic Substances Control Act (TSCA)

AGENCY: Customs Service, Treasury.

ACTION: Proposed rule.

SUMMARY: This document proposes to amend the Customs Regulations regarding the submission of an importer's certification for Toxic Substances Control Act (TSCA) purposes. It provides when the certification must be submitted, its form, and provides for blanket certifications covering multiple shipments of chemicals subject to TSCA.

These changes are being made pursuant to the request of the Environmental Protection Agency (EPA) which has noted the existence of problems in verifying compliance with TSCA.

DATE: Comments must be received on or before March 12, 1990.

ADDRESS: Written comments (preferably in triplicate) may be addressed to and inspected at the Regulations and Disclosure Law Branch, U.S. Customs Service, 1301 Constitution Avenue, NW., room 2119, Washington, DC 20229.

FOR FURTHER INFORMATION CONTACT:

Carole Klein, Other Agency

Enforcement Branch (202) 566-7877.

William Nolle, Office of ACS

Operations (202) 566-7907

SUPPLEMENTARY INFORMATION:

Background

The Toxic Substances Control Act (TSCA) (15 U.S.C. 2612) was enacted by Congress to regulate commerce and protect human health and the environment by requiring testing and necessary use restrictions on certain chemical substances, and for other purposes. Section 13, TSCA, directs the Secretary of the Treasury, after consultation with the Administrator, Environmental Protection Agency (EPA), to refuse entry into the Customs territory of the United States of any chemical substance or mixture that: 1. Fails to comply with any rule in effect under TSCA, or 2. Is offered for entry in violation of sections 5 or 6, TSCA, a rule or order issued under sections 5 or 6, or an order issued in a civil action brought under sections 5 or 7, TSCA.

Section 13 further provides that if a chemical substance, mixture or article is

refused entry, the Secretary shall notify the consignee of the entry refusal, not release the shipment, except under bond and cause its disposal or storage under such rules as the Secretary may prescribe if the shipment has not been exported by the consignee within 90 days from the date of receipt of the notice of entry refusal.

Section 13 was implemented by Treasury Decision (T.D.) 83-158, published in the Federal Register on August 1, 1983 (48 FR 34734), which added §§ 12.118-12.127 to the Customs Regulations (19 CFR 12.118-12.127). Included therein, as § 12.121, Customs Regulations (19 CFR 12.121), was a reporting requirement calling for the importer of a chemical substance to certify to the district director of Customs that the chemical shipment is subject to TSCA and complies with all applicable rules thereunder, or is not subject to TSCA. Certification statements are delineated in paragraph (a) of the above regulatory section.

EPA officials have advised us that their investigations have identified problems in the verification of compliance with TSCA requirements on imported chemicals. Such officials have noted that, although the above certification is required to be present at the time of entry, audits conducted subsequent to the entry and release of merchandise requiring a certification have failed to confirm the submission thereof at the time of entry or later.

Customs, at the request of EPA, in order to correct this situation and to better enforce the provisions of TSCA, is herein proposing to amend the Customs Regulations to provide that the TSCA certification must be submitted with the entry and that it must appear on the invoice used in connection with the entry and entry summary procedures for these shipments or, for those entries or entry summaries processed electronically, a certification code transmitted as part of the electronics transmission process. The proposed regulations in this document also provide for the use of blanket certifications by importers who regularly import chemicals, whether or not they are subject to the TSCA.

Comments

Before adopting this proposal, consideration will be given to any written comments (preferably in triplicate) timely submitted to Customs. Comments submitted will be available for public inspection in accordance with the Freedom of Information Act (5 U.S.C. 552) § 1.4, Treasury Department Regulations (31 CFR 1.4), and