

Leon B. Van Dam, P.O. Box 152,
Newberry, Michigan 49868,
(Petitioner).

FOR FURTHER INFORMATION CONTACT:
Kathleen Scheuerle, Mass Media
Bureau, (202) 634-6530.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 90-410, adopted August 24, 1990, and released September 13, 1990. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Dockets Branch (room 230), 1919 M Street NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Service, (202) 857-3800, 2100 M Street NW., Suite 140, Washington, DC 20037.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts. For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

List of subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

Kathleen B. Levitz,

Deputy Chief, Policy and Rules Division,
Mass Media Bureau.

[FR Doc. 90-22054 Filed 9-17-90; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 73

[MM Docket No. 90-407, RM-7333]

Radio Broadcasting Services; Traverse City, MI.

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document requests comments on a proposal to add Channel 283A to Traverse City, Michigan, as that community's fourth FM broadcast service, in response to a petition filed by Contemporary Communications. There is a site restriction of 3.2 kilometers northwest of the community. Canadian concurrence for this allotment will be

requested at coordinates 44-40-59 and 85-39-00.

DATES: Comments must be filed on or before November 5, 1990, and reply comments on or before November 20, 1990.

ADDRESSES: Federal Communications Commission, Washington, D.C. 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows:

Larry G. Fuss, President, Contemporary Communications, Post Office Box 159, Fayetteville, Georgia 30214, (Petitioner).

FOR FURTHER INFORMATION CONTACT:
Kathleen Scheuerle, Mass Media Bureau, (202) 634-6530.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 90-407, adopted August 24, 1990, and released September 13, 1990. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Dockets Branch (Room 230), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Service, (202) 857-3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts. For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

List of subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

Kathleen B. Levitz,

Deputy Chief, Policy and Rules Division,
Mass Media Bureau.

[FR Doc. 90-22055 Filed 9-17-90; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 73

[MM Docket No. 90-408, RM-7211]

Radio Broadcasting Services; Lake City and Wabasha, MN

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document requests comments on a petition for rule making filed by Interstate Communications, Inc., permittee of Station KWMB-FM, Channel 273A, Wabasha, Minnesota, seeking to change the community of license for Channel 273A, Wabasha to Lake City, Minnesota, and modify its permit to specify operation on Channel 273C3 at Lake City. The coordinates used for this proposal are 44-17-00 and 92-25-00.

DATES: Comments must be filed on or before November 5, 1990, and reply comments on or before November 20, 1990.

ADDRESSES: Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows:

Mark E. Fields, Miller & Fields, P.C., 1990 M Street, NW., Suite 760, Washington, DC 20036, Counsel for the petitioner).

Interstate Communications, Inc., 1224 Rustic Lane, Wabasha, Minnesota 55981, (Petitioner).

FOR FURTHER INFORMATION CONTACT:
Kathleen Scheuerle, Mass Media Bureau, (202) 634-6530.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 90-408, adopted August 24, 1990, and released September 13, 1990. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Dockets Branch (Room 230), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Service, (202) 857-3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in

Commission proceedings, such as this one, which involve channel allotments. See 47 CFR Section 1.1204(b) for rules governing permissible *ex parte* contacts. For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

List of subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

Kathleen B. Levitz,

*Deputy Chief, Policy and Rules Division,
Mass Media Bureau.*

[FR Doc. 90-22056 Filed 9-17-90; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 73

[MM Docket No. 90-31; RM-7131]

Radio Broadcasting Services; West Point, MS

AGENCY: Federal Communications Commission.

ACTION: Proposed rule; dismissal of proposal.

SUMMARY: This document dismisses a petition for rule making filed by Bob McRaney Enterprises, Inc., proposing the substitution of FM Channel 265C3 for 265A and modification of the license for Station WKBB, to specify operation on the higher class channel at West Point, Mississippi. The petition is dismissed because the petitioner did not file an expression of interest. See 55 FR 04884, February 12, 1990.

FOR FURTHER INFORMATION CONTACT: Kathleen Scheuerle, Mass Media Bureau, (202) 634-6530.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Report and Order, MM Docket No. 90-31, adopted August 24, 1990, and released September 13, 1990. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Dockets Branch (Room 230), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Service, (202) 857-3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

Kathleen B. Levitz,

*Deputy Chief, Policy and Rules Division,
Mass Media Bureau.*

[FR Doc. 90-22057 Filed 9-17-90; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 73

[MM Docket No. 90-409, RM-7344]

Radio Broadcasting Services; Otterville, MO

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document requests comments on a petition filed by Otterville Broadcasting Company, proposing the allotment of FM Channel 299A to Otterville, Missouri, as that community's first local broadcast service. There is a site restriction of 8.2 kilometers east of the community. The coordinates for Channel 299A are 38-43-29 and 92-54-39.

DATES: Comments must be filed on or before November 5, 1990, and reply comments on or before November 20, 1990.

ADDRESSES: Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows:

Richard J. Hayes, Jr., 1359 Black Meadow Road, Spotsylvania, Virginia 22553, (Counsel to the petitioner).

FOR FURTHER INFORMATION CONTACT: Kathleen Scheuerle, Mass Media Bureau, (202) 634-6530.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 90-409, adopted August 24, 1990, and released September 13, 1990. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Dockets Branch (Room 230), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Service, (202) 857-3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts. For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

Kathleen B. Levitz,

*Deputy Chief, Policy and Rules Division,
Mass Media Bureau.*

[FR Doc. 90-22058 Filed 9-17-90; 8:45 am]

BILLING CODE 6712-01-M

DEPARTMENT OF DEFENSE

48 CFR Part 245

Acquisition Regulations; Use of Plant and Production Equipment, FMS

AGENCY: Department of Defense (DoD).

ACTION: Proposed rule and request for comments.

SUMMARY: The Defense Acquisition Regulatory (DAR) Council is proposing changes to conform to the DoD Appropriations Act. Section 9104 of the Act repealed section 21(e)(1)(B) of the Arms Export Control Act which required DoD to establish and recover appropriate costs for use of government-owned production and research property used in connection with foreign military sales (FMS). This proposed rule revises the DFARS to permit rent free use of equipment used in connection with FMS.

DATES: Comments on the proposed rule should be submitted in writing at the address shown below on or before October 18, 1990, to be considered in the formulation of the final rule. Please cite DAR Case 89-331 in all correspondence related to this rule.

ADDRESSES: Interested parties should submit written comments to: Defense Acquisition Regulatory Council, ATTN: Mr. Charles Lloyd, Procurement Analyst, DAR Council, ODASD (P) /DARS, c/o OUSD (A) (M&RS) Room 3D139, The Pentagon, Washington, DC 20301-3062.

FOR FURTHER INFORMATION CONTACT: Mr. Charles Lloyd, Procurement Analyst, DAR Council, (202) 697-7266.

SUPPLEMENTARY INFORMATION:

A. Background

Since the Arms Export Control Act has been modified to no longer require rental charges for Foreign Military Sales (FMS), in certain instances, the DFARS is revised to reflect the intent of the Act. DFARS 245.401 and 245.405 have been revised to permit rent free usage of equipment in connection with FMS, in certain instances. The term "asset use charge" is deleted from the coverage as this term is only appropriate for use with the FMS program. Also, paragraph

(e) of 245.405 no longer carries a date pertaining to the U.S./Canada Understanding on Waiver of Rental Charges. This Understanding is renewed in five year increments and publishing its expiration date serves no purpose.

B. Regulatory Flexibility Act

The proposed change is not expected to have significant impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 801 *et seq.* Therefore an initial regulatory flexibility analysis has not been performed.

C. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because the case proposes changes that do not impose any additional reporting or record-keeping requirements which require the approval of OMB under 44 U.S.C. 3501, *et seq.*

List of Subjects in 48 CFR Part 245

Government procurement.

Claudia L. Naugle,
*Executive Editor, Defense Acquisition,
Regulatory System.*

Therefore, it is proposed that 48 CFR part 245 be amended as follows:

1. The authority citation for 48 CFR part 245 continues to read as follows:

Authority: 5 U.S.C. 301, 10 U.S.C. 2202, DoD Directive 5000.35, and FAR subpart 1.3.

PART 245—GOVERNMENT PROPERTY

2. Section 245.401 is revised to read as follows:

245.401 Policy.

Government use includes use on contracts for foreign military sales. Use on contracts for foreign military sales shall be on a rent free basis.

3. Section 245.405 is amended by revising paragraph (b); by removing paragraph (c); by redesignating paragraphs (d), (e), and (f) as paragraphs (c), (d), and (e); and by revising newly designated paragraphs (c), (d), and (e) to read as follows:

245.405 Contracts with Foreign Governments or International Organizations.

(b) The Use and Charges clause is applicable on direct commercial sales to foreign governments or international organizations.

(c) When a particular foreign government or international organization has funded the acquisition of specific production and research property, no rental charges or nonrecurring recoupments shall be assessed that foreign government or

international organization for the use of such property.

(d) Requests for waivers or reduction of charges for the use of Government facilities on work for foreign governments or international organizations shall be submitted to the contracting officer who shall refer the matter through contracting channels. In response to these requests, approvals may be granted only by the Director, Defense Security Assistance Agency for particular sales which are consistent with (a)(2) above.

(e) Rental charges for use of U.S. production and research property on commercial sales transactions to the Government of Canada are waived for all commercial contracts based on an understanding wherein the Government of Canada has agreed to waive its rental charges.

[FR Doc. 90-22094 Filed 9-17-90; 8:45 am]
BILLING CODE 3810-01-M

48 CFR Parts 246 and 252

Acquisition Regulations; Product Quality Deficiencies

AGENCY: Department of Defense (DOD).

ACTION: Proposed rule and request for comments.

SUMMARY: The Defense Acquisition Regulatory (DAR) Council is proposing changes to the DoD FAR Supplement to amend part 246 by adding § 246.105, paragraph (S-70), § 246.371, and a clause at 252.246-7002. The text and clause address contractor responsibilities to investigate quality deficiencies after supplies have been inspected and accepted by the Government.

DATES: Comments on the proposed rule should be submitted in writing at the address shown below on or before October 18, 1990, to be considered in the formulation of the final rule. Please cite DAR Case 89-073 in all correspondence related to this issue.

ADDRESSES: Interested parties should submit written comments to: Defense Acquisition Regulatory Council, ATTN: Ms. Valorie Lee, Procurement Analyst, DAR Council, ODASD(P), c/o OUSD(A)(M&RS), Room 3D139, The Pentagon, Washington, DC 20301-3062.

FOR FURTHER INFORMATION CONTACT: Ms. Valorie Lee, Procurement Analyst, DAR Council, (202) 697-7266.

SUPPLEMENTARY INFORMATION:

A. Background

DoD logistics activities have implemented a Product Quality Deficiency Reporting system to track

quality problems that are discovered in supplies which have been accepted and are in the DoD inventory. Product Quality Deficiency Reports (PQDR) are the standard means by which defects or nonconforming conditions of products provided under contract are recorded and reported. Notwithstanding previous Government inspection and acceptance, after final delivery of items under the contract, there is a need for contractors to help investigate defects and nonconforming conditions found by the Government in items delivered, as recorded on the PQDR. The proposed coverage and clause are intended to specify what contractors are responsible for under these conditions.

B. Regulatory Flexibility Act

An initial Regulatory Flexibility Analysis has not been performed because the proposed rule is not expected to have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.* Most contracts awarded to small entities for supplies or rework and repair of supplies either do not exceed the small purchase threshold or do not contain higher-level quality requirements. Comments from small entities concerning the affected DFARS subpart will also be considered in accordance with section 610 of the Act. Such comments must be submitted separately and cite DAR case 90-610 in all correspondence.

C. Paperwork Reduction Act

The proposed rule does impose reporting or recordkeeping requirements on those companies that comply with the voluntary requirements of the clause, which requires the approval of OMB under 44 U.S.C. 3501, *et seq.* A request for approval of information collection has been sent to the Office of Management and Budget for its review and approval.

List of Subjects in 48 CFR Parts 246 and 252

Government procurement.

Claudia L. Naugle,
*Executive Editor, Defense Acquisition,
Regulatory System.*

Therefore, it is proposed that 48 CFR parts 246 and 252 be amended as follows:

PART 246—QUALITY ASSURANCE

1. The authority citation for 48 CFR parts 246 and 252 continues to read as follows:

Authority: 5 U.S.C. 301, U.S.C. 2202, DoD Directive 5000.35, FAR Subpart 1.3.

2. Section 246.105 is added to read as follows:

246.105 Contractor responsibilities.

(S-70) The contractor may be required to investigate reports of Product Quality Deficiencies (see 246.371).

3. Section 246.371 is added to read as follows:

246.371 Product quality deficiency investigation.

The contracting officer may insert the clause at 252.246-7002, Product Quality Deficiency Investigation, in solicitations and contracts if—

- (a) The contract is for supplies or rework and repair of supplies; and,
- (b) the contract contains a higher-level quality requirement (see 246.202-3); and,
- (c) The supplies being procured are not covered by a warranty.

PART 252—CONTRACT CLAUSES AND SOLICITATION PROVISIONS

4. Section 252.246-7002 is added to read as follows:

252.246 Product Quality deficiency investigation.

As prescribed at 246.371, insert the following clause:

Product Quality Deficiency Investigation (XXX 1990)

(a) As used in this clause:
Product quality deficiency means a defect or nonconforming condition. This includes deficiencies in design, specification, material, manufacturing, and workmanship.

Product quality deficiency report (PQDR), means the Standard Form (SF) 368 or message format which is used to record and transmit product quality deficiency data.

- (b) The contractor agrees to:
 - (1) Investigate, and determine the cause of, product quality deficiencies found by the Government in items delivered under this contract.
 - (2) Provide the results of the investigation to the Government.
 - (3) Make the investigation at any time until 4 years after delivery of the last item under this contract, notwithstanding previous Government inspection and acceptance.
 - (4) Permit the Government's Quality Assurance Representative to witness the conduct of the investigation.
- (c) The contractor further agrees:
 - (1) In making the investigation, to review PQDRs provided by the Government.
 - (2) To review examples of deficient items provided by the Government if a

determination cannot be made by reviewing the PQDRs.

(d) Within 7 days of receipt of a PQDR, the contractor shall notify the contracting officer whether the investigation and determination can be made from a review of the PQDR, or whether a review of examples of deficient items is necessary. Within 30 days of the receipt of the PQDR or, if required, a deficient item, the contractor will provide the contracting officer an estimate of the date by which the investigation and determination will be completed, and when the results of the investigation will be available.

(e) The contractor's report on the investigation will contain the following information:

- (1) A description of the cause of the deficiency, if any.
- (2) Any corrective actions the contractor has taken or intends to take if the same item is still being delivered to the Government under this or another contract.

(f) This clause does not require the contractor to retain any records or data beyond that otherwise required by this contract.

(g) Contractor reports provided under this clause may be used to supplement the contractor's total quality history. Failure to comply with the requirements herein will be noted in the contractor's total quality history record and may influence the Government's assessment of contractor overall past performance. (End of clause)

[FR Doc. 90-22037 Filed 9-17-90; 8:45 am]

BILLING CODE 3810-01-M

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

Endangered and Threatened Wildlife and Plants; Findings on a Petition To List the Jemez Mountains Salamander as Threatened or Endangered

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of petition finding.

SUMMARY: The U.S. Fish and Wildlife Service (Service) announces a 90-day finding for a petition to amend the List of Endangered and Threatened Wildlife and Plants. The petition has been found to present substantial information indicating that listing the Jemez Mountains salamander (*Plethodon neomexicanus*) as a threatened or endangered species may be warranted. A status review was initiated on

December 30, 1982, and the Service seeks information until December 13, 1990.

DATES: The finding announced in this notice was made on July 30, 1990. Comments and information should be submitted by December 13, 1990, in order to be incorporated into the 12-month finding.

ADDRESSES: Information, comments, or questions should be submitted to the Field Supervisor, U.S. Fish and Wildlife Service, Ecological Services Field Office, 3530 Pan American Highway, NE., suite D, Albuquerque, New Mexico 87107. The petition, findings, supporting data, and comments are available for public inspection, by appointment, during normal business hours at the above address.

FOR FURTHER INFORMATION CONTACT: John Peterson, Field Supervisor, at the above address (505/883-7877 or FTS 474-7877).

SUPPLEMENTARY INFORMATION:

Background

Section 4(b)(3)(A) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*), requires that the Service make a finding on whether a petition to list, delist, or reclassify a species presents substantial scientific or commercial information indicating that the petitioned action may be warranted. To the maximum extent practicable, this finding is to be made within 90 days of receipt of the petition, and the finding is to be published promptly in the *Federal Register*. If the finding is positive, the Service is also required to promptly commence a status review of the species. In the case of the Jemez Mountains salamander, a status review was initiated by a Notice of Review published December 30, 1982 (47 FR 58454).

The Service has received and made a 90-day finding on the following petition:

Dr. James R. Dixon submitted a petition to the Service to list the Jemez Mountains salamander (*Plethodon neomexicanus*) as a threatened or endangered species. The petition was dated February 13, 1990, and was received by the Service on February 21, 1990.

The Jemez Mountains salamander occurs only in the Jemez Mountains of northcentral New Mexico. It is found primarily within the Santa Fe National Forest. Required habitat for the salamander includes densely wooded, shady canyons on north-facing slopes at elevations of about 2190-2800 meters (7200-9200 feet). These areas are typically vegetated with conifers,

including white fir, Engelmann spruce, blue spruce and Douglas fir, and have the following characteristics: Multi-storied stands, moderately closed canopy, large trees and stand decadence as indicated by the presence of standing dead trees and falling logs. The total range of the species is estimated to be approximately 1,640 square kilometers (630 square miles). Within its range populations of the species are fragmented by elevation, soil type, and vegetation. Most lands where the salamander is found are part of the Santa Fe National Forest. The salamander is also found on Los Alamos National Laboratory, Santa Clara Pueblo, Bandelier National Monument and private lands.

Within the Jemez Mountains the species is known to occur at approximately 23 locations, and it is never abundant. Between 1986 and 1989, 130 sites likely to have salamanders were visited. Of these sites, only 16 were found to have 5 or more salamanders. For the last three years, the U.S. Forest Service has funded distributional and research studies on the salamander. These studies have been conducted by the New Mexico Department of Game and Fish and to date have not provided any indication that the salamander population in the Jemez Mountains is larger than previously assumed.

The petition stated that the Jemez Mountains salamander merits listing under the Act for the following reasons: Its current population numbers are low; the intensity and frequency of logging within its range is increasing; and the effects on the salamander of the soil disturbance, erosion, desiccation, and decrease in the number of large downed logs associated with logging are not known. In addition to these threats, salamander populations and habitat are being threatened by the proposed expansion of a pumice mine.

After a review of the petition, and information otherwise available to the Service, the Service has found that the petition presented substantial information that listing the Jemez Mountains salamander as a threatened or endangered species may be warranted. Within one year from the date the petition was received, the Service is required under section 4(b)(3)(B) of the Act to make a finding as to whether the petitioned action is warranted.

The Service would appreciate any additional data, information, or comments from the public, government agencies, the scientific community, industry, or any other interested party

concerning the status of the Jemez Mountains salamander.

Author

The notice was prepared by Gerald L. Burton, Albuquerque Ecological Services Field Office, at the above address, and Sonja Jahrsdoerfer, U.S. Fish and Wildlife Service, P.O. Box 1306, Albuquerque, New Mexico 87103.

Authority

The authority for this action is the Endangered Species Act of 1973, as amended (16 U.S.C. 1531-1543).

List of Subjects in 50 CFR Part 17

Endangered and threatened species, Exports, Imports, Reporting and record-keeping requirements, and Transportation.

Dated: August 28, 1990.

Richard N. Smith,

Acting Director, Fish and Wildlife Service.

[FR Doc. 90-21969 Filed 9-17-90; 8:45 am]

BILLING CODE 4310-55-M

50 CFR Part 17

RIN 1018-AB42

Endangered and Threatened Wildlife and Plants; Proposed Rule To List the Alamosa Springsnail and the Socorro Springsnail as Endangered

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule.

SUMMARY: The U.S. Fish and Wildlife Service (Service) proposes to list the Alamosa springsnail (*Tryonia alamosae*) and the Socorro springsnail (*Pyrgulopsis neomexicana*) as endangered species, under the authority contained in the Endangered Species Act of 1973 (Act), as amended. These snails occur in thermal springs in Socorro County, central New Mexico. The Alamosa springsnail is found in a single complex of five thermal springs, and the Socorro springsnail is found in only one spring. Because of their dependence on continuous surface flows, these species are threatened by any change in conditions that would lessen the flow of water from the springs. Other potential threats include the introduction of non-native competing or predaceous organisms into the springs and loss of organic film or other natural elements from their habitat.

DATES: Comments from all interested parties must be received by November 17, 1990. Public hearing requests must be received by November 2, 1990.

ADDRESSES: Comments and materials concerning this proposal should be sent to the Field Supervisor, U.S. Fish and Wildlife Service, Ecological Services Field Office, 3530 Pan American Highway NE., suite D, Albuquerque, New Mexico 87107. Comments and materials received will be available for public inspection, by appointment, during normal business hours at the above address.

FOR FURTHER INFORMATION CONTACT: Jerry Burton (see **ADDRESSES**) at (505) 883-7877 or FTS 474-7877.

SUPPLEMENTARY INFORMATION:

Background

Both *Tryonia alamosae* and *Pyrgulopsis neomexicana* are members of the family Hydrobiidae, which is separated from all but two other New Mexico families of gastropods (snails and allies) by the presence of gills (rather than a lunglike breathing device) and a lidlike structure (operculum) on the foot (New Mexico Department of Game and Fish (NMDGF) 1985).

The Socorro springsnail was described originally from warm springs in Socorro, New Mexico. The collector and date of the unique first sample are unknown (Taylor 1983). The specimens came from the C.M. Wheatley collection and are likely to have been collected in the 19th century (Taylor *in litt.*). The species was formally described and named *Ammicola neomexicana* by Pilsbry in 1916. In 1982, Burch reclassified it as *Fontelicella neomexicana*. Hershler and Thompson (1987) assigned members of the genus *Fontelicella*, including *F. neomexicana*, to *Pyrgulopsis*.

The Alamosa springsnail was discovered in 1979 by Taylor, and placed in the genus *Tryonia*. The species was described as *Tryonia alamosae* in 1987 (Taylor 1987).

Pyrgulopsis neomexicana has an elongate-ovate shell that is light tan in color, short-spined, and up to 2.5 millimeters (mm) (0.1 inch) in length (NMDGF 1985). Females attain a larger size than males. The penis has a long glandular strip on the terminal lobe, a long penial gland, and three shorter dorsal glandular strips (Taylor 1987). The body and head are dark gray to black. The internal callus is reddish brown to amber, and the operculum is pale. Tentacles range from black or dark gray at the base to pale gray at the tips (Taylor 1987).

Tryonia alamosae is a relatively small and broadly conical species with females larger than males by a factor of almost 50 percent (NMDGF 1985, Taylor