

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****Aviation Rulemaking Advisory Committee Meeting on Training and Qualifications**

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of Meeting.

SUMMARY: The FAA is issuing this notice to advise the public of a meeting of the Federal Aviation Administration Aviation Rulemaking Advisory Committee to discuss training and qualifications issues.

DATES: The meeting will be held on September 14, 1994 at noon.

ADDRESSES: The meeting will be held at the National Business Aircraft Association, 1200 18th Street NW Washington, DC, second floor conference room.

FOR FURTHER INFORMATION CONTACT:

Ms. Judi Citrenbaum, Office of Rulemaking, (ARM-100) 800 Independence Avenue, SW., Washington, DC 20591. Telephone: (202) 267-9689.

SUPPLEMENTARY INFORMATION: Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463; 5 U.S.C. App. II), notice is hereby given of a meeting of the Aviation Rulemaking Advisory Committee (ARAC) to discuss training and qualifications issues. This meeting will be held on September 14, 1994, at noon, at the National Business Aircraft Association in Washington, DC. The agenda for this meeting will include progress reports from the Air Carrier Working Group and the Aircraft Dispatcher Working Group. Each working group Chair will report on the progress of the working group. In addition, the Aircraft Dispatcher Working Group will be presenting a concept briefing on a proposed recommendation to revise part 65, subpart C.

Attendance is open to the interested public but may be limited to the space available. The public must make arrangements in advance to present oral statements at the meeting or may present statements to the committee at any time. In addition, sign and oral interpretation can be made available at the meeting, as well as an assistive listening device, if requested 10 calendar days before the meeting. Arrangements may be made by contracting the person listed under the heading **FOR FURTHER INFORMATION CONTACT**.

Issued in Washington, DC, on August 17, 1994.

Tom Toula,

Assistant Executive Director for Training and Qualifications, Aviation Rulemaking Advisory Committee.

[FR Doc. 94-20657 Filed 8-22-94; 8:45 am]

BILLING CODE 4910-13-M

Flight Service Station at Tucson, AZ; Closure

Notice is hereby given that on July 22, 1994, the Flight Service Station at Tucson, Arizona, closed. Services to the general aviation public of Tucson, formerly provided by this office, are being provided by the Automated Flight Service Station in Prescott, Arizona. This information will be reflected in the next issue of the FAA Organization Statement.

(Sec. 313(a), Stat. 752; 49 U.S.C. 1354).

Issued in Lawndale, California, on July 19, 1994.

Lynore C. Brekke,

Chief of Staff, Western-Pacific Region.

[FR Doc. 94-20660 Filed 8-22-94; 8:45 am]

BILLING CODE 4910-13-M

Federal Highway Administration**Right-of-Way Revolving Fund; Project Selection**

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice.

SUMMARY: The Federal-Aid Highway Act of 1968 amended section 108 of title 23 U.S.C. by adding section 108(c) establishing the right-of-way revolving fund with an authorization of \$300 million from the Highway Trust Fund. Fiscal constraints, in recent years, have limited obligatory authority to approximately \$43 million per year. However, the demand for revolving funds has greatly exceeded available funds and, as a result, the projects selected for funding have received only approximately \$1 for every \$3 requested.

The FHWA is publishing this notice to describe the project selection criteria and the process used to ensure that all requests are carefully screened to identify the most deserving projects. Furthermore, the FHWA desires to have the selection process completed in a timely manner so allocations can be made as expeditiously as possible once the funds become available.

FOR FURTHER INFORMATION CONTACT: Mr. Janis Gramatins, Realty Specialist, Special Programs and Evaluation

Branch, Office of Right-of-Way, HRW-12, (202) 366-2030; or Mr. Reid Alsop, Office of Chief Counsel, HCC-31, (202) 366-1371, Federal Highway Administration, 400 Seventh Street, SW., Washington, D.C. 20590. Office hours are from 7:30 a.m. to 4 p.m., e.t., Monday through Friday, except legal Federal holidays.

SUPPLEMENTARY INFORMATION: The regulation implementing 23 U.S.C. 108(c) is found at 23 CFR Part 712, Subpart G, Right-of-Way Revolving Fund. Additional guidance is found at 23 CFR Part 130, Subpart D, Advance Right-of-Way Revolving Funds.

Since the inception of the program the revolving fund has generated a high level of activity. Thirty-nine States including Puerto Rico have taken advantage of the fund with total allocations to date of \$714 million. Currently there are 19 States actively involved with allocations of \$244 million. Over the past several years, average annual requests for revolving funds have been \$180 million. The demand and competition for these funds makes it incumbent upon us to ensure that the most deserving projects are selected. Further, these funds must be allocated as expeditiously as possible once they become available.

The Process

No later than the first day of August of each year, the FHWA solicits from each State a request for projects, asking for their response by the first week of September. A State's request, which may include more than one project, is evaluated and ranked, by the FHWA Division office. The Division office forwards the State's request with the Division's evaluation and ranking to the Regional office which, in turn, evaluates and ranks all requests before forwarding them to FHWA Headquarters', Office of Right-of-Way.

Criteria

The following criteria are used at each level of evaluation.

Cost Savings

The primary intent of the program is to advance funds sufficiently early in project development to avoid escalating real estate costs or relocation costs associated with developed properties. An analysis of the estimated cost savings is required.

Type of Facility

High-type, usually controlled access roadways serving important national or regional (sub-State) transportation needs with significant planned ADT, and

passenger transit facilities, will receive priority consideration.

Environmental Assessment

The potential of the project to enhance the environment or minimize negative environmental impacts of development is important. Because highway funds generally cannot be expended on a project until the appropriate environmental document has been prepared and approved, the status of the document is an important ranking factor. If the appropriate document has not been approved the expected date of approval should be so stated in the application.

Use of Prior Allocations

With demand for revolving funds outstripping supply by a 3 to 1 margin, the past performance, if any, of a State in returning the funds so they can be "revolved" to other projects is an important criterion.

Obligational Ability

All funds must be obligated in the same year in which the funds are allocated. Any factors that may hinder the obligation of funds during the fiscal year in which they are allocated, must be addressed. Other criteria to be considered include total project cost, corridor preservation innovation, project connectivity [i.e., the relationship of the project with other highway, or intermodal, projects], and the national geographical distribution of funds available for allocation.

Project Selection and Notification

The FHWA uses a multi-disciplinary team to evaluate and recommend projects for funding. If a recommendation is approved a preliminary allocation of funds for the selected project is made to the specific State through the FHWA field offices. Authority to obligate all or part of the allocated funds is granted when a State actually proceeds with land acquisition.

Authority: 23 U.S.C. 101(a), 108, and 315; 49 CFR 1.48 (b); 23 CFR 1.32.

Issued on: August 16, 1994.

Rodney E. Slater,

Federal Highway Administration.

[FR Doc. 94-20675 Filed 8-22-94; 8:45 am]

BILLING CODE 4910-22-P

[FHWA Docket 94-18]

General Material Requirements; Buy America Requirements

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of proposed nationwide waiver of Buy America for pig iron and processed, pelletized, and reduced iron ore; request for comments.

SUMMARY: The FHWA requests public comment on a proposed nationwide waiver of the Buy America requirements for certain iron components used in the manufacture of steel and/or iron materials. Based on the findings of a nationwide review, the FHWA has reason to believe that the supply from domestic sources of pig iron and processed, pelletized, and reduced iron ore is not adequate to permit full compliance with the Buy America requirements. The proposed waiver would specifically address this shortage by permitting the use of pig iron and processed, pelletized, and reduced iron ore manufactured outside of the United States to be used in the domestic manufacturing process for steel and/or iron materials used in Federal-aid highway construction projects.

DATES: Written comments must be received on or before October 24, 1994.

ADDRESSES: Submit signed, written comments to FHWA Docket 94-18, Federal Highway Administration, Room 4232, HCC-10; 400 Seventh Street, SW.; Washington, D.C. 20590. All comments received will be available for examination at the above address from 8:30 a.m. to 3:30 p.m., e.t., Monday through Friday, except Federal holidays. Those desiring notification of receipt of comments must include a self-addressed, stamped postcard.

FOR FURTHER INFORMATION CONTACT: Mr. David R. Geiger, Office of Engineering (202) 366-0355 or Mr. Wilbert Baccus, Office of the Chief Counsel (202) 366-0780, Federal Highway Administration, 400 Seventh Street SW., Washington, D.C. 20590.

SUPPLEMENTARY INFORMATION: In accordance with 23 CFR 635.410(c)(6), the FHWA hereby provides notice that it is considering a nationwide waiver of the requirements of 23 CFR 635.410. Buy America requirements, for the manufacture of pig iron and processed, pelletized, and reduced iron ore. Section 635.410 provides, with exceptions, that no Federal-aid highway construction project using steel or iron materials is to be authorized to proceed unless all manufacturing processes, including the application of coatings for such materials, occur in the United States.

Pig iron is made from molten iron which has been cast in the shape of "pigs" as it comes from a blast furnace. Pig iron is thus considered a manufactured product, and the making

of pig iron is an initial step in the manufacturing process of steel and iron materials. Processing, pelletizing, and reducing iron ore are methods by which raw iron ore is improved to produce enriched ore. Processed, pelletized, and reduced iron ore are alternatives to pig iron, and are also considered to be manufactured products used to manufacture steel and iron materials.

A recent nationwide review supports a conclusion that the usage of foreign pig iron and processed, pelletized, and reduced iron ore is necessary because an adequate domestic source is not available. Therefore, the FHWA proposes to waive application of the Buy America requirements to pig iron and processed, pelletized, and reduced iron ore. Materials not specifically included in the waiver would remain subject to the Buy America requirements.

The basis for this proposed nationwide waiver is that pig iron and processed, pelletized, and reduced iron ore are not produced in the United States in sufficient and reasonably available quantities which are of a satisfactory quality. Therefore, imposing Buy America requirements on these materials is not in the public interest.

The FHWA is requesting comments on this proposed nationwide waiver and the availability of a domestic supply of the materials included in the proposed waiver. The FHWA's Buy America requirements contained in 23 CFR 635.410 are based on section 165 of the Surface Transportation Assistance Act of 1982 (Pub. L. 97-424, 96 Stat. 2136), as amended by Pub. L. 98-229, § 10, 98 Stat. 55, 57, and Pub. L. 102-240, §§ 1041(a) and 1048, 105 Stat. 1914, 1993, 1999.

(23 U.S.C. 315; 49 CFR 1.48; 23 CFR 635.410)

Issued on: August 16, 1994.

Rodney E. Slater,

Federal Highway Administrator.

[FR Doc. 94-20676 Filed 8-22-94; 8:45 am]

BILLING CODE 4910-22-P

Maritime Administration

Change of Name of Approved Trustee

Notice is hereby given that effective January 1, 1993, Security Pacific National Trust Company (New York), with offices at 2 Rector Street, 9th Floor, New York, New York 10006, has changed its name to BankAmerica National Trust Company.

Dated: August 15, 1994.

By Order of the Maritime Administrator.
James E. Saari,
Acting Secretary.
[FR Doc. 94-20570 Filed 8-22-94; 8:45 am]
BILLING CODE 4910-81-M

Merger of Approved Trustee

Notice is hereby given that The Connecticut National Bank and Trust Company, N.A., Hartford, Connecticut, merged with and into the State Street Bank and Trust Company, 750 Main Street, Boston, Massachusetts, under the name of State Street Bank and Trust Company as the surviving corporation in the merger.

Dated: August 15, 1994.

By Order of the Maritime Administrator.
James E. Saari,
Acting Secretary.
[FR Doc. 94-20572 Filed 8-22-94; 8:45 am]
BILLING CODE 4910-81-M

Merger of Approved Trustee

Notice is hereby given that Irving Trust Company, New York, New York, merged with and into The Bank of New York, 101 Barclay Street, New York, New York 10286, under the name of The Bank of New York as the surviving corporation in the merger.

Dated: August 15, 1994.

By Order of the Maritime Administrator.
James E. Saari,
Acting Secretary.
[FR Doc. 94-20571 Filed 8-22-94; 8:45 am]
BILLING CODE 4910-81-M

DEPARTMENT OF THE TREASURY

Customs Service

[T.D. 94-70]

Petitioner's Desire to Contest Decision Denying Domestic Interested Party Petition Concerning Classification of Flat Goods with Outer Surface of Plastic Sheeting, of Reinforced or Laminated Plastics

AGENCY: U.S. Customs Service, Department of the Treasury.

ACTION: Notice of petitioner's desire to contest decision on domestic interested party petition.

SUMMARY: This document advised the public of the desire of two interested parties to contest Customs decision denying their petition requesting reclassification of flat goods with outer surface of plastic sheeting, of reinforced or laminated plastics. The petitioners

have advised Customs of their intention to file an action in the U.S. Court of International Trade.

DATES: August 23, 1994.

FOR FURTHER INFORMATION CONTACT: Carlos Halasz, Commercial Rulings Division, U.S. Customs Service, (202) 482-7050.

SUPPLEMENTARY INFORMATION:

Background

On December 30, 1993, Customs published a notice in the *Federal Register* (58 FR 69301) inviting public comments concerning a domestic interested party petition, filed pursuant to section 516, Tariff Act of 1930, as amended (19 U.S.C. 1516). The petitioners are Amity Leather Company, a domestic manufacturer of flat goods, and the Luggage and Leather Goods Manufacturers of America, Inc. (LLGMA), a trade association for domestic producers of luggage, leather goods and plastic flat goods. The petition relates to the tariff classification of flat goods, with outer surface of plastic sheeting, of reinforced or laminated plastics.

Schedule 7, Part 12, Subpart A, Headnote 2, of the prior tariff, the Tariff Schedules of the United States (TSUS), provided that the term "reinforced or laminated plastics" was limited to articles composed of rigid plastic materials. Item 706.42, TSUS, provided for flat goods of reinforced or laminated plastics, dutiable at 5.5 cents/pound + 4.6 percent *ad valorem*. Accordingly, this item was limited to flat goods composed of rigid plastics. Flat goods with an outer surface of non-rigid plastics were classified in item 706.61, TSUS. The applicable rate of duty was 20 percent *ad valorem*.

Subheading 4202.32.1000, Harmonized Tariff Schedule of the United States (HTSUS), provides for articles of a kind normally carried in the pocket or in the handbag, with outer surface of sheeting of plastic, of reinforced or laminated plastics. The applicable rate of duty is 12.1 cents/kilogram + 4.6 percent *ad valorem*. Following the enactment of the HTSUS, Customs initially concluded that the definition of "reinforced or laminated plastics" contained in the TSUS continued to be applicable under the HTSUS. See Headquarters Ruling Letters (HRL) 083261, dated September 14, 1989; HRL 084020, dated June 7, 1989; HRL 083415, dated May 18, 1989. In these decisions, Customs recognized that the term was not defined in the HTSUS. However, Customs determined that the definition of this phrase as set forth in the TSUS represented its

common and commercial meaning. Hence, flat goods with an outer surface of non-rigid plastics were precluded from subheading 4202.32.1000, HTSUS. Pursuant to subheading 4202.32.2000, HTSUS, the applicable rate of duty for these articles was 20 percent *ad valorem*.

This issue was revisited in HRL 950048, dated March 2, 1992. In that decision, Customs observed that the classification of a container under heading 4202, HTSUS, is made with reference to its outer surface. Subheading 4202.32, HTSUS, provides for articles of a kind normally carried in the pocket or handbag (a classification encompassing articles similar to "flat goods" under the TSUS), with outer surface of plastic sheeting. The breakout for "reinforced and laminated plastics" occurs at the eight-digit national classification level beneath the six-digit international breakout for plastic sheeting. Consequently, the breakout for "reinforced or laminated plastics" must be interpreted in a manner consistent with the fact that its superior six-digit subheading provides for "plastic sheeting."

Heading 3921, HTSUS, when read in conjunction with heading 3920, HTSUS, provides for sheets of cellular plastic which have been reinforced, laminated or similarly combined with other materials. The Explanatory Note to heading 3921 states in pertinent part that the heading covers cellular sheets of plastics not elsewhere described which have been "reinforced, laminated, supported or similarly combined with other materials." The terms "reinforced" and "laminated" in this context refer to methods by which cellular plastic sheeting may be "combined" with other materials (e.g., textiles). Thus, cellular plastic sheeting that is "reinforced" means that the sheeting has been strengthened or supported by means of a supplementary backing. Cellular plastic sheeting that has been "laminated" means that the sheeting has been united or bonded with other materials. In HRL 950983, dated June 15, 1992, Customs determined that the classification of flat goods with outer surface of noncellular plastic should also be made with reference to Chapter 39, HTSUS.

As the terms "laminated" and "reinforced" are discussed in these terms with regard to plastic sheeting, Customs found that it was erroneous to interpret the phrase "reinforced or laminated plastics" to be limited to rigid plastics. Such an interpretation would allow the terms "reinforced" and "laminated" to have one meaning at the eight-digit classification level, and