

Project. The land is no longer needed for this purpose, and the revocation is needed to permit disposal of the land through exchange. This action will open the land to surface entry and mining. The land has been and will remain open to mineral leasing.

EFFECTIVE DATE: December 26, 1995.

FOR FURTHER INFORMATION CONTACT:

Larry R. Lievsay, BLM Idaho State Office, 3380 Americana Terrace, Boise, Idaho 83706-2500, 208-384-3166.

By virtue of the authority vested in the Secretary of the Interior by Section 204 of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714 (1988), it is ordered as follows:

1. Public Land Order No. 1703, which withdrew public land for the Corps of Engineers' Albeni Falls Project, is hereby revoked insofar as it affects the following described land:

Boise Meridian

T. 56 N., R. 2 E.,
Sec. 29, lot 13.

The area described contains 34.98 acres in Bonner County.

2. At 9 a.m. on December 26, 1995, the land described above will be opened to the operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, other segregations of record, and the requirements of applicable law. All valid applications received at or prior to 9 a.m. on December 26, 1995, shall be considered as simultaneously filed at that time.

3. At 9 a.m. on December 26, 1995, the land will be opened to location and entry under the United States mining laws, subject to valid existing rights, the provisions of existing withdrawals, other segregations of record, and the requirements of applicable law. Appropriation of any of the land described in this order under the general mining laws prior to the date and time of restoration is unauthorized. Any such attempted appropriation, including attempted adverse possession under 30 U.S.C. 38 (1988), shall vest no rights against the United States. Acts required to establish a location and to initiate a right of possession are governed by State law where not in conflict with Federal law. The Bureau of Land Management will not intervene in disputes between rival locators over possessory rights since Congress has provided for such determinations in local courts.

4. The revocation of the withdrawal is made subject to the following flowage easement estate reserved to the Corps of Engineers:

Flowage Easement Estate

Reserve to the Government, a perpetual right, power, privilege and easement in, upon, and across the tract described as Tract R1903E-1 for the following purposes, to-wit:

a. Intermittently to overflow, flood and submerge with water of Lake Pend Oreille, the Pend Oreille River, and the tributaries of both, those portions of the said land lying above elevation 2062.5 feet above mean sea level, United States Coast and Geodetic Survey Datum and for any length of time to impound upon, overflow, flood and submerge with the said waters those portions of the said land lying below elevation 2062.5 above mean sea level, all in the construction, operation and maintenance of the Albeni Falls Dam Project, its appurtenances, reservoir and overflow areas.

b. To enter upon said land as may be necessary from time to time to inspect and improve water flow conditions; to remove natural or artificial obstructions, including underbrush and debris which, in the opinion of the representative of the United States in charge, may be detrimental to the operation of the project, to clear, improve, and maintain existing water courses, lake, streams and drainage channels; and to exercise any other rights and privileges incident to the easement hereby taken.

c. As to the described land in which an easement is taken, all rights and privileges therein and thereto that may be used and enjoyed without interfering with or abridging the easements and rights hereby taken, are specifically reserved to the respective owners; provided that no dwelling or other structure maintained for human habitation on the said land shall have a first floor elevation of less than 2067.5 feet above mean sea level.

Subject to existing easements for public roads and highways, public utilities, railroads and pipelines.

The Grantee, for good and valuable consideration, does hereby release the United States of America, and its assigns, from all claims for damages that have accrued or may hereafter accrue to any or all of the above described land, by reason of the overflow of water occasioned by the construction and operation of the Albeni Falls Project on the Pend Oreille River, Idaho, or by the exercise of any or all of the rights, powers, privileges, and easements hereinabove granted.

Dated: November 8, 1995.

Bob Armstrong,

Assistant Secretary of the Interior.

[FR Doc. 95-28655 Filed 11-22-95; 8:45 am]

BILLING CODE 4310-GG-P

FEDERAL MARITIME COMMISSION

46 CFR Part 501

General Consolidation of Bureaus of Investigations and Hearing Counsel

AGENCY: Federal Maritime Commission.

ACTION: Final rule.

SUMMARY: The Federal Maritime Commission is consolidating the Bureau of Investigations ("BOI") and Bureau of Hearing Counsel ("BHC") and related delegated authorities into one bureau: the Bureau of Enforcement ("BOE").

EFFECTIVE DATE: November 24, 1995.

FOR FURTHER INFORMATION CONTACT: Vern W. Hill, Director, Bureau of Enforcement, Federal Maritime Commission, 800 North Capitol St., NW, Washington, DC 20573, (202) 523-5783.

SUPPLEMENTARY INFORMATION: The Federal Maritime Commission is amending part 501 of title 46 of the Code of Federal Regulations to reflect the consolidation of BOI and BHC into one bureau: BOE. Notice and public procedure are not necessary prior to the issuance of this rule because it deals solely with matters of agency organization. Neither is a delayed effective date required. This action does not affect the substantive duties and functions of the bureaus formerly known as BOI and BHC.

List of Subjects in 46 CFR Part 501

Administrative practice and procedure; Authority delegations; Organization and functions; Seals and insignia.

For the reasons set out in the preamble, title 46, Code of Federal Regulations, part 501 is amended as set forth below.

PART 501—THE FEDERAL MARITIME COMMISSION—GENERAL

1. The authority citation for part 501 continues to read as follows:

Authority: 5 U.S.C. 551-557, 701-706, 2903 and 6304; 31 U.S.C. 3721; 41 U.S.C. 414 and 418; 44 U.S.C. 501-520 and 3501-3520; 46 U.S.C. app. 801-848, 876, 1111, and 1701-1720; Reorganization Plan No. 7 of 1961, 26 FR 7315, August 12, 1961; Pub.L. 89-56, 79 Stat. 195; 5 CFR Part 2638.

Subpart A—Organization and Functions

2. Section 501.3 is amended by removing and reserving paragraph (k) and revising paragraph (l) to read as follows:

§ 501.3 Organizational components of the Federal Maritime Commission.

* * * * *

(k) [Reserved]
 (l) Bureau of Enforcement; District Offices.

- (1) New York District
- (2) Miami District
- (3) Los Angeles District

* * * * *
 3. Section 501.4 is amended by revising the first sentence of paragraph (b) and revising paragraph (c) to read as follows:

§ 501.4 Lines of responsibility.

* * * * *
 (b) *Office of the Managing Director.* The Bureau of Economics and Agreement Analysis; Bureau of Tariffs, Certification and Licensing; Bureau of Enforcement; and Bureau of Administration report to the Office of the Managing Director. * * *

(c) *Bureau of Enforcement and District Offices.* The District Offices report to the Director, Bureau of Enforcement.

4. Section 501.5 is amended by revising paragraphs (f)(1)(i), (i) introductory text, (i)(3), and (i)(4); the heading of paragraph (j) is removed and reserved, paragraph (j)(1) is redesignated as paragraph (i)(5) and revised; paragraph (j)(2) is redesignated as paragraph (i)(6) and the introductory text thereof is revised; the first sentence of paragraph (l)(2) is revised. The revised text reads as follows:

§ 501.5 Functions of the organizational components of the Federal Maritime Commission.

* * * * *
 (f) *The Office of the Managing Director.*

(1) * * *
 (i) As senior staff official, is responsible to the Chairman for the management and coordination of Commission programs managed by the operating Bureaus of Enforcement; Administration; Economics and Agreement Analysis; and Tariffs, Certification and Licensing, as more fully described in paragraphs (g) through (k) of this section, and thereby implements the regulatory policies of the Commission and the administrative policies and directives of the Chairman;

(i) *Bureau of Enforcement; District Offices.* Under the direction and management of the Bureau Director, the Bureau of Enforcement:

- (3) Acts as staff counsel to the Managing Director and other bureaus and offices;
- (4) Coordinates with other bureaus and offices to provide legal advice, attorney liaison, and prosecution, as

warranted, in connection with enforcement matters; and
 (5) Conducts investigations leading to enforcement action, advises the Federal Maritime Commission of evolving competitive practices in international and domestic offshore commerce, assesses the practical repercussions of Commission regulations, educates the industry regarding policy and statutory requirements, assists in the resolution of disputes within the industry, and provides liaison, cooperation, and other coordination between the Commission and the maritime industry, shippers, and other government agencies.

(6) The activities performed by the Bureau and its District Offices, the latter under the direction and management of their respective District Directors, include the following:

- * * * * *
- (j) [Reserved]
- * * * * *
- (l) *Boards and Committees.* * * *
- (2) The Committee on Automated Data Processing is chaired by a Commissioner designated by the Chairman, and is comprised of the Directors of the Bureaus of Economics and Agreement Analysis; Tariffs, Certification and Licensing; Administration; and Enforcement; the General Counsel; the Secretary; the Inspector General; the Director, Office of Equal Employment Opportunity; the Chief Administrative Law Judge; a representative of the Chairman's office; the Deputy Managing Director in charge of the Commission's Automated Tariff Filing and Information System; and the Director, Office of Information Resources Management, who serves as Committee Coordinator for the Committee Chairperson. * * *
- * * * * *

Subpart C—Delegation and Redefinition of Authorities

5. Section 501.28 is revised to read as follows:

§ 501.28 Delegation to the Director, Bureau of Enforcement.

The authorities listed in this section are delegated to the Director, Bureau of Enforcement. Notwithstanding the provisions of § 501.21, the Director may delegate or redelegate, in writing, specific authority to individuals within the Bureau of Enforcement other than the Deputy Director.

(a) Authority to compromise civil penalty claims has been delegated to the Director, Bureau of Enforcement, by § 502.604(g) of this chapter. This delegation shall include the authority to compromise issues relating to the

retention, suspension or revocation of ocean freight forwarder licenses. See also §§ 501.5(i) and 501.21.

(b) Authority to approve administrative leave for employees in District Offices.

§ 501.31 [Removed]

6. Section 501.31 is removed.

Subpart D—Public Requests for Information

7. In § 501.41, paragraph (c) introductory text is republished, paragraph (c)(6) is revised to read as set forth below, paragraph (c)(9) is removed and reserved, and paragraph (d) is revised to read as follows:

§ 501.41 Public requests for information and decisions.

* * * * *
 (c) The Directors of the following bureaus and offices will provide information and decisions, and will accept and respond to requests, relating to the specific functions or program activities of their respective bureaus and offices as set forth in this chapter; but only if the dissemination of such information or decisions is not prohibited by statute or the Commission's Rules of Practice and Procedure:

- * * * * *
- (6) Bureau of Enforcement.
- * * * * *
- (9) [Reserved].
- * * * * *

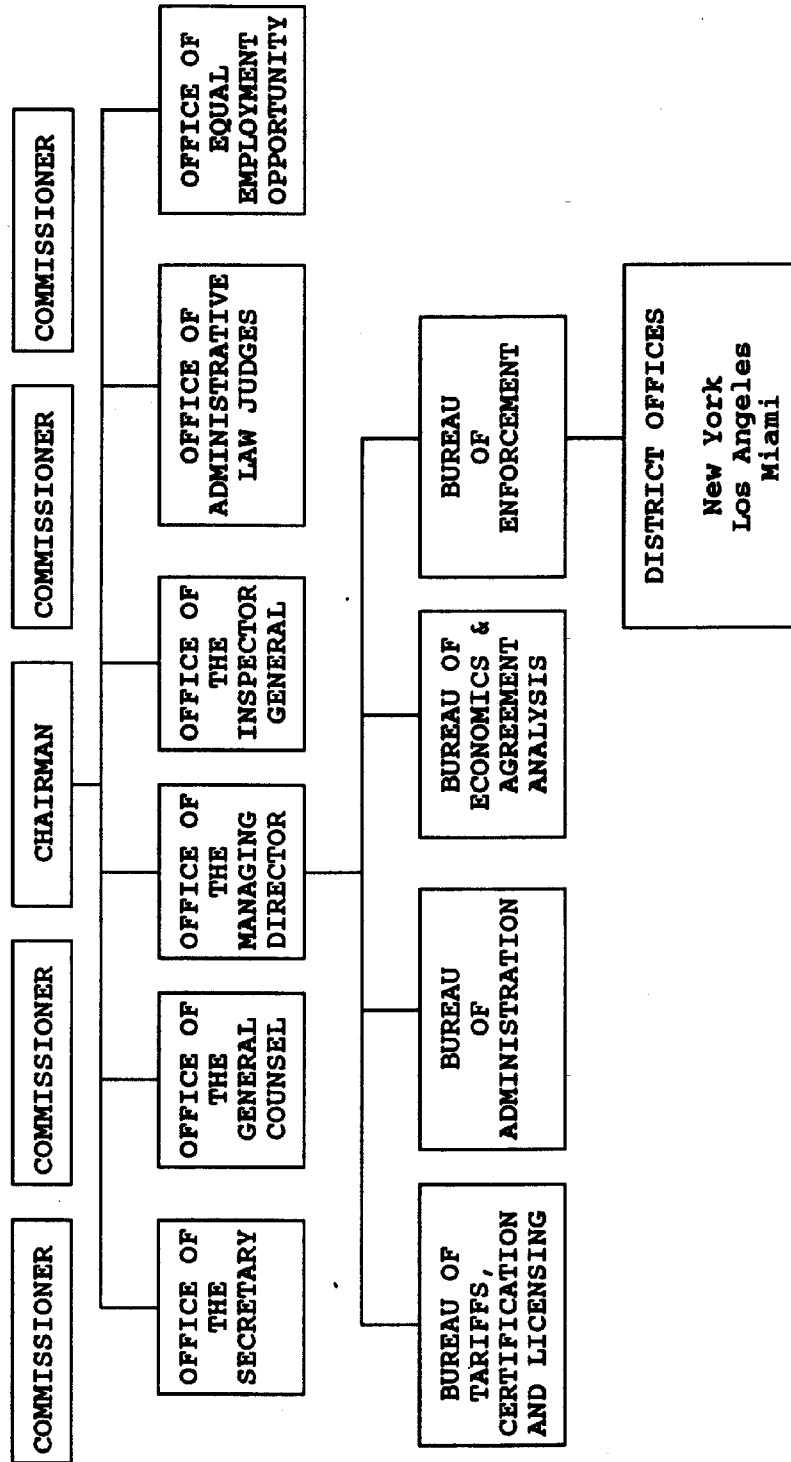
(d) The Directors of the New York, Los Angeles and Miami District Offices will provide information and decisions to the public within their geographic areas, or will expedite the obtaining of information and decisions from headquarters, relating to the program activities of the District Offices as set forth in this part. The addresses of these offices are as follows:

- New York District—Director, New York District, Federal Maritime Commission, 6 World Trade Center, suite 614, New York, New York 10048-0949.
- Miami District—Director, Miami District, Federal Maritime Commission, 18441 N.W. 2nd Avenue, suite 302, Miami, Florida 33169.
- Los Angeles District—Director, Los Angeles District, Federal Maritime Commission, 501 West Ocean Boulevard, Long Beach, California 90802.
- * * * * *

8. Appendix A to Part 501 is revised as follows:

APPENDIX A

FEDERAL MARITIME COMMISSION
ORGANIZATION CHART



By the Commission.
Joseph C. Polking,
Secretary.

[FR Doc. 95-28440 Filed 11-22-95; 8:45 am]
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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 571

[Docket No. 93-02; Notice 12]

RIN 2127-AF14

Federal Motor Vehicle Safety Standards; Fuel System Integrity of Compressed Natural Gas Vehicles; Compressed Natural Gas Fuel Container Integrity

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Final rule.

SUMMARY: This document amends Standard No. 303, *Fuel System Integrity of Compressed Natural Gas Vehicles*, and Standard No. 304, *Compressed Natural Gas Fuel Container Integrity*. It allows any appropriate fuel to be used for the bonfire test for compressed natural gas (CNG) containers and adds new labeling requirements for CNG vehicles and containers. This document also announces and explains the agency's decision to terminate rulemaking about additional performance requirements for CNG containers that the agency had proposed. Rulemaking may be resumed once revisions to the current voluntary industry standard for CNG containers are completed.

DATES: Effective date: The amendments in this document become effective September 1, 1996.

Petitions for reconsideration: Any petition for reconsideration of this rule must be received by NHTSA no later than December 26, 1995.

ADDRESSES: Petitions for reconsideration of this rule should refer to the above mentioned docket number and be submitted to: Administrator, National Highway Traffic Safety Administration, 400 Seventh Street, S.W., Washington, D.C. 20590.

FOR FURTHER INFORMATION CONTACT: For non legal issues: Mr. Gary R. Woodford, NRM-01.01, Special Projects Staff, National Highway Traffic Safety Administration, 400 Seventh Street, SW., Washington, D.C. 20590 (Telephone 202-366-4931 or FAX # 202-366-4329).

For legal issues: Mr. Marvin L. Shaw, NCC-20, Rulemaking Division, Office of Chief Counsel, National Highway Traffic Safety Administration, 400 Seventh Street, SW., Washington, D.C. 20590 (202-366-2992).

SUPPLEMENTARY INFORMATION:

- I. Previous Agency Rulemakings
- II. Comments to SNPRM
- III. Agency Decision to Adopt Additional Labeling Requirements
 - A. Overview of Labeling Amendments
 - B. Vehicle Labeling
 - C. Container Labeling
 1. Labeling Information
 2. Labeling Character Size
 3. Labeling Location
 4. Other Container Label Issues
- IV. Agency Decision to Amend the Bonfire Test
- V. Agency Decision to Terminate Rulemaking to Adopt Additional Performance Requirements
- VI. Other Container Issues
 - A. Reports by Manufacturers
 - B. Aluminum Containers
- VII. Rulemaking Analysis and Notices

I. Previous Agency Rulemakings

NHTSA has recently established two Federal motor vehicle safety standards (FMVSSs) that affect motor vehicles fueled by compressed natural gas (CNG). On April 25, 1994, the agency published a final rule establishing Standard No. 303, *Fuel System Integrity of Compressed Natural Gas Vehicles*, which specifies tests and performance requirements for the fuel system of vehicles fueled by CNG. (59 FR 19648) On September 26, 1994, the agency published a final rule establishing Standard No. 304, *Compressed Natural Gas Fuel Container Integrity*, which specifies tests and performance requirements applicable to a CNG fuel container's durability, strength, and pressure relief. (59 FR 49010) The September 1994 final rule also specifies labeling requirements for CNG fuel containers. The CNG container requirements are based on specifications in ANSI/NGV2, a voluntary industry standard addressing CNG fuel containers which was adopted by the American National Standards Institute (ANSI).¹

ANSI/NGV2 specifies four types of container designs. A Type 1 container is a metallic noncomposite container. A Type 2 container is a metallic liner over which an overwrap such as carbon fiber or fiberglass is applied in a hoop wrapped pattern over the liner's cylinder wall. A Type 3 container is a metallic liner over which an overwrap, such as carbon fiber or fiberglass, is

applied in a full wrapped pattern over the entire liner, including the domes. A Type 4 container is a non-metallic liner over which an overwrap, such as carbon fiber or fiberglass, is applied in a full wrapped pattern over the entire liner, including the domes.

On December 19, 1994, NHTSA published a supplemental notice of proposed rulemaking (SNPRM) to propose new labeling requirements applicable to CNG vehicles and additional ones for CNG containers. (59 FR 65299) Along with a proposal to modify the bonfire test which evaluates pressure relief, the agency also proposed additional performance requirements and tests to evaluate a CNG container's structural integrity. Among the proposed tests were environmental cycling tests, a low temperature impact test, a gunfire test, a flaw tolerance test, a pendulum impact test, and a drop test. Each of the proposed performance requirements and test procedures were modeled after provisions in ANSI/NGV2 or are similar to those requirements. The agency tentatively concluded that modeling the Federal standard after ANSI/NGV2 would be the best available way to regulate how a CNG container reacts to such conditions as corrosive substances, temperature extremes, external damage, and high energy impact.

II. Comments on the SNPRM

Fourteen commenters responded to the December 1994 SNPRM. The commenters included vehicle manufacturers (Ford and Navistar); CNG container manufacturers (EDO, Brunswick, Structural Composites Industries (SCI) and NGV Systems); trade associations interested in alternative fueled vehicles (the American Automobile Manufacturers Association (AAMA), the American Gas Association/Natural Gas Vehicle Coalition (AGA/NGVC) and the Compressed Gas Association (CGA)); and other organizations including Washington Gas, Taylor-Wharton Gas Equipment Division (Taylor-Wharton), Minnegasco, Toho Carbon Fibers, Inc. (Toho) and Futuretech Consultants (Futuretech).

The commenters generally had reservations about adopting the performance requirements since the CNG industry is currently revising ANSI/NGV2. They urged that the agency wait until the industry completes its revision. In addition, the commenters generally supported the specific labeling requirements but had reservations about various aspects of the proposed performance requirements.

¹NGV2 was developed by an industry working group that included container manufacturers, CNG users, and utilities.