

after that date only if the warehouse operator certifies on the warehouse receipt that the delivery receiver may request that wheat loaded out from the delivery warehouse have a vomitoxin content of no more than 5 parts per million. Holders of warehouse receipts issued prior to September 1, 1999 who request that the warehouse receipts be reissued or endorsed to comply with the vomitoxin standard will be liable to warehouse operators for a maximum of two cents per bushel as compensation for the cost of bringing delivery wheat underlying such receipts into compliance with the proposed standard. The Exchange has noted that the September and December 1999 contract months have been listed for trading with a special indicator to indicate that deliveries against these contract months be subject to the proposed vomitoxin limit, pending approval by the Commission. The price adjustment to outstanding warehouse receipts will affect their price and might have an effect on the pricing of existing positions in contract months that currently are listed for trading. The potential of a proposed rule change to affect a contract's pricing is one of the bases used by the Commission in determining whether a proposed rule change is of major economic significance within the meaning of section 5a(a)(12) of the Act and must be published for public comment under that section of the Act.¹

In support of the proposed amendments, the CBT reasons that the amendments will provide certainty to market users regarding the maximum level of vomitoxin in futures delivery wheat and will maintain the integrity of the futures contract as a pricing and hedging medium. In this regard, the Exchange notes that vomitoxin is associated with gastrointestinal illnesses in humans and animals and is subject to Federal Food and Drug Administration (FDA) advisory levels. The CBT notes that the current FDA advisory level for

vomitoxin in finished wheat products to be consumed by humans is not more than 1 part per million. For animals, the advisory level is no more than 10 parts per million for cattle and chicken, with a recommendation that the ingredients not exceed 50 percent of the diet, 5 parts per million for swine, with a recommendation that the ingredients constitute no more than 20 percent of the diet, and 5 parts per million for all other animals with a recommendation that the ingredients not exceed 40 percent of the diet. The CBT indicates that the FDA determined not to specify an advisory level for raw wheat used to produce finished wheat products for human consumption, since wheat millers can reduce vomitoxin in finished products from that found in raw wheat.

The Exchange notes that, in the wheat cash market, users and merchandisers purchase wheat with a maximum vomitoxin guarantee when there is concern about vomitoxin in the wheat crop or in carryover stocks. The CBT indicated that, while the maximum level of vomitoxin permitted in cash market transactions varies from year to year, the proposed level of 5 parts per million falls within the range of maximum levels accepted by buyers in recent years. The Exchange also noted that the proposed vomitoxin standard is consistent with U.S. Department of Agriculture regulations which specify a maximum vomitoxin content of 5 parts per million for wheat eligible for nonrecourse loans. Finally, the CBT notes that, by segregating inbound wheat receipts, and by blending and cleaning the wheat, warehouse operators will be able to provide for adequate deliverable supplies of wheat in crop years when vomitoxin levels are above 5 parts per million.

The proposed amendments were submitted pursuant to the Commission's 45-day fast track procedures for streamlining the review of futures contract rule amendments and new contract approvals (62 FR 10434). In light of the nature of the rule and the time of year, a longer comment period is more appropriate than fast track consideration would permit. Accordingly, the CBT has requested that the proposal be removed from Fast Track consideration, and the Commission has determined to publish for public comment notice of the availability of the proposed amendments for 30 days.

Copies of the proposed amendments will be available for inspection at the Office of the Secretariat, Commodity Futures Trading Commission, Three Lafayette Center, 1155 21st Street, NW,

Washington, DC 20581. Copies of the proposed amendments can be obtained through the Office of the Secretariat by mail at the above address, by telephone at (202) 418-5100, or via the internet on the CFTC website at "www.cftc.gov" under "What's Pending".

Other materials submitted by the CBT may be available upon request pursuant to the Freedom of Information Act (5 U.S.C. 552) and the Commission's regulations thereunder (17 CFR part 145 (1987)), except to the extent they are entitled to confidential treatment as set forth in 17 CFR 145.5 and 145.9. Requests for copies of such materials should be made to the FOI, Privacy and Sunshine Act Compliance Staff of the Office of the Secretariat at the Commission's headquarters in accordance with 17 CFR 145.7 or 145.8.

Any person interested in submitting written data, views, or arguments on the proposed amendments, or with respect to other materials submitted by the CBT, should send such comments to Jean A. Webb, Secretary, Commodity Futures Trading Commission, Three Lafayette Center, 1155 21st Street, NW, Washington, DC 20581 by the specified date.

Issued in Washington, DC, on August 14, 1998.

Catherine D. Dixon,

Assistant Secretary of the Commission.

[FR Doc. 98-22413 Filed 8-19-98; 8:45 am]

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DEPARTMENT OF ENERGY

Office of Energy Efficiency and Renewable Energy

State Energy Advisory Board, Open Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. No. 92-463; 86 Stat. 770), notice is hereby given of the following meeting:
Name: State Energy Advisory Board.
Date and Time: September 24, 1998 from 9:00 am to 5:00 pm, and September 25, 1998 from 9:00 am to 12:00 pm.

Place: The Canterbury Hotel-Union Square, 750 Sutter Street, San Francisco, CA 94109, 212-474-1452.

FOR FURTHER INFORMATION CONTACT: William J. Raup, Office of Building Technology, State, and Community Programs, Energy Efficiency and Renewable Energy, U.S. Department of Energy, Washington, DC 20585, Telephone 202/586-2214.

SUPPLEMENTARY INFORMATION:

Purpose of the Board: To make recommendations to the Assistant

¹ It should be noted that section 5a(a)(12) of the Act, which requires the Commission to publish proposed rules of "major economic significance," does not define the meaning of that term. Moreover, section 5a(a)(12) provides that the Commission's determination that proposed exchange rules are of major economic significance under that section is final and not subject to judicial review. The Commission staff has interpreted the meaning of "major economic significance" broadly as proposed rules which may have an effect on the pricing of a contract, on the value of existing contracts, on a contract's hedging or price basing utility, or on deliverable supplies. Section 5a(a)(12) does not define rules of "major economic significance" based upon a specific dollar impact on the economy or other such measures used in other statutes, such as those used in determining whether an agency rule is a "major rule" under 5 U.S.C. section 804(2).

Secretary for Energy Efficiency and Renewable Energy regarding goals and objectives and programmatic and administrative policies, and to otherwise carry out the Board's responsibilities as designated in the State Energy Efficiency Programs Improvement Act of 1990 (Pub. L. No. 101-440).

Tentative Agenda: Briefings on, and discussions of:

- Federal efforts to market energy efficiency and renewable energy technologies.
- Issues related to Electric Utility Industry restructuring and financing.
- The transportation sector, its progress, and next steps in energy efficient technologies.

Public Participation: The meeting is open to the public. Written statements may be filed with the Board either before or after the meeting. Members of the public who wish to make oral statements pertaining to agenda items should contact William J. Raup at the address or telephone number listed above. Requests to make oral presentations must be received five days prior to the meeting; reasonable provision will be made to include the statements in the agenda. The Chair of the Board is empowered to conduct the meeting in a fashion that will facilitate the orderly conduct of business.

Minutes: The minutes of the meeting will be available for public review and copying within 30 days at the Freedom of Information Public Reading Room, 1E-190, Forrestal Building, 1000 Independence Avenue, SW., Washington, DC, between 9 a.m. and 4 p.m., Monday through Friday, except Federal holidays.

Issued at Washington, DC, on August 14, 1998.

Rachel M. Samuel,

Deputy Advisory Committee Management Officer.

[FR Doc. 98-22417 Filed 8-19-98; 8:45 am]

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DEPARTMENT OF ENERGY

Energy Information Administration

Agency Information Collection Under Review by the Office of Management and Budget

AGENCY: Energy Information Administration, Department of Energy.

ACTION: Submission for OMB review; comment request.

SUMMARY: The Energy Information Administration (EIA) has submitted the energy information collections listed at

the end of this notice to the Office of Management and Budget (OMB) for review under provisions of the Paperwork Reduction Act of 1995 (Pub. L. 104-13). The listing does not include collections of information contained in new or revised regulations which are to be submitted under section 3507(d)(1)(A) of the Paperwork Reduction Act, nor management and procurement assistance requirements collected by the Department of Energy (DOE).

The entry contains the following information: (1) collection numbers and titles; (2) summary of the collection of information (includes sponsor (i.e., the DOE component)), current OMB document number, type of request (new, revision, extension, or reinstatement), and response obligation (mandatory, voluntary, or required to obtain or retain benefits); (3) a description of the need and proposed use of the information; (4) description of the type of likely respondents; and an (5) estimate of the total annual reporting burden (average hours per response times proposed frequency of response per year times estimated number of likely respondents.)

DATES: Comments must be filed on or before September 21, 1998. If you anticipate that you will be submitting comments but find it difficult to do so within the time allowed by this notice, you should advise the OMB DOE Desk Officer listed below of your intention to do so as soon as possible. The Desk Officer may be telephoned at (202) 395-3084. (Also, please notify the EIA contact listed below.)

ADDRESSES: Address comments to the Department of Energy Desk Officer, Office of Information and Regulatory Affairs, Office of Management and Budget, 726 Jackson Place NW, Washington, D.C. 20503. (Comments should also be addressed to the Statistics and Methods Group at the address below.)

FOR FURTHER INFORMATION CONTACT: Requests for additional information should be directed to Jay Casselberry, Statistics and Methods Group, (EI-70), Forrestal Building, U.S. Department of Energy, Washington, D.C. 20585. Mr. Casselberry may be telephoned at (202) 426-1116, FAX (202) 426-1081, or e-mail at Jay.Casselberry@eia.doe.gov.

SUPPLEMENTARY INFORMATION: The energy information collections submitted to OMB for review were:

1. EIA-63A, "Annual Solar Thermal Collector Manufacturers Survey," and EIA-63B, "Annual Photovoltaic Module/Cell Manufacturers Survey".

2. Energy Information Administration; OMB No. 1905-0196; Extension of Currently Approved Collection; Mandatory

3. Forms EIA-63A and EIA-63B collect data on the manufacture, shipment, and importation of solar thermal collectors and photovoltaic modules/cells. The data are used by the private sector, the renewable energy industry, the DOE, and other government agencies. Respondents are U. S. companies that manufacture, shipped, and/or imported solar thermal collectors and/or photovoltaic modules and cells.

4. Business or other for-profit.

5. 195 hours (3 hours per response times 1 response per year times 65 respondents).

Statutory Authority: Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995 (Pub. L. No. 104-13).

Issued in Washington, D.C., August 14, 1998.

Jay H. Casselberry,

Agency Clearance Officer, Statistics and Methods Group, Energy Information Administration.

[FR Doc. 98-22418 Filed 8-19-98; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. SA98-101-000]

Continental Energy; Notice of Petition for Adjustment

August 14, 1998.

Take notice that on August 6, 1998, Russell Freeman (Freeman), d/b/a Continental Energy (Continental), filed a petition pursuant to section 502(c) of the Natural Gas Policy Act of 1978, for relief from making Kansas ad valorem tax refunds to Northern Natural Gas Company (Northern), Williams Gas Pipelines Central, Inc., formerly: Williams Natural Gas Company (Williams), and Colorado Interstate Gas Company (CIG). Freeman adds that Amoco Production Company (Amoco) shows Freeman and his working interest partners as owing an additional but unspecified refund amount. Absent such relief, the refunds are required by the Commission's September 10, 1997 order, in Docket No. RP97-369-000 *et al.*¹ on remand from the D.C. Circuit

¹ See 80 FERC ¶ 61,264 (1997); Order Denying Rehearing issued January 28, 1998, 82 FERC ¶ 61,058 (1998).