

[Federal Register: October 10, 1997 (Volume 62, Number 197)]

[Notices]

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[DOCID:fr10oc97-21]

DEPARTMENT OF AGRICULTURE

Grain Inspection, Packers and Stockyards Administration Pilot
Program for Barge **Inspection** Services on Selected Rivers

AGENCY: **Grain Inspection, Packers and Stockyards** Administration
(GIPSA).

ACTION: Notice with comment period.

SUMMARY: GIPSA is announcing its intent to conduct a pilot program allowing more than one official agency to provide barge **inspection** services within a single geographic area on the Mississippi River and/or other selected rivers. GIPSA is requesting comments on the specific pilot programs described below, and GIPSA also is announcing that it will consider suggestions for other possible pilot programs in lieu of those listed below.

DATES: Comments must be postmarked, or sent by telecopier (FAX) or electronic mail by November 15, 1997.

ADDRESSES: Comments must be sent to Neil E. Porter, Director, Compliance Division, STOP 3604 (Room 1647-S), 1400 Independence Avenue, S.W., Washington, D.C. 20250-3604. Telecopier (FAX) users may send comments to the automatic telecopier machine at 202-690-2755, attention: Neil E. Porter.

All comments received will be made available for public **inspection** during regular business hours at the above address located at Room 1647-S, 1400 Independence Avenue, S.W.

FOR FURTHER INFORMATION CONTACT: Neil E. Porter, telephone 202-720-8262.

SUPPLEMENTARY INFORMATION: Sections 7(f) and 7A of the United States **Grain** Standards Act, as amended (Act), were amended by the U.S. **Grain** Standards Act Amendments of 1993 (Pub. L. 103-156) on November 24, 1993, to authorize GIPSA's Administrator to conduct pilot programs allowing more than one official agency to provide official services within a single geographic area without undermining the declared policy of the Act. The purpose of pilot programs is to evaluate the impact of allowing more than one official agency to provide official services within a single geographic area.

GIPSA considered several possible pilot programs as announced in the March 14, 1994, Federal Register (59 FR 11759) and the March 10, 1995, Federal Register (60 FR 13113). In the September 27, 1995, Federal Register (60 FR 49828) GIPSA announced two pilot programs, Timely Service and Open Season, starting on November 1, 1995, and ending on October 31, 1996. These two pilot programs were extended to October 31, 1999, as announced in the October 3, 1996, Federal Register

(61 FR 51674).

The March 14, 1994, Federal Register Notice requested comments on a possible pilot program for barges on selected rivers or portions of rivers as defined by GIPSA. This was one of five potential pilots being considered. GIPSA received 41 comments. Seven

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specifically talked about the pilot programs for barges. Of those seven, five supported the program for barges, and two did not. Subsequently, GIPSA determined that this proposed pilot program was too narrow in scope for the initial round of pilot programs.

Subsequently, some official agencies expressed their belief that a pilot program on the Mississippi River would be beneficial because there is some uncertainty over the boundary lines between official agencies along the Mississippi River. At one point GIPSA considered the boundary to be the middle of a river. Official agencies found this very difficult to work with, and GIPSA subsequently changed the boundary definition to the edge of a river. The middle of a river was viewed as an open area to be served by either contiguous official agency.

In 1993, because of flooding along the Mississippi River, GIPSA granted a temporary exception for certain types of barge inspections along portions of the Illinois, Mississippi, and Missouri Rivers. This exception made the covered river areas open to any official agency for probe sampling and inspections to expedite barge traffic. GIPSA noted no problems as a result of this exception.

In addition, some facilities located along the Mississippi River (Birds Point Terminal, Bertrand, Missouri; Peavey, St. Louis, Missouri; ADM, Winona, Minnesota; and Consolidated **Grain**, Caruthersville, Missouri) have received services from alternative official agencies under the existing pilot programs. There have been no significant problems resulting from the barge inspections on the Mississippi River under the existing pilot programs.

GIPSA is requesting comments on the four barge pilot program options described below.

1. Barges on the Mississippi River may be sampled by probe by any official agency; or
2. Barges on the Mississippi River may be sampled by probe at any location by the official agency designated to serve the geographic area within which the barge was loaded; or
3. Barges on all rivers may be sampled by probe by any official agency; or
4. Barges on all rivers may be sampled by probe at any location by the official agency designated to serve the geographic area within which the barge was loaded.

GIPSA will consider comments on other possible pilot programs.

Official agencies desiring to participate in this pilot program would be asked to submit their plans to provide official services under such a pilot program to Compliance Division. This pilot program will start approximately January 1, 1998, and run concurrently with the two existing pilot programs ending October 31, 1999. During this time, GIPSA will monitor these pilot programs. If, at any time, GIPSA determines that a pilot program is having a negative impact on the official system or is not working as intended, the pilot program may be modified or discontinued.

Authority: Pub. L. 94-582, 90 Stat. 2867, as amended (7 U.S.C. 71 et seq.).

Dated: October 6, 1997.

Neil E. Porter,
Director, Compliance Division.
[FR Doc. 97-26899 Filed 10-9-97; 8:45 am]
BILLING CODE 3410-EN-P