

notice that on May 12, 1999, the European Communities submitted a request for the establishment of a WTO dispute settlement panel to examine actions allegedly taken on March 3, 1999 to withhold liquidation on imports from the EC of a list of products valued at \$520 million. The WTO Dispute Settlement Body ("DSB") established a panel for this purpose on June 16, 1999. Panelists were selected on October 8, 1999.

Major Issues Raised and Legal Basis of the Complaint

The European Communities' panel request describes the purported U.S. measure it is challenging as "the U.S. decision, effective as of March 3, 1999, to withhold liquidation on imports from the EC of a list of products, together valued at \$520 million on an annual basis, and to impose a contingent liability for 100% duties on each individual importation of affected products as of this date. . . . This measure includes administrative provisions that foresee, among other things, the posting of a bond to cover the full potential liability." According to the European Communities, by requiring the deposit of a bond, U.S. Customs "effectively already imposed 100% duties on each individual importation as of 3 March 1999, the return of which was uncertain, depending on future U.S. decisions." The EC asserts that the U.S. thereby violated Articles 3, 21, 22 and 23 of the Dispute Settlement Understanding and Articles I, II, VIII and IX of GATT 1994. The EC also asserts that the purported U.S. measure "impedes important objectives of GATT 1994 and of the WTO."

Public Comment: Requirements for Submissions

Interested persons are invited to submit written comments concerning the issues raised in this dispute. Comments must be in English and provided in fifteen copies to Sandy McKinzy at the address provided above. A person requesting that information contained in a comment submitted by that person be treated as confidential business information must certify that such information is business confidential and would not customarily be released to the public by the submitting person. Confidential business information must be clearly marked "BUSINESS CONFIDENTIAL" in a contrasting color ink at the top of each page of each copy.

Information or advice contained in a comment submitted, other than business confidential information, may be

determined by the USTR to be confidential in accordance with section 135(g)(2) of the Trade Act of 1974 (19 U.S.C. 2155(g)(2)). If the submitting person believes that information or advice may qualify as such, the submitting person—

- (1) Must so designate the information or advice;
- (2) Must clearly mark the material as "SUBMITTED IN CONFIDENCE" in a contrasting color ink at the top of each page of each copy; and
- (3) Is encouraged to provide a non-confidential summary of the information or advice.

Pursuant to section 127(e) of the URAA (19 U.S.C. 3537(e)), the USTR will maintain a file on this dispute settlement proceeding, accessible to the public, in the USTR Reading Room: Room 101, Office of the United States Trade Representative, 600 17th Street, NW, Washington, DC 20508. The public file will include a listing of any comments received by the USTR from the public with respect to the proceeding; the U.S. submissions to the panel in proceeding, the submissions, or non-confidential summaries of submissions, to the panel received from other parties in the dispute, as well as the report of the dispute settlement panel, and, if applicable, the report of the Appellate Body. An appointment to review the public file (Docket WTO/D-165, Import Measures on Certain Products from the European Communities) may be made by calling Brenda Webb, (202) 395-6186. The USTR Reading Room is open to the public from 9:30 a.m. to 12 noon and 1 p.m. to 4 p.m., Monday through Friday.

A. Jane Bradley,

Assistant U.S. Trade Representative for Monitoring and Enforcement.

[FR Doc. 99-27842 Filed 10-25-99; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Office of the Secretary

Aviation Proceedings, Agreements Filed During the Week Ending October 15, 1999

The following Agreements were filed with the Department of Transportation under the provisions of 49 Sections U.S.C. 412 and 414. Answers may be filed within 21 days of date of filing.

Docket Number: OST-99-6369

Date Filed: October 14, 1999

Parties: Members of the International Air Transport Association

Subject:

PTC23 EUR-JK 0048 dated 1 October

1999 Europe-Japan/Korea Resolutions r1-r46 Minutes—PTC23 EUR-JK 0049 dated 8 October 1999 Tables—PTC23 EUR-JK Fares 0017 dated 8 October 1999
Intended effective date: 1 April 2000

Docket Number: OST-99-6376

Date Filed: October 15, 1999

Parties: Members of the International Air Transport Association

Subject:

PTC23 ME-TC3 0075 (Re-issued)

dated 12 October 1999 Expedited

Middle East-TC3 Resolutions r1-r15

Intended effective date: 15

November 1999

Dorothy W. Walker,

Federal Register Liaison.

[FR Doc. 99-27872 Filed 10-25-99; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Office of the Secretary

Notice of Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits Filed Under Subpart Q During the Week Ending October 15, 1999

The following Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits were filed under Subpart Q of the Department of Transportation's Procedural Regulations (See 14 CFR 302.1701 et. seq.). The due date for Answers, Conforming Applications, or Motions to Modify Scope are set forth below for each application. Following the Answer period DOT may process the application by expedited procedures. Such procedures may consist of the adoption of a show-cause order, a tentative order, or in appropriate cases a final order without further proceedings.

Docket Number: OST-99-6345.

Date Filed: October 12, 1999.

Due Date for Answers, Conforming Applications, or Motions to Modify Scope: November 9, 1999.

Description

Joint Application of United Parcel Service Co. and Challenge Air Cargo, Inc. pursuant to 49 U.S.C. Section 41105 and Subpart Q, applies for approval of the transfer from Challenge to UPS of certain certificate and exemption authority and frequency allocations now held by Challenge which authorize Challenge to provide scheduled all-cargo foreign air transportation between the United States and various points in the Caribbean and Central and South

America. UPS further requests route integration authority enabling it to integrate its service on the transferred routes with its service on other routes operated by UPS.

Docket Number: OST-99-6367.

Date Filed: October 13, 1999.

Due Date for Answers, Conforming Applications, or Motions to Modify Scope: November 10, 1999.

Description

Application of Delta Air Lines, Inc. pursuant to 49 U.S.C. Sections 41102 and 41108, Part 201 and Subpart Q, applies for renewal of its authority to provide foreign air transportation of persons, property and mail between the United States and certain foreign points named on segments 1, 2, 3, 4, 5, 6 and 12 of its Certificate of Public Convenience and Necessity for Route 616.

Dorothy W. Walker,

Federal Register Liaison.

[FR Doc. 99-27871 Filed 10-25-99; 8:45 am]

BILLING CODE 4910-62-P

DEPARTMENT OF TRANSPORTATION

Coast Guard

[ALJ 99-0005-CIV]

In the Matter of D-O-R Production Management, LLC

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed penalty; opportunity to participate.

SUMMARY: The Coast Guard gives notice of and provides an opportunity to

participate or file comments on the proposed assessment of a Class II administrative penalty against D-O-R Production Management, LLC, (D-O-R), for violations of the Federal Water Pollution Control Act (FWPCA). The alleged violations involve three oil spills that occurred at D-O-R's offshore XPLOR Energy Production facility and wells at Main Pass Block Thirty-five and occurred over the period starting on or about June 10, 1999 and continued through and including June 12, 1999. Interested persons may participate or file comments in this proceeding.

DATES: Comments must reach the Coast Guard no later than November 26, 1999.

ADDRESSES: You may mail comments to the Hearing Docket Clerk, Administrative Law Judge Docketing Center, United States Coast Guard, 40 South Gay Street, Room 412, Baltimore, Maryland 21202-4022. Comments may also be personally delivered to Room 412 at the same address between 8 a.m. and 3 p.m., Monday through Friday, except Federal holidays. The telephone number is (410) 962-7434. You may also fax your comments to (410) 962-1742.

The Administrative Law Judge Docketing Center maintains the public docket for this matter. Comments will become part of this docket and will be available for inspection or copying in Room 412 at the address listed above.

FOR FURTHER INFORMATION CONTACT: Mr. George J. Jordan, Director of Judicial Administration, Office of the Chief Administrative Law Judge, Commandant (G-CJ), U.S. Coast Guard, 2100 Second Street SW., Washington,

DC 20593-0001. The telephone number is (202) 267-2940.

SUPPLEMENTARY INFORMATION:

Request for Comments

The Coast Guard encourages interested persons to submit written comments. Persons submitting comments should include their name, address, identify this document (ALJ 99-0005-CIV), and state the reason for each specific comment. Please submit all comments and attachments in an unbound format on white paper no longer than 8½ by 11 inches, suitable for copying and electronic filing. Persons wanting acknowledgment or receipt of comments should enclose self-addressed, stamped postcards or envelopes.

Discussion

This is a Class II civil penalty proceeding brought under section 311(b) of the Federal Water Pollution Control Act (33 U.S.C. 1251 *et seq.*) (FWPCA), as amended by the Oil Pollution Act of 1990 (33 U.S.C. 1321). The FWPCA requires the Coast Guard to publish notice of the proposed issuance of an order assessing a Class II civil penalty in the **Federal Register**.

If you wish to be an interested person, you must file written comments on the proceeding or written notice of intent to present evidence at any hearing held in this Class II civil penalty proceeding with the Hearing Docket Clerk.

The following table explains how interested persons may participate in a Class II civil penalty proceeding.

If—	Then—
a hearing is scheduled.	You will be given <ul style="list-style-type: none"> • Notice of any hearing; • A reasonable opportunity to be heard and to present evidence during any hearing; and • Notice and a copy of the decision 33 CFR 20.404
the proceeding is concluded without a hearing.	You may petition the Commandant of the Coast Guard to set aside the order and to provide a hearing. You must file the petition within 30 days after issuance of the administrative law judge's order. 33 CFR 20.1102

You can find the regulations concerning Class II civil penalty proceedings in 33 CFR part 20.

This proceeding (ALJ 99-0005-CIV) results from three separate oil spill incidents that occurred at the XPLOR Energy Production facility and wells operated by D-O-R located at Main Pass Block Thirty-five, over the period starting on or about June 10, 1999 and continuing through and including June 12, 1999. The Coast Guard alleges the offshore production facility located at

Main Pass Block Thirty-five overflowed two oil storage tanks and spilled or discharged five gallons of oil into the contiguous waters of the United States on or about 1600, June 10, 1999.

The Coast Guard further alleges that a ruptured flow line located near the well head on well number seventy-two at Main Pass Block Thirty-five spilled or discharged an unknown quantity of oil into the contiguous waters of the United States beginning on or about 1500, June

11, 1999 and continuing to and including June 12, 1999.

The Coast Guard further alleges that a ruptured hydraulic oil line located on a crane at the offshore facility at Main Pass Block Thirty-five spilled or discharged five gallons of oil into the contiguous waters of the United States on or about 1600, June 11, 1999.

The Coast Guard further alleges that unapproved chemical agents were used to clean up the hydraulic oil spilled from the ruptured hydraulic line on the