

- Salvage operations and prescribed burning would expedite the transition toward a more natural appearing landscape and help promote oak-hickory regeneration on the Forest, thus encouraging diversity of species.
- There is a need to provide timber to meet people's demand for wood products such as furniture, paper, fiber, and construction materials. The Forest Plan identifies areas suitable for timber production.

### Proposed Action

The Forest proposes to salvage harvest trees that are recently down or leaning, severely damaged, or identified as hazard trees throughout the project area. Trees deemed hazardous are those that adversely affect public safety, including logging operations and management activities, facilities, and public visitors using the forest. Trees would be retained to provide wildlife habitat and long-term snag recruitment. Salvage activities would occur on approximately 3,100 acres.

This project proposes prescribed burning. General activities to be undertaken in preparing or executing prescribed fires could include fire line construction, hazard tree mitigation, and mop-up. Where possible, roads, trails, and streams would be used as natural breaks to minimize fire line construction. Any rehabilitation measures for fire lines would be determined by Forest Service specialists. All proposed prescribed fires would have a prescribed fire plan prior to the burn. This activity would occur on approximately 5,590 acres.

Road construction activities are anticipated on approximately 27 miles to facilitate the removal of salvage material and minimize resource damage. This could include road reconstruction and road maintenance on existing road corridors. Temporary roads may be built to minimize resource damage and later decommissioned.

### Responsible Official

Kenneth G. Day, Forest Supervisor;  
Hoosier National Forest; 811  
Constitution Avenue; Bedford, Indiana  
47421.

### Nature of Decision To Be Made

The decision to be made is whether the activities should proceed as proposed, proceed as modified by an alternative or be deferred at this time.

### Scoping Process

The Hoosier National Forest proposes to scope for information by contacting persons and organizations on the Hoosier's mailing list and publishing a

notice in the local newspaper. The present solicitation is for comments on this Notice of Intent and scoping material available elsewhere, such as on the Forest Web page.

### Comment Requested

This notice of intent initiates the scoping process which guides the development of the environmental impact statement.

Early Notice of Importance of Public Participation in Subsequent Environmental Review: A draft environmental impact statement will be prepared for comment. The comment period on the draft environmental impact statement will be 45 days from the date the Environmental Protection Agency publishes the notice of availability in the **Federal Register**.

The Forest Service believes, at this early stage, it is important to give reviewers notice of several court rulings related to public participation in the environmental review process. First, reviewers of draft environmental impact statements must structure their participation in the environmental review of the proposal so that it is meaningful and alerts an agency to the reviewer's position and contentions. *Vermont Yankee Nuclear Power Corp. v. NRDC*, 435 U.S. 519, 553 (1978). Also, environmental objections that could be raised at the draft environmental impact statement stage but that are not raised until after completion of the final environmental impact statement may be waived or dismissed by the courts. *City of Angoon v. Hodel*, 803 F.2d 1016, 1022 (9th Cir. 1986) and *Wisconsin Heritages, Inc. v. Harris*, 490 F. Supp. 1334, 1338 (E.D. Wis. 1980). Because of these court rulings, it is very important that those interested in this proposed action participate by the close of the 45-day comment period so that substantive comments and objections are made available to the Forest Service at a time when it can meaningfully consider them and respond to them in the final environmental impact statement.

To assist the Forest Service in identifying and considering issues and concerns on the proposed action, comments on the draft environmental impact statement should be as specific as possible. It is also helpful if comments refer to specific pages or chapters of the draft statement. Comments may also address the adequacy of the draft environmental impact statement or the merits of the alternatives formulated and discussed in the statement. Reviewers may wish to refer to the Council on Environmental Quality Regulations for implementing the procedural provisions of the

National Environmental Policy Act at 40 CFR 1503.3 in addressing these points.

Comments received, including the names and addresses of those who comment, will be considered part of the public record on this proposal and will be available for public inspection.

(Authority: 40 CFR 1501.7 and 1508.22; Forest Service Handbook 1909.15, Section 21)

Dated: December 10, 2004.

**Kenneth G. Day,**  
Forest Supervisor.

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## DEPARTMENT OF AGRICULTURE

### Grain Inspection, Packers and Stockyards Administration

#### United States Standards for Beans

**AGENCY:** Grain Inspection, Packers and Stockyards Administration, USDA.

**ACTION:** Notice with opportunity to comment.

**SUMMARY:** The Grain Inspection, Packers and Stockyards Administration (GIPSA) is proposing to remove the special grade designation "off-color" from the United States Standards for Beans. GIPSA will continue to offer assessments for color uniformity on a request only basis. This action will facilitate the marketing of beans from many different regions.

**DATES:** Comments must be received by January 18, 2005.

**ADDRESSES:** We invite you to submit comments on the proposed rule. You may submit comments by any of the following methods:

- E-mail: Send comments via electronic mail to [comments.gipsa@usda.gov](mailto:comments.gipsa@usda.gov).
- Mail: Send hardcopy written comments to Tess Butler, GIPSA, USDA, 1400 Independence Avenue, SW., Room 1647-S, Washington, DC, 20250-3604.
- Fax: Send comments by facsimile transmission to: (202) 690-2755.
- Hand Delivery or Courier: Deliver comments to: Tess Butler, GIPSA, USDA, 1400 Independence Avenue, SW., Room 1647-S, Washington, DC, 20250-3604.

All comments should make reference to the date and page number of this issue of the **Federal Register**.

*To read comments:* All comments received will be made available for public inspection at the above address during regular business hours (7 CFR 1.27(b)).

The current United States Standards for Beans are available by accessing GIPSA's Home Page on the Internet at:

<http://www.usda.gov/gipsa/reference-library/standards/stds.htm>.

**FOR FURTHER INFORMATION CONTACT:** John Giler, Deputy Director, Field Management Division, USDA, GIPSA, Room 2429-S, Stop 3632, 1400 Independence Avenue, SW., Washington, DC, 20250-3632, telephone (202) 720-0252; or e-mail to: [John.C.Giler@usda.gov](mailto:John.C.Giler@usda.gov).

**SUPPLEMENTARY INFORMATION:** Section 203(c) of the Agricultural Marketing Act of 1946, as amended, directs and authorizes the Secretary of Agriculture "to develop and improve standards of quality, condition, quantity, grade, and packaging and recommend and demonstrate such standards in order to encourage uniformity and consistency in commercial practices \* \* \*". GIPSA is committed to carrying out this authority in a manner that facilitates the marketing of agricultural commodities. The United States Standards for Beans do not appear in the Code of Federal Regulations but are maintained by the U.S. Department of Agriculture.

GIPSA is proposing to change the United States Standards for Beans using the procedures that appear at 7 CFR Section 868.102. GIPSA representatives work closely with the National Dry Bean Council (NDBC) and others in the bean industry to examine the effectiveness of the U.S. Standards for Beans in today's marketing environment. Through discussions, it appears that the current standards continue to meet consumer/processor needs. However, the bean industry has indicated the special grade "off-color" in dry beans is not needed to market dry beans.

The special grade designation "off-color" has been in the U.S. Standards for Beans for many years. Because it is a special grade designation, it does not affect the numerical grade designation. The current written description for "off-color" is: "Beans that, after removal of total defects, are distinctly off-color due to age or other natural causes but are not materially weathered."

Off-color is determined on a representative sample of approximately 500 grams after the removal of total defects (*i.e.*, splits, damaged beans, contrasting classes, and foreign material). Beans are considered as "off-color" if they are not of a good natural color or are stained to an extent that they seriously affect the appearance of the lot. Beans that are discolored by dust or a slight amount of dirt, which can be removed by processing methods, are not considered as "off-color."

Bean color is dependent upon environmental conditions, varietal differences, moisture, storage, and age.

Beans grown in various regions may vary greatly in general appearance. As beans mature and are ready for harvest, outside forces such as dew, rain, and sunlight, can greatly affect the color of the beans. These same forces cause beans in the same regions to vary in color from season to season.

Further, beans of one class and variety grown in the Pacific Northwest may have an entirely different color than the same beans grown in the Midwest regions, yet both would be of good natural color for their regions. For example, the Colorado/Idaho grown pinto bean generally has a lighter seed coat color than the pinto beans grown in North Dakota. Both color types appeal to consumers and are considered a "good natural color."

Further, there is no visual reference for off-color, and, due to the many variances, attempts to develop a visual reference have been difficult. This can make assessment for off-color sometimes difficult.

The majority of suppliers know their customer and their specific quality preferences. When asked to furnish a light, uniformly colored bean, suppliers generally know the implied color parameters, for their respective areas, that the customer is setting due to the supplier/buyer relationship. However, when the supplier is not clear as to the needs of the customers, they use "type samples." That is, the supplier forwards a sample representing the color and quality they have available to prospective customers for examination and approval. If the color and quality are acceptable, comparable quality is shipped to the customer without incident.

GIPSA recognizes that color is, at times, a concern to buyers. Consequently, GIPSA will provide, upon request, an analysis for color to determine if color is uniform or is representative of a "type" sample. When a request for color analysis is made, a statement will be added to the certificate in the "Remarks" section stating whether the color is uniform, not uniform, or meets the requirements of the type sample.

GIPSA is proposing to remove the special grade designation "off-color" from the United States Standards for Beans. GIPSA will continue to offer assessments for color uniformity on a request only basis. This action will facilitate the marketing of beans from many different regions.

GIPSA will solicit comments for 30 days. This comment period is considered appropriate given the upcoming production season for beans. All comments received within the

comment period will be made part of the public record maintained by GIPSA, will be available to the public for review, and will be considered by GIPSA before final action is taken on the proposal.

**Authority:** 7 U.S.C. 1621 *et seq.*

**Donna Reifschneider,**  
*Administrator, Grain Inspection, Packers and Stockyards Administration.*

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**BILLING CODE 3410-EN-P**

## COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

### Procurement List; Additions and Deletions

**AGENCY:** Committee for Purchase From People Who Are Blind or Severely Disabled.

**ACTION:** Additions to and deletions from Procurement List.

**SUMMARY:** This action adds to the Procurement List products and a service to be furnished by nonprofit agencies employing persons who are blind or have other severe disabilities, and deletes from the Procurement List a product and services previously furnished by such agencies.

**DATES:** *Effective Date:* January 16, 2005.

**ADDRESSES:** Committee for Purchase From People Who Are Blind or Severely Disabled, Jefferson Plaza 2, Suite 10800, 1421 Jefferson Davis Highway, Arlington, Virginia, 22202-3259.

**FOR FURTHER INFORMATION CONTACT:** Sheryl D. Kennerly, (703) 603-7740.

### SUPPLEMENTARY INFORMATION:

#### Additions

On October 15, and October 22, 2004, the Committee for Purchase From People Who Are Blind or Severely Disabled published notice (69 FR 61202 and 62020) of proposed additions to the Procurement List.

After consideration of the material presented to it concerning capability of qualified nonprofit agencies to provide the products and services and impact of the additions on the current or most recent contractors, the Committee has determined that the products and service listed below are suitable for procurement by the Federal Government under 41 U.S.C. 46-48c and 41 CFR 51-2.4.

#### Regulatory Flexibility Act Certification

I certify that the following action will not have a significant impact on a substantial number of small entities.