

most equitable and appropriate penalty. OFAC may authorize or recommend to the U.S. Customs Service the release of any funds or merchandise involved in the violative transaction upon the payment of the penalty assessed or settlement negotiated by OFAC. In settlements involving seized goods, the disposition of the goods generally will be an element of OFAC's agreement. When there has been no payment of an assessed monetary penalty, OFAC generally will recommend the forfeiture of the seized goods or funds to the U.S. Customs Service.

2. *Seizure of blocked property.* Where the funds or merchandise seized by the U.S. Customs Service constitute property blocked pursuant to the controlling Executive Order, statute, or regulations, such property generally remains blocked. Those who might claim an interest in the blocked property should refer to provisions in the Reporting and Procedures Regulations, 31 CFR part 501, and in the regulations or other legal authorities governing the relevant economic sanctions program for additional information.

PART 515—CUBAN ASSETS CONTROL REGULATIONS

1. Part 515 is amended by adding the following appendix to read as follows:

Appendix to Part 515—Cuba Travel-Related and Certain Other Violations of 31 CFR Part 515

Note to Appendix to Part 515: This appendix provides a schedule of proposed civil monetary penalties for certain violations of the Cuban Assets Control Regulations, 31 CFR part 515. The civil penalty process is described in detail in subpart G of 31 CFR part 515 and in the appendix to the Reporting and Procedures Regulations, 31 CFR part 501.

A. Traveler Violations/Amounts for Prepenalty Notices

1. Tourist travel-related transactions:
First trip: \$7,500
Each additional trip: \$10,000

2. Business travel-related transactions:
First trip: \$15,000
Each additional trip: \$25,000

3. Travel-related transactions involving unlicensed visits to close relatives:

First trip: warning letter
Each additional trip—

Prior to agency notice*: \$1,000
Subsequent to agency notice*: \$4,000

4. Travel-related transactions where no specific license was issued under 31

CFR 515.560(a)(3)–(12) but where there is evidence that the purpose of the travel fits within one of the categories of licensable activities:

Each trip prior to agency notice*: \$3,000
Each trip subsequent to agency notice*: \$10,000

5. Exports (or attempted exports) of unauthorized funds in which Cuba or a Cuban national has an interest: Value of unauthorized funds

Note to A.5.: Additional remittance forwarding penalties may be considered.

6. Unauthorized use of a credit card in Cuba:

First trip: \$1,000
Each additional trip: \$2,000

7. Importations of Cuban-origin goods in conjunction with travel-related violations:

Where aggregate value of goods is \$500 or less: \$250

Where aggregate value of goods exceeds \$500: \$250 plus excess value above \$500

Note to A.7.: Value generally will be determined by the transactional value, if evidenced by a receipt, signed Customs declaration, or similar document or, if none, the foreign value as determined by the U.S. Customs Service. In the absence of either, a default value of \$10 per item generally will be assigned to the goods, except in the case of boxes of cigars, which generally will be valued at \$250.

B. Provision of Travel, Carrier and Remittance Forwarding Services by Persons Not Authorized as Service Providers

1. Provision of remittance forwarding services:

Prior to agency notice*: \$2,000
Subsequent to agency notice*: \$15,000

2. Provision of travel services:

Prior to agency notice*: \$2,000, plus \$500 per person assisted
Subsequent to agency notice*: \$15,000, plus \$500 per person assisted

3. Provision of carrier services:

Prior to agency notice*: \$5,000, plus \$500 per person assisted
Subsequent to agency notice*: \$25,000, plus \$500 per person assisted

Note to B.: Other violations that arise in the context of the Cuba program are addressed in the main text of these Guidelines as published in the appendix to 31 CFR part 501. Violations by persons authorized as Service Providers are addressed in the annual Service Provider Program Circular issued by OFAC.

* For purposes of determining prepenalty amounts as set forth in this appendix, the term "agency notice" means any evidence in the administrative record of written or oral communication between OFAC and the party

alleged to have committed a violation concerning the same or a substantially similar violation. This evidence may include, but is not limited to, a warning letter, a cease and desist order, a prepenalty notice, or a notation of a telephonic conversation or letter from OFAC advising the party that the conduct is in violation of applicable regulations. A party may dispute the adequacy of agency notice in its response to the prepenalty notice.

Dated: January 13, 2003.

R. Richard Newcomb,
Director, Office of Foreign Assets Control.

Approved: January 13, 2003.

Kenneth E. Lawson,
*Assistant Secretary (Enforcement),
Department of the Treasury.*
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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 300

[FRL–7443–6]

National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of intent for partial deletion of the Cecil Field Naval Air Station (site) from the National Priorities List (NPL).

SUMMARY: The Environmental Protection Agency, Region 4, announces its intent to delete portions of the Cecil Field Naval Air Station Superfund Site (the "Site") (EPA ID# FL 5170022474) from the National Priorities List (NPL) and requests public comment on this action. The NPL is codified as appendix B to the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 40 CFR part 300, which EPA promulgated pursuant to section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended, 42 U.S.C. 9605. The EPA has determined, with the concurrence of the State of Florida through its Department of Environmental Protection, that the parcels proposed for deletion under this action do not pose a significant threat to public health or the environment, as defined by CERCLA, and therefore, further remedial measures pursuant to CERCLA are not appropriate for these parcels. EPA proposes deletion of these parcels in accordance with 40 CFR 300.425(e) and the Notice of Policy Change: Partial Deletion of Sites on the