AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

Vol.41–No.170
8–31–76

PAGES
36639–36785

federal register

TUESDAY, AUGUST 31, 1976

highlights

PART I:

WOMEN'S EQUALITY DAY
Presidential proclamation 36639

FEDERAL ENERGY OFFICE
Executive order terminating 36641

INNOVATIVE COMMUNITY DEVELOPMENT PROJECTS
HUD revises requirements, general criteria, and review factors for determining nature and relative merit of discretionary grant applications; effective 8–31–76 36650

MOTOR CARRIER SAFETY
DOT/FHA simplifies certificate of qualification filing and information requirements for drivers regularly employed by another carrier; effective 10–1–76 36656

IRRIGATION LOADS
USDA/REA proposes requirements, procedures, and guidelines for special studies of electric borrowers; comments by 9–30–76 .....

WATERCRAFT
Interior sets regulations and procedures for acquisition, management, and safe operation; effective 8–31–76 36654

GASOLINE
FEA publishes ruling on entitlement of retail sales outlet operators 36647

SALVAGE CLAIMS
DOD/Navy proposes increased per diem rates for services and revised procedures for leasing naval equipment; comments by 9–30–76 36666

MOTOR VEHICLE SAFETY STANDARDS
DOT/NHTSA permits new nonpassenger car vehicles to be equipped with tires not meeting certain labeling requirements; effective 8–27–76 36657

COMMERCIAL FISHERIES
Commerce/NOAA sets size limits for sea scallops; effective 8–31–76 36662

INTERNATIONAL VOLUNTARY AGREEMENTS
FEA revises administrative procedures 36646

SELECTIVE SERVICE
Selective Service System proposes amendments to public information provisions; comments by 9–30–76 36669

CONTINUED INSIDE

reminders

(The items in this list were editorially compiled as an aid to FEDERAL REGISTER users. Inclusion or exclusion from this list has no legal significance. Since this list is intended as a reminder, it does not include effective dates that occur within 14 days of publication.)

Rules Going Into Effect Today

Commerce/PTO—Patent cases; interference practices..... 27832; 7–7–76

FCC—Broadcast stations; remote pickup. 29681; 7–19–76

FDIC—Securities of insured state nonmember banks; quarterly report. 25887; 7–23–76

SEC—Authority delegation; Directors, Division of Market Regulation; Office of Reports and Information Service. 32736; 8–5–76

List of Public Laws

NOTE: No public bills which have become law were received by the Office of the Federal Register for inclusion in today's LIST OF PUBLIC LAWS.

AGENCY PUBLICATION ON ASSIGNED DAYS OF THE WEEK

The six-month trial period ended August 6. The program is being continued on a voluntary basis (see OFR notice, 41 FR 32914, August 6, 1976). The following agencies have agreed to remain in the program:

Monday	Tuesday	Wednesday	Thursday	Friday
NRC	USDA/ASCS		NRC	USDA/ASCS
DOT/COAST GUARD	USDA/APHIS		DOT/COAST GUARD	USDA/APHIS
DOT/NHTSA	USDA/FNS		DOT/NHTSA	USDA/FNS
DOT/FAA	USDA/REA		DOT/FAA	USDA/REA
DOT/OHMO	CSC		DOT/OHMO	CSC
DOT/OPSO	LABOR		DOT/OPSO	LABOR

Documents normally scheduled on a day that will be a Federal holiday will be published the next work day following the holiday.

Comments on this program are still invited. Comments should be submitted to the Day-of-the-Week Program Coordinator, National Archives and Records Service, General Services Administration, Washington, D.C. 20408.

ATTENTION: Questions, corrections, or requests for information regarding the contents of this issue only may be made by dialing 202–523–5286. For information on obtaining extra copies, please call 202–523–5240. To obtain advance information from recorded highlights of selected documents to appear in the next issue, dial 202–523–5022.

federal register

Area Code 202 Phone 523–5240

Published daily, Monday through Friday (no publication on Saturdays, Sundays, or on official Federal holidays), by the Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408, under the Federal Register Act (49 Stat. 500, as amended; 44 U.S.C., Ch. 15) and the regulations of the Administrative Committee of the Federal Register (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

The FEDERAL REGISTER provides a uniform system for making available to the public regulations and legal notices issued by Federal agencies. These include Presidential proclamations and Executive orders and Federal agency documents having general applicability and legal effect, documents required to be published by Act of Congress and other Federal agency documents of public interest. Documents are on file for public inspection in the Office of the Federal Register the day before they are published, unless earlier filing is requested by the issuing agency.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $5.00 per month or $50 per year, payable in advance. The charge for individual copies is 75 cents for each issue, or 75 cents for each group of pages as actually bound. Remit check or money order, made payable to the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER.

NATIONAL REGISTER OF HISTORIC PLACES
Interior/NPS publishes list of pending nominations; comments by 9–10–76 36675

MARINE MAMMAL RESOURCES
Commerce/NOAA provides standards and procedures for approving and reviewing State laws and management 36659

TRUTH IN LENDING
FRS publishes rule on idenfication of transactions 36662

MEETINGS—
Commerce/DIBA: National Industrial Energy Council, 9–29–76 36676
DOD: Board of Advisers of the Industrial College of the Armed Forces and the Board of Consultants of the National War College, 9–15 and 9–16–76 36671
HEW/OE: Advisory Committee on Accreditation and Institutional Eligibility, 9–22 thru 9–24–76 36679
National Advisory Council on Extension and Continuing Education, 9–22 thru 9–24–76 36679
CSC: Advisory Committee on Administrative Law Judges, 9–17–76 36682
ERDA: Advisory Committee on Geothermal Energy, 9–16–76 36688
EPA: Environmental Pollutant Movement and Transformation Advisory Committee, 9–20–76 36682
FEA: Public Forum on Coal, 9–20–76 36691
NCUA: National Credit Union Board, 9–23 and 9–24–76 36701
SBA: Houston District Advisory Council, 9–16–76 36702
Louisville District Advisory Council, 9–23–76 36702
National Commission on Electronic Fund Transfers, 9–9 and 9–10–76 36701
LSC: Committee on Appropriations and Audit, 9–9–76 36701

CHANGED MEETING—
HEW/NIH: National Advisory Eye Council, Vision Research Program Planning Subcommittee, 9–12–76 36678

PART II:

UNDERGROUND WATER SOURCES
EPA proposes minimum requirements for State programs controlling subsurface injection of contaminants 36726
EPA proposes regulations governing grants designed to assist States in funding protection programs; comments by 11–29–76 36730

PART III:

PRIVACY ACT OF 1974
PRC publishes notice of systems of records and proposed new routine use; comments by 9–30–76 36747

PART IV:

PRIVACY ACT OF 1974
Interior proposes revisions of routine uses of systems of records; comments by 9–14–76 36751

contents

THE PRESIDENT

Executive Orders

Federal Energy Office; termination 36641

Proclamations

Women's Equality Day 36639

EXECUTIVE AGENCIES

AGENCY FOR INTERNATIONAL DEVELOPMENT

Notices

Authority delegations:
Director, Office of U.S. Foreign Disaster Assistance 36671
Holt Adoption Programs; voluntary termination of registration 36671
Holt International Children's Services, Inc.; registration as voluntary foreign aid agency 36671

AGRICULTURAL MARKETING SERVICE

Rules

Cherries grown in Mich. et al 36643
Prunes (dried) produced in Calif 36644

Proposed Rules

Milk marketing orders:
New York-New Jersey 36668

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

Rules

Tobacco (flue-cured); marketing quotas and acreage allotments 36643

AGRICULTURE DEPARTMENT

See Agricultural Marketing Service; Agricultural Stabilization and Conservation Service; Animal and Plant Health Inspection Service; Forest Service; Rural Electrification Administration.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

Rules

Livestock and poultry quarantine:
Brucellosis 36644

BLIND AND OTHER SEVERELY HANDICAPPED, COMMITTEE FOR PURCHASE FROM

Notices

Procurement list, 1976; addition; correction 36682

CIVIL AERONAUTICS BOARD

Notices

Hearings, etc.:
Air Traffic Conference of America 36679
City of Lubbock, Tex., and Lubbock Chamber of Commerce 36680
Ephrata-Moses Lake Deletion case 36681
Memphis-Twin Cities-Milwaukee case 36682

CIVIL SERVICE COMMISSION

Rules

Excepted service:
Small Business Administration 36643

Notices

Meetings:
Administrative Law Judges Advisory Committee 36682

COMMERCE DEPARTMENT

See Domestic and International Business Administration; National Oceanic and Atmospheric Administration.

COMMUNITY PLANNING AND DEVELOPMENT, OFFICE OF ASSISTANT SECRETARY

Rules

Community development block grants:
Discretionary grants; applications and criteria 36650

CONSUMER PRODUCT SAFETY COMMISSION

Rules

Confidential information, safeguarding procedures:
Chemical formulations 36648

DEFENSE DEPARTMENT

See also Navy Department.

Notices

Meeting:
Board of Advisers of the Industrial College of the Armed Forces and the Board of Consultants of the National War College 36671

DOMESTIC AND INTERNATIONAL BUSINESS ADMINISTRATION

Notices

Meetings:
Industrial Energy Council, National ... 36676
Scientific articles; duty free entry:
University of Richmond, et al ... 36677

EDUCATION OFFICE

Notices

Meetings:
Accreditation and Institutional Eligibility Advisory Committee ... 36679
Extension and Continuing Education National Advisory Council ... 36679

ELECTRONIC FUND TRANSFERS, NATIONAL COMMISSION

Notices

Meeting ... 36701

ENERGY RESEARCH AND DEVELOPMENT ADMINISTRATION

Notices

Meetings:
Geothermal Energy Advisory Committee ... 36688

ENVIRONMENTAL PROTECTION AGENCY

Rules

Air quality implementation plans; various States, etc.:
Wyoming ... 36652
Water pollution; effluent guidelines for certain point source categories:
Mineral mining and processing; extension of time ... 36653

Proposed Rules

Grants, State and local assistance:
Underground water source protection programs ... 36726
Water pollution; effluent guidelines for certain point source categories:
Mineral mining and processing; extension of time ... 36669
Water pollution control:
Safe drinking water; underground injection control programs ... 36730

Notices

Air quality implementation plans; various States, etc.:
California; extension of time, correction ... 36687
Meetings:
Environmental Pollutant Movement & Transformation Advisory Committee ... 36682
Pesticide applicator certifications; State plans:
Guam ... 36687
Pesticide programs:
Scientific Advisory Panel membership nominations, extension of comment period ... 36682
Pesticide registration:
Applications (2 documents) ... 36682, 36685

FEDERAL ENERGY ADMINISTRATION

Rules

Administrative procedures and sanctions; oil:
Voluntary agreements, international ... 36646
Rulings:
Retail sales outlet operator's entitlement to motor gasoline ... 36647

Notices

Appeals and applications for exemption, etc.; cases filed with Exceptions and Appeals Office:
Decisions and orders issued ... 36690
List of applicants ... 36689
Meetings:
Public Forum on Coal ... 36691

FEDERAL HIGHWAY ADMINISTRATION

Rules

Motor carrier safety regulations:
Driver qualifications; regularly employed by another carrier ... 36656
Tires; special permit vehicles; loading restriction exemption ... 36656

FEDERAL MARITIME COMMISSION

Notices

Investigations and hearings:
Arctic Lighterage Co ... 36692

FEDERAL POWER COMMISSION

Notices

Hearings, etc.:
Alabama Power Co ... 36693
Algonquin Gas Transmission Co. and Texas Eastern Transmission Corp ... 36694
Arkansas Louisiana Gas Co. (2 documents) ... 36694
Columbia Gas Transmission Corp ... 36695
El Paso Natural Gas Co ... 36695
John M. Haynes ... 36695
Lone Star Gathering Co. and Lone Star Gas Co ... 36696
Missouri Power & Light Co ... 36696
Mountain Fuel Supply Co ... 36696
Northern Natural Gas Co ... 36697
Pacific Power & Light Co. (2 documents) ... 36697
Public Service Company of Oklahoma ... 36697
Transcontinental Gas Pipe Line Corp ... 36698
Transcontinental Gas Pipe Line Corp. and Natural Gas Pipeline Company of America ... 36698
United Gas Pipe Line Co ... 36699
W. R. Grace & Co ... 36699

FEDERAL RESERVE SYSTEM

Rules

Truth-in-lending:
Fair credit billing, open-end credit; identification of transactions ... 36662

Notices

Applications, etc.:
Bancal Tri-State Corp ... 36699
CCNB Bancshares Corp ... 36700
First Freeport Corp ... 36700
First Tennessee National Corp ... 36701
Harvard State Co ... 36701

FISH AND WILDLIFE SERVICE

Rules

Hunting:
Pathfinder National Wildlife Refuge, Wyo. (2 documents) ...
Rice Lake National Wildlife Refuge, Minn ... 36659

FOOD AND DRUG ADMINISTRATION

Rules

Animal drugs, feeds, and related products:
Medicated blocks; correction ... 36650

FOREST SERVICE

Notices

Environmental statements; availability, etc.:
Curtis Creek Unit Plan, Pisgah National Forest, N.C ... 36676
Shasta-Trinity National Forest, Calif ... 36676

GENERAL ACCOUNTING OFFICE

Notices

Regulatory reports review; proposals, approvals, etc ... 36701

GENERAL SERVICES ADMINISTRATION

Rules

Procurement:
Federal ... 36654

GEOLOGICAL SURVEY

Notices

Environmental statements; availability, etc.:
Montana; regional coal development ... 36675
Utah; regional coal development ... 36675

HEALTH, EDUCATION, AND WELFARE DEPARTMENT

See Education Office; Food and Drug Administration; National Institutes of Health.

HOUSING AND URBAN DEVELOPMENT DEPARTMENT

See Community Planning and Development, Office of Assistant Secretary.

INTERIOR DEPARTMENT

See also Fish and Wildlife Service; Geological Survey; Land Management Bureau; National Park Service.

Rules

Property management ... 36654

Notices

Privacy Act; systems of records; routine uses ... 36751

INTERSTATE COMMERCE COMMISSION

Notices

Fourth section applications for relief ... 36707
Hearing assignments ... 36706
Motor carriers:
Temporary authority applications ... 36707
Transfer proceedings ... 36707

JUSTICE DEPARTMENT

Rules

Organization, functions, and authority delegations:
Parole Commission; duties and powers transferred from U.S. Parole Board; correction ... 36650

LABOR DEPARTMENT

See Occupational Safety and Health Administration; Wage and Hour Division.

LAND MANAGEMENT BUREAU

Notices

Applications, etc.:
Alaska (2 documents) ... 36671, 36672
Colorado ... 36674
New Mexico ... 36675

LEGAL SERVICES CORPORATION

Notices

Meetings:
Committee on Appropriations and Audit ... 36701

NATIONAL CREDIT UNION ADMINISTRATION

Notices

Meetings:
National Credit Union Board ... 36701

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

Rules

Motor vehicle safety standards:
Tire selection and rims for other than passenger cars ... 36657

NATIONAL INSTITUTES OF HEALTH

Notices

Meetings:
National Advisory Eye Council ... 36678

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

Rules

Atlantic fisheries, Northwest:
Sea scallops, size limit for ... 36662
Marine mammals:
Taking and importation; State laws and regulations, approval and review ... 36659

NATIONAL PARK SERVICE

Notices

Historic Places National Register; pending nominations ... 36675

NAVY DEPARTMENT

Proposed Rules

Claims:
Salvage, affirmative ... 36666

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

Rules

State plans for enforcement of standards:
Minnesota ... 36650

Notices

Applications, etc.:
Interlake Stamping Corp ... 36702

POSTAL RATE COMMISSION

Notices

Privacy Act of 1974; systems of records ... 36747

RURAL ELECTRIFICATION ADMINISTRATION

Proposed Rules

Information, public:
Irrigation load studies; bulletin 145–1 issuance ... 36668

SELECTIVE SERVICE SYSTEM

Proposed Rules

Information, public; availability, etc ... 36669

SMALL BUSINESS ADMINISTRATION

Notices

Authority delegations:
Philadelphia District Office ... 36702
Meetings:
Houston District Advisory Council ... 36702
Louisville District Advisory Council ... 36702

STATE DEPARTMENT

See Agency for International Development.

TRANSPORTATION DEPARTMENT

See Federal Highway Administration; National Highway Traffic Safety Administration.

WAGE AND HOUR DIVISION

Notices

Puerto Rico; various industry committees; appointment, convention, hearings ... 36705

"THE FEDERAL REGISTER—WHAT IT IS AND HOW TO USE IT"

Weekly Briefings at the Office of the Federal Register

(For Details, See 41 FR 22997, June 8, 1976)

RESERVATIONS: JANET SOREY, 523–5282

list of cfr parts affected in this issue

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date, follows beginning with the second issue of the month.

A Cumulative List of CFR Sections Affected is published separately at the end of each month. The guide lists the parts and sections affected by documents published since the revision date of each title.

3 CFR

PROCLAMATIONS:

4451 36639

EXECUTIVE ORDERS:

11930 (Revoked by EO 11933) 36641
11933 36641

5 CFR

213 36643

7 CFR

725 36643
930 36643
993 36644

PROPOSED RULES:

1002 36668
1701 36668

9 CFR

78 36644

10 CFR

Ch. II 36646
205 36646

12 CFR

226 36662

16 CFR

1017 36648

21 CFR

510 36650

24 CFR

570 36650

28 CFR

0 36650

29 CFR

1952 36650

32 CFR

PROPOSED RULES:

754 36666
1608 36669

40 CFR

52 36652
436 36653

PROPOSED RULES:

35 36726
146 36730
436 36669

41 CFR

1–16 36654
114–38 36654

49 CFR

391 36656
393 36656
571 36657

50 CFR

32 (3 documents) 36658, 36659
216 36659
240 36662

CUMULATIVE LIST OF PARTS AFFECTED DURING AUGUST

The following numerical guide is a list of parts of each title of the Code of Federal Regulations affected by documents published to date during August.

1 CFR

PROPOSED RULES:

18 ... 32861

3 CFR

PROCLAMATIONS:

3279 (See EO 11930) ... 32399
4451 ... 36639

EXECUTIVE ORDERS:

October 14, 1911 (Revoked in part by PLO 5598) ... 34035
October 19, 1911 (Revoked in part by PLO 5598) ... 34035
April 16, 1912 (Revoked in part by PLO 5598) ... 34035
October 27, 1914 (Revoked in part by PLO 5598) ... 34035
6276 (Revoked in part by PLO 5596) ... 33267
11652 (See EO 11932) ... 32691
11790 (See EO 11930) ... 32399
11814 (See EO 11930) ... 32399
11912 (See EO 11930) ... 32399
11930 ... 32399
11930 (Revoked by EO 11933) ... 36641
11931 ... 32689
11932 ... 32691
11933 ... 36641

DIRECTIVES:

May 17, 1972 (Amended by Directive of July 30, 1976) ... 32693
July 30, 1976 ... 32693

MEMORANDUMS:

July 19, 1976 ... 32403

4 CFR

1 ... 35155

5 CFR

213 ... 32892, 33545, 34246, 34731, 35155, 36193, 36643
591 ... 32892

PROPOSED RULES:

2505 ... 36514
2510 ... 36514

7 CFR

2 ... 36193
35 ... 32877
52 ... 32222, 34751
103 ... 34005
105 ... 34005
106 ... 34005
108 ... 34006
111 ... 34006
220 ... 32405, 34757, 36013
225 ... 35685
230 ... 35686
235 ... 32405
271 ... 34760
331 ... 32229, 32409
354 ... 35693
409 ... 34973
722 ... 32878, 36193

7 CFR—Continued

725 ... 36643
728 ... 35694
775 ... 35694
729 ... 36194
790 ... 34247
791 ... 34247
905 ... 34248
908 ... 32229, 32695, 34006, 35053, 35520, 36013
909 ... 35843
910 ... 32827, 34248, 35156, 35521, 36195
911 ... 36013
915 ... 34973
916 ... 32410
917 ... 32410–32411, 34762
919 ... 35695
926 ... 34007
930 ... 36643
944 ... 34762
946 ... 36014
947 ... 32230, 32695
958 ... 36195
967 ... 35520
982 ... 34974
989 ... 32412
993 ... 36644
1012 ... 32417
1099 ... 32575
1207 ... 36197
1421 ... 32879, 35695–35702
1124 ... 32418, 35843
1427 ... 35521
1430 ... 32881
1472 ... 34248
1701 ... 33546
1806 ... 34571
1821 ... 32575
1822 ... 34577, 34578
1831 ... 32575, 32697
1861 ... 32576
1871 ... 32576
1872 ... 32577, 32578
1890c ... 32578
1901 ... 34583
1955 ... 32697

PROPOSED RULES:

16 ... 34777, 34977, 35072
47 ... 32231
51 ... 32896
909 ... 32234
910 ... 33922, 35187, 36211
911 ... 34049
912 ... 36212
919 ... 32234
926 ... 34647, 36035
927 ... 34050
930 ... 32606
931 ... 32757
932 ... 35722
946 ... 32758
953 ... 34766
981 ... 34647, 36034, 36506
991 ... 34648
993 ... 33275
1002 ... 36668
1004 ... 34282
1006 ... 35187

7 CFR—Continued

PROPOSED RULES—Continued

1007 ... 33275
1011 ... 33275, 34444
1012 ... 35187
1013 ... 35187
1030 ... 33275
1032 ... 33275
1033 ... 34444, 35194
1046 ... 33275
1049 ... 33275
1050 ... 33275
1062 ... 33275
1063 ... 33275
1064 ... 33275
1065 ... 33275
1068 ... 33275
1070 ... 33275
1071 ... 33275
1073 ... 33275
1076 ... 33275
1078 ... 33275
1079 ... 33275
1090 ... 33275, 34444
1094 ... 33275
1096 ... 33275
1097 ... 33275
1098 ... 33275
1099 ... 33275
1101 ... 33275, 34444
1102 ... 33275
1104 ... 33275
1106 ... 33275
1108 ... 33275
1120 ... 33275
1124 ... 34286
1126 ... 33275
1131 ... 33275
1132 ... 33275
1138 ... 33275
1207 ... 32606
1260 ... 34772
1430 ... 32899
1701 ... 32419, 36668
1801 ... 33561
1813 ... 33922
1823 ... 34767
1861 ... 33561
1867 ... 35532
1980 ... 33561

8 CFR

100 ... 32419, 34937
103 ... 34937
316a ... 34938

9 CFR

73 ... 32882, 34731
76 ... 32882, 35156, 35675
78 ... 36644
83 ... 32432
113 ... 32882
201 ... 34007
303 ... 36197
381 ... 36197

PROPOSED RULES:

320 ... 36215
325 ... 36215
327 ... 34293, 36215

10 CFR

Ch. II 36646
35 34635
205 36646
211 33881
212 ..... 34008, 36172
700 34731
735 34731

PROPOSED RULES:

9 35073
70 35537
205 ..... 34783, 34981
210 34784
211 34784
212 ..... 33282, 34080, 34784
705 34778

11 CFR

Ch. I 35932

12 CFR

7 36198
217 32578
220 34938
221 35477
226 36662
265 36198
303 35156
335 35477
545 35820
561 ..... 32419, 35821
563 ..... 32419, 35821
611 33546
615 33547
618 33547

PROPOSED RULES:

16 32864
225 33306
226 35536
556 36039
569 35827
584 33566

13 CFR

102 35675
105 33547
120 33245
122 33549
123 35675
316 ..... 35670, 36636

PROPOSED RULES:

120 33567

14 CFR

13 32205
36 35053
37 35070
39 ..... 32206, 32207, 32733, 32734, 33245, 33246, 34008, 34009, 34583–34585, 35059, 36014, 36015, 36487–36489
47 34009
49 34009
71 ..... 32734, 32735, 33246, 33247, 34010, 34011, 34586, 34587, 35059, 35478, 36016, 36489–36490
73 ..... 34011, 34587
95 34011
97 ..... 32735, 34016, 35478, 36490
121 35070
137 35059
253 34249

14 CFR—Continued

302 36491
300 34587
310 32579
372 35157
372a 35158
373 35160
378 35160
378a 35160
1207 35479

PROPOSED RULES:

39 ..... 32238, 32239, 34076, 34649, 36511, 36512
45 34076
71 ..... 32240, 32758–32759, 33280, 34077, 34650, 35072, 35073, 35535, 36036, 36512
73 ..... 34077, 34650
75 34077
93 35073
121 36036
Ch. II 34979
300 34650

15 CFR

0 34938
905 34017

16 CFR

13 ..... 32420, 34019, 34249, 34742, 34939–34941, 35843, 36198, 36199
15 34594
433 34594
1017 36648

PROPOSED RULES:

423 35863
437 35725
456 33925
700 34654
704 32911
1145 33636
1150 33636
1500 33639

17 CFR

150 35060
200 32736
210 ..... 32737, 35479
211 35163
240 ..... 35167, 36199
249 35167

PROPOSED RULES:

239 32540
240 ..... 32856, 33004, 35073
270 32760

18 CFR

2 ..... 32883, 33364
154 33364
157 ..... 32212, 32883,

PROPOSED RULES:

1 34324
2 ..... 32910, 36221
4 36222
34 36040
35 32911
131 36222
141 36402
154 32911
260 ..... 33642, 33780

19 CFR

1 35061
6 36497
142 33248
153 ..... 32421, 32893, 34597, 34974, 36497
159 ..... 32230, 34250
158 33248

PROPOSED RULES:

1 ..... 34049, 34261
18 34271
101 34261
123 34271
144 34271
201 34081

20 CFR

404 32885
410 33549
416 36017
602 35169

PROPOSED RULES:

404 ..... 34060, 35861, 35862
405 35197
416 35862
701 34294
702 34294
725 ..... 34972, 36219

21 CFR

2 ..... 32738, 32886
5 ..... 33248, 34597
11 33249
27 32886
121 ..... 32580, 34598, 34742, 34942, 35170
193 32888
310 ..... 32580, 35171
436 34742
460 35061
510 ..... 32213, 34743, 35844, 36200, 36650
514 36200
520 32889
522 ..... 32583, 32889, 33882, 36018
555 ..... 32583, 33882
558 34943
620 35480
640 35062
701 32583

PROPOSED RULES:

1 34051
2 35855
4 35282
6 35282
102 36509
128f 35532
500 ..... 32434, 34052
510 34884
526 34884
540 34884
556 34884
558 34884
801 35282
812 35282
1301 32756

22 CFR

64 36203
102 34743
503 35480
606 33550

PROPOSED RULES:

130 33446

23 CFR

230 ... 34239
420 ... 33440
630 ... 33253
633 ... 36204
635 ... 36204
655 ... 36206

PROPOSED RULES:

658 ... 32240
661 ... 33280
1204 ... 33280

24 CFR

10 ... 33909
203 ... 32216
207 ... 32216
220 ... 32216
260 ... 34608, 35706
300 ... 34611
570 ... 36650
886 ... 32686
891 ... 35660
1914 ... 32216, 32738, 33551, 34943, 35706, 35707, 36492
1915 ... 33911, 35708
1916 ... 32584–32587, 32739, 33253–33255, 33552–33556 33919–33921, 35844–35847
1917 ... 33255–33260, 34022–34025, 34944–34948, 35062–35066, 35480–35489, 35712–35714
1920 ... 33260–33262, 34611–34618, 35171–35174, 35847
1930 ... 34618
1931 ... 34618
2205 ... 32359

PROPOSED RULES:

201 ... 32564
203 ... 36604
205 ... 34977
570 ... 34301
710 ... 35978
720 ... 35978
868 ... 32370
1710 ... 34648
1911 ... 36620
1917 ... 34063–34075, 34305–34322
1921 ... 36620
1922 ... 36620
1923 ... 36620
1924 ... 36620
2205 ... 32237

25 CFR

41 ... 33556
43h ... 32421
221 ... 34743

PROPOSED RULES:

41 ... 32756
221 ... 32757

26 CFR

1 ... 33262, 34025, 34619, 35490
20 ... 34627, 35490
25 ... 34628, 35490
31 ... 35174
53 ... 35514
141 ... 32889, 32890
301 ... 34025, 35174, 35490

PROPOSED RULES:

1 ... 33285, 35855
31 ... 32231
54 ... 32895

27 CFR

201 ... 36492

PROPOSED RULES:

4 ... 36029, 36498
5 ... 35531, 36029
170 ... 36499
173 ... 36499
194 ... 36499
201 ... 36499
250 ... 36499
251 ... 36499
252 ... 36499

28 CFR

0 ... 35183, 36650
16 ... 32423
20 ... 34949

PROPOSED RULES:

30 ... 36215

29 CFR

699 ... 34744
1601 ... 34745
1602 ... 33557
1910 ... 35185
1952 ... 32424, 34251, 34252, 36206, 36650
2520 ... 32522
2602 ... 32740
2606 ... 32741

PROPOSED RULES:

97 ... 35723, 35724
1601 ... 33924
1910 ... 32911, 32912, 35200
1952 ... 32912, 34298, 36219
2200 ... 34657

30 CFR

55 ... 33263
56 ... 33263
57 ... 33263

PROPOSED RULES:

211 ... 35716

31 CFR

316 ... 36342
332 ... 36354

PROPOSED RULES:

210 ... 32605, 35855

32 CFR

581 ... 34253
722 ... 34745
725 ... 32742
832 ... 34951
889 ... 34952
968 ... 34962
1008 ... 34962

PROPOSED RULES:

251 ... 36506
256 ... 36030
505 ... 34764
642 ... 32346
657 ... 34924
754 ... 36666
832 ... 34976
1286 ... 32231
1608 ... 36669

33 CFR

109 ... 36018
110 ... 36018

33 CFR—Continued

117 ... 32217, 34034, 35521, 35522
127 ... 32742, 35066
207 ... 34034

PROPOSED RULES:

110 ... 34649
117 ... 32238, 35536, 36510
161 ... 32758

34 CFR

PROPOSED RULES:

Ch. I ... 34324

35 CFR

PROPOSED RULES:

133 ... 33307

36 CFR

7 ... 33263
50 ... 34748

38 CFR

3 ... 36493
4 ... 34256
21 ... 32217
36 ... 32218

PROPOSED RULES:

1 ... 32247

39 CFR

10 ... 35682–35685
111 ... 35682–35685
3002 ... 32742

PROPOSED RULES:

775 ... 35725
3003 ... 34792

40 CFR

51 ... 35676
52 ... 32743, 32890, 34259, 34749, 35184, 35676, 36324, 36652
60 ... 33264, 34628, 35184
61 ... 33264, 34629
86 ... 35626
87 ... 34722
180 ... 32426, 33265, 34629, 35677
402 ... 33265
416 ... 32578
420 ... 32218
434 ... 34440
436 ... 36653

PROPOSED RULES:

35 ... 36726
52 ... 32241, 34422, 34782, 35725
60 ... 36600
146 ... 36730
180 ... 32899
220 ... 34078
229 ... 34078
416 ... 32613
420 ... 32242
434 ... 34441
436 ... 36669

41 CFR

1–7 ... 33265
1–12 ... 33265
1–16 ... 33265, 36654
4–1 ... 36493
7–7 ... 35067
8–1 ... 32219

41 CFR—Continued

8–3 32219
9–3 36021
28–1 32426
29–60 35186
101–18 36206
101–20 34629
101–26 34630
101–32 34634
101–35 36207
114–38 36654

PROPOSED RULES:

3–3 32607
60–1 34298
101–2 34080
101–26 34080
105–61 32245
128–18 34636

42 CFR

51e 35140
101 33436
110 33557
122 34749

43 CFR

419 32427
2650 33267
3302 32891
3520 36022
9230 36022

PUBLIC LAND ORDERS:

5592 32589
5593 34962
5595 33267
5596 33267
5597 33267
5598 34035
5599 34749
5600 35067
5601 35067

PROPOSED RULES:

232 34299
302 34298
2800 34977

45 CFR

11 35654
115 34962
117 35678
121a 35678
121d 33558
130 35678
141 35678
166 35678
173 35678
176 36320
177 33268
190 33868
233 ..... 35678, 35847
249 ..... 35847, 36207
801 33559
1069 33268

PROPOSED RULES:

73b 32235
103 35722

45 CFR—Continued

PROPOSED RULES—Continued

144 36322
146 34052
175 36322
176 36322
190 33962
228 36156
1385 36582
1386 36582
1387 36582
1800 36222

46 CFR

91 32744
252 32589
536 32590

PROPOSED RULES:

93 32237
180 35072
531 32899

47 CFR

0 33272
1 ..... 33885, 33895, 34259
2 ..... 32680, 33885, 36209
15 32590
19 32891
21 ..... 33269, 33885, 33895
73 ..... 32219, 32220, 32891, 33270, 33559, 33560, 35068, 35849, 36022, 36023
74 ..... 32429, 32593, 35068
76 ..... 32429, 34963, 35068
78 32429
83 32220
89 ..... 32680, 33902, 35522
91 ..... 32680, 33889, 33903, 35068, 35522, 36209
93 ..... 32682, 33907, 35522, 36209
95 32682

PROPOSED RULES:

0 33563
2 32434
13 32434
15 34323
63 33280
64 33563
73 ..... 32434, 33280, 33281, 33566, 34078, 34079, 34323, 34787–34789, 34980, 35533, 35534, 36219–36221
76 ..... 32381, 34930
81 ..... 32434, 33281, 34790
83 ..... 32434, 33281, 34790
87 32242
89 35863
91 35863
93 35863
95 35863

49 CFR

1 35849
81 32593
192 34598

49 CFR—Continued

195 34035
390 34968
391 36656
393 36656
571 ..... 32221, 35522, 36023–36026, 36493, 36494, 36657
575 34607
581 35068
613 33443
1033 ..... 32221, 32429, 32430, 34607, 35068, 35678, 36027, 36209
1038 32594
1109 32744
1124 ..... 34260, 36210
1127 32546
1201 32595
1202 32596
1203 32596
1204 32597
1205 32597
1206 32598
1207 32599
1208 32601
1209 32601
1210 32602
1307 ..... 34260, 35679
1310 35679

PROPOSED RULES:

266 33354
571 ..... 33280, 36037, 36513
801 34082
1067 33307
1106 36041
1109 32434
1125 35730
1201 33016
1241 33016
1243 33016

50 CFR

20 34041
26 35679
28 32602
32 ..... 32430, 32431, 32602, 32603, 32747–32755, 33272–33274, 33909, 34046–34037, 34750, 34751, 34968–34969, 35069, 35679–35682, 35849, 36027, 36495, 36658, 36659
33 ..... 32222, 32431, 32603, 32755, 36496
216 ..... 36496, 36659
217 34969
222 ..... 34969, 35682, 36028
240 ..... 34047, 36662
285 32603

PROPOSED RULES:

17 ..... 32896, 33922, 35855, 36516, 36517
20 34273
26 32433
32 ..... 34049, 36211, 36518
215 36507
222 33922

FEDERAL REGISTER PAGES AND DATES—AUGUST

Pages	Date	Pages	Date	Pages	Date
32205–32398	Aug. 2	33881–34003	11	35155–35475	20
32399–32574	3	34005–34238	12	35477–35674	23
32575–32688	4	32239–34570	13	35675–35842	24
32689–32875	5	34571–34730	16	35843–36012	25
32877–33244	6	34731–34935	17	36013–36191	26
33245–33543	9	34937–35051	18	36193–36486	27
33545–33880	10	35053–35153	19	36487–36637	30
				36639–36785	31

presidential documents

Title 3—The President

PROCLAMATION 4451

Women's Equality Day, 1976

By the President of the United States of America

A Proclamation

During this Bicentennial Year we celebrate a dynamic history which began with that inspirational declaration that all individuals are "endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness."

To give substance and form to those self-evident truths, "We the People of the United States" created a constitutional republic to "secure the Blessings of Liberty to ourselves and our Posterity."

However, it was not until August 26, 1920, that the Nineteenth Amendment to our Constitution unambiguously secured for each of us, regardless of sex, that precious mark of liberty—the right to vote.

In October 1971 and March 1972, the House of Representatives and the Senate of the United States proposed a new amendment for our consideration—an amendment, completing the process begun by the Nineteenth, which would secure "equality of rights under the law" regardless of sex, for men and women.

Several more States need to ratify that Equal Rights Amendment before it becomes part of our Constitution. It would be most fitting for this to be accomplished as we begin our third century. In this Land of the Free, it is right, and by nature it ought to be, that all men and all women are equal before the law.

NOW, THEREFORE, I, GERALD R. FORD, President of the United States of America, to remind all Americans that it is fitting and just to secure legal equality for all women and men, do hereby designate and proclaim August 26, 1976, as Women's Equality Day.

I call upon all the citizens of the United States to mark this day with appropriate activities, and I call upon those States who have not ratified the Equal Rights Amendment to give serious consideration to its ratification and the upholding of our Nation's heritage.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fifth day of August, in the year of our Lord nineteen hundred and seventy-six, and of the Independence of the United States of America the two hundred and first.

Gerald R. Ford

[FR Doc.76-25639 Filed 8-30-76;9:52 am]

Executive Order 11933 • **August 25, 1976**

Termination of the Federal Energy Office

By virtue of the authority vested in me by the Constitution and statutes of the United States of America, and as President of the United States of America, it is hereby ordered as follows:

SECTION 1. Executive Order No. 11930 of July 30, 1976, which established the Federal Energy Office, is, consistent with the Federal Energy Administration Act Amendments of 1976 (Title I of Public Law 94–385), hereby revoked as of the date of its issuance.

SEC. 2. All orders, rules, regulations, rulings, interpretations, and other directives issued or pending, all rule making, judicial and administrative proceedings commenced or pending, all voluntary agreements, plans of action, and all other actions of whatever nature taken, continued, confirmed, ratified or made effective under Executive Order 11930, shall, in accordance with the Federal Energy Administration Act Amendments of 1976, be deemed to have been actions of the Federal Energy Administration and shall continue and remain in full force and effect, unless amended or revoked by the Federal Energy Administration.

SEC. 3. All authority and responsibility vested in the Federal Energy Administration by Executive order or proclamation prior to July 31, 1976 was not revoked by Executive Order No. 11930, subsists in the Federal Energy Administration, and shall be deemed to have been continuously vested in the Federal Energy Administration, whose existence has been retroactively extended by the Federal Energy Administration Act Amendments of 1976.

Gerald R. Ford

THE WHITE HOUSE,
August 25, 1976.

[FR Doc.76–25640 Filed 8–30–76;9:52 am]

rules and regulations

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each month.

Title 5—Administrative Personnel

CHAPTER I—CIVIL SERVICE COMMISSION

PART 213—EXCEPTED SERVICE

Small Business Administration

Section 213.3332 is amended to show that one position of Director, Office of Public Communications, is excepted under Schedule C.

Effective August 31, 1976, § 213.3332 (w) is added as set out below:

§ 213.3332 Small Business Administration.

* * * * *

(w) One Director, Office of Public Communications.

(5 U.S.C. 3301, 3302; EO 10577, 3 CFR 1954–1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION
JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.76–25587 Filed 8–30–76;8:45 am]

Title 7—Agriculture

CHAPTER VII—AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE (AGRICULTURAL ADJUSTMENT), DEPARTMENT OF AGRICULTURE

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

[Amdt. 3]

PART 725—FLUE-CURED TOBACCO

Subpart—Flue-Cured Tobacco Acreage Allotment and Marketing Quota Regulations, 1973–74 and Subsequent Marketing Years

1975–76 AVERAGE MARKET PRICE AND 1976–77 PENALTY RATE

This amendment contains the average market price received by producer for the 1975–76 marketings and the penalty rate for excess tobacco for the 1976–77 marketing year. Also contained in this amendment is a minor word deletion which does not materially affect the 1976–77 or subsequent crops of flue-cured tobacco.

1. Section 725.72(c) (4) (i) is amended to provide that the farm acreage allotment rather than effective farm acreage allotment will be used in determining the eligibility for approval of a transfer agreement.

2. Section 725.92 is revised to include the 1975–76 average market price producers received for flue-cured tobacco and to incorporate the 1976–77 penalty rate for excess flue-cured tobacco.

Since the 1975–76 average market price producers received for flue-cured tobacco and the rate of penalty reflect mathematical computations rather than substantive changes, it is hereby determined and found that compliance with the notice, public rulemaking procedure, and effective date requirements contained in 5 U.S.C. 553 is unnecessary and contrary to the public interest. Accordingly, this document shall become effective August 31, 1976.

The following changes and additions are made in 7 CFR Part 725:

1. Section 725.72(c) (4) (i) is amended to read as follows:

§ 725.72 Lease and transfer of tobacco marketing quotas.

* * * * *

(c) *Filing and approval of transfer agreement.* * * *

(4) *Transfers not to be approved.* (i) Except for transfer agreements filed after June 14, a transfer shall not be approved if after the transfer the lessee farm acreage allotment, plus the acres obtained by dividing the pounds transferred to the lessee farm by the current year's farm yield for such farm, would exceed 50 percent of the cropland on such farm.

* * * * *

2. Section 725.92 is amended by revising paragraph (b) to read as follows:

§ 725.92 Rate of penalty.

* * * * *

(b) (1) *Average market price.* The average market price as determined by the Crop Reporting Board for the marketing year specified was:

AVERAGE MARKET PRICE

Marketing year:	*Cents per pound*
1972 to 1973	85.3
1973 to 1974	88.1
1974 to 1975	105.0
1975 to 1976	99.8

(2) *Rate of penalty per pound.* The penalty per pound upon marketings of excess tobacco subject to marketing quotas during the marketing year specified shall be:

RATE OF PENALTY

Marketing year:	*Cents per pound*
1973 to 1974	64
1974 to 1975	66
1975 to 1976	79
1976 to 1977	75

(Secs. 301, 313, 314, 316, 317, 363, 372–375, 377, 378, 52 Stat. 38, as amended, 47, as amended, 48, as amended, 75 Stat. 469, as amended, 79 Stat. 66, 52 Stat. 63, as amended, 65–66, as amended, 72 Stat. 995; sec. 401, 63 Stat. 1054, as amended, secs. 106, 112, 125, 70 Stat. 191, 195, 198, as amended, sec. 16(e), 76 Stat. 606; (7 U.S.C. 1301, 1313, 1314, 1314b, 1314c, 1363, 1372–1375, 1377, 1378, 1421, 1813, 1824, 1836, 16 U.S.C. 590p(e)).)

Effective date: August 31, 1976.

Signed at Washington, D.C., on August 25, 1976.

KENNETH E. FRICK,
Administrator, Agricultural Stabilization and Conservation Service.

[FR Doc.76–25477 Filed 8–30–76;8:45 am]

CHAPTER IX—AGRICULTURAL MARKETING SERVICE (MARKETING AGREEMENTS AND ORDERS; FRUITS, VEGETABLES, NUTS), DEPARTMENT OF AGRICULTURE

PART 930—CHERRIES GROWN IN MICHIGAN, NEW YORK, WISCONSIN, PENNSYLVANIA, OHIO, VIRGINIA, WEST VIRGINIA, AND MARYLAND

Expenses and Rate of Assessment

This document authorizes expenses of $94,245 for the Cherry Administrative Board, under Marketing Order No. 930, for the 1976–77 fiscal period and fixes the rate of assessment of $1.50 per ton of cherries handled. Such assessment is to be paid to the committee by each handler as his pro rata share of program expenses.

On August 4, 1976, notice of proposed rulemaking was published in the FEDERAL REGISTER (41 FR 32606) regarding proposed expenses and the related rate of assessment for the period May 1, 1976, through April 30, 1977, under the marketing agreement and Order No. 930 (7 CFR Part 930) regulating the handling of cherries grown in Michigan, New York, Wisconsin, Pennsylvania, Ohio, Virginia, West Virginia, and Maryland. The notice invited interested persons to file written data, views, or arguments through August 20, 1976. No such material was received. This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674).

After consideration of all relevant matter presented, including that in the notice, the information and recommendations submitted by the Cherry Administrative Board (established under the marketing agreement and Order No. 930), and other available information, it is found and determined that:

§ 930.206 Expenses and rate of assessment.

(a) *Expenses.* Expenses that are reasonable and likely to be incurred by the Cherry Administrative Board during the

period May 1, 1976, through April 30, 1977, will amount to $94,245.

(b) *Rate of assessment.* The rate of assessment for said period, payable by each first handler in accordance with § 930.41, is fixed at $1.50 per ton of cherries.

(c) *Terms.* Terms used in the marketing agreement and order shall, when used herein, have the same meaning as is given to the respective terms in the marketing agreement and order; and "ton of cherries" shall mean 2,000 pounds of raw unpitted cherries.

It is further found that good cause exists for not postponing the effective time of this action until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that: (1) Handling of the current crop of cherries grown in the production area is now underway; (2) the relevant provisions of the marketing agreement and Order No. 930 require that the rate of assessment fixed for a particular fiscal period shall be applicable to all assessable cherries handled from the beginning of that fiscal period; and (3) the current fiscal period began on May 1, 1976, and the rate of assessment will automatically apply to all such cherries beginning with such date.

(Secs. 1–19, 48 Stat. 31, as amended; (7 U.S.C. 601–674).)

Dated: August 26, 1976.

CHARLES R. BRADER,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc.76-25476 Filed 8-30-76;8:45 am]

PART 993—DRIED PRUNES PRODUCED IN CALIFORNIA

Expenses of the Prune Administrative Committee and the Rate of Assessment for the 1976–77 Crop Year

Notice was published in the August 9, 1976, issue of the FEDERAL REGISTER (41 FR 33275) regarding expenses of the Prune Administrative Committee and the rate of assessment for the 1976–77 crop year under §§ 993.80 and 993.81 of the marketing agreement, as amended, and Order No. 993, as amended (7 CFR Part 993), regulating the handling of dried prunes produced in California. The amended marketing agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (6 U.S.C. 601–674).

Interested persons were given until August 20, 1976, in which to submit written data, views, or arguments with respect to the proposal. None were received.

The proposal was based on a unanimous recommendation of the Prune Administrative Committee. Expenses of the Committee for the 1976–77 crop year were proposed at $222,500. Also, the assessment rate was proposed to be $1.51 per ton of assessable prunes.

After consideration of all relevant matter presented, including that in the notice, the information and recommendations submitted by the Prune Administrative Committee, and other available information, it is found that the expenses of the Prune Administrative Committee and the rate of assessment for the crop year beginning August 1, 1976, shall be as hereinafter set forth.

It is further found that good cause exists for not postponing the effective time of this action until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that: (1) The relevant provisions of said marketing agreement and this part require that the rate of assessment fixed for a particular crop year shall be applicable to all salable prunes handled by handlers as the first handlers thereof; and (2) the current crop year began on August 1, 1976, and the rate of assessment hereinafter fixed will automatically apply to all such prunes beginning with that date.

The expenses and assessment rate as set forth in § 993.327 are as follows:

§ 993.327 Expenses of the Prune Administrative Committee and rate of assessment for the 1976–77 crop year.

(a) *Expenses.* Expenses in the amount of $222,500 are reasonable and likely to be incurred by the Prune Administrative Committee during the crop year beginning August 1, 1976, for its maintenance and functioning and for such other purposes as the Secretary may, pursuant to the applicable provisions of the marketing agreement, as amended, and this part, determine to be appropriate.

(b) *Rate of assessment.* The rate of assessment for such crop year which each handler is required, pursuant to § 993.81, to pay to the Prune Administrative Committee as his pro rata share of the said expenses is fixed at $1.51 per ton of salable prunes handled by him as the first handler thereof.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674.)

Dated: August 25, 1976.

CHARLES R. BRADER,
Deputy Director, Fruit and Vegetable Division.

[FR Doc.76-25422 Filed 8-30-76;8:45 am]

Title 9—Animals and Animal Products

CHAPTER I—ANIMAL AND PLANT HEALTH INSPECTION SERVICE, DEPARTMENT OF AGRICULTURE

SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS (INCLUDING POULTRY) AND ANIMAL PRODUCTS

PART 78—BRUCELLOSIS

Subpart D—Designation of Brucellosis Areas, Specifically Approved Stockyards, and Slaughtering Establishments

BRUCELLOSIS AREAS

The amendments delete the following areas from the list of Noncertified Areas in § 78.22 and add such areas to the list designated as Modified Certified Brucellosis Areas in § 78.21 because it has been determined that they again come within the definition of a Modified Certified Brucellosis Area in § 78.1(m): Van Zandt County in Texas.

The amendments delete the following areas from the list of Certified Brucellosis-Free Areas in § 78.20 and add such areas to the list designated as Modified Certified Brucellosis Areas in § 78.21 because it has been determined that they now come within the definition of a Modified Certified Brucellosis Area in § 78.1(m):

Ashley County in Arkansas; Mesa County in Colorado; Butte, Elmore, Gooding, Jefferson, and Minidoka Counties in Idaho.

The amendments delete the following areas from the list of Modified Certified Brucellosis Areas in § 78.21 and add such areas to the list designated as Certified Brucellosis-Free Areas in § 78.20 because it has been determined that they now come within the definition of a Certified Brucellosis-Free Area in § 78.1(l): Jackson, Marshall, and Pottawattamie Counties in Iowa.

Accordingly, §§ 78.20, 78.21, and 78.22 of Part 78, Title 9, Code of Federal Regulations, designating Certified Brucellosis-Free Areas, Modified Certified Brucellosis Areas, and Noncertified Areas, respectively, are amended to read as follows:

§ 78.20 Certified Brucellosis-Free Areas.

The following States, or specified portions thereof, are hereby designated as Certified Brucellosis-Free Areas:

(a) *Entire States.* Arizona, California, Connecticut, Delaware, Hawaii, Indiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Montana, Nevada, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, Washington, West Virginia, Wisconsin, Virgin Islands.

(b) *Specific counties within States.*

Alabama. Barbour, Cherokee, Clay, Cleburne, Dale, Etowah, Geneva, Henry Lee, Russell.

Arkansas. Baxter, Benton, Boone, Bradley, Calhoun, Carroll, Clay, Cleveland, Columbia, Conway, Dallas, Drew, Fulton, Garland, Grant, Greene, Jackson, Johnson, Lafayette, Madison, Marion, Monroe, Montgomery, Newton, Ouachita, Perry, Pike, Polk, Prairie, Searcy, Sharp, Stone, Union, Woodruff, Yell.

Colorado. Adams, Alamosa, Arapahoe, Archuleta, Baca, Bent, Boulder, Chaffee, Cheyenne, Clear Creek, Conejos, Costilla, Crowley, Custer, Delta, Denver, Dolores, Douglas, Eagle, Elbert, El Paso, Fremont, Garfield, Gilpin, Grand, Gunnison, Hinsdale, Huerfano, Jackson, Jefferson, Kit Carson, Lake, La Plata, Larimer, Los Animas, Lincoln, Logan, Mineral, Moffat, Montezuma, Montrose, Morgan, Otero, Ouray, Park, Phillips, Pitkin, Prowers, Rio Blanco, Rio Grande, Routt, Saguache, San Juan, San Miguel, Sedgwick, Summit, Teller, Washington, Weld.

Florida. Baker, Bay, Brevard, Calhoun, Dade, Dixie, Escambia, Franklin, Gadsden, Gulf, Hamilton, Holmes, Jackson, Leon, Liberty, Monroe, Okaloosa,

Orange, Pasco, Santa Rosa, Seminole, Sumter, Taylor, Wakulla, Walton, Washington.

Georgia. Appling, Atkinson, Bacon, Banks, Brantley, Bryan, Bulloch, Burke, Butts, Camden, Candler, Charlton, Chatham, Chattahoochee, Clarke, Clayton, Cook, Crawford, Dawson, De Kalb, Echols, Effingham, Evans, Fannin, Franklin, Glascock, Glynn, Greene, Habersham, Henry, Jeff Davis, Johnson, Jones, Lanier, Laurens, Liberty, Long, McIntosh, Monroe, Peach, Rabun, Richmond, Schley, Screven, Stephens, Taylor, Telfair, Toombs, Treutlen, Twiggs, Upson, Ware, Washington, Wayne, Wheeler, White, Wilkinson.

Idaho. Adams, Bear Lake, Benewah, Blaine, Boise, Bonner, Boundary, Camas, Canyon, Caribou, Cassia, Clearwater, Custer, Fremont, Idaho, Jerome, Kootenai, Latah, Lemhi, Lewis, Nez Perce, Onida, Owyhee, Payette, Power, Shoshone, Teton, Valley, Washington, Yellowstone National Park.

Illinois. Adams, Alexander, Bond, Boone, Bureau, Calhoun, Carroll, Cass, Champaign, Christian, Clark, Clay, Clinton, Coles, Cook, Crawford, Cumberland, De Kalb, De Witt, Douglas, Du Page, Edgar, Edwards, Fayette, Ford, Franklin, Fulton, Gallatin, Greene, Grundy, Hamilton, Hancock, Henderson, Henry, Iroquois, Jackson, Jasper, Jefferson, Jersey, Jo Daviess, Johnson, Kane, Kankakee, Kendall, Knox, Lake, La Salle, Lawrence, Lee, Livingston, Logan, Macon, Macoupin, Madison, Marion, Marshall, Mason, Massac, McDonough, McHenry, McLean, Menard, Mercer, Monroe, Montgomery, Morgan, Moultrie, Ogle, Peoria, Perry, Piatt, Pulaski, Putnam, Randolph, Richland, Rock Island, St. Clair, Saline, Sangamon, Schuyler, Scott, Shelby, Stark, Stephenson, Tazewell, Union, Vermilion, Wabash, Warren, Washington, White, Whiteside, Will, Winnebago, Woodford.

Iowa. Adair, Adams, Audubon, Black Hawk, Boone, Bremer, Buena Vista, Butler, Calhoun, Cass, Cherokee, Chickasaw, Clarke, Clay, Clayton, Clinton, Davis, Delaware, Des Moines, Dickinson, Dubuque, Emmet, Fayette, Franklin, Fremont, Greene, Grundy, Hamilton, Hancock, Hardin, Henry, Howard, Humboldt, Ida, Iowa, Jackson, Jasper, Jefferson, Johnson, Jones, Keokuk, Kossuth, Lee, Louisa, Lucas, Lyon, Madison, Mahaska, Marion, Marshall, Mills, Mitchell, Montgomery, Muscatine, O'Brien, Osceola, Page, Palo Alto, Pocahontas, Polk, Pottawattamie, Plymouth, Scott, Shelby, Tama, Taylor, Union, Van Buren, Wapello, Washington, Webster, Winnebago, Winneshiek, Woodbury, Worth, Wright.

Kansas. Comanche, Doniphan, Ford, Gove, Haskell, Hodgeman, Johnson, Lane, Marshall, Pawnee, Phillips, Riley, Scott, Trego, Washington.

Kentucky. Bell, Breathitt, Campbell, Clay, Edmonson, Floyd, Harlan, Jackson, Johnson, Kenton, Knott, Knox, Lawrence, Lee, Leslie, Letcher, Lewis, Magoffin, Martin, McCreary, Menifee, Morgan, Owsley, Pendleton, Perry, Pike, Robertson, Trimble, Whitley, Wolfe.

Mississippi. Alcorn, Hancock, Harrison, Jackson, Stone, Tishomingo.

Missouri. Audrain, Carter, Dallas, Douglas, Dunklin, Franklin, Gasconade, Hickory, Iron, Jackson, Laclede, Lewis, Marion, Miller, Moniteau, Montgomery, Perry, Platte, Pulaski, St. Louis, Schuyler, Shelby.

New Mexico. Bernalillo, Catron, Colfax, Dona Ana, Grant, Harding, Hidalgo, Lincoln, Los Alamos, Luna, McKinley, Otero, Rio Arriba, Sandoval, San Juan, Santa Fe, Sierra, Socorro, Taos, Torrance.

South Dakota. Aurora, Bennett, Bon Homme, Brookings, Brown, Brule, Buffalo, Butte, Campbell, Charles Mix, Clark, Clay, Codington, Corson, Custer, Davison, Day, Deuel, Dewey, Douglas, Edmunds, Fall River, Faulk, Grant, Gregory, Haakon, Hamlin, Hand, Hanson, Harding, Hughes, Hutchinson, Hyde, Jackson, Jerauld, Kingsbury, Lake, Lawrence, Lincoln, Lyman, Marshall, McCook, McPherson, Meade, Mellette, Miner, Minnehaha, Moody, Pennington, Perkins, Potter, Roberts, Sanborn, Shannon, Spink, Sully, Todd, Tripp, Turner, Union, Walworth, Washabaugh, Yankton, Ziebach.

Tennessee. Anderson, Bledsoe, Blount, Campbell, Carter, Cheatham, Claiborne, Davidson, Decatur, Dickson, Fentress, Grainger, Greene, Grundy, Hamblen, Hancock, Hardin, Houston, Jackson, Jefferson, Johnson, Knox, Lake, Lincoln, Meigs, Monroe, Morgan, Polk, Roane, Robertson, Rutherford, Scott, Sequatchie, Sevier, Sullivan, Unicoi, Union, Van Buren, Warren, Washington, White.

Texas. Brewster, Childress, Comal, Crane, Ector, Gray, Hansford, Hartley, Hemphill, Irion, Jeff Davis, Kerr, Kimble, Lipscomb, Llano, Loving, Mason, Newton, Pecos, Reagan, Reeves, Roberts, Sterling, Terrell, Val Verde, Ward, Winkler.

Utah. Beaver, Carbon, Daggett, Davis, Duchesne, Emery, Garfield, Grand, Iron, Juab, Kane, Millard, Morgan, Piute, Rich, Salt Lake, San Juan, Sanpete, Sevier, Summit, Tooele, Uintah, Utah, Wasatch, Washington, Wayne Weber.

Wyoming. Albany, Big Horn, Campbell, Carbon, Converse, Crook, Fremont, Goshen, Hot Springs, Johnson, Laramie, Natrona, Niobrara, Park, Platte, Sheridan, Sublette, Sweetwater, Teton, Uinta, Washakie, Weston.

Puerto Rico. Adjuntas, Aguada, Aguadilla, Aguas Buenas, Aibonito, Anasco, Arroyo, Barceloneta, Barranquitas, Bayamon, Cabo Rojo, Caguas, Camuy, Canovanas (Loiza), Catano, Cayey, Ceiba, Ciales, Cidra, Coamo, Comerio, Corozal, Culebra, Dorado, Fajardo, Guanica, Guayama, Guayanilla, Gurabo, Hormigueros, Humacao, Isabela, Jayuya, Juana Diaz, Lajas, Lares, Las Marias, Luquillo, Manati, Maricao, Maunabo, Mayaguez, Moca, Morovis, Narajito, Orocovis, Patillas, Penuelas, Ponce, Quebradillas, Rincon, Rio Grande, Rio Pieddras, Sabana Grande, Salinas, San German, San Juan, San Lorenzo, San Sebastian, Santa Isabel, Toa Alta, Toa Baja Trujillo, Alto, Utuado, Vega Alta, Vega Baja, Villalba, Yabucoa, Yauco.

§ 78.21 Modified Certified Brucellosis Areas.

The following States, or specified portions thereof, are hereby designated as Modified Certified Brucellosis Areas:

(a) *Entire States.* Alaska, Louisiana, Nebraska, Oklahoma.

(b) *Specific counties within States.*

Alabama. Autauga, Baldwin, Bibb, Blount, Bullock, Butler, Calhoun, Chambers Chilton, Choctaw, Clarke, Coffee, Colbert, Conecuh, Coosa, Covington, Crenshaw, Cullman, Dallas, De Kalb, Elmore, Escambia, Fayette, Franklin, Greene, Hale, Houston, Jackson, Jefferson, Lamar, Lauderdale, Lawrence, Limestone, Lowndes, Macon, Madison, Marengo, Marion, Marshall, Mobile, Monroe, Montgomery, Morgan, Perry, Pickens, Pike, Randolph, St. Clair, Shelby, Sumter, Talladega, Tallapoosa, Tuscaloosa, Walker, Washington, Wilcox, Winston.

Arkansas. Arkansas, Ashley, Chicot, Clark, Cleburne, Craighead, Crawford, Crittenden, Cross, Desha, Faulkner, Franklin, Hempstead, Hot Spring, Howard, Independence, Izard, Jefferson, Lawrence, Lee, Lincoln, Little River, Logan, Lonoke, Miller, Mississippi, Nevada, Phillips, Poinsett, Pope, Pulaski, Randolph, Saline, Scott, St. Francis, Sebastian, Sevier, Van Buren, Washington, White.

Colorado. Kiowa, Mesa, Pueblo, Yuma.

Florida. Alachua, Bradford, Broward, Charlotte, Citrus, Clay, Collier, Columbia, De Soto, Duval, Flagler, Gilchrist, Glades, Hardee, Hendry, Hernando, Highlands, Hillsborough, Indian River, Jefferson, Lafayette, Lake, Lee, Levy, Madison, Manatee, Marion, Martin, Nassau, Okeechobee, Osceola, Palm Beach, Pinellas, Polk, Putnam, St. Johns, St. Lucie, Sarasota, Suwannee, Union Volusia.

Georgia. Baker, Baldwin, Barrow, Bartow, Ben Hill, Berrien, Bibb, Bleckley, Brooks, Calhoun, Carroll, Catoosa, Chattooga, Cherokee, Clay, Clinch, Cobb, Coffee, Colquitt, Columbia, Coweta, Crisp, Dade, Decatur, Dodge, Dooly, Dougherty, Douglas, Early, Elbert, Emanuel, Fayette, Floyd, Forsyth, Fulton, Gilmer, Gordon, Grady, Gwinnett, Hall, Hancock, Haralson, Harris, Hart, Heard, Houston, Irwin, Jackson, Jasper, Jefferson, Jenkins, Lamar, Lee, Lincoln, Lowndes, Lumpkin, Macon, Madison, Marion, McDuffie, Meriwether, Miller, Mitchell, Montgomery, Morgan, Murray, Muscogee, Newton, Oconee, Oglethorpe, Paulding, Pickens, Pierce, Pike, Polk, Pulaski, Putnam, Quitman, Randolph, Rockdale, Seminole, Spalding, Stewart, Sumter, Talbot, Taliaferro, Tattnall, Terrell, Thomas, Tift, Towns, Troup, Turner, Union, Walker, Walton, Warren, Webster, Whitfield, Wilcox, Wilkes, Worth.

Idaho. Ada, Bannock, Bingham, Bonneville, Butte, Clark, Elmore, Franklin, Gem, Gooding, Jefferson, Lincoln, Madison, Minidoka, Twin Falls.

Illinois. Brown, Effingham, Hardin, Pike, Pope, Wayne, Williamson.

Iowa. Allamakee, Appanoose, Benton, Buchanan, Carroll, Cedar, Cerro Gordo, Crawford, Dallas, Decatur, Floyd, Guth-

rie, Harrison, Linn, Monona, Monroe, Poweshiek, Ringgold, Sac, Sioux, Story, Warren, Wayne.

Kansas. Allen, Anderson, Atchison, Barber, Barton, Bourbon, Brown, Butler, Chase, Chautauqua, Cherokee, Cheyenne, Clark, Clay, Cloud, Coffey, Cowley, Crawford, Decatur, Dickinson, Douglas, Edwards, Elk, Ellis, Ellsworth, Finney, Franklin, Geary, Graham, Grant, Gray, Greeley, Greenwood, Hamilton, Harper, Harvey, Jackson, Jefferson, Jewell, Kearny, Kingman, Kiowa, Labette, Leavenworth, Lincoln, Linn, Logan, Lyon, Marion, McPherson, Meade, Miami, Mitchell, Montgomery, Morris, Morton, Nemaha, Neosho, Ness, Norton, Osage, Osborne, Ottawa, Pottawatomie, Pratt, Rawlins, Reno, Republic, Rice, Rooks, Rush, Russell, Saline, Sedgwick, Seward, Shawnee, Sheridan, Sherman, Smith, Stafford, Stanton, Stevens, Sumner, Thomas, Wabaunsee, Wallace, Wichita, Wilson, Woodson, Wyandotte.

Kentucky. Adair, Allen, Anderson, Ballard, Barren, Bath, Boone, Bourbon, Boyd, Boyle, Bracken, Breckinridge, Bullitt, Butler, Caldwell, Calloway, Carlisle, Carroll, Carter, Casey, Christian, Clark, Clinton, Crittenden, Cumberland, Davies, Elliott, Estill, Fayette, Fleming, Franklin, Fulton, Gallatin, Garrard, Grant, Graves, Grayson, Green, Greenup, Hancock, Hardin, Harrison, Hart, Henderson, Henry, Hickman, Hopkins, Jefferson, Jessamine, Larue, Laurel, Lincoln, Livingston, Logan, Lyon, Madison, Marion, Marshall, Mason, McCracken, McLean, Meade, Mercer, Metcalfe, oMnroe, Montgomery, Muhlenberg, Nelson, Nicholas, Ohio, Oldham, Owen, Powell, Pulaski, Rockcastle, Rowan, Russell, Scott, Shelby, Simpson, Spencer, Taylor, Todd, Trigg, Union, Warren, Washington, Wayne, Webster, Woodford.

Mississippi. Adams, Amite, Attala, Benton, Bolivar, Calhoun, Carroll, Chickasaw, Choctaw, Claiborne, Clarke, Clay, Coahoma, Copiah, Covington, De Soto, Forrest, Franklin, George, Greene, Grenada, Hinds, Holmes, Humphreys, Issaquena, Itawamba, Jasper, Jefferson, Jefferson Davis, Jones, Kemper, Lafayette, Lamar, Lauderdale, Lawrence, Leake, Lee, LeFlore, Lincoln, Lowndes, Madison, Marion, Marshall, Monroe, Montgomery, Neshoba, Newton, Noxubee, Oktibbeha, Panola, Pearl River, Perry, Pike, Pontotoc, Prentiss, Quitman, Rankin, Scott, Sharkey, Simpson, Smith, Sunflower, Tallahatchie, Tate, Tippah, Tunica, Union, Walthall, Warren, Washington, Wayne, Webster, Wilkinson, Winston, Yalobusha, Yazoo.

Missouri. Adair, Andrew, Atchison, Barry, Barton, Bates, Benton, Bollinger, Boone, Buchanan, Butler, Caldwell, Callaway, Camden, Cape Girardeau, Carroll, Cass, Cedar, Chariton, Christian, Clark, Clay, Clinton, Cole, Cooper, Crawford, Dade, Daviess, De Kalb, Dent, Gentry, Greene, Grundy, Harrison, Henry, Holt, Howard, Howell, Jasper, Jefferson, Johnson, Knox, Lafayette, Lawrence, Lincoln, Linn, Livingston, Macon, Madison, Maries, McDonald, Mercer, Mississippi, Monroe, Morgan, New Madrid, Newton, Nodaway, Oregon, Osage, Ozark, Pemiscot, Pettis, Phelps, Pike, Polk, Putnam, Ralls, Randolph, Ray, Reynolds, Ripley, St. Charles, St. Clair, St. Francois, St. Genevieve, Saline, Scotland, Scott, Shannon, Stoddard, Stone, Sullivan, Taney, Texas, Vernon, Warren, Washington, Wayne, Webster, Worth, Wright.

New Mexico. Chaves, Curry, De Baca, Eddy, Guadalupe, Lea, Mora, Quay, Roosevelt, San Miguel, Union, Valencia.

South Dakota. Beadle, Jones, Stanley.

Tennessee. Bedford, Benton, Bradley, Cannon, Carroll, Chester, Clay, Cocke, Coffee, Crockett, Cumberland, DeKalb, Dyer, Fayette, Franklin, Gibson, Giles, Hamilton, Hardeman, Hawkins, Haywood, Henderson, Henry, Hickman, Humphreys, Lauderdale, Lawrence, Lewis, Loudon, Macon, Madison, Marion, Marshall, Maury, McMinn, McNairy, Montgomery, Moore, Obion, Overton, Perry, Pickett, Putnam, Rhea, Shelby, Smith, Stewart, Sumner, Tipton, Trousdale, Wayne, Weakley, Williamson, Wilson.

Texas. Anderson, Andrews, Angelina, Aransas, Archer, Armstrong, Atascosa, Austin, Bailey, Bandera, Bastrop, Baylor, Bee, Bell, Bexar Blanco, Borden, Bosque, Bowie, Brazoria, Brazos, Briscoe, Brooks, Brown, Burleson, Burnet, Caldwell, Calhoun, Callahan, Cameron, Camp, Carson, Cass, Castro, Chambers, Cherokee, Clay, Cochran, Coke, Coleman, Collin, Collingsworth, Colorado, Comanche, Concho, Cooke, Coryell, Cottle, Crockett, Crosby, Culberson, Dallam, Dallas, Dawson, Deaf Smith, Delta, Denton, De Witt, Dickens, Dimmitt, Donley, Duval, Eastland, Edwards, Ellis, El Paso, Erath, Falls, Fannin, Fayette, Fisher, Floyd, Foard, Fort Bend, Franklin, Freestone, Frio, Gaines, Galveston, Garza, Gillespie, Glasscock, Goliad, Gonzales, Grayson, Gregg, Grimes, Guadalupe, Hale, Hall, Hamilton, Hardeman, Hardin, Harris, Harrison, Haskell, Hays, Henderson, Hidalgo, Hill, Hockley, Hood, Hopkins, Houston, Howard, Hudspeth, Hunt, Hutchinson, Jack, Jackson, Jasper, Jefferson, Jim Hogg, Jim Wells, Johnson, Jones, Karnes, Kaufman, Kendall, Kenedy, Kent, King, Kinney, Kleberg, Knox, Lamar, Lamb, Lampasas, La Salle, Lavaca, Lee, Leon, Liberty, Limestone, Live Oak, Lubbock, Lynn, McCulloch, McLennan, McMullen, Madison, Marion, Martin, Matagorda, Maverick, Medina, Menard, Midland, Milam, Mills, Mitchell, Montague, Montgomery, Moore, Morris, Motley, Nacogdoches, Navarro, Nolan, Nueces, Ochiltree, Oldham, Orange, Palo Pinto, Panola, Parker, Parmer, Polk, Potter, Presidio, Rains, Randall, Real, Red River, Reeves, Refugio, Robertson, Rockwall, Runnels, Rusk, Sabine, San Augustine, San Jacinto, San Patricio, San Saba, Schleicher, Scurry, Shackelford, Shelby, Sherman, Smith, Somervell, Starr, Stephens, Stonewall, Sutton, Swisher, Tarrant, Taylor, Terry, Throckmorton, Titus, Tom Green, Travis, Trinity, Tyler, Upshur, Upton, Uvalde, Van Zandt, Victoria, Walker, Waller, Washington, Webb, Wharton, Wheeler, Wichita, Wilbarger, Willacy, Williamson, Wilson, Wise, Wood, Yoakum, Young, Zapata, Zavala.

Utah. Box Elder, Cache.

Wyoming. Lincoln.

Puerto Rico. Arecibo, Carolina, Guaynabo, Hatillo, Juncos, Las Piedras, Naguabo.

§ 78.22 Noncertified Areas.

The following States, or specified portions thereof, are hereby designated as Noncertified Brucellosis Areas:

(a) *Entire States.*

(b) *Specific counties within States.*

Puerto Rico. Vieques.

(Secs. 4–7, 23 Stat. 32, as amended; secs. 1 and 2, 32 Stat. 791–792, as amended; sec. 3, 33 Stat. 1265, as amended; sec. 2, 65 Stat. 693; and secs. 3 and 11, 76 Stat. 130, 132; (21 U.S.C. 111–113, 114a–1, 115, 117, 120, 121, 125, 134b, 134f); 37 FR 28464, 28477; 38 FR 19141, 9 CFR 78.25.)

Effective date. The foregoing amendments shall become effective August 31, 1976.

The amendments impose certain restrictions necessary to prevent the spread of brucellosis in cattle and relieve certain restrictions presently imposed. They should be made effective promptly in order to accomplish their purpose in the public interest and to be of maximum benefit to persons subject to the restrictions which are relieved. It does not appear that public participation in this rulemaking proceeding would make additional relevant information available to the Department.

Accordingly, under the administrative procedure provisions of 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to the amendments are impracticable, unnecessary, and contrary to the public interest, and good cause is found for making them effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 25th day of August, 1976.

PIERRE A. CHALOUX,
Acting Deputy Administrator,
Veterinary Services.

[FR Doc.76–25359 Filed 8–30–76;8:45 am]

Title 10—Energy

CHAPTER II—FEDERAL ENERGY ADMINISTRATION

PART 205—ADMINISTRATIVE PROCEDURES AND SANCTIONS

Administrative Procedures Relating to International Voluntary Agreements

On July 1, 1976, the Federal Energy Administration issued proposed amendments to Part 205 of Chapter II, Title 10, Code of Federal Regulations, providing for administrative procedures applicable to Part 209 (International Voluntary Agreements) in accordance with section 523 of the Energy Policy and Conservation Act (EPCA), (41 FR 27976, July 8, 1976). The public hearing scheduled with respect to this proposal was cancelled for lack of interest, and no public com-

ments were received. On the basis of the foregoing, FEA hereby adopts such amendments as proposed, with one technical change to be explained below.

Amendments to part 205. First, in accordance with section 523(a)(4) of the EPCA, which requires FEA to establish procedures "to prevent special hardship, inequity, or an unfair distribution of burdens" with respect to persons affected by Part 209, § 205.1 is amended so that the affected persons may utilize all of the procedures established in Part 205 to provide for such adjustments. Such procedures, which include exceptions, exemptions, interpretations, as well as other forms of relief, were established pursuant to a substantively identical mandate in the Federal Energy Administration Act, with regard to all regulations implemented by FEA. In addition, § 205.1 is amended to remove the list of provisions in Part 205 which are not of general application. In view of the fact that certain other limited provisions of Part 205 are not included in the list, it is potentially confusing, and therefore FEA has determined that in the interests of consistency, all such limitations will be set out under the specific provisions to which they relate.

Second, in accordance with the requirement in section 523(c) of the EPCA that any person may obtain a written opinion setting forth the facts and legal basis supporting the grant or denial of an exception or exemption, §§ 205.56 and 205.76 are amended so that any person may obtain a copy of the decision and order issued by FEA in such proceedings. Such decisions contain a detailed explanation of the facts and legal considerations applicable in each case, and are also available in accordance with the procedures for public inspection and copying contained in § 202.2. The address to which such requests should be sent has been changed from that given in the proposal, in order to reflect changes in FEA's organization.

Third, § 205.160 is amended to provide that rulemaking proceedings under the EPCA be undertaken in accordance with the procedures contained therein.

Finally, § 205.190 is amended, and a section on the purpose and scope of Subpart P (Investigations, Violations, Sanctions, and Judicial Actions) is added, in order to provide that the provisions relating to sanctions in Subpart P, as well as all of the provisions in Subpart O (Notice of Probable Violation, Remedial Order, Notice of Proposed Disallowance, and Order of Disallowance) do not apply with respect to Part 209. These provisions apply with respect to violations of regulations issued pursuant to the Emergency Petroleum Allocation Act, as amended by the EPCA. The sanctions provided in section 525 of the EPCA with respect to violations of Part 209 shall, of course, apply. The section on the purpose and scope of Subpart P now also contains the exemption from that subpart for proceedings under Part 213, which exemption had previously been contained in § 205.204, which is now deleted.

(Federal Energy Administration Act of 1974, Pub. L. 93-275, as amended; E.O. 11790, 39 FR 23185; E.O. 11930, 41 FR 32399; Energy Policy and Conservation Act, Pub. L. 94-163; E.O. 11912, 41 FR 15825.)

In consideration of the foregoing, Part 205 of Chapter II, Title 10 of the Code of Federal Regulations is amended as set forth below, effective immediately.

Issued in Washington, D.C., August 27, 1976.

MICHAEL F. BUTLER,
General Counsel,
Federal Energy Administration.

1. Section 205.1 is amended to read as follows:

§ 205.1 Purpose and scope.

This part establishes the procedures to be utilized and identifies the sanctions that are available in proceedings before the Federal Energy Administration and State Offices, in accordance with Parts 209 through 214 of this chapter.

2. Section 205.2 is amended by inserting the following text after the definition of "EPAA":

§ 205.2 Definitions.

* * * * *

"EPCA" means the Energy Policy and Conservation Act (Pub. L. 94-163).

* * * * *

3. Section 205.56 is amended by adding paragraph (d) to read as follows:

§ 205.56 Decision and order.

* * * * *

(d) In addition to the procedures provided in § 202.2 of this chapter, upon the written request of any person filed after any grant or denial of a request for an exception under Part 209, FEA shall furnish such person, within thirty (30) days after the date on which such request is filed, with a copy of the decision and order. All such requests shall be directed to the Office of Management and Administration, Federal Energy Office, Washington, D.C. 20461, and shall be clearly marked on the envelope: "Attention: Information Access Officer." The fees for providing such decision and order shall be determined in accordance with § 202.8 of this chapter.

4. Section 205.76 is amended by adding paragraph (c) to read as follows:

§ 205.76 Decision and order.

* * * * *

(c) In addition to the procedures provided in § 202.2 of this chapter, upon the written request of any person, which request is filed after any grant or denial of a request for an exemption under Part 209, FEA shall furnish such person, within thirty (30) days after the date on which such request is filed, with a copy of the decision and order. All such requests shall be directed to the Director of Public Affairs, Federal Energy Office, Washington, D.C. 20461, and shall be clearly marked on the envelope: "Attention: Information Access Officer." The fees for providing such decision and order shall be determined in accordance with § 202.8 of this chapter.

5. Section 205.160 is amended in paragraph (b) to read as follows:

§ 205.160 Purpose and scope.

* * * * *

(b) Rulemaking by the FEA shall be in accordance with the Administrative Procedure Act (5 U.S.C. 551, et. seq. (1970)), the FEAA, and the EPCA.

6. Section 205.190 is amended in paragraph (a) to read as follows:

§ 205.190 Purpose and scope.

(a) This subpart establishes the procedures for determining the nature and extent of violations of the FEA regulations and the procedures for issuance of a notice of probable violation, a remedial order or a remedial order for immediate compliance, except that it shall not apply with respect to violations of Parts 209 and 213.

* * * * *

§§ 205.200-205.203 [Redesignated]

7. Sections 205.200 through 205.203 are redesignated as 205.201 through 205.204 respectively.

8. A new section 205.200 is added to read as follows:

§ 205.200 Purpose and scope.

This subpart establishes the procedures relating to investigations, violations, sanctions, and judicial actions under this chapter, except that the provisions of this subpart shall not apply with respect to sanctions under Part 209, and with respect to investigations, violations, sanctions, and judicial actions under Part 213.

§ 205.204 [Removed]

9. Section 205.204 is deleted.

[FR Doc.76-25482 Filed 8-27-76;8:45 am]

[Ruling 1976-5]

Retail Sales Outlet Operator's Entitlement to Motor Gasoline

Facts. Firm A operates five branded retail sales outlets of motor gasoline. Each outlet has traditionally offered customers not only gasoline, but also lubricants, automobile accessories, including tires and batteries, and the services of a mechanic. As part of a change in marketing operations, Firm A is planning to remodel all of its stations and to offer self-service sales of gasoline only. Firm A will operate the stations under a different brand name than the name currently used. None of the other goods and services now offered will continue to be offered once the newly remodeled stations are put into operation. The changeover will require the closing of the stations for two months.

In addition to the five branded retail sales outlets it operates as described above, Firm A also leased one nonbranded retail sales outlet to Firm B. Firm B operated the retail sales outlet as a "full service" station until June 30,

1976. On that date, the lease expired and Firm A chose not to renew the lease. Firm B did not attempt to open another retail sales outlet. Firm A occupied the site and immediately made preparations to convert the station to "self service" only, consistent with its overall marketing operations.

Firm C, an independent, non-branded wholesale purchaser-reseller of motor gasoline, operated one retail sales outlet of motor gasoline until June, 1974, when Firm C went out of business and closed the station. The building and land comprising the station's site were sold to Firm D, which planned to erect an office building on the site. Firm D razed the building in preparation for the new construction. However, after experiencing delays for several months in making final arrangements with contractors, Firm D abandoned its plans to erect an office building and instead built a service station which it now wishes to operate as a non-branded independent marketer. The station will offer the same services as the station formerly operated on the site by Firm C.

Issues. (1) After remodeling its five retail sales outlets and changing marketing operations, will Firm A be considered a new wholesale purchaser-reseller at each station site?

(2) After taking over the retail sales outlet from its former tenant and changing its marketing operations, will Firm A be considered a new wholesale purchaser-reseller at that station site?

(3) Is Firm D considered a new wholesale purchaser-reseller at the site formerly occupied by Firm C?

Ruling. Issue (1).—The Mandatory Petroleum Allocation Regulations state that

> [e]ach firm or part of a firm which operates an ongoing business at a retail sales outlet shall be considered a separate firm with respect to each such outlet for purposes of [the motor gasoline allocation regulations] and, therefore, shall be a separate wholesale purchaser-reseller. 10 CFR 211.106(b)(1).

The regulations further provide that

> [a] wholesale purchaser-reseller which operates a retail sales outlet shall be deemed to have gone out of business with respect to that outlet * * * if it vacates the site on which it conducts such business. 10 CFR 211.106(c)(1).

Whether a particular retail sales outlet has gone out of business depends upon the facts in each case. However, in those instances where as part of an overall plan to alter marketing techniques, a marketer changes its retail outlets from traditional service stations to high volume sales outlets only, the remodeled stations would not be considered "new" retail sales outlets. It is true that a self-service station may very well appeal to a different type of customer than one who frequents the traditional outlet. However, the fact that different customers will be attracted to the remodeled, high-volume station does not lead to the conclusion that a new business has been established at the site of the old station. Retail sales of motor gasoline were conducted prior to and after the change in marketing.

Therefore, the operator of such a retail sales outlet, such as Firm A, is deemed to be conducting an on-going business and is not a new wholesale purchaser-reseller at the site of the old station.

Because Firm A is not a new wholesale purchaser-reseller, it may not apply for assignment of a supplier and base period volume as provided by 10 CFR 211.12(e). Each remodeled outlet which Firm A operates is entitled to the same quantities of motor gasoline it had a right to purchase under the Mandatory Petroleum Allocation Regulations prior to the changeover to gasoline sales only method of operations.

If Firm A wishes to obtain greater quantities of motor gasoline to be offered for sale to the public, it may take two steps. It may purchase surplus motor gasoline under 10 CFR 211.10(g). Firm A should bear in mind that § 211.10(g)(5) restricts a supplier from distributing surplus product through its owned and operated outlets until the supplier's purchasers who are independent marketers have been afforded the opportunity to purchase surplus product in an amount determined in accordance with 10 CFR 211.10(g)(5).

Firm A may also under 10 CFR 211.13(e) seek an exception to FEA's regulations to provide an adjustment to base period use for each retail sales outlet. Requests for exception should be prepared in accordance with Subpart D of Part 205 (Administrative Procedures and Sanctions, 10 CFR 205.50 et seq.).

Issue (2).—The Mandatory Petroleum Allocation Regulations provide that

> * * * [w]henever a wholesale purchaser-reseller of motor gasoline] is deemed to have gone out of business * * * the right to an allocation with respect to the retail sales outlet shall be deemed to have been transferred to its successor on the site, provided such successor established the same ongoing business on the site within a reasonable period of time, as determined by FEA, after its predecessor vacates the premises. 10 CFR 211.106(e).

Thus, when Firm B's lease expired and Firm A succeeded Firm B on the site, Firm B's entitlement was transferred to Firm A. The transferee on the site may be engaged in a new business, but it is not a new wholesale purchaser-reseller for purposes of the Mandatory Petroleum Allocation Regulations, since it is considered to be the continuation of an already existing entity. The amount of the entitlement at the site does not increase upon transfer. Hence, the amount of Firm A's entitlement will be the same as what it would have been if Firm B were still operating the retail sales outlet. Firm A would not have a right to an increased entitlement simply because it plans to modify the marketing operation at the site. Modifying the mode of marketing does not change the nature of the business, which is the retail sale of motor gasoline. As previously discussed, Firm A could supplement its entitlement by purchasing surplus motor gasoline pursuant to 10 CFR 211.10(g) or by seeking an adjustment to its base period use in acocrdance with 10 CFR 205.50 et seq.

Issue (3).—The situation presented by Firm D is significantly different from that presented by Firm A. The intent of the parties was clearly to cease operations of a retail gasoline sales outlet on the site. Firm C went out of business; Firm D razed the building and initially intended to erect a new building for purposes completely unrelated to the retail sale of motor gasoline. A relatively long period of time passed before Firm D changed its intention and built a new station. Under these circumstances Firm D may apply for assignment of a supplier and base period use pursuant to 10 CFR 211.12(e). Assignment of a base period supplier and determination of the station's base period use will be made by FEA in accordance with the "Guidelines for Evaluation of Applications for Assignment of Supplier and Base Period Use to New Gasoline Retail Sales Outlets" (40 FR 20342; May 9, 1975).

As in the case of Firm A, Firm D may operate its new station using surplus product. Of course, Firm D would not establish any supplier/purchaser relationship with the supplier of surplus product, nor would Firm D establish a base period use if it relied on the purchase of surplus gasoline to operate its retail sales outlet without requesting the assignment of a base period supplier.

Dated: August 25, 1976.

MICHAEL F. BUTLER,
General Counsel.

[FR Doc.76-25416 Filed 8-26-76;11:14 am]

Title 16—Commercial Practices

CHAPTER II—CONSUMER PRODUCT SAFETY COMMISSION

SUBCHAPTER A—GENERAL

PART 1017—PROCEDURES FOR SAFEGUARDING CONFIDENTIAL INFORMATION

Chemical Formulations for Consumer Products

Pursuant to section 6(a)(2) of the Consumer Product Safety Act (14 U.S.C. 2055(a)(2)), 16 CFR Part 1017, setting forth the Consumer Product Safety Commission's procedures for safeguarding certain confidential information, is hereby promulgated.

Section 6(a)(2) of the act reads in part as follows:

> All information reported to or otherwise obtained by the Commission or its representative under this act which information contains or relates to a trade secret or other matter referred to in 18 U.S.C. 1905 shall be considered confidential and shall not be disclosed, except that such information may be disclosed to other officers or employees concerned with carrying out this act or when relevant to any proceeding under this act.

The procedures described in Part 1017 below apply specifically to proprietary, product ingredient formula information reported to the Commission as required by its special order of August 21, 1975 (40 FR 36617). The information required by that special order is for the Commission's use in readily evaluating actual or potential hazards associated with the subject products or their composite ingredients. The procedures described below will also apply to formulae submitted in response to any future special orders issued by the Commission for the same purpose.

Because this addition to 16 CFR is intended solely to notify the public of procedures which have already been implemented within the Commission, notice and public procedure and a delayed effective date are considered unnecessary.

Therefore, pursuant to provisions of the Consumer Product Safety Act (sec. 6(a)(2), Pub. L. 92–573, 86 Stat. 1212; 15 U.S.C. 2055(a)(2)), a new Part 1017 is added to Title 16, Chapter II, Subpart A, as follows:

Subpart A—[Reserved]

Subpart B—Chemical Formulations for Consumer Products

Sec.

1017.11 Purpose and scope.
1017.12 Responsible officials.
1017.13 Internal Commission safeguards.
1017.14 Commission representatives' safeguards.

AUTHORITY: Sec. 6(a)(2), Pub. L. 92–573, 86 Stat. 1212; 15 U.S.C. 2055(a)(2).

Subpart A—[Reserved]

Subpart B—Chemical Formulations for Consumer Products

§ 1017.11 Purpose and scope.

The procedures set forth in this Subpart B describe the measures taken by the Consumer Product Safety Commission (the Commission) to ensure the confidentiality of proprietary chemical product formula information submitted, in any form, to the Commission voluntarily or pursuant to its special order of August 21, 1975 (40 FR 36617), or any similar special order.

§ 1017.12 Responsible officials.

(a) The Director of the Bureau of Biomedical Science, or the Director's designee, in concert with the Executive Director or his designee, is responsible for implementing and supervising the procedures of this Subpart B.

(b) The Bureau Document Control Custodian designated by the Director, Bureau of Biomedical Science, is responsible for keeping a logbook record that shall account for the proprietary information. The logbook record shall also show which employees are authorized to have access to the information and shall reflect each instance of access to the information.

(c) The Commission Security Officer designated by the Executive Director, is responsible for providing facilitative support to the Bureau of Biomedical Science for the physical security of the proprietary information and for assisting in regulating the use of proprietary information by other Commission employees outside the Bureau of Biomedical Science.

§ 1017.13 Internal Commission safeguards.

(a) *Personnel.* In accordance with the statutory restrictions imposed by section 6(a)(2) of the Consumer Product Safety Act, only Commission employees concerned with carrying out the Consumer Product Safety Act may be authorized to have access to the proprietary information. The Director, Bureau of Biomedical Science, shall determine on an individual basis which employees are so authorized and to what information the employees may have access. These determinations shall be communicated in writing to the Bureau Document Control Custodian and the Commission Security Officer.

(b) *Facilities and other measures.* (1) Proprietary information shall be kept in a combination lock safe within a security area in the Commission. Additional (backup) copies of the proprietary information shall be stored in a commercial bank vault. The Commission security area shall be a room or rooms that are locked and electronically monitored. Also, after regular business hours, the security area shall be periodically checked by a member of the Commission's building security force. Anytime a Commission employee who knows a combination to a safe leaves the employ of the Commission, the combination will be changed.

(2) Information may be removed from the safe or bank vault only by the Bureau Document Control Custodian or, in the Custodian's absence, by the Director of the Bureau of Biomedical Science or the Commission Security Officer. At no time shall such information be out of the immediate possession of the authorized employee; it may not be removed from the security area except as described in paragraphs (b)(3) and (c)(2) of this section or when being transferred to the bank vault. The information shall be returned to the Bureau Document Control Custodian by the close of business each day or whenever not under the direct surveillance of the authorized employee. The Bureau Document Control Custodian, in turn, shall return the information to the safe or bank vault. Only the Bureau Document Control Custodian or the Bureau Director may authorize making a copy of proprietary information. Any copy made shall be safeguarded in the same manner as required for the original material by this Subpart B and records shall be kept by the Bureau Document Control Custodian on each copy produced.

(3) Disposal or destruction of any form of the proprietary information shall be carried out in the presence of the Bureau Document Control Custodian, the Bureau of Biomedical Science Director or the Commission Security Officer. Disposal or destruction shall be done in a manner that allows no possible extraction or compilation of information contained therein. Records shall be kept of all materials destroyed.

(4) The Bureau Document Control Custodian shall maintain complete records on the use or disposal of proprietary information as specified in § 1017.12(b).

(c) *Computer processing.* (1) Processing of proprietary information shall be done only at a government or contract facility having security procedures that meet or substantially exceed the standards of the DHEW Information Processing Standards Publication No. 3, entitled "ADP System Security Required by the Privacy Act of 1974," dated July 24, 1975 (HEW TN–75.4).

(2) Magnetic tapes containing proprietary information shall be hand-carried by an authorized Commission employee to the appropriate computer facility, and all processing shall be done under that employee's supervision and in that employee's presence. After completion of the processing, no proprietary information shall remain in the computer.

(3) The Bureau Document Control Custodian shall maintain complete records on instances of computer processing of the material, citing the location of the facility, the employee witnessing the computer processing of the material, and the date and time.

§ 1017.14 Commission representatives' safeguards.

A representative of the Commission, whether another governmental entity or a private contractor, when collecting or processing proprietary information for the Commission, shall be subject to the procedures of this section. Before any entity may act as the Commission's representative for collecting or processing proprietary information, the following requirements must be met:

(a) *Facilities and other measures.* The Director, Bureau of Biomedical Science, and/or the Bureau Document Control Custodian and the Commission Security Officer shall inspect and approve in writing the proposed representative's facilities and control measures to ensure that they are adequate to safeguard the confidentiality of the proprietary information.

(b) *Computer processing.* The Director, Bureau of Biomedical Science, and the Bureau Document Control Custodian shall inspect and approve the computer processing methods of the proposed representative to ensure that they are adequate to safeguard the confidentiality of the proprietary information. Approval shall not be given unless the methods meet the standards described in § 1017.13(c)(1).

(c) *Personnel.* The Director, Bureau of Biomedical Science, and the Bureau Document Control Custodian shall take steps to ensure that any access to information by employees of a Commission representative is strictly controlled. If the representative is a private contractor, these steps shall include requiring each employee who is permitted to have access to the proprietary information to first execute an affidavit of nondisclosure. The

Commission Security Officer shall review records or affidavits relating to the use of proprietary information by Commission representatives sufficiently to ensure accuracy and completeness.

(d) *Subcontractors.* Use of a subcontractor by a Commission representative must have the approval, in writing, of the Director, Bureau of Biomedical Science, if the subcontractor will handle proprietary information. The Director, in concert with the Commission Security Officer, shall ensure that the requirement of paragraphs (a), (b), and (c) of this section are met as to each subcontractor.

(e) *Agreements.* Every agreement between the Commission and its representative and between the representative and a subcontractor which will handle proprietary information shall include provisions adequate to ensure that measures adequate to safeguard proprietary information are maintained.

(Sec. 6(a)(2), Pub. L. 92-573, 86 Stat. 1212; 15 U.S.C. 2055(a)(2).)

Effective date. This new Part 1017 shall be effective on August 31, 1976.

Dated: August 27, 1976.

SADYE E. DUNN,
Secretary, Consumer Product Safety Commission.

[FR Doc.76-25530 Filed 8-30-76;8:45 am]

Title 21—Food and Drugs

CHAPTER I—FOOD AND DRUG ADMINISTRATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

SUBCHAPTER E—ANIMAL DRUGS, FEEDS, AND RELATED PRODUCTS

[Docket No. 75N-0356]

PART 510—NEW ANIMAL DRUGS

Medicated Blocks

Correction

In FR Doc. 76-22225, appearing at page 32213 in the issue of Monday, August 2, 1976, the application approval date in the first paragraph reading "March 19, 1977" should read "February 28, 1977".

Title 24—Housing and Urban Development

CHAPTER V—OFFICE OF THE ASSISTANT SECRETARY FOR COMMUNITY PLANNING AND DEVELOPMENT, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. R-76-292]

PART 570—COMMUNITY DEVELOPMENT BLOCK GRANTS

Applications and Criteria for Discretionary Grants

On page 10592 of the FEDERAL REGISTER of March 11, 1976 there was published an interim rule revising 24 CFR § 570.406(b) and (c).

The revision describes the application requirements and the general criteria and review factors used to determine the innovative nature and the relative merit of applications for discretionary grants for innovative community development projects under section 107(a)(4) of the Housing and Community Development Act of 1974.

Interested persons were given 30 days in which to submit written comments, data and suggestions regarding the interim rule.

Environmental and economic and inflationary impact statements with respect to the interim rule remain applicable.

No substantive comments or objections have been received and the interim rule is hereby adopted without change and is set forth below.

Effective date: This regulation shall be effective August 31, 1976.

DAVID O. MEEKER, Jr.,
Assistant Secretary for Community Planning and Development.

1. 24 CFR 570.406(b) and (c) are revised to read as follows:

§ 570.406 Innovative projects.

* * * * *

(b) *Criteria for selection.*—(1) *General.* An innovative community development project may take any of several forms. It may be a product, a process, an organizational arrangement or a technique. The innovation should encompass a concept that is untried, unique, and/or advances the state of the community development art. Proposed projects which have been demonstrated before or are in use elsewhere at the present may be considered for demonstration if the application identifies and addresses the question of the special nature or circumstances surrounding the proposed project which would warrant its consideration for funding under Innovative Projects.

(2) *Review Factors.* Applications for funding will be evaluated by such criteria as:

(i) The overall technical merit of the proposed project including the specific impact of the innovation.

(ii) The unique capabilities, related experiences, facilities or techniques and the commitment which the applicant possesses and offers for achieving the objectives of the project.

(iii) The extent to which the identified problem is common to a substantial number of communities and the proposed approach can be adopted and replicated in a significant number of other community environments.

(iv) The availability of discretionary grant funding for innovative projects in light of competing needs.

(3) *Priority Programs.* In view of the national scope of Innovative Projects and limitations on the amount of funds for projects, HUD in announcing each annual program, shall establish areas of national significance which will be given priority consideration in the review of applications in the Innovative Projects and may utilize specific selection criteria enumerated in the announcement of the annual program in the review of applications and the award of grants in lieu of, or in addition to, the above criteria.

(c) *Application Requirements.* Applications shall be submitted to HUD's Office of Policy Development and Research in accordance with the directions provided in the annual program announcement. Applications shall be in a format approved by HUD and shall include the following:

(1) A brief letter of transmittal containing the signatures of the Chief Executive(s) of the Applicant and designated project leader who will be primarily responsible for execution of the project.

(2) A one page abstract of the project summarizing the proposal.

(3) A project narrative statement describing the nature of the problem, the goals and objectives of the project, the proposed solution, the resources to be used, the management plan, the tasks to be carried out, the plan for evaluation and such other elements as are necessary to describe applicant activities for other elements which may be required in priority programs.

(4) A proposed budget clearly showing the proposed expenditure of HUD funds.

(5) The certifications required by § 570.303(e) except for (4) and (6). In addition, the applicant must certify that citizens likely to be affected by the project, particularly low and moderate income persons, have been provided an opportunity to comment on the application.

* * * * *

[FR Doc.76-25427 Filed 8-30-76;8:45 am]

Title 28—Judicial Administration

CHAPTER I—DEPARTMENT OF JUSTICE

[Order No. 663-76]

PART 0—ORGANIZATION OF THE DEPARTMENT OF JUSTICE

United States Parole Commission

Correction

In FR Doc. 76-24360, appearing at page 35183 in the issue of Friday, August 20, 1976, the sixth line of the first full paragraph on page 35184 should read "Appeals Board and to designate one Commissioner to serve as Regional Commissioner in each re-".

Title 29—Labor

CHAPTER XVII—OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION, DEPARTMENT OF LABOR

PART 1952—APPROVED STATE PLANS FOR ENFORCEMENT OF STATE STANDARDS

Minnesota Plan—Approval of Supplements

1. *Background.* Part 1953 of Title 29, Code of Federal Regulations, provides procedures under section 18 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 667) (hereinafter referred to as the Act) for review of changes and progress in the development and implementation of State plans for the enforcement of State occupational safety and health standards which have been approved in accordance with section 18(c) of the Act and Part 1902 of this chapter. On June 8, 1973, a notice was published

in the FEDERAL REGISTER (38 FR 15076) of the approval of the Minnesota plan and of the adoption of Subpart N of Part 1952 describing the plan and containing the approval decision. On April 28, May 30, June 30, and September 10, 1975, the State of Minnesota submitted supplements to its plan involving State-initiated changes (see Subpart E of 29 CFR Part 1953) and on June 30, 1975 the State submitted supplements involving the completion of several developmental steps (see Subpart B of 29 CFR Part 1953). On October 23, 1975, a notice was published in the FEDERAL REGISTER (40 FR 49581) concerning the submission of these supplements to the Assistant Secretary of Labor for Occupational Safety and Health (hereinafter referred to as the Assistant Secretary) and the fact that the question of their approval was in issue before him. In addition, on August 20 and October 21, 1975, and January 16, 1976, the State submitted supplements to its plan involving the completion of developmental steps and on January 19, 1976, the State submitted a copy of its amended occupational safety and health poster.

2. *Description of the supplements.* The supplement submitted by the State on April 28, 1975, concerned a revision of the State's personnel structure. Among other things, the State will change the number of personnel in the consultation program from three (3) to no more than one-fifth of the number of personnel in the enforcement section.

The supplement submitted on May 30, 1975, concerned a number of revisions to the State's compliance manual. The manual was revised to incorporate all State policy directives which were issued since the original manual was published, correct inaccuracies in the original manual and to reflect changes to that date which have been made in the Federal compliance manual.

The supplement submitted on September 10, 1975, concerned amendments to the Minnesota Occupational Safety and Health Act, Chapter 182, Minnesota Statutes Annotated, regarding employee discrimination complaints and violations. The first amendment, HF 161, amends section 182.669 of the Minnesota Statutes to provide that upon the completion of an employee discrimination complaint investigation, the Commissioner of the Department of Labor and Industry may bring an action in the district court of the State for appropriate relief. This amendment became effective on July 1, 1975. A second amendment, HF 661, which became effective on August 1, 1975, amends sections 182.652, Subdivision 12; 182.66, Subdivision 2; and 182.661, Subdivisions 1 and 3 of the Minnesota Statutes to provide for the following:

1. Expansion of the definition of a serious violation to include violations of standards not of a de minimus nature which resulted in a fatality;

2. Posting of penalty notices as well as the citation;

3. Posting of the citation and penalty notices for at least 15 days;

4. Requirement that a copy of the notices of citation and penalty be furnished to an employee representative and, in the case of a fatality, to the next of kin or a designated representative, if requested;

5. Right of employees to contest the citation, type of violation and penalty, in addition to the right to contest proposed abatement periods.

The supplements submitted by the State on June 30, and August 20, 1975, concerned the completion of a number of developmental steps. Most of the steps were reviewed and approved at the time of plan approval. However, the State's regulations concerning variance procedures, Chapter 23 of the Minnesota Occupational Safety and Health Code, had not been approved previously and were in issue before the Assistant Secretary. Among the developmental steps completed were the retraining of State personnel, public employee/employer seminars, the management information system and the implementation of enabling legislation.

The supplements submitted by the State on October 21, 1975, and January 16, 1976, concerned the completion of developmental steps. The developmental steps which were completed under the October 21, 1975, supplement concerned the promulgation of the Rules of Procedure of the Minnesota Occupational Safety and Health Review Commission (Chapter 20, Minnesota Occupational Safety and Health Code), and regulations concerning inspections, citations and proposed penalties (Chapter 21, Minnesota Occupational Safety and Health Code).

The supplement submitted on January 16, 1976, concerned a downward revision of the projected increase in personnel for fiscal year 1976 due to a lesser than anticipated increase of funding by the Minnesota legislature. Instead of increasing enforcement personnel by 17 as contemplated at the time of plan approval, the enforcement staff will be increased with the addition of 3 safety and health investigators, still meeting the Federal compliance staffing requirements for the State.

The State poster was revised and resubmitted on January 19, 1976. The State originally submitted a poster on January 27, 1975, which was approved by the Assistant Secretary on March 25, 1975 (40 FR 13211). In response to the legislative amendments described above, a provision was added to the State poster providing that citations and notices of proposed penalties must be posted at or near the place of alleged violation for 15 days or until the violation is corrected, whichever is later. In addition, the locations of the Minnesota area offices were listed on the revised poster.

3. *Issues.* No public comments were submitted concerning the supplements of April 28, May 30, and June 30, 1975. However, our review raised some issues concerning the compliance manual and the variance regulations. With regard to the compliance manual, the State provided for a two-day limit on the number of days an employer may be cited for failure to abate penalties. This provision was in sharp contrast to the Federal practice of having no specific limit on the number of days an employer may be penalized for failure to abate a violation. By letter dated May 20, 1976, from Russell B. Swanson, Deputy Commissioner of the Minnesota Department of Labor and Industry, to Irving Weisblatt, Director, Office of State Programs, the State agreed to remove the two-day maximum from the failure-to-abate penalties.

With regard to the variance regulations, it was found that the Minnesota regulations did not precisely track the Federal variance regulations of 29 CFR Part 1905 in that there appeared to be no provisions for employers to request a hearing on their variance applications, no requirement that the applicant state the address of the place of employment involved in a variance application and interim renewals of variance applications could be longer than is the case under Federal practice. Although State regulations do not have to be identical to those under the Federal program, they must be at least as effective as the Federal regulations in assuring worker protection while providing for variances from State standards. By letter dated February 23, 1976, from Russell B. Swanson, Deputy Commissioner, to Thomas E. Levenhagen, Associate Assistant Regional Director, the State addressed these criticisms by stating that the Minnesota Statute provides for hearings on variance applications, the need for information concerning the address of the establishment for which a variance is requested is obvious months for an interim order 123456v-o-and that a maximum period of six months for an interim order and for a maximum of one year for a temporary order with the possibility of two renewals would be provided.

Public comments were received from the Conwed Corporation, the FMC Corporation and the United States Steel Corporation concerning the legislative amendments under HF 661. There were no requests for a public hearing. The comments particularly objected to the revision to the definition of a serious violation to include any violation of a standard which is not of a de mimimus nature but which is the proximate cause of the death of an employee, the posting requirements for penalties and citations and the provision requiring that copies of citations and proposed penalties be issued to employee representatives and in the case of the death of an employee, to the next of kin of the employee, if requested. The comments objected to the revision of the definition of a serious violation on the grounds that it would have an ex post facto result, that citations and penalties should result from violations observed by a competent inspector rather than an automatic provision based upon an occurrence and that the revision would serve no useful purpose.

In addition, the comments were critical of the requirement concerning the posting of proposal penalties and the 15-day

posting requirement for citations and proposal penalties on the grounds that they would serve no useful purpose and would encourage employees to contest cases, that there are no similar Federal requirements, and that there is already a proliferation of materials and regulations requiring posting. With regard to sending copies of citations and proposed penalties to employer representatives and, in the case of the death of an employee, to the next of kin, the comments were critical on the grounds that they would encourage civil suits, invite criticism and cause further mental anguish to the survivor. Finally, the comments objected to the right of employees and their representatives to contest the citation and proposed penalty in addition to the abatement periods on the grounds that there is no comparable right under the Federal program and it would invite unnecessary conflict between employers and employees.

Although the amendments to the Minnesota enabling legislation under HF 661 result in an enforcement program somewhat different from that at the Federal level, they do not appear to detract from the requirement of 29 CFR 1902.3(d) that State enforcement programs are to be at least as effective as the Federal enforcement program. It is apparent that the revised definition of a serious violation as including a non-serious violation "which is the proximate cause of the death of an employee" is more stringent than that defined under section 17(k) of the Act. Practical considerations, including those raised in the comments, might mitigate against the effectiveness of the revised definition. However, the use of the definition by the State will be closely monitored and if experience indicates that the implementation of this definition has an adverse impact on the enforcement of standards under the Minnesota program, the State will be required to make the appropriate changes in its legislation.

With regard to the right of employees to contest citations and proposed penalties issued to employers, including the reasonableness of abatement periods fixed in the citation, State plans may provide for more stringent enforcement provisions if such additional provisions appear to be reasonably calculated to increase the effectiveness of the State's program and are consistent with the Act. The Minnesota employee contest provisions appear to meet this test in that they would serve as an added check to secure enforcement of safe and healthful working conditions. Such provisions have been approved in the past (see Tennessee approval decision 38 FR 17838). Any undue administrative burden resulting from this employee contest right would bring about a reconsideration in the course of evaluation of the actual operations under the plan.

With regard to sending copies of citations and proposed penalties to employee representatives and, in the case of the death of an employee, to the next of kin, it is observed that under Federal practice, copies of citations and proposed penalties are available under the provisions of the Freedom of Information Act (5 U.S.C. 552).

4. *Location of the plan and its supplements for inspection and copying.* A copy of the plan and its supplements may be inspected and copied during normal business hours at the following locations: Office of the Associate Assistant Secretary for Regional Programs, Occupational Safety and Health Administration, Room N-3608, 200 Constitution Ave., NW., Washington, D.C. 20210; Office of the Regional Administrator, Occupational Safety and Health Administration, 230 South Dearborn Street, Chicago, Illinois 60604; and the State of Minnesota, Department of Labor and Industry, 444 Lafayette Road, St. Paul, Minnesota 55101.

5. *Decision.* After careful consideration, the supplements submitted by the State on April 28, May 30, June 30 and September 10, 1975 are hereby approved under Part 1953. As indicated above, the application of the revised definition of a serious violation will be closely monitored to assure that it does not derogate from the effectiveness of the Minnesota enforcement program.

With regard to the supplements submitted on October 21, 1975, January 16 and 19, 1976, under § 1953.2(c) of this chapter, the Assistant Secretary may prescribe alternative procedures to expedite the review process or for any other good cause which may be consistent with applicable law. The Assistant Secretary finds good cause for approving the Rules of Procedure for the Occupational Safety and Health Review Commission and the regulations concerning inspections, citations and proposed penalties because they have been adopted in accordance with the procedural requirements of State law, which included public comment, and further public participation would be unnecessary and they are substantially identical to the comparable Federal regulations. With regard to the State occupational safety and health poster, further public participation is believed unnecessary because the poster had been approved previously (40 FR 13211) and merely incorporated a recent amendment to the Minnesota enabling legislation and is in conformity with the poster requirements of 29 CFR 1952.10(a)(5) and 29 CFR 1903.2(a)(3). Accordingly, § 1952.204 (c)-(k) of Subpart N of Part 1952 is amended to read as follows:

§ 1952.204 Completed developmental steps.

* * * * *

(c) State occupational safety and health personnel were retrained during March–May 1973.

(d) Training sessions for public employers and employees were held during April–June 1973.

(e) The Minnesota enabling legislation became effective on August 1, 1973. In addition, amendments to the legislation which concerned employee discrimination complaints and violations became effective on July 1, 1975, and a second amendment concerning the definition of a serious violation, posting of citations and penalties, right of employees to contest a citation and penalty, and furnishing copies of citations and notices of penalties to employer representatives and, in the case of a fatality, to the next of kin or a designated representative, became effective on August 1, 1975.

(f) Regulations on variances were promulgated on February 20, 1974, and were approved with assurances by the Assistant Secretary on August 31, 1976.

(g) The management information system became operable in August 1973.

(h) Coverage and enforcement of agricultural standards commenced on July 1, 1975.

(i) The Rules of Procedure of the Minnesota Occupational Safety and Health Review Commission, Chapter 20, Minnesota Occupational Safety and Health Code, and regulations concerning inspections, citations, and proposed penalties, Chapter 21, Minnesota Occupational Safety and Health Code, were approved by the Assistant Secretary on August 31, 1976.

(j) The downward revision of the projected increase in personnel for fiscal year 1976 due to a lesser than anticipated increase of funding by the Minnesota legislature, was approved by the Assistant Secretary as meeting current required staffing on August 31, 1976.

(k) The State poster approved on March 25, 1975 (40 FR 13211) which was revised in response to legislative amendments described above, to provide that citations and notices of penalties must be posted at or near the place of the alleged violation for 15 days or until the violation is corrected, whichever is later, and which lists additional Minnesota area offices, was approved by the Assistant Secretary on August 31, 1976.

(Secs. 8(g)(2), Pub. L. 91-596, 84 Stat. 1600, 1608 (29 U.S.C. 657(g)(2) (667)).)

Signed at Washington, D.C., this 20th day of August 1976.

MORTON CORN,
Assistant Secretary of Labor.

[FR Doc.76-25471 Filed 8-30-76;8:45 am]

Title 40—Protection of Environment

CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

PART 52—APPROVAL AND PROMULGATION OF STATE IMPLEMENTATION PLANS

Wyoming Plan Revisions

On May 31, 1972 (37 FR 10842) pursuant to section 110 of the Clean Air Act and 40 CFR Part 51, the Administrator approved, with specific exceptions, the Wyoming plan for implementation of the national ambient air quality standards. On October 23, 1973 (38 FR 29296), July 3, 1974 (39 FR 24504) and on June 10, 1975 (40 FR 24726), the Administrator approved supplemental information and plan revisions submitted by Wyoming.

On February 19, 1976, Wyoming submitted further revisions to its Implementation Plan which had been adopted on September 11, 1975. Additional information was provided on March 15 and April

2, 1976 clarifying portions of the original submittal. These revisions amend the legal authority, public availability of emission data, and compliance schedule portions of Wyoming's plan. Although Wyoming has not complied with our requirement (§ 51.6(d) of this title) that plan revisions must be submitted no later than sixty days after their adoption, we are waiving this requirement inasmuch as the spirit and intent of the sixty day rule were not being circumvented.

On May 27, 1976 (40 FR 21651), the Administrator proposed to approve all the revisions submitted on February 19, 1976. No comments regarding the revisions were received.

The legal authority revisions include provisions for public availability of emission data, changes in variance procedures for granting variances to the state's sulfur dioxide emission standards, and a change in the state's enforcement procedures to allow for discretionary conferences after discovery of a violation. The revision relating to public availability of emission data complies with the requirements of 40 CFR 51.10(e) and hence replaces the Federal provisions discussed in 40 CFR 52.2624 which is subsequently revoked. With respect to the changes in variance procedures, it should be noted that EPA will treat all variances as plan revisions and will review them on a case by case basis.

The revisions to the compliance schedule portion of Wyoming's plan establish new dates by which an individual air pollution source must comply with a specified emission limitation for particulate matter. In § 52.2625 below, the final compliance date is listed for each source for which a compliance schedule has been proposed. While the table does not show incremental steps toward compliance, the actual schedules do. Three of the above listed sources—Black Hills Power and Light, Holly Sugar, and Wycon Chemical—have final compliance dates which go beyond the attainment dates for ambient standards. Such schedule changes are approvable, since the state has shown that secondary standards will not be exceeded in the vicinity of these sources after the attainment date. These compliance schedule revisions are consistent with the approved control strategies and satisfy the requirements of 40 CFR Part 51 concerning public hearings and plan revisions.

The Administrator finds that the Wyoming SIP revisions meet the substantive and procedural requirements of section 110 of the Clean Air Act and 40 CFR Part 51. Therefore, the Administrator approves the Wyoming SIP revisions as set forth in this rulemaking.

This rulemaking will be effective August 31, 1976. The Agency finds that good cause exists for not deferring the effective date of this rulemaking because it is already in effect under State law and Federal approval imposes no new burdens.

(Sec. 110 of the Clean Air Act; as amended, 42 U.S.C. 1857c-5.)

Dated: August 20, 1976.

JOHN QUARLES,
Acting Administrator.

Part 52 of Chapter I, Title 40 of the Code of Federal Regulations is amended as follows:

Subpart ZZ—Wyoming

1. In § 52.2620, paragraph (c)(9) is revised to read as follows:

§ 52.2620 Identification of plan.

* * * * *

(c) * * *

(9) Legal authority additions and compliance schedule revisions submitted on February 19, 1976, by the Governor.

2. § 52.2624 is revoked and reserved as follows:

§ 52.2624 [Reserved]

3. In § 52.2625, paragraph (a) is revised and paragraph (b) is deleted. As amended, § 52.2625 reads as follows:

§ 52.2625 Compliance schedules.

(a) The compliance schedules for the sources identified below are approved as meeting the requirements of § 51.15 of this chapter. All regulations cited are found in the "Wyoming Air Quality Standards and Regulations, 1975."

Wyoming

Source	Location	Regulations involved	Date of adoption	Effective date	Final compliance date
Pacific Power & Light	Glenrock	14 (b), (e), (h)	Feb. 26, 1973	Immediately	Sept. 1, 1976
Montana-Dakota Utilities	Sheridan	14 (b), (e), (h)	do	do	Dec. 31, 1976
Utah Power & Light	Kemmerer	14 (b), (e), (h)	do	do	Do.
Black Hills Power & Light	Wyodak	14 (b), (e), (h)	do	do	May 1, 1978
Do	Osage	14 (b), (e)	do	do	May 15, 1977
American Oil	Casper	14 (b), (e), (h)	Jan. 26, 1973	do	Jan. 31, 1974
Basins Engineering	Wheatland	14 (b), (e), (f), (g)	June 6, 1974	do	Apr. 5, 1974
Stauffer Chemical Co.	Green River	14 (b), (e), (f), (g)	do	do	Oct. 31, 1973
Do	Leefe	14 (b), (e), (f), (g)	Feb. 26, 1973	do	Nov. 1, 1976
Barold Division of National Lead.	Osage	14 (b), (e), (f), (g)	Jan. 26, 1973	do	Dec. 31, 1975
Do	Colony	14 (b), (e), (f), (g)	June 6, 1973	do	Mar. 1, 1974
Holly Sugar	Torrington	14 (b), (e), (f), (g)	do	do	Oct. 31, 1976
Do	Worland	14 (b), (d), (f), (g)	do	do	Do.
Reeves Concrete	Gillette	14 (b), (e), (f), (g)	Jan. 26, 1973	do	Dec. 1, 1973
Do	Sheridan	14 (b), (e), (f), (g)	do	do	Do.
Do	Buffalo	14 (b), (e), (f), (g)	do	do	Do.
American Colloid	Lovell	14 (b), (e), (f), (g)	June 6, 1974	do	Apr. 30, 1974
Star Valley Swiss Cheese	Thayne	14 (b), (e), (h)	Jan. 26, 1973	do	Dec. 31, 1973
Sheridan Commercial	Sheridan	14 (b), (e), (f), (g)	do	do	Do.
Federal Bentonite	Upton	14 (b), (e), (f), (g)	June 6, 1973	do	June 30, 1974
Do	Lovell	14 (b), (e), (f), (g)	do	do	Do.
Wyo-Ben Products	Greybull	14 (b), (e), (f), (g)	Jan. 26, 1973	do	Jan. 30, 1974
Do	Lovell	14 (b), (e)), (f), (g)	June 6, 1974	do	Do.
FMC	Kemmerer	14 (e), (f), (g), (i)	Jan. 26, 1973	do	Dec. 31, 1976
Do	Green River	14 (b), (e), (f), (g)	June 6, 1974	do	Oct. 31, 1974
Gunn-Quealy Coal	Rock Springs	14 (b), (e), (f), (g)	do	do	Mar. 31, 1974
Allied Chemical	Green River	14 (b), (e), (f), (g)	do	do	Aug. 1, 1976
IMC Corp	Colony	14 (b), (e), (f), (g)	do	do	Oct. 31, 1974
Wyodak Resources Develop.	Gillette	14 (b), (e), (f), (g)	do	do	Feb. 38, 1974
Church and Dwight	Green River	14 (b), (e), (f), (g)	do	do	Nov. 1, 1973
Wycon Chemical	Cheyenne	14 (b), (e), (f), (g)	Sept. 11, 1975	do	June 1, 1976
Dresser Minerals	Greybull	14 (b), (e), (f), (g)	do	do	Feb. 15, 1976
Town of Byron	Byron	13	Jan. 26, 1973	do	July 1, 1974
Town of Chugwater	Chugwater	13	do	do	Do.
Town of Cowley	Cowley	13	do	do	Do.
Town of Lovell	Lovell	13	May 24, 1973	do	Do.
Big Horn County	Big Horn County.	13	Jan. 26, 1973	do	Do.

[FR Doc.76-25265 Filed 8-30-76;8:45 am]

SUBCHAPTER N—EFFLUENT GUIDELINES AND STANDARDS

[FRL 601-3]

PART 436—MINERAL MINING AND PROCESSING POINT SOURCE CATEGORY

Extension of Comment Period and Notice of Availability

On June 10, 1976 the Agency published a notice of interim final rulemaking (41 FR 23552) establishing effluent limitations and guidelines for the mineral mining and processing point source category, based upon use of best practicable control technology currently available. The due date for comments provided in the notice was August 9, 1976.

The Agency anticipated that the document entitled "Economic Impact for Interim Final and Proposed Effluent Guidelines for the Mineral Mining and Processing Point Source Category," which contains information on the analysis undertaken in support of the regulations, would be available to the public throughout the comment period. Production difficulties delayed the availability of this document. Copies of the document are now available and have been forwarded to those persons having submitted written requests to the Environmental Protection Agency. A limited number of additional copies are available for distribution from the Environmental Protection Agency, Effluent Guidelines Division, Washington, D.C. 20460, At-

tention: Distribution Officer, WH–552.

This extension and notice of availability is published pursuant to sections 301, 304(b) and (c), 306(b) and 307(c) of the Federal Water Pollution Control Act as amended 33 U.S.C. 1251, 1311, 1314(b) and (c), 1316(b), and 1317(c); 86 Stat. 816 et seq.; P.L. 92–500 (the Act).

Accordingly, the date for submission of comments is hereby extended to September 30, 1976.

Dated: August 13, 1976.

ANDREW W. BREIDENBACH,
Assistant Administrator for Water and Hazardous Materials.

[FR Doc.76–24560 Filed 8–30–76;8:45 am]

Title 41—Public Contracts and Property Management

CHAPTER I—FEDERAL PROCUREMENT REGULATIONS

[FPR Amdt. 168]

PART 1–16—PROCUREMENT FORMS

Report on Procurement by Civilian Executive Agencies

This amendment of the Federal Procurement Regulations revises § 1–16.804 to prescribe new reporting dates for the submission of Standard Form 37 (SF 37), Report on Procurement by Civilian Executive Agencies. In the past, the reports have been required at the end of 6- and 12-month periods during the fiscal year (July 1 through June 30). In the future, reports will be required at the end of 6- and 12-month periods during the new fiscal year (October 1 through September 30). In response to a request by the Office of Federal Procurement Policy, the amendment also requires a one-time 3-month report covering the period July 1, 1976, through September 30, 1976.

Section 1–16.804–3 is amended to add paragraph (a)(2)(iv) and to revise paragrah (f), as follows:

§ 1–16.804–3 Standard Form 37, Report on Procurement by Civilian Executive Agencies.

(a) * * *

(2) * * *

(iv) Revise paragrah A of "General Instructions" to reflect the current reporting requirements, as follows:

(A) Submission of Reports. Cumulative reports are to be submitted semiannually within 45 calendar days after the end of each reporting period. One report for the 6-month period ending March 31, and the other report for the 12-month period ending September 30 of each year.

* * * * *

(f) *Frequency and due date for submission of Standard Form 37.* Standard Form 37 shall be prepared and submitted semiannually. One report shall be submitted for the 6-month period October 1 through March 31, and the other report for the 12-month period October 1 through September 30 of each fiscal year. In addition, a one-time report shall be submitted for the 3-month period July 1, 1976, through September 30, 1976. Each report shall be submitted (in the original copy) within 45 calendar days after the close of each period. The Office of Management and Budget Approval Number 29–R 0018 has been assigned to the report required by this regulation. Reports shall be addressed to the General Services Administration (BCC), Washington, DC 20405.

Effective date. This amendment is effective August 16, 1976.

It is hereby certified that the impact does not meet the inflation impact criteria for major rules or regulations.

Dated: August 12, 1976.

JACK ECKERD,
Administrator of General Services.

[FR Doc.76–25433 Filed 8–30–76;8:45 am]

CHAPTER 114—DEPARTMENT OF THE INTERIOR

PART 114–38—MOTOR EQUIPMENT MANAGEMENT

Watercraft

Pursuant to the authority of the Secretary of the Interior contained in 5 U.S.C. 301 and 40 U.S.C. 486(c), a new subpart 114–38.55 is added to Chapter 114, Title 41 of the Code of Federal Regulations, as set forth below.

It has been determined that the public rulemaking procedure is unnecessary because this subpart relates only to matters of internal Department practice. Accordingly, this new subpart shall become effective August 31, 1976.

ALBERT C. ZAPANTA,
Assistant Secretary of the Interior.

AUGUST 23, 1976.

Subpart 114–38.55—Watercraft

Sec.

114–38.5500 Scope of Subpart.
114–38.5501 Definition.
114–38.5502 Official use.
114–38.5503 Responsibility.
114–38.5504 Purchasing new watercraft.
114–38.5505 Modifying other than new watercraft.
114–38.5506 Displaying identification and other markings.
114–38.5507 Personal flotation devices.
114–38.5508 Firefighting equipment.
114–38.5509 Other associated equipment requirements.
114–38.5510 Inspection requirements.
114–38.5511 Operating requirements.

Subpart 114–38.55—Watercraft

§ 114–38.5500 Scope of subpart.

This subpart establishes uniform regulations and procedures for the acquisition, management, and safe operation of watercraft.

§ 114–38.5501 Definition.

As used in this subpart, the term "watercraft" means boats and ships collectively, including airboats and every description of watercraft (other than a seaplane) that is:

(a) Used, or capable to being used, as a means of transportation on water, and

(b) propelled by machinery whether or not such machinery is the principle source of propulsion.

§ 114–38.5502 Official use.

No officer or employee of the Federal Government is permitted to use, or authorize the use of, any Government-owned or -leased watercraft for other than official purposes (114–38.5004).

§ 114–38.5503 Responsibility.

The head of each bureau and office is responsible for the management of watercraft and shall:

(a) Establish operating programs and procedures to ensure compliance with this subpart.

(b) Establish requirements for records and reports needed for management purposes.

(c) Establish a program to ensure that all personnel assigned to watercraft receive training appropriate to the type of work performed, and:

(1) Require that all employees who operate or work in watercraft receive sufficient first aid instruction to ensure the availability of artificial respiration in an emergency. Permanent employees shall be required to take the Standard Red Cross First Aid Course or its equivalent.

(2) Require that all employees who operate watercraft participate, as appropriate, in one or more of the following courses:

(i) U.S. Coast Guard Auxiliary courses in boating safety and seamanship.

(ii) United States Power Squadrons (USPS) Boating Course.

(iii) Water safety courses offered by local chapters of the American National Red Cross.

(iv) State boating safety education programs as available.

(v) The "Skipper's Course", a programmed learning text. ($1.50 by mail. Order from the Government Printing Office, P.O. Box 1821, Washington, D.C. 20013, or from the Consumer Product Information Center, Pueblo, Colorado 81009.)

(Any employee operating watercraft should possess a certificate showing successful completion of either (i) or (ii). When carrying passengers other than bureau employees, the operator should possess a valid U.S. Coast Guard operator's license for the size and type of craft being operated.)

§ 114–38.5504 Purchasing new watercraft.

The requirements of Office of Management and Budget Circular A–76 shall be satisfied prior to the purchase of any watercraft 26 feet or more in length. Purchases shall be monitored and controlled to ensure that any new watercraft purchased:

(a) Meets or exceeds U.S. Coast Guard requirements for comparable watercraft. (Manufacturers of watercraft to which Coast Guard standards apply must affix a certification label on their watercraft attesting to the fact that they meet U.S. Coast Guard standards in effect on the date of certification.)

(b) Complies with environmental regulations concerning the discharge of waste materials into navigable waters.

(For example, the use of marine toilets with overboard discharge is prohibited.)

(c) Has, if less than twenty (20) feet in length, built-in solid positive flotation with sufficient buoyance to maintain the boat, motors, gear, and occupants in a level upright position when the boat is filled to the gunwales with water.

(d) Is powered by an engine that:

(1) Has a horsepower rating not in excess of that recommended by the manufacturer of the hull and shown on the hull identification plate, and

(2) If inboard, is equipped with a U.S. Coast Guard approved flame arrester or bears a label indicating that the Coast Guard has approved the use of that engine without an arrester.

§ 114–38.5505 Modifying other than new watercraft.

All existing watercraft shall be modified to meet the above requirements for new watercraft except in those instances where such modification is neither practicable nor economically feasible. Upon completion of modifications, they shall be inspected by qualified personnel and approved by the U.S. Coast Guard.

§ 114–38.5506 Displaying identification and other markings.

(a) Bureau or Office identification shall be conspicuously displayed on all watercraft except those used in connection with law enforcement undercover work.

(b) Registered watercraft shall have the registration number displayed on each side of the bow in accordance with U.S. Coast Guard instructions.

(c) All watercraft shall be marked to indicate the maximum horsepower allowed for propulsion, the maximum permissible number of occupants, and any other standards for safe loading that may be required to ensure safe operation.

(d) Emergency flotation information shall be prominently displayed on each watercraft when it is determined that such information will serve a useful purpose.

§ 114–38.5507 Personal flotation devices.

(a) Each watercraft shall have aboard, for the operator and each occupant, a wearable Personal Flotation Device (PFD) at least equivalent to Performance Type I, II, or III Personal Flotation Device as specified in U.S. Coast Guard "Requirements for Recreational Boats" (i.e., designed to keep a person afloat in a vertical or slightly backward position and having at least 15.5 pounds of buoyancy).

(b) The operator of each watercraft shall:

(1) Ensure that a serviceable Personal Flotation Device of suitable size is readily available for each occupant.

(2) Require that each occupant wear a Personal Flotation Device while on board any watercraft less than 26 feet in length. This requirement may be waived only when the working conditions are such that the PFD would unduly restrict the movement necessary to perform the work.

(c) Whenever operating watercraft alone, the operator shall be required to wear a Performance Type I Personal Flotation Device (or its equivalent).

(d) Each watercraft 16 feet or more in length shall also be equipped with at least one Type IV (throwable) Personal Flotation Device.

§ 114–38.5508 Firefighting equipment.

Fire Extinguishers (of the type approved by the U.S. Coast Guard) shall be carried in all watercraft constructed in such a manner as to permit the entrapment of explosive or flammable gases or vapors. Examples of such construction are:

(a) Closed compartments under thwarts and seats wherein portable fuel tanks may be stored.

(b) Double bottoms not completely sealed to the hull or which are not completely filled with flotation materials.

(c) Closed living spaces.

(d) Closed stowage compartments in which combustible or flammable material are stored.

(e) Permanently installed fuel tanks.

§ 114–38.5509 Other associated equipment requirements.

(a) *Distress signaling devices.*—Each watercraft shall have aboard distress signaling devices effective for all weather conditions.

(b) *Bailing device.*—Any open-type watercraft less than 26 feet in length shall have aboard and readily available a suitable bailing device.

(c) *Running lights.*—Each watercraft operated during hours of darkness shall display lights meeting U.S. Coast Guard standards for "Lights required on boats underway between sunset and sunrise".

(d) *Radio.*—All watercraft operated on open waters such as coastal areas and the Great Lakes should have ship to shore radio communications capability. For carriage and authorization of such radio equipment, refer to Part 313 of the Departmental Manual and the related Radio Communications Handbook.

(e) *Navigational aids.*—Any watercraft operated outside the sight of land shall be equipped with navigational aids suitable to the mission.

(f) *Dead-man's switch.*—Watercraft frequently used for solo operation shall be equipped with a dead-man's switch (to automatically stop the engine if something happens to the operator).

(g) *Anchor and anchor line.*—Each watercraft shall be equipped with an anchor of suitable weight and design, together with an anchor line of sufficient strength and scope as recommended by the anchor's manufacturer, to hold the watercraft under the most extreme conditions to be expected in the operating area.

§ 114–38.5510 Inspection requirements.

(a) Each watercraft shall be thoroughly inspected at least once annually to determine that the watercraft is seaworthy and being maintained in a safe operating condition. Inspections shall be more frequent in those situations where unusual conditions such as heat, humidity, or ice may have an effect on the hull or engine. Each inspection shall be made by qualified personnel, and U.S. Coast Guard inspection services shall be utilized to the extent they are available.

(b) Each inspection shall include an examination of Personal Flotation Devices to ensure they are being properly treated and maintained in a serviceable condition.

(c) All deficiencies affecting seaworthiness or safety shall be corrected before the watercraft is returned to service.

§ 114–38.5511 Operating requirements.

(a) Watercraft shall be operated at all times with safety as a primary requirement.

(b) The employee in charge of any watercraft shall be responsible for:

(1) Operating the watercraft in a safe manner with due regard to the safety of its crew, passengers and cargo.

(2) Complying with the regulations relating to use for official purposes only and the transportation of non-official passengers.

(3) Complying with Federal, State, and local laws and regulations.

(4) Reporting, without delay, all accidents and incidents in accordance with the following:

(i) Report all accidents and incidents involving watercraft on Form DI–134, Report of Accident/Incident, the Department's official report.

(ii) Use Coast Guard Form CG–3865, Boating Accident Report, to report any accident which results in the loss of life, injury causing incapacitation in excess of 72 hours, or property damage in excess of $100.

(c) The solo operator of any watercraft should, whenever practicable, wear a life line in conjunction with the dead man's switch.

(d) Airboat operators and occupants shall wear some type of hearing protection.

(e) The employee in charge of any watercraft with a crew of three or more (including the captain) shall:

(1) Hold safety meetings at least once each month during the operating season.

(2) Conduct fire and abandon ship drills at least once each month during the operating season, and record each drill in the ship's log.

(3) Post, in a conspicous place, a "Station Bill" covering fire drills, abandon ship drills, man overboard drills, and other emergency procedures.

[FR Doc.76–25381 Filed 8–30–76;8:45 am]

Title 49—Transportation

CHAPTER III—FEDERAL HIGHWAY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

SUBCHAPTER B—FEDERAL MOTOR CARRIER SAFETY REGULATIONS

[Docket No. MC-55; Notice No. 76-20]

PART 391—QUALIFICATIONS OF DRIVERS

Certificate of Qualification for Drivers Who Are Regularly Employed by Another Carrier

● Purpose. This amendment: (1) Simplifies qualification file requirements under 49 CFR 391.51(e), for a carrier which uses a driver whose qualifications are certified by his regularly employing carrier; (2) prescribes, under 49 CFR 391.65, the minimum information for the certificate; and (3) makes clear the certifying carrier's responsibility for accurate information. ●

Under existing regulations, carriers commonly issue 49 CFR 391.65 qualification certificates to their regularly employed drivers to enable them to lawfully drive for other carriers, without limiting the duration of the certificate's validity. Such a certificate will not reflect an intervening lack of qualification, nor does it necessarily reflect the results of required periodic re-evaluations of qualifications. This practice, therefore, invites a misuse of the certificate which compromises operational safety.

This problem was addressed by a notice of proposed rulemaking, published February 12, 1975 (40 FR 6510). Due consideration, including review of comments in response to the notice, has resulted in the following conclusions:

1. The maximum duration of 2 years for the certificate is reasonable if the certifying carrier is responsible for recalling the certificate upon learning that the driver has become disqualified and the certifying carrier is permitted to restrict its certification.

2. It should be made clear that the certifying carrier is responsible for misrepresentation of fact in the certificate.

3. It should be made clear that a driver is in a carrier's employ when he is operating a vehicle under the carrier's control, whether or not the carrier owns the vehicle.

4. It is unnecessary to require the using carrier to retain a copy of the driver's current medical certificate if the regularly employing motor carrier certification is properly controlled.

5. The minimum information necessary in the certificate should be prescribed.

6. A reasonable time should be allowed for carriers to exhaust present forms and transition to the new form.

Accordingly, 49 CFR Part 391 (Part 391 of the Federal Motor Carrier Safety Regulations) is amended as follows:

1. Section 391.51(e) is revised to read as follows:

§ 391.51 Driver qualification files.

* * * * *

(e) A using carrier's qualification file for a driver who is regularly employed by another motor carrier, and who is employed by the using carrier in accordance with § 391.65 of this part, shall include a copy of a certificate, as prescribed by § 391.65(a)(2) of this part, by the regularly employing carrier that the driver is fully qualified to drive a motor vehicle.

* * * * *

2. Section 391.65 is revised to read as follows:

§ 391.65 Drivers furnished by other motor carriers.

(a) A motor carrier may employ a driver who is not a regularly employed driver of that motor carrier without complying with the generally applicable driver qualification file requirements in this part, if—

(1) The driver is regularly employed by another motor carrier; and

(2) The motor carrier which regularly employs the driver certifies that the driver is fully qualified to drive a motor vehicle in a written statement which—

(i) Is signed and dated by an officer or authorized employee of the regularly employing carrier;

(ii) Contains the driver's name and signature;

(iii) Certifies that the driver has been employed regularly to drive, as defined in § 391.3(c);

(iv) Certifies that the driver is fully qualified to drive a motor vehicle under the rules in Part 391 of the Federal Motor Carrier Safety Regulations;

(v) States the expiration date of the driver's medical examiner's certificate;

(vi) Specifies an expiration date for the certificate, which shall be not longer than 2 years or, if earlier, the expiration date of the driver's current medical examiner's certificate; and

(vii) After April 1, 1977, is substantially in accordance with the following form:

(Name of driver) (SS No.)

(Signature of driver)

I certify that the above named driver, as defined in § 391.3(c) is regularly driving a vehicle operated by the below named carrier and is fully qualified under Part 391, Federal Motor Carrier Safety Regulations. His current medical examiner's certificate expires on _____
(Date)

This certificate expires:

(Date not later than expiration date of medical ceritificate)

Issued on _____
(Date)

Issued by _____
(Name of carrier)

(Address)

(Signature) (Title)

(b) A motor carrier that obtains a certificate in accordance with paragraph (a)(2) of this section shall retain a copy of that certificate in its files for 3 years.

(c) A carrier which certifies a driver's qualifications under this section shall—

(1) Be responsible for the accuracy of the certificate; and

(2) Recall the unexpired certificate carried by a driver immediately upon learning that the driver is no longer qualified under the rules in this part.

(Sec. 204, Interstate Commerce Act (49 USC 304); sec. 6, Department of Transportation Act (49 USC 1655); and the delegations of authority at 49 CFR 1.48(p) and 301.60 respectively.)

Effective date: These amendments become effective October 1, 1976.

Issued on August 20, 1976.

ROBERT A. KAYE,
Director,
Bureau of Motor Carrier Safety.

[FR Doc.76-25384 Filed 8-30-76;8:45 am]

[Docket No. MC-56; Notice 76-21]

PART 393—PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION

Exemption From Loading Restrictions for Other Than Front Tires on Special Permit Vehicles

● Purpose. This document amends the conditions under which other than front tires may be loaded in excess of the tire manufacturer's rated capacity. ●

A Notice of Proposed Rulemaking (NPRM), published in the FEDERAL REGISTER on June 17, 1976 (41 FR 24608), proposed the modifications herein adopted to an exemption from tire loading restrictions for special permit vehicles. The present exemption appears in § 393.75(f)(2) of the Federal Motor Carrier Safety Regulations (FMCSR) (49 CFR 393.75(f)(2)). The present exemption, which would become effective on October 1, 1976, would permit continued loading in excess of the tire manufacturer's maximum load rating on other than front tires of those motor vehicles which are operated under the terms of a State-issued special permit that specifies a reduced speed. Since only 24 States now specify a reduced speed in special permits, motor carriers operating in interstate or foreign commerce in more than half of the States would be unable to take advantage of the exemption as presently worded.

To remedy the situation, this amendment permits overloading of other than front tires on vehicles which meet the following conditions:

1. The vehicle is being operated under the terms of a special overweight permit issued by the State; and

2. The vehicle is being operated at a reduced speed which is appropriate to compensate for tire loading in excess of the manufacturer's normal rated capacity. In no case shall the speed exceed 45 m.p.h.

The effective date of the revised exemption is October 1, 1976.

Effectively, this Notice establishes a Federal speed limit which is applicable

only to a very special category of vehicles operated in interstate or foreign commerce. Should more of the States adopt reduced speed provisions in special permits, the need for the Federal requirement would be obviated.

Since the matter of establishing speed limits has traditionally been left to the discretion of the individual States, comments on the June 17 NPRM were solicited from appropriate officials in each of the 50 States and the District of Columbia. Thirty-three States and the District of Columbia responded: 10 were essentially opposed to the NPRM, 23 either endorsed or offered no opposition to the proposal, and 2 agencies in the remaining State responded, one having no objection, and the other being in opposition.

The most common argument used by the States against the proposal was that a special speed limit for special permit vehicles would be unenforceable. This argument is discounted by the fact that nearly half of the States presently have special speed provisions for these vehicles, and none of these States reported enforcement difficulties. Further, enforcement of the rule will be carried out by the Bureau of Motor Carrier Safety (BMCS) field staff so that additional enforcement burdens are not imposed on State enforcement activities.

Another concern expressed by several States was that a reduced speed for overloaded vehicles would interrupt the rhythm of the traffic flow. Again, those States with reduced speed limits now in effect for special permit vehicles made no mention of problems associated with speed differentials, and to our knowledge, the proposed upper limit of 45 mph does not conflict with posted minimums on the Nation's highway system.

Six of the States which are opposed to the Proposed Rule expressed the view that overloading of tires beyond the manufacturer's rated capacity should not be allowed under any circumstance. The negative economic implications of such a position are what led the Heavy Specialized Carriers Conference (HSCC) of the American Trucking Associations, Inc., to petition for the rule change at hand. As was indicated in the Preamble to the June 17 NPRM, within reason, tires may be safely overloaded if the vehicle speed is reduced sufficiently to prevent heat buildup.

Five States felt that only the individual States should set criteria for speed restrictions and permit issuance. As mentioned above, should more of the States enact a reduced speed requirement for special permit vehicles operated on overloaded tires, the Federal speed restrictions established by this Notice could be readily removed. In the meantime, however, the Federal Highway Administration's BMCS would be remiss in its responsibility if it condoned the overloading of tires without appropriate speed reductions in States where no speed controls for these vehicles are presently in effect. This Notice does not, and there is no intent on the part of BMCS to, establish criteria for special permit issuance.

Several States indicated confusion as to whether overloading of tires on front axles would be permitted. Available BMCS accident data indicates that front tire failures on heavy commercial vehicles are more likely to result in accidents, particularly severe accidents, than are tire failures at other wheel positions. For this reason, loading of front axle tires in excess of the tire manufacturer's maximum rated capacity is not allowed under any circumstance.

In addition to the States and the District of Columbia, 13 organizations submitted comments on the June 17 NPRM. One commenter, a university affiliate, neither supported nor opposed the proposal, but recommended caution in regulating weight distribution on motor vehicles because of a recent rollover incident involving a fully loaded truck tractor which was being tested. Two of the remaining commenters were opposed to the rule as proposed, and the other 10 commenters were generally supportive.

One supportive commenter, the Rubber Manufacturers Association, requested that a reference to tire industry publications be included in the final rule. These publications contain specific percentage load increases which the industry recognizes for specified reduced speed ranges. The BMCS has decided not to grant this request as it would have the effect of making industry publications into Federal regulations. However, BMCS endorses the use of these publications by motor carriers as a guide in determining what speed reduction is appropriate for an overloaded tire on a special permit vehicle to prevent heat buildup.

The HSCC, whose petition initiated this proceeding, was in favor of the relief granted by the proposed rule, but requested that if any speed restrictions were to be included in the final rule, the restrictions be applicable only to vehicles having gross weights in excess of 100,000 pounds. The BMCS in this proceeding, is not concerned with the gross weight of motor vehicles, only the extent to which individual tires are loaded in excess of the tire manufacturer's rated maximum capacity. Since this overloaded condition can easily occur on vehicles weighing considerably less than 100,000 pounds, the HSCC's request is denied.

One opponent of the proposed rule, Boat Transit, Inc., requested that the exemption be extended to oversize vehicles, as well as those which are overweight. In its operations, Boat Transit apparently loads its axles in excess of the combined rated capacity of the tires, but not necessarily in excess of State axle weight limitations.

The intent of this proceeding was to evaluate the merits of granting relief by allowing overloading of tires on special permit vehicles transporting unusually heavy cargoes if appropriate reductions in speed were observed. The BMCS does not find good cause for broadening the original intent by allowing the overloading of tires on vehicles which are merely oversize. Accordingly, the Boat Transit request is denied.

The final comments opposing the proposed rule were submitted by the law offices of Paulson and Humphreys on behalf of Fleetwood Enterprises, Inc., a manufacturer of mobile homes. A practice of long standing in the mobile home industry has been to load tires by as much as 50 percent in excess of the tire manufacturer's rated maximum capacity. Fleetwood is concerned because the proposed rule would prohibit this practice on mobile homes moved in interstate or foreign commerce.

The BMCS is well aware of mobile home industry practices and has been actively reviewing this particular issue with the U.S. Department of Housing and Urban Development, which is responsible for construction and safety standards for new mobile homes. Any relief the BMCS may decide to grant concerning overloading of mobile home tires would be the subject of another notice.

In view of the foregoing, paragraph (f)(2) of § 393.75 of the FMCSR, Subchapter B, Chapter III of title 49 CFR is amended to read as follows:

§ 393.75 Tires.

* * * * *

(f) * * *

(2) Other than front wheels. After September 30, 1976, no motor vehicle shall be operated with tires on wheels other than the front wheels which carry a greater weight than that specified for the tire in any of the publications of the standardizing bodies listed in Federal Motor Vehicle Safety Standard No. 119 (49 CFR 571.119) except for a motor vehicle which meets the following conditions:

(i) The vehicle is being operated under the terms of a special overweight permit issued by the State; and

(ii) The vehicle is being operated at a reduced speed which is appropriate to compensate for tire loading in excess of the manufacturer's normal rated capacity. In no case shall the speed exceed 45 m.p.h.

* * * * *

(Sec. 204 of the Interstate Commerce Act amended (49 U.S.C. 304), sec. 6 of the Department of Transportation Act (49 U.S.C. 1655), and the delegations of authority at 49 CFR 1.48 and 301.60, respectively.)

Effective: October 1, 1976.

Issued on August 24, 1976.

KENNETH L. PIERSON,
Acting Director,
Bureau of Motor Carrier Safety.

[FR Doc.76-25562 Filed 8-30-76;8:45 am]

CHAPTER V—NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. 71-19; Notice 5]

PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARDS

Tire Selection and Rims for Motor Vehicles Other Than Passenger Cars

This notice amends Standard No. 120, Tire Selection and Rims for Motor Vehicles Other Than Passenger Cars (49 CFR 571.120), to permit, until Febru-

ary 28, 1977, the equipping of new non-passenger-car vehicles with tires that do not meet certain tire labeling requirements but that otherwise meet all requirements of Standard No. 119 (New Pneumatic Tires for Vehicles Other Than Passenger Cars).

Standard No. 120 was issued on January 19, 1976 (41 FR 3478; January 23, 1976; Docket No. 71-19, Notice 3). It specifies tire and rim selection requirements for multipurpose passenger vehicles, trucks, buses, trailers, and motorcycles, and marking requirements for rims for use on these vehicles. It also adds tire and rim matching information to the items required to appear on such vehicles' certification labels. A staggered sequence of effective dates was set out in Notice 3, beginning with September 1, 1976.

In Notice 4 (41 FR 18659; May 6, 1976), the NHTSA delayed several of these effective dates, to permit manufacturers to defer preparation for compliance with the corresponding requirements pending action on petitions for reconsideration of Notice 3. The NHTSA expects to respond to those petitions in the near future. Notice 4 did not, however, change the basic September 1, 1976, effective date of the tire and rim selection requirements of S5.1. Beginning on that date, S5.1.1 of Standard No. 120 would require, with an exception that is not relevant here, new non-passenger-car vehicles to be equipped with tires that meet either Standard No. 109 (which is applicable to passenger car tires) or Standard No. 119 (which is applicable to all other tires). The practical effect is to require most such vehicles to be equipped with Standard 119 tires, because Standard 109 tires are appropriate for use only on certain non-passenger-car vehicles.

Standard No. 119 became effective on March 1, 1975, with an option to delay implementation of its labeling requirements until March 3, 1975 (see 40 FR 8188; February 26, 1975).

The NHTSA has received petitions for rulemaking from International Harvester (IH) and Ford Motor Company. International Harvester indicated that, in anticipation of the recent strike against the nation's four largest tire manufacturers, it had accumulated an excess inventory of "pre-Standard 119 tires." IH stated that these tires meet the performance requirements of Standard No. 119 but not the labeling requirements. It petitioned for a six-month delay of the September 1, 1976, effective date of Standard No. 120's tire selection requirements, to permit the orderly depletion of this inventory.

Ford's petition focused on the difficulty, due to the strike, in obtaining in the near future sufficient quantities of tires that comply fully with Standard No. 119. Ford indicated that there are similar pre-Standard 119 tires available to it. It petitioned for an amendment to Standard No. 120 to permit the use of such insufficiently labeled tires.

The NHTSA believes that the approach suggested by Ford, because it will provide the necessary relief while preserving the required level of performance, is preferable to a simple delay of the September 1, 1976, effective date. Safety of performance of such tires or of vehicles equipped with them is thus not a major issue. The NHTSA has determined that, while granting the relief requested by these petitions may temporarily make enforcement by this agency more difficult and may postpone the availability of certain tire labeling information to users of new vehicles subject to Standard No. 120, the avoidance of a serious disruption in the truck manufacturing process in this situation is appropriate and in the public interest. Accordingly, this notice adds a new section to Standard No. 120 that permits, for six months, the use of tires that are not properly labeled but otherwise meet all requirements of Standard No. 119.

In accordance with recently enunciated Department of Transportation policy encouraging adequate analysis of the consequencies of regulatory action (41 FR 16200; April 16, 1976), the agency herewith summarizes its evaluation of the economic and other consequences of this action on the public and private sectors, including possible loss of safety benefits. This action imposes no new economic or environmental costs. It creates the benefit of avoidance of serious economic disruption. In light of this benefit and the fact that the required level of tire performance is preserved, any loss in safety benefits would be insignificant in this case.

Because of the imminent effective date of a requirement which would otherwise lead to serious economic disruption, the NHTSA for good cause finds that notice and public procedure on this amendment are impracticable and contrary to the public interest.

In consideration of the foregoing, 49 CFR 571.120 (Standard No. 120, Tire Selection and Rims for Motor Vehicles Other Than Passenger Cars) is amended by the addition of a new section to read as follows:

§ 571.120 Standard No. 120; tire selection and rims for motor vehicles other than passenger cars.

* * * * *

S6. *Vehicles manufactured from September 1, 1976, to February 28, 1977.* Notwithstanding any other provision of this standard, a vehicle to which this standard applies that is manufactured during the period from September 1, 1976, to February 28, 1977, shall meet each requirement of this standard, with the following exception: In place of tires that meet Standard No. 119 (§ 571.119), the vehicle may be equipped with tires that meet every requirement of that standard other than the tire marking requirements of S6.5 of that standard.

Effective date: August 27, 1976. Because this amendment relieves a restriction, it is found, for good cause shown, that an immediate effective date is in the public interest.

(Secs. 103, 112, 114, 119, 201, 202, Pub. L. 89-563, 80 Stat. 718 (15 U.S.C. 1392, 1401, 1403, 1407, 1421, 1422); delegation of authority at 49 CFR 1.50)

Issued on August 27, 1976.

ROBERT L. CARTER,
Acting Administrator.

[FR Doc.76-25586 Filed 8-27-76;3:20 pm]

Title 50—Wildlife and Fisheries

CHAPTER I—U.S. FISH AND WILDLIFE SERVICE, DEPARTMENT OF THE INTERIOR

PART 32—HUNTING

Pathfinder National Wildlife Refuge, Wyo.

The following special regulation is issued and is effective August 31, 1976.

§ 32.32 Special regulations; big game; for individual wildlife refuge areas.

WYOMING

PATHFINDER NATIONAL WILDLIFE REFUGE

Public hunting of antelope on the Pathfinder National Wildlife Refuge, Wyoming, is permitted on the entire refuge in accordance with dates and areas designated in the Wyoming 1976 Orders regulating antelope hunting. Portions of the refuge lying in Area No. 63 will be open from September 14 through September 26, 1976. Portions of the refuge lying in Area No. 48 will be open from September 25 through October 15, 1976. This open area, comprising 16,807 acres, is composed of four separate units and is delineated on maps available at refuge headquarters in Walden, Colorado and from the office of the Area Manager, U.S. Fish and Wildlife Service, Federal Building, Room 2215, Salt Lake City, Utah 84111.

Hunting shall be in accordance with all applicable State regulations covering the hunting of antelope.

The provisions of this regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through October 15, 1976.

V. CARROL DONNER,
Refuge Manager,
Pathfinder National Wildlife Refuge.

AUGUST 19, 1976.

[FR Doc.76-25379 Filed 8-30-76;8:45 am]

PART 32—HUNTING

Pathfinder National Wildlife Refuge, Wyo.

The following special regulation is issued and is effective August 31, 1976.

§ 32.32 Special regulations; big game; for individual wildlife refuge areas.

WYOMING

PATHFINDER NATIONAL WILDLIFE REFUGE

Public hunting of deer on the Pathfinder National Wildlife Refuge, Wyoming, is permitted on the entire refuge in accordance with dates and areas designated in the Wyoming 1976 Orders regulating deer hunting. Portions of the refuge lying in Area No. 87 will be open October 15 through October 25, 1976. Portions of the refuge lying within Area No. 72 will be open October 1 through October 10, 1976. This open area, comprising

16,807 acres, is composed of four separate units and is delineated on maps available at refuge headquarters in Walden, Colorado and from the office of the Area Manager, U.S. Fish and Wildlife Service, Federal Building Room 2215, Salt Lake City, Utah 84111.

Hunting shall be in accordance with all applicable State regulations covering the hunting of deer.

The provisions of this regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through October 25, 1976.

V. CARROL DONNER,
Refuge Manager,
Pathfinder National Wildlife Refuge.

AUGUST 19, 1976.

[FR Doc.76-25380 Filed 8-30-76;8:45 am]

[55760]

PART 32—HUNTING

Rice Lake National Wildlife Refuge, Minn.

The following special regulation is issued and is effective on August 31, 1976.

§ 32.32 Special regulations; upland game; for individual wildlife refuge areas.

MINNESOTA

RICE LAKE NATIONAL WILDLIFE REFUGE

Public hunting of ruffed and spruce grouse on the Rice Lake National Wildlife Refuge in Aitkin County, Minnesota, is permitted from September 18 through December 31, 1976 only in the hunting area designated by (green) signs as open to hunting. The open area comprises about 2,000 acres and is delineated on a map available at refuge headquarters, McGregor, Minnesota and from the Regional Director, Fish and Wildlife Service, Federal Building, Fort Snelling, Twin Cities, Minnesota 55111.

Hunting shall be in accordance with all applicable State regulations governing the hunting of upland game.

DON E. ADAMS,
Refuge Manager,
Rice Lake National Wildlife Refuge.

AUGUST 23, 1976.

[FR Doc.76-25378 Filed 8-30-76;8:45 am]

CHAPTER II—NATIONAL MARINE FISHERIES SERVICE, NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION, DEPARTMENT OF COMMERCE

PART 216—REGULATIONS GOVERNING THE TAKING AND IMPORTING OF MARINE MAMMALS

Approval and Review of State Laws and Regulations

The purpose of this amendment to Part 216, Subchapter C, Chapter II of Title 50, CFR, is to establish a new Subpart H, providing standards and procedures for approving and reviewing State laws and regulations for the management of marine mammal resources. This new subpart implements sections 109(a) (2) and (3) of the Marine Mammal Protection Act ("the Act") (16 U.S.C. 1361 et seq.) and applies to all States. However, because the Act divides jurisdiction over species of marine mammals between the Secretary of Commerce and the Secretary of the Interior, Subpart H is applicable only to whales, porpoises, seals, and sea lions. Section 109(a)(1) of the Act preempts State laws and regulations relating to the taking of marine mammals within the State's jurisdiction. However, section 109(a)(2) of the Act permits reinstatement of State laws and regulations which relate to the preservation and taking of marine mammals if the appropriate Secretary determines they are consistent with the Act and any applicable regulations. Section 109(a)(3) of the Act requires the appropriate Secretary to review and monitor any State laws and regulations approved under section 109(a)(2) of the Act and to resume responsibility for marine mammal management if there is substantial noncompliance.

The Secretary of Commerce has delegated his authority to approve State laws and regulations, as well as to waive the moratorium on the taking of marine mammals under section 101(a)(3)(A) of the Act, to the Administrator of the National Oceanic and Atmospheric Administration who has further delegated this authority to the Director of the National Marine Fisheries Service (NMFS).

The proposal to establish a new Subpart H was announced in a notice in the FEDERAL REGISTER on April 9, 1976 (41 FR 15173), describing the proposal and inviting submission of written comments in accordance with section 553 of the Administrative Procedure Act, 5 U.S.C. 553. Simultaneously, the U.S. Fish and Wildlife Service published a substantively identical proposal (41 FR 15166) to amend Part 18 of Title 50, CFR, by establishing a new Subpart F applicable to those species of marine mammals over which the Secretary of the Interior was given jurisdiction by the Act. A notice of final rulemaking as to the new Subpart F of Part 18 will be published very soon.

Comments were received from the Environmental Defense Fund, the Monitor Consortium, the Animal Protection Institute, the Committee for Humane Legislation, Inc., and Friends of Animals, Inc. After due consideration of these comments, the proposed Subpart H is modified as follows:

1. The title of Subpart H is modified for clarification.

2. Section 216.101 is reworded for clarification.

3. Paragraphs (b), (c) and (d) of § 216.104 are rewritten to show more clearly that a two-step process is involved: first, the Director determines whether a waiver of the moratorium is appropriate based on a formal hearing on the record, and then if a waiver is considered appropriate, the Director must approve the State's laws and regulations before the waiver may take effect.

4. A new § 216.106(d) is added to facilitate public access to material submitted by individual States pursuant to § 216.106 (a), (b), and (c). Because of this additional paragraph, § 216.106 (d), (e), (f), and (g) are redesignated § 216.106 (e), (f), (g), and (h), respectively.

5. Section 216.106 (f), (g) and (h) are broadened to allow increased public participation with respect to affirmative determinations by the Director of NMFS in his review of approved State laws and regulations under § 216.106.

6. Section 216.107 is rewritten to provide notice to the public of receipt by the Director of the notification required by that section.

7. Section 216.4(a) is retained and § 216.4(b) is replaced by a cross-reference to Subpart H. All other paragraphs of § 216.4 are deleted since they are duplicated in § 216.103.

Other recommended changes in the proposal have been carefully considered, but have not been accepted. The following suggestions were not adopted for the following reasons:

1. It was suggested that provision be made for an interagency appeal from the Director's decision under section 216.104 approving State laws which implement a waiver of the moratorium. This suggestion has been rejected on the ground that, because of the application of the Director's expertise to the complex issues raised by a State's request for a waiver of the moratoruim, the decision of the Director is not susceptible to meaningful review.

2. A number of recommendations were not applicable to the new subpart H. Rather these comments pertained to a request by the State of Alaska for a waiver of section 101 of the Act regarding certain marine mammal species, to enable the State to resume management over those species. Proposed regulations related to Alaska's waiver request, a new Subpart I of Part 216, are the subject of public hearings held at the times and places announced on May 28, 1976, at 41 FR 21832.

JACK W. GEHRINGER,
Deputy Director,
National Marine Fisheries Service.

AUGUST 19, 1976.

Accordingly, 50 CFR Part 216, is amended as set forth below.

1. A new Subpart H is added, reading as follows:

Subpart H—Approval and Review of State Laws and Regulations

216.101 Purpose of regulations.
216.102 Scope.
216.103 Review of state laws and regulations—General.
216.104 Review of state laws and regulations implementing waiver.
216.105 Approval of state laws and regulations—Criteria.
216.106 Review of approved state laws and regulations.
216.107 Notification.
216.108 Enforcement.
216.109 [Reserved]

Subpart H—Approval and Review of State Laws and Regulations

§ 216.101 Purpose of regulations.

(a) Section 109 of the Act provides that no State may adopt or enforce any law or regulation which relates to the

taking of marine mammals unless such laws and regulations have been previously reviewed by the Director and determined by him to be consistent with the Act.

(b) This subpart fulfills the requirements of sections 109 and 112 of the Act by prescribing procedures to permit a State to adopt and enforce laws and regulations consistent with the Act which relate to the protection and taking of marine mammals.

§ 216.102 Scope.

(a) The provisions of § 216.103 of this subpart apply whenever a State has requested a determination from the Director, pursuant to section 109(a)(2) of the Act, that the State's proposed or existing laws or regulations relating to the protection and taking of any marine mammal are consistent with the Act and regulations contained in this part, regardless of whether the moratorium imposed by section 101 of the Act must be waived to allow such laws to take effect. The provisions set forth standards and criteria for such determination by the Director.

(b) The provisions of § 216.104 through 216.108 of this subpart apply only when both the Director has waived or is considering waiving the moratorium, and when a State has requested a determination from the Director, pursuant to section 109(a)(2) of the Act, that the State's laws and regulations relating to the protection and taking of any species or population stock of marine mammals are consistent with the waiver of the moratorium, the Act, and the regulations in this part which apply to such species or population stocks. The provisions set forth standards and criteria for such determination by the Director and for waiving the moratorium.

§ 216.103 Review of State laws and regulations—general.

(a) Nothing in this part, nor any permit issued under authority of this part, shall be construed to relieve a person from any other requirements imposed by any statute or regulation of the United States, including any applicable statutes or regulations relating to wildlife and fisheries, health, quarantine, agriculture, or customs.

(b) Section 109 of the Act provides that on or after December 21, 1972, no State may adopt any law or regulation, or enforce any existing law or regulation, which relates to the taking of marine mammals or which in effect nullifies an exemption or exception created by the Act, unless such laws or regulations have been previously reviewed by the Director and determined by him to be consistent with the provisions of the Act and the regulations in this part. In no event, however, will the Director approve any State laws or regulations which:

(1) Purport to authorize a State to issue permits in situations which would require a Federal permit under the Act, unless and until appropriate Federal regulations have been issued under section 103 of the Act, and where appropriate, the Director has waived the moratorium on such taking or importation under section 101(a)(3)(A) of the Act; or

(2) Purport to authorize a State to issue permits for scientific research or public display (except that a State may, under authority of a general scientific research permit granted by the Director, assign individual scientific research permits to State employees or representatives of State universities or other State agencies, subject to the provisions of the general permit).

(c) Any State may obtain a review and determination of its proposed or existing laws and regulations from the Director by submitting a written request to that effect to the Director, National Marine Fisheries Service (NMFS), accompanied by the following documents, unless otherwise specified by the Director.

(1) A complete set of the laws and regulations to be reviewed, certified as complete, true and correct, by the appropriate State official;

(2) A scientific description by species and population stock of the marine mammals to be subjected to such laws and regulations;

(3) A description of the organization, staffing and funding for the administration and enforcement of the laws and regulations to be reviewed;

(4) A description of the procedures to be used in granting or withholding such permits and otherwise enforcing such laws, where such laws and regulations provide for discretionary authority on the part of State officials to issue permits; and

(5) Such other materials and information as the Director may request or which the State may deem necessary or advisable to demonstrate the compatibility of such laws and regulations with the policy and purposes of the Act and the rules and regulations issued thereunder.

(d) In making a determination with respect to any State laws and regulations, the Director shall take into account:

(1) Whether such laws and regulations are consistent with the purposes and policies of the Act and the rules and regulations issued thereunder;

(2) The extent to which such laws and regulations are consistent with, or constitute an integrated management or protection program with, the laws and regulations of other jurisdictions whose activities may affect the same species or stocks of marine mammals; and

(3) The existence of, or preparations for, an overall State program regarding the protection and management of marine mammals to which the laws and regulations under review relate.

(e) To assist States in preparing laws and regulations relating to marine mammals, the Director will also, at the written request of any State, make a preliminary review of any proposed laws or regulations. This review will be advisory in nature and shall not be binding upon the Director. Notwithstanding preliminary review by the Director, once these proposed laws and regulations have been prepared in final form, they shall be subject to a final review under paragraphs (b) through (d) of this section. To be considered for preliminary review, a State shall submit the same documents as required in paragraph (c) of this section, unless otherwise specified by the Director.

(f) The implementation and enforcement of all States laws and regulations previously approved by the Director pursuant to this section shall be subject to continuous monitoring and review by the Director pursuant to such rules and regulations as he may adopt. Any modifications, amendments, deletions or additions to laws or regulations previously approved shall be deemed to be new laws and regulations for the purposes of these regulations and shall require review and approval by the Director before their adoption, except as provided in § 216.104.

(g) Nothing in this part shall prevent (1) the taking of a marine mammal by a State or local government official pursuant to § 216.22 of the regulations in this part, or (2) the adoption or enforcement of any law or regulation relating to any marine mammal taken or imported prior to the effective date of the Act.

§ 216.104 Review of State laws and regulations implementing waiver.

(a) Any State which requests a determination that its laws and regulations are consistent with the Act and applicable regulations in accordance with § 216.103(c) of this subpart, may also request a waiver of the moratorium imposed by section 101 of the Act to the extent necessary to allow such laws and regulations to take effect.

(b) If the Director, after opportunity for agency hearing as required by section 103(d) of the Act, decides to waive the mortorium so as to allow State laws and regulations to take effect, the waiver shall be contingent upon his approval of such State laws and regulations under paragraph (c) of this section and shall not be effective until publication of the notice specified in paragraph (d) of this section.

(c) The Director may approve State laws and regulations which implement a waiver of the moratorium if he determines them to be consistent with the Act, with regulations promulgated under section 103 of the Act, with the criteria of § 216.105 of this part and with all other rules or regulations promulgated pursuant to the Act with respect to marine mammals.

(d) Upon approval of such State laws and regulations, the Director shall publish his decision in the FEDERAL REGISTER. The decision will summarize the management program established by the State laws and regulations, state the extent to which the moratorium is waived in order to allow such State laws and regulations to take effect, and indicate the date the State's annual report is to be submitted.

(e) Any modifications, amendments, deletions, or additions to laws or regulations previously approved, except emergency closing of seasons, shall require review and approval by the Director pursuant to paragraphs (c) through (g) of § 216.106 of these regulations before their adoption.

(f) All determinations by the Director shall be final.

§ 216.105 Approval of State laws and regulations—criteria.

Any State which applies to the Director for approval of its laws and regulations under § 216.104 must demonstrate to the Director's satisfaction, that such laws and regulations:

(a) Provide for a modern scientific resource management program, including, but not limited to, research, census, law enforcement, habitat acquisition and improvement and, when and where appropriate, the periodic or permanent protection of the species of marine mammals affected by the State's application;

(b) Establish a program which is based upon the best scientific evidence available on the relevant marine ecosystem and the role of the affected species of marine mammals in that ecosystem;

(c) Establish a program which is consistent with the primary goal of the Act, to maintain the health and stability of the marine ecosystem;

(d) Establish a program which insures that the affected species or population stock of marine mammals shall not diminish below the range of optimum sustainable population;

(e) Require cessation of taking of the affected species of marine mammals whenever the population is determined to be below the range of optimum sustainable population;

(f) Provide appropriate maximum quotas and seasons, whenever a taking is proposed, unless the State can show that it is more consistent with these criteria to have no quota or season;

(g) Establish quotas, seasons, and other allowances and restrictions as necessary to be consistent with the criteria of this section and in accordance with the following factors:

(1) The seasonal distribution of populations;

(2) Segregation within populations by sex and age;

(3) Discreteness of populations;

(4) Population density;

(5) Critical periods in the species life cycle;

(6) Critical habitat areas;

(7) Productivity of the population;

(8) Species interactions;

(9) Percentage of retrieval by hunters;

(10) Maximization of the utilization of the species;

(11) Other uses of the species, such as recreational use or incidental catch; and

(12) Enforceability of the limitations.

(h) Contain suitable limitations on the means and methods of taking which assure that taking will be by humane means and will maximize the utilization of each animal taken.

(i) Contain provisions for significant public participation within the State in the process of implementing the waiver.

(j) Meet the criteria specified in § 216.103 of this part, to the extent such criteria may differ from those prescribed in this section.

§ 216.106 Review of approved State laws and regulations.

(a) All State laws and regulations and the conservation programs established thereby which have been approved shall be reviewed annually, unless circumstances indicate that an earlier review is appropriate.

(b) In order to facilitate such a review, each State having approved laws and regulations must submit an annual report not later than 60 days after the close of such State's first full fiscal year following the effective date of the waiver of the moratorium and at the same time each following year. The report shall contain the following information current for each reporting period:

(1) Any changes in the State laws or regulations;

(2) Any new data on the marine mammal stocks or the marine ecosystems in question;

(3) All available information relating to harvests under the terms of a waiver;

(4) A summary of all research activity on the stocks or ecosystem affected by a waiver;

(5) Any changes in the information provided with the original request for approval;

(6) A summary of all enforcement activity, including permits issued, skins sealed, reports under permits, investigations undertaken and their dispositions;

(7) Present budget and staffing level for the marine mammal activities; and

(8) Any other information which the Director may request, or which the State deems necessary or advisable.

(c) Each State having approved laws and regulations shall file a special report within 30 days, whenever any of the following occurs:

(1) A proposed change in a relevant State law or regulation (amendments, repealers, or new legislation or regulations), which, with the exception of emergency closing of seasons, shall not be effective until the Director makes a determination pursuant to paragraphs (e) through (g) of this section; or

(2) A significant natural or man-made occurrence affecting the marine ecosystem or the stocks of marine mammals; or

(3) A significant violation of the State management program including any quotas established thereby.

(d) All State laws and regulations and the conservation programs established thereby, as well as annual reports submitted under paragraph (b) and special reports submitted under paragraph (c) of this section, shall be available for inspection and copying at the Office of the Director, National Marine Fisheries Service, 3300 Whitehaven Street NW., Washington, D.C. 20235.

(e) Upon receipt of any report described in paragraphs (b) and (c) of this section, the Director shall, as soon as practicable, in consultation with the Marine Mammal Commission, determine preliminarily whether or not the State laws and regulations and any programs established thereby comply with the requirements of the Act and this subpart.

(f) Whenever the Director preliminarily determines, in consultation with the Marine Mammal Commission, that any State laws, regulations or programs established thereby are or are not in compliance with the requirements of this subpart, he shall publish notice of such preliminary determination in the FEDERAL REGISTER, inviting submission from interested persons, within 30 days of the notice, of written data, views, comments, or requests for hearings with respect to such preliminary determination.

(g) As soon as practicable after the 30-day comment period described in § 216.106(f), the Director, in consultation with the Marine Mammal Commission, shall determine whether to finally approve or disapprove the State laws and regulations. The Director's determination shall be made within 90 days after publication of the notice described in § 216.106(f), unless a hearing is held.

(h) If the Director makes a final determination to disapprove proposed changes in State laws and regulations, the State shall have the option of retaining its initially approved laws and regulations, in which case any waiver shall remain in effect. All final determinations of approval or disapproval shall be published in the FEDERAL REGISTER; upon publication of disapproval, unless a State elects within 30 days to retain its originally approved laws and regulations, any waiver conditioned upon approval of State laws and regulations as provided in this subpart shall terminate, and all provisions of the Act shall be reinstated and supersede such State laws and regulations.

§ 216.107 Notification.

The State shall immediately notify the Director when the mortality rate due to retrieved and unretrieved harvest for any species or population stock of marine mammal reaches 90 percent of the numerical extent of the waiver prescribed by subpart I of this part for that species or population stock. The Director shall publish a Notice of Receipt in the FEDERAL REGISTER concerning such notification as soon after receipt as practicable.

§ 216.108 Enforcement.

The appropriate official in each State shall utilize such methods as he deems appropriate to assure to the maximum extent practicable that the quotas, seasons, and other limitations in approved State laws and regulations are not exceeded. These methods may include, but are not limited to, patrols, surveillance, investigation, permit recordkeeping and

reporting requirements, and tagging and marking requirements.

§ 216.109 [Reserved]

2. Section 216.4 is amended by revising paragraph (b) as follows:

§ 216.4 Other laws and regulations.

* * * * *

(b) *State laws or regulations.* See Subpart H of this part.

* * * * *

3. The introductory text of § 216.11 is amended as follows:

§ 216.11 Prohibited taking.

Except as otherwise provided in subparts C, D, and I of this Part 216, it is unlawful for:

* * * * *

[FR Doc.76-25514 Filed 8-30-76;8:45 am]

PART 240—REGULATED COMMERCIAL FISHERIES

Size Limit for Sea Scallops

At its annual meeting held in Montreal, Canada, June 8–23, 1976, the International Commission for the Northwest Atlantic Fisheries (ICNAF) recommended that member governments implement conservation measures concerning the retention and landing of sea scallops (*Placopecten magellanicus*) in Division 5Z of Subarea 5 of the Convention Area. The Commission further recognized that in order to achieve the purposes and objectives of the Convention, fishing activity in Division 5Z of Subarea 5 for sea scallops must be conducted in accordance with this proposal as soon as possible in 1976. Therefore, the Commission requests member governments whose vessels conduct fishing operations in the area to implement this conservation measure no later than September 1, 1976. In order to effectively implement the recommendation of the Commission, the conservation measures for sea scallops will also apply in Statistical area 6.

Therefore, it is proposed to amend Subpart G—Squid Fisheries and Shellfish, in the present regulations (41 FR 1067), published in the FEDERAL REGISTER January 6, 1976, to incorporate the proposed conservation measures for sea scallops.

It is proposed in § 240.1 to include sea scallops as a regulated species in Subarea 5 and Statistical area 6. It is proposed in § 240.60 to include sea scallops under the definitions. It is proposed in § 240.66 to include the size restriction and level of incidental catch.

The proposed amendments are described below as follows:

1. Add new subdivisions (XIV) in § 240.1(c) (5) and (6) to read as follows:

§ 240.1 Definitions.

* * * * *

(c) * * *

(5) * * *

(xiv) Sea Scallops (*Placopecten magellanicus*)

(6) * * *

(vii) § Sea Scallops (*Placopecten magellanicus*)

2. Amend § 240.60(b) to read as follows:

§ 240.60 Definitions.

(a) * * *

(b) Regulations of this section apply to all short-finned squid (*Illex illecebrosus*) and long-finned squid (*Loligo pealei*), and sea scallops (*Placopecten magellanicus*) in Subarea 5 and Statistical area 6, taken by persons or fishing vessels subject to the jurisdiction of the United States.

3. Add new § 240.66 size limits to read as follows:

§ 240.66 Size limits.

(a) Size and weight limitations are placed upon the lengths of shells and weights of the meats of sea scallops permitted to be taken or possessed by persons and fishing vessels subject to the jurisdiction of the United States.

(1) The taking or possession of sea scallops of a shell size of less than 95 mm, measured from the hinge to the opposite margin, is prohibited, except as provided in paragraph (3).

(2) The taking or possession of sea scallops having an average weight of meats less than forty (40) meats per pound is prohibited, except as provided in paragraph (3).

(3) A ten (10) percent allowance is permitted for lengths and weights less than those required in paragraphs (1) and (2), to be determined at the time of inspection by random sampling of the imported shipment or of the total amount of sea scallops on board the fishing vessel at sea or at the time of offloading.

These regulations are issued under the authority contained in the Northwest Atlantic Fisheries Act of 1950 (16 U.S.C. 986). Because of the need for immediate guidance with respect to the provisions contained in these regulations and the fact that they relate to a foreign affairs function of the United States under 5 U.S.C. 553(a)(1), it is found unnecessary to issue a notice of proposed rule making under 5 U.S.C. 553(b) or subject these regulations to the effective date limitation of 5 U.S.C. 553(d).

Therefore, under the provisions of 5 U.S.C. 553(d)(3) and 553(b)(3)(B), these regulations are effective on August 31, 1976.

Issued at Washington, D.C., and dated August 27, 1976.

JACK W. GEHRINGER,
Deputy Director,
National Marine Fisheries Service.

[FR Doc.76-25515 Filed 8-30-76;8:45 am]

Title 12—Banks and Banking

CHAPTER II—FEDERAL RESERVE SYSTEM

SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

[Reg. Z; Docket No. R-0036]

PART 226—TRUTH IN LENDING

Identification of Transactions; Miscellaneous Amendments

On September 19, 1975, the Board published amendments to Regulation Z in the FEDERAL REGISTER setting forth disclosure requirements for identifying transactions reflected on open end credit account periodic statements and for other purposes (40 FR 4320). Subsequently, questions were raised regarding these requirements and on May 18, 1976, the Board published for comment in the FEDERAL REGISTER (41 FR 20421) proposed amendments intended to clarify certain requirements, add flexibility as necessary, and insure that consumers would be able to procure complete information regarding their open end credit accounts quickly and without undue expense.

Comments were received and analyzed during the comment period, which ended June 18. On the basis of those comments and its own analysis the Board has adopted the regulations which follow:

IDENTIFICATION OF TRANSACTIONS

Under these amendments the requirements for identifying transactions on open end credit periods statements are changed in the following ways:

1. To enhance the clarity of the text, a new section 226.7(k) is added to the Regulation. This new section would contain the requirements for identifying transactions. Section 226.7(b)(1)(ii), which formerly contained the identification of transactions requirements, would merely reference § 226.7(k) and require that the disclosures set forth therein be made on or with periodic statements.

2. As adopted in the September 19 publication, the Regulation required the creditor to provide a reference number or identifying symbol (such as a sales voucher number) which appears on the document evidencing the transaction in those cases in which the primarily required information is not available. Because of questions that were raised regarding the usefulness of the number or symbol to the consumer and regarding the cost to creditors of instituting a capability to capture the number or symbol for potential use in all transactions when it may, in fact, be needed for only a few, the Board proposed in its May 18 publication to permit a creditor to provide an identifying number or symbol when any of the primarily required information is not available or, alternatively, to permit the creditor to disclose only that information which is available and treat any inquiry regarding the description or identification of the transaction as a billing error and an erroneous billing subject to the pro-

visions of § 226.14. Further, under the proposal of May 18, the creditor would have been required to provide documentary evidence of the transaction without charge. These alternatives were to be available to those creditors that have procedures in place adapted to provide the primarily required information.

As finally adopted herein a creditor may not supply merely a voucher number when, despite the maintenance of procedures reasonably adapted to procure the primarily required information, the creditor fails to obtain it. In such cases these amendments require the creditor to treat any inquiry as a billing error and an erroneous billing and, unless previously furnished with a periodic statement, provide copies of documentary evidence of the transaction free of charge. Providing an identifying number or symbol would, of course, be permissible. Further, creditors that use "descriptive" billing systems are required to substitute the date of debiting the amount of a transaction to the account for the primarily required date whenever the primarily required date is not available and treat any inquiry regarding the absence of the date as a billing error and an erroneous billing under the procedures discussed previously herein. Previously, the regulations and proposals for comment had required that the identifying number or symbol be substituted whenever the primarily required date was not available. It seems that the debiting date is a more useful substitute for the primarily required date.

This addition to the Regulation is designed to provide an alternative to the requirement that an identifying number or symbol be provided in all cases when the primarily required information is not available. It is designed to insure a better and more complete description to the customer without financial disadvantage, to provide creditors with an alternative to the costly requirement of developing the additional capability to provide a voucher number for all transactions when their systems are designed to provide the primary information, and to supply an incentive for the creditor to provide a complete description in the first instance. As noted above, under this alternative the creditor remains obligated to maintain procedures reasonably adapted to procure the primarily required information.

3. In the May 18 proposal, the Board asked for comment regarding difficulties, and possible solutions to those difficulties, which creditors may have regarding describing property or services purchased in transactions at merchant establishments which sell a single homogenous line of merchandise or which use a central checkout facility. A significant proportion of the comments received addressed this issue, pointing out that in these two-party situations it is often inconvenient to the customer and burdensome and time consuming to the creditor to itemize the property or services purchased in such transactions. The regulation is, therefore, amended herein to provide that a two-party creditor may freely substitute a voucher number or other identifying symbol which appears on the document evidencing the transaction for the description of property or services. However, if this alternative is used customer inquiries must be treated as billing errors and erroneous billings under § 226.14 and, if a proper written notification of a billing error is received regarding the description of the goods or services, the creditor must provide the customer with documentary evidence of the transaction. This is meant to be a generally available alternative which a creditor may use to program its billing system in the first instance.

This alternative will allow the creditor to evaluate and make its own market judgment as to whether to provide the more complete description and avoid, to a large extent, the billing error resolution process which may otherwise result from using a voucher number system or, alternatively, to institute the voucher number system and face the potential expense of answering the inquiries which may be engendered thereby. This solution to the problem was suggested in some of the comments. As discussed further in a later paragraph herein, a transition period is provided to enable creditors to design systems which will comply with the ultimate requirements of the Act of the Regulation by October 28, 1977. During this transition period some experience may be gained using the voucher number alternative and, to the extent that it may be representative, may aid creditors in determining whether this type of system should be used.

4. This amendment provides an alternative similar to that discussed in paragraph 2 for the transition period which lasts until October 28, 1977, provided to enable creditors to adjust forms, procedures, and computer programs. During the transition phase these amendments allow the creditor to provide that information which is available while requiring that any inquiry regarding the identification of the transaction be treated as a billing error and as an erroneous billing when the primarily required information is not available. The amendments also retain the alternative of supplying the identifying number or symbol when primarily required information regarding the merchant's name and address or description of property or services is not available during the transition period. Further, during the transition period the date of debiting an amount to the account may be substituted for the otherwise required dates.

The language regarding the transition period for compliance, which ends October 28, 1977, has been changed from the September 19 publication in two respects. First, the language has been changed to further clarify the fact that the alternatives provided in the section are generally available and that creditors do not need to institute procedures reasonably adapted to procure the information which will be required to be disclosed after October 28, 1977, during this transition phase.

Second, because of the importance and complexities of the issues involved and the need for interested parties to fully evaluate the requirements of this regulation, the Board has extended the beginning date of the second transition period toward compliance with the ultimate requirements of the regulation to October 28, 1976. The Board believes this to be adequate time, given the earlier rulemaking proceedings on this subject, for interested parties to adapt their procedures to the rule. Because of the need for this added transition period as reflected by the issues raised by the comments, the Board herein rescinds its earlier suspension of the transition period. No requirements other than those embodied in earlier rulemaking proceedings have been imposed during the transition periods.

5. These amendments provide guidance regarding the disclosure of an address for certain types of three-party transactions which are not encompassed within the usual scenario of a purchase made at a fixed seller location. Recognizing that it is often problematic to assign one address or designation which is helpful to customers in all situations (for example, with a transaction that occurs by telephone, mail order, in the customer's home, or at a nonfixed location, such as aboard a public conveyance), the amendments provide some flexibility. They permit the creditor to (a) omit the address in cases where supplying an address would, in itself, be misleading, or (b) supply an address or appropriate designation (such as "mail order"), which, in the creditors opinion, is helpful in identifying the transaction or relating the transaction to a document previously furnished. Use of the disclosure provisions of this paragraph should not be for the purpose of evading or circumventing the Act or Regulation, however.

6. Guidance for disclosing the seller's name for three-party transactions is provided. Previously, the creditor was required to disclose a seller's name which appeared on the sales voucher. The May 18 publication provided that if the name on the voucher was alphabetically abbreviated a more complete spelling could be provided. It further provided that if the name was encoded on the sales voucher in a manner not understandable to customers the encoded symbol and a more complete spelling of the seller's name must be provided on or with the periodic statement. This provision was designed to provide certainty in the method of disclosure and to provide a description which a customer can verify and understand.

Some creditors commented that the regulation needed more flexibility in this respect and that they should be permitted to provide a seller's name other than by reference to what appears on the sales voucher. The regulation as finally adopted provides that disclosure of a seller's name which appears on the sales voucher (or a more complete spelling of such a name if it has been alphabetically abbreviated) is adequate. However, the regulation no longer *requires* that this be the name disclosed. Other names may be

adequate for these purposes as well. The regulation, therefore, provides the certainty that some creditor desire and the flexibility others feel they need.

7. Footnote 9b (footnote 7c as it appeared in the September 19 amendments) has been positioned within the regulation to indicate that all references to "the same person or related persons" in § 226.7(k) are governed by the guidelines set forth in that footnote.

8. Section 226.7(k)(1) regarding "country club" billing has been changed from the May 18 publication by the addition of the words "at the creditor's option" immediately preceding the words "either the date of the transaction or the date the transaction is debited to the customer's account." This is intended to allow "country club" billers to program their systems and to choose between providing the date of transaction or the date of the debiting. Whichever method they choose for any particular types of transactions should be consistent. Should the date which they choose to disclose be unavailable despite procedures instituted to capture that date, the alternative to treat the absence of the information as a billing error and an erroneous billing, as discussed earlier, would be available to them.

9. Recognizing the difficulties of procuring the primarily required information for transactions in foreign countries, the amendment (a) allows the creditor to disclose the date on which the amount of the transaction is debited to the customer's account instead of any other required date and (b) use the error resolution procedure discussed in paragraph (2) in all cases without the obligation to maintain the procedures adapted to procure the information in every instance. This provision is meant to be permissive and a creditor may, of course, disregard it and fully comply with the requirements otherwise imposed by § 226.7(k).

10. The wording in § 226.7(k)(4)(ii) requiring that the creditor maintain procedures reasonably adapted to obtain the primarily required information has been changed from the May 18 proposal by substituting the words "received by" for the words "transmitted to." This is meant to clarify that the alternatives provided in § 226.7(k)(4)(i) are available to two-party as well as three-party creditors. The point was raised in the comments that there is no "transmittal," as such, of the sales voucher to the creditor in a two-party system. No change in the meaning of the Regulation is intended by this change in the wording.

MISCELLANEOUS AMENDMENTS

The miscellaneous amendments as proposed in the May 18 publication are herein adopted.

1. The proposal amends § 226.7(b)(1)(iii) to provide that the date of crediting a payment or credit to the customer's account need not be disclosed in those situations where the failure to credit on any particular day will not result in the imposition of any finance charges or other charges upon the customer. This amendment is adopted in the belief that such a disclosure is of little of no value or economic concern to the consumer but does impose a substantial cost upon creditors to make the necessary changeover for their billing systems if they have not provided such a date heretofore. The requirement that payments to a customer's account be credited promptly, however, are not changed or suspended.

2. The amendment to § 226.7(c)(1) is intended to clarify the Board's intent in its publication of September 19, 1975. The language of § 226.7(c)(1) permits certain information to be disclosed other than on the face of the periodic statement provided that the totals of the respective debits and credits under each of the paragraphs referenced therein are disclosed on the face of the periodic statement. Concern has been expressed that the section, as amended by the September 19 publication, required disclosure of the total of all purchases or other loan transactions and finance charges on the face of the periodic statement. This was not the Board's intent.

3. The amendment to § 226.13(i) adds a footnote to paragraph 4 specifically permitting a creditor to report disputed amounts under § 226.13(i) as "in dispute" but not as "delinquent." This is consistent with the treatment of credit reports under § 226.14 and avoids the implication that creditors must have a dual credit reporting system which would have to reflect the different kinds of disputes that may be raised.

In consideration of the foregoing and pursuant to the authority granted in 15 U.S.C. § 1604 (1970) the Board amends Regulation Z, 12 C.F.R. Part 226 as follows:

1. To fully implement § 411, Title IV, Pub. L. 93-495, § 226.7(b)(1)(ii) will provide, and a new § 226.7(k) will be added, as follows:

§ 226.7 Open End Credit Accounts—Specific Disclosures.

* * * * *

(b) Periodic statements required (1) * * *

* * * * *

(ii) The information required by § 226.7(k)

* * * * *

(k) *Identification of transactions.* (1) Each extension of credit for which an actual copy of the document evidencing the credit transaction (which does not include a so-called "facsimile draft") accompanies the periodic statement on which the transaction is first reflected shall be identified by disclosing on the periodic statement, or on accompanying statement(s) or document(s), the amount of the transaction and, at the creditor's option, either the date of the transaction or the date the transaction is debited to the customer's account.

(2) Each extension of credit for which an actual copy of the document evidencing the credit transaction does not accompany the periodic statement shall be identified by disclosing on or with the periodic statement on which that credit transaction is first reflected at least:

(i) For transactions in which the creditor and the seller are the same person or related persons,[9b] the amount of the transaction, the date on which the transaction took place,[9c] and a brief identification[9d] of any property or services purchased or an identifying number or symbol reasonably unique for that transaction with that creditor which appears on the document evidencing the transaction given to the customer; provided, that, if the creditor discloses such an identifying number or symbol, the absence of the identification of the property or services otherwise required must be treated as a billing error under §§ 226.2(j) and 226.14 and as an erroneous billing under § 226.14(b) if the customer submits a proper written notice of a billing error relating to such absence, and the creditor must provide documentary evidence of the transaction to the customer free of charge whether or not the customer requests it.

(ii) For transactions in which the seller and the creditor are not the same person or related persons, the amount of the transaction, the date on which the transaction took place, and the seller's name and the address (city and State or foreign country, using understandable and generally accepted abbreviations if the creditor desires) where the transaction took place.

(3) Notwithstanding the provisions of §§ 226.7(k)(1) and 226.7(k)(2), transactions involving nonsale credit, such as a cash advance or an overdraft or other checking plan transactions, shall be identified on or with the periodic state-

---

[9b] For purposes of paragraph 226.7(k) a person is not related to the creditor simply because the person and the creditor have an agreement or contract pursuant to which the person is authorized to honor the creditor's credit card under the terms specified in the agreement or contract. Franchised or licensed sellers of a creditor's product shall be considered to be related to the creditor for purposes of paragraph 226.7(k). Sellers who assign or sell open end customer sales accounts to a creditor or arrange for such credit under an open end credit plan which allows the customer to use the credit only in transactions with that seller shall be considered related to the creditor for purposes of § 226.7(k).

[9c] With respect to transactions which are not billed in full on any single statement but for which precomputed instalments are billed periodically, the date the transaction takes place for purposes of paragraph § 226.7(k) shall be deemed to be the date on which the amount is debited to the customer's account.

[9d] For purposes of paragraph § 226.7(k), designations such as "merchandise" or "miscellaneous" shall not be considered sufficient identification of property or services, but a reference to a department in a sales establishment which accurately conveys the identification of the type(s) of property or services which are available in such department shall be sufficient under this paragraph. Identification may be made on an accompanying slip or by symbol relating to an identification list printed on the statement.

ment upon which the transaction is first reflected by providing at least:

(i) An actual copy of the document evidencing the transaction which shows the amount of the transaction and either the date of the transaction, the date the transaction was debited to the customer's account, or the date placed on the document or instrument by the customer (if the customer signed the document or instrument); or

(ii) A description of the transaction, which characterizes it as a cash advance, loan, overdraft loan, or other desgination as appropriate, and which includes the amount of the transaction and the date of the transaction[9e] or the date which appears on the document or instrument evidencing the transaction (if the customer signed the document or instrument).

(4) If, despite the maintenance of procedures reasonably adapted to procure the information required by §§ 226.7 (k) (1), (2) and (3) such information is unavailable to the creditor, the date of debitign the amount to the account shall be substituted for the date otherwise required (except that the date of debiting need not be provided if an actual copy of the document evidencing the transaction is provided with the periodic statement) and the creditor shall disclose as much of the other required information as is available and omit any information which is not available, provided, that, if the customer submits a proper written notification of a billing error relating to the absence of the primarily required date or other information, such absence shall be treated as a billing error under §§ 226.2(j) and 226.14 and as an erroneous billing under § 226.14(b) and, unless previously furnished with a periodic statement, documentary evidence of the transaction must be furnished whether or not the customer requests it, with in the time period allowed in § 226.14 for resolution of a billing error, without charge to the customer.

(5) In any case in which a transaction occurs other than in a State:

(i) The creditor may disclose the date of debiting the amount of the transaction to the open end credit account in place of any other date required elsewhere in § 226.7(k); and

(ii) The provisions of § 226.7(k)(4) shall apply and the creditor need not maintain procedures reasonably adapted to procure the information otherwise required by § 226.7(k).

(6) In complying with the disclosure requirements § 226.7 (k) (1), (2), (3), or (4):

(i) The creditor may rely upon and disclose the information supplied by the seller with respect to the date and amount of transactions for which the creditor and the seller are not the same person or related persons.

(ii) With regard to disclosing the seller's address where the transaction took place for purposes of § 226.7(k)(2)(ii), the creditor may omit the address or provide an address or other suitable designation which, in the creditor's opinion, will assist the customer in identifying the transaction or in relating the transaction, as reflected, to a document(s) evidencing the transaction previously furnished when no meaningful address is readily available because the transaction took place at a location which is not fixed (for example, aboard a public conveyance), or in the customer's home (in which case "customer's home" or a similar description is sufficient) or because the transaction was the result of a mail or telephone order (in which case "telephone order," "mail order," or similar description is sufficient); provided that any such disclosure made or omitted shall not be for the purpose of circumvention or evasion of this Part.

(iii) With regard to disclosing the seller's name for purposes of § 226.7(k)(2)(ii), disclosure of a seller's name which appears on the document evidencing the transaction (or a more complete spelling of such a name if the name is alphabetically abbreviated on the document evidencing the transaction) is sufficient for purposes of § 226.7(k)(2)(ii).

(7) (i) As an alternative to the provisions of §§ 226.7(k)(1) through 226.7(k)(5), from October 28, 1976, until October 28, 1977: (A) the creditor may disclose the date of debiting the amount of the transaction to the customer's account for the date of the transaction or the date placed on the document evidencing a credit transaction if, due to operational limitations, either such date is unavailable to the creditor for purposes of billing; and the creditor may disclose an identifying number or symbol which appears on the document evidencing the credit transaction given to or used by the customer at the time of or in connection with the credit transaction in place of the seller's name and address or description of the property or services purchased if, due to operational limitations, such information is unavailable to the creditor for purposes of billing; or (B) the creditor may identify the transaction by disclosing such information as is reasonably available and treating the absence of the information required by §§ 226.7(k)(1), (2), or (3), as applicable, as a billing error, as provided in §§ 226.2(j) and 226.14. If a customer submits a proper written notification of a billing error relating to the absence of such information and the information was, in fact, not disclosed as required by §§ 226.7(k)(1), (2), or (3), as applicable, the transaction shall be treated as an erroneous billing under § 226.14(b) and documentary evidence of the transaction must be furnished whether or not the customer requests it (despite the provisions of §§ 226.2(j) and 226.14(a)(2)), within the time period allowed in § 226.14 for resolution of a billing error, without charge to the customer.

(ii) The effective date of §§ 226.7(k)(1) through 226.7(k)(7)(i), inclusive, is October 28, 1976. Until October 28, 1976, the creditor shall disclose the date of each extension of credit or the date such extension of credit is debited to the account during the billing cycle, the amount of such extension of credit and, unless previously furnished, a brief identification[9f] of any goods or services purchased or the extension of credit.

2. Section 226.7(b)(1)(iii) is amended by the deletion of the period at the end thereof and the addition of the following: ", except that the date of crediting to the customer's account need not be provided if a delay in crediting does not result in the imposition of any finance charges, late payment charges, or other charges for that billing cycle or a later billing cycle."

3. Section 226.7(c)(1) is amended to read:

(c) * * *

(1) The information required to be disclosed under paragraph (b)(1)(ii) of this section and itemization of the amounts and dates required to be disclosed under paragraph (b)(1)(iii) of this section and of the amount of any finance charge required to be disclosed under paragraph (b)(1)(iv) of this section may be made on the reverse side of the periodic statement or on a separate accompanying statement(s), provided that the totals of the respective debits and credits under each of those paragraphs are disclosed on the face of the periodic statement.

4. Section 226.13(i)(4) is amended to add a footnote as follows:

§ 226.13 *Credit Card Transactions—Special Requirements.*

* * * * *

(i) Right of cardholder to assert claims or defenses against card issuer. * * *

(4) If the cardholder refuses to pay the amount of credit outstanding with respect to the property or services which gave rise to the claim(s) or defense(s) under this section, the creditor may not report to any person that particular amount as delinquent until the dispute is settled or judgment is rendered.[10a]

5. Section 226.7(b)(1)(ii), as adopted by the Board on September 15, 1975, and published in the FEDERAL REGISTER on September 19, 1975 (40 FR 43200) is hereby rescinded. The suspension of the effective date of the transition period as adopted by the Board on May 7, 1976, and published in the FEDERAL REGISTER on May 18, 1976 (41 FR 20395) is hereby rescinded.

By order of the Board of Governors, August 27, 1976.

THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc.76-25704 Filed 8-30-76;12:19 pm]

[9e] In cases in which an amount is debited to a customer's open end credit account under an overdraft checking plan, the date of debiting the open end credit account shall be considered the date of the transaction for purposes of this paragraph.

[9f] Identification may be made on an accompanying slip or by symbol relating to an identification list printed on the statement.

[10a] Nothing in this paragraph prohibits a creditor from reporting the disputed amount or account as being in dispute.

proposed rules

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF DEFENSE

Department of the Navy

[32 CFR Part 754]

NAVY AFFIRMATIVE SALVAGE CLAIMS

Proposed Miscellaneous Amendments

In accordance with public-participation procedures prescribed for the the Department of Defense in 32 CFR Part 296 (40 FR 4911), notice is hereby given that the Department of the Navy proposes to amend 32 CFR Part 754 pursuant to the authority conferred under 5 U.S.C. 301, 10 U.S.C. 5031 and 7361–7367. Part 754 is based upon an enclosure to a Naval Ships Systems Command Instruction [Enclosure (1) to NAVSHIPS Instruction 4740.4C]. This instruction will be revised by a proposed Naval Sea Systems Command Instruction (NAVSEA Instruction) and these amendments to Part 754 represent the proposed changes to the codified enclosure. The proposed amendments to Part 754 are as follows:

Section 754.1 will reflect the change in the name of the systems command from Naval Ships Systems Command to Naval Sea Systems Command, and the new address for the Assistant Supervisor of Salvage.

Section 754.2 will include the proposed increased per diem rates for salvage services and reflect the Department of the Navy's salvage policy and some changes in nomenclature and wording.

Section 754.3 will reflect the procedures for leasing of Navy salvage and oil pollution abatement equipment that are referred to in the proposed NAVSEA Instruction and are contained in Secretary of the Navy Instruction 4740.1 of August 15, 1975.

Interested persons are invited to participate in the formulation of the proposed amendments by submitting written data, views, comments, and arguments to the Judge Advocate General (Code 133), Navy Department, Washington, DC 20370. All written material received on or before September 30, 1976, will be considered before taking action on the proposed amendments and the proposed amendments may be changed in light of comments received. All comments received in response to these proposed amendments will be available for public inspection during normal business hours at the Law Library of the Office of the Judge Advocate General, room 2527, Navy Arlington Annex (Federal Office Building No. 2), Southgate Road and Columbia Pike, Arlington, Virginia.

These amendments are proposed under the authority of 5 U.S.C. 301; 10 U.S.C. 5031, and 7361–7367.

Accordingly, it is proposed to amend Part 754 of 32 CFR as follows:

1. In the table of contents, the fourth line is changed from "754.3 Per diem for salvage equipment rental." to "754.3 Leasing of Navy salvage and oil pollution abatement equipment."

2. The authority citations are amended to read as follows:

AUTHORITY: 5 U.S.C. 301; 10 U.S.C. 2667, 5031, and 7361–7367.

3. Section 754.1 is revised to read as follows:

§ 754.1 Settlement of Navy affirmative salvage claims.

(a) *Authority.* Under 10 U.S.C. 7365, the Secretary of the Navy, or his designee, may consider, ascertain, adjust, determine, compromise, or settle and receive payment of any claim by the United States for salvage services rendered by the Department of the Navy.

(b) *Delegation of authority.* Each of the following has been designated by the Secretary of the Navy to exercise the authority contained in 10 U.S.C. 7365:

(1) The Commander, Naval Sea Systems Command, Department of the Navy.

(2) The Supervisor of Salvage, Naval Sea Systems Command, Department of Navy.

(3) The Assistant Supervisor of Salvage, Naval Sea Systems Command, Department of the Navy, Room 1313, Federal Office Building, 90 Church Street, New York, New York 10007.

4. In § 754.2, paragraphs (a) and (e) are revised and a new paragraph (g) is added to read as follows:

§ 754.2 Per diem rates for salvage services.

(a) Effective (date of adoption), 1976, and subject to the rules set forth in paragraphs (b) through (g) of this section, the following vessel and deep dive system rates per day of 24 hours or part thereof have been established for salvage services rendered by the Department of the Navy:

(1) *Ships and Tugs:*

Salvage ships (ARS, ATS)	$7,000
Fleet tugs (ATF)	6,000
Large tugs (YTB)	4,000
Medium tugs (YTM)	3,000
Small tugs (YTL)	2,000

Rates for other types of ships used for search, communications, control, and the like will be established on a case by case basis, with consideration being given to their special features as required for the particular operation.

(2) *Harbor clearance craft:* Rates for harbor clearance craft, pulling barges, diving boats and barges, launches, and support equipment in general will be specified on a case by case basis.

(3) *Deep dive systems:* Deep Dive Systems (DDS) used in search and salvage work will be charged at the following rates per day or any portion thereof:

Mark I DDS (2-man)	$5,000
Mark II DDS (4-man)	7,000

Ship time in support of Deep Dive Systems will be charged as above. Bottom habitats, submersible vehicles, special surface navigation systems, and underwater search and navigation systems will be charged at rates to be determined on a case by case basis.

(4) *Supernumerary personnel.* The rates in paragraph (a) (1) of this section for ships and tugs include charges for their normal crews. Additional personnel such as Salvage Masters, Lift Masters, Harbor Clearance Team members, and extra diving crews will be charged for at rates established in the Navy Comptroller Manual and based on normal military pay scales. Per diem and travel expenses will be charged at cost.

* * * * *

(e) The extent of the salvage services rendered by naval activities in any given case will, of necessity, be governed by the magnitude of the salvage effort required and the problems encountered, and the availability of Navy salvage assets. Accordingly, the nature and amount of salvage equipment and other naval equipment, supplies, and materials will vary in each case. In addition, the number of naval personnel, both military and civilian (Civil Service), and their required specialized skills will also vary in each case. For these reasons it is not feasible to detail in this section the rates, costs, or charges for each item of naval equipment, material, supplies or personnel, that may be utilized in any given salvage operation. It is the policy of the Supervisor of Salvage to utilize the Navy Comptroller Manual (NAVSO P–1000) as the basis for determining the costs and charges for naval equipment for which there are no published rates established by this section or previously determined by the Supervisor of Salvage. The Navy Comptroller Manual also provides a basis for computing statistical charges where salvage services are rendered on in-house Navy salvage operations, and to Military Sealift Command, Maritime Administration, and other non-Navy public vessels and aircraft. However, in determining the costs and charges for equipment, supplies, materials, and personnel, the Supervisor of Salvage refers to the Navy Comptroller Manual for guidance only; he is not required to adhere to the rates set forth therein.

* * * * *

(g) The statutory authority of the Secretary of the Navy to provide salvage facilities for private vessels and to settle claims arising from such activity appears in 10 U.S.C. 7361–7367. This authority does not obligate the United States or the Department of the Navy to maintain salvage facilities in excess of its own needs nor to render salvage assistance on all occasions. The policy of the Department of the Navy, however, is to assist in the salvage of private commercial ships when such assistance is required and requested and where adequate privately owned salvage facilities do not exist or are not readily available.

5. Section 754.3 is revised to read as follows:

§ 754.3 Leasing of Navy salvage and oil pollution abatement equipment.

(a) *Purpose.* To delegate the authority for the lease of Navy salvage equipment and oil pollution abatement equipment under control of the Department of the Navy to private salvage companies and to establish policy governing such leases.

(b) *Background.* (1) 10 U.S.C. 7362 authorizes the Secretary of the Navy to charter, lease, or otherwise transfer to private salvage companies salvage equipment to be used to support organized offshore salvage facilities for periods of time that the Secretary considers appropriate. The phrase "offshore salvage" concerns situations involving refloating stranded or sunken ships in exposed locations along the coasts, or on reefs or islands. Leases under the authority of 10 U.S.C. 7362 may involve salvage equipment only.

(2) 10 U.S.C. 2667 authorizes the Secretary of a military department whenever he considers it advantageous to the United States to lease personal property upon such terms as he considers will promote the national defense or be in the public interest. For the purposes of this section, leases under the authority of 10 U.S.C. 2667 may involve both Navy salvage equipment and oil pollution abatement equipment.

(c) *Policies.* (1) Prior to negotiation of a lease pursuant to the authority of 10 U.S.C. 2667 or 7362 it must be determined that:

(i) The equipment is not needed for public use during the period of the lease;

(ii) The proposed lease should not render the property unsuitable for future military use;

(iii) The equipment is not "excess property" as defined by 4 U.S.C. 472;

(iv) The equipment or comparable equipment is not otherwise reasonably available from commercial sources.

(2) The term of any lease entered into pursuant to this section shall not exceed two years.

(3) Leases entered into pursuant to the authority of 10 U.S.C. 2667 require a determination that the lease will be advantageous to the United States and will promote the national defense or be in the public interest. The Secretary determines that such a finding has been made if one or more of the following situations is found to exist:

(i) The presence of a petroleum product or other hazardous substance in United States waters causes by any means which present an imminent danger to human life or property, public health, or the natural environment;

(ii) The grounding, standing, or sinking of any vessel in United States navigable waters or contiguous zones thereof which presents a danger to others, inhibits commerce, or poses an inconvenience to other vessels proceeding in the area;

(iii) The grounding, stranding, or sinking of any vessel which may present the danger of an oil spill of the character referred to in paragraph (c) (3) (i) of this section;

(iv) A situation in other than United States waters involving the grounding, stranding, or sinking of any vessel or the spillage of a petroleum product or other hazardous substance presenting an imminent danger to life, property, or the natural environment where

(A) A United States flag ship or other commercial vessel owned or operated by public or private U.S. interests is involved;

(B) United States treaty obligations require or permit such aid;

(C) The lease of Navy equipment would result in substantial good will being generated towards the United States;

(D) The situation might result in an international incident involving potential adverse consequences to the United States.

(4) Leases executed pursuant to this section shall contain comprehensive indemnification and hold harmless provisions whereby users of Navy salvage equipment or oil pollution abatement equipment shall assume liability, including liability for loss of or damage to the equipment, and for third-party bodily injury and property damage.

(5) The proposed lessee must stipulate in writing that comparable equipment is not reasonably available from commercial sources.

(d) *Lease.* (1) Leases entered into pursuant to the authority of 10 U.S.C. 2667 or 7362 shall contain the following provisions:

(i) A description of the specific commercial salvage operation or pollution incident in which the equipment may be used.

(ii) A stipulation that the equipment may be utilized only in accordance with its designed operational purpose.

(iii) A provision requiring the lessee to maintain, protect, and preserve the equipment in accordance with the best commercial practices.

(iv) A provision permitting the Government to revoke the lease at any time, unless the Secretary shall have determined that the omission of such a provision will promote the national defense or be in the public interest.

(v) A right in the Government to revoke the lease during national emergency declared by the President.

(vi) A provision prohibiting the lesse from entering into a sublease without the prior written approval of the Supervisor of Salvage, Naval Sea Systems Command.

(2) In addition to the foregoing terms and conditions:

(i) A lease covering the use of salvage equipment under the authority of 10 U.S.C. 7362 shall provide that the equipment will be used to support offshore salvage facilities for the term of the lease or for such lesser period as the Supervisor of Salvage, Naval Sea Systems Command, considers appropriate.

(ii) A lease of salvage equipment or oil pollution abatement equipment under the authority of 10 U.S.C. 2667 shall provide that, if and to the extent that the leased property is later made taxable by state or local governments under an act of Congress, the lease shall be renegotiated.

(e) *Rates.* (1) Fair market value of the equipment to be leased shall be charged in accordance with Department of Defense Instruction 7230.7.

(2) With respect to salvage equipment leased pursuant to 10 U.S.C. 7362:

(i) Rental rates set forth in § 754.2 shall be used where applicable.

(ii) Money rental received shall be credited to appropriations for maintaining salvage facilities by the Department of the Navy. However, if the amount received in any year exceeds the cost incurred by the Navy during that year in giving and maintaining salvage services, the excess shall be covered into the Treasury.

(3) With respect to salvage equipment or oil pollution abatement equipment leased pursuant to 10 U.S.C. 2667:

(i) The lease may provide for the maintenance, protection, repair, or restoration by the lessee of the equipment leased as part or all of the consideration for the lease.

(ii) Money rentals received directly from the lease shall be covered into the Treasury as miscellaneous receipts.

(iii) Payment for utilities or services furnished to the lessee under the lease by the Government may be covered into the Treasury to the credit of the appropriation from which the cost of furnishing them was paid.

(f) *Delegation.* (1) The Supervisor of Salvage, Naval Sea Systems Command, is authorized to take all necessary action in accordance with this section to grant, execute, amend, administer, and terminate leases of Navy salvage equipment and oil pollution abatement equipment to private salvage companies. The authority delegated herein will be exercised under the direction of the Chief of Naval Operations, the Chief of Naval Material, and the Commander, Naval Sea Systems Command.

(2) Proposed leases of salvage equipment or oil pollution abatement equipment under paragraph (c) (3) (iv) (C) and (D) of this Section or in situations that are of obvious sensitivity or that may be of Secretarial interest should be reported to the Assistant Secretary of the Navy (Installations and Logistics).

(g) *Maintenance of records.* The Supervisor of Salvage, Naval Sea Systems Command, will maintain a record system from which management information regarding leases executed pursuant to this

section may be compiled and furnished, when required.

JOHN S. JENKINS,
Captain, JAGC, U.S. Navy, Assistant Judge Advocate General Civil Law).

AUGUST 25, 1976.

[FR Doc.76-25426 Filed 8-30-76;8:45 am]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 1002]

[Docket No. AO-71-A72]

MILK IN THE NEW YORK-NEW JERSEY MARKETING AREA

Hearing on Proposed Amendments to Tentative Marketing Agreement and Order

Notice is hereby given of a public hearing to be held in the Conference Room of the Market Administrator's Office, 205 East 42nd Street, New York, New York beginning at 10:00 a.m. on September 16, 1976, with respect to proposed amendments to the tentative marketing agreement and to the order, regulating the handling of milk in the New York-New Jersey marketing area.

The hearing is called pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900).

The purpose of the hearing is to receive evidence with respect to the economic and marketing conditions which relate to the proposed amendments, hereinafter set forth, and any appropriate modifications thereof, to the tentative marketing agreement and to the order.

The proposed amendments, set forth below, have not received the approval of the Secretary of Agriculture.

Proposed by: Eastern Milk Producers Cooperative Association, Inc., Allied Federated Co-ops, Inc., Amsterdam-Fort Hunter Dairy Cooperative, Inc., Fly Creek Valley Cooperative, Inc., Preble Milk Cooperative Association, Inc., and Sussex County Cooperative Milk Producers Association.

PROPOSAL NO. 1

In § 1002.50a, amend the introductory language and paragraph (a) to read as follows:

§ 1002.50a Class prices.

For pool milk received during each month from dairy farmers or cooperative associations of producers, each handler shall pay per hundredweight not less than the prices set forth in this section, subject to the differentials and adjustments in §§ 1002.51 and 1002.81. Any handler who purchases or receives milk during the month from a cooperative association of producers which is also a handler shall pay such cooperative association as follows: For milk received during the first 15 days of the month, payment shall be made on or before the 5th day of the following month, at a rate per hundredweight not less than the Class II price for the preceding month, without adjustment pursuant to §§ 1002.80(b), 1002.81 and 1002.82. Final payment shall be made not later than the 16th day of the following month at the minimum class prices pursuant to this section, subject to only the following adjustments: partial payments made pursuant to subparagraph (1) of this paragraph; for receipts from a cooperative association handler which does not operate the plant or unit receiving the milk from producers, the differentials and adjustments set forth in §§ 1002.51, 1002.81, and 1002.82(b) applicable at the location where the milk is received from producers; and for receipts from a cooperative association handler which also operates the plant or the unit receiving the milk from producers, the differentials and adjustments set forth in §§ 1002.51, 1002.81, and 1002.82(b) applicable at the plant at which the milk first is received.

(a) For Class I-A milk the price shall be the basic formula price for the second preceding month plus $2.40.

* * * * *

PROPOSAL NO. 2

Amend § 1002.80 by adding new paragraphs (a) and (b) and redesignating existing paragraphs (a) through (d) as (c) through (f). New paragraphs (a) and (b) would read as follows:

§ 1002.80 Time and rate of payment.

(a) Each handler shall make payment, pursuant to paragraphs (a) through (f) of this section, to each producer for all pool milk delivered by such producer as follows:

(1) On or before the 7th day of the month, not less than the amount determined by multiplying the pounds of milk received from such producer during the first 15 days of the preceding month by the Class II price for the second preceding month, without adjustment pursuant to paragraph (b) of this section, or §§ 1002.81 and 1002.82.

(2) On or before the 22nd day of the month, not less than the amounts determined by multiplying the pounds of milk received from such producer during the preceding month by the uniform price, subject to appropriate differentials set forth in §§ 1002.81 and 1002.82 minus the amount of the payment made to the producer pursuant to paragraph (a)(1) of this Section.

(b) For milk received in a bulk tank unit, there may be deducted from the payments pursuant to paragraph (a)(2) of this section, as proper and as authorized in writing by the producer, or by a cooperative association authorized to act on behalf of such producer, a tank truck service (transportation) charge up to ten cents per hundredweight, in no event to exceed in the case of Class II milk on which a transportation credit is applicable pursuant to § 1002.55, actual transportation costs in excess of ten cents and otherwise actual transportation costs in either circumstance only to the extent transportation was actually provided by the handler or at his expense. Any such deduction with respect to bulk tank milk must be made by the handler not later than the date on which the producer is required to be paid for the milk involved. If authorization for such deduction is cancelled by the producer or by the cooperative by notifying the handler in writing, such cancellation shall be effective on the first day of the month following its receipt by the handler.

* * * * *

Proposed by Northeast Dairy Cooperative Federation, Inc., and Dairylea Cooperative, Inc.

PROPOSAL NO. 3

§ 1002.50a [Amended]

Amend § 1002.50a to provide for payment by a handler to a cooperative association of producers, from whom it receives milk, on or before the 19th day of the following month instead of as now provided on the 15th day of the following month.

PROPOSAL NO. 4

§ 1002.85 [Amended]

Amend § 1002.85 to provide that on or before the 20th day of each month each handler shall make full payment of the debit balance, if any, instead of as now provided on the 18th day of each month.

PROPOSAL NO. 5

§ 1002.86 [Amended]

Amend § 1002.86 to provide that on or before the 21st day of each month the market administrator shall make payment to each handler of the credit balance, if any, instead of as now provided on the 20th day of each month.

Proposed by the Dairy Division, Agricultural Marketing Service:

PROPOSAL NO. 6

Make such changes as may be necessary to make the entire marketing agreement and the order conform with any amendments thereto that may result from this hearing.

Copies of this notice of hearing and the order may be procured from the Market Administrator, 205 East 42nd Street, New York, New York 10017 or from the Hearing Clerk, Room 112-A, Administration Building, United States Department of Agriculture, Washington, D.C. 20250 or may be there inspected.

Signed at Washington, D.C., on August 26, 1976.

WILLIAM T. MANLEY,
Deputy Administrator, Program Operations.

[FR Doc.76-25423 Filed 8-30-76;8:45 am]

Rural Electrification Administration

[7 CFR Part 1701]

RURAL ELECTRIC PROGRAM

Irrigation Load Studies

Notice is hereby given that pursuant to the Rural Electrification Act, as amended (7 USC 901 et seq.), REA proposes to issue REA Bulletin 145-1, Devel-

opment, Approval, and Use of Irrigation Studies. The proposed bulletin is designed to provide REA requirements, procedures and guidelines for special studies of the irrigation loads of REA electric borrowers where those loads are of major significance to the total projected power loads and operations of the borrowers. The Irrigation Studies, approved by REA, would be prerequisite to the development of overall system Power Requirements Studies essential to system planning and financing. Borrowers under the following circumstances would be required to have the Irrigation Studies:

1. Distribution borrowers whose power sales for irrigation purposes exceed or are projected to exceed 15 percent of total sales.

2. Power supply borrowers whose total sales to member distribution systems for irrigation purposes exceed or are projected to exceed 7.5 percent of their total sales.

Borrowers required to have separate Irrigation Studies in accordance with the above formula would no longer be required to prepare REA Form 343, Irrigation Projection, included in REA Bulletin 120–1, Development, Approval, and Use of Power Requirements Studies.

Persons interested in the provisions of proposed REA Bulletin 145–1 may submit written data, views or comments to the Power Survey Officer, Room 3863, South Building, Rural Electrification Administration, U.S. Department of Agriculture Washington, D.C. 20250, on or before September 30, 1976. All written submissions made pursuant to this notice will be made available for public inspection by the Power Survey Officer.

A copy of proposed REA Bulletin 145–1 may be secured in person or by written request from the Power Survey Officer.

Dated: August 23, 1976.

RICHARD F. RICHTER,
Assistant Administrator, Electric.

[FR Doc.76-25360 Filed 8-30-76;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 436]

[FRL 601-4]

MINERAL MINING AND PROCESSING POINT SOURCE CATEGORY

Extension of Comment Period and Notice of Availability

On June 10, 1976 the Agency published a notice of proposed rulemaking (41 FR 23561) establishing effluent limitations and guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable for existing sources, standards of performance for new sources and pretreatment standards for new sources for the mineral mining and processing point source category. The due date for comments provided in the notice was July 12, 1976.

The Agency anticipated that the document entitled "Economic Impact for Interim Final and Proposed Effluent Guidelines for the Mineral Mining and Processing Point Source Industry," which contains information on the analysis undertaken in support of the regulations, would be available to the public throughout the comment period. Production difficulties delayed the availability of this document. Copies of the document are now available and have been forwarded to those persons having submitted written requests to the Environmental Protection Agency. A limited number of additional copies are available for distribution from the Environmental Protection Agency, Effluent Guidelines Division, Washington, D.C. 20460, Attention: Distribution Officer, WH–552.

This extension and notice of availability is published pursuant to sections 301, 304 (b) and (c), 306(b) and 307(c) of the Federal Water Pollution Control Act as amended 33 U.S.C. 1251, 1311, 1314 (b) and (c), 1316(b), and 1317(c); 86 Stat. 816 et seq.; P.L. 92–500 (the Act).

Accordingly, the date for submission of comments is hereby extended to September 30, 1976.

Dated: August 13, 1976.

ANDREW W. BREIDENBACH,
Assistant Administrator for Water and Hazardous Materials.

[FR Doc.76-24561 Filed 8-30-76;8:45 am]

SELECTICE SERVICE SYSTEM

Office of the Director

[32 CFR Part 1608]

SELECTIVE SERVICE REGULATIONS

Proposed Amendments

Pursuant to the Military Selective Service Act, as amended (50 App. U.S. Code sections 451 et seq.) and § 1604.1 of Selective Service Regulations (32 CFR 1604.1), the Director of Selective Service hereby gives public notice that consideration is being given to the following proposed amendments to the Selective Service Regulations constituting a portion of Chapter XVI of Title 32 of the Code of Federal Regulations. These Regulations implement the Military Selective Service Act, as amended (50 U.S. Code App., sections 451 et seq.).

Several of the proposed amendments reflect the recent changes of address of the National Headquarters, Selective Service System. Additional and alternate places where information may be obtained are also stated.

Section 1608.13 would be revised in the interest of clarity.

Section 1608.18 would be revised to authorize the legal representative of a deceased as well as an incompetent person to obtain information from the record of the person to whom it pertains. The authority of the Director now stated in paragraph (d) of this section would be eliminated.

All persons who desire to submit views to the Director on the proposals should prepare them in writing and forward them to the Director, Selective Service System, Attn.: MPL(GC), 600 E Street, Northwest, Washington, D.C. 20435. Comments received on or before September 30, 1976 will be considered.

The proposed amendments follow:

1. In § 1608.4 paragraph (c) is revised and paragraph (i) is added to read as follows:

§ 1608.4 Available information.

* * * * *

(c) The Registrants Processing Manual may be inspected at any office of the Selective Service System including the National Headquarters.

* * * * *

(i) Whenever an office referred to in this section is closed, the request for information that otherwise would be submitted to it should be submitted to the National Headquarters, Selective Service System, 600 E Street, N.W., Washington, D.C. 20435.

2. Section 1608.5(b) is amended to read as follows:

§ 1608.5 Places where information may be obtained.

* * * * *

(b) Requests for information concerning the national administration of the Military Selective Service Act should be directed to the National Headquarters, Selective Service System, 600 E Street, N.W., Washington, D.C. 20435.

* * * * *

3. Section 1608.5 is amended by adding paragraph (d) to read as follows:

§ 1608.5 Places where information may be obtained.

* * * * *

(d) Whenever an office referred to in this section is closed, the request for information that otherwise would be submitted to it should be submitted to the National Headquarters, Selective Service System, 600 E Street NW., Washington, D.C. 20435.

4. Section 1608.9(b) is amended to read as follows:

§ 1608.9 Review of denials of requests for information.

* * * * *

(b) A requester whose request for information or documents has not been satisfied may appeal to the Director of Selective Service, 600 E. Street NW., Washington, D.C. 20435.

5. Section 1608.13 is amended to read as follows:

§ 1608.13 Disclosure of requested information to the individual to whom it pertains.

Information contained in records maintained on a specific individual and the records pertaining to such individual will be disclosed to or may be examined by the individual to whom it pertains without charge. Copies of such records will be provided to the individual to whom the records pertain upon payment of the fees prescribed in § 1608.22 of this part.

6. Section 1608.18 is amended to read as follows:

§ 1608.18 Disclosure of record to persons other than the individual to whom it pertains.

(a) Information contained in records in a registrant's file and records pertaining to a specific individual may be disclosed or furnished to, or examined by, the following in addition to the individual to whom they pertain:

(1) His legal representative duly appointed by a court of competent jurisdiction because of his demise or incompetence.

(2) Any person upon submission to the employee responsible for the system of records of the written consent of the individual to whom the record pertains. The authorization must bear a date not earlier than six months prior to the day of its submission to the Selective Service System and the signature of the individual concerned.

(3) All personnel of the Selective Service System while engaged in carrying out the functions of the Selective Service System who have a need for the record in performance of their duties.

(4) A U.S. Attorney and his duly authorized representative, including agents of the Federal Bureau of Investigation, whenever a registrant has been reported to the U.S. Attorney for prosecution for violating the Military Selective Service Act or the rules, regulations, or directions made pursuant thereto.

(b) No information shall be disclosed or furnished to, or examined by, any person under the provisions of this section, until such person has been properly identified as entitled to obtain such information.

BYRON V. PEPITONE,
Director.

AUGUST 26, 1976.

[FR Doc.76-25466 Filed 8-30-76;8:45 am]

notices

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF STATE

Agency for International Development

[Delegation of Authority No. 116]

DIRECTOR, OFFICE OF FOREIGN DISASTER ASSISTANCE

Delegation of Authority

Pursuant to the authority delegated to me by Delegation of Authority No. 104, as amended, dated November 3, 1961 (26 FR 10608), from the Secretary of State and in furtherance of my decision relating to the establishment of an Office of U.S. Foreign Disaster Assistance in the Agency for International Development, as announced in AID General Notice of May 26, 1976, it is hereby ordered as follows:

Section 1. There is hereby delegated to the Director, Office of U.S. Foreign Disaster Assistance all of the authorities and functions which are specified in any regulation (published or upublished), manual order, policy directive or determination, manual circular or circular airgram or instruction or communication of any nature, relating to the furnishing of international disaster assistance under Chapter 9 of Part I of the Foreign Assistance Act of 1961, as amended.

Section 2. The following delegations of Authority are amended as follows:

a. Delegation of Authority No. 95 dated May 24, 1972 (37 FR 11790) to the Assistant Administrator for Population and Humanitarian Assistance is amended by deleting paragraph 1.b.

b. Delegation of Authority No. 99 dated April 27, 1973 (38 FR 12834) concerning contracting and related functions is amended by deleting paragraph 1.D and inserting the following:

D. Authority to sign or approve the following for international disaster assistance purposes subject to the limitations set forth in Handbook 8.

(1) To the Director, Office of U.S. Foreign Disaster Assistance:

(a) Project Implementation Orders—Technical Services (PIO/T);

(b) U.S. Government contracts;

(c) Grants, and any country contracts financed by such grants;

(d) Obligations to reimburse other U.S. Government agencies for their operations in support of international disaster assistance.

(2) To each director of an AID Mission (or in countries where there is no AID Mission, the Chief of the diplomatic mission):

(a) U.S. Government contracts;

(b) Grants, and any country contracts financed by such grants.

Section 3. The authorities made available hereunder may be exercised by an officer serving in an acting capacity and may be redelegated by the Director, Office of U.S. Foreign Disaster Assistance.

Section 4. This Delegation of Authority shall be deemed effective as of May 26, 1976, and actions within the scope of this delegation and any redelegation hereunder taken prior hereto which are consistent with the terms and scope of this delegation of authority are hereby ratified and confirmed.

DANIEL PARKER,
Administrator, AID.

AUGUST 19, 1976.

[FR Doc.76-25438 Filed 8-30-76;8:45 am]

HOLT ADOPTION PROGRAM

Voluntary Termination of Registration

In accordance with the regulations of the Agency for International Development concerning Registration of Agencies for Voluntary Foreign Aid (A.I.D. Regulation 3) 22 CFR Part 203, promulgated pursuant to section 621 of the Foreign Assistance Act of 1961, as amended, notice is hereby given that registration with the Advisory Committee on Voluntary Foreign Aid of the Agency for International Development has been voluntarily terminated by the following agency:

Holt Adoption Program, P.O. Box 2420, Eugene, Oregon 97402.

FRED O. PINKHAM,
Assistant Administrator for Population and Humanitarian Assistance.

AUGUST 23, 1976.

[FR Doc.76-25439 Filed 8-30-76;8:45 am]

HOLT INTERNATIONAL CHILDREN'S SERVICES, INC.

Register of Voluntary Foreign Aid Agencies

In accordance with the regulations of the Agency for International Development concerning Registration of Agencies for Voluntary Foreign Aid (A.I.D. Regulation 3) 22 CFR Part 203, promulgated pursuant to section 621 of the Foreign Assistance Act of 1961, as amended, notice is hereby given that a Certificate of Registration as a voluntary foreign aid agency has been issued by the Advisory Committee on Voluntary Foreign Aid of the Agency for International Development to the following agency:

Holt International Children's Services, Inc., P.O. Box 2880, Eugene, Oregon 97402.

FRED O. PINKHAM,
Assistant Administrator for Population and Humanitarian Assistance.

AUGUST 23, 1976.

[FR Doc.76-25440 Filed 8-30-76;8:45 am]

DEPARTMENT OF DEFENSE

Office of the Secretary

BOARD OF ADVISERS OF THE INDUSTRIAL COLLEGE OF THE ARMED FORCES AND BOARD OF CONSULTANTS OF THE NATIONAL WAR COLLEGE

Meeting

The President of the National Defense University has scheduled a joint meeting of the Board of Advisers of the Industrial College of the Armed Forces and the Board of Consultants of The National War College for Wednesday, September 15, 1976, from 0830 to 1630 and on Thursday, September 16, 1976, from 0830 until noon.

The morning meetings will be held in Seminar Room 127 of the Industrial College of the Armed Forces, with afternoon sessions in both The National War College and Industrial College Conference Rooms. The discussions will include a progress report on the National Defense University and the planned curriculums of both Colleges for Academic Year 1976–1977.

The meeting is open to the public, and the limited space available for observers will be allocated on a first-come, first-served basis. To reserve space, interested persons should write the National Defense University, Fort Lesley J. McNair, Washington, D.C. 20319 or phone the Assistant to the President for External Programs at 693–1074.

MAURICE W. ROCHE,
Director, Correspondence and Directives OASD (Comptroller).

AUGUST 27, 1976.

[FR Doc.76-25621 Filed 8-30-76;8:45 am]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

Filing of Plat of Survey

1. Plat of survey of the lands described below will be officially filed in the Alaska State Office, Anchorage, Alaska, effective at 10:00 a.m., September 30, 1976.

COPPER RIVER MERIDIAN

ALASKA

T. 8 N., R. 1 W.,
Sec. 5: Lots 1, 2, 3, 4, S½N½, S½;
Sec. 6: Lots 1 to 7 inclusive, S½NE¼, SE¼NE¼, E½SW¼, SE¼;
Sec. 7: Lots 1, 2, 3, 4, 5, N½NE¼, SE¼NE¼, NE¼NW¼;
Sec. 8: Lot 1, N½, N½SW¼, SE¼SW¼, SE¼;
Sec. 9: All;
Sec. 10: All;
Sec. 15: All;
Sec. 16: Lots 1, 2, N½, E½SW¼, SE¼;
Sec. 17: Lots 1 to 8 inclusive, NE¼NE¼;

Sec. 20: Lot 1;
Sec. 21: Lots 1, 2, 3, 4, NE¼, E½SE¼;
Sec. 22: All;
Sec. 27: All;
Sec. 28: Lots 1 to 5 inclusive, E½SE¼;
Sec. 33: Lots 1, 2, 3, 4, E½NE¼, SE¼SE¼;
Sec. 34: All.
Containing 7,837.89 acres.

2. The portion surveyed lies on the east side of the Gulkana River, south of Sourdough, Alaska. The Richardson Highway traverses sections 6, 7, 8, 16, 21, 28, and 33. The land is nearly level to gently rolling, with some steep bluffs along the east side of the Gulkana River. The timber is mainly spruce, with alder and willow undergrowth. U.S. Survey No. 4910 is situated in sections 21 and 28.

3. The public lands affected by this order are open to the operation of the public land laws, subject to any valid existing rights, the provisions of existing withdrawals, including Pub. L. 92-203, December 18, 1971, Public Land Order 5418, filed March 28, 1974, and the requirements of applicable law, rules and regulations.

4. Inquiries concerning the lands should be addressed to the Alaska State Office, 555 Cordova Street, Anchorage, Alaska 99501.

CLYDE DUREN, JR.,
Acting Chief,
Division of Cadastral Survey.

AUGUST 17, 1976.

[FR Doc.76-25435 Filed 8-30-76;8:45 am]

[F-19148-3, F-19148-5, F-19148-8, F-19148-12, F-19148-15, F-19148-26, F-19148-27, F-19148-28 and F-19148-30]

ALASKA

Alaska Native Claims (Regional) Selection

Pursuant to section 12(c)(3) of the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688), the Arctic Slope Regional Corporation filed certain selection applications covering the surface and subsurface estates of the lands described herein. The applications were timely filed and are serialized as F-19148-3, F-19148-5, F-19148-8, F-19148-12, F-19148-15, F-19148-26, F-19148-27, F-19148-28 and F-19148-30.

Selections F-19148-8, F-19148-26 and F-19148-27 were made in accordance with paragraphs 9 and 13 of the agreement between the Department of the Interior and the Arctic Slope Regional Corporation dated February 26, 1974. Since selection numbers F-19148-5, F-19148-12, F-19148-15, F-19148-28 and F-19148-30 were not made in accordance with paragraph 9 of this agreement (selection of all available lands in any given township (43 CFR 2652.3(e)), a waiver was requested from the Washington office and published in the FEDERAL REGISTER August 30, 1976.

It has therefore been determined that the applications have been properly filed and meet all the requirements of the act and the regulations issued pursuant to the act, as well as being within the provisions of the special agreement and waiver. The selected lands described below do not include any lawful entry perfected under or being maintained in compliance with laws leading to acquisition of title.

In view of the foregoing, the surface and subsurface estates of the following described lands are considered proper for acquisition by the Arctic Slope Regional Corporation, subject to valid existing rights, and are hereby approved for interim conveyance pursuant to section 14 (e) of the Act:

POINT LAY UNIT F-19148-3

UMIAT MERIDIAN, ALASKA (UNSURVEYED)

T. 4 N., R. 44 W.
T. 5 N., R. 43 W.

POINT HOPE UNIT F-19148-5

KATEEL RIVER MERIDIAN, ALASKA (UNSURVEYED)

T. 33 N., R. 30 W.,
Secs. 6, 7, and 8;
Secs. 16 to 20, inclusive;
Sec. 30.
T. 34 N., R. 30 W.,
Sec. 31.
T. 33 N., R. 31 W.,
Secs. 1 to 30, inclusive.
T. 34 N., R. 31 W.,
Secs. 7 and 8;
Secs. 21, 22, and 23;
Secs. 25 to 36, inclusive.
T. 33 N., R. 32 W.,
Secs. 1, 2, and 3;
Secs. 11 to 14, inclusive;
Secs. 23 and 24.
T. 34 N., R. 32 W.,
Secs. 9 to 16, inclusive;
Secs. 21 to 28, inclusive;
Secs. 33 and 34;
Sec. 35, excluding native allotment F-16711;
Sec. 36.

UMIAT MERIDIAN, ALASKA (UNSURVEYED)

T. 9 S., R. 61 W.,
Sec. 15;
Sec. 22;
Sec. 27;
Sec. 34.
T. 10 S., R. 61 W.,
Sec. 3;
Sec. 10;
Sec. 15;
Sec. 22;
Sec. 27;
Secs. 33 and 34.
T. 11 S., R. 61 W.,
Secs. 3 and 4;
Secs. 9 and 10;
Secs. 15 and 16;
Secs. 21 and 22;
Secs. 27 and 28;
Secs. 33 and 34.
T. 12 S., R. 61 W.,
Secs. 3 and 4;
Secs. 23 to 26, inclusive.

UTUKOK UNIT F-19148-8

UMIAT MERIDIAN, ALASKA (UNSURVEYED)

T. 5 N., R. 40 W., excluding naval petroleum reserve No. 4.
T. 6 N., R. 40 W., excluding naval petroleum reserve No. 4.
T. 7 N., R. 40 W., excluding naval petroleum reserve No 4.
T. 8 N., R. 40 W., excluding naval petroleum reserve No. 4.
T. 5 N., R. 41 W.
T 6 N., R. 41 W.
T. 7 N., R. 41 W.
T. 8 N., R. 41 W.
T. 5 N., R. 42 W.
T. 6 N., R. 42 W.

ARCTIC COAST UNIT F-19148-12

UMIAT MERIDIAN, ALASKA (UNSURVEYED)

T. 1 N., R. 44 W.
T. 2 N., R. 44 W.
T. 1 S., R 45 W.,
Secs. 4 to 9, inclusive;
Secs. 16 to 21, inclusive;
Secs. 28 to 33, inclusive.
T. 1 S., R. 46 W. (fractional)
T. 2 S., R. 46 W.,
Secs. 4 to 9, inclusive;
Secs. 16 to 21, inclusive;
Secs. 28 to 33, inclusive.
T. 1 S., R. 47 W. (fractional)
T. 2 S., R. 47 W. (fractional)
T. 3 S., R. 47 W.,
Secs. 4 to 9, inclusive;
Secs. 16 to 21, inclusive;
Secs. 28 to 33, inclusive.
T. 2 S., R. 48 W. (fractional)
T. 3 S., R. 48 W. (fractional)
T. 4 S., R. 48 W. (fractional)
T. 4 S., R. 49 W. (fractional)
T. 5 S., R. 49 W.
T. 5 S., R. 50 W. (fractional)
Excluding Public Land Order 3780.
T. 6 S., R. 50 W.
T. 5 S., R. 51 W. (fractional)
T. 6 S., R. 51 W. (fractional)
T. 6 S., R. 52 W. (fractional)
T. 6 S., R. 53 W.,
Secs. 13 to 18, inclusive (fraction);
Secs. 19 to 29, inclusive;
Sec. 30, excluding native allotment F-16837;
Secs. 31 and 36, inclusive.
T. 7 S., R. 53 W.,
Secs. 1 to 6, inclusive.
T. 6 S., R. 54 W. (fractional)
T. 7 S., R. 54 W.,
Secs. 1 to 6, inclusive.
T. 6 S., R. 55 W.,
Sec. 25 (fractional) excluding native allotment F-13950 Parcel A;
Secs. 26 and 27 (fractional);
Secs. 31 to 34, inclusive (fractional);
Sec. 35;
Sec. 36 (fractional).
T. 7 S., R. 55 W.,
Secs. 1 to 12, inclusive.

WESTERN ARCTIC HILLS UNIT F-19148-15

UMIAT MERIDIAN, ALASKA (UNSURVEYED)

T. 1 N., R. 41 W., excluding Naval Petroleum Reserve No. 4.
T. 2 N., R. 41 W., excluding Naval Petroleum Reserve No. 4.
T. 4 N., R. 41 W., excluding Naval Petroleum Reserve No. 4.
T. 1 N., R. 42 W.,
Secs. 19 to 36, inclusive.
T. 1 N., R. 43 W.,
Secs. 19 to 36, inclusive.
T. 3 N., R. 43 W.
T. 4 N., R. 43 W.
T. 1 S., R. 41 W., excluding Naval Petroleum Reserve No. 4.
T. 1 S., R. 42 W.
T. 1 S., R. 43 W.
T. 1 S., R. 44 W.,
Secs. 1 to 18 inclusive;
Secs. 19 to 23, inclusive, excluding coal prospecting permit F-029746;
Secs. 24 and 25;
Secs. 26, 27, and 28, excluding coal prospecting permit F-029746;
Sec. 29, excluding native allotment F-16278 parcel B, native allotment F-16279 parcel A, and coal prospecting permit F-029746;
Sec. 30, excluding coal prospecting permit F-029746;
Secs. 31 to 36, inclusive.

T. 1 S., R. 45 W.,
Secs. 1, 2, and 3;
Secs. 10 to 15, inclusive;
Secs. 22, 23, and 24;
Secs. 25, 26, and 27, excluding coal prospecting permit F–033619;
Secs. 34, 35, and 36, excluding coal prospecting permit F–033619.
T. 2 S., R. 45 W.,
Secs. 1, 2, and 3;
Secs. 4 and 5, excluding coal prospecting permit F–033619;
Secs. 6 and 7;
Secs. 8 and 9, excluding coal prospecting permit F–033619;
Secs. 10 to 36, inclusive.
T. 3 S., R. 45 W.
T. 2 S., R. 46 W.,
Secs. 1, 2, and 3;
Secs. 10 to 15, inclusive;
Secs. 22 to 27, inclusive;
Secs. 34, 35, and 36.
T. 3 S., R. 46 W.
T. 3 S., R. 47 W.,
Secs. 1, 2, and 3;
Secs. 10 to 15, inclusive;
Secs. 22 to 27, inclusive;
Secs. 34, 35, and 36.

WINDY LAKE UNIT F–19148–26

UMIAT MERIDIAN, ALASKA (UNSURVEYED)

T. 9 S., R. 53 W.,
Secs. 9, 10, and 11;
Secs. 14, 15, and 16;
Secs. 21, 22, and 23.

MAKTAK UNIT F–19148–27

UMIAT MERIDIAN, ALASKA (UNSURVEYED)

T. 12 S., R. 57 W. (fractional)

KATEEL RIVER MERIDIAN, ALASKA (UNSURVEYED)

T. 33 N., R. 29 W.
T. 34 N., R. 29 W. (fractional)
T. 33 N., R. 30 W.,
Sec. 13;
Secs. 23 to 27, inclusive;
Secs. 33 to 36, inclusive.

NILIK UNIT F–19148–28

UMIAT MERIDIAN, ALASKA (UNSURVEYED)

T. 7 S., R. 53 W.,
Secs. 7 to 36, inclusive.
T. 7 S., R. 54 W.,
Secs. 7 to 36, inclusive.
T. 7 S., R. 55 W.,
Secs. 13 to 16, inclusive;
Secs. 21 to 28, inclusive;
Secs 33 to 36, inclusive.
T. 8 S., R. 55 W.,
Secs 1 to 4, inclusive;
Secs. 9 to 16, inclusive;
Secs. 21 to 28, inclusive;
Secs. 33 to 36, inclusive.
T. 9 S., R. 56 W.,
Secs. 1 to 35, inclusive;
Sec. 36, excluding native allotment F–13975 parcel B.
T. 10 S., R. 56 W.,
Sec. 1, excluding native allotment F–13975 parcel B;
Secs. 2 to 36, inclusive.
T. 9 S., R. 57 W.,
Secs. 1, 2, and 3;
Secs. 10 to 15, inclusive;
Secs. 22 to 27, inclusive;
Secs. 34, 35, and 36.
T. 10 S., R. 57 W.,
Secs. 1, 2, and 3;
Secs. 10 to 15, inclusive;
Secs. 22 to 27, inclusive;
Secs. 34, 35, and 36.
T. 11 S., R. 57 W.,
Sec. 1;
Secs. 2 and 3, excluding native allotment F–17007;
Secs. 4 to 9, inclusive;
Secs. 10 and 11, excluding native allotment F–17007;
Secs. 12 to 36, inclusive.

KUKPOWRUK UNIT F–19148–30

UMIAT MERIDIAN, ALASKA (UNSURVEYED)

T. 8 S., R. 44 W.,
Secs. 13 to 36, inclusive.
T. 9 S., R. 44 W.,
Secs. 1 to 18, inclusive.
T. 4 S., R. 45 W.,
Secs. 1 to 20, inclusive;
Secs. 29 to 32, inclusive.
T. 8 S., R. 45 W.,
Secs. 13 to 36, inclusive.
T. 9 S., R. 45 W.,
Secs. 1 to 18, inclusive.
T. 4 S., R. 46 W.
T. 5 S., R. 46 W.,
Secs. 4 to 9, inclusive;
Secs. 16 to 21, inclusive;
Secs. 28 to 33, inclusive.
T. 6 S., R. 46 W.,
Secs. 4 to 9, inclusive;
Secs. 16 to 21, inclusive;
Secs. 28 to 33, inclusive.
T. 8 S., R. 46 W.,
Secs. 13 to 36, inclusive.
T. 9 S., R. 46 W.,
Secs. 1 to 18, inclusive.
T. 4 S., R. 47 W.
T. 5 S., R. 47 W.
T. 6 S., R. 47 W.
T. 7 S., R. 47 W.
T. 8 S., R. 47 W.
T. 9 S., R. 47 W.
T. 5 S., R. 48 W.
T. 6 S., R. 48 W.
T. 7 S., R. 48 W.
T. 6 S., R. 49 W.

The area described aggregates approximately 1,503,055 acres.

The interim conveyance issued for the surface and subsurface estate of the lands described above shall contain the following reservations to the United States:

1. A right-of-way thereon for ditches and canals constructed by the authority of the United States. Act of August 30, 1890, 26 Stat. 391, 43 U.S.C. 945.

2. A right-of-way thereon for the construction of railroads, telegraph and telephone lines, as prescribed and directed by the Act of March 12, 1914, 38 Stat. 305, 43 U.S.C. 975(d).

3. Pursuant to section 17(b) of the Alaska Native Claims Settlement Act of December 18, 1971, 85 Stat. 688, the following easements referenced by easement identification number (EIN) on the easement map in case file F–21780 are reserved to the United States and subject to further regulation thereby:

a. (EIN 1–D1, D9, C3, C5) A twenty-five (25) foot trail easement for use by the public to gain access to and from public lands via the existing winter trail along the coast between Barrow and Kotzebue. The use of this trail is to be controlled by applicable State or Federal law or regulations.

b. (EIN 4–C3, D1, D9, C5) A continuous linear easement twenty-five (25) feet in width upland of and parallel to the mean high tide line in order to provide public access to and along the marine coastline and use of such shore for purposes such as beaching of watercraft or aircraft, travel along the shore, recreation, and other similar uses. Deviations from the waterline are permitted when specific conditions so require, e.g., impassable topography or waterfront obstruction. This easement is subject to the right of the owner of the servient estate to build upon such easement a facility for public or private purposes, such right to be exercised reasonably and without undue or unnecessary interference with or obstruction of the easement. When access along the marine coastline easement is to be obstructed, the owner of the servient estate will be obligated to convey to the United States an acecptable alternate access route at no cost to the United States, prior to the creation of such obstruction.

c. (EIN 5–C5 (5a–c)) A trail easement fifty (50) feet in width on an existing trail system for use by the public to gain access to and from public lands. The first segment begins at Point Lay and runs southerly to the Epizetka River. In section 30 of T. 3 N., R. 44 W., Umiat Meridian, the trail system branches into 5b and 5c. Segment 5b follows the Epizetka River to public lands; segment 5c cuts southerwesterly and follows the right bank of the Kukpowruk River south to public lands. Segment 5a leaves EIN 5–C5 approximately four miles east of the village and proceeds easterly to public lands. The use of this trail system is to be controlled by applicable State or Federal law or regulations.

d. (EIN 11–C5, L) A road easement one hundred (100) feet in width for use by the public to gain access from Point Hope EIN 1–C4, C5 to and from public lands in the Upper Kukpuk River area. The use of this road is to be controlled by applicable State or Federal law or regulations.

e. (EIN 15–C5, D9 (15 a & b)) Two (2) fifty (50) foot trail easements for use by the public to gain access to and from public lands, beginning at the southerly boundary of the military withdrawal (Public Land Order 3780) in T. 5 S., R. 50 W., Umiat Meridian. Trail 15a winds in a southerly direction to public lands, while Trail 15b follows Kahkatak Creek easterly to public lands. The use of this trail system is to be controlled by applicable State or Federal law or regulations.

f. (EIN 17–L) A trail easement fifty (50) feet in width for use by the public to gain access from the Arctic coast to and from public lands in the Utcukuk River area north of Point Lay. The trail begins near triangulation station 47 (named Saxon) in T. 7 N., R. 42 W., Umiat Meridian. The use of this trail system is to be controlled by applicable State or Federal law or regulations.

g. (EIN 18–L) A trail easement fifty (50) feet in width for use by the public to gain access from the Arctic coast near Cape Sabine southeasterly to and from public lands along the Pitmegea River, with a five (5) acre site easement on the coast for use by the public as a beaching area for access to public lands

located in approximate section 22, T. 6 S., R. 54 W., Umiat Meridian. The use of this trail is to be controlled by applicable State or Federal law or regulations.

h. (EIN 22–C) The general right to enter upon the lands herein granted for cadastral, geodetic or other survey purposes is reserved together with the right to do all things necessary in connection therewith.

i. (EIN 23–C) An easement for the transportation of energy, fuel and natural resources which are the property of the United States or which are intended for delivery to the United States or which are produced by the United States. This easement also includes the right to build any related facilities necessary for the exercise of the right to transport energy, fuel and natural resources including those related facilities necessary during periods of planning, locating, constructing, operating, maintaining or terminating transportation systems. The specific location of this easement shall be determined only after consultation with the owner of the servient estate. Whenever the use of such easement will require removal or relocation of any structure owned or authorized by the owner of the servient estate, such use shall not be initiated without the consent of the owner of such improvement: *Provided, however*, That the United States may exercise the right of eminent domain if such consent is not given. Only those portions of this easement that are actually in use or that are expressly authorized on March 3, 1996, shall continue to be in force.

j. (EIN 24–C4, E) A five (5) acre site easement at the outlet of Windy Lake for use by the public as a float plane tie up, camping and a staging area for access to public lands. Said easement is located in section 15, T. 9 S., R. 53 W., Umiat Meridian, with three (3) fifty (50) foot ATV trails for use by the public to gain access to and from public lands around Windy Lake. One trail extends to the northwest of the site easement to public lands and one trail extends southerly to public lands. A third trail extends easterly from the east end of Windy Lake to public lands. The use of this trail system is to be controlled by applicable State or Federal law or regulations.

k. (EIN 25–C4) A one hundred (100 foot road for use by the public to gain access to and from public lands, which is an extension of Point Hope EIN 1–C4 after it crosses the Kukpuk River and proceeds northerly into regional selected lands in section 15, 22, 27 and 34 of T. 11 S., R. 61 W., and section 3 of T. 12 S., R. 61 W., Umiat Meridian. The use of this road is to be controlled by applicable State or Federal law or regulations.

l. (EIN 26–C4) A proposed fifty (50) foot ATV trail for use by the public to gain access to public lands, which is an extension of Point Hope EIN 5–C4 as it crosses the Regional selection in an easterly direction through section 10 of T. 10 S., R. 61 W., Umiat Meridian, to public lands. The use of this trail is to be controlled by applicable State or Federal law or regulations.

m. (EIN 27–C4) A proposed fifty (50) foot ATV trail for use by the public to gain access to public lands, going generally along the left bank of Akalolik Creek as an extension of Point Hope EIN 7–C4. The trail leads in an easterly direction across regional selected lands in sections 15, 16 and 21 of T. 11 S., R. 61 W., Umiat Meridian, to public lands. The use of this trail is to be controlled by applicable State or Federal law or regulations.

The grant of lands by the interim conveyance shall be subject to:

1. Issuance of a patent confirming the boundary description of the lands granted after approval and filing by the Bureau of Land Management of the official plat of survey covering such lands.

2. Valid existing rights therein, including but not limited to those created by any lease (including a lease issued under section 6(g) of the Alaska Statehood Act (72 Stat. 339, 341)), contract, permit, right-of-way or easement, and the right of the lessee, contractee, permittee or grantee to the complete enjoyment of all rights, privileges and benefits thereby granted to him.

Interim conveyance to the remaining entitlement for the Arctic Slope Regional Corporation will be made at a later date.

In accordance with Department regulation 43 CFR 2650.7(d), notice of this decision is being published once in the FEDERAL REGISTER and once a week, for four (4) consecutive weeks, in the Tundra Times. Any party claiming a property interest in land affected by this decision may appeal the decision to the Alaska Native Claims Appeal Board, P.O. Box 2433, Anchorage, Alaska 99510, with a copy served upon the Bureau of Land Management and the Regional Solicitor, Office of the Solicitor, 1016 West Sixth Avenue, Suite 201, Anchorage, Alaska 99501; also:

1. Any party receiving actual notice of this decision shall have 30 days from the receipt of actual notice to file an appeal.

2. Any unknown parties, any parties unable to be located after reasonable efforts have been expended to locate, and any parties who failed or refused to sign a receipt for actual notice, shall have until September 30, 1976 to file an appeal.

3. Any party known or unknown who may claim a property interest which is adversely affected by this decision shall be deemed to have waived their rights which were adversely affected unless an appeal is timely filed with the Alaska Native Claims Appeal Board.

To avoid summary dismissal of the appeal, there must be strict compliance with the regulations governing such appeal. Further information on the manner of, and the requirements for, filing an appeal may be obtained from the Bureau of Land Management, 555 Cordova Street, Anchorage, Alaska 99501.

ROBERT E. SORENSON,
Chief, Branch of Lands and Minerals Operations.

[FR Doc.76–25429 Filed 8–30–76;8:45 am]

[Colorado 029008–RW]

COLORADO

Amendment to Pipeline Right-of-Way

AUGUST 18, 1976.

Notice is hereby given that, pursuant to Section 28 of the Mineral Leasing Act of 1920 (41 Stat. 449), as amended (30 U.S.C. 185), Western Slope Gas Company, P.O. Box 840, Denver, Colorado 80201, has applied for a 3-inch natural gas looping pipeline, which is approximately 1,844 linear feet of additional natural gas looping pipeline to be constructed within the existing 50-foot-wide right of way in Rio Blanco County, Colorado. The additional pipeline will be constructed in the NE¼SW¼ and the SE¼NW¼ of Section 3, T. 8 S., R. 104 W., Sixth Principal Meridian, Colorado. The facility will enable applicant to construct, operate and maintain the subject natural gas looping pipeline and meet applicant's customer requirements for additional natural gas. The primary purpose of the proposed pipeline is to enable Western Slope Gas Company to correct an existing fuel supply problem at the Baxter Compressor Station and provide more uniform BTU content than now exists in the natural gas coming from the several wells in the Carbonera Field.

The purposes of this notice are: to inform the public that the Bureau of Land Management will be proceeding with the preparation of environmental and other analyses necessary for determining whether the application should be approved and, if so, under what terms and conditions; to allow interested parties to comment on the application; and to allow any person asserting a claim to the lands or having bona fide objections to the proposed natural gas looping pipeline right of way to file their objections in this office. Any person asserting a claim to the lands or having bona fide objections must include evidence that a copy thereof has been served on the applicant.

Any comment, claim or objections must be filed with the Chief, Branch of Land Operations, Bureau of Land Management, Colorado State Office, Room 700, Colorado State Bank Building, 1600 Broadway, Denver, Colorado, 80202, as promptly as possible after publication of this notice.

ALAN D. CAMPBELL,
Acting Chief, Branch of Land Operations.

[FR Doc.76–25436 Filed 8–30–76;8:45 am]

[NM 28672 and 28679]

NEW MEXICO

Applications for Pipeline Rights-of-Way

AUGUST 23, 1976.

Notice is hereby given that, pursuant to Section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), El Paso Natural Gas Company has applied for two 6-inch and one 6⅝-inch natural gas pipeline rights-of-way across the following lands:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 24 S., R. 26 E.,
Sec. 15, NE¼SW¼.
T. 19 S., R. 32 E.,
Sec. 6, SE¼SW¼ and SW¼SE¼;
Sec. 7, N½NE¼ and SE¼NE¼.

These pipelines will convey natural gas across .980 of a mile of national resource lands in Eddy and Lea Counties, New Mexico.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved, and if so, under what terms and conditions.

Interested persons desiring to express their views should promptly send their name and address to the District Manager, Bureau of Land Management, P.O. Box 1397, Roswell, New Mexico 88201.

FRED E. PADILLA,
Chief, Branch of Lands and Minerals Operations.

[FR Doc.76-25437 Filed 8-30-76;8:45 am]

Geological Survey

REGIONAL COAL DEVELOPMENT IN CENTRAL AND SOUTHERN UTAH

Preparation of Environmental Impact Statement

Notice is hereby given that, in accordance with the National Environmental Policy Act of 1969, the U.S. Geological Survey (USGS), Department of the Interior, has commenced the preparation of draft environmental impact statements (EIS's) relating to the cumulative impacts of coal development in all or part of Carbon, Emery, Garfield, Grand, Sanpete, Sevier, Wayne, Iron, Kane, and Washington County, Utah.

These two EIS's are among seven regional coal environmental impact statements to be prepared over the next several years in connection with the Department of Interior's new coal leasing policy.

An interagency task force has been established to prepare the statements.

The draft statements will be circulated for public review, and comments received will be considered in the preparation of the final statements. The final statements will be used as a basis for the Secretary of Interior's selection of tracts to be offered for competitive coal leasing, approval of mining and reclamation plans, and approval of other coal-related development activities for which Federal approval must be given.

All interested agencies, organizations, or persons desiring to submit comments or suggestions for consideration in connection with the preparation of the draft environmental impact statements should submit them to the Director, U.S. Geological Survey, Mail Stop 108, National Center, Reston, Virginia 22092. Comments and views should be received on or before September 15, 1976.

Dated: August 26, 1976.

M. R. KLEPPER,
Acting Director.

[FR Doc.76-25424 Filed 8-30-76;8:45 am]

REGIONAL COAL DEVELOPMENT IN THE POWDER RIVER COAL BASIN OF MONTANA

Preparation of Environmental Impact Statement

Notice is hereby given that, in accordance with the National Environmental Policy Act of 1969, the U.S. Geological Survey (USGS), Department of the Interior, has commenced the preparation of a draft environmental impact statement (EIS) relating to the cumulative impacts of Federal and State coal development actions in all or part of Powder River, Rosebud, Custer, Big Horn, and Treasure County, Montana.

The EIS is among seven regional coal environmental impact statements to be prepared over the next several years in connection with the Department of Interior's new coal leasing policy.

Because of some duplicate or closely related actions pending before Federal and State agencies, and because the Montana Environmental Policy Act is identical to the National Environmental Policy Act, the State of Montana is joining in preparation of the EIS. A joint Federal/State task force has been established to prepare the statement.

The draft statement will be circulated for public review, and comments received will be considered in the preparation of the final statement. The final statement will be used as a basis for the Secretary of Interior's selection of tracts to be offered for competitive coal leasing, approval of mining and reclamation plans, and approval of other coal-related development activities for which Federal approval must be given, and will be used by the State in considering parallel and related permitting actions.

All interested agencies, organizations, or persons desiring to submit comments or suggestions for consideration in connection with the preparation of the draft environmental impact statement should submit them to the Director, U.S. Geological Survey, Mail Stop 108, National Center, Reston, Virginia 22092. Comments and views should be received on or before September 15, 1976.

Dated: August 26, 1976.

M. R. KLEPPER,
Acting Director.

[FR Doc.76-25425 Filed 8-30-76;8:45 am]

National Park Service

NATIONAL REGISTER OF HISTORIC PLACES

Notification of Pending Nominations

Nominations for the following properties being considered for listing in the National Register were received by the National Park Service before August 19, 1976. Pursuant to § 60.13(a) of 36 CFR Part 60, published in final form on January 9, 1976, written comments concerning the significance of these properties under the National Register criteria for evaluation may be forwarded to the Keeper of the National Register, National Park Service, U.S. Department of the Interior, Washington, D.C. 20240. Written comments or a request for additional time to prepare comments should be submitted on or before September 10, 1976.

REX L. WILSON,
Acting Director, Office of Archeology and Historic Preservation.

CALIFORNIA

Sacramento County

Sacramento, *Johnson, J. Neely, House*, 1029 F St.

Santa Cruz County

Watsonville vicinity, *Castro, Jose Joaquin, Adobe*, 184 Old Adobe Rd., NW of Watsonville.

DELAWARE

New Castle County

Wilmington, *St. Mary of the Immaculate Conception Church*, 6th and Pine Sts.

IOWA

Clayton County

Garnavillo vicinity, *Valley Mills*, E of Granavillo.

Crawford County

Denison, *Chamberlin, Clarence D., House*, 1434 2nd Ave. S.

Decatur County

Davis City, *Union Church*, Clark and Sycamore Sts.

Dubuque County

Dubuque, *Redstone*, 504 Bluff St.
Dubuque, *Washington Park*, bounded by 6th, 7th, Bluff, and Locust Sts.

Fayette County

Fayette vicinty, *Chicago, Milwaukee, St. Paul and Pacific Railroad Company Depot*, NE of Fayette off IA 150.

KENTUCKY

Jefferson County

Louisville, *Municipal College Campus (Simmons University)*, 1018 S. 7th St.

MARYLAND

Harford County

Perryman vicinity, *Old Baltimore Site*, about 7 mi. S. of Perryman.

MASSACHUSETTS

Essex County

Haverhill vicinity, *Rocks Village Historic District*, NE of Haverhill at Merrimack River.
North Andover, *Kittredge Mansion*, 56 Academy Rd.

Worcester County

Lancaster vicinity, *Lane, Anthony, House*, NE of Lancaster on Seven Bridge Rd.
Worcester, *Greendale Village Improvement Society Building*, 480 W. Boylston St.

NEW YORK

Livingston County

West Sparta vicinity, *Kemp, R. P. No. 1*, W. of West Sparta.

Niagara County

Lockport, *Union Station*, 95 Union Ave.

Saratoga County

Waterford, *Waterford Village Historic District*, U.S. 4 and NY 32.

Suffolk County

Huntington vicinity, *Lloyd, Joseph, House*, NW of Huntington on Lloyd Harbor Rd.
West Bay Shore, *Sagtikos Manor*, Montauk Highway (NY 27A).

PENNSYLVANIA

Bucks County

Durham, *Durham Mill and Furnace*, Durham Rd.

Chester County

Knauertown vicinity, *Warwick Furnace/Farms*, S of Knauertown off PA 23 on Warwick Furnace Rd.

Cumberland County

Dickinson vicinity, *Pine Grove Furnace*, S of Dickinson on PA 233.
Wormleysburg, *Wormley, John, House*, 126 N. Front St.

Dauphin County

Middletown, *Cameron, Simon, House and Bank*, 28–30 E. Main St.

Delaware County

Media vicinity, *Ridley Creek State Park* NW of Media between PA 3 and PA 352.

Fulton County

McConnellsburg, *McConnell House*, 114 Lincoln Way West.

Lancaster County

Lancaster, *Hand, Gen. Edward, House (Rock Ford)*, 881 Rock Ford Rd.

Montgomery County

Ft. Washington vicinity, *The Highlands*, W of Ft. Washington at Skippack Pike and Sheaff Lane.

Northampton County

Easton, *Nicholas, Jacob, House*, 458 Ferry St.

Wyoming County

Nicholson vicinity, *Tunkhannock Viaduct*, 0.5 mi. E of Nicholson at Tunkhannock Creek.

TENNESSEE

Gibson County

Trenton, *Gibson County Courthouse*, Court Square.

Hamilton County

Ooltewah, *James County Courthouse*, Mulberry St.

TEXAS

Concho County

Salt Gap vicinity, *Bishop Site (X41CC2)*, 1 mi. W of Salt Gap.

WISCONSIN

Fond du Lac County

Fond du Lac, *Aetna Station No. 5*, 193 N. Main St.

[FR Doc.76–24823 Filed 8–30–76;8:45]

DEPARTMENT OF AGRICULTURE

Forest Service

CURTIS CREEK UNIT PLAN

Availability of Final Environmental Statement

Pursuant to section 102(2)(c) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a Final Environmental Statement for the Curtis Creek Unit Plan, USDA–FS–R8 FES (adm) 76–10.

The environmental statement concerns a proposed ten-year management plan for the Curtis Creek Unit (14), Grandfather Ranger District, Pisgah National Forest, containing 20,690 acres of National Forest land in McDowell County, North Carolina.

This final environmental statement was transmitted to CEQ on August 23, 1976.

Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service, South Agriculture Bldg., Room 3230, 12th St. & Independence Ave., SW., Washington, D.C. 20250.
USDA, Forest Service, Room 804, 1720 Peachtree Rd., NW., Atlanta, Ga. 30309.
USDA, Forest Service, National Forests in North Carolina, 50 South French Broad Avenue, Post Office Box 2750, Asheville, N.C. 28802.

A limited number of copies are available upon request to Forest Supervisor, National Forests in North Carolina, P.O. Box 2750, Asheville, N.C. 28802.

Copies of the environmental statement have been sent to various Federal, State, and local agencies as outlined in the CEQ guidelines.

ROBERT W. CERMAK,
Forest Supervisor.

AUGUST 23, 1976.

[FR Doc.76–25432 Filed 8–30–76;8:45 am]

SHASTA-TRINITY NATIONAL FOREST, LAND USE PLAN

Availability of Final Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a final environmental statement for the Land Use Plan, Upper Trinity Unit, Shasta-Trinity National Forest, California USDA–FS–R5 (Adm) 75–1.

The environmental statement concerns a proposed new land use plan for 27,730 acres of National Forest land located within the Shasta-Trinity National Forest. 17,715 acres would be principally managed for the production of wood; 5,600 acres would be principally managed for dispersed recreation and protection of the natural beauty of the sub-alpine area; 2,770 acres would be maintained in their natural environment; and 1,645 acres would be retained in their present condition pending further studies.

This final environmental statement was transmitted to the Council on Environmental Quality on August 24, 1976.

Copies are available for inspection during regular hours at the following locations:

USDA, Forest Service, South Agriculture Bldg., Rm. 3210, 12th St. and Independence Ave., SW., Washington, D.C. 20250.
U.S. Forest Service, 630 Sansome Street, Rm. 529, San Francisco, CA 94111.
Shasta-Trinity National Forest, 1615 Continental Street, Redding, CA 96001.
Weaverville Ranger District, P.O. Box T, Weaverville, CA 96093.
Shasta County Library, 1855 Shasta, Redding, CA 96001.
Shasta College Library, Old Oregon Trail, Redding, CA 96001.
Shasta Lake Ranger District, 6543 Holiday Road, Redding, CA 96001.
College of the Siskiyous Library, 719 4th, Yreka, CA 96097.

A limited number of single copies are available upon request to Forest Supervisor Richard Pfilf, 1615 Continental St., Redding, California 96001.

Copies of the environmental statement have been sent to various Federal, State, and local agencies as outlined in the Council on Environmental Quality guidelines.

T. W. KOSKELLA,
Deputy Regional Forester.

AUGUST 24, 1976.

[FR Doc.76–25376 Filed 8–30–76;8:45 am]

DEPARTMENT OF COMMERCE

Domestic and International Business Administration

NATIONAL INDUSTRIAL ENERGY COUNCIL Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. App. I (Supp. IV, 1974) notice is hereby given that the meeting of the National Industrial Energy Council will be held on Wednesday, September 29, 1976, from 1:30 p.m. to 3:30 p.m. in Conference Room 4830, Main Commerce Building, 14th & Constitution Avenue, NW., Washington, D.C. 20230.

The Council will report and advise the Secretary of Commerce on programs and problems within the industrial and commercial sectors relating to energy conservation; provide a forum for the exchange of views on conservation between government and the industry/commercial sectors; advise on policies, plans and actions of government agencies involving energy use and conservation. The Coun-

cil may identify and evaluate current and potential energy conservation plans within industry.

Agenda items are as follows:

1. Opening remarks by the Secretary of Commerce;
2. Reports by Sub-Councils;
a. Business Awareness,
b. Industry Programs,
c. Prorgam Development,
3. Open discussion;
4. Closing remarks by the Secretary of Commerce.

The meeting is open to public attendance and a limited number of seats will be available on a first-come, first-serve basis. To the extent that time permits, members of the public may present oral statements to the Council. Interested persons are also invited to file written statements with the Council before or after the meeting. Copies of the minutes will be available 30 days after the meeting upon written request addressed to the DIBA Freedom of Information Officer, Freedom of Information Control Desk, Room 3100, U.S. Dept. of Commerce, Wash., D.C.

Inquiries should be addressed to Ms. Kay Courtney, Committee Control Officer, Office of Energy Programs, DIBA Room 2211, U.S. Department of Commerce, 14th & Constitution Avenue, N.W., Washington, D.C. 20230. Tele: 202–377–5001.

Dated: August 25, 1976.

ROBERT M. JACKSON,
Acting Executive Director,
National Industrial Energy Council.

[FR Doc.76–25415 Filed 8–30–76;8:45 am]

UNIVERSITY OF RICHMOND, ET AL.

Applications for Duty-Free Entry of Scientific Articles

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89–651; 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate with the Director, Special Import Programs Division, Office of Import Programs, Washington, D.C. 20230, on or before September 20, 1976.

Amended regulations issued under cited Act (15 CFR 301) prescribe the requirements applicable to comments.

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the Special Import Programs Division, Department of Commerce, Washington, D.C. 20230.

Docket Number: 76–00491. Applicant: University of Richmond, Richmond, Virginia 23173. Article: Electron Microscope, Model 201C & Plate Camera. Manufacturer: Philips Electronics Instruments NVD, The Netherlands. Intended use of article: The article is intended to be used for the study of pigment cell differentiation in response to various hyperpigmenting agents. In the various conditions under study, there is particular interest in aspects of melansomes biosynthesis as influenced by stresses with nitrogen mustard, psoralens or ultraviolet light. Another project will involve an investigation into the origin of epidermal Langerhans cells. Application received by commissioner of customs: July 26, 1976.

Docket Number: 76–00492. Applicant: Bowman Gray School of Medicine of Wake Forest University, 300 South Hawthorne Road, Winston-Salem, North Carolina 27103. Article: Electron Microscope, Model EM 9S–2. Manufacturer: Carl Zeiss, West Germany. Intended use of article: The article is intended to be used for viewing biological tissue specimens of various types. Research to be conducted will include:

1. The identification and characterization of synaptosomes from specially treated and prepared nervous tissue.
2. The identification of myelin figures by negative staining procedures and research concerning muscle metabolism.
3. Effects of intrauterine devices and prostaglandines on the female reproductive system and regenerative repair in the vertebrate central nervous system.

The article will also play a major role in a training program and will be used as the teaching instrument in an electron microscope course entitled, "Methods in Histological Research—Anatomy 407." Application received by Commissioner of Customs: July 26, 1976.

Docket Number: 76–00493. Applicant: University of Rochester, 110 Hopeman Building, Rochester, New York 14627. Article: Photochron I Image Converter Streak Camera tube with S–1 spectral response photocathode. Manufacturer: Instrument Technology Ltd., United Kingdom. Intended use of article: The article is intended to be used in building a fast streak camera needed for the study of the feasibility of heating targets with a pulsed high power laser to produce thermonuclear reactions. Application received by Commissioner of Customs: July 27, 1976.

Docket Number. 76–00494. Applicant: University of Illinois at the Medical Center, 833 South Wood Street, Chicago, Illinois 60680. Article: Model J–40A Automatic Recording Spectropolarimeter with Alternate Measurement accessory. Manufacturer: Japan Spectroscopic Co. Ltd., Japan. Intended use of article: The article is intended to be used for investigations of the circular dichroism spectra of the peptides and proteins and their complexes with non-covalently bonded molecules. Experiments will be conducted to relate the circular dichroism spectra to the arrangement of molecular groups in three-dimensional space. In turn, the three-dimensional arrangement of molecular groups will be used to derive the basic molecular forces which stabilize the arrangement and the relationships between molecular arrangement and effect of the molecules on biological systems. Application received by Commissioner of Customs: July 27, 1976.

Docket Number: 76–00495. Applicant: University of Rochester, Hopeman 110, Rochester, New York 14627. Article: Photochron I Image Converter Streak Camera tube with S–1 spectral response photocathode. Manufacturer: Instrument Technology Ltd., United Kingdom. Intended use of article: The article is intended to be used in building a fast streak camera needed for the study of the feasibility of heating targets with a pulsed high power laser to produce thermonuclear reactions. Application received by Commissioner of Customs: July 27, 1976.

Docket Number: 76–00496. Applicant: University of Rochester, Hopeman 110, Rochester, New York 14627. Article: Photochron I Image Converter Streak Camera tube with S–1 spectral response photocathode. Manufacturer: Instrument Technology Ltd., United Kingdom. Intended use of article: The article is intended to be used in building a fast streak camera needed for the study of the feasibility of heating targets with a pulsed high power laser to produce thermonuclear reactions. Application received by Commissioner of Customs: July 27, 1976.

Docket Number: 76–00497. Applicant: The Johns Hopkins University, Charles and 34th Street, Baltimore, Md. 21218. Article: T.V. Projector modified for special multiplex operation with Zenon Arc Lamp, Model PGP–561. Manufacturer: PGP Consultants Ltd., Canada. Intended use of article: The article is intended to be used for educational purposes in continuing medical education programs on medical grand rounds, conjoint clinic, clinical pathological conferences, i.e., to assist doctors, interns and students keep abreast of current and updated methods and procedures. The article will be a part of the equipment that will be used to televise information via microwave. Application received by Commissioner of Customs: July 28, 1976.

Docket Number: 76–00498. Applicant: Brookhaven National Laboratory Associated Universities, Inc., Upton, Long Island, New York 11973. Article: Cryogenic turbo-expander unit, equipped with two size C4 turbines, a control alarm with safety box and a gas safety box. Manufacturer: L'Air Liquide, France. Intended use of article: The article is to be incorporated into a cryogenic testing facility for research on superconducting magnet systems intended to operate at two discrete temperature levels. Application received by Commissioner of Customs: July 28, 1976.

Docket Number: 76–00499. Applicant: Brookhaven Natioinal Laboratory Associated Universities, Inc., Upton, Long Island, New York 11973. Article: Cryogenic turbo-expander unit, equipped with two size C3 turbines, a control alarm with

safety box and a gas safety box. Manufacturer: L'Air Liquide, France. Intended use of article: The article is to be incorporated into a cryogenic testing facility for research on superconducting magnet systems intended to operate at two discrete temperature levels. Application received by Commissioner of Customs: July 28, 1976.

Docket Number: 76–00500. Applicant: Lovelace Foundation for Medical Education and Research, 5200 Gibson Blvd. SE, Albuquerque, New Mexico 87112. Article: Scanning Electron Microscope, Model JSM–35U and accessories. Manufacturer: JEOL Ltd., Japan. Intended use of Article: The article is intended to be used in studies of the health effects of inhaled effluents from power plants which use a variety of fuels, such as nuclear fuels or coal in the following three general areas:

(1) Characterization of aerosol particles, both those naturally occurring and those used in experimental studies.

(2) The characterization of normal anatomic structures of the respiratory tract, particularly those that can be correlated with physical and computer models of the lung.

(3) The characterization of lesions induced by inhalation of power plant effluents.

Application received by Commissioner of Customs: July 29, 1976.

Docket Number: 76–00501. Applicant: U.S. Geological Survey, 345 Middlefield Road, Menlo Park, California 94025. Article: Isotope Micromass Model 602C, VG Digital Printer Inlet option C6. Manufacturer: VG Micromass Ltd., United Kingdom. Intended used of article: The article is intended to be used to determine the stable isotope abundances of sulfur, nitrogen, oxygen, and carbon in minute samples of terrestrial and extra terrestrial materials. Application received by Commissioner of Customs: July 29, 1976.

Docket Number: 76–00502. Applicant: Univeristy of California, 405 Hilgard Avenue, Los Angeles, Ca. 90024. Article: Electron Microscope, Model EM 400 and accessories. Manufacturer: Philips Electronics Instruments NVD, The Netherlands. Intended use of article: The article is intended to be used for studies of structure of protein and nucleic acid molecules, microcrystals of protein, DNA-protein complexes, ribosome-antibody complexes. Experiments to be conducted will include the following: Isolation and purification of proteins; their crystallization; examination of crystals by minimum-beam exposure electron microscopy methods; binding of antibodies to ribosomes and viruses in order to localize the components; binding of glutamine synthetase and arabinose regulatory proteins to DNA; determination of the configuration of the bound complexes; both thin and thick sections of protein crystals. The article will also be used in the course Microbiology- 260A, B, Ultrastructure Methods in Molecular Biology to instruct students in research oriented use of high resolution electron microscopy in Molecular and Cell Biology. Application received by Commissioner of Customs: July 29, 1976.

Docket Number: 76–00503. Applicant: Association of Universities for Research in Astronomy, Inc., 950 North Cherry Avenue, P.O. Box 26732, Tucson, Arizona 85726. Article: 4-channel uvby photoelectric photometer, with associated electronic components and wiring. Manufacturer: University of Aarhus, Denmark. Intended use of article: The article is intended to be used for photoelectric uvby photometry of stars brighter than twelfth magnitude. Results from the observational programs will include the distribution of the stars in space, their age, their chemical composition, and the distribution of interstellar absorbing matter in the solar neighborhood. Application received by Commissioner of Customs: August 3, 1976.

Docket Number: 76–00504. Applicant: University of California, Lawrence Berkeley Laboratory, East End of Hearst Avenue, Berkeley, California 94720. Article: Electron Microscope, Model JEM 100C including Water cooled water recirculator, Model EM 100C–MW. Manufacturer: JEOL, Japan. Intended use of article: The article is intended to be used for studies of lipoproteins as biochemical entities specifically to investigate their chemical and physical properties, their structure and ultrastructure, their biochemical and physiological behavior, and their distribution patterns in individuals as related to states of health and disease. Experiments will be conducted to determine the effects of drugs, hormones, pollutants, heredity on fine structure of these macromolecules, tissues and membranes. Application received by Commissioner of Customs: August 3, 1976.

Docket Number: 76–00505. Applicant: M. D. Anderson Hospital and Tumor Institute, Department of Developmental Therapeutics, 6723 Bertner Avenue, Houston, Texas 77030. Article: Impulscytophotometer, ICP–11. Manufacturer: Phywe-AG, West Germany. Intended use of article: The article is intended to be used for analysis of DNA distribution of in vitro cell lines and patients' samples (solid tumor biopsies, bone marrow, and peripheral blood). Experiments to be conducted will include in vitro experiments on long-term cell lines to determine the effect of cancer chemotherapeutic agents on cell cycle progression as well as in vivo investigations on the effect of cancer chemotherapeutic agents on cell cycle progression as well as in vivo investigations on the effect of anticancer agents on cycle progression of malignant and normal tissue. The course in which the article will be used is cell kinetics (for post-doctorate students). Application received by Commissioner of Customs: August 3, 1976.

Docket Number: 76–00506. Applicant: Department of the Interior, U.S.G.S., Br. Electromagnetism and Geomagnetism, P.O. Box 25046, Stop 964, Denver Federal Center, Denver, Colorado 80225. Article: Fluxgate Magnetometers, Model FM 100B (6 each) and 100BR (17 each). Manufacturer: EDA Electronics Ltd., Canada. Intended use of article: The articles are intended to be used for measuring temperal variations in the earth's magnetic field as part of an international study of the magnetosphere to learn more about the morphology and dynamic processes of the magnetosphere. In particular the magnetometer network will be used in a concentrated study of the behavior of substorms. Data from the magnetometers will be used by graduate students in their research. Application received by Commissioner of Customs: August 3, 1976.

Docket Number: 76–00507. Applicant: University of Virginia, Department of Chemistry, McCormick Road, Charlottesville, VA 22901. Article: Split Coil Superconducting Solenoid and Matrix Isolation Accessory System. Manufacturer: The Oxford Instrument Company, Limited, United Kingdom. Intended use of article: The article is intended to be used to make the following measurements in order to increase fundamental knowledge order to increase fundamental knowledge of the magnetic and electronic structural properties of molecules cited below and related systems:

(1) Matrix isolation magnetic circular dichroism (MIMCD).
(2) Magnetic circularly polarized emission (MCPE).
(3) Magnetic linear dichroism (MLD).
(4) Transverse Zeeman effect.
(5) Magnetic linear polarized emission (MLPE).
(6) Optical double resonance.

Among the systems to be investigated are the following: O_2^-, O_3^-, Xe-F, Xe-Cl, Ca_2, ClO_2, SO_2^-, Cl_2^-, F_2^-, CaO, UF_6, CS_2GeF_4:Mn^{4+}, CS_2GeF_4:Ir^{4+}, Os^{4+}, Re^{4+}, Uranocene films, carboranes, UF_6. In addition, the article will be used by graduate students doing research work as part of the requirement for advanced degrees in chemistry (MS, and Ph. D.)

Application received by Commissioner of Customs: August 5, 1976.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

BERNARD ASCHER,
Acting Director,
Office of Import Programs.

[FR Doc.76–25430 Filed 8–30–76;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

National Institutes of Health

NATIONAL ADVISORY EYE COUNCIL

Meeting Change

Notice is hereby given of a change in the meeting of the National Advisory Eye Council, September 13–14, 1976, Conference Room No. 7, Building 31, National Institutes of Health, which was published in the FEDERAL REGISTER on August 2, 1976 (41 FR 32284–32285).

There will be a meeting of the Vision Research Program Planning Subcom-

mittee of the National Advisory Eye Council, National Eye Institute, on Sunday, September 12, 1976, National Institutes of Health, Building 31, Room 6A–21, Bethesda, Maryland.

The meeting will convene at 7:00 p.m., and will be open to the public until adjournment, approximately 10:00 p.m. The meeting will be devoted to review of the status of ongoing vision research program planning activities. Attendance by the public will be limited to space available.

Substantive information may be obtained from Mr. Julian Morris, Head, Office of Scientific Reports and Program Planning Coordination, National Eye Institute, National Institutes of Health, Bethesda, Maryland 20014, Building 31, Room 6A–27, telephone (301) 496–5248.

Dated: August 27, 1976.

SUZANNE L. FREMEAU,
Committee Management Officer, National Institutes of Health.

(Catalog of Federal Domestic Assistance Program No. 13.331, National Institutes of Health.)

[FR Doc.76–25686 Filed 8–30–76;11:27 am]

Office of Education

ADVISORY COMMITTEE ON ACCREDITATION AND INSTITUTIONAL ELIGIBILITY

Meeting

Notice is hereby given, pursuant to Pub. L. 92–463, that the next meeting of the Advisory Committee on Accreditation and Institutional Eligibility will be held on September 22–24, 1976, beginning at 9:00 a.m., each day, local time at the Old Town Holiday Inn, 480 King Street, Alexandria, Virginia.

The Advisory Committee on Accreditation and Institutional Eligibility is established pursuant to Section 253 of the Veterans' Readjustment Assistance Act (Chapter 33, Title 38, U.S. Code). The Committee is established to advise the Commissioner of Education in fulfilling his statutory obligations to publish a list of nationally recognized accrediting agencies and associations which he determines to be reliable authorities concerning the quality of training offered by education institutions and programs. It also serves to advise the Commissioner in fulfilling his statutory obligatoin to publish a list of State agencies which he has determined to be reliable authorities concerning the quality of public postsecondary vocational education in their respective State, pursuant to section 438(b) of the Higher Education Act of 1965, as amended by Pub. L. 92–318.

The meeting shall be open to the public. The Committee will review petitions by accrediting and State approval agencies for initial or continued recognition by the Commissioner, the Committee will hear presentations by representatives of the petitioning agencies and interested third parties and the Committee will review policy items pertaining to accreditation and institutional eligibility.

Records shall be kept of all Committee proceedings, and these will be available in the Office of the Division of Eligibility and Agency Evaluation, Room 3030, Regional Office Building 3, 7th and D Streets, S.W., Washington, D.C.

Signed at Washington, D.C., on August 23, 1976.

JOHN R. PROFFITT,
Director, Division of Eligibility and Agency Evaluation.

[FR Doc.76–25377 Filed 8–30–76;8:45 am]

NATIONAL ADVISORY COUNCIL ON EXTENSION AND CONTINUING EDUCATION

Meeting

Notice is hereby given, pursuant to the Federal Advisory Committee Act, Pub. L. 92–463 that a meeting of the National Advisory Council on Extension and Continuing Education will be held on September 22–24, 1976, at The Wellington Hotel, 2505 Wisconsin Avenue, NW., Washington, D.C. The meetings on September 22 and 23 are scheduled from 9:00 a.m. to 5:00 p.m.; and on September 24, from 9:00 a.m. to 12:30 p.m.

The National Advisory Council on Extension and Continuing Education is authorized under Public Law 89–329. The Council is directed to advise the Commissioner of Education in the preparation of general regulations and with respect to policy matters arising in the administration of Title I, and to report annually to the President on the administration and effectiveness of all federally supported extension and continuing education programs, including community service programs.

The meeting of the Council will be open to the public. The agenda for the meetings will include committee meetings to review and plan activites for the year; the Council's review of the status of the reauthorization of Title I of the Higher Education Act; and the discussion of plans for the Council's major project: a national invitational conference on continuing education and work. All records of Council proceedings are available for public inspection at the Council's staff office, located in Suite 529, 425 Thirteenth Street, NW., Washington, D.C.

Dated: August 23, 1976.

JAMES A. TURMAN,
Executive Director.

[FR Doc.76–25434 Filed 8–30–76;8:45 am]

CIVIL AERONAUTICS BOARD

[Docket 29572, Agreement CAB 23870–A2, Order 76–8–137]

AIR TRAFFIC CONFERENCE OF AMERICA

Reduced Fees for Transmission of Automated Tickets

AUGUST 25, 1976.

The Air Traffic Conference of America (ATC) on behalf of its members has filed with the Board, pursuant to section 412(a) of the Federal Aviation Act of 1958, as amended (the Act), and Subpart P of the Board's Rules of Practice (14 CFR 302.1601–1608) a resolution (Agreement CAB 23870–A2) relating to a reduction in fees paid by agents for the transmission of individually priced itineraries utilized to mechanically produce tickets.

The effect of the resolution is to amend ATC Resolution 5.93 (Placement of Ticket Issuing Devices In Offices of Travel Agents and Customers) by reducing from $1.00 to 25 cents the fee which ATC members charge travel agents for each individually priced itinerary transmitted. In addition, nonpriced itineraries would now become subject to the same fee.

In support of the agreement, ATC states that several air carriers have performed internal analyses of the cost of transmitting individual itineraries for the preparation of automated tickets, which analyses have shown the cost of such transmissions to be approximately 25 cents per transmission. ATC further states that the purpose of Resolution 5.93 is to allow the carriers to recoup their costs incidental to the transmission of individually priced itineraries. Moreover, according to ATC, recent technological advances have significantly reduced itinerary transmission costs. ATC states that reducing the transmission charges will further encourage the use of automated ticketing devices thereby further reducing ticketing errors, improving the overall cost and efficiency of travel agency ticketing and improving ticketing service to the traveling public.[1]

No additional comments concerning the proposal have been received.

Upon consideration of the foregoing, it has been decided to approve Agreement CAB 23870–A2. In reaching this conclusion it is noted that the proposal now before the Board was adopted by the ATC carriers in an effort to resolve what those same carriers see developing as an undesirable and confusing situation insofar as itinerary transmission fees are concerned. Thus, the carriers acknowledge that transmission costs to certain members have decreased substantially from the $1 fee currently charged for each transmission, and, in an effort to maintain uniformity with respect to those charges, have agreed that a lower specific fee should be established. We believe the carriers proposal for a uniform fee is for the present the best approach for dealing with the matter and that the lower fees could, as ATC has pointed out, result in greater use of the service with consequent improved efficiency, and improved ticketing service to the public.

We have also considered the proposal to include nonpriced itineraries within

[1] ATC has urged prompt action on the proposal stating that two ATC members have withdrawn from Resolution 5.93 effective August 26, 1976, and that the instant agreement would obviate the need for withdrawal.

the transmissions subject to the new fees. Apparently the transmission of such itineraries would also involve costs to the carriers and the application of the fees to such itineraries does not appear unreasonable.

Therefore, pursuant to authority duly delegated by the Board in the Board's Regulations, 14 CFR 385.13 and 385.3, it is found that Agreement CAB 23870–A2 is not adverse to the public interest or in violation of the Act and should be approved.[2]

Accordingly, it is ordered that:

1. Agreement CAB 23870–A2 be and it hereby is approved.

2. This order shall be served upon the American Automobile Association, the American Society of Travel Agents, Inc., the Association of Retail Travel Agents, the Association of Bank Travel Bureaus, and the U.S. Department of Justice.

3. Persons entitled to petition the Board for review of this order pursuant to the Board's Regulations, 14 CFR 385.50, may file such petitions within 10 days of the date of service of this order.

4. This order shall be effective immediately and the filing of such petitions shall not stay its effectiveness.

This order shall be published in the FEDERAL REGISTER.

PHYLLIS T. KAYLOR,
Secretary.

[FR Doc.76-25469 Filed 8-30-76;8:45 am]

[Docket 28980, Order 76-8-124]

CITY OF LUBBOCK, TEX., AND THE LUBBOCK CHAMBER OF COMMERCE

Service Investigation

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 24th day of August, 1976.

On March 12, 1976, the City of Lubbock, Texas, and the Lubbock Chamber of Commerce petitioned the Board to institute an investigation to consider the issue of improved service between Lubbock and points to the east, west, north, and south of Lubbock.[1]

In support of its petition, Lubbock states that service to the West and Northwest is almost nonexistent insofar as direct and/or single-plane service is concerned; that substantially all service between Lubbock and points to the east, northeast, and southeast of Lubbock must go through the Dallas/Ft. Worth air terminal, with the attendant inconveniences of layovers, delays, and changes of plane; that much of the service to the South is hindered by the requirement of stops at Midland/Odessa, due to an impediment in the certificate authority of Continental Air Lines; that Continental is further subject to a point-of-origin restriction on southbound flights, which prevents convenient scheduling;[2] that Lubbock has had meetings with each air carrier now serving Lubbock, but has received little or no encouragement as to the possibility of improved service; and that the relief sought is justified by present and anticipated growth and generation of air travel to and from Lubbock.

Answers in support of Lubbock's petition were filed by the City of Albuquerque and the Albuquerque Chamber of Commerce, as well as the City of San Antonio and the San Antonio Chamber of Commerce. Albuquerque argues that, despite traffic growth averaging eight percent per year since 1970, service in the Albuquerque/Lubbock market has deteriorated from seven single-plane flights in 1971 to two in 1976, and that service in this market is now limited to one inconveniently timed[3] daily nonstop round trip offered by Continental and several connecting flights (via El Paso), requiring time-consuming, circuitous routing. The San Antonio civic parties state that, although traffic from Lubbock to San Antonio has grown 53 percent from 1970 to 1974, no nonstop service is available and the only single-plane service to Lubbock is two morning flights, one via Dallas with a 40 percent time circuity.

Braniff has filed in opposition to the petition. Braniff believes Lubbock receives adequate service given its size and urges the Board to deny its petition. Braniff also notes that the issue of improved service in Texas intrastate markets is the subject of a Southwest Airlines application now pending before the Texas Aeronautics Commission.[4]

Upon consideration of the pleadings and all of the relevant facts, we have decided to dismiss Lubbock's petition for an immediate hearing and to require all interested parties to show cause why the Board should not (a) eliminate the requirement that Continental flights on Route 29 stop at Midland/Odessa on flights in the Lubbock-Austin, Lubbock-Houston, and Lubbock-San Antonio markets, and (b) eliminate the point of origin restriction (condition 10) on Continental's segment 8 of Route 29 with respect to Lubbock-San Antonio/Austin/Houston flights.

In this case, no carrier has applied for authority at Lubbock. Furthermore, on the basis of the facts before us, the service deficiencies alleged by the civic parties do not appear to be so urgent as to constitute a present denial of reasonable access to adequate service by the citizens of the area and to warrant an evidentiary hearing at this time.

In looking at the potential economic self-sufficiency of the service proposed by Lubbock, we cannot ignore the fact that no carrier has indicated an interest in providing the service by filing an application in support of Lubbock's request. Absent a proposal by a carrier, we may conclude that no carrier has the incentive to effectively promote and develop new service to Lubbock, and that the potential economic viability of such operations at Lubbock is limited.

Lubbock does not appear to suffer from a lack of air service per se. Lubbock ranked 99th on the basis of O&D traffic in calendar 1974.[5] With 9,146 departures, Lubbock's quality of service, based on frequency of service, exceeded 16 of the 20 cities ranked just above it.[6] Lubbock's exhibits show that Lubbock ranks eighth in population among Texas cities, yet with 9,146 scheduled departures during 1974, Lubbock received 64 percent more service that Corpus Christi, the seventh ranked Texas city with a 37 percent greater population than Lubbock.[7] Lubbock service was only slightly below Austin, the sixth ranked city (10,579 scheduled departures), although Austin is approximately 69 percent larger than Lubbock.[8] Basing the comparison on in-

---

[2] It is found, pursuant to section 385.6 of the Board's Regulations, that the action taken herein is governed by prior Board precedent and policy and, because certain ATC members have withdrawn from ATC Resolution 5.93 effective August 26, 1976, immediate action on the agreement is required. Therefore, it is determined that the filing of petitions for review of this order will not preclude this order from becoming effective immediately.

[1] Specifically, Lubbock requests gateways other than Dallas/Fort Worth to the East, Northeast, and Southwest; additional direct service to the South through the removal of the necessity for southbound Continental Air Lines flights to stop at Midland/Odessa, a segment junction point, and the removal of point-of-flight-origin restrictions on those flights; nonstop service to San Francisco and Los Angeles and additonal gateways to the West; nonstop service between Lubbock and Denver, Houston, San Antonio and Austin; nonstop service between Lubbock and Memphis; and improved direct service between Lubbock, on the one hand, and the previously mentioned points, and Little Rock, New Orleans, and Atlanta, on the other.

[2] The necessity for stops at Midland/Odessa on Continental flights is due to the fact that Midland is a segment junction point on Continental's Route 29. There is a point-of-origin restriction on Continental flights over segment 8 providing that flights cannot originate or terminate within Texas. The latter restriction does not apply to nonstop flights between El Paso and Houston, and one-stop flights between El Paso and Houston, via San Antonio.

[3] The flight leaves Albuquerque at 7:15 p.m. The return leg leaves Lubbock at 8:35 a.m. the following day.

[4] Southwest Airlines filed an application with the Texas Aeronautics Commission on March 24, 1976, requesting unrestricted nonstop authority between the terminal point El Paso, the alternate intermediate points Midland/Odessa and Lubbock, the intermediate point Dallas, the alternate intermediate points Austin and Houston, and the coterminal points Corpus Christi and Harlingen. If the application is approved, Southwest will become the fourth carrier operating at Lubbock. Initially, Southwest would offer service to Dallas and El Paso, with single-plane or connecting service available to the remaining points on its system. Southwest already serves Dallas, Houston, San Antonio, and Harlingen.

[5] Airport Activity Statistics, December 31, 1974.

[6] Id.

[7] Id.

[8] Id.

come, Lubbock, which ranked tenth among Texas cities,[9] had more air service in 1974 than the fourth, seventh, eighth and ninth ranked cities and was just behind Austin, the fifth ranked city.[10] Also, Lubbock has nonstop service from seven points, compared to four for Corpus Christi.[11] Finally, average load factors in Lubbock's then eight nonstop markets did not exceed 59 percent for fiscal 1975.[12]

Lubbock's most substantial complaint appears to be that it does not have direct service to more points. However, we note that of those markets in which Lubbock seeks new service, only six had more than 10,000 O&D plus connecting passengers in calendar 1974, and each of these markets had one-stop or better single-plane service.[12A] The largest of these, Lubbock-Houston, had 39,660 passengers. Braniff, which holds nonstop authority, presently provides one daily one-stop round trip in that market. With the elimination of Continental's route restrictions, discussed below, there would be a second carrier in this market authorized to provide nonstop service.

Although an investigation does not appear warranted, we intend to use the Board's show-cause procedures to eliminate the two impediments in Continental's certificate which presently prohibit nonstop service between Lubbock and Austin, Houston, and San Antonio. In 1974, Continental's share of local plus connecting traffic in the Lubbock-Houston and Lubbock-San Antonio markets was, respectively, 42 and 47 percent.[13] Given Continental's large market share, continuation of the route impediments in these markets would serve no useful purpose. Although Braniff holds nonstop authority in both markets, neither market has nonstop service and, in view of the fact that Continental has a different pattern of traffic flow from Braniff, the lifting of Continental's restrictions may increase the likelihood that these markets will receive improved service.

There similarly appears to be no sufficient justification to continue Continental's present route restrictions in the Lubbock-Austin market. In calendar 1974, Continental carried only five percent of the local plus connecting traffic.[14] However, the total market is only 17,440 local plus connecting passengers,[15] and elimination of the carrier's route restrictions would expose neither Braniff nor Texas International to substantial diversion. Braniff might be exposed to a maximum diversion of 6,000 annual passengers and Texas International to perhaps an equal amount,[16] and diversion would be even less should Southwest enter the market.

Although there is no basis for concluding that removal of Continental's route impediments will cause Continental to offer additional service, the Board has long adopted a policy that operating restrictions are economically wasteful and undesirable and should be removed in the absence of an affirmative showing that their retention is required.[17] We tentatively find that removal of Continental's route restrictions will not have any significant adverse impact on any other carrier, that there is no reason to maintain them, and that the public convenience and necessity require their removal.[18]

Interested persons will be given thirty days from the date of the adoption of this order to show cause why the tentative findings and conclusions set forth herein should not be made final.[19] We expect such persons to support their objections, if any, with detailed answers, specifically setting forth the tentative findings and conclusions to which objection is taken. Such objections should be accompanied by arguments of fact or law and should be supported by legal precedent or detailed economic analysis. If an evidentiary hearing is requested, the objector should state in detail why such a hearing is considered necessary and what relevant and material facts he would expect to establish through such a hearing that cannot be established in written pleadings. General, vague, or unsupported objections will not be entertained.

Accordingly, it is ordered that:

1. The petition of the City of Lubbock, Texas, and the Lubbock Chamber of Commerce for an investigation of air service be and it hereby is dismissed;

2. All interested persons are directed to show cause why the Board should not issue an order making final the tentative findings and conclusions stated herein and amending the certificate of public convenience and necessity of Continental Air Lines, Inc., for Route 29 to authorize Continental to serve Lubbock-Austin, Lubbock-Houston, and Lubbock-San Antonio (a) without the necessity for stops at Midland/Odessa, a segment junction point, and (b) without application of condition (10), prohibiting the scheduling of flights over segment 8 which originate at one point in Texas and terminate at any other point in Texas;

3. Any interested persons having objections to the issuance of an order making final any of the proposed findings, conclusions, or certificate amendments set forth herein, shall, within 30 days after the date of adoption of this order, file with the Board and serve upon all persons listed in paragraph 6 a statement of objections together with a summary of testimony, statistical data, and other evidence expected to be relied upon to support the stated objections;

4. If timely and properly supported objections are filed, further consideration will be accorded the matters and issues raised by the objections before further action is taken by the Board; [20]

5. In the event no objections are filed, all further procedural steps will be deemed to have been waived, and the Board may proceed to enter an order in accordance with the tentative findings and conclusions set forth herein; and

6. Copies of this order shall be served upon Braniff Airways, Inc., Continental Air Lines, Inc., Texas International Airlines, Inc., The Albuquerque Parties, The Lubbock Parties, and the San Antonio Civic Parties.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

PHYLLIS T. KAYLOR,
Secretary.

[FR Doc.76-25470 Filed 8-30-76;8:45 am]

[Docket 29684]

EPHRATA-MOSES LAKE DELETION CASE

Prehearing Conference

Notice is hereby given that a prehearing conference in the above-entitled

---

[9] Survey of Current Business, May 1974.

[10] Id. and Airport Activity Statistics, December 31, 1974.

[11] Official Airline Guide, August 1, 1976.

[12] Fiscal year 1975 load factors in Lubbock's nonstop markets were as follows: Amarillo, 26%; Austin, 58.9%; Clovis, N.M., 22.6%; Dallas/Ft. Worth, 58.9%; El Paso, 42.8%; Midland/Odessa, 34.1%; and Wichita Falls, 42.4%. The average load factor in the Lubbock-Albuquerque market was 53 percent in FY 1975. Texas International discontinued nonstop service in December 1975, leaving only Continental, which had an average load factor of 63 percent in FY 1975. However, our most recent data show that Continental's load factor is trending downward. Furthermore, Continental recently added one one-stop flight daily in the market. Thus, although Texas International has dropped out of the Lubbock-Albuquerque market, Continental's service appears adequate.

[12a] Appendix filed as part of original document.

[13] O&D Survey, Table 10, Calendar Year 1974.

[14] Texas International, with 61% of the market, currently offers five daily nonstop flights, and Braniff, with 34%, offers one one-stop flight. O&D Survey, Table 10, Calendar Year 1974; Official Airline Guide, August 1, 1976. As noted previously, Southwest has petitioned to serve Lubbock also.

[15] O&D Survey, Table 10, Calendar Year 1974.

[16] Assuming Continental instituted two daily nonstop round trips—service comparable to Texas International—Braniff and Texas International retained their present level of service.

[17] Order 69-6-87, June 17, 1969. See also Order 75-7-15, July 2, 1975, page 2.

[18] We further tentatively find that Continental is a citizen of the United States within the meaning of the Act, and is fit, willing, and able properly to perform the transportation proposed herein and to conform to the provisions of the Act and the Board's rules, regulations, and requirements thereunder.

[19] We find and conclude that the Board action here contemplated will not result in a major Federal action significantly affecting the environment within the meaning of the National Environmental Policy Act of 1969.

[20] All motions and/or petitions for reconsideration shall be filed within the period allowed for filing objections and no further such motions, requests, or petitions for reconsideration will be entertained.

matter is assigned to be held on October 26, 1976, at 10:00 a.m. (local time), in Room 1003, Hearing Room B, Universal North Building, 1875 Connecticut Avenue, N.W., Washington, D.C., before Administrative Law Judge Ronnie A. Yoder.

In order to facilitate the conduct of the conference, parties are instructed to submit one copy to each party and six copies to the Judge of (1) proposed statements and issues; (2) proposed stipulations; (3) requests for information; (4) statement of positions of parties; and (5) proposed procedural dates. The Bureau of Operating Rights will circulate its material on or before October 7, 1976, and the other parties on or before October 18, 1976. The submissions of the other parties shall be limited to points on which they differ with the Bureau of Operating Rights, and shall follow the numbering and lettering used by the Bureau to facilitate cross-referencing.

Dated at Washington, D.C., August 26, 1976.

ROBERT L. PARK,
Chief Administrative Law Judge.

[FR Doc.76-25468 Filed 8-30-76;8:45 am]

[Docket 29186]

MEMPHIS-TWIN CITIES/MILWAUKEE CASE

Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that hearing in the above-entitled matter is assigned to be held on Octboer 13, 1976, at 9:00 a.m., Room 303, West Mezzanine, Main Public Passenger Terminal Building, Minneapolis-Saint Paul International Airport, Saint Paul, Minnesota, 55111, before the undersigned.

For information concerning the issues involved and other details in this proceeding, interested persons are referred to the Prehearing Conference Report, served on July 26, 1976, and other documents which are in the docket of this proceeding on file in the Docket Section of the Civil Aeronautics Board.

Dated at Washington, D.C., August 26, 1976.

JANET D. SAXON,
Administrative Law Judge.

[FR Doc.76-25467 Filed 8-30-76;8:45 am]

CIVIL SERVICE COMMISSION

ADVISORY COMMITTEE ON ADMINISTRATIVE LAW JUDGES

Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act, Pub. L. 92-463, notice is hereby given that the Advisory Committee on Administrative Law Judges will meet at 9:30 a.m. on Friday, September 17, 1976. This meeting will be held in Room 5323 of the U.S. Civil Service Commission Building, 1900 E Street, N.W., Washington, D.C.

The Advisory Committee's agenda will consist of a discussion of rules and procedures for committee activities, since this will be the initial meeting of the Advisory Committee; of the fact-finding study report on Administrative Law Judges completed in July 1974 (the La Macchia report); of recruitment and selection procedures for Administrative Law Judges including qualifications, experience required, and the vouchering system; the desirability of continuing the selective certification procedures; such other matters as members of the Advisory Committee may wish to discuss; and, issues to be considered at future meetings.

This meeting will be open to the public.

Inquiries regarding this notice may be addressed to Arthur L. Burnett, Assistant General Counsel, Legal Advisory Division, Office of General Counsel, Civil Service Commission, 1900 E Street, N.W., Washington, D.C. 20415, telephone: Area Code 202-632-5421 or 632-5422.

UNITED STATES CIVIL SERVICE COMMISSION,
JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.76-25474 Filed 8-30-76;8:45 am]

COMMITTEE FOR PURCHASE FROM THE BLIND AND OTHER SEVERELY HANDICAPPED

PROCUREMENT LIST 1976

Addition to Procurement List

Correction

In FR Doc. 76-24461 appearing on page 35210 in the FEDERAL REGISTER of Friday, August 20, 1976 the following correction should be made: Under the heading "Class 7105" the first line, third word now reading "Food" should read "Wood".

ENVIRONMENTAL PROTECTION AGENCY

ENVIRONMENTAL POLLUTANT MOVEMENT & TRANSFORMATION ADVISORY COMMITTEE

[FRL 608-7]

Meeting

Notice is hereby given that a meeting of the Environmental Pollutant Movement & Transformation Advisory Commitee will be held at the Southeastern Environmental Research Laboratory, Athens, Georgia on September 20, 1976 starting at 10:00 a.m. and ending at 12:30 p.m. The meeting is in conjunction with a site visit to the Laboratory by the Committee members.

The agenda topics are: introductions to the Laboratory's programs, a report of a meeting of an Ad Hoc Study Group of the Science Advisory Board which dealt with a review of the Office of Toxic Substances scientific programs, upcoming Science Advisory Board activities on catalytic converters and air standards for lead, and items of Committee member interest.

The meeting is open to the public. Persons desiring to attend should contact the Executive Secretary, Dr. Joel L. Fisher at (703) 557-7710 by close of business (c.o.b.) on September 10, 1976.

THOMAS D. BATH,
Staff Director, Science Advisory Board.

AUGUST 25, 1976.

[FR Doc.76-25373 Filed 8-30-76;8:45 am]

[FRL 609-4; Opp-00025A]

PESTICIDE PROGRAMS

Nominations to the Scientific Advisory Panel; Extension of Comment Period

On August 3, 1976, the Environmental Protection Agency (EPA) published a notice which provided the names, addresses, professional affiliations, and selected biographical data of persons nominated to serve on the Scientific Advisory Panel established under section 25 (d) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (86 Stat. 973 and 89 Stat. 751; 7 U.S.C. 136 et seq.). A copy of the charter of the Scientific Advisory Panel was appended to that notice, and the public was invited to comment regarding the qualifications of the nominees relative to the charter.

In order to allow the public adequate opportunity to comment on the nominations, the EPA has decided to extend the comment period until September 8, 1976. Again, to be assured of consideration, such comments should reach EPA on or before September 8, 1976, and should bear the identifying notation OPP-00025. Please address all comments to the Federal Register Section (WH-569), Office of Pesticide Programs, EPA, Room 401, East Tower, 401 M St., SW., Washington, D.C. 20460. All written comments will be available for public inspection in Room 401 from 8:30 a.m. to 4:00 p.m. Monday through Friday.

Dated August 25, 1976.

JAMES M. CONLON,
Acting Deputy Assistant Administrator for Pesticide Programs.

[FR Doc.76-25513 Filed 8-30-76;8:45 am]

[FRL 609-2; OPP-33000/454]

RECEIPT OF APPLICATION FOR PESTICIDE REGISTRATION

Data To Be Considered in Support of Applications

On November 19, 1973, the Environmental Protection Agency (EPA) published in the FEDERAL REGISTER (39 FR 31862) its interim policy with respect to the administration of section 3(c)(1)(D) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended ["Interim Policy Statement"]. On January 22, 1976, EPA published in the FEDERAL REGISTER a document entitled "Registration of a Pesticide Product—Consideration of Data by the Administrator in Support of an Application" [41 FR 3339]. This document described the changes in the Agency's procedures for implementing section 3(c)(1)(D) of FIFRA, as set out in the In-

terim Policy Statement, which were effectuated by the enactment of the recent amendments to FIFRA on November 28, 1975 [Pub. L. 94-140], and the new regulations governing the registration and re-registration of pesticides which became effective on August 4, 1975 [40 CFR Part 162].

Pursuant to the procedures set forth in these FEDERAL REGISTER documents, EPA hereby gives notice of the applications for pesticide registration listed below. In some cases these applications have recently been received; in other cases, applications have been amended by the submission of additional supporting data, the election of a new method of support, or the submission of new "offer to pay" statements.

In the case of all applications, the labeling furnished by the applicant for the product will be available for inspection at the Environmental Protection Agency, Room 209, East Tower, 401 M Street, SW., Washington DC 20460. In the case of applications subject to the new section 3 regulations, and applications not subject to the new section 3 regulations which utilize either the 2(a) or 2(b) method of support specified in the Interim Policy Statement, all data citations submitted or referenced by the applicant in support of the application will be made available for inspection at the above address. This information (proposed labeling and, where applicable, data citations) will also be supplied by mail, upon request. However, such a request should be made only when circumstances make it inconvenient for the inspection to be made at the Agency offices.

Any person who (a) is or has been an applicant, (b) believes that data he developed and submitted to EPA on or after January 1, 1970, is being used to support an application described in this notice, (c) desires to assert a claim under section 3(c)(1)(D) for such use of his data, and (d) wishes to preserve his right to have the Administrator determine the amount of reasonable compensation to which he is entitled for such use of the data or the status of such data under section 10 must notify the Administrator and the applicant named in the notice in the FEDERAL REGISTER of his claim by certified mail. Notification to the Administrator should be addressed to the Product Control Branch, Registration Division (WH-567), Office of Pesticide Programs, Environmental Protection Agency, 401 M St. SW., Washington DC 20460. Every such claimant must include, at a minimum, the information listed in the Interim Policy Statement of November 19, 1973.

Specific questions concerning applications made to the Agency should be addressed to the designated Product Manager (PM), Registration Division (WH-567), Office of Pesticide Programs, at the above address, or by telephone as follows:

PM 11, 12, & 13—202/755-9315
PM 21 & 22—202/426-2454
PM 24—202/755-2196
PM 31—202/426-2635
PM 33—202/755-9041
PM 15, 16, & 17—202/426-9425
PM 23—202/755-1397
PM 25—202/755-7012
PM 32—202/426-9486
PM 34—202/426-9490

The Interim Policy Statement requires that claims for compensation be filed on or before November 1, 1976. With the exception of 2(c) applications not subject to the new section 3, regulations, and for which a sixty-day hold period for claims is provided, EPA will not delay any registration pending the assertion of claims for compensation or the determination of reasonable compensation. Inquiries and assertions that data relied upon are subject to protection under section 10 of FIFRA, as amended, should be made on or before September 30, 1976.

Dated: August 24, 1976.

JOHN B. RITCH, Jr.,
Director, Registration Division.

APPLICATIONS RECEIVED (OPP-33000/454)

EPA File Symbol 2749-UEU. Aceto Agricultural Chemical Corp., 126-02 Northern Blvd., Flushing NY 11368. PROPAZINE TECHNICAL HERBICIDE. Active Ingredients: 2-Chloro-4,6-bis (isopropylamino)-s-triazine 95%. Method of Support: Application proceeds under 2(b) of interim policy. PM25.

EPA Reg. No. 241-243. American Cyanamid Co., Agricultural Div., PO Box 400, Prince ton NJ 08540. PROWL HERBICIDE. Active Ingredients: [N-(1-ethylpropyl)-3,4-dimethyl-2,6-dinitrobenzamine] 43.8%. Method of Support: Application proceeds under 2(b) of interim policy. Republished: New use. PM25

EPA File Symbol 39259-E. The Aluvis Co., 23996 Clawiter St., Hayward CA 94545. RAT-XP ALL WEATHER RAT BAIT READY TO USE BLOCKS. Active Ingredients: Pival 2-Pivalyl-1,3-Indandione 0.025%. Method of Support: Application proceeds under 2(b) of interim policy. PM11

EPA File Symbol 39259-T. The Aluvis Co. RAT-XP FENCE BLOCK ALL WEATHER ROOF RAT BAIT READY TO USE BLOCKS. Active Ingredients: Pival 2-Pivalyl-1,3-Indandione 0.025%. Method of Support: Application proceeds under 2(b) of interim policy. PM11

EPA File Symbol 150-LA. Anderson Chemical Co., Box 1041, Litchfield MN 55355. ANDROCIDE-PINE. Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 1.6%; n-Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 1.6%; Sodium Carbonate 3.0%; Pine Oil 1.0%. Method of Support: Application proceeds under 2(b) of interim policy. PM32

EPA File Symbol 150-LU. Anderson Chemical Co. TETRACIDE. Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 0.8%; n-Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 0.8%; Sodium Metasilicate 2.4%; Tetrasodium ethylenediamine tetraacetate 1.0%. Method of Support: Application proceeds under 2(b) of interim policy. PM33

EPA Reg. No. 150-47. Anderson Chemical Co. COUNT-MINUS 5. Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 5.0%; n-Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 5.0%; Phosphoric Acid 30.0%. Method of Support: Application proceeds under 2(b) of interim policy. Republished: Revised offer to pay statement submitted. PM32

EPA File Symbol 10276-R. Applegate's Drug Stores, Inc., Highway 71-North, Bentonville, AK 72712. APPLEGATE'S NOSPROUT. Active Ingredients: Isopropyl m-chlorocarbanilate 47%. Method of Support: Application proceeds under 2(b) of interim policy. PM25

EPA File Symbol 5667-RNR. Barrett Chemical Co., "H" & Luzerne Sts., Philadelphia PA 19124. BARRETT'S CLEANER CONCENTRATE #15. Active Ingredients: alpha-(p-Nonylphenyl)-omega - hydroxypoly (oxyethylene)-iodine complex (Providing 1.75% titratable iodine) 18.05%; Phosphoric Acid 16.0%. Method of Support: Application proceeds under 2(b) of interim policy. Republished: Revised offer to pay statement submitted. PM34

EPA File Symbol 5667-RNN. Barrett Chemical Co. BARRETT'S CLEANER CONCENTRATE #16. Active Ingredients: alpha-(p-Nonylphenyl)-omega-hydroxypoly(oxyethylene - iodine complex (Providing 1.75% titratable iodine) 18.05%; Phosphoric Acid 16.00%. Method of Support: Application proceeds under 2(b) of interim policy. Republished: Revised offer to pay statement submitted. PM34

EPA File Symbol 5667-00. Barrett Chemical Co. BARRETT's CLEANER CONCENTRATE #18. Active Ingredients: Butoxy polypropoxy polyethoxy ethanol-iodine complex 12.47%; Polyethoxy polypropoxy polyethoxy ethanol-iodine complex (providing 1.6% titratable iodine) 0.37%. Method of Support: Application proceeds under 2(b) of interim policy. Republished: Revised offer to pay statement submitted. PM34

EPA File Symbol 5667-0I. Barrett Chemical Co. BARRETT'S CLEANER CONCENTRATE #17. Active Ingredients: Butoxy polypropoxy polyethoxy ethanol-iodine complex 12.47%; Polyethoxy polypropoxy polyethoxy ethanol-iodine complex (providing 1.6% titratable iodine) 0.37%. Method of Support: Application proceeds under 2(b) of interim policy. Republished: Revised offer to pay statement submitted. PM34

EPA Reg. No. 7969-45. BASF Wyandotte Corp., Agricultural Chemicals Dept., 100 Cherry Hill Rd., Parsippany NJ 07054. BASAGRAN. Active Ingredients: Sodium salt of bentazon 42.0%. Method of Support: Application proceeds under 2(a) of interim policy. Republished: Added uses. PM25

EPA File Symbol 4313-LR. Carroll Co., 2900 W. Kingsley RD., Garland TX 75041. OCIDE HOSPITAL CLEANER-DISINFECTANT. Active Ingredients: Ortho - benzyl - para-chlorophenol 14.0%; Isopropanol 10.0%; ortho-phenylphenol 5.0%; para-tertiary-amylphenol 2.5%. Method of Support: Application proceeds under 2(b) of interim policy. Republished: Revised offer to pay statement submitted. PM32

EPA Reg. No. 802-485. The Chas H. Lilly Co., 7737 Killingsworth, Portland OR 97218. MILLER'S LAWN & TURF WEED KILLER. Active Ingredients: Dimethylamine salt of 2,4-Dichlorophenoxyacetic acid 10.01%; Dimethylamine salt of 2-(2-methyl-4-chlorophenoxy) propionic acid 4.54%; Dimethylamine salt of Dicamba (3,6-dichloro-o-anisic acid 1.04%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM23

EPA Reg. No. 239-2414. Chevron Chemical Co., 940 Hensley St., Richmond CA 94801. PLICTRAN 50 WETTABLE. Active Ingredients: Tricyclohexyltin hydroxide 50%. Method of Support: Application proceeds under 2(b) of interim policy. Republished: Added uses. PM13

EPA Reg. No. 239-2355. Chevron Chemical Co. ORTHICIDE METHOXYCHLOR 65-5 SEED PROTECTANT. Active Ingedients: Captan 65%; Methoxychlor, Technical 5%. Method of Support: Application proceeds under 2(b) of interim policy. PM13

EPA Reg. No. 100–501. Ciba-Geigy Corp., Agricultural Div., P.O. Box 11422, Greensboro NC 27409. SUPRACIDE 2E. Active Ingredients: Methidathion 0,0-dimethyl phosphorodithioate, S-ester with 4-(mercaptomethyl)-2-methoxy - W2 - 1,3,4 - thiadiazolin-5-one 24.4%; Aromatic Petroleum derivative solvent 67.3%. Method of Support: Application proceeds under 2(b) of interim policy. Amendment. PM12

EPA File Symbol 10810–A. Dacar Chemical Co., 1007 McCartney St., Pittsburgh PA 15220. DACARCIDE BLF. Active Ingredients: Dioctyl dimethyl ammonium chloride 10%; Ethylalcohol 2%. Method of Support: Application proceeds under 2(b) of interim policy. PM31

EPA Reg. No. 3282–25. The d-Con Co., Inc., Distr., Subsidiary of Sterling Drug, Inc., 90 Park Ave., New York NY 10016. D-CON STAY/AWAY OUTDOOR FOGGER. Active Ingredients: d-trans Allethrin (allyl homolog of Cinerin 1) 0.10%; Piperonyl butoxide, technical 0.50%; Methoxychlor, technical 2.00%; 2-Hydroxyethyl-n-octyl sulfide 1.42%; related compounds 0.08%; Petroleum distillate 6.00%. Method of Support: Application proceeds under 2(a) of interim policy. PM13

EPA File Symbol 4643–GR. Dearborn Chemical Div., Chemed Corp., 300 Genesee St., Lake Zurich IL 60047. DEARCIDE 715 MICROBICIDE. Active Ingredients: n-Alkyl (60% C14, 5% C12, 30% C16, 5% C18) Dimethyl Benzyl Ammonium Chloride 5.0%; Copper Sulfate Pentahydrate 23.5%. Method of Support: Application proceeds under 2(b) of interim policy. PM33

EPA File Symbol 39296–R. De Vonque Products, Inc., 37–35 Vernon Blvd., Long Island City NY 11101. WALA 776. Active Ingredients: Octyl decyl dimethyl ammonium chloride 1.250%; Dioctyl dimethyl ammonium chloride 0.625% Didecyl dimethyl ammonium chloride 0.625%; Alkyl amino betaine 1.000%; Hydrogen chloride 17.500%. Method of Support: Application proceeds under 2(b) of interim policy. PM32

EPA File Symbol 39189–G. Envirochem, Inc., 317 St. Paul's Ave., Jersey City NJ. 07306. VIGILANCE. Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 8.4%; n-Dialkyl (60% C14, 30% C16, 5% C12, 5% C18) methlybenzyl ammonium chlorides 1.6%. Method of Support: Application proceeds under 2(b) of interim policy. PM24

EPA File Symbol 39189–R. Envirochem, Inc. POWER CLEANER DEODORIZER. Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 0.8%; n-Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 0.8%; Sodium Metasilicate 2.4%; Tetrasodium ethylenediamine tetraacetate 1.0%. Method of Support: Appplication proceeds under 2(b) of interim policy. PM33

EPA Reg. No. 449–539. c/o Farmland Industries, Inc., Techne Corp., Agri. Chem. Div., PO Box 7305, Kansas City MO 64116. TECHNE WEED KILL+GREEN WITH "ENVY" LAWN FOOD. Active Ingredients: 2,4-Dichlorophenoxyacetic acid, Isoctyl Ester 1.00%; Dimethylamine salt of Dicamba (3,6-dichloro-o-anisic acid) 0.25%; Related acids of dimethylamine salt 0.04%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM23

EPA File Symbol 1598–EUG. FCX, Inc., 121 E. Davis St., PO Box 2419, Raleigh NC 27602. FCX TOBACCO BUDWORM BAIT *BACILLUS THURINGIENSIS*. Active Ingredients: *Bacillus thuringiensis* Berliner, Potency of 320 International Units per mg. (at least 0.5 billion viable spores per gram) 0.064%. Method of Support: Application proceeds under 2(b) of interim policy. PM17

EPA Reg. No. 4816–406. FMC Corp., 100 Niagara St., A.C.D., Industrial Sales Dept., Middleport NY 14105. PYRENONE SMALL ANIMAL & KENNEL INSECTICIDE. Active Igredients: Pyrethrins 1.18%; Piperonyl Butoxide, Technical 11.84%; Petroleum Distillate 72.18%. Method of Support: Application proceeds under 2(b) of interim policy. PM17

EPA Reg. No. 2816–406. FMC Corp. NIAGARA PYRENONE SMALL ANIMAL & KENNEL INSECTICIDE. Active Ingredients: Pyrethrins 1.18%; Piperonyl Butoxide, Technical 11.84%; Petroleum Distillate 72.18%. Method of Support: Application proceeds under 2(a) of interim policy. PM15

EPA Reg. No. 8780–40. High Point Mills, Inc., 1225 Lehigh Station Rd., Henrietta NY 14467. TURF LINE ANTHIC LAWN WEED KILLER. Active Ingredients: 2-(2-methyl-4-chlorophenoxy) propionic acid, dimethylamine salt 0.43%; 2,4-Dichlorophenoxyacetic acid, sodium salt monohydrate 0.43%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM23

EPA Reg. No. 8901–1. Kocide Chemical Corp., Houston TX 77045. KOCIDE 101. Active Ingredients: Cupric Hydroxide 77%. Method of Support: Application proceeds under 2(a) of interim policy. Republished: Added use. PM22

EPA File Symbol 35317–E. Kuehne Chemical Co., Inc., PO Box 534, Linden NJ 07036. CHLORINE. Active Ingredients: Chlorine 100%. Method of Support: Application proceeds under 2(b) of interim policy. PM34

EPA File Symbol 777–LA. Lehn & Fink Products, Div. of Sterling Drug, Montvale NJ 07645. LYSOL BATHROOM DISINFECTANT TOWELETTES. Active Ingredients: Chlorine dioxide 0.150%. Method of Support: Application proceeds under 2(b) of interim policy. PM34

EPA File Symbol 7558–RE. Leon Supply Co., PO Box 562, 17 W. Jefferson St., Montgomery AL. ROYAL MINT DISINFECTANT. Active Ingredients: Vegetable Oil Soap 10.00%; O-Benzyl-p-chlorophenate 8.33%; Isopropyl Alcohol 6.25%. Method of Support: Application proceeds under 2(a) of interim policy. PM32

EPA Reg. No. 72–508. Miller Chemical & Fertilizer Corp., PO Box 333, Hanover PA 17331. TURF FOOD PLUS 3. Active Ingredients: Dimethyl ester of tetrachloroterephthalic acid 2.3%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM23

EPA File Symbol 3417–EN. Mission Chemical Co., 4990 Naples St., PO Box 80608, San Diego CA 92138. MITO. Active Ingredients: ethyl alcohol 2.5%; n-Alkyl (50% C14, 40% C12, 10% C16) dimethyl benzyl ammonium chlorides 10%. Method of Support: Application proceeds under 2(c) of interim policy. Republished: Revised offer to pay statement submitted. PM31

EPA File Symbol 39151–R. Osmonics, Inc., 15404 Industrial Rd., Hopkins MN 55343. OSMONICS C–S. Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 5.0% n-Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 5.0%; Phosphoric Acid 30.0%. Method of Support: Application proceeds under 2(b) of interim policy. PM32

EPA Reg. No. 2169–185. Patterson Chemical Co., Div., Curry Cartwright, Inc., 1400 Union Ave., Kansas City MO 64101. PATTERSON'S WEED & FEED. Active Ingredients: Dimethylamine salt of 2,4-dichlorophenoxyacetic acid 1.50%; Dimethylamine salt of dicamba 0.28%; Dimethylamine salt of related acids 0.04%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM23

EPA Reg. No. 8383–5. The R. Schattner Co., 4000 Massachusetts Ave. N.W., Washington DC 20016. SPORICIDIN COLD STERILIZER Active Ingredients: Phenol 7.05%; Sodium Tetraborate 2.35%; Glutaraldehyde 2.00%; Sodium Phenate 1.20%. Method of Support: Application proceeds under 2(a) of interim policy. Republished: New use. PM33

EPA File Symbol 11976–R. Southern Chemical Products, 2001 Summerville Ave., Charleston SC 29405. CHEMCO PINE ODOR DISINFECTANT COEF. 6. Active Ingredients: Isopropanol 4.75%; Pine oil 3.95%; Alkyl (C14 58%, C16 28%; C12 14%) dimethyl benzyl ammonium chloride 1.97%. Method of Support: Application proceeds under 2(b) of interim policy. PM32

EPA File Symbol 5741–RU. Spartan Chemical Co., Inc., 110 N. Westwood Ave., Toledo OH 43607. SPARTAN'S T 'N T TUB & TILE CLEANER. Active Ingredients: n-alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 0.075%; n-alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 0.075%. Method of Support: Application proceeds under 2(a) of interim policy. Republished: Revised offer to pay statement submitted. PM31

EPA Reg. No. 476–2030. Stauffer Chemical Co., 400 S. 47th St., Richmond CA 94804. DYFONATE 15–G. Active Ingredients: O-ethyl S-phenyl ethylphosphonodithioate 15.0%. Method of Support: Application proceeds under 2(a) of interim policy. Republished: Revised offer to pay statement submitted. PM16

EPA File Symbol 5991–GR. Time Chemical, Inc., 3950 S. Karlov Ave., Chicago IL 60632. TIME-O-SAN 1000. Active Ingredients: Phosphoric Acid 45%; Dodecyl Benzene Sulfonic Acid 3.73%; Na Xylene Sulfonate 10.00%. Method of Support: Application proceeds under 2(a) of interim policy. PM32

EPA File Symbol 5991–EO. Time Chemical, Inc. UDDER WASH P. Active Ingredients: alpha-(p-Nonylphenyl)-omega-hydroxypoly (oxyethylene)-iodine complex (Providing 1.75% titratable iodine) 18.05%; Phosphoric Acid 16.00%. Method of Support: Application proceeds under 2(b) of interim policy. Republished: Revised offer to pay statement submitted. PM34

EPA Reg. No. 1016–78. Union Carbide Corp., PO Box 1906, Salinas CA 93901. TERMIK ALDICARB PESTICIDE 15% GRANULAR. Active Ingredients: Aldicarb [2-methyl-2-(methylthio) propionaldehyde O-(methylcarbamoyl) oxime] 15%. Method of Support: Application proceeds under 2(a) of interim policy. Republished: Added use. PM12

EPA Reg. No. 1016–69. Union Carbide Corp. TERMIK 10% GRANULAR. Active Ingredients: Aldicarb [2-methyl-2-(methylthio) propionaldelehyde O-(methylcarbamoyl) oxime] 10%. Method of Support. Application proceeds under 2(a) of interim policy. Republished: Added use. PM12

EPA Reg. No. 876–205. Velsicol Chemical Corp., 341 E. Ohio St., Chicago IL 60611. VELSICOL BRUSH BUSTER HERBICIDE. Active Ingredients: Dimethylamine salt of dicamba (3,6-dichloro-o-anisic acid) 12.90%; Dimethylamine salts of related acids 1.80%; Dimethylamine salt of 2,4-dichlorophenoxyacetic acid 25.80%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM23

EPA Reg. No. 876–159. Velsicol Chemical Corp., 341 E. Ohio St., Chicago IL 60611. VELSICOL BANVEL 4–WS. Active Ingredients: Dimethylamine Salt of dicamba (3,6-dichloro-o-anisic acid) 49.0%; Dimethylamine Salt of related acids 7.9%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM25

EPA Reg. No. 876–118. Velsicol Chemical Corp. GOLD CREST BANVEL + 2,4-D. Active Ingredients: Dimethylamine Salt of dicamba (3,6-dichloro-o-anisic acid) 18.4%; Dimethylamine Salts of related acids 3.2% Dimethylamine Salt of 2,4-dichlorophenoxyacetic acid 36.8%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM23

EPA Reg. No. 876–54. Velsicol Chemical Corp. BANVEL D + 2,4-D GENERAL WEED CONTROL. Active Ingredients: Dimethylamine salt of dicamba (3,6-dichloro-o-anisic acid) 3.18%; Dimethylamine salts of related acids 0.52%; Dimethylamine salt of 2,4-dichlorophenoxyacetic acid 12.72%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM23

EPA Reg. No. 876–54. Velsicol Chemical Corp. VELSICOL GRANULAR BANVEL + 2,4-D. Active Ingredients: Dimethylamine Salt of dicamba (3,6-dichloro-o-anisic acid) 0.28%; Dimethylamine Salt of related acids 0.05%; Dimethylamine Salt of 2,4-dichlorophenoxyacetic acid 0.83%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM23

EPA Reg. No. 876–37. Velsicol Chemical Corp. VELSICOL BANVEL 4–S HERBICIDE. Active Ingredients: Dimethylamine salt of dicamba (3,6-dichloro-o-anisic acid) 49.0%; Dimethylamine Salts of related acids 7.9%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM25

EPA File Symbol 15749–R. Vermilion Chemical Service, Inc., 1306 Charity St., Abbeville LA 70510. V.C. ALGAECIDE. Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 5%; n-Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 5%. Method of Support: Application proceeds under 2(b) of interim policy. PM24

EPA Reg. No. 7401–33. Voluntary Purchasing Groups, Inc., PO Box 460, Bonham TX 75418. FERTI-LOME LAWN WEED KILLER GRANULES. Active Ingredients: Dimethylamine Salt of Dicamba (3,6-dichloro-o-anisic acide) 0.24%; Dimethylamine Salt of 2,4-Dichlorophenoxyacetic acid 0.69%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM23

EPA File Symbol 5815–GU. Wegro, Inc., PO Box 189, Grand Rapids OH 43522. WEGRO LAWN FOOD & CRABGRASS CONTROL. Active Ingredients: benefin (N-butyl-N-ethyl-α,α,α-trifluro-2,6 - dinitro - p - toluidine) 0.57%. Method of Support: Application proceeds under 2(b) of interim policy. PM25

EPA File Symbol 5815–GE. Wegro, Inc. XXX TRIPLE X PRODUCTS LAWN FOOD & CRABGRASS CONTROL. Active Ingredients: benefin (N-butyl-N-ethyl-α,α,α-trifluro-2,6-dinitro-p-toluidine) 0.57%. Method of Support: Application proceeds under 2(b) of interim policy. PM25

EPA Reg. No. 7547–19. Western Chemical Co., 1345 Taney, North Kansas City MO 64116. ALGAE SLIME CONTROL BC. Active Ingredients: 2-(Thiocyanomethylthio) benzothiazole 32.0%; 2-Hydroxypropyl methanethiolsufonate 28.0%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM33

EPA Reg. No. 5427–63. Wright Chemical Corp., 1319 W. Wabansia Ave., Chicago IL 60622. WRICO TDL. Active Ingredients: 2,2-Dibromo-3-nitrilopropionamide 20%. Method of Support: Application proceeds under 2(c) of interim policy. Republished: Revised offer to pay statement submitted PM34

EPA Reg. No. 5427–63. Wright Chemical Corp. WRICO TDL. Active Ingredients: 2,2-Dibromo-3-nitrilopropionamide 20%. Method of Support: Application proceeds under 2(b) of interim policy. Republished: Revised offer to pay statement submitted. PM34

[FR Doc.76–25485 Filed 8–30–76;8:45 am]

[FRL 609–1; OPP–33000/455]

RECEIPT OF APPLICATION FOR PESTICIDE REGISTRATION

Data To Be Considered in Support of Applications

On November 19, 1973, the Environmental Protection Agency (EPA) published in the FEDERAL REGISTER (39 FR 31862) its interim policy with respect to the administration of section 3(c)(1)(D) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended ["Interim Policy Statement"]. On January 22, 1976, EPA published in the FEDERAL REGISTER a document entitled "Registration of a Pesticide Product—Consideration of Data by the Administrator in Support of an Application" [41 FR 3339]. This document described the changes in the Agency's procedures for implementing section 3(c)(1)(D) of FIFRA, as set out in the Interim Policy Statement, which were effectuated by the enactment of the recent amendments to FIFRA on November 28, 1975 [Pub. L. 94–140], and the new regulations governing the registration and re-registration of pesticides which became effective on August 4, 1975 [40 CFR Part 162].

Pursuant to the procedures set forth in these FEDERAL REGISTER documents, EPA hereby gives notice of the applications for pesticide registration listed below. In some cases these applications have recently been received; in other cases, applications have been amended by the submission of additional supporting data, the election of a new method of support, or the submission of new "offer to pay" statements.

In the case of all applications, the labeling furnished by the applicant for the product will be available for inspection at the Environmental Protection Agency, Room 209, East Tower, 401 M Street, SW., a Washington DC 20460. In the case of applications subject to the new section 3 regulations, and applications not subject to the new section 3 regulations which utilize either the 2(a) or 2(b) method of support specified in the Interim Policy Statement, all data citations submitted or referenced by the applicant in support of the application will be made available for inspection at the above address. This information (proposed labeling and, where applicable, data citations) will also be supplied by mail, upon request. However, such a request should be made only when circumstances make it inconvenient for the inspection to be made at the Agency offices.

Any person who (a) is or has been an applicant, (b) believes that data he developed and submitted to EPA on or after January 1, 1970, is being used to support an application described in this notice, (c) desires to assert a claim under section 3(c)(1)(D) for such use of his data, and (d) wishes to preserve his right to have the Administrator determine the amount of reasonable compensation to which he is entitled for such use of the data or the status of such data under section 10 must notify the Administrator and the applicant named in the notice in the FEDERAL REGISTER of his claim by certified mail. Notification to the Administrator should be addressed to the Product Control Branch, Registration Division (WH–567), Office of Pesticide Programs, Environmental Protection Agency, 401 M St. SW, Washington DC 20460. Every such claimant must include, at a minimum, the information listed in the Interim Policy Statement of November 19, 1973.

Specific questions concerning applications made to the Agency should be addressed to the designated Product Manager (PM), Registration Division (WH–567), Office of Pesticide Programs, at the above address, or by telephone as follows:

PM 11, 12, & 13—202/755–9315
PM 21 & 22—202/426–2454
PM 24—202/755–2196
PM 31—202/426–2635
PM 33—202/755–9041
PM 15, 16, & 17—202/426–9425
PM 23—202/755–1397
PM 25—202/755–7012
PM 32—202/426–9486
PM 34—202/426–9490

The Interim Policy Statement requires that claims for compensation be filed on or before November 1, 1976. With the exception of 2(c) applications not subject to the new Section 3 regulations, and for which a sixty-day hold period for claims is provided, EPA will not delay any registration pending the assertion of claims for compensation or the determination of reasonable compensation. Inquiries and assertions that data relied upon are subject to protection under Section 10 of FIFRA, as amended, should be made on or before September 30, 1976.

Dated: August 24, 1976.

JOHN B. RITCH, Jr.,
Director, Registration Division.

EPA Reg. No. 2749–232. Aceto Chem. Co., Inc., Agricultural Chemicals Div., 126–02 Northern Blvd, New York NY 11368. DCPA 75W HERBICIDE. Active Ingredients: Dimethyl ester of tetrachloroterephthalic acid 75.0%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM23

EPA Reg. No. 557–1778. Agricultural Chemicals Corp., 111 W. Jackson Blvd, Chicago IL 60604. VIGORO LAWN WEEDER & FEEDER. Active Ingredients: Dimethylamine salt of 2,4-dichlorophenoxyacetic acid 0.180%; Dimethylamine salt of dicamba (3,6-dichloro-o-anisic acid) 0.046%; Dimethylamine salts of related acids 0.007%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM23

EPA Reg. No. 557–1852. Agricultural Chemicals Corp. DEEP GREEN VIGORO LAWN FERTILIZER & WEED CONTROL. Active Ingredients: 2,4 - Dichlorophenoxyacetic acid 0.728%; 2-(2-Methyl-4-chlorophenoxy) propionic acid 0.307%; Dicamba (3,6-dichloro-o-anisic acid) 0.065%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM23

EPA Reg. No. 2337–64. DeMert & Dougherty, Inc., 5000 W. 41st St., Chicago IL 60650. DEMERT WEED KILLER. Active Ingredients: Dimethylamine Salt of 2,4–Dichlorophenoxyacetic Acid 1.59%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM23

EPA Reg. No. 430–18. Durham's Drug Products Co., Rear 114 South Houston, Comanche TX 76442. DURHAM's 5% MALATHION DUST. Active Ingredients: Malathion 5.0%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM16

EPA File Symbol 1200–EO. Eagle Products, 2601 Industrial La., Garland TX 75041. AQUA–POLY 1000. Active Ingredients: Poly [oxyethylene (dimethlyiminio) ethylene - (dimethyliminio) ethylene dichloride] 10.0%. Method of Support: Application proceeds under 2(b) of interim policy. PM34

EPA Reg. No. 1598–157. FCX, Inc., P.O. Box 2419, Raleigh, NC 27602. GRANULAR SELECTIVE PREEMERGENCE HERBICIDE. Active Ingredients: Dimethyl ester of tetrachloroterephthalic acid 2.5%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM23

EPA File Symbol 334–UEU. Hysan Corp., 919 West 38th St., Chicago IL 60609. DDFV 425B CLEANER - DISINFECTANT - DEODORIZER - FUNGICIDE - VIRUCIDE SANITIZER FOR HOSPITAL AND INSTITUTIONAL USE. Active Ingredients: Didecyl dimethyl ammonium chloride 4.5%; Tetrasodium ethylenediamine tetraacetate 2.0%; Sodium carbonate 1.0%; Sodium metasilicate, anhydrous 0.5%. Method of Support: Application proceeds under 2(b) of interim policy. PM33

EPA File Symbol 334–UEE. Hysan Corp. DDFV 425A CLEANER - DISINFECTANT - DEODORIZER - FUNGICIDE - VIRUCIDE FOR HOSPITAL AND INSTITUTIONAL USE. Active Ingredients: Didecyl dimethyl ammonium chloride 4.25%; Tetrasodium ethylenediamine tetraacetate 1.60%; Sodium carbonate 2.00%; Sodium metasilicate, anhydrous 0.50%. Method of Support: Application proceeds under 2(b) of interim policy. PM33

EPA File Symbol 334–UEG. Hysan Corp. HY–Q 256. Active Ingredients: Octyl Decyl Dimethyl Ammonium Chloride 3.750%; Dioctyl Dimethyl Ammonium Chloride 1.875%; Didecyl Dimethyl Ammonium Chloride 1.875%; Alkyl (C14, 50%; C12, 40%; C16, 10%) Benzyl Dimethyl Ammonium Chloride 5.000%); Tetrasodium Ethylenediamine Tetraacetate 3.420%; Isopropyl Alcohol 3.000%; Ethyl Alcohol 1.000%. Method of Support: Application proceeds under 2(b) of interim policy. PM31

EPA File Symbol 334–EL. Hysan Corp. DDFV–90. Active Ingredients: Octyl Decyl Dimethyl Ammonium Chloride 4.50%; Dioctyl Dimethyl Ammonium Chloride 2.25%; Didecyl Dimethyl Ammonium Chloride 2.25%; Tetrasodium Ethylenediamine Tetraacetate 2.40%; Isopropyl Alcohol 3.60%. Method of Support: Application proceeds under 2(b) of interim policy. PM31

EPA File Symbol 334–UEO. Hysan Corp. DDFV19. Active Ingredients: Octyl Decyl Dimethyl Ammonium Chloride 0.950%; Dioctyl Dimethyl Ammonium Chloride 0.475%; Didecyl Dimethyl Ammonium Chloride 0.475%; Tetrasodium Ethylenediamine Tetraacetate 1.000%; Trisodium Phosphate 2.000%. Method of Support: Application proceeds under 2(b) of interim policy. PM31

EPA Reg. No. 407–364. Imperial Inc., P.O. Box 423, West 6th & Grass, Shenandoah IA 51601. IMPERIAL NO. 4 2,4-D LOW VOLATILE WEED KILLER. Active Ingredients: 2,4-Dichlorophenoxyacetic Acid, Butoxy Propyl Esters 72.7%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM23

EPA Reg. No. 407–286. Imperial Inc. IMPERIAL 2,4-D BUTYL ESTER 600. Active Ingredients: Butyl Ester of 2,4-Dichlorophenoxyacetic acid 77.48%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM23

EPA Reg. No. 407–272. Imperial Inc. IMPERIAL 2,4-D LV400 WEED KILLER. Active Ingredients: Isooctyl ester of 2,4-Dichlorophenoxyacetic acid 72.00%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM23

EPA Reg. No. 407–283. Imperial Inc. IMPERIAL 2,4-D LV600 WEED KILLER. Active Ingredients: Isooctyl ester of 2,4-Dichlorophenoxyacetic acid 94.62%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM23

EPA Reg. No. 1645–35. Knox Chemical Co., 900 N. Franklin St., Chicago IL 60610. KNOX FLY KILLER FLY BAIT. Active Ingredients: Malathion (0,0-Dimethyl dithiophosphate of diethyl mercaptosuccinate). Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM16

EPA Reg. No. 2491–321. Koos, Inc., 4500 13th Court, Kenosha WI 53140. ACE LAWN FOOD WITH WEED CONTROL 22–4–8. Active Ingredients: Dimethylamine salt of 2,4-Dichlorophenoxyacetic acid 0.17%; Dimethylamine salt of 2-(2-Methyl-4-chlorophenoxy) propionic acid 0.55%; Dimethylamine salt of Dicamba (2,6-dichloro-o-anisic acid) 0.07%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM23

EPA Reg. No. 1381–78. Land O'Lakes, Inc., 2827 8th Avenue South, Fort Dodge IA 50501. GARDEN WEED PREVENTER WETTABLE POWDER. Active Ingredients: Dimethyl ester of tetrachloroterephthalic acid 75%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM23

EPA Reg. No. 1381–71. Land O'Lakes, Inc. LAND O'LAKES FELCO 2,4-D WEED KILLER. Active Ingredients: Isooctyl ester of 2,4-Dichlorophenoxyacetic acid 94.62%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM23

EPA Reg. No. 1381–26. Land O'Lakes, Inc. LOW VOLATILE ESTER LV400 LAND O'LAKES FELCO 2,4-D WEED KILLER. Active Ingredients: Isooctyl ester of 2,4-Dichlorophenoxyacetic acid. 69.7%. Method of Support: Aplication proceeds under 2(b) of interim policy. Application for reregistration. PM23

EPA Reg. No. 961–310. Lebanon Chemical Corporation, P.O. Box 180, Lebanon PA 17042. LEBANON 1–2–3. Active Ingredients: Dimethyl Tetrachloroterephthalate 4.87%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM23

EPA Reg. No. 802–505. The Chas. H. Lilly Co., 7737 N.E. Killingsworth, Portland OR 97218. LILLY'S SUPER RICH FEED & WEED. Active Ingredients: 2,4-Dichlorophenoxyacetic acid 0.25%; 2-(2-methyl-4-chlorophenoxy) propionic acid 0.15%; Dimethylamine Salt of Dicamba (3,6-dichloro-o-anisic acid) 0.09%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM23

EPA Reg. No. 746–43. Manufactured for MFA Oil, P.O. Box 519, Columbia MO 65201. NO. 6 WEED KILL (BUTYL ESTER 2,4-D). Active Ingredients: Butyl ester of 2,4-Dichlorophenoxyacetic acid 77.48%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM23

EPA Reg. No. 359–238. Rhodia Inc. Agricultural Div., P.O. Box 125, Monmouth Junction NJ 08852. 2,4-BUTYL ESTER 4E. Active Ingredients: Butyl ester of 2,4-dichlorophenoxyacetic acid 59.2%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM23.

EPA Reg. No. 228–99. Riverdale Chemical Co., 220 E. 17th St., Chicago Hts IL 60411. 10% DACTHAL GRANULES. Active Ingredients: Dimethyl ester of tetrachlorotrephthalic acid 10%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM23

EPA Reg. No. 572–194. Rockland Chemical Co., Inc., P.O. Box 809, West Caldwell NJ 07006. LAWN-A-MAGIC "D-WEED-R". Active Ingredient: Butoxy propyl ester of 2,4-dichlorophenoxyacetic acid 73.0%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM23

EPA Reg. No. 1159–154. Seacoast Laboratories, Inc., 257 Hwy. 18, P.O. Box 157, East Brunswick NJ 08816. TWIN LIGHT CRABGRASS PREVENTER. Active Ingredient: Dimethyl Tetrachloroterephthalate 5.00%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM23

EPA Reg. No. 1674–RE. M.D. Stetson Co., 168 "A" St., Boston MA 02210. STETCO IMPACT. Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 4.5%; n-Alkyl (68% C12, 32% C14) dimethyl ethyl-benzyl ammonium chlorides 4.5%; Tetrasodium ethylenediamine tetraacetate 2.0%; Sodium Carbonate 4.0%. Method of Support: Application proceeds under 2(b) of interim policy. PM31

EPA Reg. No. 557–1768. Swift Agricultural Chemical Corp., 111 W. Jackson Blvd, Chicago IL 60604. GOLDEN VIGORO 18–4–8 LAWN FERTILIZER AND WEED CONTROL. Active Ingredients: Dimethylamine salt of 2,4-dichlorophenoxyacetic acid 1.10%; Dimethylamine salt of dicamba (3,6-dichloro-o-anisic acid) 0.18%; Dimethylamine salts of related acids 0.02%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM23

EPA Reg. No. 567-1735. Swift Agricultural Chemcial Corp. DEEP GREEN VIGORO 23-3-7 LAWN FERTILIZER & WEED CONTROL. Active Ingredients: Dimethylamine salt of 2,4-dichlorophenoxyacetic acid 1.38%; Dimethylamine salt of dicamba 3,6-dichloro-o-anisic acid) 0.22%; Dimethylamine salts of related acids 0.03%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM23

EPA Reg. No. 226-156. Tobacco States Chemical Co., Inc., P.O. Box 479, Lexington KY 40501. TOBACCO STATES BRAND ESTER 410 CONCENTRATE. Active Ingredients: 2,4-Dichlorophenoxyacetic acid, Isooctyl Ester 67.0%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM23

EPA Reg. No. 1023-19. Tuco Div. of the Upjohn Co., 7171 Portage Rd., Kalamazoo MI 49001. BOTRAN 8% DUST FUNGICIDE. Active Ingredients: 2,6-Dichloro-4-Nitroaniline 8%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM21

EPA Reg. No. 1023-42. Tuco Div. of the Upjohn Co. BOTRAN 4% DUST. Active Ingredients: 2,6-Dichloro-4-Nitroaniline 4%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM21

EPA Reg. No. 1023-41. Tuco Div. of the Upjohn Co. BOTRAN 10% DUST FUNGICIDE. Active Ingredients: 2,6-Dichloro-4-Nitroaniline 10%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM21

EPA Reg. No. 1023-40. Tuco Div. of the Upjohn Co. BOTRAN 15% DUST FUNGICIDE. Active Ingredients: 2,6-Dichloro-4-Nitroaniline 15%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM21

EPA Reg. No. 1023-39. Tuco Div. of the Upjohn Co. BOTRAN 12% DUST FUNGICIDE. Active Ingredients: 2,6-Dichloro-4-Nitroaniline 12%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM21

EPA Reg. No. 1023-35. Tuco Div. of the Upjohn Co. BOTRAN 6% DUST FUNGICIDE. Active Ingredients: 2 6-Dichloro-4-Nitroaniline 6%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM21

EPA Reg. No. 168-492. Wasatch Chemical Div., 1979 South Seventh West, P.O. Box 6219, Salt Lake City UT 84106. MORGRO WEED & FEED. Active Ingredients: 2,4-dichloro-phenoxyacetic acid 0.73%; 2-(2-methyl-4-chlorophenoxy) propionic acid 0.31%; Dicamba (3,6-dichloro-o-anistic acid) 0.06%. Method of Support: Application proceeds under 2(b) of interim policy. Application for reregistration. PM23

EPA File Symbol 1270-ENA. Zep Manufacturing Co., Div. of National Service Industries, Inc., Atlanta GA 30301. ZEP X-2176. Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 10.0%; n-Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 10.0%. Method of Support: Application proceeds under 2(b) of interim policy. PM31

[FR Doc.76-25486 Filed 8-30-76;8:45 am]

[FRL 601-2]

STATE OF CALIFORNIA

Approval of State Implementation Plans; Time Extension

Correction

In FR Doc. 76-24090, appearing on page 34814 in the issue of Tuesday, August 17, 1976, the last line of the text reading "commence on or before October 18, 1976." should read "end on or before October 18, 1976.".

[FRL 608-8; OPP-42030]

TERRITORY OF GUAM

Submission of State Plan for Certification of Pesticide Applicators

In accordance with the provisions of section 4(a)(2) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (86 Stat. 973; 7 U.S.C. 136) and 40 CFR Part 171 (39 FR 36446 (October 9, 1974) and 40 FR 11698 (March 12, 1975)), the Honorable Ricardo J. Bordallo, Governor of the Territory of Guam has submitted a Territory of Guam State Plan for Certification of Commercial and Private Applicators of Restricted Use Pesticides to the Environmental Protection Agency (EPA) for approval on a contingency basis. Contingency approval is being requested pending enactment of legislation which has been proposed, and promulgation of regulations implementing this new legislation. Copies of the proposed legislation and a description of regulations to be promulgated are attached to the plan.

Notice is hereby given of the intention of the Regional Administrator, EPA Region IX, to approve this plan on a contingency basis.

A summary of this plan follows. The entire plan, together with all attached appendices (except sample examinations), may be examined during normal business hours at the following locations:

Guam, Environmental Protection Agency Post Office Box 2999, Agana, Guam, 96910, (646-8863/64/65).

Room 360, 100 California Street, San Francisco, CA 94111 (Pesticides Branch, Air & Hazardous Materials Control Division, EPA Region IX, (415) 556-3352).

Room 401, East Tower, Waterside Mall, 401 M Street, S.W., Washington, D.C. 20460 (Federal Register Section, Technical Services Division (WH-569), Office of Pesticide Programs, EPA, (202) 755-4854).

SUMMARY OF TERRITORY OF GUAM STATE PLAN

The Guam Environmental Protection Agency (GEPA) has been designated as the Territorial lead agency for the Administration, implementation, coordination and enforcement of the pesticide applicator certification program.

A cooperating agency in the certification program includes the College of Agriculture and Life Sciences, Cooperative Extension Service, University of Guam. The Cooperative Extension Service, in cooperation with GEPA, will prepare a training program for pesticide applicators and oral and auto-tutorial reinforced learning programs for private applicators.

Legal authority for the program is contained in the Guam Pesticides Act of 1975 (proposed legislation). Anticipated date of passage is December, 1976, with final regulations promulgated by June, 1977.

The plan indicates that the Territorial lead agency and cooperating agency will have sufficient qualified personnel and funds necessary to carry out the proposed programs. The GEPA has been awarded an EPA grant for Fiscal Year 1976 in the amount of $39,200 to support certification programs. The University of Guam, College of Agriculture and Life Sciences under the USDA/EPA Cooperative Agreement is scheduled to receive in Fiscal Year 1976 $26,276 to support training programs for commercial and private applicators.

The GEPA estimates that 81 commercial and approximately 100 private applicators will need to be certified. Wallet size identification certificates containing information relating to the type of certification received and its duration will be furnished all applicators, to present to the dealer at the time of restricted use pesticide purchase.

The Territorial lead agency will submit an annual report to EPA by January 1 of each year and any special reports as required by the Administrator.

The commercial categories proposed are those which are listed in 40 CFR 171.3. The lead agency has proposed to utilize seven out of the ten categories listed in 40 CFR 171.3. No new categories are proposed. The categories not to be used in Guam are as follows:

(4) Seed Treatment,
(5) Aquatic Pest Control and,
(10) Demonstration and Research Pest control.

Due to particular agricultural and other pest control operations in Guam the lead agency feels that the three categories listed above will not be needed at this time.

The Territory of Guam plans to certify commercial applicators by means of a written examination that will cover both the Federal general standards or "core" materials and the specific standards as required by 40 CFR 171.4 and 171.6.

Under the authority of Guam Executive Order 75-29 the Territory of Guam has instituted an interim certification program to train commercial applicators in the general standards of competency to allow for partial control of the use of restricted use pesticides until the University of Guam training program in pesticides is available. Under the interim certification program commercial applicators attended a short training course held at the University of Guam and were given a written examination covering specific pesticides being used in Guam and general pesticide safety measures for storing, using, or disposing of pesticides.

For full certification applicators will attend training sessions conducted by the Extension Service. A written examination will be given at the training session and will cover Federal standards 40 CFR 171.4 and 171.6. The EPA core manuals and specific category manuals covering these standards will be utilized by the Extension Service. Information about the courses and examinations may be obtained from Cooperative Extension agents and the Guam Environmental Protection Agency.

Private applicators will be certified by one of two principal certification methods to be utilized in Guam. The Cooperative Extension agents will provide short courses based on the U.S. EPA private

applicator manual which covers the requirements of 40 CFR 171.5(a) and 171.6. The Extension agents will ask review questions and the applicators will respond to these questions on the application for certification forms. The Extension agent will reinforce the learning of the applicator by reviewing and discussing the answers with the applicator. The applicant will correct any wrong responses. This is not intended as an examination, but as a review with reinforced learning to insure participation by the applicator in the training activity. When the application is signed by the Extension agent it will be sent to GEPA for approval and issuance of certificate.

Depending on the availability of funds, an auto-tutorial system may also be offered. A film-strip or slides together with a tape based on the EPA private applicator manual will be presented in the Extension Service office. The applicant will be given review questions to answer on his application form, and will be provided with the answers for correcting his own paper. The Extension agent will sign the application form indicating that the applicant was present, and successfully completed the training program.

Applicators with poor reading comprehension may have someone else read the EPA manual to them, and then take an oral examination given by the Extension Service. Alternatively, they may be tutored by the Extension agent with subsequent discussion of the review questions. Certification issued in this manner will be limited to the specific product for which the applicant is being questioned.

The Territory of Guam State plan indicates that applicators who cannot read pesticide labels will not be allowed to apply restricted use pesticides.

Sample examination questions from the interim certification program are attached to the Guam Plan. The examinations and review questions used in the formal certification program will be submitted to EPA at a later date for evaluation. To preserve the confidentiality of the examination, the Territory of Guam has requested that EPA not make any examinations available for public inspection.

The Territory of Guam State plan also indicates that within sixty days of the final approval of the Government Agency Plan (GAP) by EPA, a statement concerning the acceptance of GAP qualified Federal employees will be forwarded for inclusion in the Guam plan.

Territorial plans for the Trust Territory of the Pacific Islands are not sufficiently developed to properly address the issue of reciprocity; when such are developed Guam will give favorable consideration to the development of reciprocal agreements.

Other regulatory activities listed in the Guam plan which will supplement the Guam certification program are pesticide registration, inspection, and sampling of pesticide products. Under the proposed legislation, dealers handling restricted use pesticides will be licensed. Until enactment of proposed pesticide legislation, Guam has instituted an interim dealer licensing program that took effect on August 1, 1975.

Certified applicators will be required to renew their certificates annually. Although GEPA has not finally decided the method they will utilize for recertification, the Territory of Guam State plan indicates that two recertification options are being considered: re-examination without formal training, or a minimum of three hours training to be completed within the year before certification expires.

Enforcement of the Guam certification program will be carried out by an Environmental Health Specialist II. A regular program of monitoring will be performed and includes such activities as verification of the applicator's credential, review of the product label to assure use compliance, checks on the use of proper safety equipment, and observation of application of pesticides. Product sampling will also be undertaken. Follow-up reports on suspected violations encountered during the regular monitoring program will be considered for enforcement action by GEPA.

PUBLIC COMMENTS

Interested persons are invited to submit written comments on the proposed State plan for the Territory of Guam to the Chief, Pesticides Branch, Air and Hazardous Materials Division, Region IX, Environmental Protection Agency, Room 360, 100 California Street, San Francisco, California 94111. The comments must be received on or before September 30, 1976 and should bear the identifying notation (OPP-42030). All written comments filed pursuant to this notice will be available for public inspection at the above mentioned locations from 8:30 a.m. to 4:30 p.m. Monday through Friday.

Dated: July 28, 1976.

PAUL DEFALCO, Jr.,
Regional Administrator,
Region IX.

[FR Doc.76-25484 Filed 8-30-76;8:45 am]

ENERGY RESEARCH AND DEVELOPMENT ADMINISTRATION

ADVISORY COMMITTEE ON GEOTHERMAL ENERGY

Meeting

In accordance with provisions of Pub. L. 92-463 (Federal Advisory Committee Act), the Advisory Committee on Geothermal Energy (ACGE) will hold its first meeting on Thursday, September 16, 1976, from 9 a.m. to 5 p.m., Suite 285, World Trade Center, 350 South Figueroa Street, Los Angeles, California. This meeting will be open to the public. The purpose of this meeting is: to review plans and activities of the Division of Geothermal Energy, U.S. Energy Research and Development Administration; to discuss and to provide advice on programs and approaches to effective government-industry cooperation in the development of geothermal energy. The tentative agenda for the meeting is as follows:

9:00 a.m.	Opening Remarks — Chairman ACGE, Carel Otte, and ERDA Representatives: J. C. Bresee, R. D. Thorne, F. Howe.
9:30 a.m.	Report on Actions of the Interagency Geothermal Advisory Council and Its Panels—ERDA Representative, J. C. Bresee; Federal Energy Administration, E. A. Kuhn.
10:30 a.m.	Review of Federal Geothermal Program Plans—ERDA Representative, M. N. Mansour.
11:30 a.m.	Status of Loan Guaranty Program — ERDA Representative, M. Silverman.
12:00 noon	Lunch.
1:30 p.m.	Summary of Commercial Activities—Committee Members.
3:00 p.m.	General Discussion of Government-Industry Cooperation—ERDA Representatives: J. C. Bresee, J. W. Salisbury, R. S. H. Toms, L. B. Werner.
	(a) Proposed Cost-Sharing Initiatives:
	1. Role of Demonstration Plants.
	2. Joint ERDA-Industry Reservoir Exploration and Assessment.
	(b) Alternate Cooperative Programs.
4:30 p.m.	Other business—Chairman ACGE, Carel Otte.
5:00 p.m.	Adjournment — Chairman ACGE, Carel Otte.

Practical considerations may dictate alterations in the above agenda or schedule.

The chairman is empowered to conduct the meeting in a manner that in his judgment will facilitate the orderly conduct of business.

With respect to public participation in agenda items, scheduled above the following requirements shall apply:

(a) Persons wishing to submit written statements on agenda items may do so by mailing 12 copies thereof, postmarked no later than September 10, 1976, to the Director, Division of Geothermal Energy, U.S. Energy Research and Development Administration, 20 Massachusetts Avenue NW., Washington, D.C. 20545. Comment shall be directly relevant to the above agenda items. Minutes of the meeting will be kept open for 30 days for the receipt of written statements for the record.

(b) Information as to whether the meeting has been rescheduled or relocated can be obtained by a prepaid telephone call on September 14, 1976 to the Division of Geothermal Energy, Energy Research and Development Administration, Helen Krupovich on (202) 376-4843 between 8:30 a.m. and 5:00 p.m., e.s.t.

(c) Questions at the meeting may be propounded only by members of the Committee and ERDA officials assigned to participate with the Committee in its deliberations.

(d) Seating to the public will be made available on a first-come, first-served basis.

(e) The use of still, movie, and television cameras, the physical installation and presence of which will not interfere with the course of the meeting, will be permitted both before and after the meeting and during any recess. The use of such equipment will not, however, be allowed while the meeting is in session.

(f) Copies of minutes will be made available for copying, following their certification by the Chairman in accordance with the Federal Advisory Committee Act, at the Energy Research and Development Administration's Public Document Room, 20 Massachusetts Avenue, N.W. Washington, D.C. 20545, upon payment of all charges required by law.

HARRY L. PEEBLES,
Deputy Advisory Committee Management Officer.

[FR Doc.76-25630 Filed 8-30-76;9:23 am]

FEDERAL ENERGY ADMINISTRATION

APPEALS AND APPLICATIONS FOR EXCEPTIONS

Cases Filed Week of August 13 Through August 20, 1976

Notice is hereby given that during the week of August 13 through August 20, 1976, the appeals and applications for exception or other relief listed in the Appendix to this notice were filed with the Federal Energy Administration's Office of Exceptions and Appeals.

Under the FEA's procedural regulations, 10 CFR, Part 205, any person who will be aggrieved by the FEA action sought in such cases may file with the FEA written comments on the application within ten days of service of notice, as prescribed in the procedural regulations. For purposes of those regulations, the date of service of notice shall be deemed to be the date of publication of this notice or the date of receipt by an aggrieved person of actual notice, whichever occurs first.

MICHAEL F. BUTLER,
General Counsel.

AUGUST 25, 1976.

APPENDIX.—*List of cases received by the Office of Exceptions and Appeals, Aug. 13 to Aug. 20, 1976*

Date	Name and location of applicant	Case No.	Type of submission
Aug. 13, 1976...	Arizona Fuels Corp., Salt Lake City, Utah (If granted: The FEA's July 16, 1976, decision and order would be rescinded and Arizona Fuels Corp. would be relieved of any obligation to purchase entitlements for the months of April through October 1976.)	FEA-0928	Appeal of the FEA's decision and order in Arizona Fuels Corp., 4 FEA par. ------ (July 16, 1976).
Do.....	R. M. Edwards, Tulsa, Okla. (If granted: The Oberle Lease wells located in Rice County, Kans. would be classified as stripper wells.)	FEE-2900	Price exception (sec. 212.74).
Do.....	Fred Goodstein, Casper, Wyo. (If granted: The crude oil produced from the Fred Goodstein Amoco Federal No. 1 well located in Crook County, Wyo., would be sold at upper-tier ceiling prices.)	FEE-2899	Do.
Do.....	Henry W. King, Childress, Tex. (If granted: The FEA's July 15, 1976, decision and order would be rescinded and crude oil produced from the Ackerly unit would be sold at upper-tier ceiling prices for the benefit of both the working interest owners and the royalty interest owners.)	FEA-0926	Appeal of the FEA's decision and order in Austral Oil Co., Inc., 4 FEA par. ------ (July 15, 1976).
Do.....	Redd Fuel Co., Inc., Boston, Mass. (If granted: The FEA's July 22, 1976, remedial order would be rescinded and Redd Oil Co. would not be required to refund any overcharges made in its sales of No. 2 heating oil.)	FEA-0927 FES-0927	Appeal of the FEA's remedial order dated July 22, 1976. Stay requested.
Do.....	Signal Petroleum, New Orleans, La. (If granted: Exception relief to permit Signal Petroleum to increase its prices for natural gas liquid products produced at the Lake Washington cycling plant to reflect nonproduct cost increases in excess of $0.005/gal. would be extended.)	FEE-2901	Extension of price relief granted in Signal Petroleum, 4 FEA par. ------ (July 19, 1976).
Aug. 16, 1976...	Beacon Gasoline Co., Washington, D.C. (If granted: Exception relief to permit Beacon Gasoline Co. to increase its prices for natural gas liquid products to reflect nonproduct cost increases in excess of $0.005/gal. would be extended.)	FEE-2902	Extension of exception relief in Beacon Gasoline Co., 3 FEA par. 83,208 (June 7, 1976).
Do.....	National Helium Corp., Liberal, Kans. (If granted: National Helium Corp. would receive an extension of the exception relief granted on July 20, 1976, to permit it to increase its prices for natural gas liquid products to reflect nonproduct cost increases in excess of $0.005/gal.)	FEE-2903	Extension of exception relief in National Helium Corp., 4 FEA par. ------ (July 20, 1976).
Aug. 18, 1976...	Bryant Oil Co., Huntington Park, Calif. (If granted: Bryant Oil Co. would be assigned a new lower priced supplier of motor gasoline to replace its base period supplier, Tosco.)	FEE-2905	Exception to change supplier.
Do.....	Coline Gasoline Co., Washington, D.C. (If granted: Coline Gasoline Corp. would receive an extension of the exception relief granted on July 19, 1976, to permit it to increase its prices for natural gas liquid products to reflect nonproduct cost increases in excess of $0.005/gal.)	FEE-2904	Extension of exception relief in Coline Gasoline Corp., 4 FEA par. ------ (July 19, 1976).
Do.....	Stone, Pigman, Walther, Wittmann & Hutchinson, New Orleans, La. (If granted: Stone, Pigman, Walther, Wittman & Hutchinson would receive access to portions of documents prepared in connection with a complaint against OKC Corp. filed with the FEA by Good Hope Refineries, Inc.)	FEA-0929	Appeal of the FEA's information request denial.
Aug. 19, 1976...	Aminoil USA, Inc., Houston, Tex. (If granted: Aminoil USA, would receive an extension of the exception relief granted on July 30, 1976, to permit it to increase its prices to reflect nonproduct cost increases in excess of $0.005 for natural gas liquid products produced at its Aline, Fox, Huntington Beach, Inglewood, Taloga, and Tioga plants.)	FEE-2941—FEE-2946	Extension of exception relief in Aminoil USA, Inc., 4 FEA par. ------ (July 30, 1976).

APPENDIX.—*List of cases received by the Office of Exceptions and Appeals, Aug. 13 to Aug. 20, 1976*

Date	Name and location of applicant	Case No.	Type of submission
Aug. 19, 1976...	Atlantic Richfield Co., Dallas, Tex. (If granted: Atlantic Richfield Co. would receive an extension of the exception relief granted on July 13, 1976, to permit it to increase its prices to reflect nonproduct cost increases in excess of $0.005/gal for natural gas liquid products produced at the following natural gas plants: Covington, Crane, Dayton, Drumright, East Village Mills, Eldorado, Hull, Longview, Midland, Nueces River, Ojai Timber, Price, Riverton Dome, Seminole, Silsbee, South Hampton, Stevens-Calidon, and Taft.)	FEE-2906—FEE-2923	Extension of exception relief in Atlantic Richfield Co., 4 FEA par. ..... (July 13, 1976).
Do.....	Custom Oil Co., Inc., Garfield, N.J. (If granted: Custom Oil Co., Inc., would be assigned a new lower-priced supplier of motor gasoline to replace its base period suppliers, Ashland Oil Co., Allen Oil Co., Supreme Petroleum Co., and Tenneco Oil Co.)	FEE-2927	Exception to change supplier.
Do.....	Gary Operating Co., Englewood, Colo. (If granted: Gary Operating Co. would receive an extension of the exception relief granted on June 24, 1976, to permit it to increase its prices to reflect nonproduct cost increases in excess of $0.005/gal for natural gas liquid products produced at its Altonah and Bluebell gas processing plants.)	FEE-2925—FEE-2926	Extension of exception relief in Gary Operating Co., 3 FEA par. 83,241 (June 24, 1976).
Do.....	Newhall Refining Co., Inc., Newhall, Calif. (If granted: Newhall Refining Co., Inc.'s, entitlement purchase obligation for May 1976 would be reduced.)	FEA-0930	Appeal of the FEA's July 23, 1976 entitlement notice for May 1976.
Do.....	Sun Oil Co., Dallas, Tex. (If granted: Sun Oil Co. would receive an extension of the exception relief granted on July 7, 1976, to permit it to increase its prices to reflect nonproduct cost increases in excess of $0.005 for natural gas liquid product produced at its Burnell, Canales, Carney, Concho, Cowden, Dragon Trail, Heyser, Maurice, Mayfield, Mermentau, Peoria, Steedman, and Tonkawa plants.)	FEE-2928—FEE-2940	Extension of exception relief in Sun Oil Co., 3 FEA par. 83,269 (July 7, 1976).
Do.....	Superior Oil Co. (Rio Bravo), Houston, Tex. (If granted: Superior Oil Co. would receive an extension of the exception relief granted on June 7, 1976, to permit it to increase its prices to reflect nonproduct cost increases in excess of $0.005/gal for natural gas liquid products produced at its Rio Bravo plant.)	FEE-2924	Extension of exception relief in Superior Oil Co. 3 FEA par. 83,218 (June 7, 1976).

[FR Doc.76-25418 Filed 8-26-76;11:14 am]

APPEALS AND APPLICATIONS FOR EXCEPTIONS

Issuance of Decisions and Orders, Week of August 9 Through August 13, 1976

Notice is hereby given that during the week of August 9 through August 13, 1976, the Decisions and Orders summarized below were issued with respect to Appeals and Applications for Exception or other relief filed with the Office of Exceptions and Appeals of the Federal Energy Administration. The following summary also contains a list of submissions which were dismissed by the Office of Exceptions and Appeals and the basis for the dismissal.

REQUESTS FOR EXCEPTION

City of Long Beach, Calif.; Long Beach, Calif.; FEE-2234; Crude Oil

The City of Long Beach, California (Long Beach) filed an Application for Exception from the provisions of 10 CFR Part 212, Subpart D which, if granted, would permit Long Beach to sell the crude oil produced from Fault Block Units 2, 3, 4, and 5 located on the Wilmington Field at the upper tier ceiling price. In considering the City's contention that there was no economic incentive to continue to operate Fault Block Unit 2, the FEA noted that Long Beach had included in the financial projections for 1976 both a mining tax which it will not pay and production termination costs, which have no bearing on the City's economic incentive to continue production from the Unit. When these projected expenses were excluded, the FEA found that Long Beach's financial projections demonstrated that Unit 2 would generate a positive economic return until December 1976. However, the FEA concluded that since the production data indicated that the City would have no economic incentive to continue production after December 1976, the FEA would consider granting the City exception relief at that time if Long Beach could present additional data showing the Unit's actual operating results through September 1976. In denying without prejudice the City's exception application with respect to Units 3, 4, and 5 the FEA emphasized that Long Beach has projected that those Units will continue to generate economic profits for an even longer period of time than Unit 2. Thus, the FEA determined that it could not at this time determine if Units 3, 4, and 5 will actually incur losses in the months projected by Long Beach.

Great Southern Oil & Gas, Inc.; Lafayette, La.; FEE-2760; crude oil

Great Southern Oil & Gas Company, Inc. (Great Southern) filed an Application for Exception from the provisions of 10 CFR, Part 212, Subpart D. The request, if granted, would result in an extension of the exception relief previously granted to Great Southern and would permit Great Southern to continue to sell a certain portion of the crude oil produced from the Elizabeth Longman No. 1 well (Longman well) at upper tier ceiling prices. See Great Southern Oil & Gas, Inc., 3 FEA Par. 83,124 (March 9, 1976). In considering the exception application, the FEA found that the Longman well was still incurring increased operating costs and the working interests continued to lack the incentive to produce crude oil from the property at the lower tier ceiling price. In view of this situation and on the basis of the operating data presented for the well for the previous six months, the FEA concluded that the working interest owners should be permitted to sell 100 percent of the crude oil produced from the well at upper tier ceiling prices in order to recover the increased operating costs.

J&W Refining, Inc.; Tucker, Tex.; FEE-2720; Crude Oil

J&W Refining, Inc. (J&W) filed an Application for Exception from the provisions of 10 CFR 211.67 (The Old Oil Entitlements Program) which, if granted, would relieve the firm of any obligation to purchase entitlements beginning with the month of April 1976. On June 10, 1976, J&W's entitlement obligations were stayed pending a determination of its exception request. In considering J&W's exception request, the FEA determined that J&W's operations have been conducted by a Receivor under Chapter XI of the Federal Bankruptcy Act since July 1975. The FEA further determined that although the firm's position under the Entitlements Program did not create its continuing financial difficulties, any entitlement purchases which the firm makes will reduce the amount of cash available to the firm to pay its outstanding debts. Moreover, J&W is currently experiencing a deficit in its working capital balance and even without entitlement purchase obligations during its current fiscal year ending March 31, 1977, it will continue to operate with an insufficient working capital balance. The FEA also found that a formal plan for repaying J&W's creditors would be delayed by the receivor until it was apprised of J&W's exact future obligation under the Entitlement's Program and consequently, without exception relief J&W would be operated by the receivor for a longer period of time. The FEA therefore determined that exception relief should be extended to the firm which relieved J&W of its entitlement purchase obligations during the firm's current fiscal year. The FEA also determined that J&W should be awarded sufficient entitlements for the months of August and September 1976 to enable it to satisfy its entitlement obligations for April and May 1976 which were stayed by the June 10, 1976 Order.

Laketon Asphalt Refining, Inc.; Evansville, Ind.; FEE-2558; Crude Oil

Laketon Asphalt Refining, Inc. (Laketon) filed an Application for Exception from the provisions of 10 CFR 211.67 (the Old Oil Entitlements Program). The request, if granted, would have prospectively relieved the firm of any entitlement purchase obligations and retroactively relieved the firm of its obligation to purchase entitlements for its crude oil receipts, and runs to stills for the months of April and May 1976. In considering Laketon's exception request the FEA determined that Laketon's projected entitlements purchase obligations during the remainder of the firm's current fiscal year ending December 31, 1976 would cause it to realize profits which would be less than its historic profit margin and return on invested capital. Under the criteria set forth in Delta Ref. Co., 2 FEA Par. 83,275 (September 11, 1975) and Beacon Oil Co., 3 FEA 83,209 (June 8, 1976), prospective exception relief was therefore appropriate. Accordingly, the FEA approved exception relief which relieved Laketon of its entitlements purchase obligations during the period August 1976 through January 1977. However, in considering Laketon's request for retroactive relief, the FEA determined that despite the ample notice which the FEA provided to firms such as Laketon to enable them to make timely filings for exception relief, Laketon failed to submit its exception application until July 12, 1976. Accordingly the FEA concluded that Laketon must make a very strong showing that it would be so adversely affected in the absence of exception relief for April and May 1976 as to result in severe and irreparable injury to the firm. Since the financial data submitted by Lake-

ton indicated that the firm will have a positive cash flow for the quarter ending September 30, 1976, the FEA determined that Laketon had failed to make the requisite showing of severe and irreparable injury. Laketon's request for retroactive exception relief was therefore denied.

REQUESTS FOR STAY

Atlantic Richfield Co.; Los Angeles, Calif.; FES–0044; Assignment of Motor Gasoline Supplier

The Atlantic Richfield Company (Arco) requested a stay of a June 11, 1976 Decision and Order which granted the UCO Oil Company (UCO) exception relief, pending a determination on Arco's Appeal of that Decision. UCO Oil Company, 3 FEA Par. 83,219 (June 11, 1976). The June 11 Decision required the Regional Administrator of FEA Region IX to issue Assignment Orders directing appropriate firms to supply 10,279,566 gallons of motor gasoline to UCO during the months of June through August 1976. Accordingly on June 28, 1976, the Regional Administrator issued an Assignment Order to Arco directing the firm to supply UCO with 1,414,805 gallons of motor gasoline. In considering Arco's request for Stay, the FEA found that the firm had not submitted any information to demonstrate that the branded marketers which Arco supplies would experience any significant hardship as a result of the June 11 Exception Decision and the June 28 Assignment Order, or that the June 11 Decision erred in determining that the application or FEA regulations was causing UCO a serious financial hardship. The FEA therefore concluded that Arco had not shown a strong likelihood of success on the merits of its Appeal. Therefore the FEA denied Arco's request for a Stay.

Harris Enterprises, Inc.; Portland, Oreg.; FES–2820; Motor Gasoline

Harris Enterprises, Inc. (Harris) requested a stay of the provisions of 10 CFR 211.9 which if granted would result in the immediate assignment of a new supplier of motor gasoline to replace its base period suppliers: Aminoil Oil U.S. (Aminoil); Lion Oil Company (Lion); Powerine Oil Company (Powerine); and Mercury Oil Company (Mercury). Harris requested the stay pending a final determination on an Application for Exception which Harris submitted on the same date. In considering the Application for Stay the FEA determined that Harris had failed to meet the standards specified by Section 205.125(b) for the approval of a stay. In making this determination, the FEA found that the Harris submission did not even specify the overall weighted-average price which the firm was paying for motor gasoline and did not include a representative market sampling of its competitors' prices. Furthermore, Harris did not submit adequate documentation to support the firm's contention that it would be compelled to close certain of its retail outlets unless a stay were issued. In addition, the FEA found that the record in the proceeding indicated that approval of the stay could produce a severe disruption in the business activities of at least one of its base period suppliers. The Application for Stay was therefore denied.

SUPPLEMENTAL ORDERS

Little America Refining Co.; Evansville, Wyo.; FEX–0058; Crude Oil

On June 17, 1976 the FEA granted Little America Refining Company (Larco) exception relief which relieved the firm of any obligation to purchase entitlements under the provisions of 10 CFR 211.67 during June through November 1976. *Little America Ref. Co.*, 3 FEA Par. 83,227 (June 17, 1976). On July 19, 1976 the FEA informed Larco of its intention to rescind the exception relief granted in the June 17 Order regarding the firm's entitlement purchase obligations in September, October, and November 1976 on the ground that the factual basis underlying the approval of exception relief for those months has been considerably altered. In the present supplemental order, the FEA determined that on July 1, 1976 a Larco subsidiary had acquired certain assets of Pasco, Inc. which had tripled the firm's refining capacity and substantially changed the basis for its earlier projections of its crude oil runs to stills, receipts of old oil, and financial results during the period from July through September 1976. The FEA further noted that on August 2, 1976 Larco filed a new exception application and the firm's contention that it should not be required to purchase entitlements will be fully considered in that proceeding. However, the FEA determined that the filing of a new exception request did not justfy the continuation of the prior exception relief which had been approved on the basis of circumstances which have subsequently changed to a significant extent. The June 17 Order was therefore modified to revoke the exception relief for September through November 1976.

Pasco, Inc.; Denver Colo.; FEX–0057; Crude Oil

On June 18, 1976 the FEA granted Pasco, Inc. (Pasco) exception relief which reduced the firm's entitlement purchase obligation during June through November 1976 by $2,157,163 per month. *Pasco, Inc.*, 3 FEA Par. 83,232 (June 18, 1976). On July 21, 1976 the FEA informed Pasco of its intention to rescind the exception relief granted in the June 18 Order regarding the firm's entitlement purchase obligations in September, October, and November 1976 on the ground that the factual basis underlying the approval of exception relief with respect to those months no longer existed. In the present Supplemental Order the FEA determined that, as a result of Pasco's termination of its refining operation on July 1, 1976, the firm will not incur any obligation to purchase entitlements during the period from September through November 1976. The June 18 Order was therefore modified to revoke the exception relief for September through November 1976.

DISMISSALS

The following submissions were dismissed following a statement by the applicant indicating that the relief requested was no longer needed:

Hercules Petroleum Co., Inc.; Choudrant, La.; FEE–2702
PHD Corp.; Washington, D.C.; FEE–2568
Union Oil Co. of Calif.; Palatine, Ill.; FEE–2713
Zack's Gulf Service Station; Wilkes-Barre, Pa.; FEE–2766

The following submission was dismissed for failure to correct deficiencies in the firm's filing as required by the FEA Procedural Regulations:

Degraffenreid's Store; Brumleg, Mo.; FEE–2711

The following submission was dismissed after the applicant repeatedly failed to respond to requests for additional information:

Kamur Industries, Inc.; Oakland, Calif.; FEE–2555

The following submission was dismissed on the grounds that the request is now moot:

Wheeling-Pittsburgh Steel Corp.; Wheeling, W. Va.; FEE–2846

Copies of the full text of these Decisions and Orders are available in the Public Docket Room of the Office of Private Grievances and Redress, Room B–120, 2000 M Street, NW., Washington, D.C. 20461, Monday through Friday, between the hours of 1:00 p.m. and 5:00 p.m., e.s.t., except Federal holidays. They are also available in Energy Management: Federal Energy Guidelines, a commercially published loose leaf reporter system.

MICHAEL F. BUTLER,
General Counsel.

AUGUST 25, 1976.

[FR Doc.76-25417 Filed 8-26-76;11:14 am]

PUBLIC FORUM ON COAL

Meeting

Notice is hereby given that a Public Forum on Coal will be held Monday, September 20, 1976, 9 a.m., Brown Palace Hotel, Grand Ballroom, 17th and Tremont Place, Denver, Colorado.

The one-day event will focus on the expanding role that coal will play in America's future. Top-level spokesmen for the Department of the Interior, the Environmental Protection Agency, State Energy agencies, utilities and public interest groups will discuss the issues facing coal development and utilization. About 4 hours will be provided for direct public participation.

The agenda for the meeting is as follows:

1. Keynote address.
2. Issues facing coal development—panel discussion and public discussion.
3. Luncheon.
4. Issues facing coal utilization—speech, panel discussion, and public discussion.
5. Open discussion.

The meeting is open to the public. The Program Chairman is empowered to conduct the meeting in a fashion that will, in his opinion, facilitate the orderly conduct of business. Any member of the public who wishes to file a written statement will be permitted to do so, either before or after the meeting. Members of the public who wish to make oral statements should inform Jackie Buckingham, Special Projects Coordinator, Energy Resource Development, at (202) 961–7681 at least 5 days prior to the meeting and reasonable provision will be made for their appearance on the agenda. Further information concerning the forum may be obtained from Mrs. Buckingham.

Transcripts of the proceedings will be made available for public inspection at the Federal Energy Administration.

Issued at Washington, D.C. on August 25, 1976.

MICHAEL F. BUTLER,
General Counsel.

[FR Doc.76-25419 Filed 8-26-76;11:14 am]

FEDERAL MARITIME COMMISSION

[Docket No. 76-32]

ARCTIC LIGHTERAGE CO.

Proposed Initial Tariff in the Western Alaska Trade; Modification of Order

The Commission instituted this proceeding on June 11, 1976, to determine the lawfulness of an initial joint FMC/ICC tariff filed by Arctic Lighterage Company (Arctic) which went into effect as scheduled on June 16, 1976. Arctic's Tariff FMC-F No. 1 provides lighterage rates between ship's anchorage and shore at Nome and Kotzebue, Alaska and commodity rates between ship's anchorage and shore at Nome and Kotzebue and various coastal points in Alaska on the Bering Sea and Arctic Ocean.

In view of the overriding public interest in providing immediate and full service to the western Alaskan points in the trade and notwithstanding its investigation of Arctic's proposed initial tariff, the Commission determined not to suspend that tariff but rather allowed it to go into effect as scheduled. Moreover, in order to take advantage of the financial and revenue data accumulated during the 1976 operating season, the Commission waived Rule 12(a) of the Commission's Rules of Practice and Procedure and postponed the commencement of discovery until the close of Arctic's 1976 operating season in the trade. The Commission likewise waived Rule 5(a) of its Rules requiring that hearings shall commence no later than six months from the date of publication of the Commission's Order in the FEDERAL REGISTER.

On July 12, 1976, attorneys for the twenty-two (22) Complainants[1] in the proceeding filed a Petition for Reconsideration and Modification of our June 11th Order to the extent that it,

> * * * (1) waives two fundamental requirements of the Rules of Practice and Procedure pertaining to the commencement of discovery and oral hearing in a timely and expeditious manner; (2) fails to require Arctic to make prompt refund, without a further proceeding, of any increase charges in excess of those determined in the subject case to be just, reasonable and lawful; and (3) fails to require respondent to submit directly to complainants at the end of each month of the 1976 operating season true copies of all freight bills or billings for all services performed under its initial tariff, F.M.C.-F No. 1.

Specifically, with respect to Item 1 above, Complainants urge the Commission to modify its Order to provide for: (1) the immediate commencement and conclusion of discovery; (2) the prompt scheduling of a prehearing conference at the request of any party before or after completion of discovery; and (3) a hearing promptly upon completion of discovery.

Arctic in its reply argues that as a new carrier it has no operating results to be examined and therefore no useful purpose would be served by requiring discovery prior to the close of the 1976 operating season.

Arctic does agree that the proceeding should be expedited and suggests that a hearing be held as soon as the results of its operations are available following the close of the current navigation season. In this regard, Arctic further suggests that following the submission of briefs the Commission proceed directly to a determination of the case, foregoing the issuance of an initial decision and oral argument before the Commission.

With respect to Complainants' request that Arctic keep an accounting of all freight monies received and make a refund of all increased charges if they should be found to be in excess of those determined after investigation to be just, reasonable and lawful, Arctic takes the position that the Commission lacks the authority to prescribe such an accounting and refund procedure.

Arctic is also opposed to any procedure which would require any disclosure to Complainants of freight bills or billing services performed under its initial tariff, on the grounds that such disclosure would be inconsistent with the statutory provisions of confidentiality set forth in section 20 of the Shipping Act, 1916. Arctic argues that section 20 of the Act makes it unlawful for a carrier to disclose such information to anyone other than the shipper or consignee without such shipper's/consignee's consent because it might be used to the detriment or prejudice of such shipper or consignee or improperly disclose his business transactions to a competitor.

Hearing Counsel support Complainants' position with respect to the commencement and completion of discovery. Hearing Counsel are of the opinion that commencement of the primary phase of discovery prior to the end of the 1976 operating season would not hinder the Commission's effort to accumulate and analyze the financial data required to be submitted by Arctic and would expedite the hearing process by permitting all parties to obtain the basic information necessary to resolve the issues in this proceeding.

However, Hearing Counsel believe that adequate time must be given to the staff after receipt of all the required financial data from Arctic to enable it to fully examine and ascertain what the data reflects with respect to Arctic's service in the trade. Therefore, while they concur in Complainants' request that a prehearing conference be held at the request of any party before or after completion of discovery, they also believe that a hearing date can only be determined after consultations between the Presiding Officer and all the parties as to a reasonable and realistic date.

Hearing Counsel support Arctic's argument that the Commission lacks authority to include any provision for the accounting and refund of transportation charges in its Order of Investigation and Hearing and argues that, absent the filing of a complaint setting forth violations of the Shipping Act and a request for reparation for any injury or damage caused thereby, the Commission is powerless to award reparations.[2]

Finally, Hearing Counsel oppose Complainants' request to obtain copies of all freight bills and billings for Arctic's 1976 operating season. They submit that the proper method for obtaining the documents is through the Commission's discovery procedures and that the privilege of confidentiality, if asserted by Arctic, can be made directly to the Presiding Officer.

We have reviewed the various arguments with respect to Complainants' Petition and are of the opinion that certain modifications to our original June 11th Order are warranted.

First, we will allow discovery to commence immediately. While we believe that meaningful discovery cannot be completed prior to the close of Arctic's 1976 season, commencement of discovery at this time will enable the parties to obtain certain basic information necessary in the proceeding.

Second, while we agree with Complainants that hearings should commence "promptly upon completion of discovery," Hearing Counsel's concern that the staff be afforded sufficient time to review the financial data is well taken. Therefore, we are adopting both Compainants' request that a prehearing conference be held at the request of any party before or after completion of discovery and Hearing Counsel's suggestion that the Presiding Officer, after consultation with all parties at the prehearing conference, set the date for the commencement of the hearing, which should be as soon as possible after completion of discovery. We see no purpose to be served by foregoing the issuance of an initial decision nor do we see any reason to decide, at least at this time, that oral

[1] Complainants are as follows:

Alaska Cab Garage
Alaska Gold Company
Alaska Native Industries Cooperative Association, Inc.
Alaska Village Electric Cooperative, Inc.
Bering Sea Saloon
Bering Straits Native Corporation
Bering Straits Regional Housing Authority
Board of Trade Saloon
Breakers Bar
Central Contsruction Company
City of Nome
Fagerstrom ENT, Inc.
Hanson Trading Company
Maynard McDougal Hospital
NANA Construction Company
NANA Regional Corporation, Inc.
June Nelson—Board of Northwest Regional Schools
Nome Business Ventures
Don Perkins—Perkins Rental
Riddell Garage
Sitnasuak Native Corporation
Tupic Building Supply

[2] Alaska Steamship Co.—General Increases in Rates in the Peninsula and Bering Sea Areas of Alaska; Northern Commercial Co. River Lines—General Increase in Rates in the Yukon River Area of Alaska, FMC Nos. 969/1067, 8 FMC 1. (1964)

argument before the Commission in this proceeding should be dispensed with.

Third, with respect to Arctic furnishing to Complainants' counsel copies of all freight bills or billings for all services performed, it is our opinion that any determination as to the nature and extent of the material to be furnished should be left to the Presiding Officer, who can make any necessary rulings on the question of confidentiality.

Finally, we are denying Complainants' request that Arctic be directed "to keep accurate account of all monies received by reason of the increased rates permitted to go into effect prior to investigation and make prompt refund of the increased charges in excess of those determined, after investigation to be just, reasonable and lawful." The imposition of a refund requirement is beyond our statutory authority. In the past where accounting and refund provisions have been included in a rate investigation order it has been with the specific concurrence of the carrier involved. General Increases in Alaskan Rates and Charges, 7 F.M.C. 563, 565–66 (1963). While the Interstate Commerce Commission has the express authority to order refunds under section 15(7) of the Interstate Commerce Act, no such provision is contained in either the Shipping Act, 1916 or the Intercoastal Shipping Act of 1933. The absence of any specific authority in our regulatory statutes would appear to preclude our providing for refunds in this proceeding. Complainants' recourse would be to file a complaint under section 22 seeking reparations.

We see no need to pursue the issue whether Arctic should be directed to keep an accounting of funds. Without the refund requirement such as accounting for all shipments possibly affected by the rate increase would be burdensome and serve little purpose.

Therefore, it is ordered, That our June 11, 1976, Order of Investigation and Hearing in Docket No. 76–32 is modified by deleting, in its entirety, the eighth ordering paragraph pertaining to the waiver of Rule 12(a) of the Commission's Rules of Practice and Procedure.

It is further ordered, That prehearing may be held at the request of any party before or after completion of discovery with the date for commencement of hearing to be established by the Administrative Law Judge.

By the Commission.

JOSEPH C. POLKING,
Assistant Secretary.

[FR Doc.76-25475 Filed 8-30-76;8:45 am]

FEDERAL POWER COMMISSION

[Project No. 2146]

ALABAMA POWER CO.

Application for Approval of Revised Exhibit R

AUGUST 24, 1976.

Public notice is hereby given that an application was filed on October 6, 1975, under the Federal Power Act (16 U.S.C. 791a–825r) by the Alabama Power Company (Correspondence to: Mr. Jesse S. Vogtle, Senior Vice President, Alabama Power Company, P.O. Box 2641, 600 North 18th Street, Birmingham, Alabama 35291) for approval of a revised Exhibit R for the constructed Coosa River Project No. 2146, located on the Coosa River, in Cherokee, Saint Clair, Etowah, Talladega, Chilton, Shelby, Coosa, Calhoun, and Elmore Counties, Alabama, and Floyd County, Georgia, near the cities and towns of Gadsden, Attalla, Anniston, Talladega, Montgomery, Sylacauga, Pell City, Wetumpka, Cedar Bluff, Centre, Childersburg, and Clanton, all in Alabama.

Applicant filed the revised Exhibit R in compliance with provisions of the license for Coosa River Project No. 2146. The existing and proposed recreational facilities are hereinafter described for each hydroelectric development comprising the project:

WEISS RESERVOIR

A fifteen acre tract near the tailrace, including the existing fishing pier and parking area, would be developed for use as a park. Weiss-Cherokee County, Causeway Park, a Company-owned tract located two miles south of Cedar Bluff, now includes a state-run boat launching ramp, with further development being contemplated by the County. The Town of Cedar Bluff is currently considering, with Applicant's technical assistance, development of a 12-acre park to provide picnicking and bathing facilities. The Town of Gaylesville has leased a tract of land from Applicant for development of a park and boat launching facilities. Applicant states that 27 recreational areas currently exist at the Weiss Reservoir, offering a total of 24 boat launching facilities, 15 bathing areas, 15 picnic areas, and camping areas.

H. NEELY HENRY RESERVOIR

Etowah County proposes to develop a 39-acre park on Applicant's land approximately 3.5 miles east of Gadsden (Tillison Bend) to include picnic facilities in addition to the existing boat launching facilities. Applicant states that 21 recreational areas currently exist at the H. Neely Henry Reservoir, offering a total of 23 boat launching ramps, four bathing areas, six picnic areas and five camping areas. The principal existing recreational facilities include a 20-acre park operated by the City of Gadsden and a 28-unit camping area near H. Neely Henry Dam.

LOGAN MARTIN RESERVOIR

Applicant has provided a fishing platform below the dam and proposes to develop an adjacent picnic area. Applicant also proposes to make available for development a 36-acre tract near the dam suitable for camping, swimming, and picnicking. Applicant states that a total of 39 recreational areas currently exist at the Logan Martin Reservoir, offering 38 boat launching ramps, 28 bathing areas, 19 picnic areas, and 15 camping areas.

LAY RESERVOIR

A 100-acre tract near Beeswax Creek, encompassing the existing State-operated boat launching facility, would be developed to include camping, picnicking, and swimming facilities. Applicant has reserved land at two sites (Peckerwood Creek and Talladega Springs) for the development of boat launching and picknicking facilities. Applicant states that 32 recreational areas currently exist at the Lay Reservoir offering a total of 28 boat launching ramps, 11 bathing areas, six picnic areas, and ten camping areas. The principal existing recreational facilities include the Lay-Shelby County Park, the recreational facilities developed by the State and Talladega County on Company-owned land at Glovers Point, three miles northeast of the dam, and the boat launching ramp developed by the State and Coosa County on Company-owned land at Paint Creek, where Applicant has set aside additional space for picnic facilities.

WALTER BOULDIN RESERVOIR

Applicant considers the physical characteristics of the shoreline at this development to be incompatible with any more than casual or limited recreational use. Prior to the 1975 failure of the dam, Applicant maintained and operated a visitors center with tours of the power plant. Applicant states that this activity will resume when the dam is returned to service.

Any person desiring to be heard or to make any protest with reference to said application should, on or before October 12, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 C.F.R. 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules. The application is on file with the Commission and is available for public inspection.

Take further notice that, pursuant to the authority contained in and conferred upon the Federal Power Commission by sections 308 and 309 of the Federal Power Act (16 U.S.C. 825g, 825h) and the Commission's rules of practice and procedure, specifically § 1.32(b) (18 C.F.R. 1.32(b)), as amended by Order No. 518, a hearing may be held without further notice before the Commission on this application if no issue of substance is raised by any request to be heard, protest, or petition filed subsequent to this notice within the time required herein. The aplicant has requested that the shortened procedure provided for under Section 1.32(b) be used. If an issue of

substance is raised, further notice of hearing will be given.

Under the shortened procedure herein provided for, unless otherwise advised, it will be unnecessary for applicant to appear or be represented at the hearing before the Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-25451 Filed 8-30-76;8:45 am]

[Docket No. CP76-85]

ALGONQUIN GAS TRANSMISSION CO. AND TEXAS EASTERN TRANSMISSION CORP.

Motion

AUGUST 24, 1976.

Take notice that on July 6, 1976,[1] Algonquin Gas Transmission Company (Algonquin), 1284 Soldiers Field Road, Boston, Massachusetts 02135, and Texas Eastern Transmission Corporation (Texas Eastern), P.O. Box 2521, Houston, Texas 77001, filed in Docket No. CP76-85 a motion for a certificate of public convenience and necessity pursuant to section 7(c) of the Natural Gas Act authorizing a continuation of the exchange, transportation, and delivery of certain quantities of gas to The Brooklyn Union Gas Company (Brooklyn Union) through October 31, 1976, subject to the condition that the Commission approves the settlement of the Algonquin exchange-transportation charge in accordance with the settlement agreement (settlement) which was filed with the Presiding Judge herein for certification to the Commission on July 1, 1976, all as more fully set forth in the subject motion which is on file with the Commission and open to public inspection.

It is stated that on September 12, 1975, Algonquin and Texas Eastern filed in the subject docket an application pursuant to section 7(c) of the National Gas Act for a certificate of public convenience and necessity authorizing the transportation-exchange of natural gas for the benefit of Brooklyn Union during the period commencing November 1, 1975, and ending April 30, 1976. It is further stated that on November 10, 1975, Algonquin and Texas Eastern were granted a temporary certificate authorizing the services in the manner set forth in the application, upon the condition that Algonquin's charge for service rendered thereunder be collected subject to refund pending further Commission action. The proceeding was set for formal hearing and hearings were held on January 27, 28, and March 16, 1976, it is indicated. Algonquin and Texas Eastern state that subsequent to completion of hearings, a settlement was negotiated proposing a basis for resolving the Algonquin exchange-transportation charge issue.

Accordingly, subject to Commission approval of the settlement, Algonquin and Texas Eastern seek herein a permanent certificate to authorize the continuation of service for the benefit of Brooklyn Union for the term ending October 31, 1976. It is asserted that the affected parties (Algonquin, Boston Gas Company (Boston Gas), Brooklyn Union, and Texas Eastern) have entered into an arrangement reflected in a pro forma copy of the "Extension To Temporary Exchange-Transportation Agreement" (Extension Agreement) attached as an exhibit to the subject motion. It is indicated that the Extension Agreement has been entered into because the gas to be transported and delivered thereunder is required by Brooklyn Union: (1) To assure its ability to meet the requirements of existing firm customers; (2) to assist it in achieving the fullest and best possible use of available storage capacity; (3) to reduce, to the extent possible, its need for higher cost supplemental supplies; and (4) to mitigate, to the extent possible, current curtailments of human need requirements. It is submitted that deliveries under the extension are anticipated not to exceed 30 billion Btu's per day from July 1, 1976, through October 31, 1976.

It is indicated that the effectiveness of the Extension Agreement is further subject to Distrigas of Massachusetts Corporation's and Distrigas Corporation's having obtained all requisite authorizations for the sale to Brooklyn Union of the quantities of LNG which are the subject of the Extension Agreement, and additionally, the effectiveness of said Extension Agreement is subject to Brooklyn Union's and Boston Gas' having obtained all requisite regulatory authorizations required for the exchange and transportation of gas.

Any person desiring to be heard or to make any protest with reference to said motion should on or before September 22, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules. Persons who have heretofore filed need not file again.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commmission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this motion if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or of the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-25452 Filed 8-30-76;8:45 am]

[1] The motion was tendered for filing July 6, 1976; however, the fee required by § 159.1 of the regulations under the Natural Gas Act (18 CFR 159.1) was not paid until August 17, 1976. Thus, filing was not completed until the latter date.

[Docket No. RP76-10 (PGA76-2)]

ARKANSAS LOUISIANA GAS CO.

Filing of Revised Tariff Sheets

AUGUST 23, 1976.

Take notice that on July 22, 1976, Arkansas Louisiana Gas Company tendered for filing in Docket RP76-10 (PGA76-2) Second Substitute Fourth Revised Sheet No. 185 in its Rate Schedule X-26, FPC Gas Tariff Original Volume No. 3. This revised tariff sheet is to become effective as of May 1, 1976.

The proposed tariff sheet is being filed to reflect the change agreed to in the settlement conference between Arkla and the FPC Staff on July 13, 1976, concerning the base cost of gas in Docket No. RP76-10 (PGA76-1) effective November 2, 1975.

The company states that copies of the revised tariff sheet and supporting data are being mailed to Arkla's jurisdictional customers and other interested parties.

Any person desiring to be heard or to protest said filing should file a Petition to Intervene or Protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before September 10, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-25448 Filed 8-30-76;8:45 am]

[Docket No. RP76-10 (PGA76-3)]

ARKANSAS LOUISIANA GAS CO.

Filing of Revised Tariff Sheets

AUGUST 23, 1976.

Take notice that on July 22, 1976, Arkansas Louisiana Gas Company tendered for filing in Docket RP76-10 (PGA

76–3) Substitute Fifth Revised Sheet No. 185 in its Rate Schedule X–26, FPC Gas Tariff Original Volume No. 3. This tariff sheet is to become effective on July 1, 1976.

The proposed tariff sheet is being filed to reflect the change agreed to in the settlement conference between Arkla and the FPC Staff on July 13, 1976, concerning the base cost of gas in Docket No. RP76–10 (PGA76–1) effective November 2, 1975.

The company states that copies of the revised tariff sheet and supporting data are being mailed to Arkla's jurisdictional customers and other interested parties.

Any person desiring to be heard or to protest said filing should file a Petition to Intervene or Protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before September 10, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a Petition to Intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76–25449 Filed 8–30–76;8:45 am]

[Docket No. CP76–474]

COLUMBIA GAS TRANSMISSION CORP.

Application

AUGUST 24, 1976.

Take notice that on August 11, 1976, Columbia Gas Transmission Corporation (Applicant), P.O. Box 1273, Charleston, West Virginia 25325, filed in Docket No. CP76–474 an application pursuant to section 7(b) of the Natural Gas Act for permission for and approval of the abandonment of a portion of Applicant's Line 8059 in Randolph and Barbour Counties, West Virginia, and the service rendered therefrom, all as more fully set forth in the application on file with the Commission and open to public inspection.

Applicant proposes to abandon approximately 7.0 miles of 6-inch pipeline which is said to have been originally constructed in 1904 and consists primarily of bare iron pipe with no protection against corrosion. It is stated that the line was constructed to transport local production gas from the Buckhannon production area to the Elkins, West Virginia, market.

The application states that in 1950 Atlantic Seaboard Corporation, a predesessor of Applicant, placed in service a 26-inch high pressure transmission pipeline (B System) from West Virginia to the Washington-Baltimore market area. The B System is said to be located several miles south of the Elkins market area and to have become the principal supply source for that market, thereby replacing a function previously served by the portion of Line 8059 proposed to be abandoned. Further, it is stated, facilities have been constructed which connect the Buckhannon production area to the B System to permit the marketing of excess production by means of the B System. The latter interconnection would also serve as an alternate source to the Buckhannon market area at such time as local production becomes inadequate to maintain that market's requirements, the application states.

Applicant states that the proposed abandonment would result in discontinuance of service to an affiliate, Columbia Gas of West Virginia, Inc., at 19 points of delivery from which the latter serves 19 customers. The application indicates that Columbia Gas of West Virginia, Inc., has advised the customers that there is no reasonable alternative means for providing service and has offered cash payments to these customers.

Any person desiring to be heard or to make any protest with reference to said application should on or before September 9, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that permission and approval for the proposed abandonment are required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76–25453 Filed 8–30–76;8:45 am]

[Docket No. CP61–92]

EL PASO NATURAL GAS CO.

Petition To Amend

AUGUST 24, 1976.

Take notice that on August 11, 1976, El Paso Natural Gas Company (Petitioner), P.O. Box 1492, El Paso, Texas 79978, filed in Docket No. CP61–92 a petition to amend the order issuing a certificate of public convenience and necessity in said docket pursuant to section 7(c) of the Natural Gas Act authorizing the exchange of natural gas with Northern Natural Gas Company (Northern), by which petition Petitioner requests authorization to exchange natural gas with Northern at an additional point, all as more fully set forth in the petition to amend on file with the Commission and open to public inspection.

Petitioner proposes to deliver to Northern natural gas from the Campbell No. 1–B well in Hemphill County, Texas, in exchange for equivalent volumes to be delivered by Northern at an existing point of delivery. Petitioner states that both it and Northern are connected to the well and that as the result of a continuing decline in gas pressure from the well Petitioner can produce little or no gas into its system. Accordingly, Petitioner proposes to exchange gas from this well with Northern pursuant to Petitioner's Rate Schedule Z–1. It is estimated that 270,000 Mcf of remaining reserves are committed to Petitioner from the well which would be delivered at the rate of approximately 320 Mcf on an average day.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before September 9, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76–25454 Filed 8–30–76;8:45 am]

[Docket No. ID–1783]

JOHN M. HAYNES

Supplemental Application

AUGUST 25, 1976.

Take notice that on July 26, 1976, John M. Haynes (Applicant), Vice President and Treasurer, Niagara Mohawk Power Corporation, Syracuse, New York, filed a supplemental application pursuant to section 305(b) of the Federal

Power Act to hold the following positions:

Vice President and Treasurer, Niagara Mohawk Power Corp. (Niagara Mohawk), public utility.
Treasurer, Empire State Power Resources, Inc. (Empire State), public utility.
Treasurer and Director, Beebee Island Corp. (Beebee Island),[1] public utility.
Treasurer,[2] Moreau Manufacturing Corp. (Moreau),[3] public utility.

Empire State was formed by seven electric uitility companies in New York to construct, own and operate large-scale electric generating facilities within the State of New York. Substantially all of the energy generated will be sold to the sponsoring companies.

Beebee Island owns and operates a hydroelectric generating station located in Watertown, New York. Power generated by the Company is sold to Niagara Mohawk and Knowlton Brothers of Watertown.

Moreau owns and operates a hydroelectric generating station on the Hudson River at Moreau, New York. Power generated is sold to Niagara Mohawk and Finch, Pruyn & Company which owns 33⅓ percent of Moreau's common stock.

Niagara Mohawk furnishes electric and gas services to an area extending from the Pennsylvania line near Jamestown eastward to the Massachusetts boundary beyond Albany and north to the Canadian border. Within this area are 1,284,000 electric and 419,000 gas customers.

The application to hold an interlocking position as Treasurer of Empire State will be deferred at least until such time as a decision on the merits of the Empire State proposal is reached by the New York State Public Service Commission.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before September 20, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-25461 Filed 8-30-76;8:45 am]

[Docket No. CP71-274]

LONE STAR GATHERING CO. AND LONE STAR GAS CO.

Petition To Amend

AUGUST 25, 1976.

Take notice that on August 16, 1976, Lone Star Gathering Company (Petitioner), 301 South Harwood Street, Dallas, Texas 75201, filed in Docket No. CP71-274 a petition to amend the order issuing a certificate of public convenience and necessity in said docket pursuant to section 7(c) of the Natural Gas Act, by which petition Petitioner requests authorization to transport 55,000 in lieu of 45,000 Mcf of gas per day for Natural Gas Pipeline Company of America (Natural), all as more fully set forth in the petition to amend on file with the Commission and open to public inspection.

Petitioner states that by the order issued in the instant docket on February 9, 1973 (49 FPC 371), Petitioner is authorized to transport for Natural 34,332,995 Mcf of gas per year. Further, Petitioner states, the application for authorization in the instant docket contained a sample transportation agreement which showed a transportation contract demand of 55,000 Mcf of gas per day but the executed agreement on file with the Commission provides for a contract demand of 45,000 Mcf of gas per day. It is stated that the executed agreement contains a lower contract demand because of reduced delivery pressure on Natural's facilities and lower estimated availability of reserves from the Fashing Field in Atascosa County, Texas.

Petitioner states that Natural has acquired the right to purchase additional gas from the Fashing Field and has requested Petitioner to transport the gas. Accordingly, Petitioner proposes to transport for Natural from Gulf Oil Corporation's Warren Plant in the Fashing Field 34 miles to Natural's facilities in Atascosa County an additional contract demand of 10,000 Mcf of gas per day, for a total contract demand of 55,000 Mcf of gas per day, with no change in the annual volume of 34,332,995 Mcf of gas to be transported and with no need for additional facilities.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before September 22, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing herein must file a petition to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-25462 Filed 8-30-76;8:45 am]

[Docket No. ER76-539]

MISSOURI POWER & LIGHT CO.

Renotice of Filing of Proposed Settlement

AUGUST 24, 1976.

Take notice that on May 27, 1976, Missouri Power & Light Company (MPL) submitted a proposed settlement of all issues in this docket. MPL states that the proposed settlement would increase its rates for wholesale municipal customers by $80,647, resulting in $993,106 in total annual revenues from such customers. MPL further states that the Cities of Perry and Owensville, Missouri, will not be affected by the rate increase until such time as MPL is no longer contractually precluded from increasing the cities' rates.

Any person desiring to be heard or to protest said settlement agreement should file comments with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, on or before September 15, 1976. Comments will be considered by the Commission in determining the appropriate action to be taken. Copies of this agreement are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-25455 Filed 8-30-76;8:45 am]

[Docket No. CP74-64]

MOUNTAIN FUEL SUPPLY CO.

Petition To Amend

AUGUST 24, 1976.

Take notice that on August 5, 1976,[1] Mountain Fuel Supply Company (Mountain Fuel), 180 East First South Street, Salt Lake City, Utah 84139, filed in Docket No. CP74-64 a petition to amend the Commission's order issued February 11, 1976, in said docket pursuant to section 7(c) of the Natural Gas Act by authorizing the enlargement of the dedicated area under the exchange agreement with Colorado Interstate Gas Company (CIG), all as more fully set forth in the petition which is on file with the Commission and open to public inspection.

It is stated that the order of February 11, 1976, authorized an exchange of gas between Mountain Fuel and CIG and that in the original application it was noted that while the Spearhead Ranch Well No. 1 was the first producing well under the agreement, Mountain Fuel anticipated additional future development in the Anadarko-Fox area (since renamed the Spearhead Ranch area) in Converse County, Wyoming. Mountain Fuel requests authorization to enlarge the dedicated area under its Rate Schedule X-4 as set forth in Original Sheet No. 71-B and Second Revised Sheet No. 72 attached to the petition. Mountain Fuel indicates that four wells have been completed in the enlargement of the Spearhead Ranch Area and have been shut-in awaiting authorization. It is further stated that all of the production and gathering facilities necessary for producing these shut-

[1] 82.78 percent owned by Niagara Mohawk.
[2] Elected to this position on May 13, 1976.
[3] 66.67 percent owned by Niagara Mohawk.

[1] The petition was tendered for filing August 5, 1976; however, the fee required by Section 159.1 of the Regulations under the Natural Gas Act (18 CFR 159.1) was not paid until August 20, 1976. Thus, filing was not completed until the latter date.

in wells have been completed and that both Applicant and CIG are in need of this gas supply to offset declining supplies from existing sources of supply.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before September 24, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-25456 Filed 8-30-76;8:45 am]

[Docket No. CP61-139]

NORTHERN NATURAL GAS CO.

Petition To Amend

AUGUST 25, 1976.

Take notice that on August 16, 1976, Northern Natural Gas Company (Petitioner), 2223 Dodge Street, Omaha, Nebraska 68102, filed in Docket No. CP-61-139 a petition to amend the order issuing a certificate of public convenience and necessity in said docket pursuant to section 7(c) of the Natural Gas Act, by which petition Petitioner requests authorization to exchange natural gas with El Paso Natural Gas Company (El Paso) at an additional point, all as more fully set forth in the petition to amend on file with the Commission and open to public inspection.

Petitioner is authorized in the instant docket to exchange natural gas with El Paso. Petitioner states that both Petitioner and El Paso are connected to the Campbell No. 1-B well in Hemphill County, Texas, and that due to a recent decline in wellhead pressure relative to El Paso's gathering line pressure El Paso has been unable to receive gas owing to its dedicated interest. Accordingly, Petitioner proposes to receive El Paso's gas from the Campbell No. 1-B well and to add said well as an additional point of exchange between Petitioner and El Paso. The petition to amend states that there would be no increase in the authorized total daily exchange volume.

Any person desiring to be heard or to make any protest with reference to said application should on or before September 24, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-25463 Filed 8-30-76;8:45 am]

[Docket No. ER76-860]

PACIFIC POWER & LIGHT CO.

Initial Rate Filing

AUGUST 24, 1976.

Take notice that Pacific Power & Light Company (Pacific) on August 16, 1976, tendered for filing, in accordance with § 35.12 of the Commission's regulations, a new rate schedule providing for an exchange of services with Big Horn Rural Electric Company (Big Horn).

This rate schedule provides that Pacific will back up Big Horn 115/34.5 kv transformer at Nahne Jensen Transmission Substation located near Greybull, Wyoming, give up its present rights to all but 2,500 kilowatts in the United States Bureau of Reclamation Basin Substation for Big Horn's use, and pay Big Horn $4,400 annually for use of a section of Big Horn's distribution line. Big Horn grants Pacific the right to transfer up to ten megawatts from the Bureau 115 kv system through its Nahne Jensen Transmission Substation and distribution line to Pacific's system.

Pacific requests that the Commission permit this rate schedule to become effective September 16, 1976, which it claims is the date of commencement of service.

Copies of the filing were supplied to Big Horn Rural Electric Company, Basin, Wyoming.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before September 7, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-25457 Filed 8-30-76;8:45 am]

[Docket No. ER76-861]

PACIFIC POWER & LIGHT CO.

New Rate Schedule

AUGUST 24, 1976.

Take notice that Pacific Power & Light Company (Pacific) on August 16, 1976, tendered for filing, in accordance with § 35.12 of the Commission's regulations, a new rate schedule for power and energy sales to the Town of Torrington, Wyoming.

The proposed rate schedule is the same as Pacific's rate schedules for service to Cheyenne Light, Fuel and Power Company and Montana-Dakota Utilities Co. designated FPC Nos. 108 and 89 respectively. Torrington is taking service at Pacific's points of interconnection with the United States Bureau of Reclamation and is making transfer arrangements with the Bureau.

Pacific respectfully requests waiver of the Commission's notice requirements to permit the new rate schedule to become effective August 25, 1976, which it claims is the date of commencement of service.

A copy of this filing was supplied to the Town of Torrington, Wyoming.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before September 7, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-25458 Filed 8-30-76;8:45 am]

[Docket No. ER76-820]

PUBLIC SERVICE COMPANY OF OKLAHOMA

Extension of Time

AUGUST 23, 1976.

On August 16, 1976, Grand River Dam Authority filed a motion to extend the date for filing a protest and petition to intervene, fixed by Notice issued August 10, 1976, in the above-designated proceeding.

Upon consideration, notice is hereby given that the date for filing a protest and petition to intervene in the above proceeding is extended to and including September 9, 1976.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-25450 Filed 8-30-76;8:45 am]

[Docket No. CP76-466]

TRANSCONTINENTAL GAS PIPE LINE CORP.

Application

AUGUST 20, 1976

Take notice that on August 2, 1976, Transcontinental Gas Pipe Line Corporation (Applicant), P.O. Box 1396, Houston, Texas 77001, filed in Docket No. CP76-466 an application pursuant to section 7(c) of the Natural Gas Act and § 2.79 of the Commission's general policy and interpretations (18 CFR 2.79) for a certificate of public convenience and necessity authorizing a transportation service for a two-year term for The Torrington Company (Torrington), an existing industrial customer of The City of Union, South Carolina (Union), one of the Applicant's resale customers, all as more fuly set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that it has entered into an agreement, dated June 29, 1976, whereby Applicant has agreed to transport up to 250 Mcf of natural gas per day on an interruptible basis for Torrington. It is indicated that the gas to be transported by Applicant would be purchased from Glenda Petroleum Corporation (Glenda) from the Monroe Field, Union, Ouachita, and Morehouse Parishes, Louisiana, and would be consumed for Priority 2 uses and, to the extent served on an interruptible basis, Priority 3 uses at Torrington's Tyger River Plant in Union. It is further indicated that Torrington would arrange to have the gas delivered to United Gas Pipe Line Company (United) which would make equivalent quantities available to Applicant at a mutually agreeable existing authorized exchange point between the two companies and Applicant would redeliver the transportation volumes to the existing point of deliver to Union for the account of Torrington for delivery at Torrington's plant.

Applicant states that it would retain 3.8 percent of the volumes received for transportation as make-up for compressor fuel and line loss.

The application shows the following information submitted by Applicant:

1. Applicant proposes to transport up to 250 Mcf and 200 Mcf on a peak day and average day, respectively, and annual volumes of up to 71,400 Mcf.

2. Since the volumes to be transported under this and any similar transportation arrangements with customers of the distributors, when added to any volumes being transported for the distributors themselves and the distribution customers' scheduled daily deliveries, shall not exceed the contract entitlement of the distributors from Applicant, there exists sufficient pipeline capacity to perform the service on a peak day, average day and annual basis.

3. The proposed transportation service would have no impact on Applicant's ability to provide system-wide deliveries for Priority 1 markets.

4. The initial rate for the transportation service would be 22.0 cents per Mcf.

5. Applicant did not consider the subject natural gas supply to be available for purchase by it and did not attempt to purchase said gas.

The application shows that Torrington would pay Glenda $1.50 cents per million Btu's of gas purchased.

Any person desiring to be heard or to make any protest with reference to said application should on or before September 3, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-25446 Filed 8-30-76;8:45 am]

[Docket No. CP76-478]

TRANSCONTINENTAL GAS PIPE LINE CORP. AND NATURAL GAS PIPELINE COMPANY OF AMERICA

Application

AUGUST 24, 1976.

Take notice that on August 13, 1976, Transcontinental Gas Pipe Line Corporation (Transco), P.O. Box 1396, Houston, Texas 77001, and Natural Gas Pipeline Company of America (Natural), 122 South Michigan Avenue, Chicago, Illinois 60603, filed in Docket No. CP76-478 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of facilities offshore Texas and the transportation of natural gas, all as more fully set forth in the application on file with the Commission and open to public inspection.

Applicants state that in order to obtain additional supplies of natural gas for their systems from supply sources in adjoining blocks in the Brazos Area, South Addition, offshore Texas, they have agreed to construct jointly as co-owners a pipeline from the southern terminus of Transco's existing Central Texas Gathering System at Brazos Block A-76 to a point near the producer's platform in the Brazos Block A-105 Field where Natural will have a new source of supply available to it. It is stated that, although not proposed in the instant application, it is contemplated that the proposed pipeline would be extended in early 1978 from Block A-105 to the Brazos Block A-133 Field where Transco anticipates that it will have a significant new source of supply available to it.

The application states that the proposed facilities would be constructed and operated by Transco and would consist of approximately 6.66 miles of 20-inch pipeline and appurtenances. The facilities are estimated to cost $5,400,000, which would be shared, as would be ownership and capacity, two-thirds by Transco and one-third by Natural. The application states that financing initially would be by revolving credit, short-term loans, and available cash. It is stated that the costs of service of Applicants associated with the proposed facilities would be borne by Natural until Transco's gas comes on stream or two years from initial deliveries by Natural into the proposed block A-105 facilities, whichever occurs first. Subsequently, each Applicant would bear its own cost of service related to its ownership interest in the proposed facilities.

Applicants state that Natural has executed a gas purchase contract with Union Oil Company of California (Union) covering Union's interest in gas reserves underlying Brazos Blocks A-102 and A-105. It is estimated that initial deliveries from these reserves would be 25,000 Mcf per day. The application states that Transco has agreed to utilize its existing offshore pipeline system to transport Natural's gas onshore from the point of receipt in Block A-76 and to deliver equivalent quantities, less volumes attributable to line loss and processing, at an existing point of interconnection between Applicants at the La Gloria plant in Jim Wells County, Texas. The initial rate for the transportation service would be 6.8 cents per Mcf.

Any person desiring to be heard or to make any protest with reference to said application should on or before September 23, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene, or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the

Commission will be considered by it in determining the appropriate action to be taken but will not serve make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by section 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-25459 Filed 8-30-76;8:45 am]

[Docket No. CP76-470]

UNITED GAS PIPE LINE CO.

Application

AUGUST 20, 1976.

Take notice that on August 6, 1976, United Gas Pipe Line Company (Applicant), P.O. Box 1478, Houston, Texas 77001, filed in Docket No. CP76-470 an application pursuant to section 7(b) of the Natural Gas Act and §§ 157.7(e) of the Regulations thereunder (18 CFR 157.7(e)) for permission and approval to abandon during the 12-month period commencing October 1, 1976, direct sale service and facilities no longer required for deliveries of natural gas to Applicant's customers, all as more fully set forth in the application on file with the Commission and open to public inspection.

The stated purpose of this budget-type application is to augment Applicant's ability to act reasonable dispatch in abandoning service and removing direct sale measuring, regulating, and related facilities. Applicant states that it would abandon service and facilities only when deliveries to any one direct sale customer would not have exceeded 100,000 Mcf of natural gas during the last year of service.

The application states that Applicant would not abandon any service unless it would have received a written request or written permission from the customer to terminate service. In the event such request or permission could not be obtained, a statement certifying that the customer has no further need for service would be filed with the commission.

Any person desiring to be heard or to make any protest with reference to said application should on or before September 3, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that permission and approval for the proposed abandonment are required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-25447 Filed 8-30-76;8:45 am]

[Docket No. RI76-142]

W. R. GRACE & CO.

Petition for Special Relief

AUGUST 24, 1976.

Take notice that on August 9, 1976, W. R. Grace & Co. through its subsidiary Teal Petroleum Company, 810 The Main Building, Houston, Texas filed a petition for special price relief in Docket No. RI76-142 pursuant to § 2.76 of the Commission's general policy and interpretations (18 CFR 2.76).

Petitioner seeks authorization to charge $1.01 per Mcf for the sale of gas from the Seven Sisters Field, Duval County, Texas effective after completion of well reconditioning needed to restore them to full production. The gas from this field is sold to Tennessee Gas Pipeline Company, P.O. Box 2511, Houston, Texas.

Any person desiring to be heard or to make any protest with reference to said petition should on or before September 24, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any party wishing to become a party in any hearing therein, must file a petition to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-25460 Filed 8-30-76;8:45 am]

FEDERAL RESERVE SYSTEM

BANCAL TRI-STATE CORP.

Order Granting Determination Under the Bank Holding Company Act

BanCal Tri-State Corporation, San Francisco, California ("Tri-State"), which proposes to transfer all of its legal and equitable stockholdings, as well as the stockholdings of The Bank of California, N.A., San Francisco, California ("Bank"), a subsidiary of Tri-State, in Bancal Capital Corporation ("Capital"), a small business investment company, to Oceanic Group, Inc., San Francisco, California ("Oceanic"), a joint venture between Overseas Technology, Inc. ("OTI"), (which is a subsidiary of Overseas Technology Investment Co., Inc., ("OTICI") a Japanese company owned by Industrial Bank of Japan, New Japan Securities Co., Central Glass Co., Toyo Soda Co., Ltd., Dai Nippon Securities and various individuals, all of which are either Japanese corporations or citizens) and Kibun California, Inc. ("KCI"), a subsidiary of Kibun Co., Ltd., ("Kibun") a Japanese corporation, has requested a determination, pursuant to the provisions of section 2(g)(3) of the Bank Holding Company Act of 1956 (12 U.S.C. 1841(g)(3)) ("the Act"), that Tri-State is not in fact capable of controlling Oceanic, notwithstanding the fact that the proposed sale agreement provides that a portion of the purchase price is to be paid by Oceanic in the form of a note, said note being secured by a pledge of the shares being sold.

Under the provisions of section 2(g)(3) of the Act, shares transferred after January 1, 1966, by any bank holding company to a transferee that is indebted to the transferor or has one or more officers, directors, trustees, or beneficiaries in common with or subject to control by the transferor, are deemed to be indirectly owned or controlled by the transferor unless the Board, after opportunity for hearing, determines that the the transferor is not in fact capable of controlling the transferee.

Notice of an opportunity for hearing with respect to Tri-State's request for a determination under section 2(g)(3) was published in the FEDERAL REGISTER on June 17, 1976 (41 FR 24630). The time

provided for requesting a hearing expired on July 9, 1976. No such request has been received by the Board, nor has any evidence been received to show that Tri-State is in fact capable of controlling Oceanic.

The aggregate amount of debt owed by Oceanic to Tri-State and its subsidiary bank does not constitute a substantial portion of the consolidated debt, consolidated assets or consolidated net worth of Kibun or the principal members of the consortium of corporations and individuals owning OTICI ("Consortium"). Kibun and the corporate members of Consortium are substantial, independent, publicly held corporations. There are no common directors, officers or owners between Tri-State and Oceanic. Although employees of Tri-State and its subsidiaries have been serving Capital as needed, this arrangement will terminate upon consummation of the proposed transaction. There have been no prior business transactions or relationships between Tri-State and Oceanic other than one investment by Capital that is associated with the proposed sale of Capital, and it appears that the proposed sale of Capital was negotiated at arm's length. The terms of the proposed contract of sale gives Tri-State no right to vote, transfer or sell the shares of Capital during the term of the indebtedness unless Oceanic should default on the indebtedness. The Executive Committee of the Board of Directors of Tri-State has passed a resolution to the effect that Tri-State does not, and will not attempt to, exercise a controlling influence over Oceanic and that Tri-State will immediately notify the Board should it exercise its rights to vote, transfer or sell the shares of Capital in the event of such a default or if Tri-State otherwise accomplishes a recision of the proposed transaction. The Board of Directors of Oceanic has passed a resolution to the effect that Tri-State is incapable of controlling Oceanic and that there will be no common directors or officers between Tri-State and Oceanic.

Based on these and other facts of record, it is hereby determined that Tri-State is not in fact capable of controlling Oceanic.

Accordingly it is ordered, That the request of Tri-State for a determination pursuant to section 2(g)(3) be and hereby is granted. Any material change in the facts or circumstances relied upon by the Board in making this determination or any material breach of any of the commitments upon which the Board based its decision could result in the Board reconsidering the determination made herein. In particular, this determination is conditioned upon Oceanic succeeding to the obligations, as well as the rights, of OTI under the Stock Purchase Agreement dated February 27, 1976 between OTI and the sellers of Capital.

By order of the Board of Governors, acting through its General Counsel, pursuant to delegated authority (12 CFR 265.2(b)(1)), effective August 24, 1976.

GRIFFITH L. GARWOOD,
Assistant Secretary of the Board.

[FR Doc.76-25388 Filed 8-30-76;8:45 am]

CCNB BANCSHARES CORP.

Formation of Bank Holding Company

CCNB Bancshares Corporation, Ozark, Missouri, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of 100 per cent (less directors' qualifying shares) of the voting shares of Christian County National Bank, Ozark, Missouri. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of St. Louis. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than September 20, 1976.

Board of Governors of the Federal Reserve System, August 24, 1976.

GRIFFITH L. GARWOOD,
Assistant Secretary of the Board.

[FR Doc.76-25389 Filed 8-30-76;8:45 am]

FIRST FREEPORT CORP.

Formation of Bank Holding Company

First Freeport Corporation, Freeport, Illinois, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of 100 per cent of the voting shares (less directors' qualifying shares) of the successor by merger (to First National Bank of Freeport, Freeport, Illinois. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Chicago. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received no later than September 23, 1976.

Board of Governors of the Federal Reserve System, August 25, 1976.

GRIFFITH L. GARWOOD,
Assistant Secretary of the Board.

[FR Doc.76-25390 Filed 8-30-76;8:45 am]

FIRST TENNESSEE NATIONAL CORP.

Divestiture of Ownership of Real Estate

By Order dated September 5, 1973, the Board approved an application of First Tennessee National Corporation, Memphis, Tennessee ("Applicant"), a bank holding company within the meaning of the Bank Holding Company Act, to acquire not less than 99 percent of the voting shares of Pence Mortgage Company, Louisville, Kentucky ("Company"). The Board's Order required divestiture of certain real property held for development by two of Company's subsidiaries within six months after consummation of the acquisition. The acquisition of Company by Applicant was consummated on October 1, 1973. By April 1, 1974, six months after consummation, Applicant had divested all of the property except one tract known as "Stray Winds." By letter dated August 1, 1974, Applicant requested that the Board grant an extension of time during which the remaining property would be divested. In view of the fact that Applicant demonstrated that it had made active efforts to sell the remaining tract of land and the fact that the sale of the tract had been hindered by economic conditions and natural forces in the form of a tornado, the Board granted Applicant's request. By Order dated August 28, 1974, the Board amended the Order of September 5, 1973, authorizing the retention of "Stray Winds" subject to the condition that such real property would be divested no later than 18 months after consummation of the proposal.

By letter dated June 17, 1975, Applicant requested that the Board extend the period for divestiture of the remaining property to December 31, 1975. Applicant indicated that active efforts to sell the property were continuing. By Amended Order dated July 22, 1975, the Board granted this second extension of time to divest "Stray Winds."

On December 26, 1975, Applicant wrote to the Board indicating that the divestiture of "Stray Winds" had still not been accomplished, despite continuous efforts to sell or donate the property. In this letter, Applicant requested an additional six-month extension in which to divest "Stray Winds." In connection with this request, Board staff undertook a detailed examination of the efforts Applicant had undertaken to divest "Stray Winds." After meeting with Board staff, Applicant proposed by letter of June 25, 1976, a plan whereby it remaining ownership interest in "Stray Winds" would be offered for sale at auction or otherwise disposed of before or by the end of 1976. In presenting to the Board a detailed plan of divestiture, Applicant amended its request for a six-month extension of time to divest by requesting an extension of time until December 31, 1976 to dispose of this property.

After examining the divestiture plan proposed by Applicant, the Board has concluded that the request should be granted. Accordingly, the Board's Order of July 22, 1975 is hereby amended to authorize retention of the remaining tract of land known as "Stray Winds," subject to the condition that Applicant divest such real property at the earliest possible date, but in no event later than December 31, 1976.

By order of the Board of Governors,[3] effective August 17, 1976.

GRIFFITH L. GARWOOD,
Assistant Secretary of the Board.

[FR Doc.76-25391 Filed 8-30-76;8:45 am]

HARVARD STATE CO.

Order Approving Formation of Bank Holding Company

Harvard State Company, Harvard Nebraska ("Applicant"), has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) of formation of a bank holding company through acquisition of 80 percent or more of the voting shares of Harvard State Bank, Harvard, Nebraska ("Bank").

Notice of the application, affording an opportunity for interested persons to submit comments and views, has been given in accordance with section 3 of the Act (41 FR 9936). Time for filing comments and views has expired and the application and all comments received have been considered in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Upon acquisition of Bank (deposits of $3.9 million), Applicant would control the 311th largest bank in Nebraska, holding .06 percent of total deposits in commercial banks in the State.[4] Bank is the fifth largest of the six banks located in Clay County, which approximates the relevant banking market, and controls 13.91 percent of deposits therein. Acquisition of Bank would result in no immediate change in banking services available in the relevant market.

Applicant and Bank are affiliated with Hastings State Corporation, a one-bank holding company in Hastings, Nebraska. The subsidiary bank of this holding company is located in a separate banking market. Inasmuch as the proposal to form a bank holding company represents a restructuring of the existing ownership of Bank into corporate form, consummation of the proposal would eliminate neither existing nor potential competition, nor does it appear that there would be any adverse effects on other banks in the trade area.

The financial and managerial resources and future prospects of Applicant, which are dependent on those of Bank, are considered generally satisfactory and consistent with approval. The debt to be incurred by Applicant appears to be serviceable from the income derived from Bank without having an adverse effect on the financial condition of either Applicant or Bank. Accordingly, considerations relating to banking factors are consistent with approval of the application.

Consummation of the transaction would facilitate management succession on a community level by providing for continued local ownership. Convenience and needs considerations are consistent with approval. It has been determined that consummation of the transaction would be in the public interest and that the application to become a bank holding company should be approved.

On the basis of the record, the application is approved for the reasons summarized above. The transaction involving acquisition of shares of Bank shall not be made before the thirtieth calendar day following the effective date of this Order and Bank should not be acquired later than three months after the effective date of this Order, unless such period is extended for good cause by the Board of Governors or by the Federal Reserve Bank of Kansas City pursuant to delegated authority.

By order of the Secretary of the Board, acting pursuant to delegated authority from the Board of Governors, effective August 25, 1976.

GRIFFITH L. GARWOOD.
Assistant Secretary of the Board.

[FR Doc.76-25392 Filed 8-30-76;8:45 am]

[3] Voting for this action: Chairman Burns and Governors Gardner, Wallich, Coldwell, Jackson, Partee, and Lilly.

[4] Unless other indicated, all banking data are as of December 31, 1975.

GENERAL ACCOUNTING OFFICE

REGULATORY REPORTS REVIEW

Receipt of Report Proposal

The following request for clearance of a report intended for use in collecting information from the public was received by the Regulatory Reports Review Staff, GAO, on August 25, 1976. See 44 U.S.C. 3512 (c) and (d). The purpose of publishing this notice in the FEDERAL REGISTER is to inform the public of such receipt.

The notice includes the title of the request received; the name of the agency sponsoring the proposed collection of information; the agency form number, if applicable; and the frequency with which the information is proposed to be collected.

Written comments on the proposed FTC request are invited from all interested persons, organizations, public interest groups, and affected businesses. Because of the limited amount of time GAO has to review the proposed form, comments (in triplicate) must be received on or before September 20, 1976, and should be addressed to Mr. John M. Lovelady, Acting Assistant Director, Regulatory Reports Review, Room 5216, 425 I Street, NW, Washington, D.C. 20548.

Further information may be obtained from Patsy J. Stuart of the Regulatory Reports Review Staff, 202-376-5425.

FEDERAL TRADE COMMISSION

FTC requests clearance of a new single time "Special Report." The Bureau of Consumer Protection of the Federal Trade Commission has requested clearance from GAO of the issuance of a special investigatory report. FTC is proposing to send this report to market research firms and publishing companies as part of the Commission's investigation of the market research industry's use of undisclosed coding practices. There are approximately 300-400 market research firms and publishing companies of which a sample of 47 respondents will be asked to report. Reporting burden is estimated by FTC to average 20 hours per respondent.

NORMAN F. HEYL,
Regulatory Reports Review Officer.

[FR Doc.76-25441 Filed 8-30-76;8:45 am]

LEGAL SERVICES CORPORATION

COMMITTEE ON APPROPRIATIONS AND AUDIT

Meeting

The next meeting of the Committee on Appropriations and Audit of the Legal Services Corporation Board of Directors will be held on Thursday, September 9, 1976 in the Corporation offices at 733 15th Street NW. (Suite 700), Washington, D.C.

The meeting will convene at 10:00 a.m. for the purpose of discussing the budgets for fiscal years 1977 and 1978.

The meeting is open to the public.

THOMAS EHRLICH,
President.

[FR Doc.76-25703 Filed 8-30-76;12:08 pm]

NATIONAL COMMISSION ON ELECTRONIC FUND TRANSFERS

EXPANDED MEETING

In addition to its regularly scheduled meeting on the second Friday of each month, the National Commission on Electronic Fund Transfers will, in the month of September, also meet on the preceding Thursday. The dates of the meetings are September 9 and 10, 1976. Each meeting will begin at 9:00 a.m. in the Commissioner's Room at the offices of the Federal Communications Commission, located at 1919 M Street NW., Washington, D.C.

The meetings are open to public observation on a first-call basis to the extent that limited space permits. Any person interested in observing the meetings should first call Ms. Janet Miller at (202) 254-7400 to check on the availability of space.

Dated: August 27, 1976.

JAMES O. HOWARD, Jr.,
Advisory Committee Management Officer.

[FR Doc.76-25624 Filed 8-30-76;8:45 am]

NATIONAL CREDIT UNION ADMINISTRATION

NATIONAL CREDIT UNION BOARD

Meeting

Pursuant to the provisions of the Federal Advisory Committee Act, Pub. L. 92-463, 86 Stat. 770, notice is hereby given that the National Credit Union Board will hold its quarterly meeting on September 23-24, 1976, at the offices of the National Credit Union Administration, 2025 M Street, N.W., Washington, DC 20456. The meetings will commence at 9:00 a.m. daily in Room 4210.

The agenda for this meeting will consist of an update briefing regarding the activities of the seyeral offices of the National Credit Union Administration, a briefing on share insurance activities, and other aspects of the Administration.

Matters for consideration will include a review of NCUA publications, reduction of Federal paperwork, and Board rules and/or policies, and a discussion of legislative activities.

This meeting of the National Credit Union Board will be open to the public. Members of the public may file written statements with the Board either before or after the meeting. To the extent that time permits, interested persons may be permitted to present oral statements to the Board only on items listed in the aforementioned agenda. Requests to present such oral statements must be approved in advance by the Chairman of the Board. Such requests should be directed to the Chairman, National Credit Union Board, National Credit Union Administration, Washington, DC 20456.

C. AUSTIN MONTGOMERY,
Administrator.

AUGUST 24, 1976.

[FR Doc.76-25382 Filed 8-30-76;8:45 am]

SMALL BUSINESS ADMINISTRATION

[Del. of Auth. No. 30, Rev. 15, Amdt. 10]

DIRECTOR, PHILADELPHIA DISTRICT OFFICE, ET AL.

Delegation of Surety Guarantee Authority

Delegation of Authority No. 30, Revision 15, republished in the FEDERAL REGISTER on February 25, 1976 (41 FR 8240), as amended (41 FR 16234, 17829 and 28049), is hereby further amended to delegate certain Surety Guarantee authority to certain officials in the Philadelphia District Office.

Actions taken prior to the effective date of this document are hereby ratified to the extent they would have been authorized had this delegation been in effect.

Accordingly, Delegation of Authority No. 30, Revision 15, Part III, Section D, is amended as set forth below:

Effective date: August 31, 1976.

DANIEL T. KINGSLEY,
Associate Administrator for Operations.

PART III—COMMUNITY ECONOMIC DEVELOPMENT (CED) PROGRAM

* * * * *

SECTION D—SURETY GUARANTEE

1. To guarantee sureties against portion of losses resulting from the breach of bid, payment, or performance bonds on contracts, not to exceed $500,000.

* * * * *

d. District Director, Philadelphia, New York, San Francisco and Region IV District Offices only.

e. Assistant District Director for F&I Philadelphia, San Francisco and Region IV District Offices only.

* * * * *

g. Chief, Financing Division, Philadelphia D.O.

h. Senior Surety Bond Guaranty Specialist, Philadephia, and San Francisco District Offices only.

[FR Doc.76-25383 Filed 8-30-76;8:45 am]

HOUSTON DISTRICT ADVISORY COUNCIL

Meeting

The Small Business Administration Houston District Advisory Council will hold a public meeting at 10:00 a.m., Thursday, September 16, 1976, in Suite 705, One Allen Center, 500 Dallas Avenue, Houston, Texas, to discuss such matters as may be presented by members, staff of the Small Business Administration, or others present. For further information, write or call John L. Carey, District Director, same address as above, (713) 226-4945.

Dated: August 26, 1976.

ANTHONY S. STASIO,
Acting Assistant Administrator, Advocacy and Public Communications.

[FR Doc.76-25386 Filed 8-30-76;8:45 am]

LOUISVILLE DISTRICT ADVISORY COUNCIL

Meeting

The Louisville District Advisory Council will hold a public meeting at 1:30 p.m., Thursday, September 23, 1976, and will conclude on September 24, 1976, at Lake Cumberland State Resort Park, Jamestown, Kentucky 42629, to discuss such matters as may be presented by members, staff of the Small Business Administration, or others present. For further information, write or call R. B. Blankenship, Federal Office Building, Room 188, P.O. Box 3517, Louisville, Kentucky 40202, (502) 352-5978.

Dated: August 25, 1976.

HENRY V. Z. HYDE, Jr.,
Deputy Advocate for Advisory Councils.

[FR Doc.76-25387 Filed 8-30-76;8:45 am]

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[V-74-28]

INTERLAKE STAMPING CORP.

Grant of Variance

I. BACKGROUND

Interlake Stamping Corporation, 4732 East 355th Street, Willoughby, Ohio 44094 made application pursuant to section 6 (b) (6) (C) of the Occupational Safety and Health Act of 1970 (84 Stat. 1595; 29 U.S.C. 655) for an experimental variance from the safety standard prescribed in 29 CFR 1910.217(c) (3) (iii) (*b*) (formerly 29 CFR 1910.217(c) (3) (iii) (*c*)) which prohibits a presence sensing device from being used as a tripping mechanism in mechanical power presses.

Section 6(b) (6) (C) states:

> The Secretary is authorized to grant a variance from any standard or portion thereof whenever he determines, or the Secretary of Health, Education, and Welfare certifies, that such variance is necessary to permit an employer to participate in an experiment approved by him or the Secretary of Health, Education, and Welfare designed to demonstrate or validate new and improved techniques to safeguard the health or safety of workers.

The facility which would be affected by this application is: Interlake Stamping Corp., 4732 East 355th Street, Willoughby, Ohio 44094.

The application originally was noticed as a request for a permanent variance pursuant to section 6(d) of the Act (84 Stat. 1596; 29 U.S.C. 655) and 29 CFR 1905.11. This notice was published in the FEDERAL REGISTER on May 20, 1974 (39 FR 17806). The application was subsequently amended to include a request for an experimental variance as stated above, and a notice of this was published in the FEDERAL REGISTER on February 3, 1976 (41 FR 4994). Both notices invited interested persons, including affected employers and employees, to submit written data, views and arguments regarding the grant or denial of the variance requested. In addition, affected employers and employees were notified of their right to request a hearing on the application for a variance. No requests for a hearing were received. Fourteen comment letters were received as a result of the first notice; thirteen supported granting the variance. Two comments were received in response to the second notice and both raised questions and expressed objections to granting the variance. These questions and objections will be addressed in more detail below.

II. FACTS

The variance requested by the applicant would permit the use of an Erwin Sick electronic light curtain to function as a combined presence sensing device and tripping mechanism on five Bliss-OBI mechanical power presses. Although § 1910.217(c) (3) (iii) permits the use of a presence sensing device to safeguard the point of operation, § 1910.217(c) (3) (iii) (*b*) prohibits the presence sensing device from being used as a tripping means in order to initiate slide motion.

The following presses will be equipped with the Erwin Sick electronic light curtain and covered by the variance request:

Bliss C-45, 1973 No. H65801—HP 49662
Bliss C-22, 1973 No. H65398—HP 49305
Bliss C-45, 1973 No. H65802—HP 49663
Bliss C-22, 1973 No. H65899—HP 49306
Bliss C-22, 1973 No. H64284—HP 48364

The electronic light curtain would be used by the applicant as a presence sensing device to prevent the press from

stroking whenever the operator's hands are within the area protected by the light curtain. However, the light curtain also functions as a means of tripping the press, in that the removal of the operator's hands from the light curtain electronically signals the press to stroke. Rigid guarding surrounds the light curtain on all sides, preventing entry to the die area from any direction except that protected by the light curtain.

The Erwin Sick electronic light curtain is part of a sophisticated electronic system which automatically checks all systems between strokes. If any of the electronic or mechanical systems do not operate properly, the press will shut down without stroking. In addition, the press will automatically shut down if the brake does not stop the press within a predetermined period, or if the operating rhythm is interrupted so that the press does not cycle within a preset time. Before the press can be operated again, necessary repairs or adjustments must be made, and special operating means actuated to restart the press.

The system which the applicant is proposing to use has been used for many years in Sweden and West Germany, and detailed standards, including equipment approval, have been developed. The applicant will use equipment which meets the Swedish approval standards, and will operate the equipment in accordance with the Swedish safety standards governing the use of a light curtain as a means of tripping the press. All other relevant OSHA standards will also be complied with.

The applicant has informed OSHA of an accident that occurred in August 1974, during a demonstration of one of the presses equipped with the light curtain. The press was being operated by a two-hand control mounted above the die area. The top portion of the guarding around the light curtain had been removed for easier operation by the two-hand control method. The foreman switched the key lock to the light curtain trip position, but did not replace the top barrier guard. While operating the press from a standing position the foreman's arm passed into the light curtain, and, because of the angle, it passed through and above the curtain while his hand was in the die area. If the upper guard had been in place, the foreman would have had to lower his arm to reach the die and it would have remained in the sensing field. Investigations by the applicant indicate that there was no malfunction of the press or the light curtain.

As a result of this accident certain design changes have been made to improve the protection of the employees. Rather than being easily removable as before, all parts of the rigid guarding surrounding the light curtain are now screwed or riveted in place. Since this is an extremely sensitive system, it would be almost impossible to tamper with the guarding without disturbing the alignment of the light curtain. The press cannot operate with the light curtain even slightly out of alignment. A larger light curtain would be used which will provide sufficient die access height to eliminate any desire to remove the guarding. In addition, under this variance the presses will be operated exclusively by automatic tripping with the electronic light curtain, and will not be switched to other actuating means. This will also eliminate the need to change the position of the guarding. Access to the die area for maintenance or die change requires opening of the rigid guard and the swinging aside of the light curtain making it impossible to operate the press.

A visit was made to the Interlake Stamping Corporation by representatives from OSHA National, Regional and Area Offices for the purpose of observing the use of the electronic light curtain as a means of tripping the press.

The observations made during the visit verified the adequacy of the rigid guarding surrounding the light curtain; the fact that the light curtain assembly must be swung aside to give access to the die area for maintenance, thus shutting down the press; and the fact that failure of any single component of the system shuts down the press.

III. Decision

Section 6(b)(6)(C) of the Act authorizes the granting of an experimental variance in situations where the Secretary of Labor or of Health, Education, and Welfare determines that it is necessary in order to allow an employer to participate in an experiment to demonstrate or validate new and improved techniques to safeguard the health and safety of the workers.

Therefore, before a variance can be granted under this section of the Act, the following determinations must be made:

1. There is a proposed experiment designed to demonstrate or validate a new and improved technique to safeguard the health or safety of workers;

2. That such experiment has been or should be approved by either the Secretary of Labor or the Secretary of Health, Education, and Welfare;

3. That, in order to carry out the experiment, the Secretary of Labor has determined, or the Secretary of Health, Education, and Welfare has certified, that it is necessary for the employer to deviate from compliance with the standard or portion thereof.

It is determined that the experimental variance requested by Interlake Stamping Corporation meets the criteria of the Act for granting an experimental variance in the following ways:

1. There is a proposed experiment designed to demonstrate or validate a new and improved technique to safeguard the health or safety of workers.

In the preamble to the revision of § 1910.217 which was published in the Federal Register on December 3, 1974 (39 FR 41841, 41844) OSHA considered and rejected the possibility of deleting the prohibition against using presence sensing devices as a tripping mechanism on mechanical power presses. The rejection at that time was based on the fact that European countries which authorize this method have procedures and facilities for approval of the self-tripping devices. OSHA was not equipped for such approval and thus did not delete the prohibition. However, OSHA further stated that the requirement may be reconsidered if a satisfactory means of approval and a regulation can be implemented.

An experiment of the type which is proposed is designed to demonstrate a total safety system employing an electronic light curtain as a tripping mechanism as it is used in certain European countries, and to validate the accident-free experience with this system. Although this is not a new technique in that it has been in use in Europe for many years, it is a new system in the United States and requires further study in order to determine whether it should be approved and what regulations would be necessary to govern its use.

It is the opinion of OSHA that the system may well prove to be an improved safety technique. A document submitted by the Swedish National Board of Industrial Safety, states that their experience has shown no accidents related to the functioning of the light curtain in this mode. It further appears that the simplicity of the system would reduce worker fatigue, a recognized cause of industrial accidents, by eliminating the need for the press operator to manually operate a two-hand control, foot pedal, or other permissible tripping device. In addition, minimizing the operator's task would appear to eliminate the common inclination of press operators to bypass or inactivate the safeguard. Thus, accidents from these causes could be reduced or eliminated.

The increased productivity possible under this system may also help provide safer working conditions for power press operators, if the experiment should justify general use of the system, in that it would provide an incentive for employers to voluntarily comply with the standard.

In this experiment the light curtain would be used as a tripping mechanism on a limited number of machines with careful records kept. It is anticipated that sufficient additional information will be developed in this way to enable OSHA to determine whether this system should be approved for general use and to develop appropriate regulations governing its use.

2. That such experiment has been or should be approved by either the Secretary of Labor or the Secretary of Health, Education, and Welfare.

The desired objective, in this instance, is the evaluation of the safety of the use of the electronic light curtain as a tripping mechanism on mechanical power presses, and the determination of whether the OSHA standard should be modified to authorize this use. This would include the obtaining of sufficient data to enable OSHA to develop necessary specific regulations governing the use of the electronic light curtain in this mode.

It is determined that the experiment as described is a valid means for OSHA

to evaluate the system, to determine whether the standard should be modified, and to develop any necessary regulations. There is sufficient data from the European use of this system to enable Interlake Stamping Corporation to obtain proper equipment and to utilize operating methods which will serve to prevent the employees from undue exposure to hazards.

A one-year time period has been selected as an appropriate length for this experiment. This will allow the accumulation of a significant amount of data while restricting the length of time employees will be allowed to operate the presses in this mode. It is also desirable to use several presses, in this instance five, in order to accumulate sufficient data and to account for press operator differences and potential minor variations in the presses and their components. In addition, five other presses which will utilize permissible guards or devices will serve as a control group to which the experimental presses will be compared. To the extent feasible, runs on the control group will be similar to runs on the experimental group.

Mr. Wayne Groenstein, President of Interlake Stamping Corporation, has visited Sweden to observe this use of the electronic light curtain. He is familiar with, and will observe, the Swedish standards governing this use. In addition, Mr. Groenstein is a responsible member of the metal stamping industry and serves on the American National Standards Institute committee which writes national consensus safety standards concerning mechanical power presses. Even the comment letters objecting to granting the variance expressed support for the responsible way in which Mr. Groenstein would conduct this experiment. Thus, it is determined that he is a responsible person to be conducting such an experiment.

3. That in order to carry out the experiment, the Secretary of Labor has determined or the Secretary of Health, Education, and Welfare has certified that it is necessary for the employer to deviate from compliance with the standard in whole or in part.

Section 1910.217(c)(3)(iii)(b) states that a presence sensing device may not be used as a tripping means to initiate slide motion. This experiment will use an electronic light curtain, which is a presence sensing device, as a means of tripping the press. Thus, it is necessary for the employer to deviate from the standard in order to carry out the experiment as described.

As stated in the Background section above, a total of 16 comment letters were received as a result of notices published in the FEDERAL REGISTER. Thirteen of these letters supported granting the variance, while the other three raised questions or expressed objections to granting the variance.

The issues raised by the three comments objecting to granting the variance are addressed as follows:

1. The suggestion was made that the system described in the Interlake variance request is not truly equivalent to the European systems because of certain differences, such as the European certification of equipment and inspectors. While it is true that there are no facilities for such certification here, the applicant's system would be equivalent to the European system because Interlake has selected equipment which has been certified in Europe and is using it in accordance with the latest European standards.

2. Concern was expressed that a variance may be misinterpreted to mean that blanket permission is granted for the use of any type of automatic tripping device in any worksite. Although misinterpretation may occur, the conclusion is not valid. Any variance is granted only to the named applicant, at the named worksite, for the procedure described in the application and subject to the requirements contained in the Order.

3. The statement was made that nothing would be learned from such an experiment, and the issue of the accident which occurred during a demonstration of the press was raised. As discussed above, the accident was thoroughly investigated and steps taken which would prevent such an accident from happening again. Contrary to the statement that nothing will be learned from such an experiment, it is the opinion of OSHA that sufficient information and data can be obtained to enable the agency to determine whether the applicant's safeguarding system will result in improved safety and, if so, how appropriate modifications in the standard should be drawn so as to insure the integrity of the entire system. It should further be emphasized that there is a strong background of accident-free experience in Europe and standards have been developed governing its use. Therefore, it is not necessary to develop totally new information, but simply to validate this European information in American use.

4. There was disagreement with the idea that this method of tripping the press will "improve safety." OSHA believes that because of the potential for reduced fatigue and ease of operation which may eliminate the temptation to bypass the safety features, this tripping mechanism may indeed constitute an improved technique to safeguard employees.

5. There was objection to the term "new" in reference to the press design and the point was made that those new control features are now required on all presses where their use is appropriate. In terms of the requirements of section 3(b)(6)(C), it is the combination of this type of press with the total safety system employing the electronic light curtain used as a tripping mechanism which is new in this country.

6. One commentor suggested that since the system has been used virtually accident-free in Sweden and West Germany, that this implies that accidents have, in fact, occurred. As stated above, information obtained from Sweden states that there have been no accidents directly related to operation of the press or the light curtain in several years of operation. Accidents which have occurred have been related to lack of guarding around the light curtain to prevent other access to the die area, or to placement of a vertical light curtain at too great a distance from a large press, thus enabling an employee to step completely inside the light curtain triggering the press.

7. There was objection to the use of automatic tripping except in completely automatic operations. At the present time OSHA is in agreement with this, as reflected by the prohibition on the use of presence sensing devices to trip a press. We do believe, however, that technology could develop a method to safely and automatically trip the press. The record of the European use appears to be a good indication that this method of automatic tripping may prove to provide a safe method of automatically tripping a press.

8. The opinion was expressed that where automatic tripping is used and it is necessary for hands to enter the die area, redundant safeguarding should be required. However, the European experience indicates that the automatic self-checking of this system (without redundant safeguarding) does provide safe access to the die area.

9. The statement was made that the proper inspection and maintenance of the total system requires highly skilled technicians, who may not be available in small shops. Properly trained technicians are available to Interlake Stamping Corporation for the purposes of this experiment. This whole area is one that must be studied and evaluated through this experiment in order to determine the feasibility of general use of this system.

Although some of the objections raise questions as to whether it would be appropriate to grant a permanent variance, none are sufficient reason for not granting an experimental variance with the objective of obtaining additional information. For these reasons it is determined that this proposed experiment meets the criteria for an experimental variance and it is hereby approved.

IV. ORDER

Pursuant to the authority in section 6(b)(6)(C) of the Occupational Safety and Health Act of 1970, and in Secretary of Labor's Order No. 8-76 (41 FR 25059), it is ordered that Interlake Stamping Corporation be, and it is hereby, authorized to conduct an experiment at its Willoughby, Ohio facility involving the use of Erwin Sick electronic light curtains as tripping means, as well as presence sensing devices, on five Bliss-OBI power presses in lieu of complying with 29 CFR 1910.217(c)(3)(iii)(b). The experiment shall be subject to the following conditions and requirements:

1. The use of the Erwin Sick electronic light curtain as both a protective and tripping device is limited to the following presses:

Bliss C-45, 1973 No. H65801-HP49662
Bliss C-22, 1973 No. M65398-HP40305
Bliss C-45, 1973 No. H65802-HP49663
Bliss C-22, 1973 No. H65899-HP49306
Bliss C-22, 1973 No. H64284-HP48364

2. The applicant shall comply with all other requirements of § 1910.217(c)(3)(iii) as amended in the FEDERAL REGISTER on December 3, 1974 (39 FR 41841) and shall comply with all other applicable OSHA regulations.

3. Rigid barrier guarding, interlocked with the light curtain so that removal or improper positioning will not allow the press to cycle, shall be provided.

4. One individual shall be designated as supervisor on the experiment for overall supervision and to enhance uniformity in the reporting and recordkeeping; one supervisor per shift shall be designated to assure compliance with all regulations.

5(a) All employees participating in the experiment shall be volunteers. "Volunteer" is defined to mean an employee who has willingly agreed to participate in the proposed experiment after being fully informed of the plan of the experiment, its attendant risks, his duties and responsibilities, his rights to refuse to participate or to terminate his participation at any time without adverse action, and any other pertinent information.

(b) The applicant shall obtain from each volunteer employee a signed statement indicating that the employee has been informed of the required information and has willingly agreed to participate in the experiment.

(c) If an employee refuses to participate in the experiment or terminates his participation at any time after signing a statement of voluntary participation, the applicant may not discharge or in any manner discriminate against him on account of such action.

6. The presses and the safeguards shall be inspected for proper adjustment and tested prior to the start of each shift, after the change of operators, and after any new die setup; a check-off/sign-off card shall be used to record these inspections.

7. All participating employees shall be trained in safe operating procedures; operating instructions shall be posted and observed; and Swedish safety standards relating to the light curtain as a tripping mechanism shall be observed. (Sweden's National Board of Industrial Safety, December 1972, Directive No. 35).

8. The routine maintenance and inspection schedules and procedures for the presses and the electronic light curtains which have been submitted to OSHA, shall be followed. All maintenance and inspection records shall be available for inspection.

9. Any injury occurring during operation or maintenance of these presses while equipped with an electronic light curtain used as a tripping device and any instance of malfunction of press, safeguards, or controls which could potentially cause an injury shall be immediately reported by telephone to the Division of Variance Determination, Occupational Safety and Health Administration. The operation of all presses by this mode shall cease immediately until the circumstances of the injury or malfunction have been investigated and permission is granted by OSHA to proceed. A written report shall also be made describing the incident which shall include the time of the incident, the length of time into the shift, the length of time the employee had been working that day, and all other pertinent information concerning the incident.

10. A record shall be made of any time the light curtain system worked to protect anyone in a non-routine situation, e.g., a passer-by, a fall, and the circumstances thereof.

11. A record shall be maintained of all repairs and replacements which are required on these five presses while they are equipped with the light curtain operating as a tripping means. This includes a record of brake functioning and any repairs or adjustments made to the brake.

12. The Occupational and Health Administration may visit the worksites to observe the experiment in operation, to examine records, and to obtain information concerning employee acceptance of the equipment.

13. A record shall be maintained of the productivity of each press while the light curtain is used as a tripping device. This shall include the number of strokes per shift, the number of parts produced per shift, and the number of hours of use.

14. The employer shall designate five other presses equipped with permissible guards or devices as a control group, to which the experimental presses will be compared. All data and records which are maintained for the experimental presses (except for number five of this order) shall be maintained for the control group. Such records shall include a description of the guard or device in use. To the extent feasible, the runs on the control group shall be similar to the runs on the experimental group.

15. A record shall be maintained of any set-ups where it is not feasible to use a light curtain to trip the press, or where additional safeguards were necessary.

16. Reports and records required by this order shall be available for inspection at Interlake Stamping Corporation's Willoughby, Ohio facility and shall be submitted quarterly to the Division of Variance Determination of the Occupational Safety and Health Administration.

17. This variance shall continue in effect for one year, unless revoked.

18. The Assistant Secretary for Occupational Safety and Health reserves the right to revoke or modify this variance for reasons of injury to employees, malfunction of presses or light curtain, failure to comply with the terms of this order, a previously unanticipated hazard being caused by the experiment, or for other good cause. Such revocation or modification shall be effective upon receipt of notice thereof.

Effective date. This order shall become effective on August 31, 1976, and shall remain in effect for one year, unless revoked.

Signed at Washington, D.C. this 23rd day of August, 1976.

MORTON CORN,
Assistant Secretary of Labor.

[FR Doc.76-25472 Filed 8-30-76;8:45 am]

Wage and Hour Division

[Administrative Order No. 646]

INDUSTRY COMMITTEES FOR VARIOUS INDUSTRIES IN PUERTO RICO

Appointment; Convention; Hearings

1. Pursuant to section 5 of the Fair Labor Standards Act of 1938, as amended (29 U.S.C. 205), Reorganization Plan No. 6 of 1950 (3 CFR 1949–53 Comp., p. 1004), and 29 CFR 511, I hereby appoint the following industry committee for the indicated industries:

Committee No.:	*Industry*
135	Food and kindred products industry in Puerto Rico
136–A	Jewelry and miscellaneous products manufacturing industry in Puerto Rico
136–B	Rubber and miscellaneous plastics products industry in Puerto Rico

2. These industries are defined as follows:

a. (1) The food and kindred products industry in Puerto Rico is defined as follows: The canning, preserving (including freezing, drying, curing, pickling, and similar processes), or other manufacturing or processing, and the packaging in conjunction therewith, of foods, ice, alcoholic and nonalcoholic beverages, the handling, grading, packing, or preparing in their raw or natural state of fresh vegetables, fresh fruits, nuts, or edible field crops; and the gathering of wild plant or animal life; the production of raw sugar, cane juice, molasses, and refined sugar, and incidental by-products, and all railroad transportation activities carried on by a producer of any of these products (or by any firm owned or controlled by, or owning and controlling such producer, or by any firm owned or controlled by the parent company of such producer) where the railroad transportation activities are in whole or in part used for the production or shipment of the products of the industry, and any transportation activities by truck, vessel, or other vehicle performed by a producer of products of such producer: *Provided, however,* That the industry shall not include any product or activity included in the chemical, petroleum, and related products industry; or any transportation activity covered by the wage order for the communications, utilities, and transportation industry, or any transportation activity in which the agricultural exemption contained in section 13(a) of the Act was applicable prior to February 1, 1967; *And provided, further,* That the industry shall not include sugar and other food manufacturing activities covered by the wage order for the government service industry.

(2) The industry includes, but is not limited to, the manufacture or processing of meat products, poultry and poultry products, milk and dairy products, fish and seafood products, fruit and vegetable products, grains and grain products, sugar and confectionary products, fats and oils, bakery products, beverages, and miscellaneous food preparations and kindred products.

b. (1) The jewelry and miscellaneous products manufacturing industry in Puerto Rico is defined as follows: The manufacture of jewelry and jewelry products including the processing of natural or synthetic stone for jewelry or industrial use; the manufacture of artificial flowers except those made of molded plastic, party favors and similar products; straw, hair and related products; and all other manufacturing activities which are not included in the definitions of other manufacturing industries in

Puerto Rico for which wage orders have been issued: *Provided, however,* That the industry shall not include any activity carried on by an establishment primarily engaged in another industry in Puerto Rico for its own use.

(2) This industry includes, but is not limited to, the manufacture of jewelry and jewelry findings; silverware, plated ware, and stainless steel ware; rosaries, beads, buttons, buckles and hair ornaments and accessories; the processing of stones for jewelry or industrial use; the manufacture of flowers, buds, berries, foliage, leaves, fruits, plants, stems, and branches which are commonly or commercially known as artificial; the manufacture of party favors and ornamnents and decorations for holidays except those made of molded plastics or metal other than metallic chenille, foil or tinsel; and the manufacture of products made wholly or chiefly of straw, raffia, sisal, maguey, palm leaves, rushes, grasses, hair bristles, feathers and similar materials.

c. The rubber and miscellaneous plastics products industry in Puerto Rico is defined as follows: The manufacture from natural, synthetic, or reclaimed rubber or latex rubber products such as, but not limited to, tires and tubes, reclaimed rubber, rubber and plastics hose and belting, industrial and mechanical rubber and plastic goods, rubberized fabrics, recapped and retreaded tires, rubber and plastics cut stock and findings for footwear, and miscellaneous rubber and fabricated plastics products: *Provided, however,* That the industry shall not include any activity in the rubber and plastics footwear industry; the chemical, petroleum and related products industry; the leather, leather goods and related products industry; the gloves and mittens industry; the men's and boys' clothing and related products industry; the corsets, brassieres and allied garments industry; the women's outerwear, needlework and miscellaneous fabricated textile products industry; the textile mill products industry; and the jewelry and miscellaneous products manufacturing industry.

3. Pursuant to section 8 of the Fair Labor Standards Act of 1938 (29 U.S.C. 208), Reorganization Plan No. 6 of 1950 (3 CFR 1949–53 Comp., p. 1004), and 29 CFR Part 511, I hereby:

a. Convene the above-appointed industry committees;

b. Refer to the industry committees the question of the minimum rates of wages to be fixed for the above-mentioned industries in Puetro Rico.

c. Give notice of the hearnigs to be held by the several committees at the times and place indicated. The committees shall investigate conditions in the industries, and the committees, or any authorized subcommittee thereof, shall hear witnesses and receive such evidence as may be necessary or appropriate to enable the committees to perform their duties and functions under the aforementioned Act.

Industry Committee No. 135 will meet in executive session to commence its investigation at 9 a.m. and begin its public hearing at 10 a.m. on Tuesday, October 12, 1976.

Industry Committee No. 136–A will meet in executive session to commence its investigation at 9 a.m. and begin its public hearing at 10 a.m. on Monday, October 18, 1976.

Following this hearing Industry Committee No. 136–B will immediately convene to conduct its investigation and begin its public hearing.

The hearings will take place in the offices of the Wage and Hour Division on the fourth floor of the New Federal Office Building, Carlos Chardon Street, Hato Rey, Puerto Rico.

4. The rate or rates recommended by the committees shall not exceed the rates prescribed by section 6(a) of the Act, namely $2.30 an hour after December 31, 1975, for those classifications covered before the Fair Labor Standards Amendments of 1966; nor those rates prescribed by section 6(b) of the Act, namely, $2.20 an hour during the year beginning January 1, 1976, nor $2.30 an hour after December 31, 1976, for those classifications brought under the Act by the Fair Labor Standards Amendments of 1966.

Each industry committee shall recommend to the Administrator of the Wage and Hour Division of the Department of Labor the highest minimum wage rates for the industry which it determines, having due regard to economic and competitive conditions, will not substantially curtail employment in the industry, and will not give any industry in Puerto Rico a competitive advantage over any industry in the United States outside of Puerto Rico, the Virgin Islands, or American Samoa; except that each committee shall recommend the minimum rates prescribed in section 6(a) or section 6(b), unless there is substantial documentary evidence including pertinent unabridged profit and loss statements and balance sheets for a representative period of years which establishes that the industry or a predominant portion thereof, is unable to pay the wage.

5. Whenever an industry committee finds that a higher minimum wage may be determined for employees engaged in certain activities in the industry than may be determined for other employees in that industry, the committee shall recommend such reasonable classifications within the industry as it determines to be necessary for the purpose of fixing for each classification the highest minimum wage rate that can be determined for it under the principles set forth herein and in 29 CFR 511.10 which will not give a competitive advantage to any group in the industry. No classification shall be made, however, and no minimum wage rate shall be fixed solely on a regional basis or on the basis of age or sex. In determining whether there should be classifications within an industry, in making such classification, and in determining the minimum wage rates for such classifications, the industry committee shall consider, among other relevant factors, the following: (a) Competitive conditions as affected by transportation, living, and production costs; (b) wages established for work of like or comparable character by collective labor agreements negotiated between employers and employees by representatives of their own choosing; and (c) wages paid for work of like or comparable character by employers who voluntarily maintain minimum wage standards in the industry.

6. The Administrator shall prepare an economic report for the industry committees containing such data as he is able to assemble pertinent to the matters referred to them. Copies of such reports may be obtained at the National and Puerto Rican offices of the Wage and Hour Division of the U.S. Department of Labor as soon as they are completed and prior to the hearings. The industry committees shall take official notice of the facts stated in the economic reports to the extent that they are not refuted at the hearing.

7. The procedure of industry committees shall be governed by 29 CFR Part 511. Interested persons wishing to participate in the hearings shall file prehearing statements, as provided in 29 CFR 511.8 containing the data specified in that section not later than 10 days before the first hearing date set for each committee as set forth in this notice of hearing i.e. October 2, 1976 for matters to be considered by Industry Committee No. 135; and October 8, 1976 for matters to be considered by Industry Committees No. 136–A and 136–B.

Signed at Washington, D.C. this 26th day of August 1976.

W. J. USERY, Jr.,
Secretary of Labor.

[FR Doc.76-25473 Filed 8-30-76;8:45 am]

INTERSTATE COMMERCE COMMISSION

[Notice No. 133]

ASSIGNMENT OF HEARINGS

AUGUST 26, 1976.

Cases assigned for hearing, postponement, cancellation or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested.

No. MC 113908 Sub 241, Erickson Transport Corp., now assigned October 13, 1976, is postponed to January 18, 1977 (9 days) at Kansas City, Mo., in a hearing room to be later designated.

No. 36308, Norman Charles Brinke, dba N. C. Brinke, et al. V. The Central Railroad Company of New Jersey, Robert D. Timpany, Trustee, et al, now assigned September 1, 1976, at Washington, D.C. is postponed to September 8, 1976, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 114533 (Sub 341), Bankers Dispatch Corporation now being assigned October 13, 1976 for pre-hearing conference in the Offices of the Interstate Commerce Commission in Washington, D.C.

MC 2359 (Sub 23), Dameo, Inc. and MC 124839 (Sub 27), Building Transport, Inc. now being assigned Novmeber 3, 1976 at the Office of the Interstate Commerce Commission in Washington, D.C.

MC 126276 (Sub 148), Fast Motor Service, Inc. now being assigned November 4, 1976 at the Offices of the Interstate Commerce Commission in Washington, D.C.

MC 136964 (Sub 1), Howard Williams and Thomas Milton, dba Williams-Milton Bus Company now being assigned November 4, 1976 at the Offices of the Interstate Commerce Commission in Washington, D.C.

MC 128582 (Sub 7), KLM, Inc. now being assigned November 4, 1976 at the Offices of the Interstate Commerce Commission in Washington, D.C.

MC 107295 (Sub 813), Pre-Fab Transit Co. now being assigned November 11, 1976 at the Offices of the Interstate Commerce Commission in Washington, D.C.

MC 116763 (Sub-No. 336), Carl Subler Trucking, Inc., now assigned September 14, 1976 at Atlanta, Georgia; will be held in Room 305, 1252 West Peachtree Street, NW.

MC 117956 (Sub-No. 10), Scott Transfer Co., Inc., now assigned September 15, 1976 at Atlanta, Georgia; will be held in Room 305, 1252 West Peachtree Street, NW.

MC 133937 (Sub-No. 16), Carolina Cartage Company, Inc., now assigned September 20, 1976 at Atlanta, Georgia; will be held in Room 305, 1252 West Peachtree Street, NW.

MC 126899 Sub 96, Usher Transport, Inc., now being assigned November 30, 1976 (1 day), at Louisville, Ky., in a hearing room to be later designated.

MC-F 12739, Wilson Freight Company—Purchase (Portion)—Red Star Express Lines of Auburn, Inc., DBA Red Star Express Lines, and MC 13123 Sub 82, Wilson Freight Company; now being assigned December 6, 1976 (1 Week), at Cincinnati, Ohio, in a hearing room to be later designated.

MC 141832, K.I.T. Motor Express, Incorporated, now being assigned December 1, 1976 (1 day), at Louisville, Ky., in a hearing room to be later designated.

MC 118959 Sub 134, Jerry Lipps, Inc., now being assigned December 2, 1976 (2 days), at Louisville, Ky., in a hearing room to be later designated.

H. GORDON HOMME, Jr.,
Acting Secretary.

[FR Doc.76-25487 Filed 8-30-76;8:45 am]

FOURTH SECTION APPLICATIONS FOR RELIEF

AUGUST 26, 1976.

An application, as summarized below, has been filed requesting relief from the requirements of section 4 of the Interstate Commerce Act to permit common carriers named or described in the application to maintain higher rates and charges at intermediate points than those sought to be established at more distant points.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1100.40) and filed on or before September 15, 1976.

FSA No. 43225—*Fertilizer Compounds from Wellsville, Colorado.* Filed by Southwestern Freight Bureau, Agent, (No. B-626), for interested rail carriers. Rates on fertilizer compounds (manufactured fertilizers), neibn, liquid or paste, in carloads and tank-car, as described in the application, from Wellsville, Colorado, to points in Arkansas, Louisiana, Missouri, New Mexico, Oklahoma, and Texas. Grounds for relief—Market competition, short-line distance formula and grouping. Tariff—Supplement 55 to Southwestern Freight Bureau, Agent, tariff 273-G, I.C.C. No. 5188. Rates are published to become effective on October 1, 1976.

FSA No. 43226—*Asphalt and Related Articles to Points in WTL Territory.* Filed by Trans-Continental Freight Bureau, Agent, (No. 508), for interested rail carriers. Rates on asphalt and related articles, in tank-car loads, as described in the application, from Cut Bank and Kevin, Montana, to points in western trunk-line territory, and points in Illinois, Indiana, and Kentucky. Grounds for relief—Market competition.

By the Commission.

H. G. HOMME, Jr.,
Acting Secretary.

[FR Doc.76-25480 Filed 8-30-76;8:45 am]

[Notice No. 21]

MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

AUGUST 31, 1976.

Synopses of orders entered by the Motor Carrier Board of the Commission pursuant to sections 212(b), 206(a), 211, 312(b), and 410(g) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

Each application (except as otherwise specifically noted) filed after March 27, 1972, contains a statement by applicants that there will be no significant effect on the quality of the human environment resulting from approval of the application. As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings on or before September 20, 1976. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-76163. By order of August 25, 1976, the Motor Carrier Board, on reconsideration, approved the transfer to Inter-Airport Airfreight, Inc., Queens, N.Y., of portion of the operating rights in Certificate No. MC 128383 (Sub-No. 13), issued January 22, 1973, to Pinto Trucking Service, Inc., Sharon Hill, Pa., authorizing the transportation of general commodities (except commodities in bulk and automobiles) between the Greater Buffalo International Airport, Erie County, N.Y., Rochester-Monroe County Airport, Monroe County, N.Y., Clarence E. Hancock Airport, Onondaga County, N.Y., Albany County Airport, Albany County, N.Y., Broome County Airport, Broome County, N.Y., Chemung County Airport, Chemung County, N.Y., Jamestown Municipal Airport, Chautauqua County, N.Y., Schenectady County Airport, Schenectady County, N.Y., Logan International Airport, Boston, Mass., Bowles Agawam Airport, Hampden, Mass., Tweed-New Haven Airport, New Haven County, Conn., Bradley International Airport, Hartford, Conn., and Cleveland-Hopkins Airport, Cuyahoga County, Ohio, restricted against the transportation of shipments between the Greater Buffalo International Airport, Erie County, N.Y., and the Clarence E. Hancock Airport, Onondaga County, N.Y., and to the transportation of shipments having a prior or subsequent movement by air. Steven L. Weiman, 303 N. Frederick Ave., Gaithersburg, Md. 20760, Attorney for applicants.

H. G. HOMME, Jr.,
Acting Secretary.

[FR Doc.76-25479 Filed 8-30-76;8:45 am]

[Notice No. 112]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

AUGUST 26, 1976.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the provisions of 49 CFR 1131.3. These rules provide that an original and six (6) copies of protests to an application may be filed with the field official named in the FEDERAL REGISTER publication no later than the 15th calendar day after the date the notice of the filing of the application is published in the FEDERAL REGISTER. One copy of the protest must be served on the applicant, or its authorized representative, if any, and the protestant must certify that such service has been made. The protest must identify the operating authority upon which it is predicated, specifying the "MC" docket and "Sub" number and quoting the particular portion of authority upon which it relies. Also, the protestant shall specify the service it can and will provide and the amount and type of equipment it will make available for use in connection with the service contemplated by the TA application. The weight accorded a protest shall be governed by the completeness and pertinence of the protestant's information.

Except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the ICC Field Office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 1515 (Sub-No. 218TA), filed August 19, 1976. Applicant: GREYHOUND LINES, INC., Greyhound Tower, Suite 1602, Phoenix, Ariz. 85077. Applicant's representative: W. L. McCracken (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, express, and newspapers*, in the same vehicle with passengers, (1) between the junction of Interstate Highway 94 and Business Route Interstate Highway 94 east of Benton Harbor, Mich., and the junction of Interstate Highway 94 and Business Route Interstate Highway 94 south of St. Joseph, Mich., serving all intermediate points; from the junction of Interstate Highway 94 and Business Route Interstate Highway 94 over Interstate Highway 94 to its junction with Business Route Interstate Highway 94 and return over the same route; (2) between the junction of Interstate Highway 94 and Business Route Interstate Highway 94 east of Benton Harbor, Mich., and Benton Harbor, Mich., serving all intermediate points; from the junction of Interstate Highway 94 and Business Route Interstate Highway 94 over Business Route Interstate Highway 94 to Benton Harbor, Mich., and return over the same route; and (3) between the junction of Interstate Highway 94 and Michigan Highway 139 and Benton Harbor, Mich., serving all intermediate points; from the junction of Interstate Highway 94 and Michigan Highway 139 over Michigan Highway 139 to its junction with unnumbered highway, thence over unnumbered highway to Benton Harbor, Mich., and return over the same route. Applicant intends to tack its existing authority with MC 1515 Sub-No. 6. Applicant also intends to interline at Benton Harbor, Mich., for 180 days. Supporting shippers: There are approximately 7 statements of support attached to the application which may be examined at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: Andrew V. Baylor, District Supervisor, Interstate Commerce Commission, Room 3427 Federal Bldg., 230 N. First Ave., Phoenix, Ariz. 85025.

No. MC 19945 (Sub-No. 58TA), filed August 19, 1976. Applicant: BEHNKEN TRUCK SERVICE, INC., Route No. 13, New Athens, Ill. 62264. Applicant's representative: Ernest A. Brooks II, 1301 Ambassador Bldg., St. Louis, Mo. 63101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salt and salt products*, from the plantsite of Cargill, Inc., at Cahokia, Ill., to points in Missouri, for 180 days. Supporting shipper: John Labriola, General transportation Manager, Cargill, Inc., Cargill Bldg., Minneapolis, Minn. 55402. Send protests to: Harold C. Jolliff, District Supervisor, Interstate Commerce Commission, P.O. Box 2418, Springfield, Ill. 62705.

No. MC 107002 (Sub-No. 489TA), filed August 19, 1976. Applicant: MILLER TRANSPORTERS, INC., P.O. Box 1123 (U.S. Highway 80 West), Jackson, Miss. 39205. Applicant's representative: Edward M. Regan (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pine oil*, in bulk, in tank vehicles, from Hattiesburg, Miss., to Inspiration, Ariz., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Hercules Incorporated, 900 Life of Georgia Tower, Atlanta, Ga. 30308. Send protests to: Alan C. Tarrant, District Supervisor, Interstate Commerce Commission, Room 212, 145 East Amite Bldg., Jackson, Miss. 39201.

No. MC 114789 (Sub-No. 56TA), filed August 20, 1976. Applicant: NATIONWIDE CARRIERS, INC., P.O. Box 104, Maple Plain, Minn. 55359. Applicant's representative: Allan L. Timmerman (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities* as are dealt in by retail department stores (except foodstuffs), from Columbus, Ohio, to points in Illinois, Indiana, Iowa, Kansas, Missouri, Nebraska, South Dakota, and Wisconsin, under a continuing contract with Gamble-Skogmo Inc., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Gamble Skogmo, Inc., 5100 Gamble Drive, Minneapolis, Minn. 55461. Send protests to: A. N. Spath, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 414 Federal Bldg. & U.S. Courthouse, 110 S. 4th St., Minneapolis, Minn. 55401.

No. MC 115311 (Sub-No. 193TA), filed August 19, 1976. Applicant: J & M TRANSPORTATION CO., INC., P.O. Box 488, Milledgeville, Ga. 31061. Applicant's representative: K. Edward Wolcott, 1600 First Federal Bldg., Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wallboard and paneling*, from the facilities of Textone, Incorporated, at or near North Charleston, S.C., to points in Georgia, Indiana, Maryland, North Carolina, Ohio, Pennsylvania, Tennessee, Texas and Virginia, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Textone, Incorporated, 3 Hock Ave., N. Charleston, S.C. 29406. Send protests to: Sara K. Davis, Transportation Assistant, Bureau of Operations, Interstate Commerce Commission, 1252 W. Peachtree St. NW., Room 546, Atlanta, Ga. 30309.

No. MC 117993 (Sub-No. 5TA), filed August 20, 1976. Applicant: FRUITBELT TRUCKING, INC., 12 Smith St., St. Catharines, Ontario, Canada L20 3H9. Applicant's representative: Robert D. Gunderman, Suite 710, Statler Hilton Buffalo, N.Y. 14202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen citrus concentrate*, from Dade City, Fla., to points in the Province of Ontario over Ports of entry on the International Boundary line between the United States and Canada in New York and Michigan, for 180 days. Supporting shippers: Jamay Imports Ltd., 25 Overlea Drive, Building No. 3, Thorncliff Square, Toronto, Ontario, Canada. Lykes Pasco Packing Company, P.O. Box 97, Dade City, Fla. 33525. Send protests to: George M. Parker, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 910, 111 West Huron St., Buffalo, N.Y. 14202.

No. MC 119789 (Sub-No. 297TA), filed August 20, 1976. Applicant: CARAVAN REFRIGERATED CARGO, INC., P.O. Box 6188, Dallas, Tex. 75222. Applicant's representative: James K. Newbold, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Food, food products, and food ingredients*, in mechanical refrigerated equipment (except in bulk), from the plant and warehouse facilities of Archer-Daniels-Midland Company, located in Decatur, Ill., to points in Arkansas, Louisiana, Texas, Oklahoma, and New Mexico, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Archer-Daniels-Midland Company, P.O. Box 1470, Decatur, Ill. 62525. Send protests to: Opal M. Jones, Transportation Assistant, Interstate Commerce Commission, 1100 Commerce St., Room 13C12, Dallas, Tex. 75242.

No. MC 126118 (Sub-No. 22TA), filed August 19, 1976. Applicant: CRETE CARRIER CORPORATION, P.O. Box 81228, Lincoln, Nebr. 68501. Applicant's representative: Ken Adams (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Peppers, pimientos* (unfrozen), *and materials and supplies* used in the production, distribution, and sale of peppers and pimientos (except in bulk), (1) between the plantsite of Moddy Dunbar, Inc., near Limestone, Tenn., on the one hand, and, on the other, points in and west of Minnesota, Iowa, Arkansas, and Louisiana; and (2) from points in Indiana, Ohio, Florida, Maryland, Virginia, and Pennsylvania, to the plantsite of Moody Dunbar, Inc., near Limestone, Tenn., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Rex Pruitt, Vice-President, Moody Dunbar, Inc., Box 68, Limestone, Tenn. 37681. Send protests to: Max H. Johnston, District Supervisor, 285 Federal Bldg. & Courthouse, Lincoln, Nebr. 68508.

No. MC 133095 (Sub-No. 106TA), filed August 20, 1976. Applicant: TEXAS CONTINENTAL EXPRESS, INC., P.O. Box 434, 2603 W. Euless Blvd., Euless, Tex. 76039. Applicant's representative: Rocky Moore (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, in vehicles equipped with mechanical refrigeration, from Golden, Colo., to St. Louis, Mo., and Memphis, Tenn., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Don N. Lee, d./b./a. Lee Distributing, P.O. Box 1383, 3rd and Glover SE., Ardmore, Okla. 73401. Send protests to: H. C. Morrison, Sr., District Supervisor, Interstate Commerce Commission, Room 9A27, Federal Bldg., 819 Taylor St., Fort Worth, Tex. 76102.

No. MC 133221 (Sub-No. 23TA), filed August 18, 1976. Applicant: OVERLAND CO., INC., 1991 Buford Highway, Lawrenceville, Ga. 30245. Applicant's representative: Alvin Button, 2477 N. Decatur Road, Decatur, Ga. 30033. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Telephone cable*, for the account of the American Telephone and Telegraph Co., from points in Anderson, Greenville, Spartanburg, Cherokee, and York Counties, S.C.; and Gaston, Mecklenburg, Cabarrus, Rowan, Davidson, Guilford, Alamance, Orenge, Durham, Granville, and Vance Counties, N.C.; and Marion, Grundy, Coffee, Bedford, Rutherford, Davidson, Cheatham, and Robertson Counties, Tenn., and Todd, Christian, Hopkins, Webster, and Henderson Counties, Ky., and Vanderburg County, Ind.; near or adjacent to the right-of-way of cables of American Telephone and Telegraph Company, to the facilities of Nassau Recycling Corporation, at Gaston, S.C., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: American Telephone and Telegraph Co., 100 Edgewood Ave. NE., Atlanta, Ga. Send protests to: Sara K. Davis, Transportation Assistant, Bureau of Operations, Interstate Commerce Commission, 1252 W. Peachtree St. NW., Room 546, Atlanta, Ga. 30309.

No. MC 136343 (Sub-No. 90TA), filed August 26, 1976. Applicant: MILTON TRANSPORTATION, INC., P.O. Box 355, R.D. 1, Milton, Pa. 17847. Applicant's representative: George A. Olsen, 69 Tonnele Ave., Jersey City, N.J. 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Printing paper*, from Luke, Md., to Bristol, Danbury, Darby, Farmington, Crystal Lake, New Haven, Stamford, Trumbull, and West Haven, Conn.; Avon, Boston, Cambridge, Chareston, Clinton, East Longmeadow, Everett, Forge Village, Holyoke, Medford, North Abington, North Adams, North Plymouth, Salem, South Boston, South Braintree, Springfield, Taunton, West Hanover, Westford, Worcester, Mass.; Freeport, Lewiston, Maine; Concord, Hanover, Manchester, Nashua, N.J.; New York, N.Y., Commercial Zone as defined by the Commission, Providence, R.I., Brattleboro, Vt., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Send protests to: Westvaco Corporation, 299 Park Ave., New York, N.Y. 10017. Send protests to: Robert P. Amerine, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 278 Walnut St., P.O. Box 869, Harrisburg, Pa. 17108.

No. MC 136500 (Sub-No. 5TA), filed August 19, 1976. Applicant: HARRY D. DIEPHOLZ, doing business as DIEPHOLZ TRUCKING, 3453 Western Ave., Mattoon, Ill. 61938. Applicant's representative: Robert T. Lawley, 300 Reisch Bldg., Springfield, Ill. 62701. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Equipment and machinery* used for manufacture of concrete products, for the account of Columbia Machine, Inc., from Mattoon, Ill., to Miami, Fla.; New Orleans, La.; Baltimore, Md.; New York City, N.Y.; Portland, Oreg., and Houston, Tex., restricted to traffic having a subsequent movement in foreign commerce, under a continuing contract with Columbia Machine, Inc., Applicant intends to interline to the extent that water carriers would receive the shipments that are all export, for 180 days. Supporting shipper: Kenneth Winings, Traffic Manager, Columbia Machine, Inc., East Route No. 16, P.O. Box 84, Mattoon, Ill. 61938. Send protests to: Harold C. Jolliff, District Supervisor, Interstate Commerce Commission, P.O. Box 2418, Springfield, Ill. 62705.

No. MC 136818 (Sub-No. 11TA), filed August 20, 1976. Applicant: SWIFT TRANSPORTATION COMPANY, INC., 335 West Elwood Road, Phoenix, Ariz. 85031. Applicant's representative: Donald E. Fernaays, Suite 320, 4040 E. McDowell Road, Phoenix, Ariz. 85008. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Grandular cheese*, from Tempe, Ariz., to Springfield, Carthage and Neosho, Mo., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: United Dairymen of Arizona, 2036 Hardy Drive, Tempe, Ariz. Send protests to: Andrew V. Baylor, District Supervisor, Interstate Commerce Commission, Room 4327, Federal Bldg., 230 N. First Ave., Phoenix, Ariz. 85025.

No. MC 138080 (Sub-No. 5TA), filed August 20, 1976. Applicant: EDWARD R. WOLFE, doing business as WOLFE TRUCKING, 20425 Ahha Lane, Bend, Oreg. 97701. Applicant's representative: Edward R. Wolfe (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Lime sludge*, from points in Yakima County, Wash., to points in Linn, Marion, Benton, and Lane Counties, Oreg., under a continuing contract with Soil Conditioners, Inc., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Soil Conditioners, Inc., P.O. Box 206, Zillah, Wash. Send protests to: W. J. Huetig, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 114 Pioneer Courthouse, Portland, Oreg. 97204.

By the Commission.

GORDON H. HOMME, Jr.,
Acting Secretary.

[FR Doc.76-25481 Filed 8-30-76;8:45 am]

federal register

TUESDAY, AUGUST 31, 1976

PART II:

ENVIRONMENTAL PROTECTION AGENCY

■

GRANTS FOR STATE UNDERGROUND WATER SOURCE PROTECTION PROGRAMS

STATE UNDERGROUND INJECTION CONTROL PROGRAM

Proposed Regulations

ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 35]

[FRL 595-8]

GRANTS FOR STATE UNDERGROUND WATER SOURCE PROTECTION PROGRAMS

Proposed Regulations

Notice is hereby given that pursuant to sections 1443(b) and 1450 of the Public Health Service Act ("the Act"), as amended by the Safe Drinking Water Act ("SDWA," Pub. L. 93-523) the Administrator of the Environmental Protection Agency (EPA) proposes to issue additions to 40 CFR Part 35 setting forth regulations governing grants to States to assist in the funding of underground water source protection programs.

The SDWA provides for both direct regulation of public water systems and regulation of underground injection practices which may endanger underground drinking water sources for those systems. The underground water source protection program and the public water system supervision program are two separate programs covered by separate regulations and any State may seek separate primacy for either one or both grant programs. In both cases, Congress sought to leave primary enforcement responsibility to the States, and provided for grants from EPA to State programs meeting certain requirements. Provisions for general program grants are contained in section 1443(b) of the Act.

Regulations for State programs regulating public water systems and for EPA grants supporting those programs were published in the FEDERAL REGISTER on January 20, 1976 at 41 FR 2916. Proposed regulations for State underground injection control programs pursuant to section 1421 of the Act are being published in the FEDERAL REGISTER concurrently with these regulations which contain the requirements for grants to the States to help support "underground water source protection programs." (See FR Doc. 76-24700, infra.)

Some confusion may result from the ues of the terms, "underground injection control program," and "underground water source protection program" found in sections 1421 and 1443 respectively of the Act. They refer to the same basic State program designed to provide broad protection to underground drinking water sources from endangerment by underground injection of contaminants. Thus, section 1443(c)(2) defines the term underground water source protection program as "a program or the adoption and enforcement of a program which meets the requirements of regulations under section 1421 and for keeping records and making reports required by section 1422(b)(1)(A)(ii)." Because the following regulations are proposed principally pursuant to section 1443 of the Act, they will be referred to by the term used in section 1443, "underground water source protection programs" but with the understanding that what is meant is basically the type of underground injection control (U.I.C.) program required under section 1421.

Section 1443(b)(2) of the Act provides that no State may receive its first grant until the Administrator determines that the State has established or will establish within two years from the date of the grant award an underground injection control program pursuant to section 1421 of the Act, and will, within two years, assume primary enforcement for underground water sources within the State.

Section 35.661-1 of the proposed grant regulations provides that an application for the initial grant must be accompanied by a letter from the chief elected official of the State stating whether the State has, or intends to establish within two years, an underground injection control program and affirming the State's intention to assume primary enforcement responsibility within two years. Pursuant to the requirements of the Act, proposed § 35.663 provides that a State cannot receive a grant for a period beginning more than two years after the date of the State's initial grant unless the State has assumed and maintains primary enforcement responsibility.

Section 1422(a) of the Act provides that within 180 days of enactment of the Safe Drinking Water Act the Administrator of the Environmental Protection Agency shall list in the FEDERAL REGISTER "each State for which in his judgment a State underground injection control program may be necessary to assure that underground injection will not endanger drinking water sources."

The Administrator's judgment with respect to each State must be reasoned judgment based on pertinent information. The designation of States requiring underground injection control programs is directly related to the development of regulations for State underground injection control programs pursuant to section 1421 of the Act and to the assessment of information on the incidence of ground-water contamination. The development of those regulations includes the collection of data pertinent to the designation of States requiring control programs. The list of States requiring UIC programs can be amended from time to time.

On July 24, 1975 (40 FR 31034) the Administrator published a notice in the FEDERAL REGISTER deferring designation of the States until the information described above is considered. This will be after publication of the proposed State program regulations, but prior to promulgation of those regulations. The proposed scheduling will enable States to understand the program requirements which would be applicable and to formulate plans for assuming primary program responsibility accordingly.

Those States not listed by the Administrator who wish to apply for a grant to operate a State underground injection control program, in compliance with the regulations promulgated under sections 1421, 1422, 1423 and 1450 of the Act, may do so by petitioning the Administrator to amend his list to include such State. The petition must clearly demonstrate to the Administrator that the State does have a program in operation which meets the requirements of the regulations and that there is substantial compelling evidence that the State needs such a program at this time.

Section 1443(b)(4) of the Act provides that the grant funds will be allotted among the 56 States on the basis of population, geographical area, and "other relevant factors." EPA proposes to allocate grant funds during fiscal year 1977 to the States named by EPA during the fiscal year as requiring underground water source protection programs. The allocation will be made on the basis of population (20 percent weight factor), geographic area (30 percent), and quantity of ground water used for drinking water purposes (50 percent). In subsequent years, EPA proposes to allocate funds to those States named as provided for in section 1422 of the Act, on the basis of the number of injection facilities within a State (30 percent weight factor) as well as on the population (20 percent), geographic area (20 percent), and ground-water withdrawals for drinking water purposes (30 percent) of the State. Statistics on population and geographical area are, of course, readily available. Also, statistics regarding the amount of ground water used for drinking water purposes are available from the most recent U.S. Geological Survey (U.S.G.S.) report on ground water use in the United States. These use figures will be used initially for documenting ground-water withdrawal. However, statistics on the number of underground injection facilities in each State are not yet entirely reliable. The comprehensiveness of underground injection facility inventories varies widely from State to State.

EPA is encouraging the States to complete their injection facilities inventories during the initial grant year. The inventory shall include all industrial and municipal waste disposal wells, subsidence control wells, barrier wells, recharge wells, mining wells, geothermal wells, disposal and recovery wells associated with production of oil or natural gas, agricultural drainage wells and urban run-off wells, as defined in 40 CFR 146.2, State Underground Injection Control Program Regulations, being published concurrently with these regulations. These may be drilled, bored or driven wells or dug wells where the depth is greater than their largest surface dimension. They must have as a principal function the subsurface emplacement of fluids. The inventory shall also include all other dug wells, such as pits, ponds and lagoons, which may function as injection wells.

In the interest of a fair distribution of available grant funds, proposed § 35.655 would define "underground injection facilities" for allocation purposes as underground injection facilities identified to EPA as of April 1, 1977. These regulations provide for the Regional Administrator to award grants based on need in accordance with § 35.655. In no event shall a State's allotment be less than $10,000. Comments on the proposed allocation formula are invited.

"State" is defined in the Act to include the District of Columbia, Puerto Rico,

the Virgin Islands, Guam, American Samoa or the Trust Territories of the Pacific Islands.

Proposed § 35.657 would provide that the actual grant to the State will be determined by the Regional Administrator at the time of the grant award. The grant must not exceed 75 percent of the allowable costs of a State program.

Eligibility for grant awards is provided for in § 35.659. Each State named by the Administrator in accordance with the requirements of section 1422 of the Act is eligible to receive a grant award in an amount not to exceed the reasonable cost of carrying out its approved program.

Proposed § 35.655–1(c) provides that the Administrator will reallot, on a national basis, all unobligated funds among eligible States demonstrating a need for additional funds. For fiscal year 1977, this reallotment will be made as soon as possible after May 1, 1977. The unobligated funds will be allocated on the basis of each State's total allocation factor compared to the total allocation factor for the eligible States.

As soon as practicable after June 30 of each fiscal year, funds remaining unobligated and other funds available from reduction of grants will be reallocated to States demonstrating a need for additional funds in accordance with proposed § 35.655–1(d).

Proposed § 35.674 provides that the Regional Administrator may reduce a State's grant if the accomplishments achieved are substantially below the level approved in the State program plan. Any funds retrieved by reduction of a State's grant may be reallotted to other States in the same Region in accordance with proposed § 35.655–1(d).

Program elements of an underground water source protection program are listed in proposed § 35.676–1. Each of these elements is desirable and is an appropriate element for the use of grant funds. Although it is not necessary for a State program to include every element in proposed § 35.676–1 or to produce an accomplishment for every program element, the program of a State with primary enforcement responsibility must include the program elements required by § 146.10 of this chapter. In addition, a State may include other program elements if it can demonstrate that such other elements are appropriate to its program. A State can propose almost any mixture of program elements and accomplishments which can reasonably be considered part of an underground water source protection program. The Regional Administrator will have a great deal of discretion in determining if the amount requested by a State is consistent with the accomplishments the State proposes in its program.

EPA believes that routine monitoring should be the responsibility of the underground injection facility operator. Comments on the need for, or appropriateness of, the use of Federal grant funds for routine monitoring purposes are invited.

In accordance with § 35.663(c), Federal grant funds shall not be used to supplant non-Federal funding used for underground injection control efforts by the State.

Proposed amendments to Subpart B, §§ 35.400 thru 35.425, are being published concurrently with these proposed regulations. The regulations, applying to all EPA program grants, are amended to include the authority for State Underground Water Source Protection Program grants.

EPA has been appropriated $5 million for fiscal year 1977. In addition, $2.5 million in grant funds were appropriated for fiscal year 1976. EPA intends to propose that the unobligated fiscal year 1976 appropriation continue to be available for grant awards.

Comments

Interested persons may participate in this rulemaking process by submitting written comments in triplicate to the Comment Clerk, Underground Injection Control Grant Program, Office of Water Supply (WH–550), Environmental Protection Agency, Washington, D.C. 20460.

Comments on all aspects of the proposed regulations are solicited. In addition to considering public comments, the Agency will hold public hearings to receive comments and statements on the proposed regulations. The hearing room locations, dates and times should be confirmed by interested parties in advance by telephone.

October 6, 1976: EPA, Region VIII, 900 Lincoln Tower Building, 1860 Lincoln Street, Denver, Colorado 80202, Telephone: (303) 837–2731.

October 13, 1976: EPA, Region VI, First International Building, 1201 Elm Street, Dallas, Texas 75270, Telephone: (214) 749–1962.

September 29, 1976: EPA, headquarters, Waterside Mall, 401 M Street SW., Washington, D.C. 20460, Telephone: (202) 426–3934.

All comments received on or before November 15, 1976 will be considered. A copy of all public comments will be available for inspection and copying from the EPA Freedom of Information Center. As provided in 40 CFR Part 2, a reasonable fee may be charged for copying services.

It is hereby certified that the economic and inflationary impacts of these proposed regulations have been carefully evaluated in accordance with OMB Circular A–107.

Dated: August 13, 1976.

RUSSELL E. TRAIN,
Administrator.

40 CFR Part 35 is proposed to be amended by amending Subpart B as indicated below: [1]

Subpart B—Program Grants

Sec.
35.400 Purpose.
35.400–1 Air pollution control agency grant awards.
35.400–2 Water pollution control program grant awards.
35.400–3 Public water system supervision program grant awards.
35.400–4 Underground water source protection program grant awards.
35.404 Annual guidance.
35.405 Criteria for evaluation of program objectives.
35.410 Evaluation of agency performance.
35.415 Report of project expenditures.
35.420 Payment.
35.425 Federal and grantee program support.

* * * * *

State Underground Water Source Protection Program Grants

35.650 Scope and purpose.
35.653 Definitions.
35.655 Determination of allotments.
35.655–1 Notification of allotments and reallotments.
35.657 Rate of Federal assistance.
35.659 Eligibility for grant awards.
35.661 Application for grant.
35.661–1 State program plan/grant submission.
35.663 Limitation on grant award.
35.670 Allowable costs.
35.672 Budget period.
35.674 Reduction of grant amount.
35.676 State program plan.
35.676–1 Program elements of an underground water source protection program.
35.676–2 Regional administrator's action on grant application.
35.678 Program limitations.
35.680 Assignment of personnel.

AUTHORITY: Secs. 1443 and 1450 of Pub. L. 93–523, 88 Stat. 1660 (42 U.S.C. 300j–2 and 300j–9).

Sections 35.400 thru 35.425, applying to all EPA program grants, are proposed to be amended to include authority for State underground water source protection program grants as follows:

§ 35.400 Purpose.

This subpart establishes and codifies policy and procedures for air pollution, water pollution, public water system supervision program and underground water source protection assistance grants and supplements the EPA general grant regulations and procedures (Part 30 of this chapter). These grants are intended to aid programs for air pollution control, water pollution control, public water system supervision and underground water source protection at the State, interstate, or local level.

§ 35.400–1 Air pollution control agency grant awards.

No change. See 40 CFR 35.

§ 35.400–2 Water pollution control program grant awards.

No change. See 40 CFR 35.

§ 35.400–3 Public water system supervision program grant awards.

No change. See 40 CFR 35.

§ 35.400–4 Underground water source protection program grant awards.

Grants may be awarded to State agencies to assist them in developing or administering programs to protect under-

[1] Section numbers are not consecutively numbered to allow room for modification and insertion of new sections as needed.

ground sources of drinking water by adoption and enforcement of a program which meets the requirements of regulations under section 1421, and for record-keeping and reporting required by section 1422(b)(1)(A)(ii) of the Act.

§ 35.403 Authority.

This subpart is issued under sections 105 and 301(b) of the Clean Air Act, as amended (42 U.S.C. 1857(c) and 1857(g); sections 106 and 501 of the Federal Water Pollution Control Amendments of 1972 (33 U.S.C. 1256 and 1361); and sections 1443(a), 1443(b) and 1450 of the Safe Drinking Water Act (42 U.S.C. 300j–2).

§ 35.404 Annual guidance.

The Environmental Protection Agency will develop and disseminate annual guidance to be used by the grantee to structure air pollution, water pollution, public water system supervision and underground water source protection programs for the coming Federal fiscal year. The guidance will contain a statement of the national strategy including national objectives and national priorities for the year together with planning figures for Federal program grant assistance based on the EPA budget approved by the President. The annual guidance will be disseminated each year as soon as practicable during the month of February.

§ 35.405 Criteria for evaluation of program objectives.

(a) Programs set out in the application and submitted in accordance with these regulations shall be evaluated in writing by the Regional Administrator to determine:

(1) Consistency and compatibility of objectives and expected results with EPA national and regional priorities in implementing purposes and policies of the Clean Air Act, the Federal Water Pollution Control Act, or the Safe Drinking Water Act.

(2) Feasibility of achieving the objectives and expected results in relation to existing problems, past performance, program authority, organization, resources and procedures.

(b) Approval of the program developed pursuant to § 35.526 (air), or § 35.565 (water pollution), § 35.626 (public water system supervision), or § 35.676 (underground water source protection) shall be based on the extent to which the applicant's program satisfies the above criteria.

§ 35.410 Evaluation of agency performance.

(a) A performance evaluation shall be conducted at least annually by the Regional Administrator and the grantee to provide a basis for measuring progress toward achievement of the approved objectives and outputs described in the program. The evaluation shall be consistent with the requirements of § 35.538 for air pollution control agencies, § 35.570 for water pollution control agencies, § 35.626(d) for public water system supervision agencies, and § 35.676 for underground water source protection agencies.

(b) The Regional Administrator shall prepare a written report of the annual evaluation. The grantee shall be allowed 15 working days from the date of receipt to concur with or comment on the findings.

§ 35.415 Report of project expenditures.

No change. See 40 CFR 35.

§ 35.420 Payment.

No change. See 40 CFR 35.

§ 35.425 Federal and grantee program support.

(a) For purposes of establishing the amount of resources which will be committed by the Agency to particular budget categories or program elements under §§ 35.527 (air), 35.561(a) (water), 35.626–1 (public water system supervision) or 35.676–1 (underground water source protection), Federal and grantee financial contribution shall be considered as combined sums, and shall not be separately identified for each budget category or program element. For purposes of this subpart, and pursuant to § 30.700(a) of this chapter, all project expenditures by the grantee shall be deemed to include the Federal share.

(b) A grantee may not unilaterally reduce the non-Federal share of project costs. In the event of a significant proposed or actual reduction in the non-Federal contribution, the Regional Administrator must consider a reduction in the Federal share or an increase to the Federal percentage.

Subpart B is further amended by adding new §§ 35.650–35.680 as follows:

STATE UNDERGROUND WATER SOURCE PROTECTION PROGRAM GRANTS

§ 35.650 Scope and purpose.

Sections 35.650 through 35.680 establish regulations and procedures for providing program grant funds to the States for the development and administration of underground water source protection programs as authorized by section 1443(b) of the Public Health Service Act. These regulations are intended to foster development of State program plans and programs to assist in implementing Title XIV of the Act (added by the Safe Drinking Water Act). This subpart supplements EPA General Grant Regulations and Procedures set forth in Part 30 of this chapter.

§ 35.653 Definitions.

As used in this part, and except as otherwise specifically provided:

(a) "Act" means the Public Health Service Act.

(b) "Allotment" means the sum reserved for each State from funds appropriated by Congress. The allotment represents the maximum amount of funds potentially available to each State from each annual appropriation.

(c) "State" means one of the States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, or the Trust Territory of the Pacific Islands.

(d) "State Underground Injection Control Program" (State UIC Program) means a State program for the regulation of the practice of underground injection to protect underground drinking water sources and meeting the requirements of sections 1421 and 1422(b)(1)(A)(ii) of the Act and regulations promulgated pursuant to those provisions of the Act.

(e) "Underground water source protection program" means a program for the adoption and enforcement of a program which meets the requirements of regulations under section 1421 of the Act and for keeping records and making reports required by section 1422(b)(1)(A)(ii) of the Act.

(f) Other terms used herein shall have the same meanings as prescribed in the definitions of terms contained in Part 146 of this chapter except as the context may otherwise require.

§ 35.655 Determinations of allotments.

Funds appropriated in each fiscal year will be allotted as follows:

(a) The initial allotment for fiscal year 1977 will be established on the basis of the following weighted factors:

(1) The population of each State in proportion to the total population of all States (weight factor: 20 percent). Population statistics will be drawn from the 1970 census and tables 4 and 11 of the 1974 Statistical Abstract of the United States.

(2) The land area of each State in proportion to the total land area of all States (weight factor: 30 percent). Land area statistics will be drawn from Table 290 of the 1974 Statistical Abstract of the United States.

(3) The quantity of ground-water withdrawals in each State used for drinking water purposes in proportion to the total quantity of ground-water used for drinking water purposes in all States (weight factor: 50 percent). Water use quantities will be taken from the most recent U.S. Geological Survey (U.S.G.S.) report on ground-water use in the United States.

(b) Initial allotments established for the States based on the weighted ratios in paragraph (a) of this section will be adjusted so that no State allotment will be less than $10,000.

(c) The total increase in initial allotments resulting from application of paragraph (b) of this section shall be offset by an equivalent total decrease in the initial allotments which exceed the $10,000 minimum, such decrease to be apportioned among the States in proportion to the extent to which each State's initial allotment exceeds the $10,000 minimum.

(d) The allotment for fiscal year 1978 and subsequent fiscal years will be established on the basis of the following weighted factors:

(1) The population of each State in proportion to the population of all States (weight factor: 20 percent). Population statistics will be drawn from the most recent census.

(2) The land area of each State in proportion to the total land area of all States (weight factor: 20 percent). Land area statistics will be taken from the latest Statistical Abstract of the United States.

(3) The quantity of ground-water withdrawals in each State used for drinking water purposes in proportion to the total quantity of ground-water used for drinking water purposes in all States (weight factor: 30 percent). Water use quantities will be drawn from the most recent U.S.G.S. report on ground-water use in the United States.

(4) The number of underground injection operations in each eligible State in proportion to the number of such systems in all States (weight factor: 30 percent). Underground injection operation statistics will be drawn from the Inventory of Underground Injection Operations compiled by the States pursuant to § 35.676. For fiscal year 1978 grants, the number of underground injection operations for which inventory data have been submitted on or before April 1, 1977 will apply.

(e) The allotted amounts will be rounded to the nearest hundred dollars.

§ 35.655–1 Notification of allotments and reallotments.

(a) Each year, within thirty days after the President delivers his budget to Congress, the Administrator will issue to each Regional Administrator a tentative regional allocation (planning target) for the next fiscal year. The tentative State allotment shall be promptly communicated to each State by the Regional Administrator. This tentative allotment will be based on the amount of funds requested in the President's budget for this purpose for the next fiscal year.

(b) As soon as practicable after funds are appropriated, the Administrator will issue to each Regional Administrator a final regional allowance for State allotments to all 56 States from funds appropriated for that fiscal year. This final allotment shall be promptly communicated to each State by the Regional Administrator.

(c) As soon as practicable after April 1 of each fiscal year, except for fiscal year 1977, the Administrator will reallot on a national basis all unobligated funds among States which can demonstrate a need for adidtional funds. The unobligated funds will be allocated on the basis of each State's total allocation factor compared to the sum of the total allocation factors for the eligible States. For fiscal year 1977, this reallotment of unobligated funds will be made as soon as practicable after May 1, 1977.

(d) As soon as practicable after June 30 of each fiscal year, funds remaining unobligated under § 35.655–1(c) and other funds made available by reduction of grant amounts shall be available for reallotment within the region to States which can demonstrate a need for additional funds.

§ 35.657 Rate of Federal assistance.

(a) The rate of Federal assistance furnished to a grantee shall not exceed 75 percent of the allowable costs of the State's underground water source protection programs as described in § 35.676.

(b) The actual amount of each State's grant, which shall not exceed the State's allotment, shall be determined at the time of the grant award by the Regional Administrator.

§ 35.659 Eligibility for grant awards.

Each State which is on the Administrator's list pursuant to section 1422 of the Act shall be eligible to receive a grant award from its final allotment in an amount not to exceed the reasonable cost of carrying out its approved program.

§ 35.661 Application for grant.

For fiscal year 1977, States identified on the Administrator's list as eligible applicants pursuant to section 1422 of the Act must submit their grant applications no later than January 1, 1977 for grant awards not to exceed their final allotments. All other States, petitioning the Administrator to amend the list for their inclusion as eligible applicants, must submit their grant applications no later than April 1, 1977. Regional Administrators shall negotiate grant amounts for each State added to the Administrator's list. Grant awards to new States will be prorated against each State allotment pursuant to § 35.655. States wishing to make application for a program grant shall comply with all applicable requirements set forth in Part 30 of this chapter.

(a) All States applying for program grants shall comply with all applicable requirements of Office of Management and Budget (OMB) Circular A–95, pursuant to § 30.305 of this chapter.

(b) Applications shall be made to EPA on such forms as the Administrator may prescribe pursuant to § 30.315 of this chapter.

§ 35.661–1 State program plan/grant submission.

Each State applying for a program grant shall:

(a) Develop an annual program plan (Part IV of the grant application) in accordance with § 35.676.

(b) For fiscal year 1977, submit an application and program plan to the Regional Administrator no later than April 1, 1977.

(c) The application for an initial grant shall include, in addition to the other submissions requested by this subpart, a letter from the chief elected officer of the State, stating whether the State has established or intends to establish, an underground water source protection program. The letter should designate the one State agency to administer the grant and serve as coordinator for dealing with EPA. However, the State may allocate funds among State agencies as it deems appropriate as long as such allocations are generally proportional to their respective share of the approved plan for conducting the State underground water source protection program. The letter shall also affirm the State's intent to assume, within two years from the approval of the initial grant, primary enforcement responsibility in accordance with the requirements of Subpart B, Part 146 of this title.

(d) For fiscal year 1978, or any later fiscal year, submit a (draft) State program plan pursuant to § 35.676 to the Regional Administrator no later than 90 days prior to the start of the Federal fiscal year.

(e) For fiscal year 1978, or any later fiscal year, submit an application which includes the annual State program plan submission for grant award to the Regional Administrator no later than 30 days prior to the start of the Federal fiscal year.

§ 35.663 Limitation on grant award.

(a) Notwithstanding any other provision of this part, the Regional Administrator may not approve an application of a State for its initial grant to carry out an underground water source protection program, unless he determines that the State (1) has established or will establish within two years from the effective date of the grant an underground water source protection program, as defined in section 1421 of the Act, and (2) will, within that two-year period assume primary enforcement responsibility for underground water source protection within the State pursuant to §§ 146.10 through 146.13 of this chapter.

(b) Notwithstanding any other provision of this part, no grant may be made to a State for any period beginning more than two years after the date of the approval of the State's initial grant unless the State has assumed and maintains primary enforcement responsibility within the State pursuant to §§ 146.10 through 146.13 of this chapter.

(c) No grant will be awarded if it is determined by the Regional Administrator that Federal grant funds will supplant rather than supplement non-Federal funding committed to underground water source protection efforts by the State.

§ 35.670 Allowable costs.

Allowable costs shall be determined in accordance with § 30.705 of this part by showing that the costs are reasonable and proper for carrying out an approved grant program.

§ 35.672 Budget period.

The budget period of the grant shall be for the Federal fiscal year.

§ 35.674 Reduction of grant amount.

(a) If the Regional Administrator determines that the grantee has substantially failed or will fail to achieve the planned accomplishments, the grant amount may be reduced accordingly. These funds will be available for use in accordance with § 35.655–1(d).

(b) States shall be notified prior to any reduction, pursuant to paragraph (a) of this section, in the amount of Federal support to that State. This notification should include the reasons for reduction and, if appropriate, what steps the State must take to regain funding including the time frame within which the steps must be taken.

§ 35.676 State program plan.

Any State wishing to apply for a grant shall prepare and submit to the Regional

Administrator for approval a program plan which satisfies the requirements of this section and contains planned accomplishments. This program plan is Part IV of the grant application (see § 35.661–1). A State may include in the plan submitted to the Regional Administrator any program element listed in § 35.676–1, and any other program element if the State can demonstrate that such other program element is appropriate for the conduct of its underground water source protection program. The essence of the plan is to relate the utilization of available resources (both Federal and non-Federal) to the achievement of expected accomplishments. The program plan shall describe how the planned accomplishments address the problems in the State and are consistent with the objectives of the Act. Information on the program elements contained in each State's submission shall be presented in summary form and shall include:

(a) The planned accomplishments;

(b) The resources to be expended by the State to produce the planned accomplishments, including anticipated Federal financial and technical assistance;

(c) For fiscal year 1978 the grant application must include an inventory of underground injection facilities;

(d) After fiscal year 1978, an updated summary inventory of underground injection facilities must be provided to EPA prior to April 1 of the preceding calendar year; and

(e) For the second grant and subsequent grants, an analysis of the previous year's State program. This analysis shall compare the planned accomplishments with expected resources, the actual resources expended, and the actual accomplishments.

(f) There will be an annual program evaluation in accordance with § 35.410 of this subpart.

§ 35.676–1 Program elements of an underground water source protection program.

The following program elements are appropriate for carrying out underground water source protection programs. Other program elements may be included in the State program plan if the State can demonstrate that such other program element is appropriate for the conduct of its underground water source protection program. For a State with primary enforcement responsibility, the State program must include program elements satisfying the requirements of § 146.10 of this chapter.

(a) *Administration and program development.* Planning, development and coordination of program activities for the management of an underground water source protection program including general program direction and supervision; development of staffing and budget needs; and development and evaluation of basic underground water source protection legislation, regulations, policies, and public information.

(b) *Surveillance and technical assistance.* Surveys of underground injection operations on an established schedule with written survey reports to the well injection operators; technical assistance to well injection operators, water suppliers, and others regarding the planning, design, operation, maintenance, treatment, quality control; and assessment of underground injection operations.

(c) *Plan review and approval.* A plan review and approval activity for new or proposed underground injection operations and modifications or additions to existing underground injection operations.

(d) *Training.* An activity for the training of State surveillance personnel.

(e) *Enforcement.* An activity for the establishment and implementation of procedures for administrative and judicial enforcement of State primary underground water source protection responsibilities.

(f) *Data management.* A data management activity to maintain essential records needed for conduct of the underground water source protection program and for submission to the Agency; including the maintenance of an inventory for all underground injection operations.

(g) *Surveillance and investigation.* The maintenance of a coordinated activity with State and local agencies to detect, investigate and report suspected ground-water contamination cases.

(h) *Public participation.* Activities conducted by the State to encourage informed public involvement in the planning and conduct of the State underground water source protection program, and establishment of a system to handle citizen complaints.

(i) *Other.*

§ 35.676–2 Regional Administrator's action on grant application.

(a) Each State's final grant application and program plan shall be approved or disapproved by the Regional Administrator within 45 days of receipt.

(b) Should the Regional Administrator's evaluation of the final grant application reveal that the planned accomplishments are not consistent with the level of funding requested, he shall negotiate with the State either to increase the planned accomplishments or to reduce the grant amount. Funds freed by this procedure will remain within the Region to be available for use in accordance with § 35.655–1(c).

§ 35.678 Program limitations.

The provisions of §§ 35.650 through 35.680 are for the sole purpose of assisting the States in providing for protection of underground drinking water sources through an underground water source protection program. These provisions are not intended to assist States in the routine study and monitoring of aquifiers or to assist States to undertake broad geological studies.

§ 35.680 Assignment of personnel.

Upon the written request of a State agency, the Regional Administrator may assign personnel of the Agency to such State agency pursuant to section 1450(c) of the Act. As provided by Office of Management and Budget Circular A–97, the State agency must reimburse the Agency for the salaries and all other identifiable direct or indirect costs of providing the personnel.

[FR Doc.76–24701 Filed 8–30–76;8:45 am]

[40 CFR Part 146]

[FRL 595–7]

STATE UNDERGROUND INJECTION CONTROL PROGRAMS

Proposed Regulations

INTRODUCTION

Notice is hereby given that pursuant to sections 1421, 1422, 1423 and 1450 of the Public Health Service Act, as amended by the Safe Drinking Water Act ("SDWA" or "the Act," Pub. L. 93–523), the Administrator of the Environmental Protection Agency (EPA) proposes to issue a new 40 CFR Part 146 setting forth regulations governing State underground injection control programs.

Approximately 100 million Americans are dependent upon drinking water from underground sources which have historically been relatively free from harmful contaminants. However, in recent years there has been increasing concern over the threat to public health posed by the underground injection of substances which degrade the quality of underground drinking water sources. As a result of this concern, Congress included in the Safe Drinking Water Act, enacted on December 16, 1974, a statutory mandate for the establishment of minimum requirements for effective State programs designed to protect underground drinking water sources from subsurface injection of contaminants.

The intent of the proposed regulations is to establish minimum requirements for effective State programs to protect existing and potential underground sources of drinking water from endangerment from underground injection of fluids.

It is clear from the Act and the legislative history of the SDWA that Congress intended that the States exercise primary enforcement responsibility for the protection of underground sources of drinking water to the extent possible. For this reason the regulations are designed to be administratively compatible with and non-duplicative of existing State programs. The regulations are intended to broaden and strengthen these existing State programs as well as to establish minimum national requirements which reflect good engineering practice.

It is also clear that many differences exist between States, including geological conditions, use and availability of ground water, and intensity of underground injection operations. For this reason the regulations are designed to allow a State to exercise maximum flexibility in order to prevent underground injection practices from contaminating drinking water sources.

LEGAL FRAMEWORK OF THE REGULATIONS

Section 1421 of the Act defines the basic requirements of EPA's regulations

for State underground injection control programs. The Administrator must promulgate regulations which contain minimum requirements for effective programs to prevent underground injection practices which endanger potential or present drinking water sources. In accordance with this mandate, the principal purpose of the regulations is to prevent endangerment of underground drinking water sources, and the burden is placed on the underground injection operator to demonstrate that his operation will not result in endangerment. Section 146.2(x) of the proposed regulations seeks to clarify what is meant by "endangerment" by defining that term to include the contamination or potential contamination of an aquifer which may result in the need for additional treatment of water from the aquifer to make it suitable for drinking. Comments on this definition and suggestions for alternative approaches are welcome. EPA believes that the definition of endangerment should be construed liberally so as to effectuate the preventive and public health protection purposes of the Act. Therefore, the proposed regulations seek to prevent the injection of materials which may enter a present or potential drinking water source and pose a threat to human health or otherwise render a present or potential water source unfit for human consumption. Necessarily, the regulations seek to prevent the injection of materials which may force a public water system to expend funds to comply with any national primary drinking water regulation or otherwise to avoid endangerment to the public health.

Section 1421(b)(2) states that regulations for State underground injection programs may not prescribe a requirement which interferes with or impedes underground injection in connection with oil and natural gas production or the secondary or tertiary recovery of oil and natural gas unless such a requirement is essential to assure that underground sources of drinking water will not be endangered by such injection. The House Report accompanying the Act defines the term "interfere with or impede" to mean "stop or substantially delay" (Report 93-1185, at 31).

The Administrator need not demonstrate that a particular requirement is essential unless it can be first shown that the requirement interferes with or impedes oil or gas production. As indicated in the House Report, the Administrator does not have an "impossible" burden in establishing the essentiality of a requirement. (Report 93-1185, at 31) Moreover, as discussed above, the Agency intends to interpret the term "endangerment" broadly so as to effectuate the purposes of the Act. Recognizing the complexity, intensity, age and experience in regulating injection operations as they relate to oil and gas production and the fact that several alternative methods have been demonstrated to be equally effective in protection of underground sources of drinking water proposed § 146.42(c) provides that a State Director may approve an alternative method of protection to specific minimum requirements contained in § 146.42(a), if the operator clearly demonstrates that (i) the requirement would stop or substantially delay oil or natural gas production at his site; and (ii) the requirement is not necessary to assure the protection of an existing or potential source of underground drinking water. Section 146.42(c) applies only to specific wells or injections. Section 146.42(b) provides that the Director may designate specific geographical areas where an alternative method to the requirements in § 146.42(a)(1) or (a)(2) may be employed.

Section 1422(a) of the Act requires the Administrator to list in the FEDERAL REGISTER those States for which a State underground injection control program may be necessary to assure that underground injection will not endanger drinking water sources. Such a determination will not be based on the adequacy of an existing State program but will be initially based on the dependency of a State on ground water as a source of drinking water and the magnitude of underground injection operations in a State. All States will eventually be listed. Under section 1422(b) of the Act, a State so listed must submit a State program to the Administrator within 270 days after being named. If the State program does not fully meet the requirements of the Act and applicable regulations, or if no State program is submitted, the Administrator must prescribe a program for the State within 90 days. The States will be listed within 90 days of the publication of this notice (40 FR 31034, July 24, 1975).

If a portion of a State's program meets the requirements of the Act and these regulations, that fact will be taken into account in the Administrator's prescription and administration of a program for the State. EPA will administer only that portion of an underground injection control program for the State for which the State's program is not adequate. However, section 1421 of the Act makes clear that the State cannot assume overall "primary enforcement authority" unless all of its program is approved by the Administrator. If a State does not assume primary enforcement responsibility, it cannot be awarded program grant funds related to an underground injection control program after an initial two-year period, and the Administrator will have direct enforcement authority in the State pursuant to section 1423 of the Act.

State underground injection control programs under section 1421 of the Act are considered separately from State public water system supervision programs under section 1413. A State does not have to qualify for primary enforcement responsibility for public water systems to qualify for primary enforcement responsibility for underground injection.

Section 1421 of the Act requires the Administrator to promulgate regulations establishing minimum requirements for the State underground injection control programs. Section 1421 also specifies some of those requirements. The regulations must require that a State program, to be approved under section 1422—

(A) Shall prohibit, effective three years after the date of the enactment of this title, any underground injection in such State which is not authorized by a permit issued by the State (except that the regulations may permit a State to authorize underground injection by rule);

(B) Shall require (i) in the case of a program which provides for authorization of underground injection by permit, that the applicant for the permit to inject satisfy the State that the underground injection will not endanger drinking water sources, and (ii) in the case of a program which provides for such an authorization by rule, that no rule may be promulgated which authorizes any underground injection which endangers drinking water sources;

(C) Shall include inspection, monitoring, recordkeeping and reporting requirements; and

(D) Shall apply (i) as prescribed by section 1447(b), to underground injections by Federal agencies, and (ii) to underground injections by any other persons whether or not occurring on property owned or leased by the United States.

Within the framework of section 1421(b), the Agency has based the proposed regulation on its review of thirty-one existing State programs and on technical and policy input from a diverse work group including four State officials (Texas, Kansas, Florida and Michigan), the U.S. Geological Survey, five regional EPA representatives (Regions VI, IX and X), three representatives from USEPA laboratories, and seven representatives from USEPA headquarters. Comments were also solicited from State program officials, industry representatives, and environmental groups.

SCOPE OF THE REGULATIONS

The Act defines "underground injection" as the "subsurface emplacement of fluids by well injection" (Section 1421(d)(1)).

The scope of the coverage of these regulations is determined by the definition of "well injection." The term is not explicitly defined in the Act or the legislative history. Upon examination of the purpose and legislative history of the Act, EPA is including the following definition in proposed § 146.2(r):

Well injection means subsurface emplacement through a bored, drilled, or driven well, or through a dug well where the depth is greater than the largest surface dimension, whenever a principal function of the well is the subsurface emplacement of fluids.

The term "well injection" is defined in terms of the function of a well. As well as including what is normally referred to as the "deep well" injection of industrial or municipal wastes, the proposed definition of "well injection" also includes a number of well injection practices other than "deep well" waste disposal, including the subsurface emplacement of fluids generally, not just waste disposal. This definition is supported by the House Report, which states:

The definition of underground injection is intended to be broad enough to cover any contaminant which may be put below ground level and which flows or moves, whether the

contaminant is semi-sold, liquid, sludge or any other form or state.

This definition is not limited to the injection of wastes or to injection for disposal purposes; it is intended also to cover, among other contaminants, the injection of brines and the injection of contaminants for extraction or other purposes. (Report 93-1185, at 31.)

The proposed definition includes drilled wells, since these are the type of wells used in the practices most often mentioned in the legislative history as requiring regulation. It also covers bored and driven wells, which are similar in concept and are used for the same purposes in appropriate situations.

The proposed definition includes dug wells in the definition of well injection practices only when the depth of the well is at least greater than the largest surface dimension of the well. Imposing this depth-width limitation is an effort to adhere to a common view of a well, that it is substantially deeper than it is wide.

Several factors were considered and rejected in the development of the definition of "well injection." For example, as noted in the legislative history above, the nature of the fluid emplaced is not a controlling factor. Also, the legislative history does not suggest that subsurface emplacement of fluids becomes "underground injection" at some predetermined depth below the surface.

A simple way to define "injection" in the context in which it is used in the statute would be to relate it to mechanically induced pressure. However, the clear purpose of the Act is to prevent the endangerment of underground drinking water sources through the injection of fluids, and there is no reason to distinguish between mechanical pressure and gravity flow injection.

The proposed definition does not cover practices which in many cases endanger underground drinking water because they cannot be deemed to be "underground injection" within the meaning of section 1421(d)(1) of the Act. For example, leakage from sewer mains, septic systems, highway salting and leaching from landfills appear to be very serious sources of contamination of underground drinking water, but they are not underground injection practices and therefore are not regulated by Part C of the Act. It also does not cover a situation such as the construction of an oil or gas production well or those surface impoundments where incidental subsurface emplacement of fluids occurs but is not a principal function of the operation.

In § 146.2(r), the term "dug well" applies only to impoundments where the depth is greater than the largest surface dimension. However, the term "dug well" also can be applied technically to surface impoundments, such as pits, ponds and lagoons, where the depth is less than the largest surface dimension. (*See Meinzer, Outline of Ground-Water Hydrology with Definitions*). What is unclear is whether these dug walls which also have as a principal function the subsurface emplacement of fluids are also covered by the Act.

What is clear is that there are tens of thousands of dug wells—including industrial and municipal pits, ponds and lagoons used for waste treatament, storage or disposal—which pose a very serious potential hazard to underground drinking water. EPA proposes to attack the problem of these dug walls, including pits, ponds and lagoons, in the following manner:

1. Proposed § 146.16(b) requires States to undertake a survey of dug wells to determine the extent to which they function to emplace fluids underground and the hazards they pose to underground drinking water sources.

2. EPA will seek to obtain needed additional data on these dug wells through the study of pits, ponds and lagoons authorized by section 1442 of the Act.

3. When enough data is available to determine which dug wells should be regulated and how they should be regulated, EPA will endeavor to amend the definition of "well injection" to the extent possible to cover additional dug wells or will seek such additional legislation as may be necessary. It is EPA's intention that any broadening of the regulation of dug wells would not take effect for at least two years after the effective date of the initial underground injection control regulations, in the interest of orderly administration of the State programs.

However, it should be noted that EPA could act to prevent such endangerment under section 1431, the emergency powers provision of the Act. EPA is studying the effects of these and other sources of ground-water contamination. In the meantime, the States are encouraged to continue their efforts to regulate a broad range of sources of contamination which do not fall within the meaning of "underground injection" as that term is used in the Act.

Comments are encouraged on ways in which those dug wells which have as a principal function the underground emplacement fluids can be defined and included in an underground injection control program.

Framework of the Regulations

These regulations are established to provide the minimum requirements for regulating the underground injection of fluids by the practice of well injection. The practices which are covered by the proposed regulations include injection through any bored, drilled or driven well, or any dug well, where the depth is greater than the largest surface dimension, whenever a principal function of the well is the subsurface emplacement of fluids.

This covers several hundred industrial and municipal waste disposal wells, wells used to inject materials into underground strata for storage, recharge wells, barrier wells, subsidence control wells, mining wells, geothermal wells, brine disposal wells, injection wells used in connection with oil and gas recovery, and drainage wells used for the purpose of disposal of storm water runoff and irrigation return flow.

The proposed regulations include three categories for different types of underground injection practices. Subpart C includes waste disposal wells, wells used to inject materials into underground strata for storage, recharge wells, barrier wells, subsidence control wells, geothermal wells and mining wells. Permits would be required for all such wells, although wells in existence on the effective date of the State program could be regulated by general rule for a period of up to five years pending review of the well by the State. Subpart D includes underground injection wells associated with oil and gas production. Owing to the unique nature and diversity of these wells, Subpart D allows greater flexibility to the States in regulating these wells. As in the case of Subpart C, a permit would be required for these wells also. Subpart D wells in existence on the effective date of the State program could also be regulated by general rule for a period of up to five years pending review of the wells by the State. Review of existing wells could be conducted on a field-by-field or similar approach by the State to simplify the permitting of existing wells and to avoid duplicative data requirements. Subpart E governs drainage wells. These wells can be regulated by permit or by rule, at the option of the State. Maximum flexibility is given to the States for regulation of these types of underground injection wells.

Comments are invited on the categorization of well injection practices used in the regulations and the adequacy of coverage of the regulations.

Approval of State Programs

Subpart B of the proposed regulations sets forth the procedures for the approval of State programs. Proposed § 146.10 lists the basic requirements for approval. One of those requirements is that a State program must follow the pattern of regulations by rule or permit established in Subparts C, D, and E. In other words, a State program must follow the requirements of Subpart C in its regulation of waste disposal wells and engineering wells. The State program regulating injection wells related to oil and gas production must follow the requirements of Subpart D. With respect to other types of injection wells, the State program may regulate by a permit system or by rules of general applicability or by a combination of the two, so long as it meets the minimum requirements of Subpart E.

Proposed § 146.12 sets out the requirements for an application for a State program. It is not intended that a State include all possible information about its program, but a State must submit the relevant State statutes and regulations and a description of the State's enforcement procedures. This includes designation of geographical areas under §§ 146.11 and 146.42(b).

Under proposed § 146.13, the Administrator will give public notice of a request for approval of a State program, and will invite comment. Action must be taken on the State application within 90

days after its receipt. Opportunity for public hearing is required by section 1422 (b)(4) of the Act.

Once a State program is approved by the Administrator, it will remain in effect until such time as the Administrator determines that the program no longer meets applicable requirements. To facilitate the Administrator's consideration of the continued compliance of a State program with applicable requirements, proposed § 146.15 requires that the State retain pertinent records on outstanding State-issued permits and on violations of State requirements. In addition, under proposed § 146.16 a State would be required to submit to the Administrator, for approval, information on any proposed material changes in the State program. This includes designation of geographical areas under §§ 146.11 and 146.42(b). The State also would be required to submit on April 1 of each year a brief annual report updating the State's inventory of underground injections (a summary, not a facility-by-facility description) and summarizing violations of State statutes and regulations and of enforcement actions taken by the State.

Key Provisions of the Proposed Regulations

A. Endangerment of Drinking Water Sources

The goal of any requirement for the protection of underground water sources is set by the statute as preventing the endangerment of drinking water sources. As provided by section 1421(d)(2) of the Act:

> Underground injection endangers drinking water sources if such injection may result in the presence in underground water which supplies or can reasonably be expected to supply any public water system of any contaminant, and if the presence of such contaminant may result in such system's not complying with any national primary drinking water regulation or may otherwise adversely affect the health of persons.

The House Report accompanying the Act provides some guidance as to which underground water sources can reasonably be expected to supply any public water system. The Report indicates that any underground source with a level of total dissolved solids of 10,000 mg/l or less should be protected (Report 93–1185, at 32). Proposed § 146.2(g) defines underground drinking water sources accordingly. However, EPA believes that there should be some means of excluding individual aquifers or parts of aquifers which are not in fact potential sources of drinking water even though they have total dissolved solids levels of less than 10,000 mg/l. For example, an aquifer may be oil-producing even with a TDS level of less than 10,000 mg/l, and in such a case it may be wise to give the oil-producing qualities of the aquifer precedence over its ability to provide drinking water. Also, some aquifers below the 10,000 mg/l level are so contaminated that as a practical matter they are not potential drinking water sources.

Because it would be a misallocation of resources to seek to protect as potential drinking water sources aquifers which in fact will not be used by public water systems, proposed § 146.11(a) provides that a State program may designate one or more aquifers or portions thereof in the State which have a TDS level below 10,000 mg/l but which will not be protected because they are oil-producing, are severely contaminated or located in such a way that use as drinking water is impracticable. The State must demonstrate by compelling evidence that an aquifer is and will continue to be unsuitable as a source of drinking water. As part of the State program, the designation would be subject to public notice and public hearing prior to submission to EPA. The regulations also provide, in § 146.11(b), that a State may designate geographical areas where no underground drinking water sources exist. In such geographical areas, the requirements of Subparts C, D, and E would not apply. Comment is requested on this approach to selecting aquifers which do not require protection as potential drinking water sources.

Once the aquifers to be protected are identified, the question remains as to the degree of protection to be given. The Act defines "endangerment of drinking water sources" to mean the presence of a contaminant which "may result in [a public water] system's not complying with any national primary drinking water regulation or may otherwise adversely affect the health of persons." In the case of existing system using an underground water source, the logical meaning of this provision is that contamination endangers drinking water if it requires the use of new or additional treatment by the system to meet a national primary drinking water regulation or otherwise to prevent a health risk. In many instances there would be a time lag between the time of contamination and the initiation of the new treatment. Diversion of water system resources to deal with such preventable contamination is an inefficient approach to the problem of providing safe drinking water to all persons.

The question of endangerment of underground drinking water sources is more difficult with respect to potential sources not currently used by public water systems. It could be argued that potential sources of underground water are endangered whenever they are degraded. In the case of a potential source of underground water which would meet primary drinking water regulations without treatment, degradation of that water may make treatment necessary. In the case of a potential source of underground water which will require treatment if it is used in the future, degradation may make further treatment necessary or may make the water unsuitable for use as drinking water.

The problem of what constitutes "endangerment" is further complicated by the fact that it is expected that several contaminants not covered by the national interim primary drinking water regulations will be covered within a few years by the revised regulations. It can also be anticipated that new contaminants will be added to the revised regulations from time to time thereafter. How can underground injection control programs protect underground water sources from "endangerment" by contamination with materials which are not now prohibited in any concentration in drinking water but which may be limited by future maximum contaminant levels?

Finally, there is the statutory mandate to protect underground water sources from any contamination which "may otherwise adversely affect the health of persons." The legislative history of the SDWA suggests that this language means, at the least, that contamination by underground injection which causes ground water to be unpalatable is prohibited (Report 93–1185), at 32). The justification for such a prohibition is that it makes little difference that water can meet applicable primary regulations if for aesthetic or other reasons it is undrinkable. Clearly there can be other types of contamination which "may otherwise adversely affect the health of persons." For example, water with offensive taste, odor, or color may force the use of alternative water sources of poorer quality. Also, even if a specific dangerous pesticide or other toxic chemical is not covered by the primary regulations because it is not usually found in drinking water supplies, the contamination of an underground drinking water source by that chemical could adversely affect the health of persons who obtain the drinking water from that source.

Despite the difficulty of defining endangerment of drinking water as that term is used in the statute, the task must be undertaken in these regulations. For although every effort will be made to permit consideration of local geological conditions, local laws and local procedures, the basic health standards to be applied in underground injection control programs should be uniform across the country. It was the intent of Congress to accommodate local differences within the framework of a national policy for the protection of the health of the Nation's citizens.

Endangerment of drinking water sources is defined in proposed § 146.2(x) as follows:

> Underground injection "endangers underground drinking water sources" if (1) such injection may make it necessary for a public water system using an underground drinking water source to increase treatment of the water, or (2) if such injection might make it necessary for a public water system which uses the source in the future to use more extensive treatment of the water than would otherwise have been necessary, or (3) if such injection may otherwise adversely affect the health of persons such as by adding a substance that would make water from the source unfit for human consumption.

It is expected that the application of the definition of endangerment will be different in the case of existing underground injection than in the case of new underground injection. An applicant for a permit for underground injection will be expected to demonstrate to the satisfaction of the State that the injection will not endanger underground drinking

water sources. However, in the case of an existing injection, the applicant normally will be able to show, based on the history of the operation, that continued operation will not require additional treatment of ground water for drinking water use and will not otherwise adversely affect the health of persons such as by making the water unfit for use as drinking water. New underground injections, or a substantial change in an existing underground injection, will be expected to bear a heavier burden of proof.

Comments on the definition of the endangerment of drinking water sources and how that definition might be applied in the regulations are welcomed.

B. COMPARISON OF SUBPARTS C AND D

1. Standards for Existing and New Injection Wells. Existing wells under both Subparts C (waste disposal wells and engineering wells) and D (oil or natural gas production) could be regulated by rule for a period of up to five years after approval of the State program so long as such wells do not endanger underground drinking water sources. Proposed § 146.10(a) would prohibit new underground injection under both subparts without a permit. Section 1421(b)(1)(A) of the Act authorizes EPA to permit a State to regulate underground injection by rule or permit, and the legislative history of this provision states:

> In order to implement these controls to protect drinking sources with minimum administrative redtape, the Committee decided to allow EPA discretion to utilize a permit system, rulemaking, or a combination of the two to control underground injection. (Report 93-1185, at 30)

Accordingly, EPA believes that it is prudent to allow States to phase-in permit procedures for existing wells under Subparts C and D so long as underground sources of drinking water are protected by appropriate rules. Consistent with this effort to minimize redtape, proposed § 146.41(a)(1) provides that a State Director has discretion to require appropriate information in permit applications for existing underground injections under Subpart D. By comparison, the information set out in proposed § 146.47 is required in all permit applications for new injection sites under Subpart D. Similarly, the information set out in proposed § 146.24 under Subpart C is required in permit application for both new and existing operations. The reason behind this distinction is the large number of existing injection wells related to oil or gas production and the vast amount of data already on file in the States. By granting the Director discretion with respect to information requirements for these wells, EPA anticipates that a State will be able to focus its resources on critical existing injection sites without becoming enveloped in an unduly burdensome permit program for existing wells.

2. Permit System Subparts C and D. As noted above, permits would be required for all underground injections which commence operation in a State after approval of the State program ("New underground injections"). Permits would be required for all underground injection operations in operation prior to approval of the State program within five years of approval. Section 1421(b) of the Act does not specify any type of hearing as a prerequisite to the issuance of a permit, but the regulations provide for an opportunity for informal public hearing prior to the issuance of permits under Subparts C (§ 146.28) and D (§ 146.45). Proposed § 146.4 provides the Director with discretion in determining necessary requirements for the renewal of permits after five years. Public notice of the renewal of a permit would be required by proposed § 146.5. It is anticipated that State administrative procedures will provide for judicial review of permit proceedings.

3. Temporary Permits. Section 1421(c)(1) of the Act allows the Administrator to authorize a State to issue temporary permits for existing underground injection operations, effective until December of 1978, when the State is unable to process all permits within the time available. The authority can be given to a State only under the conditions spelled out in section 1421(c)(1), and only under an application for the authority from the Governor of the State. Under the proposed regulations, section 1421(c)(1) authority would not be necessary because the States would be allowed to regulate wells covered by Subparts C and D by rule rather than by permit for up to five years and to regulate drainage wells by rule indefinitely.

Section 1421(c)(2) of the Act permits the Administrator to authorize a State, again only under an application from the Governor of the State, to issue temporary permits amounting to variances from the prohibition of endangerment of underground drinking water sources. As in the case of the section 1421(c)(1) temporary permits, these permits cannot be effective later than December of 1978. Furthermore, a temporary permit under section 1421(c)(2) cannot be issued by a State until the State can find, based on the record of a hearing, that each of the following requirements are met:

> (A) That technology (or other means) to permit safe injection of the fluid in accordance with the applicable underground injection control program is not generally available (taking costs into consideration);
>
> (B) That injection of the fluid would be less harmful to health than the use of other available means of disposing of waste or producing the desired product; and
>
> (C) That available technology or other means have been employed (and will be employed) to reduce the volume and toxicity of the fluid and to minimize the potential adverse effect of the injection on the public health.

C. SUBPART E

Proposed Subpart E allows a State program to exercise great flexibility in designing a program for the control of drainage wells. A State may regulate these wells by either rule or permit, or a combination thereof. While seeking to prevent drainage wells from endangering underground water sources, EPA recognizes that the number and diverse characteristics of drainage wells make it extremely difficult to establish specific requirements under Subpart E. Accordingly, EPA has allowed State programs maximum flexibility to deal with drainage wells on a case by case basis, if necessary. As such, EPA intends to monitor State programs under Subpart E and carefully analyze the efficacy of this approach.

D. REMEDIAL ACTION UNDER SUBPARTS C, D AND E

Underground injection operations regulated under Subpart C, D, or E that are found to endanger underground drinking water sources are required to discontinue operations until remedial action is taken unless the Director determines that it is unreasonable and impracticable to discontinue operations while taking remedial action. If the Director permits an endangering operation to continue operation while taking remedial action, the Director must prescribe a compliance schedule which shall require remedial action to be taken as soon as practicable but in no case later than one year following the determination of endangerment. It is expected that State Director will require cessation of injection in cases where an imminent health problem may result from such an injection.

SPECIFIC PROVISIONS OF THE REGULATIONS

A. REVIEW OF COMPLETION AND PLUGGING REPORTS

Proposed § 146.22(f) requires that "all well completion and plugging reports" for wells penetrating the proposed injection zone within a two mile radius of the proposed well injection be reviewed to insure that all wells that, in the judgment of the Director, present a potential threat to underground drinking water sources are properly completed or plugged. In § 146.42(a)(6) dealing with oil and gas production this review is also required except that the radius is reduced to one-half mile. These requirements are intended to prevent the contamination of underground drinking water sources by formation fluids or injected fluids migrating up improperly completed or plugged wells into fresh water formations.

EPA feels that the same minimum regulations should apply to both waste disposal wells and engineering wells because they share common construction, engineering, and operational characteristics. Most States have defined policies for waste disposal wells but few policies exist on the engineering wells. Fourteen States entirely ban the use of waste disposal wells. Twelve States have specific regulations applying to waste disposal wells. The requirements relating to radius of review vary, but a two mile or greater radius is most common. Texas, which now regulates over 40 percent of all such wells, requires a two and one-half mile radius of review. Twenty other States have policies requiring a careful

case by case review of waste disposal wells. Therefore, on the basis of the Texas requirement and the fourteen States which ban waste disposal wells, EPA does not feel that a minimum radius of review below two miles would be appropriate. It is important to note that these regulations neither require those States which ban waste disposal wells to permit them in the future nor require a State such as Texas to adopt less stringent requirements. To the contrary, EPA encourages States to adopt more stringent requirements, if necessary, to prevent the endangerment of underground water sources.

State regulations demonstrate flexibility with respect to injection wells related to oil and gas production. Thirty of the thirty-one oil producing States require a plat denoting ownership and location of all wells including oil, gas, drilling and dry holes. Seventeen of the thirty-one States have specified that all wells within a one-half mile radius of the proposed injection wells should be indicated on a map or plat and that the injected fluid will not cause damage to oil, gas, fresh water or other natural resources. Further, it should be noted that the plugging or completion requirement applies only to those wells penetrating the injection zone which pose a potential danger to underground drinking water sources. It is incumbent on the injector to demonstrate that no hazard exists.

B. SURFACE CASING REQUIREMENTS

Proposed §§ 146.22(a) and 146.42(a)(1) require that "all underground drinking water sources of 3,000 mg/l total dissolved solids or less (be) protected by surface casing cemented to the surface."

The House Report accompanying the SDWA recommended that all ground water up to 10,000 mg/l TDS be protected as potential drinking water sources. Discussion with major oil producing States indicated that existing practice requires protecting ground water containing up to 3,000 mg/l TDS with surface casing as potential drinking water sources. In light of these existing provisions, the 3,000 mg/l limit has been established as a minimum standard. Of course, where underground injection would endanger a present or potential source of drinking water containing up to 10,000 mg/l TDS, EPA expects States to protect such a source.

It is recognized, however, that in oil producing States there are specific areas where alternate methods of protection have been utilized effectively in the past to protect ground water and can be used to do so in the future. Therefore, the Director is given discretion under § 146.42(b) to permit the continued use of this practice within specified areas of the State provided a public hearing is held. Compelling evidence must be adduced at such a hearing to demonstrate that the continued use of the practice will not endanger underground sources of drinking water. The alternative chosen will be applicable to all wells wtihin the specific area.

C. TUBING AND PACKER

Proposed §§ 146.22(c) and 146.42(a)(2) require that "injection is maintained through tubing with a suitable packer set immediately above the injection zone." Most State regulations and those knowledgeable in the field of underground injection recommend that tubing and packer or fluid seal be used to isolate the injection zone from potential drinking water sources which may be endangered as a result of the injection of fluids.

It is recognized, however, that there are some areas where alternative methods of protection have been used and can continue to be used effectively to protect ground water. For this reason, the Director is given the discretion to permit the continued use of this practice under § 146.42(b) provided a public hearing is held. Compelling evidence must be adduced at such a hearing to demonstrate that the continued use of the practice will not endanger underground sources of drinking water. The alternative chosen will be applicable to all wells within the specific area. The Director may also approve alternative methods under § 146.22(c) where they are demonstrated to be equally effective.

D. ANNULAR INJECTION

Section 146.2(z) defines "annular injection" as any injection between strings of casing, between tubing and casing, between strings of tubing and between casing and hole. The following sections deal with the differing types of protection necessary to protect drinking water sources from the three common types of annular injection.

Section 146.42(a)(7) prohibits annular injection between the casing and the hole. With this type of annular injection, there is no protection for underground sources of drinking water.

Section 146.42(a)(8) prohibits annular injection between strings of casing and between tubing and casing, except that the Director may approve such injection provided: (1) there is an annulus between the outer string of casing receiving the injection, and the surface casing which can and will be monitored for leaks; (2) that the surface casing is protected by cement to the surface; and (3) that the injector demonstrates to the satisfaction of the Director that the injection will not endanger underground sources of drinking water.

Section 146.42(a)(9) prohibits annular injection between the surface casing and the next innermost casing or between the surface casing and the tubing, or injection through the surface casing only; except that the Director may approve such injection where: (1) the injection was in operation prior to approval of the proposed State program, and; (2) the injector demonstrates to the satisfaction of the Director that, based on previous history and presentation of compelling evidence collected through fluid injection profile surveys or monitoring wells that the injection has not endangered underground sources of drinking water, nor will its continued use endanger underground sources of drinking water. Comments are solicited on the adequacy of these requirements in protecting underground sources of drinking water and on the impact of these requirements on existing wells.

E. MONITORING WELL

Section 146.42(a)(9) permits presentation of evidence gathered from monitoring wells in support of a demonstration of non-endangerment from an annular injection. These monitoring wells may be drilled specifically for this purpose or they may be producing water wells currently in place providing they draw water from the base of fresh water within the calculated zone of influence of the injection well.

F. SUPPLEMENTAL DATA ACQUISITION

Section 146.47(b) contains a list of additional data which is desirable to have in evaluating an application for well injection. It should be noted, however, that it is not necessary to collect this data in every case. This data should be collected only where necessary to make the necessary determinations.

G. PRESENTATION OF COMPELLING EVIDENCE

Sections 146.22(c), 146.42(a)(9), 146.42(c)(1) and 146.42(c)(2) require the presentation of "compelling evidence." "Compelling evidence" means the types and quantity of data necessary to provide a base such that reasonably qualified people would draw the same conclusion. In § 146.42(c)(1) and (c)(2) "written" compelling evidence is required. This may take the form necessary to satisfy the Director. However, in States where a formal public hearing, including the use of court stenographers and cross examination is required, this procedure may be utilized alone or in support of other requirements by the Director.

H. CATEGORIZATION ANOMALIES

There are several special types of wells such as certain recharge wells and mining wells, where current technology mandates utilization of annual injection, and multiple use wells such as those used for water flood and subsidence control which may not readily fit into the current categorization scheme. Comment is solicited on the extent and nature of these wells and on the necessity of developing different minimum requirements than those currently contained in the regulations.

I. SUMMARY OF SOLICITED COMMENTS

Comments are solicited on specific parts of the regulations. These are summarized below:

1. Definition of "underground drinking water source";
2. Definition of "well injection";
3. Definition of "endangers underground drinking water sources";
4. Requiring data to be kept by States in a form admissible as evidence in enforcement proceeding;
5. Adequacy of time for conducting inventory and analyses of surface impoundments;

6. Combination rule-permit programmatic staging system for existing injection wells;

7. Handling of confidential information;

8. Adequacy of requirements in preventing endangerment and impact of these requirements on existing annular injection wells; and

9. Alternative methods of determining non-endangerment from wells penetrating injection horizon.

COMMENTS

Interested persons may participate in this rulemaking process by submitting written comments in triplicate to the Office of Water Supply (WH-550), Environmental Protection Agency, Washington, D.C. 20460 Attention: Comment Clerk, State Underground Injection Control Program Regulations.

Comments on all aspects of the proposed regulations are solicited. In addition to considering public comments, the Agency will hold public hearings to receive comments and statements on the proposed regulations. The hearing room locations, dates and times should be confirmed by interested parties in advance by telephone.

October 6, 1976: EPA, Region VIII, 900 Lincoln Tower Building, 1860 Lincoln Street, Denver, Colorado 80202, Telephone: (303) 837-2731.

October 13, 1976: EPA, Region VI, First International Building, 1201 Elm Street, Dallas, Texas 75270, Telephone: (214) 749-1962.

September 29, 1976: EPA, headquarters, Waterside Mall, 401 M Street SW., Washington, D.C. 20460, Telephone: (202) 426-3934.

All comments received on or before November 15, 1976 will be considered. A copy of all public comments will be available for inspection and copying from the EPA Freedom of Information Center. As provided in 40 CFR Part 2, a reasonable fee may be charged for copying services.

It is our judgment that these proposed regulations will not have a significant impact on inflation as specified in the Agency's Guidelines on Inflation Impact Statement. as specified in the Agency's Guidelines. Hence, these regulations are not considered major regulatory actions so that they do not require preparation of an Inflation Impact Statement as set forth in Executive Order 11821. However, an economic evaluation has been prepared.

It is hereby announced that a draft Environmental Impact Statement has been prepared on these proposed regulations. Copies of the statement may be obtained from the Office of Water Supply (WH-550), Environmental Protection Agency, Washington, D.C. 20460, Attention: UIC-EIS.

The Council of Environmental Quality will publish in the FEDERAL REGISTER on the second Friday following proposal of these regulations the duration of the comment period. All comments received on or before the date specified by CEQ will be considered.

Comments should be submitted in triplicate to the Office of Water Supply (WH-550), Environmental Protection Agency, Washington, D.C. 20460, Attention: Comment Clerk Environmental Impact Statement-UIC.

Dated: August 13, 1976.

RUSSELL E. TRAIN,
Administrator.

Subpart A General

Sec.
146.1 Scope and purpose.
146.2 Definitions.
146.3 Duration of permits.
146.4 Renewal of UIC permits.
146.5 Public notice of renewal of UIC permits.

Subpart B State Underground Injection Control Programs

146.10 Requirements for approval of a State underground injection control program.
146.11 Aquifers protected by a State program.
146.12 Request for approval of a State underground injection control program.
146.13 Action on request for approval of a State program.
146.14 Public hearing.
146.15 Records kept by States.
146.16 Reports by States.

Subpart C Requirements Applicable to Waste Disposal Wells and Engineering Wells

146.20 Underground injection to which subpart applies.
146.21 Review of existing underground injections.
146.22 Requirements for existing and new underground injections.
146.23 General permit procedures.
146.24 Application for UIC permit.
146.25 Formulation of preliminary determination and draft UIC permits.
146.26 Public notice of proposed issuance or denial of UIC permits for existing and new underground injections.
146.27 Notice to other Government agencies.
146.28 Public hearings on existing and new underground injections.
146.29 Public notice of hearings on existing and new underground injections.
146.30 Director action on UIC permit applications.
146.31 Prohibited underground injection.
146.32 Permit conditions and other requirements.
146.33 Monitoring and record-keeping.
146.34 Reporting requirements.

Subpart D Requirements Applicable to Injection Wells Related to Oil and Gas Production

146.40 Underground injection to which subpart applies.
146.41 Review of existing underground injections.
146.42 Requirements for existing and new underground injections.
146.43 Public notice of proposed issuance or denial of UIC permits for existing and new underground injections.
146.44 Notice to other Government agencies.
146.45 Public hearings on existing and new underground injections.
146.46 Public notice of hearings on existing and new underground injections.
146.47 Application for UIC permit for a new underground injection.
146.48 Permit conditions and other requirements.
146.49 Monitoring and record-keeping.
146.50 Reporting requirements.

Subpart E Requirements Applicable to All Drainage Wells

146.70 Underground injections to which subpart applies.
146.71 Regulation by rule or permit.
146.72 Regulation by permit.
146.73 Regulation by rule.
146.74 Remedial action.

Subpart A—General

§ 146.1 Scope and purpose.

(a) Part C of the Safe Drinking Water Act, Pub. L. 93-523, added to the Public Health Service Act ("the Act") provisions for the protection of present and potential underground drinking water sources from contamination by underground injection of contaminants. Public Health Service Act, sections 1421-1424, 42 U.S.C. 300-h through 300-h-3.

(b) Section 1422 of the Act provides that the Administrator shall list in the FEDERAL REGISTER each State for which in his judgment a State underground injection control program may be necessary to assure that underground injection will not endanger drinking water sources. Within 270 days after a State is listed, it must submit to the Administrator a State program adequate to protect underground sources of drinking water. If the State program is not submitted or is not approved by the Administrator, an underground injection control program for the State must be prescribed by the Administrator.

(c) Under sections 1421, 1422 and 1450 of the Act, this part sets forth procedural and substantive requirements which must be met by State programs to obtain the Administrator's approval. Any State program approved by the Administrator will be subject to the requirements of this part. A State with an approved program in effect shall have primary enforcement responsibility for all underground injection activities in the State, except as noted in paragraph (d) of this section.

(d) To qualify for primary enforcement responsibility, a State's program for enforcement of underground injection control regulations must apply to all underground injection practices in the State required to be regulated by this Part, except for:

(1) Underground injection practices on Indian land where the State does not have the necessary jurisdiction or its jurisdiction is in question; or

(2) An underground injection practice operated by or for a Federal agency where the Administrator has waived compliance with all or part of an applicable underground injection control program under section 1447(b) of the Act.

(e) Underground injection to be regulated includes underground injection by municipal and industrial waste disposal wells, storage wells, subsidence control wells, mining wells, geothermal wells, barrier wells, recharge wells; underground injection of brine or other fluids which are brought to the surface in connection with oil or natural gas production

and underground injection for the secondary or tertiary recovery of oil or natural gas; and underground injection by drainage wells.

§ 146.2 Definitions.

As used in this part, and except as otherwise specifically provided:

(a) "Act" means the Public Health Service Act.

(b) "Agency" means the United States Environmental Protection Agency.

(c) "Administrator" means the Administrator of the Agency or his authorized representative.

(d) "Regional Administrator" means a Regional Administrator of the Agency.

(e) "Director" means the chief administrative officer of a State groundwater pollution control agency. In the event responsibility for ground-water pollution control and enforcement is divided among two or more State agencies, the term "Director" means the State administrative officer authorized to take the action to which reference is made.

(f) "FWPCA" means the Federal Water Pollution Control Act, as amended, 33 U.S.C. 1314, et seq.

(g) Except as provided in § 146.11, "Underground drinking water source" means (1) an aquifer which currently supplies a public water system, or (2) an aquifer which contains water having less than 10,000 mg/l total dissolved solids.

(NOTE.—Comment is solicited on the adequacy of this definition.)

(h) "Contaminant" means any physical, chemical, biological, or radiological substance or matter in water.

(i) "Public water system" means a system for the provision to the public of piped water for human consumption, if such system has at least fifteen service connections or regularly serves at least twenty-five individuals daily at least 60 days out of the year. Such term includes (1) any collection, treatment, storage, and distribution facilities under control of the operator of such system and used primarily in connection with such system, and (2) any collection or pretreatment storage facilities not under such control which are used primarily in connection with such system.

(j) "State Underground Injection Control Program" (State UIC Program) means a State program for the regulation of the practice of underground injection to protect underground drinking water sources and meeting the requirements of sections 1421 and 1422(b)(1)(A)(ii) of the Act and regulations promulgated under those provisions of the Act.

(k) "Underground Injection Control permit application" (UIC permit application) means the State application form including subsequent additions, revisions, or modifications duly promulgated by the Director for application for a UIC permit.

(l) "Underground Injection Control reporting forms" (UIC reporting forms) means any State reporting forms, including subsequent additions, revisions, or modifications duly promulgated by the Director for reporting data and information pursuant to monitoring and other conditions of UIC permits.

(m) "Underground Injection Control permit" (UIC permit) means any permit or equivalent document issued by the Director, setting forth the terms under which the applicant may inject fluids.

(n) "Aquifer" means a formation, group of formations, or part of a formation that contains sufficient saturated permeable material to yield or be capable of yielding significant quantities of water to wells or springs.

(o) "Total dissolved solids" means the entire quantity of inorganic and organic materials dissolved in water.

(p) "Underground injection" means subsurface emplacement of a fluid, or fluids by well injection.

(q) "Fluid" means material which flows or moves, whether semi-solid, liquid, sludge, or any other form or state.

(r) "Well injection" means subsurface emplacement through a bored, drilled, or driven well, or through a dug well where the depth is greater than the largest surface dimension, whenever a principal function of the well is the subsurface emplacement of fluids.

(NOTE.—Comment is solicited on the adequacy of this definition.)

(s) "Surface Impoundment" means any dug well which has a depth less than the greatest surface dimension and is used for collection, storage, treatment, or disposal of fluids.

(t) "Existing underground injection" means underground injection in operation in a State before the approval of the proposed State program pursuant to section 1422(b) of the Act.

(u) "New underground injection" means underground injection which starts operation in a State after approval of the proposed State program under section 1422(b) of the Act.

(v) "Person" means an individual, corporation, partnership, association, State, municipality, or Federal agency other than the Agency.

(w) "Municipality" means a city, town, or other public body created by or under State law, or an Indian tribal organization authorized by law.

(x) Underground injection "endangers underground drinking water sources" if (1) such injection may make it necessary for a public water system using an underground drinking water source to increase treatment of the water, or (2) if such injection might make it necessary for a public water system which uses the source in the future to use more extensive treatment of the water than would otherwise have been necessary, or (3) if such injection may otherwise adversely affect the health of persons such as by adding a substance that would make water from the source unfit for human consumption.

(NOTE.—Comment is solicited on the adequacy of this definition.)

(y) "Federal agency" means any department, agency, or instrumentality of the United States.

(z) "Annular injection" means any injection between strings of casing, between tubing and casing, between strings of tubing and between casing and hole.

§ 146.3 Duration of permits.

No UIC permit may be issued for a term greater than five years.

§ 146.4 Renewal of UIC permits.

Upon a request by the permittee, the Director may renew a permit, without requiring a formal reapplication by the permittee, after a determination by the Director that the continued operation of the underground injection will not endanger underground sources of drinking water. If the Director determines that the continued operation of the facility may endanger underground sources of drinking water the Director may require the permittee to submit information to demonstrate that the continued operation of the facility will not endanger underground sources of drinking water. If the Director finds that the permittee has failed to demonstrate the continued operation will not endanger underground sources of drinking water, the Director shall refuse to reissue the permit. The Director's decision shall be set forth in writing, and a copy furnished to the applicant.

§ 146.5 Public notice of renewal of UIC permits.

The director shall give public notice of the intent to renew a UIC permit or group of permits under either §§ 146.26(a), 146.43(a) and 146.72(b).

Subpart B—State Underground Injection Control Programs

§ 146.10 Requirements for approval of a State Underground Injection Control Program.

The Administrator will approve a proposed State Underground Injection Control Program under section 1422 of the Act if the State program:

(a) Prohibits, effective December 16, 1977, or as of the time of the Administrator's approval, any underground injection covered by Subparts C or D which is not authorized by a permit issued by the State; except that if underground injection in operation prior to the approval of the State program under section 1422(b) of the Act, the State program may authorize continued operation by rule for a period of up to five years from the date of designation;

(b) Prohibits, effective December 16, 1977, or as of the time of the Administrator's approval, any underground injection covered by Subpart E which is not authorized by a rule or permit issued by the State;

(c) Complies with Subparts C, D and E, which set forth requirements for the various categories of underground injection;

(d) Applies to underground injection by any person within the boundaries of the State, including any Federal agency, except for:

(1) Underground injection practices on Indian land which the State does not

have the necessary jurisdiction or its jurisdiction is in question; or

(2) An underground injection practice operated by or for a Federal agency where the Administrator has waived compliance with all or part of an applicable underground injection control program under section 1447(b) of the Act.

(e) Includes statutory or regulatory enforcement authority adequate to compel compliance with State requirements which seek to prevent the endangerment of underground drinking water sources by underground injection, such authority to include:

(1) Authority to sue in courts of competent jurisdiction to enjoin any threatened, or continuing violation of the State Underground Injection Control regulations;

(2) Right of entry and inspection of underground injection facilities, including the right to monitor or take samples, whether or not the State has evidence that the facility is in violation of an applicable legal requirement;

(3) Authority to require operators of underground injection facilities to keep appropriate records and make appropriate reports to the State; and

(4) Authority to assess civil or criminal penalties for violation of the State's Underground Injection Control regulations including the authority to assess daily penalties or multiple penalties when a violation continues;

(f) Insures that any information on file with the State and pertinent to UIC applications and permits shall be available to the public for inspection and copying subject to appropriate protection of trade secrets;

(g) Includes inspection and surveillance procedures which with reasonable assurance will determine, independent of information supplied by applicants and permittees, compliance or noncompliance with applicable standards and limitations, UIC permit filing requirements, and issued UIC permits or terms or conditions thereof. Such surveillance and inspection support procedures shall include the following:

(1) A supporting survey program with sufficient capability to make systematic surveys of operations subject to the Director's authority in order to identify and locate all operations subject to UIC permit filing requirements;

(2) A supporting inspection program for the periodic inspection of underground injection operations, systems, or facilities. Such inspection shall determine compliance or noncompliance with the terms, conditions, limitations and schedules of compliance in UIC permits; and

(h) Has been adopted after reasonable notice and public hearings.

§ 146.11 Aquifers protected by a State program.

(a) Notwithstanding § 146.2(g) which defines "underground drinking water sources" to encompass aquifers which do not currently supply a public water system but which contain water having less than 10,000 mg/l total dissolved solids—a State program which does not undertake to protect one or more such aquifers or portions thereof may meet the requirements for primary enforcement responsibility if the State can demonstrate to EPA that the aquifer or portion thereof is not an underground drinking water source because the aquifer is either oil-producing; is too contaminated for use as an underground drinking water source; or is in a location which makes future use of the aquifer as an underground drinking water source impracticable, and that the injection into such aquifer would not endanger underground drinking water sources in another part of the aquifer or in another aquifer.

(b) The State program may designate specific geographic areas which do not contain underground sources of drinking water as defined in § 146.2(g), in which underground injection is not subject to these regulations. The State must clearly demonstrate to EPA that within that specified area no underground drinking water sources exist, and further that underground injection in such a geographic area would not endanger underground drinking water sources outside that area.

(c) A complete record of all evidence as well as all analyses of such evidence related to designations under (a) and (b) above shall be submitted to the Administrator upon submission of the State program under section 1422(b) of the Act. All injection wells located in the designated area shall be identified as a part of the submission to the Administrator. Such designations are subject to the requirements of §§ 146.10(h) and 146.14(a). If an area is to be designated after approval of the State program the procedure contained in this paragraph must be followed.

§ 146.12 Request for approval of a State Underground Injection Control Program.

A State may apply to the Administrator for approval of its Underground Injection Control Program under § 146.10. The application shall be as concise as possible, shall describe and document the State's compliance with the requirements set forth in § 146.10, and shall include the following information:

(a) The text of the State's statutory authority and regulations pertaining to the State underground injection control program; and

(b) A brief description, accompanied by appropriate documentation, of the State's procedures for the enforcement of its underground injection control program, including State inspection, monitoring, recordkeeping and reporting requirements.

§ 146.13 Action on request for approval of a state program.

(a)(1) Upon receipt of a request for approval of a State program submitted under § 146.12, the Administrator shall publish notice of the request in the FEDERAL REGISTER and in a newspaper or newspapers of general circulation in the State involved, with a brief summary of the State program, and shall invite comments on the request.

(2) Within 90 days after receipt of the State's completed application, the Administrator shall either approve, disapprove, or approve in part and disapprove in part, the State program. The Administrator's action shall take effect in accordance with § 146.14.

(b)(1) If the Administrator approves the State program, the State shall have primary enforcement responsibility for underground injection control in the State until such time as the approval is terminated under this paragraph (b).

(2) The Administrator shall periodically review, with respect to each State determined to have primary enforcement responsibility, the compliance of the State with the requirements set forth in § 146.10.

(3) When the Administrator's periodic review, or other information available to him, indicates that a State no longer meets the requirements set forth in § 146.10, he shall notify the State in writing of that fact and shall summarize in his notice the information available to him which indicates that the State no longer meets such requirements.

(4) The State notified under subparagraph (3) of this paragraph may, within 30 days of receiving the Administrator's notice, submit to the Administrator evidence demonstrating that the State continues to meet the requirements for primary enforcement responsibility.

(5) After reviewing the submission of the State, if any, made under subparagraph (4) the Administrator shall either determine that the State no longer meets the requirements of § 146.10 or that the State continues to meet those requirements, and shall notify the State of his determination. Any determination that the State no longer meets the requirements of § 146.10 shall not become effective except as provided in § 146.14.

§ 146.14 Public hearing.

(a) Before any determination as to the transfer of authority to a State under § 146.13(a) becomes effective, or any determination pursuant to § 146.13(b) that a State program no longer meets the requirements of § 142.10 becomes effective, the Administrator shall provide an opportunity for public hearing on his determination under section 1422(b)(3) of the Act.

(b) The Administrator shall publish notice of any determination specified in paragraph (a) of this section in the FEDERAL REGISTER and in a newspaper or newspapers of general circulation in the State involved, within 15 days after making such determination, with a statement of his reasons for the determination. The notice shall inform interested persons that they may request a public hearing on the Administrator's determination. Such notice shall also indicate one or more locations in the State where information submitted by the State under § 146.11 is available for inspection by the general public. A public hearing may be requested by any interested person other than a Federal agency.

(c) Requests for hearing under paragraph (b) of this section shall be submitted to the Administrator within 30

days after publication of notice of opportunity for hearing in the FEDERAL REGISTER. Such requests shall include the following information:

(1) The name, address and telephone number of the individual, organization or other entity requesting a hearing;

(2) A brief statement of the requesting person's interest in the Administrator's determination and of information that the person making the request intends to submit at such hearing; and

(3) The signature of the individual making the request; or, if the request is made on behalf of an organization or other entity, the signature of a responsible official of the organization or other entity.

(d) If an appropriate request for hearing is submitted in accordance with paragraph (c) of this section, the Administrator shall give notice in the FEDERAL REGISTER and in a newspaper or newspapers of general circulation in the State involved, of any hearing to be held according to a request submitted by an interested person or on his own motion. Notice of the hearing shall also be sent to the person requesting a hearing, if any, and to the State involved. Notice of the hearing shall include a statement of the purpose of the hearing, information regarding the time and location for the hearing and the address and telephone number of an office at which interested persons may obtain further information concerning the hearing. At least one hearing location specified in the public notice shall be within the involved State. Notice of hearing shall be given not less than 30 days prior to the time scheduled for the hearing.

(e) Hearings convened under paragraph (d) of this section shall be conducted before a hearing officer to be designated by the Administrator. The hearing shall be conducted by the hearing officer in an informal, orderly and expeditious manner. The hearing officer shall call witnesses, receive oral and written testimony and take such other action as may be necessary to assure the efficient conduct of the hearing. Following the conclusion of the hearing, the hearing officer shall forward the record of the hearing to the Administrator.

(f) After reviewing the record of the hearing and other relevant information, the Administrator shall issue an order affirming the determination referred to in paragraph (a) of this section or rescinding such determination. If the determination is affirmed, it shall become effective as of the date of the Administrator's order.

(g) If no timely requests for hearing is received and the Administrator does not determine to hold a hearing on his own motion, the Administrator's determination shall become effective 45 days after notice is issued under paragraph (b) of this section.

(h) If a determination of the Administrator that a State no longer meets the requirements of § 146.10 becomes effective, the State may later apply for a determination that it meets such requirements by submitting to the Administrator information demonstrating that it has remedied the deficiencies found by the Administrator without adversely affecting other aspects of its program required by § 146.10.

(i) Within 270 days after any amendment of a regulation, under section 1421, revising or adding any requirement, each State shall submit a notice to the Administrator containing a showing satisfactory to him that the State program meets the revised added requirement.

§ 146.15 Records kept by States.

(a) Each State which has primary enforcement responsibility under section 1421(b)(1)(c) of the Act shall maintain the following information with respect to each underground injection for which a permit is in effect or for which the Director has received evidence of a violation of applicable requirements:

(1) Reports of any monitoring required by the permit or other surveillance conducted by the Director;

(2) Copies of permits in effect and the applications for those permits; and

(3) Records of any enforcement actions or evidence of violation of applicable requirements.

(b) Records required to be kept under paragraph (a) must be in a form admissible as evidence in State enforcement proceedings.

(NOTE.—Comment is solicited on the feasibility of requiring data to be kept in this form.)

(c) Each State which has enforcement authority for the injection regulated under Subpart D of these regulations shall maintain complete records of all approvals granted under § 146.42(a) (8) and (9) and § 146.42(c).

§ 146.16 Reports by States.

Each State which has primary enforcement responsibility shall submit to the Administrator the following information:

(a) A complete inventory of all underground injections subject to regulation under Subpart C, D, and E of this Part within one year after approval of the program; and

(b) An inventory of existing surface impoundments, and an assessment of the extent to which they function to emplace fluids underground and an evaluation of the hazard they pose to underground drinking water supplies, within eighteen months after approval of the program, and

(NOTE.—Comment is solicited on the adequacy of the time for conducting this inventory and subsequent analysis in defining the problem of underground injection through dug wells including surface impoundments not currently covered by this Regulation.)

(c) An annual report to be submitted by April 1 of every year, consisting of:

(1) A summary of the number of violations of State underground injection control statutes and regulations and of enforcement actions taken by the State;

(2) An updated list of new and abandoned underground injection operations in the State;

(3) A listing of specific permits issued for underground injections in areas designated under §§ 146.11 and 146.42(b).

(4) A listing of specific permits containing approvals granted under §§ 146.42(a)(8), 146.42(a)(9) and 146.42(c).

(5) Information on any proposed material change in the State program, before adoption of the change.

Subpart C—Requirements Applicable to Waste Disposal Wells and Engineering Wells

§ 146.20 Underground injections to which subpart applies.

This subpart sets forth requirements for State programs of underground injection by industrial and municipal waste disposal wells, subsidence control wells, barrier wells, recharge wells, mining wells, storage wells and geothermal wells.

§ 146.21 Review of existing underground injections.

(a) Underground injections which were in operation under approval by the Director under an existing State program before the approval of the proposed State program under section 1422(b) of the Act may, for a period of up to five years after approval, be regulated by rule provided such underground injections will not endanger underground drinking water sources.

(1) The Director shall require applications to be filed under § 146.24 for each existing underground injection which is to continue in operation.

(2) The Director shall systematically review such underground injections to determine that they do not endanger underground drinking water sources. The method of review to be used must be indicated in the program submission to EPA along with a time schedule to assure that all existing underground injections will be reviewed within five years.

(3) Underground injection operations that are found to endanger underground drinking water sources shall discontinue operation pending remedial action unless the Director determines that it is unreasonable or impracticable to discontinue operating pending remedial action. If the Director permits an endangering operation to continue pending remedial action the Director shall prescribe a compliance schedule which shall require remedial action to be taken as soon as practicable but not later than one year following the determination of endangerment.

(b) Pending review by the Director, underground injections must comply at a minimum with State rules in effect on date of proposal of the program by the State.

(NOTE.—Comment is solicited on the practicality and impact of this regulatory approach.)

§ 146.22 Requirements for existing and new underground injections.

The Director shall review data on existing underground injections and on proposed new underground injections to assure that:

(a) All underground drinking water sources of 3,000 mg/l total dissolved

solids or less are protected by casing cemented to the surface;

(b) The long string is cemented with sufficient cement to assure no migration of injected fluid above or below the injection zone;

(c) Injection is maintained through tubing with a suitable packer set immediately above the injection zone; except that the Director may approve an alternative method of protection where compelling evidence has been presented demonstrating that the alternative method will prevent endangerment of underground drinking water sources. The Director must also offer the opportunity for informal public hearing.

(d) There are no leaks in the system;

(e) Surface injection pressure is limited to preclude the possibility of fracturing the confining strata;

(f) All well completion and plugging reports for wells of record penetrating the proposed injection zone within a two mile radius of the proposed well injection should be thoroughly reviewed to insure that all wells are properly completed and/or plugged that in the judgment of the Director present a potential threat to underground drinking water sources; and

(g) Annular injection is not practiced.

§ 146.23 General permit procedures.

State proceduers for permits subject to this subpart shall insure that every applicant for a permit complies with filing requirements to include the following:

(a) The applicant must submit a complete UIC permit application on forms prescribed by the Director, including data required by § 146.24 except that if the Director determines that the data required is on file with the regulatory agency regulating the injection under consideration, the Director may consider the application complete without resubmission of that specific data.

(b) In the case of new underground injections, a complete UIC permit application must be filed far enough in advance of the date on which it is desired to start the injection to allow adequate consideration of the application, and in sufficient time before starting the injection to insure compliance with any applicable requirement under section 208(b)(2)(K) of the FWPCA, and any other applicable regulations; and

(c) Procedures must be established which (1) enable the Director to require submission of additional information after an application has been filed, and (2) insure that, if any UIC permit application is incomplete or otherwise deficient, processing of the application shall not be completed until such time as the applicant has supplied the missing information or otherwise corrected the deficiency.

§ 146.24 Application for UIC permit.

Each application for a UIC permit covered by this subpart shall include the following information:

(a) Ownership and Location Data. The application shall identify the owner and operator of the proposed underground injection facility, and the location of the facility.

(b) An accurate map showing (i) location and surface elevation of the injection well, (ii) location of all facilities, (iii) property boundaries, and (iv) surfact mineral ownership.

(c) An accurate map showing the location of: water wells; surface bodies of water; oil, gas, exploratory or test wells (with depths of penetration); other injection wells; mines (surface and subsurface) and quarries; and other pertinent surface features including residences, roads, bedrock outcrops, and faults and fractures within a two mile radius of the injection operation.

(d) A tabulation of all wells requested under (c) penetrating the proposed injection zone, showing operator; lease or owner; well number; surface casing size, weight, depth and cementing data for surface, intermediate and long string casings; and plugging data.

(e) Maps and cross sections indicating the vertical and lateral limits of aquifers containing 3,000 mg/l and 10,000 mg/l TDS water quality levels, above and below the injection zone and direction of movement of the water in every underground drinking water source which may be affected by the proposed injection.

(f) Maps and cross sections detailing geologic structure for the local area and generalized maps and cross sections illustrating the regional geologic setting.

(g) Description of chemical, physical, and biological properties and characteristics of the fluid to be injected.

(NOTE.—Comment is solicited on the impact of this requirement. Since some information involves trade secrets, how can confidentiality be protected without unduly restraining public involvement?(1)

(h) Volume, injection rate and injection pressure of the fluid to be injected.

(i) The following geological and physical characteristics of the injection interval and the overlying and underlying confining beds:

(1) Thickness;

(2) Areal extent;

(3) Lithology;

(4) Location, extent and effects of known or suspected faulting, fracturing and natural solution channels;

(5) Formation fluid chemistry, including total dissolved solids; and

(6) Fracturing gradients.

(j) The following engineering data:

(1) Diameter of hole and total depth of the well;

(2) Type, size, weight, and strength of all casing strings;

(3) Proposed cementing procedures and type of cement;

(4) Proposed formation testing program;

(5) Proposed stimulation program;

(6) Proposed injection procedure;

(7) Plans of the surface and subsurface construction details of the system including engineering drawings;

(8) Plans for monitoring both well head and annular fluid pressure, fluids being injected in injection zone and other aquifers;

(9) Expected changes in pressure, native fluid displacement and direction of movement of injected fluid; and

(10) Contingency plans to cope with all shut-ins or well failures to prevent endangerment of underground drinking water sources.

(k) A written evaluation of alternative disposal practices in terms of maximum environmental protection.

§ 146.25 Formulation of preliminary determination and draft UIC permits.

(a) The Director shall prepare a preliminary staff determination with respect to a UIC permit application in advance of public notice of the proposed issuance of a UIC permit. The preliminary determination shall include at least the following:

(1) A proposed determination to issue or deny a UIC permit for the injection described in the UIC permit application;

(2) Name and address of the applicant; name of the facility or operation producing the contaminants to be injected; site or proposed site of the injection; and a list of the alternatives to underground injection which have been considered;

(3) Proposed injection limitations for each major parameter; and

(4) A brief description of any proposed special conditions which will have significant impact upon the injection described in the application.

(b) The Director shall organize the tentative determination, prepared under (a) of this section into a draft UIC permit.

§ 146.26 Public notice of proposed issuance or denial of UIC permits for existing and new underground injections.

(a) The Director shall give public notice of any preliminary determination to issue or deny a UIC permit. The public notice shall be circulated in a manner designed to inform interested persons of the proposed injection and of the preliminary determination to issue or deny a UIC permit for the proposed injection. At a minimum:

(1) The public notice shall be published in a local newspaper of general circulation;

(2) Notice shall be mailed to any person or group of persons upon request;

(3) The Director shall provide a period of not less than 30 days following the date of the public notice, during which time interested persons may submit written comments regarding the preliminary determination with respect to the UIC permit application. All written comments submitted during the comment period shall be retained by the Director and considered in the formulation of his final determination with respect to the UIC permit application.

(b) The contents of public notice of proposed issuance or denial of UIC permits shall include at least the following:

(1) Name and address of the applicant and a brief description of the location of the injection;

(2) Nature of the applicant's activities or operations which result in the fluid

to be injected (e.g., municipal waste treatment plant, steel manufacturing, drainage from mining activities);

(3) A physical, chemical, and biological description the fluid to be injected and the rate and pressure of injection;

(NOTE.—Comment is solicited on the impact of this requirement since some information involves trade secrets. How can confidentiality be protected without unduly restraining public involvement?)

(4) Depth and geologic name of the injection zone or formation;

(5) A statement of the Director's preliminary determination to issue or deny the permit and a brief description of the procedures for the formulation of final determinations, including the comment period and any other means by which interested persons may influence or comment upon those determinations; and

(6) Name of the State agency issuing the public notice with address and phone number at which interested persons may obtain further information, and inspect and copy UIC application forms and related documents.

§ 146.27 Notice to other government agencies.

The Director shall also notify other appropriate government agencies of the proposed issuance of a UIC permit and shall provide such agencies an opportunity to submit their written views and recommendations or request a public hearing. Procedures for such notification shall include the following:

(a) At the time of issuance of public notice under § 146.25, a copy of the notice will be transmitted to the Director in any other State whose waters may be affected by the issuance of a UIC permit and, upon request, such State will be provided with a copy of the UIC permit application and a copy of the proposed permit. Each potentially affected State may submit written recommendations to the Director (with copies to the Regional Administrator(s) for the affected Region(s)(1). The Director shall provide the affected State or States (and the Regional Administator(s)) a written explanation of his reasons for failing to accept any such written recommendations;

(b) A procedure, similar to paragraph (a) of this section, for notifying any interstate agency or commission having ground-water quality control authority over waters which may be affected by the issuance of a permit; and

(c) A procedure for mailing a copy of the public notice of an application for a UIC permit to any other Federal, State, or local agency, or any foreign country, upon request, and providing an opportunity to respond, comment, or request a public hearing pursuant to § 146.29. Such agencies shall include at least the following:

(1) The agency responsible for the preparation of an approved plan under section 208(b)(2)(K) of the FWPCA; and

(2) The State or interstate agency responsible for the preparation of a plan pursuant to an approved continuous planning process under section 303(e) of the FWPCA, unless such agency is under the supervision of the Director.

§ 146.28 Public hearings on existing and new underground injections.

(a) The Director shall provide an opportunity for the applicant, any affected State, any affected interstate agency, any affected country, the Regional Administrator, or any interested agency, person, or group of persons to request an informal public hearing with respect to a UIC permit application.

(b) The Director shall hold an informal public hearing on a permit application if he finds there is a significant public interest (including the filing of requests or petitions for such a hearing) in holding such a hearing. Any hearing held under this subsection shall be held in the geographical area of the injection or proposed injection, and may, as appropriate, consider related groups of permit applications.

§ 146.29 Public notice of hearings on existing and new underground injections.

(a) Public notice of any hearing held under § 146.28 shall be circulated at least as widely as was the notice of the UIC permit application and shall be given at least 30 days prior to the hearing date.

(b) The contents of the public notice of any hearing held under § 146.28 shall include at least the following:

(1) A brief description of the nature and purpose of the hearing, including rules and procedures to be followed;

(2) Name and address of the applicant whose application will be considered at the hearing;

(3) Name of formation into which injection is proposed, the injection depth, and a description of the location of the injection;

(4) A description of the fluid to be injected and the rate and pressure of injection;

(5) Nature of the applicant's activities or operations which result in the fluid to be injected (e.g., municipal waste treatment plant, steel manufacturing, drainage from mining activities);

(6) The date, time and location of the hearing;

(7) A concise statement of the issues raised by the person requesting the hearing; and

(8) Name of the agency holding the public hearing with address and phone number at which interested persons may obtain further information.

§ 146.30 Director action on UIC permit applications.

After considering the application for a permit for a new or existing underground injection and all pertinent matters relative thereto, if the Director finds that the applicant has demonstrated that the proposed well injection will not endanger underground drinking water sources, the Director may issue a permit. If the Director finds that the applicant has not demonstrated that the proposed well injection will not endanger underground drinking water sources, the Director shall issue a permit under § 146.21(a)(3). The Director's decision shall be in writing, and a copy furnished to the applicant.

§ 146.31 Prohibited underground injection.

The Director shall insure that no permit shall be issued authoriizng underground injection unless the applicant can demonstrate to the satisfaction of the Director that such injection will not endanger underground drinking water sources.

§ 146.32 Permit conditions and other requirements.

State procedures must insure that the terms and conditions of each issued UIC permit comply with the following:

(a) Adherence to any applicable more stringent limitations including those (i) necessary to meet both treatment standards and schedules of compliance, established under State law or regulation, or (ii) necessary to meet other Federal law or regulation;

(b) Allowance of no underground injection of contaminants until after:

(1) The use of appropriate techniques for construction, operation and maintenance of the injection system; and

(2) Provisions for inspection, monitoring, record-keeping and reporting of the underground injection operation;

(c) Allowance of no contaminant to enter an existing or potential underground drinking water source if the presence of such contaminant may endanger such drinking water source;

(d) Adequate contingency plans to cope with malfunctions or failure of the underground injection system;

(e) Adequate procedures for detecting failure of the system in a timely fashion;

(f) Provisions for such measures as the Director finds necessary to assure the availability of adequate financial resources for dealing with underground injection systems which either are improperly abandoned or may otherwise cause contamination of underground drinking water sources;

(g) That all injections authorized by the UIC permit shall be consistent with the terms and conditions of the permit and that the injection of any contaminant at a greater rate or pressure than that authorized by the permit, or a volume in excess of that authorized by the permit shall constitute a violation of the terms and conditions of the permit;

(h) That the permit may be modified, suspended, or revoked in whole or in part during its term for cause including but not limited to, the following:

(1) The underground injection endangers underground drinking water sources;

(2) Violation of any material terms or conditions of the permit;

(3) Obtaining a permit by misrepresentation or failure to disclose fully all relevant facts; or

(4) A change in any condition that may indicate failure of the underground injection system;

(i) That the permittee shall allow the Director or his authorized representative, upon the presentation of appropriate credentials:

(1) To enter the permittee's premises in which a contaminant source or injection system is located and in which any records are required to be kept under terms and conditions of the permit;

(2) To have access to and copy records required to be kept under terms and conditions of the permit;

(3) To inspect the permittee's facilities, including any monitoring equipment or analytical devices; and

(4) To sample any fluids being injected, and if sampling of the injection zone and other aquifers is required by the permittee under the monitoring plan of the permit, to also have the right to sample those zones;

(j) That the permittee at all times shall maintain in good working order and operate efficiently facilities or systems of control installed by the permittee to achieve compliance with terms and conditions of the permit;

(k) That immediately following the permanent cessation of underground injection or where a well is not completed, the permittee shall notify the Director and follow the procedures prescribed by the Director for plugging and abandonment; and

(l) That the permittee shall submit reports of all remedial work actions to the Director.

§ 146.33 Monitoring and record-keeping.

Each permittee shall keep on forms prescribed by the Director complete and accurate records of:

(a) All monitoring required in the permit which will include, but not be limited to:

(1) Weekly readings of the surface injection pressure;

(2) Weekly readings of the tubing—long string annulus pressure;

(3) Weekly total volume of injected fluid; and

(4) Weekly average injection volume (bbls/day) (liters/day);

(b) All periodic well tests, including but not limited to:

(1) Water analyses;

(2) Measured or calculated bottom hole pressure readings of the injection zone; and

(3) Well conditions;

(c) All shut-in periods, times contingency measures used for handling the fluid to be injected;

(d) The permittee shall retain, for a period of five years, records of all information resulting from any monitoring activities required by the UIC permit or by regulation. This requirement shall continue in effect during the five year period following abandonment of the well. The period of retention shall be extended when requested by the Director; and

(e) Records of monitoring activities and results shall include for all samples; (1) the date, place and time of sampling; (2) the dates analyses were performed; (3) who performed the analyses; (4) the analytical techniques/methods; and (5) the result of such analyses.

§ 146.34 Reporting requirements.

(a) Each permittee shall submit at least the following reports or notification to the Director on forms precribed by the Director:

(1) Notification of the initial injection operation within ten days of the start-up date; and

(2) Quarterly reports which contain the data records required by the Director.

(b) Within ten days after the temporary discontinuance of disposal operations, the permittee shall notify the Director of the date and length of such discontinuance and the reason therefor. The Director will prescribe appropriate procedures to insure that underground drinking water sources are protected.

Subpart D—Requirements Applicable to Injection Wells Related to Oil and Gas Production

§ 146.40 Underground injections to which subpart applies.

This subpart sets forth requirements for State programs with respect to the underground injection of brine or other fluids which are brought to the surface in connection with oil or natural gas production; and underground injection for the secondary or tertiary recovery of oil or natural gas.

§ 146.41 Review of existing underground injections.

(a) Underground injections which were in operation under approval by the Director under an existing State program before the approval of the proposed State program under section 1422(b) of the Act may, for a period of up to five years, after approval, be regulated by rule provided such underground injections will not endanger underground drinking water sources.

(1) The Director shall obtain data necessary to make the determinations required under § 146.42.

(2) The Director shall systematically review such underground injections to determine that they do not endanger underground drinking water sources. The approach for review may be by county, field, age of well or other systematic approach decided upon by the Director.

The method of review to be used must be indicated in the program submission to EPA along with a time schedule to assure that all existing underground injections will be reviewed within five years.

(3) Underground injections reviewed by the Director that do not endanger underground drinking water sources may continue operation under a permit issued in compliance with §§ 146.42 and 146.47.

(4) Underground injection operations that are found to endanger underground drinking water sources shall discontinue operation pending remedial action unless the Director determines that it is unreasonable or impracticable to discontinue operating pending remedial action. If the Director permits an endangering operation to continue pending remedial action the Director shall prescribe a compliance schedule which shall require remedial action to be taken as soon as practicable but in no case later than one year following the determination of endangerment.

(b) Pending review by the Director, underground injections must comply with State rules in effect on the date of proposal of the program.

(NOTE.—Comment is solicited on the practicality and impact of this regulator approach.)

§ 146.42 Requirements for existing and new underground injections.

(a) The Director shall review data on existing underground injection and on proposed new underground injections to assure that:

(1) All underground drinking water sources of 3,000 mg/l total dissolved solids or less are protected by surface casing cemented to the surface;

(2) Injection is maintained through tubing with a suitable packer set immediately above the injection zone;

(3) The long string is cemented with sufficient cement to assure no migration of injected fluid above or below the injection zone;

(4) There are no leaks in the system;

(5) Surface injection pressure is limited to preclude the possibility of fracturing the confining strata;

(6) All well completion and plugging reports for wells of record penetrating the proposed injection zone within a one-half mile radius of the proposed well injection have been thoroughly reviewed to insure that all wells are properly completed and/or plugged that in the judgment of the Director present a potential threat to underground drinking water sources; and

(7) Annular injection between the casing and hole is not practiced.

(8) Annular injection between strings of casing and between tubing and casing is not practiced; except that in specific cases the Director may approve such annular injection providing: (i) there is an annulus between the outer string of casing receiving the injection and the surface casing which can and will be monitored for leaks; (ii) that the surface casing is protected by cement to the surface; and (iii) that the injector demonstrates to the satisfaction of the Director that the injection will not endanger underground drinking water sources.

(9) Annular injection between the surface casing and the next innermost casing or between the surface casing and the tubing, or injection through the surface casing only, is not practiced; except that in specific cases the Director may approve such injection where: (i) the injection was in operation prior to approval of the proposed State program, and (ii) the injector demonstrates to the satisfaction of the Director that, based on previous history and presentation of compelling evidence collected through fluid injection profile surveys and/or monitoring wells that the injection has not endangered underground sources of drinking water, nor will continued use endanger underground sources of drinking water.

(b) The Director may designate specific areas in the State where an alternative method of protection to those required

in paragraphs (a) (1) and (2) of this section has been used and has been demonstrated to be equally effective in the prevention of endangerment to underground drinking water sources provided:

(1) A complete record of all evidence, as well as all analyses of such evidence relative to a designation under this paragraph is submitted to the Administrator upon submission of the State program under section 1422(b) of the Act.

(2) All injection wells located in the designated area and the alternative to be used are identified as a part of the submission to the Administrator. Such designations are subject to the approval of the Administrator and the public hearing requirements of § 146.10(g) and 146.14 (a). If an area is to be designated after approval of the State program the procedure contained in this paragraph must be followed.

(c) The Director may approve an alternative method of protection for a specific well or injection in lieu of those required in paragraphs (a) (1), (2), and (3) provided:

(1) The injector can demonstrate to the Director with written compelling evidence that that specific requirement would interfere with or impede oil and gas production from the production well(s) serviced by that specific injection well;

(2) The injector can demonstrate to the Director with written compelling evidence that that specific requirement is not essential to prevent endangerment to underground drinking water sources resulting from that specific injection;

(3) The injector provides a written assessment of the alternative method of protection to be used; and

(4) The Director provides the opportunity for informal public hearing on that specific well or injection.

(NOTE.—Comment is solicited on the adequacy of these requirements in preventing endangerment to underground drinking water sources, and of the impact on existing wells.)

§ 146.43 Public notice of proposed issuance or denial of UIC permits for existing and new underground injections.

(a) The Director shall give public notice of the intent to issue or deny UIC permits for those existing and new underground injections reviewed under §§ 146.41 and 146.47. The public notice may contain more than one underground injection facility. The approach may be similar to that in § 146.41(a)(3). The public notice shall be circulated in a manner designed to inform interested persons of the proposed injection and of the determination to issue or deny a UIC permit for the proposed injection. Procedures for the circulation of public notices shall include at least the following:

(1) Notice shall be circulated within the geographical area of the proposed injection by publication in a local newspaper of general circulation;

(2) Notice shall be mailed to any person or group upon request;

(3) The Director shall provide a period of not less than 30 days following the date of the public notice, during which time interested persons may submit written comments regarding the determination to issue or deny the UIC permit for an existing underground injection. All written comments submitted during the 30 days comment period shall be retained by the Director and considered in the formation of his final determination with respect to the UIC permit application.

(4) The Director shall provide a period of not less than 14 days following the date of the public notice, during which time interested persons may submit written comments regarding the determination to issue or deny the UIC permit for new underground injections. All written comments submitted during the 14 days comment period shall be retained by the Director and considered in the formation of his final determination with respect to the UIC permit application.

(b) The contents of public notice of issuance or denial of UIC permits shall include at least the following:

(1) Ownership and location data.

(i) Operator of injection well or project; and

(ii) Location by geographic area, or section, township, and range.

(2) Engineering Data.

(i) Purpose of Injection (Disposal, Recovery);

(ii) Estimated volume and type of fluid to be injected (by lease, pool, field or other suitable means); and

(iii) Number of injection wells.

(3) Depth and geologic name of the injection zone or formation;

(4) A statement of the Director's determination to issue or deny the permit and a brief description of the procedures for the formulation of final determinations, including the comment period and any other means by which interested persons may influence or comment upon those determinations; and

(5) Name of the State agency issuing the public notice with address and phone number at which interested persons may obtain further information, and inspect and copy UIC application forms and related documents.

§ 146.44 Notice to other government agencies.

The Director shall also notify other appropriate government agencies of the proposed issuance of a UIC permit and shall provide such agencies an opportunity to submit their written views and recommendations or request a public hearing. Procedures for such notification shall include the following:

(a) At the time of issuance of public notice under § 146.43, a copy of the notice will be transmitted to the Director in any other State or Territory whose waters may be affected by the issuance of a UIC permit and, upon request, such State will be provided with a copy of the UIC permit application and a copy of the proposed permit. Each potentially affected State or Territory may submit written recommendations to the Director (with copies to the Regional Administrator(s) for the potentially affected Region(s)). The Director shall provide the affected State or States (and the Regional Administrator(s)) a written explanation of his reasons for failing to accept any such written recommendations;

(b) A procedure, similar to paragraph (a) of this section, for notifying any interstate agency or commission having ground-water quality control authority over waters which may be affected by issuance of a permit; and

(c) A procedure for mailing a copy of the public notice of an application for a UIC permit to any other Federal, State, or local agency, or any foreign country, upon request, and providing an opportunity to respond, comment, or request a public hearing under § 146.46. Such agencies shall include at least the following:

(1) The agency responsible for the preparation of an approved plan under section 208(b)(2)(K) of the FWPCA, and

(2) The State or interstate agency responsible for the preparation of a plan pursuant to an approved continuous planning process under section 303(e) of the FWPCA, unless such agency is under the supervision of the Director.

§ 146.45 Public hearings on existing and new underground injections.

(a) The Director shall provide an opportunity for the applicant, any affected State, any affected interstate agency, any affected country, the Regional Administrator, or any interested agency, person, or group of persons to request an informal public hearing with respect to a UIC permit application.

(b) The Director shall hold an informal public hearing on a permit application if he finds there is a significant public interest (including the filing of requests or petitions for such hearing) in holding such a hearing. Any hearing held under this subsection shall be held in the geographical area of the injection or proposed injection, and may, as appropriate, consider related groups of permit applications.

§ 146.46 Public notice of hearings on existing and new underground injections.

(a) At least 14 days prior to a public hearing held under § 146.45, the Director shall give notice of such hearing by publication in a newspaper of general circulation within the geographical area of the proposed injection and shall set forth the following:

(1) Ownership and location data.

(i) Operator of injection well or project; and

(ii) The location of the injection well or project by section, township and range, or by a location from the nearest village or town, or in such other manner as will identify the geographical area involved.

(2) Engineering Data.

(i) Purpose of injection (disposal, recovery);

(ii) Volume and type of fluid to be injected; and

(iii) Number of injection wells involved;

(3) Depth and geologic name of the injection zone or formation;

(4) A concise statement of the issues raised by the person requesting the hearing;

(5) The name of the agency issuing the notice and the date, time, and location of the hearing;

(b) The Director shall further supply the information set out above to each State, interstate or Federal agency and to each person or group of persons expressing an interest in the permit to be considered at a hearing.

§ 146.47 Application for UIC permit for a new underground injection.

An application for a UIC permit for a new underground injection shall be filed with the Director on forms prescribed by the Director.

(a) The application form for any new underground injection shall include the following:

(1) Ownership and Location Data. The application shall identify the owner and operator of the proposed underground injection facility, and the location of the facility;

(2) Engineering Data.

(i) A detailed casing and cementing program, or a schematic showing: diameter of hole, total depth of well and ground surface elevation; surface, conductor, and long string casing size and weight, setting depth, top of cement, method used to determine top; tubing size, and setting depth, and method of completion (open hole or perforated);

(ii) A map showing name and location of all producing wells, injection wells, abandoned wells, dry holes, and water wells of record within a one-half mile radius of the proposed injection well; and

(iii) A tabulation of all wells requested under (ii) penetrating the proposed injection zone, showing: operator; lease; well number; surface casing size and weight, depth and cementing data; intermediate casing size and weight, depth and cementing data; long string size and weight, depth and cementing data; and plugging data.

(NOTE.—Comment is solicited on other ways to demonstrate non-endangerment from wells penetrating the proposed injection zone where it is possible that the wells may be an open connection to an underground drinking water source.)

(3) Operating Data.

(i) Depth to top and bottom of injection zone;

(ii) Anticipated daily injection volume, minimum and maximum, in barrels;

(iii) Approximate injection pressure; and

(iv) Type, source and characteristics of injected fluids.

(4) Geologic Data—Injection Zone. Appropriate geologic data on the injection zone and confining beds including such data as geologic names, thickness and areal extent of the zone.

(5) Underground Sources of Drinking Water Which May be Affected by the Injection. Geologic name and depth (below land surface) of aquifers above and below the injection zone containing water of 3,000 mg/1 total dissolved solids or less and aquifers containing water of 10,000 mg/1 total dissolved solids or less.

(6) An electric log on all new wells and on existing wells where available.

(b) The Director may request any of these additional data necessary to make the determinations required in § 146.41.

(1) Engineering Data.

(i) Method to determine rate of corrosion;

(ii) Cement bond log;

(iii) List of all cement squeeze operations, giving interval and number of sacks of cement;

(2) Operating Data.

(i) Whether open or closed system;

(ii) Contingency plans to cope with all shut-ins or well failures;

(3) Geologic Data—Regional Structure. Location, extent and effects of known or suspected faulting, indicating whether faults are sealed or fractured avenues for fluid movement;

(4) Underground Sources of Drinking Water. Lithology of aquifers defined as underground sources of drinking water;

(5) Any surface retention facilities associated with the injection operation;

(6) Reservoir and Fluid Data on Entire Reservoir.

(i) Lithology;

(ii) Original and current bottom hole pressure;

(7) Reservoir and Fluid Data on Lease.

(i) Average horizontal permeability;

(ii) Average porosity;

(8) Production history of reservoir;

(9) Type of injection project and results expected; and

(10) Injection pattern and spacing.

§ 146.48 Permit conditions and other requirements.

State procedures must insure that the terms and conditions of each issued UIC permit including each permit for an existing underground injection, comply with the following:

(a) Adherence to any applicable, more stringent limitations including those (i) necessary to meet treatment standards, or schedules of compliance, established pursuant to State law or regulation, or (ii) necessary to meet other Federal law or regulation;

(b) Allowance of no underground injection of contaminants until after:

(1) The use of appropriate techniques for operation and maintenance of the injection system; and

(2) Provisions have been completed for inspection, monitoring record-keeping and reporting of the underground injection operation;

(c) Allowance of no contaminant to enter an underground drinking water source if the presence of such contaminant may endanger such drinking water source;

(d) Adequate contingency plans to cope with malfunctions or failure of the underground injection system;

(e) Adequate procedures for detecting failure of the system in a timely fashion;

(f) Provisions for such measures as the Director finds necessary to assure the availability of adequate financial resources for dealing with underground injection systems which either are improperly abandoned or may otherwise cause contamination of underground drinking water sources;

(g) That all injections authorized by the UIC permit shall be consistent with the terms and conditions of the permit and that the injection of any contaminant at a greater rate of pressure than that authorized by the permit, or a volume in excess of that authorized by the permit shall constitute a violation of the terms and conditions of the permit;

(h) That the permit may be modified, suspended, or revoked in whole or in part during its term for cause including but not limited to, the following:

(1) The underground injection endangers underground drinking water sources;

(2) Violation of any material terms or conditions of the permit;

(3) Obtaining a permit by misrepresentation or failure to disclose fully all relevant facts; or

(4) A change in any condition that may indicate failure of the underground injection system;

(i) That the permittee shall allow the Director or his authorized representative, upon the presentation of appropriate credentials:

(1) To enter permittee's premises in which a contaminant source or injection system is located and in which any records are required to be kept under terms and conditions of the permit;

(2) To have access to and copy records required to be kept under terms and conditions of the permit;

(3) To inspect the permittee's facilities, including any monitoring equipment or analytical devices; and

(4) To sample any fluids being injected and if sampling of the injection zone and other aquifers is required by the permittee under the monitoring plan of the permit, to also have the right to sample these zones;

(j) That the permittee at all times shall maintain in good working order and operate efficiently the facilities or systems of control installed by the permittee to achieve compliance with terms and conditions of the permit;

(k) That immediately following the permanent cessation of underground injection or where a well is not completed the applicant shall notify the Director and follow the procedures prescribed by the Director for plugging and abandonment; and

(l) That the permittee shall report all remedial work to the Director.

§ 146.49 Monitoring and record-keeping.

Each permittee shall keep on forms prescribed by the Director complete and accurate records of:

(a) All monitoring required in the permit which will include, but not be limited to:

(1) Weekly readings of the surface injection pressure;

(2) Weekly readings of the tubing—long string annulus pressure;

(3) Weekly total volume of injected fluid; and

(4) Weekly average injection volume (bbls/day) (liters/day);

(b) All periodic well tests, including but not limited to:

(1) Water analyses; and

(2) Well conditions;

(c) The permittee shall retain, for a period of five years, records of all information resulting from any monitoring activities required by the UIC permit or by regulation. This requirement shall continue in effect during the five-year period following abandonment of the well. The period of retention shall be extended when requested by the Director; and

(d) Records of monitoring activities and results shall include for all samples; (1) the date, place and time of sampling; (2) the dates analyses were performed; (3) who performed the analyses; (4) the analytical techniques/methods; and (5) the results of such analyses.

§ 146.50 Reporting requirements.

(a) Each permittee shall submit at least the following reports or notification to the Director on forms prescribed by the Director:

(1) Notification of the initial injection operation within ten days of the start-up date; and

(2) Quarterly reports which contain the data records required by the Director.

(b) Within ten days after the temporary discontinuance of disposal operations the permittee shall notify the Director of the date and length of such discontinuance and reason therefor. The Director will prescribe appropriate procedures to insure that underground drinking water sources are protected.

Subpart E Requirements Applicable to All Drainage Wells

§ 146.70 Underground injections to which subpart applies.

This subpart sets forth requirements for State programs with respect to drainage wells used. Underground injections covered by this subpart include injections to dispose of storm water runoff, irrigation return flow, and excess ponded surface waters.

§ 146.71 Regulation by rule or permit.

A State program may regulate any category of underground injection covered by this subpart by rule or by permit system, at the option of the State.

§ 146.72 Regulation by permit.

If a State elects to regulate a category of underground injection covered by this subpart by permit, the permit requirements must include, as a minimum:

(a) That the applicant for the permit to inject must provide such information as the State may require regarding location and design of the facility, nature and volume of the fluid to be injected, and such other information as may be necessary to satisfy the State that the underground injection will not endanger underground drinking water sources.

(b) That the Director will give public notice and provide opportunity for comment and informal public hearing in cases where the Director determines that the application raises substantial question of possible endangerment of underground drinking water sources.

(c) That permits issued will be conditioned on compliance with specified inspection, monitoring, record-keeping and reporting requirements.

§ 146.73 Regulation by rule.

If a State elects to regulate a category of underground injection covered by this subpart by rule, the State regulations applicable to that category shall provide, but not be limited to, the following:

(a) That no underground injection that endangers underground drinking water sources is authorized;

(b) A mechanism for determining the nature and extent of the underground injection activity in the State;

(c) A mechanism for insuring that periodic testing is conducted and test records are maintained in appropriate cases; and

(d) That design, location or construction of underground injection facilities that would be inconsistent with good practice for the protection of underground drinking water sources is prohibited.

§ 146.74 Remedial action.

Underground injection operations that are found to endanger underground drinking water sources shall discontinue operation pending remedial action unless the Director determines that it is unreasonable or impracticable to discontinue operating pending remedial action. If the Director permits an endangering operation to continue pending remedial action, the Director shall prescribe a compliance schedule which shall require remedial action to be taken as soon as practicable but in no case later than one year following the determination of endangerment.

[FR Doc.76-24700 Filed 8-30-76;8:45 am]

federal register

TUESDAY, AUGUST 31, 1976

PART III:

POSTAL RATE COMMISSION

■

PRIVACY ACT OF 1974

Systems of Records

Digest

POSTAL RATE COMMISSION

(Docket No. RM76-8)

PRIVACY ACT OF 1974

Notice Concerning Subject Systems of Records and Proposed New Routine Use for Systems of Records

August 11, 1976.

The Postal Rate Commission is required to publish at least annually a notice of the existence and character of its systems of records which are subject to the requirements of the Privacy Act of 1974 (5 U.S.C. Sec. 552a). The Commission published the first such notice on August 6, 1975 (40 FR 33186), and hereby provides an update. A full description of the Commission's system of records is provided at the conclusion of this notice.

Also included in the description of the subject system of records is a proposed routine use of those records relating to certain Congressional inquiries. The Office of Management and Budget has recommended that this Commission adopt as a routine use of the system a provision which allows disclosure to a Congressional office from an individual's record in response to an inquiry from that office made at the individual's request. A proposed routine use allowing such disclosure has been incorporated in that section of the system description headed "Routine uses of records maintained in the system, including categories of users and the purposes of such uses."

The proposed routine use will become effective (thirty days after publication) unless otherwise announced in the Federal Register. However, the Commission will entertain comments with respect to the proposed routine use which are received before September 30, 1976. Comments should be filed with the Commission's Secretary, at the offices of the Postal Rate Commission, 2000 L Street, N.W., Washington, D.C. 20268.

PRC-1

System name: Official Personnel files—PRC

System location: 2000 L St., N.W., Washington, D.C. 20268

Categories of individuals covered by the system: Personnel of the Postal Rate Commission.

Categories of records in the system: Personnel information, including information supplied on applications, references, records of employment, health records, payroll records, financial reporting records, and information required for affirmative action plans for employment of minorities and handicapped.

Authority for maintenance of the system: 39 U.S.C. 3603, 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information from this record system is transferred to the U.S. Postal Service to process payroll and to the Civil Service Commission in compliance with financial reporting requirements. Information on the health of Commission employees is maintained by the Public Health Service in connection with its services as the health unit for the Commission. Information on security is developed by submission of appropriate forms with the Civil Service Commission. Other such housekeeping measures may require frequent inter-agency transfers of information.

In the event that information in this record system indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

In the event that information in this record system is needed in the course of presenting evidence to a court, magistrate, or administrative tribunal, the relevant records may be referred, as a routine use, to the appropriate person to use as evidence.

Information in this record system may be disclosed as a routine use to a federal, state or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to a Commission decision concerning the hiring or retention of an employee, the letting of a contract, or the issuance of a grant or other benefit.

Information in this record system may be disclosed to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

Disclosure may be made to a Congressional office from the record of an indiviual in response to an inquiry from the Congressional office made at the request of that indiviual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Hard copy for official personnel folders and financial statements, mag-tape for payroll records.

Retrievability: Official personnel folders and financial statements by name of employee, payroll by Social Security number of employee.

Safeguards: Approved combination safe for record storage.

Retention and disposal: Official personnel records are maintained by the Commission for the duration of a person's employment with the Commission, follow the employee to new federal jobs, or are retired to the Federal Record Center upon termination of government employment. Financial reports are maintained for a period of four years after termination of the individual's employment with the Commission.

System manager(s) and address: Chief Administrative Officer, 2000 L St., N.W., Washington, D.C. 20268.

Notification procedure: Assistant Administrative Officer, 2000 L St., N.W., Washington, D.C. 20268.

Supply name, date of birth, facsimile of an identifying document such as a driver's license or employee identification card, last agency employing with dates, and a return address.

Record access procedures: Write or call Assistant Administrative Officer, 2000 L St., N.W., Washington, D.C. 20268, telephone (202) 254-3881.

Contesting record procedures: Write or call Assistant Administrative Officer, 2000 L St., N.W., Washington, D.C. 20268, telephone (202) 254-3881.

Record source categories: Applications for employment as submitted by the applicants; data supplied by employees in connection with their employment; records from other agencies in which employees worked; replies from references; responses to security investigations; supervisors' performance evaluations; grades from courses taken under Commission sponsorship; medical records.

By the Commission.

James R. Lindsay,
Secretary.

[FR Doc.76-25108 Filed 8-30-76;8:45 am]

federal register

TUESDAY, AUGUST 31, 1976

PART IV:

DEPARTMENT OF THE INTERIOR

Office of the Secretary

■

PRIVACY ACT OF 1974

Proposed Routine Uses

DEPARTMENT OF THE INTERIOR

Office of the Secretary

PRIVACY ACT OF 1974

Routine Uses

Pursuant to 5 U.S.C. 301 and 552a and 43 U.S.C. 1461, the Department of the Interior hereby proposes revision of the "Routine Use" paragraphs of the notices describing records which it maintains which are subject to section 3 of the Privacy Act of 1974. The "Routine Use" paragraphs, as they are proposed to be revised, are set out below.

The full texts of the notices to which these "Routine Use" paragraphs pertain may be found in the FEDERAL REGISTER for September 5, 1975 (40 FR 41432–41507), September 19, 1975 (40 FR 43467–43477), October 3, 1975 (40 FR 46066–46074), October 10, 1975 (40 FR 47985–47992), October 29, 1975 (40 FR 50434).

Comments on the revised "Routine Use" paragraphs may be submitted to the Departmental Privacy Act Officer, Office of Management Consulting, U.S. Department of the Interior, 18th and C Streets, NW., Washington, D.C. 20240. All comments received on or before September 14, 1976 will be considered. Copies of any comments which are received will be available for inspection in Room 5350 at the above address.

ALBERT C. ZAPANTA,
Assistant Secretary of the Interior.

AUGUST 23, 1976.

Interior/OS-- 1.

System name: Audit Files and Workpapers -- Interior, Office of the Secretary-- 1.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are to develop audit reports which bring to the attention of management, contractors and grantees existing deficiencies and recommendations for correcting those deficiencies. Disclosures outside the Department of the Interior may be made: (1) to a Federal, State or local government agency who has funds involved to alert that agency to the deficiencies so the agency may take corrective action; (2) by transfer to another Federal agency or a State or local government body having partial or complete jurisdiction over the auditee; (3) to the U. S. Department of Justice when related to litigation or anticipated litigation; (4) for transfer of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (5) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

Interior/OS-- 2.

System name: Investigative Records -- Interior, OFFICE OF THE Secretary-- 2.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are to (a) conduct and report investigations stemming from specific complaints of serious misconduct or irregularities to ensure compliance by Departmental employees, prospective employees, contractors, subcontractors (prospective contractors and subcontractors), grantees, subgrantees, and persons doing business with the Department with Federal Statutes, regulations, policies, and procedures; and (b) conduct other fact finding studies as the Secretary may direct. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation involving the records or the subject matter of the records; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulations, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual; (4) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant or other benefit; and (5) to Federal, State, or local agencies where necessary to obtain information relevant to the hiring or retention of an employee, or the issuance of a security clearance, contract, license, grant or other benefit.

Interior/OS-- 3.

System name: Financial Interest Statements and Ethics Counselor Decisions - Interior, Office of the Secretary-- 3.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) to review employee financial interests and determine employee compliance or non-compliance with applicable conflict of interest statutes and regulations; (b) to record the fact that the employee has been made aware of specifically directed legislation or regulations covering his organization and that he or she is in compliance with such specific legislation or regulations; and (c) to provide an adequate system of records for Interior auditors performing compliance audits within the Interior Department. Disclosures outside the Department of the Interior may be made; (1) to the U. S. Department of Justice when related to litigation or anticipated litigation, (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or, (3) to a Congressional office from the record of an individual in response to an inquiry made at the request of that individual, (4) to Federal, State or local agencies where necessary to obtain information relevant to the hiring or retention of an employee, or the issuance of a security clearance, contract, license, grant or other benefit, (5) to the Civil Service Commission to perform oversight reviews, (6) to the public for those records covered by 43 CFR 30.735-20(c).

Interior/OS-- 5.

System name: Aircraft Instructor Qualification File -- Interior Office of the Secretary -- 5.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) to maintain updated instructor qualification records (b) to refer instructors to DOI Bureaus/Offices. Disclosures outside the Department of the Interior may be made, (1) to the U. S. Department of Justice when related to litigation or anticipated litigation, (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license, (3) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant or other benefit, (4) to Federal, State, or local agencies where necessary to obtain information relevant to the hiring or retention of an employee, or the issuance of a security clearance, license, grant or other benefit.

Interior/OS-- 6.

System name: Aircraft Crew/Mechanic Information File (Commercial Operators) -- Interior, Office of the Secretary-- 6.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the record is to determine aircraft crew/mechanic qualifications to comply with contract specifications. Disclosures outside the Department of the Interior may be made, (1) to the U. S. Department of Justice when related to litigation or anticipated litigation, (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license, (3) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, license contract, pilot qualification card, grant or other benefit, (4) to Federal, State, local agencies or commercial business where necessary to obtain information relevant to the hiring or retention of an employee, or the issuance of a security clearance, contract, license, pilot qualification card, grant or other benefit.

Interior/OS-- 7.

System name: Aircraft Crew/Mechanic Information File -- Interior, Office of the Secretary-- 7.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the record is to determine aircraft crew/mechanic qualifications to comply with OAS procedures and directives. Disclosure outside the Department of the Interior may be made, (1) to the U. S. Department of Justice when related to litigation or anticipated litigation, (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule regulation, order or license, (3) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, license, pilot qualification card, grant or other benefit, (4) to Federal, State, local agencies or commercial business where necessary to obtain information relevant to the hiring or retention of an employee, or the issuance of a security clearance, license, pilot qualification card, grant or other benefit.

Interior/OS-- 8.

System name: Aircraft Services Administrative Management and Fiscal Records - Interior, Office of the Secretary-- 8.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the records are (a) for administrative and fiscal management. Disclosure outside the Department of the Interior may be made, (1) to the Department of the Treasury for preparation of (a) payroll checks, (b) payroll deduction and other checks to Federal, State and local and (c) checks for reimbursement of employees and others, (2) to the Internal Revenue Service and to the State, Commonwealth, Territorial and local governments for tax purposes, (3) to the Civil Service Retirement System and other contributions, (4) to another

Federal agency to which an employee has transferred, (5) to another Federal agency having a subject matter interest in the records, (6) to the U. S. Department of Justice when related to litigation or anticipated litigation, (7) of information indicating a violation or potential violation of a statute, regulation, rule, order, license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (8) to Federal, State, local agencies or commercial business where necessary to obtain information relevant to the hiring or retention of an employee, or the issuance of a security clearance, license, pilot qualification card, grant or other benefit.

Interior/OS--12.

System name: Private Relief Claimants, Department -- Interior, Office of the Secretary--12.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the records is to support legislation for the relief of private claimants. Disclosures outside the Department of the Interior may be made (1) to Congress to report on the basis and validity of claims; (2) to another Federal agency having a subject matter interest in the claim; (3) to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular No. A-19, at any stage of the legislative coordination and clearance process as set forth in that Circular; (5) to the Congressional sponsor of a private relief bill and to representatives of the individual who is the subject of the legislation; (6) to the U. S. Department of Justice when related to litigation or anticipated litigation.

Interior/OS--13.

System name: Private Relief Claimants, Bureau -- Office of the Secretary--13.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the records is to support legislation for the relief of private claimants. Disclosures outside the Department of the Interior may be made (1) to Congress on the basis and validity of claims; (2) to another Federal agency having a subject matter interest in a claim; (3) to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular No. A-19 at any stage of the legislative coordination and clearance process as set forth in that Circular; (4) to the Congressional sponsor of a private relief bill and to representatives of the individual who is subject of the legislation; (5) to the U. S. Department of Justice when related to litigation or anticipated litigation; (6) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (7) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

Interior/OS--15

System name: Emergency Defense Mobilization Files -- Interior, Office of the Secretary--15.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the records is to administer the NDER program. Disclosures outside the Department of the Interior may be made (1) to officials of participating departments and agencies relevant to reservists assigned to their units; (2) to the U. S. Department of Justice when related to litigation or anticipated litigation; (3) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (4) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

Interior/OS--18.

System name: Discrimination Complaints -- Interior, Office of the Secretary--18.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the records is for the investigation and resolution of complaints of discrimination in violation of Title VI of the Civil Rights Act of 1964 (42 USC 2000D), in violation of Section 403 of the Trans-Alaska Pipiline Authorization Act (87 Stat. 576), or in violation of Executive Order 11246, as amended (3CFR 169 1974 Ed.)). Disclosures outside the Department of the Interior may be made (1) to the U. S. Equal Employment Opportunity Commission under the terms of the Office of Federal Constract Compliance Equal Employment Opportunity Commission Memorandum of Understanding dated September 11, 1974, (39 FR 35855); (2) to the Office of Federal Contract Compliance for the purpose of audit and evaluation; (3) to other Federal agencies charged with the enforcement of equal employment opportunity laws, orders and regulations, on a need-to-know basis to assist these agencies in their enforcement activities; (4) to the U. S. Department of Justice when related to litigation or anticipated litigation; (5) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (6) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

Interior/OS--20.

System name: Secretarial Correspondence Card File -- Interior, OFFICE OF THE Secretary--20.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of records is to ascertain status of correspondence to the Secretary of the Interior. Disclosures outside the Department of the Interior may be made (1) to a Federal agency so that the agency may respond to an inquiry from the named individual, (2) to the U. S. Department of Justice when related to litigation or anticipated litigation (3) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license, and (4) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

Interior/OS--25.

System name: Youth Conservation Corps (YCC) Enrollee Records -- Interior, Office of the Secretary--25.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) the identification of current and past enrollees and current alternates; (b) for the selection of alternate upon enrollee withdrawal from program; (c) to provide enrollee participation record for school credit. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Agriculture in connection with joint administration of YCC program; (2) to the U. S. Department of Justice when related to litigation or anticipated litigation; (3) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (4) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual; (5) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant or other benefit; (6) to Federal State or local agencies where necessary to obtain information relevant to the hiring or retention of an employee, or the issuance of a security clearance, license, contract, grant or other benefit.

Interior/OS--26.

System name: Youth Conservation Corps (YCC) Enrollee Payroll Records File - Interior, Office of the Secretary--26.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) the identification of current and past enrollees; (b) for payroll purposes for current enrollees; (c) to develop demographic characteristics of enrollee population for statistical purposes. Disclosures outside the Department of the Interior may be made (1) to the Department of the Treasury for preparation of (a) payroll checks and (b) payroll deduction and other checks to Federal, State and local government agencies, non-governmental organizations and individuals; (2) to the Internal Revenue Service and to State, Commonwealth, Territorial and local government for tax purposes; (3) to the Civil Service Commission in connection with the Civil Service Retirement system; (4) to another Federal agency to which an employee has transferred; (5) to the U. S. De-

partment of Justice when related to litigation or anticipated litigation; (6) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (7) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual; (8) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant or other benefit; (9) to Federal, State or local agencies where necessary to obtain information relevant to the hiring or retention of an employee, or the issuance of a security clearance, license, contract, grant or other benefit.

Interior/OS--27.

System name: Youth Conservation Corps (YCC) Enrollee Medical Records -- Interior, Office of the Secretary--27.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) for the adjudication of FEC medical claims, and (b) the adjudication of tort claims. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Agriculture in connection with joint administration of YCC program; (2) to the U. S. Department of Justice when related to litigation or anticipated litigation; (3) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (4) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual; (5) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant or other benefit; (6) to Federal, State or local agencies where necessary to obtain information relevant to the hiring or retention of an employee, or the issuance of a security clearance, license, contract, grant or other benefit.

Interior/OS--28.

System name: Youth Conservation Corps (YCC) Research file -- Interior, Offiice of the Secretary--28.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the records is for future research on long term values gained from the YCC experience. Disclosures outside the Department of th of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, state, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual. at the request of that individual.

Interior/OS--29.

System name: Youth Conservation Corps (YCC) Recruitment Files -- Interior, Office of the Secretary--29.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the records is for selection among applications of all eligible applications. Persons selected are either offered employment in a YCC camp or placed on an alternate list to be used in case of declination. Disclosures outside the Department of the Interior may be made (1) to the U. S. Forest Service, States, counties, cities and other subgrantees for employment purposes; (2) to the U. S. Department of Jutice when related to litigation or anticipated litigation; (3) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (4) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual; (5) to Federal, State or local agencies where necessary to obtain information relevant to the hiring or retention of an employee, or the issuance of a security clearance, license, contract, grant or other benefit.

Interior/OS--35.

System name: Library Circulation Control System -- Interior, Office of the Secretary--35.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the records is control of library materials. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license.

Interior/OS--38.

System name: Privacy Act Files -- Interior, Office of the Secretary--38.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are for action on requests and appeals of Privacy Act matters. Disclosures outside the Department of the Interior may be made (1) to other Federal agencies having a subject matter interest in a request or an appeal or a decision thereon; (2) to the U. S. Department of Justice when related to litigation or anticipated litigation; (3) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (4) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual; (5) to Federal, State or local agencies where necessary to obtain information relevant to the hiring or retention of an employee, or the issuance of a security clearance, license, contract, grant or other benefit.

Interior/OS--39.

System name: Office Operations Records on Employees, Department System -- Interior, Office of the Secretary--39.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are to administer thE 8 employee's relationship to the activities and functions of the office. Disclosures outside to the U. S. Department of Justice when related the Department of the Interior may be made (1) to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation security clearance, license, contract, grant or other benefit.

Interior/OS--46.

System name: Secretarial Subject Files -- Interior, OFFICE OF THE Secretary--46.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the records are to support the operational, program and policy decisions of the Secretary of the Interior, Solicitor, Assistant Secretaries, Deputy Assistant Secretaries, and their immediate staff. disclosures outside the department are (1) to the U. S. Department of Justice when related to litigation or anticipated litigation, and (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license.

Interior/OS--47

System name: Parking Assignment Records -- Interior, Office of the Secretary--47.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) internal control over the assignment of parking permits (b) assistance to individuals in locating carpools. Disclosures outside the department are (1) to a Federal agency that has jurisdiction over parking space, (2) to the U. S. Department of Justice when related to litigation or anticipated litigation, and (3) of information indicating a violation of a statute, regulation, rule, order or license, to appropriate Federal, State local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license.

Interior/OS--48.

System name: Employee Identification Card Files -- Interior, OFFICE OF THE Secretary--48.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the record is for internal control over the issuance of the cards. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation, and (2) in the event there is information indicating a violation or potential violation of a statute, regulation, rule, order, or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license.

Interior/OS--50.

System name: Motor Vehicle Operator's Identification Card Applications - Interior, OFFICE OF THE Secretary--50.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the records is internal control over the issuance of driver permits. Disclosures outside the Department are (1) to a Federal agency for the purpose of checking individual driving records, (2) to the U. S. Department of Justice when related to litigation or anticipated litigation, and (3) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license.

Interior/OS--51.

System name: Property Accountability -- Interior, Office of the Secretary--51.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the records is the internal assignment of property to offices and individuals. Disclosures outside the Department are (1) to the U. S. Department of Justice when related to litigation or anticipated litigation, and (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation order or license.

Interior/OS--52.

System name: Travel Management Records -- Interior, Office of the Secretary--52.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) making reservations (b) the generating of tickets (c) the transfer of travel tickets to fiscal services. Disclosures outside the Department are (1) to the airlines for travel and reservation purposes, (2) the transfer of passports and visa to other Federal agencies, (3) to the U. S. Department of Justice when related to litigation or anticipated litigation, and (4) of information indicating a violation or potential violation of a statute regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license.

Interior/OS--53.

System name: Classified Documents -- Interior, Office of the Secretary--53.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the records is the internal transmittal of the classified documents to individuals. Disclosures outside the Department are (1) to the U. S. Department of Justice when related to litigation or anticipated litigation, and (2) of information indicating a violation or potential violation of a statute regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license.

Interior/OS--60.

System name: Safety Management Information System -- Office of the Secretary--60.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) provide summary data of injury, illness and property loss information to bureaus in a number of formats for analytical purposes in establishing program to reduce or eliminate loss producing problem areas, (b) provide listings of individual cases to bureaus to insure that accidents occuring are reported through the Safety Management Information System, and (c) adjudicating tort and employee claims. Disclosures outside the Department of the Interior may be made, (1) to a Federal, State or local government agency that has partial or complete jurisdiction over the claim or related claims; (2) to provide to the Department of Labor quarterly summary listings of fatalities and disabling injuries and illnesses in compliance with 29 CFR 1960.6; (3) to the U. S. Department of Justice when related to litigation or anticipated litigation; (4) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; and (5) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

Interior/OS--61.

System name: Safety Career Opportunity Plan for Employees -- Interior, Office of the Secretary--61.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of records are: (a) to obtain listing of safety professionals eligible for announced vacancies, and (b) to provide a copy of the vacancy announcements to all interested, eligible persons. Disclosures outside the Department of the Interior may be made, (1) to the U. S. Department of Justice when related litigation or anticipated litigation, (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license, (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual, and (4) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant or other benefit.

Interior/OS--65.

System name: Biography File -- Interior, Office of the Secretary--65.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the records is to maintain biographic information on key officials of the Department. Disclosures outside the Department of the Interior may be made (1) to the news media and the public for public information purposes.

Interior/OS--68.

System name: Committee Management Files -- Interior, Office of the Secretary--68.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the records is administration of committee activities whithin the Department. Disclosures outside the Department of the Interior may be made (1) to OMB in connection with its committee management responsibilities; (2) to other Federal agencies which have joint responsibility for advisory committees or which receive or utilize advice of the committees; (3) to a Federal, State or local agency, private organization or individual as necessary to obtain information in connection with a decision concerning appointment or reappointment of an individual to committee membership; (4) to the U. S. Department of Justice when related to litigation or anticipated litigation; (5) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license.

Interior/OS--69.

System name: Freedom of Information Appeal Files -- Interior, Office of the Secretary--69.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) to support review and decision-making for Freedom of Information appeals, (b) for preparation of annual report to the Congress. Disclosures outside the Department of the Interior may be made (1) to other Federal agencies having a subject matter interest in an appeal or bureau or office decision; (2) to the U. S. Department of Justice when related to litigation or anticipated litigation; (3) of information indicating a violation or potential violation

of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license.

Interior/OS--70.

System name: Applicant Files -- Interior, Office of the Secretary--70.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the records is for the hiring of applicants. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual; (4) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant or other benefit; (5) to Federal, State or local agencies where necessary to obtain information relevant to the hiring or retention of an employee, or the issuance of a security clearance, license, contract, grant or other benefit.

Interior/OS--71.

System name: Freedom of Information Request Files System -- Interior, Office of the Secretary--71.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the records is to administer Freedom of Information requests. Disclosures outside the Department of the Interior may be made (1) to other Federal agencies having a subject matter interest in a request or an appeal or a decision thereon; (2) to the U. S. Department of Justice when related to litigation or anticipated litigation; (3) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license.

Interior/OS--75.

System name: Supervisors' Records of Employees -- Interior, Office of the Secretary--75.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) as a source of data to initiate requests for personnel actions, to plan and schedule training, to counsel employees on their performance, to establish a basis for proposing commendations or disciplinary actions, and to carry out their personnel management responsibilities in general, and (b) to complete reference checks or supervisory appraisals. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

Interior/OS--76.

System name: Employee EXPERIENCE, Skills, Performance and Career Development Records -- Interior, Office of the Secretary--76.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) by bureau officials for purposes of review in connection with transfers, promotions, reassignments, adverse actions, disciplinary actions, and determination of qualifications of an individual, and (b) by bureau officials for setting out career goals and objectives of the employee and for documenting attainment of these targets. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

Interior/OS--77.

System name: Unfair Labor Practice Charges/Complaints -- Interior, Office of the Secretary--77.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are to administer charges or complaints of unfair labor practices. Disclosures outside the Department of the Interior may be made (1) to the Department of Labor and to the Federal Labor Relations Council for settlement of the complaint or appeal; (2) to the U. S. Department of Justice when related to litigation or anticipated litigation; (3) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (4) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

Interior/OS--78.

System name: Negotiated Grievance Procedure Files -- Interior, Office of the Secretary--78.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are to administer employee grievances. Disclosures outside the Department of the Interior may be made (1) to the Federal Labor Relations Council, or to the Department of Justice when related to litigation or anticipated litigation; (3) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (4) from the record of an individual in response to an inquiry from a Congressional office made at the request of the individual.

Interior/OS--79.

System name: Personnel Data Files (AUTOMATED) -- Interior, OFFICE OF THE Secretary--79.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are in accordance with, or in addition to the records described by the Civil Service Commission. These systems are used (a) to provide data for the governmentwide and Departmentwide central personnel files; (b) to produce day-to-day personnel management action, such as notification of personnel actions, automatic notices (e.g. conversion to career tenure, length of service awards, within grade increases) and to provide input to produce payroll and financial management actions; (c) used as an employee locator file and to provide information for organization and position management matters; (d) to provide information on current and potential executive level employees in an executive retrieval system; and (e) as a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records were collected and maintained or related personnel management functions or manpower studies. Disclosures outside the Department of the Interior may be made (1) to the Civil Service Commission to respond to their requests; (2) to the U. S. Department of Justice when related to litigation or anticipated litigation; (3) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (4) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

Interior/OS--80.

System name: Emergency Loan Fund Committee Loan Records -- Interior, Office of the Secretary--80.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are for application, approval, processing and accounting of emergency loans. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicat-

ing a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

Interior/OS--81.

System name: Health Unit Medical Records -- Interior, Office of the Secretary--81.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) for medical counseling and referral; (b) as a data source for management information for production of summary statistics and analytical studies in support of the function for which the records are collected and maintained, or for related management functions or manpower studies; and (c) to locate specific individuals for personnel research. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license.

Interior/OS--85.

System name: Payroll, Attendance and Leave -- Interior, Office of the Secretary--85.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the records is to administer payroll, attendance and leave matters. Disclosures outside the Department of the Interior may be made (1) to the U. S. Treasury to issue checks to employees and make distributions of pay according to employee authorizations for savings bonds, allotments and other authorized purposes; (2) to the Civil Service Commission to report retirement deductions; (3) to the Internal Revenue Service and appropriate State, Commonwealth, Territorial and local taxing authorities for tax purposes; (4) to the Social Security Administration to report FICA deductions; (5) to labor unions to report union dues deductions; (6) to the Civil Service Commission and insurance carriers to report withholdings for health insurance; (7) to State employment security agencies and the U. S. Department of Labor for unemployment insurance; (8) to other Federal agencies as required by laws and implementing regulations; (9) to the U. S. Department of Justice when related to litigation or anticipated litigation; (10) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible forinvestigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (11) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant or other benefit; (12) to Federal, State or local agencies where necessary to obtain information relevant to the hiring or retention of an employee, or the issuance of a security clearance, license, contract, grant or other benefit.

Interior/OS--86.

System name: Accounts Receivable -- Interior, Office of the Secretary--86.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are for billing and follow-up. Disclosure outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license.

Interior/OS--87.

System name: Cash Receipts -- Interior, Office of the Secretary--87.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the records is to account for monies paid to the Office of the Secretary. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license.

Interior/OS--88.

System name: Travel -- Interior, Office of the Secretary--88.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the records is to process travel authorizations and claims. Disclosures outside the Department of the Interior may be made (1) to the U. S. Treasury for payment of claims; (2) to the State Department for passports; (3) to the U. S. Department of Justice when related to litigation or anticipated litigation; (4) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (5) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant or other benefit; (6) to Federal, State or local agencies where necessary to obtain information relevant to the hiring or retention of an employee, or the issuance of a security clearance, license, contract, grant or other benefit.

Interior/OS--89.

System name: Position Control -- Interior, Office of the Secretary--89.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the records is to provide management information on authorized positions. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license.

Interior/OS--95.

System name: Interior, Office of the Secretary--95.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the records is for administrative and fiscal management. Disclosures outside the Department of the Interior may be made (1) to the Department of the Treasury for the preparation of (a) payroll checks, (b) payroll deduction and other checks to Federal, State and local government agencies, non-governmental organizations and individuals, and (c) checks for reimbursement of employees and others. (2) to the Internal Revenue Service and to State, commonwealth, territorial and local governments for tax purposes. (3) to the Civil Serivce Commission to report contributions to the Civil Service retirement system and other contributions, (4) to another Federal agency to which an employee has transferred, (5) to the U. S. Department of Justice when related to litigation or anticipated litigation, (6) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license, (7) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual, (9) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant or other benefit, (10) to Federal, State or local agencies where necessary to obtain information relevant to the hiring, or retention of an employee, or the issuance of a security clearance, contract, license, grant or other benefit.

Interior/OS--96.

System name: Government of American Samoa Administrative Management and Fiscal Records -- Interior, Office of the Secretary--96.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the records is for administrative and fiscal management. Disclosures outside the Department of the Interior may be made (1) to the Department of the Treasury for preparation of (a) payroll checks; (b)

payroll deduction and other checks to Federal, State and local government agencieso non-governmental organizations and individuals; and (c) checks for reimbursement of employees and others; (2) to the Internal Revenue Service and to State, Commonwealth, Territorial and local governments for tax purposes; (3) to the Civil Service Commission to report contributions to the CIvil Service retirement system and other contributions; (4) to another Federal agency to which an employee has transferred; (5) to another Federal agency having a subject matter interest in the records; (6) to the U. S. Department of Justice when related to litigation or anticipated litigation; (7) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (8) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/BIA-- 1.

System name: Property Loan Agreement Files -- Interior, BIA--1.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the records is to identify individuals responsible for government-owned real or personal property by agreement. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation, (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license, (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/BIA-- 2.

System name: Safety Management Information -- Interior, BIA--2.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the record is to provide complete record-keeping on qualified motor vehicle operators in BIA, employee accidents or incidents, Federal employees compensation claims and adjudication of tort claims. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation, (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license, (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual, (4) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant or other benefit, (5) to Federal, State, or local agencies where necessary to obtain information relevant to the hiring or retention of an employee, or the issuance of a security clearance, contract, license, grant or other benefit.

INTERIOR/BIA-- 3.

System name: Individual Indian Monies -- Interior, BIA--3.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are to control individual Indian's money accounts and to disclose to them the status of those accounts. Disclosures outside the Department of the Interior may be made (1) granting of access or transfer to another Federal agency, a State or local government, Indian tribal group or to any individual or establishment that, under contract to the BIA or as the result of some form of legal transfer of the program to them, will have jurisdiction for the IIM program now under the jurisdiction of the BIA, (2) to the U. S. Department of Justice when related to litigation or anticipated litigation, (3) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license, (4) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual, (5) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant or other benefit.

INTERIOR/BIA-- 4.

System name: Indian Land Records -- Interior, BIA--4.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) to identify individual Indians' and Indian Tribal Groups' interest in lands held in trust, (b) land acquisition and disposal and tenure and management purposes, (c) adjudication of rights to the land or resources (d) administration of leases, sales, rentals, transfers, (e) land statistics for BIA personnel information uses, and (f) to answer questions regarding land rights. Disclosures outside the Department of the Interior may be made (1) to transfer or disclose to another Federal agency, a State or local government, or to any individual or establishment that has been appointed to act as trustee for Indian lands, (2) to the Department of Justice when related to litigation or anticipated litigation, (3) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or emplementing the statute, rule, regulation, order or license, (4) from the record of an individual or tribe in response to an inquiry from a Congressional office made at the request of that individual or authorized tribal official.

INTERIOR/BIA-- 5.

System name: Indian Land Leases -- Interior, BIA--5.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) to control leases on Indian trust lands and real property, (b) for the collection and distribution of lease income (c) protection of water, surface and subsurface rights on Indian trust lands, and (d) planning and implementing conservation, irrigation and land use projects on Indian lands. Disclosures outside the Department of the Interior may be made, (1) to another Federal contractor having jurisdiction of programs ordinarily the responsibility of the BIA, (2) to the Department of Justice when related to litigation or anticipated litigation, (3) of information indicating a violation or potential violation of a statute, regulation, rule, order or license to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license.

INTERIOR/BIA-- 6.

System name: Navajo-Hopi Joint Use Project -- Interior, BIA--6.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the record is to identify improvements, locations, ownership and residents of the Joint Use Administration. Disclosures outside the Department of the Interior may be made (1) for Tribal Government use in adjudicating land disputes, (2) to the Relocation Commission to identify resident and location and ownership of improvements, (3) U. S. Federal Courts concerned with the project, (4) to the U. S. Department of Justice when related to litigation or anticipated litigation, (5) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license, and (6) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/BIA-- 7.

System name: Tribal Rolls -- Interior, BIA--7.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) to determine eligibility of individuals who participate in or enjoy benefits from an interest in a tribal group, and (b) provide lists of approved enrollees used to distribute funds or income, or as a base to gather census or ownership data for planning purposes. Disclosures outside the Department of the Interior may be made (1) to the Tribe, Band, Pueblo or corporation of which the individual to whom a record pertains is a member or a stockholder, (2) to the U. S. Department of Justice when related to litigation or anticipated litigation, (3) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license, (4) from the

record of an individual in response to an inquiry from a Congressional office made at the request of that individual, (5) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant or other benefit, and (6) to Federal, State or local agencies where necessary to obtain information relevant to the hiring or retention of an employee, or the issuance of a security clearance, contract, license, grant or other benefit.

INTERIOR/BIA-- 8.

System name: Indian Social Services Case Files -- Interior, BIA--8.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the record is to provide permanent individual records on social services and direct assistance to individual Indians. Disclosures outside the Department of the Interior may be made (1) granting of access or transfer to another Federal agency, a State or local government, Indian tribal group or to any individual or establishment that will have jurisdiction whether by contract to the BIA, by assumption of trust responsibilities or by other means, for social services programs now controlled by the BIA, (2) to the U. S. Department of Justice when related to litigation or anticipated litigation, (3) of information indicating a violation or potential violation of a statute, regulation, rule, order or license to appropriate Federal,State, local or foreign Agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license, (4) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual, (5) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant or other benefit, and (6) to Federal, State or local agencies where necessary to obtain information relevant to the hiring or retention of an employee, or the issuance of a security clearance, contract, license, grant or other benefit.

INTERIOR/BIA-- 9.

System name: Traders License Files -- Interior, BIA--9.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the record is to identify individuals authorized to trade on Indian reservations. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation, and (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license.

INTERIOR/BIA--10.

System name: Indian Housing Improvement Program -- Interior, BIA--10.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) to maintain a management control of funds distributed to each individual and (b) to provide a progress report on housing improvements. Disclosures outside the Department of the Interior may be made (1) disclosure or transfer to another Federal agency, a State or local government, an Indian tribal group or a contractor that will have jurisdiction over programs now controlled by the BIA, (2) to the U. S. Department of Justice when related to litigation or anticipated litigation, (3) of information indicating a violation or to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license, (4) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual, and (5) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant or other benefit.

INTERIOR/BIA--11.

System name: Indian Business Development Program (Grants) -- Interior, BIA--11.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the record is to identify individual receiving grant. Disclosures outside the Department of the Interior may be made (1) transfer or disclosure to another Federal agency, a State or local government, an Indian tribal group or a contractor that will have jurisdiction over programs now managed by the BIA, (2) to the Economic Development Administration, Farmers Home Administration and Small Business Administration in regard to participating funding packages between these agencies and BIA, (3) to the U. S. Department of Justice when related to litigation or anticipated litigation, (4) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license, and (5) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/BIA--12.

System name: Indian Trust Land Mortgages -- Interior, BIA--12.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) to furnish lender with information on applicant and on status of land and (b) to maintain current information on payments and balances of loan. Disclosures outside the Department of the Interior may be made (1) to disclose or transfer to another Federal agency, a State or local government, an Indian tribal group or a contractor that will have jurisdiction over programs now managed by the BIA, (2) to the Economic Development Administration, Farmers Home Administration and Small Business Administration, in regard to participating funding between those agencies and BIA, (3) to the U. S. Department of Justice when related to litigation or anticipated litigation, (4) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license, and (5) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/BIA--13.

System name: Indian Loan Files -- Interior, BIA--13.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) to maintain a record of payments and unpaid balances and (b) to provide information on payments made for paying interest subsidy, credits obtained, service loans, and premiums paid by lenders. Disclosures outside the Department of the Interior may be made (1) disclosure or transfer to another Federal agency, a State or local government, an Indian tribal group or a contractor that will have jurisdiction over programs now maintained by the BIA, (2) to the Economic Development Administration, Farmers Home Administration and Small Business Administration, in regard to participating funding between those agencies and BIA, (3) to the U. S. Department of Justice when related to litigation or anticipated litigation, (4) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license, and (5) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/BIA--14.

System name: Travel Accounting System -- Interior, BIA--14.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the record is to identify individuals who are authorized to travel and be reimbursed by the government. Disclosures outside the Department of the Interior may be made (1) disclosure or transfer to another Federal agency, a State or local government, an Indian tribal group or a contractor that will have jurisdiction over programs now controlled by the BIA and that require personal travel at program expense, (2) to the U. S. Department of Justice when related to litigation or anticipated litigation, and (3) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license.

INTERIOR/BIA--15.

System name: Trip Reports -- Interior, BIA--15.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the record is to provide local files which identify staff officer trip reports by name of individual for each BIA program office. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation, and (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license.

INTERIOR/BIA--16.

System name: Travel Files -- Interior, BIA--16.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the record is to provide administrative copy files on each traveler for local office use. disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation, and (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license.

INTERIOR/BIA--17.

System name: Payroll -- Interior, BIA--17.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) to prepare payrolls for distribution by the Regional Disbursing Offices of Department of Treasury and (b) to report results to the Civil Service Commission. Disclosures outside the Department of the Interior may be made (1) granting of access or transfer to a Federal, State or local agency, or to an Indian tribal group or any establishment or individual that assumes jurisdiction, whether by contract to the BIA or by legal transfer, of any program under the control of the BIA, (2) to the Department of the Treasury for preparation of (a) payroll checks and (b) payroll deduction and other checks to Federal, State and local government agencies, non-governmental organizations and individuals, (3) to the Internal Revenue Service and to State, Commonwealth, Territorial and local governments for tax purposes, (4) TO THE Civil Service Commission in connection with the Civil Service Retirement System, (5) disclosure to another Federal agency to which an employee has transferred, (6) to the U. S. Department of Justice when related to litigation or anticipated litigation, (7) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license, (8) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual, (9) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant or other benefit, and (10) to Federal, State or local agencies where necessary to obtain information relevant to the hiring or retention of an employee, or the issuance of a security clearance, contract, license, grant or other benefit.

INTERIOR/BIA--18.

System name: Law Enforcement Services -- Interior, BIA--18.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the records is to identify individuals who have been arrested on Indian Reservations and who have appeared in court for violations of 25 CFR regulations. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation, (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license, (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual, (4) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant or other benefit, and (5) to Federal, State or local agencies where necessary to obtain information relevant to the hiring or retention of an employee or the issuance of a security clearance, contract, license, grant or other benefit.

INTERIOR/BIA--19.

System name: Indian Association Stock Purchase Records -- Interior, BIA--19.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the record is to identify individual Indians who have stocks in Indian Associations. Disclosures outside the Department of the Interior may be made (1) to another Federal agency, a State or local government, an Indian tribal group or a contractor that will have jurisdiction over programs now managed by the BIA, (2) to the Economic Development Administration, Farmers Home Administration and Small Business Administration in regard to participating funding between these agencies and the BIA, (3) to the U. S. Department of Justice when related to litigation or anticipated litigation, (4) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license, and (5) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/BIA--20.

System name: Correspondence Files System -- Interior, BIA--20.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the record is to provide information for use by Department of the Interior; BIA; Indian Tribes; Indian Claims Commission; and the Indian Claims Division, Office of Finance, GSA. Disclosures outside the Department of the Interior may be made (1) to another Federal agency, a State or local government, an Indian Tribal Group or a contractor that will have jurisdiction over programs now controlled by the BIA, (2) to the U. S. Department of Justice when related to litigation or anticipated litigation, (3) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license, and (4) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/BIA--21.

System name: Correspondence Control System -- Interior, BIA--21.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the record is to provide control for prompt handling or priority correspondence by the Bureau of Indian Affairs. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation, and (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license.

INTERIOR/BIA--22.

System name: Indian Student Records -- Interior, BIA--22.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the record is to provide permanent individual student records on all phases of the education of indians in BIA schools or under Government Education Grants. Disclosures outside the Department of the Interior may be made to (1) another federal agency, a State or local government, Indian Tribal Group or to any individual or establishment that will have jurisdiction whether by contract to the BIA, by assumption of Trust Responsibilities or by other means for school programs now controlled by the BIA; (2) to any domestic recognized school, whether public, private, parochial or other, of those portions of students' records specified by the requesting school as being necessary for the acceptance, placement or satisfactory performance of the student at the requesting school, (3) to any individual or establishment of those portions of students' records specified by the requester as necessary for a decision concerning the hiring or retention of the student as an employee of the requester, (4) to a Federal, State or local agency maintaining civil, criminal or other relevant enforcement information, such as current licenses, if necessary to obtain information relevant to an agency

decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, (5) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant or other benefit, (6) to persons having official involvement in conjunction with a student's application for/or grant of financial aid, (7) to parents of a dependent student as defined in section 152 of the Internal Revenue Code of 1954, as amended, (8) to accreditation agencies in order to carry out their accrediting functions, (9) to the Department of Health, Education and Welfare and other governmental education officials when necessary to carry out their functions, (10) to an educational testing center or similar institution as part of validation research authorized by the school involved, (11) to the U. S. Department of Justice when related to litigation or anticipated litigation, (12) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license, and (13) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/BIA--23.

System name: Employment Assistance Case Files -- Interior, BIA--23.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) to identify individual Indians who are given direct employment or vocational training, and (b) to provide permanent records on Employment Assistance to individual Indians. Disclosures outside the Department of the Interior may be made (1) to another Federal agency, a State or local government, Indian Tribal Group or to any individual or establishment that will have jurisdiction whether by contract to the BIA, by assumption of Trust Responsibilities or by other means, for Employment Assistance Programs now controlled by the BIA, (2) to the U. S. Department of Justice when related to litigation or anticipated litigation, (3) of infromation indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigation or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license, (4) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual, and (5) to Federal, State or local agencies where necessary to obtain information relevant to the hiring or retention of an employee, or the issuance of a security clearance, contract, license, grant or other benefit.

INTERIOR/BIA--24.

System name: Timber Cutting and Fire Trespass Claims Case Files -- Interior, BIA--24.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) to identify unauthorized timber cutting claims filed against trespassers and/or converters, (b) for property damage claims filed against careless or negligent originators of wildfire which trespasses Indian property, and (c) establishing amounts and types of timber trespassed and their value. Disclosures outside the Department of the Interior may be made (1) authorized legal representative of Tribal Groups or members if necessary for litigation, (2) to the Department of Justice when related to litigation or anticipated litigation, (3) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license.

INTERIOR/APA-- 1.

System name: Administrative Management and Fiscal Records -- Interior, Alaska Power Administration--1.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the record is for the administrative and fiscal management of the Alaska Power Administration. Disclosures outside the Department of the Interior may be made (1) to the Department of the Treasury for preparation of (a) payroll checks; (b) payroll deduction and other checks to Federal, State and local government agencies, nongovernmental organizations and individuals; and (3) checks for reimbursement of employees and others; (2) to the Internal Revenue Service and to State, Commonwealth, Territorial and local governments for tax purposes; (3) to the Civil Service COmmission to report contributions to the Civil Service Retirement System and other contributions; (4) to another Federal agency to which an employee has transferred; (5) to another Federal agency having a subject matter interest in the records; (6) to the U. S. Department of Justice when related to litigation or anticipated ligation; (7) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (8) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/MINES-- 1.

System name: Payroll -- Interior, Mines--1.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) to provide information and accounting records regarding employee pay and leave for the automated payroll data file; (b) to inform each Bureau office of the composition of their labor cost changes by reporting total payroll changes for each individual made to various cost accounts within the Finance system. This reporting is made every two weeks on a regular payroll cycle. Disclosures outside the Department of the Interior may be made (1) to provide states with pay data relative to claims for unemployment; (2) to the Department of the Treasury for preparation of payroll checks and payroll deductions and other checks to Federal, state and local Government agencies, non-governmental organizations and individuals; (3) to the Internal Revenue Service and to state, commonwealth, territorial and local Governments for tax purposes; (4) to the Civil Service Commission in connection with the Civil Service Retirement System; (5) to another Federal agency to which an employee has transferred; (6) to the U. S. Department of Justice when related to litigation or anticipated litigation involving the records or the subject matter of the records; (7) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, state, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (8) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual; (9) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant or other benefit; (10) to Federal, state, or local agencies where necessary to obtain information relevant to the hiring or retention of an employee, or the issuance of a security clearance, contract, license, grant or other benefit.

INTERIOR/MINES-- 2.

System name: Travel Advance File -- Interior, Mines--2.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) to provide an accounting record of obligations due to the U. S. Government from employees authorized cash advances to defray expenses incurred in official travel. Payments to the traveler and repayments to the Government are reflected in this record; (b) to serve as a backup authority and manually reconciled file to the entries for travel expenses in the automated Finance system; (c) computer data are reported to each Bureau office as part of the detailed composition of monthly expense reports applicable to charges made to cost accounts within the Finance system. Only data pertinent to individual Bureau offices are available to that office. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation involving the records or the subject matter of the records; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual; (4) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant or other benefit; (5) to Federal, State, or local agencies where necessary to obtain information relevant to the hiring or retention of an em-

ployee, or the issuance of a security clearance, contract, license, grant or other benefit.

INTERIOR/MINES-- 3.

System name: Travel Vouchers and Authorizations -- Interior, Mines--3.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) as backup entry data for obligations and disbursements in the automated Finance system of the Bureau of Mines; (b) computer data are reported to each Bureau office as part of the detailed composition of monthly expense reports applicable to charges made to cost accounts within the Finance system. Only data pertinent to individual Bureau offices are available to that office; (c) vouchers are used to determine allowability of expenses within the law authorizing payment of travel expenses. The documents are used to determine which expenses incurred by the traveler can be paid and are sometimes used to report to other Federal agencies summarizations of those types of allowable expenses. Usually, the individual's name is not used in outside reporting but the data is. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation involving the records or the subject matter of the records; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, state, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual; (4) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant or other benefit; (5) to Federal, state, or local agencies where necessary to obtain information relevant to the hiring or retention of an employee, or the issuance of a security clearance, contract, license, grant or other benefit.

INTERIOR/MINES-- 4.

System name: Property Control -- Interior, Mines--4.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) identification, assignment, and control of Bureau property; (b) assistance in locating carpools; Disclosures outside of the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license.

INTERIOR/MINES-- 5.

System name: Personnel Identification -- Interior, Mines--5.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) to provide identification cards to employees; (b) locator information provided for use by management to contact employees in case of an emergency. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license.

INTERIOR/MINES-- 6.

System name: Safety Files -- Interior, Mines--6.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) for managerial review of safety related work situations, and (b) for authenticating work related accident, injury, illness, or fatalities for employee compensation purposes. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license.

INTERIOR/MINES-- 7.

System name: Security Files -- Interior, Mines--7.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the records is to identify Mines personnel who have security clearances and their degree of clearance. Disclosures outside the Department of the Interior may be made (1) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant or other benefit; (2) to Federal, State or local agencies where necessary to obtain information relevant to the hiring or retention of an employee, or issuance of a security clearance, contract, license, grant or other benefit; (3) to the U. S. Department of Justice when related to litigation or anticipated litigation; (4) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license.

INTERIOR/MINES-- 9.

System name: Distribution Center and Film Borrower Record Cards -- Interior, Mines--9.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are for (a) reference by Bureau of Mines film distribution personnel in determining locations of films out on loan, (b) scheduling film shipments, and returns, and (c) checking borrower's treatment of films borrowed in the past. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license.

INTERIOR/MINES--10.

System name: Biographical Reference File -- Interior, Mines--10.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) as a public information file on officials of the Bureau of Mines and (b) as background material in preparing public announcements on assignments, transfers or official activities of the named official. Disclosures outside the Department of the Interior may be made (1) to the public and news media seeking biographical information about named officials.

INTERIOR/BPA-- 1.

System name: Travel Records -- Interior, BPA -- 1.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) for the establishment of employee travel or change of station claims for reimbursement; (b) for the determination of available lodging rates whenever BPA employees conduct official travel; and (c) control of amounts of travel advances and repayment of those amounts provided. Disclosures outside the Department of the Interior may be made (1) to the Department of Treasury for reimbursement of travel expenses; (2) to the U. S. Department of Justice when related to litigation or anticipated litigation; (3) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (4) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/BPA-- 2.

System name: Payroll Files -- Interior, BPA -- 2.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the records are (a) to prepare schedule of net pay and record gross pay, leave, retirement, and payroll deductions; (b) to maintain payroll records for GAO and other audits; (c) to provide input for BPA cost accounting for budgeting systems. Disclosures outside the Department of the Interior may be made (1) to transfer earnings and withholding data to State employment agencies as requested for unemployment claims; (2) to transfer earnings for withholding, data to Federal and State income tax authorities; (3) to transfer leave and retirement records to other Federal agencies when employees transfer; (4) to transfer retirement records to the Civil Ser-

vice Commission for employees retiring, terminating, or transferring outside the Department; (5) to GAO when BPA requests Comptroller General decisions; (6) to the Department of the Treasury for issuance of checks and distribution of pay according to employee authorizations for savings and allotments and other authorized purposes; (7) to IRS for tax levies; (8) to Office of Federal Employee Compensation for employees injured on duty; (9) to State welfare agencies on written request regarding qualifications for food stamps; (10) to financial organizations for net pay and payroll savings for employees making deposits; (11) to unions of listings of union dues deductions to unions; (12) to the Department of the Treasury for issuance of checks to satisfy court orders authorizing garnishment under provisions of P.L. 93-647; (13) to the U. S. Department of Justice when related to litigation or anticipated litigation; (14) of transfer in the event it is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal, or regulatory in nature, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (15) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/BPA-- 3.

System name: Audiometric Testing Forms -- Interior, BPA -- 3.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the records is to advise employees that they have hearing deficiencies. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/BPA-- 4.

System name: Automotive Accident Files -- Interior, BPA -- 4.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) to determine the classification of the accident, i.e. preventable, nonpreventable, or reportable incident; (b) to adjudicate tort claims; (c) to determine financial liability and disciplinary action. Disclosures outside the Department of the Interior may be made (1) to General Services Administration for reimbursement; (2) to the U. S. Department of Justice when related to litigation or anticipated litigation; (3) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (4) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/BPA-- 5.

System name: Motor Vehicle Operator Identification Records -- Interior,BPA -- 5.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the record is to determine eligibility for motor vehicle operator identification cards. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/BPA-- 6.

System name: Industrial Accident Files and Employee Claims Files -- Interior, BPA -- 6.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) to analyze the facts and circumstances surrounding each accident for cause, (b) adjudication of tort and employee claims. Disclosures outside the Department of the Interior may be made (1) to another Federal agency, or a State or local government having partial or complete jurisdiction over the claim or related claims; (2) to the U. S. Department of Justice when related to litigation or anticipated litigation; (3) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, state, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (4) from the record of an individual in response to an inquiry from a congressional office made at the request of that individual.

INTERIOR/BPA-- 7.

System name: Safety Training Files -- Interior, BPA -- 7.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) to determine which employees have valid first aid cards; (b) to determine which employees hold certifications to access BPA facilities and (c) to determine which drivers have completed defensive driver courses. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/BPA-- 8.

System name: Plant Services History Files -- Interior, BPA -- 8.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) to provide a detailed record of costs incurred for labor against any plant services requested on a monthly basis, (b) to provide backup for charges for work performed for other Federal agencies under the cross-servicing agreements authorized by GSA Bulletin FPMR 100.G-23 and (c) to provide backup for charges against contractors and other vendors for corrective work performed by the Branch of Plant Services. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/BPA-- 9.

System name: Plant Services Personal Accountability Property System -- Interior, BPA -- 9.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) to provide inventories to satisfy other FPMR requirements; (b) to maintain a record of location of emergency equipment; (c) to control equipment assignments authorized under union contracts; (d) to provide management information necessary for the budgeting and allocation of equipment funds; and (e) to provide evidence of assignment, location, and value when government property is stolen. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/BPA--10.

System name: Land Records--Interior, BPA -- 10.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) to answer questions regarding land rights which BPA has granted to individuals or land rights individuals have granted to BPA; and (b) as a data source used to update maps. Disclosures outside the Department of the Interior may be made (1) to

other Federal agencies as questions arise concerning specific tracts of land; (2) to individuals, companies, or private organizations to answer questions concerning tracts of land; (3) to the U. S. Department of Justice when related to litigation or anticipated litigation; (4) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (5) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/BPA--11.

System name: Accounts Receivable--Interior, BPA -- 11.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) to assure collection of amounts due; (b) to provide data for accounting results; (c) to verify payment activity by individuals; and (d) to verify accuracy of accounting results. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when relateE 8 to litigation or anticipated litigation; (2) of information indicating E 8 violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/BPA--12.

System name: Report of Inventions--Interior, BPA -- 12.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) to determine employee's rights to license invention; (b) to determine status of invention in process of securing patent. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate federal, State, local or foreign agencies responsible for innvestigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/BPA--13.

System name: Parking Assignment Records--Interior, BPA -- 13.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the record is to assign parking permits and assist in locating car pools. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/BPA--14.

System name: Security Clearance File--Interior, BPA -- 14.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the record is to document clearances granted to individuals. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/GS-- 1.

System name: Payroll, Attendance and Leave Records -- Interior, GS--1. (2) Input documents supplied by all facilities of the U.S. Geological Survey. (See Appendix for addresses.)

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Transmittal of data to U.S. Treasury to issue pay to employees and to distribute pay according to employee directions for allotments, financial institutions, savings bonds, charitable contributions and other authorized purposes. (2) Reporting tax withholdings to IRS and State and local taxing authorities; FICA deductions to SSA; withholdings for health insurance to the Civil Service Commission and carriers; contributions to agents of charitable institutions; dues to labor unions; annual W-2 statements to taxing authorities and the individual. (3) In the event that a system of records maintained by the Survey to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation or order issued pursuant thereto. (4) A record from this system of records may be disclosed, as a routine use, to a Federal, State or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses if necessary to obtain information relevant to a Survey decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit. (5) A record from this system of records may be disclosed, as a routine use, to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter. (6) A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving the individual when the individual is a constituent of the Member and has requested assistance from the Member with respect to the subject matter of the record. (7) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records.

INTERIOR/GS-- 2.

System name: Authorized Cashier, Alternate Cashier, Certifying Officer and Cashierand Collection Officers -- Interiorand GS--2.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Transmittal to U.S. Treasury. (2) Routine uses numbered 3 through 7 listed in the system notice for the Geological Survey Payroll, Attendance and Leave Records System, Interior/GS-1.

INTERIOR/GS-- 3.

System name: Accounts Receivable -- Interior, GS--3.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Billing debtors. (2) Reporting to the Civil Service Commission. (3) Routine uses numbered 3 through 7 listed in the system notice for the Geological Survey Payroll, Attendance and Leave Records System, Interior/GS-1.

INTERIOR/GS-- 5.

System name: Contract Files -- Interior, GS--5.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Routine uses numbered 3 through 7 listed in the system notice for the Geological Survey Payroll, Attendance and Leave Records System, Interior/GS-1.

INTERIOR/GS-- 6.

System name: RELOS Records -- Interior, GS--6.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Used to prepare National Center telephone directory, parking permit issuance, carpool assignments, space occupancy reports. (2) Routine uses numbered 3 through 7 listed in the system notice for the Geological Survey Payroll, Attendance and Leave Records System, Interior/GS-1.

INTERIOR/GS-- 7.

System name: Personal Property Accountability Records -- Interior--7.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) To maintain control over bureau owned controlled property; maintain up-to-date inventory and accountability. (2) Routine uses numbered 3 through 7 listed in the system notice for the Geological Survey Payroll, Attendance and Leave Records System, Interior/GS-1.

INTERIOR/GS-- 8.

System name: Accident Reports and Investigations -- Interior, GS--8.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Routine uses numbered 3 through 7 listed in the system notice for the Geological Survey Payroll, Attendance and Leave Records System, Interior/GS-1.

INTERIOR/GS-- 9.

System name: National Research Council Grants Program -- Interior, GS--9.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Routine uses numbered 3 through 7 listed in the system notice for the Geological Survey Payroll, Attendance and Leave Records System, Interior/GS-1.

INTERIOR/GS--10.

System name: Lunar Sample -- Interior, GS--10.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Routine uses numbered 3 through 7 listed in the system notice for the Geological Survey Payroll, Attendance and Leave Records System, Interior/GS-1.

INTERIOR/GS--11.

System name: Security -- Interior, GS--11.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Routine uses numbered 3 through 7 listed in the system notice for the Geological Survey Payroll, Attendance and Leave Records System, Interior/GS-1.

INTERIOR/GS--12.

System name: Project Descriptions and Work Plans and Accomplishments -- Interior, GS--12.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Routine uses numbered 3 through 7 listed in the system notice for the Geological Survey Payroll, Attendance and Leave Records System, Interior/GS-1.

INTERIOR/GS--13.

System name: Manuscript Processing -- Interior, GS--13.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Use by Author, Branch Chiefs, Office Chiefs and Office of Scientific Publications staff. (2) Routine uses numbered 3 through 7 in the system notice for the Geological Survey Payroll, Attendance and Leave Records System, Interior/GS-1.

INTERIOR/GS--14.

System name: Travel Files -- Interior, GS--14.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Transmittal to U.S. Treasury for payment and to State Department for passports. (2) Routine uses numbered 3 through 7 listed in the system notice for the Geological Survey Payroll, Attendance and Leave Records System, Interior/GS-1.

INTERIOR/GS--15.

System name: Cartographic Information Customer Records -- Interior, GS--15.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Reference by GS and GS contractor personnel in processing customer inquiries; (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records; (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

INTERIOR/GS--16.

System name: Office of Minerals Exploration (OME) Financial Assistance Applications -- Interior, GS--16.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Routine uses numbered 3 through 7 listed in the system notice for the Geological Survey Payroll, Attendance and Leave Records System, Interior/GS-1.

INTERIOR/GS--17.

System name: Management Information System, Publications Division -- Interior, GS--17.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Production control, program management, accumulation of costs for billing the pertinent GS divisions. (2) Routine uses numbered 3 through 7 listed in the system notice for the Geological Survey Payroll, Attendance and Leave Records System, Interior/GS-1.

INTERIOR/GS--18.

System name: Computer Services Users -- Interior, GS--18.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Billing and Mailing to Federal Employees who are Geological Survey Computer Services Users. (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

INTERIOR/GS--20.

System name: Photo File System -- Interior, GS--20.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Dissemination to public with press releases and in publications. (2) Routine uses numbered 3 through 7 in system notice for Geological Survey Payroll, Attendance and Leave Records System, Interior/GS--1.

INTERIOR/GS--21.

System name: Mineral Lease and Royalty Accounting Files -- Interior, GS--21.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) mineral lease management - supervision of leases and permits, royalty account billings, revenue controls and statistical data. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies, responsibility for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license, and, (2) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/GS--22.

System name: Correspondence - Interior, GS -- 22.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1)Maintain record of correspondence relating to policy and day-to-day activities of the Publications Division. (2) Routine uses numbered 3 through 7 listed in the system notice for the Geological Survey Payroll, Attendance and Leave Records System, Interior/GS-1.

INTERIOR/GS--23.

System name: Personnel Investigations Records -- Interior, GS--23.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The contents of these records and files may be disclosed and used as follows: (1) To designated officials, officers, and employees of the USGS, DOI, CSC, ERDA, CIA, FBI, and all other agencies and departments of the Federal Government who in the performance of their duties have an interest in the individual for employment purposes, including a security clearance or access determination, and a need to evaluate qualifications, suitability, and loyalty to the United States Government. (2) To all law enforcement agencies, whether Federal, State, or local, who are charged with the responsibility of investigating or prosecuting any violation or potential violation of the law, whether civil, criminal, or regulatory in nature, and whether arising by statute, or by regulation, rule, or order issued pursuant thereto.

INTERIOR/GS--24.

System name: Employee Work Report Edit and Individual Employee Production Rates -- Interior, GS--24.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the records are for analysis of cost and production rates by individual production employee. Disclosures outside the Department of the In-

terior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/MESA-- 1.

System name: Coal and Metal and Nonmetal Mine Accident and Injury -- Interior, MESA--1.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) to determine probable cause of accidents, injuries, and illnesses and (b) to provide a statistical analytic data base for allocation of MESA and other resources to reduce occupational injuries and illnesses. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual; (4) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant or other benefit.

INTERIOR/MESA-- 2.

System name: Identification Cards -- Interior, MESA--2.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) to provide identification cards to employees. Disclosures outside of the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, order or license.

INTERIOR/MESA-- 3.

System name: Metal and Nonmetal Mine Health and Safety Management Control -- Interior, MESA--3.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) to determine the workload work scheduling and performance of mine inspection personnel; (b) to maintain records on violations of health and safety standards and regulations; (c) to determine contaminant exposure level; (d) employment data relative to metal and nonmetal mine workers, e.g., number of workers, etc. Disclosures outside the Department of the Interior may be made (1) to the National Institute of Occupational Safety and Health and the Environmental Protection Agency information resulting from special health studies; (2) to provide state agencies or bodies in state plan states applicable inspection reports, surveys on personal exposure and special health studies; (3) to furnish unions and company officials inspection reports containing exposure data pertaining to members and employees, respectively; (4) to the U. S. Department of Justice when related to litigation or anticipated litigation; (5) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rules, regulation, order or license; (6) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/MESA-- 4.

System name: Employee Conduct Investigations -- Interior, MESA--4.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the records is to determine facts and circumstances relative to allegations. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual; and (4) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant, or other benefit.

INTERIOR/MESA-- 5.

System name: Payroll Records -- Interior, MESA--5.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) to provide information and accounting records regarding employees pay and leave for the automated payroll data file; (b) to inform each MESA office of the composition of the labor cost changes by reporting total payroll changes for each individual made to various cost accounts within the finance system. This reporting is made every two weeks on a regular payroll cycle. Disclosures outside the Department of the Interior may be made (1) to provide states with pay data relative to plans for unemployment compensation; (2) to the Department of the Treasury for preparation of (a) payroll checks and (b) payroll deduction and other checks to Federal, state and local government agencies, nongovernmental organizations and individuals; (3) to the Internal Revenue Service and to state, commonwealth, territorial and local governments for tax purposes; (4) to the Civil Service Commission in connection with the Civil Service Retirement System; (5) to another Federal agency to which an employee has transferred; (6) to provide Social Security Numbers for use in identifying MESA imployee travel advance accounts which are maintained in travel advance file; (7) to the U. S. Department of Justice when related to litigation or anticipated litigation; (8) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, state, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (9) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual; (10) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant or other benefit; (11) to Federal, state or local agencies where necessary to obtain information relevant to the hiring or retention of an employee, or the issuance of security clearance, contract, license, grant or other benefit.

INTERIOR/MESA-- 6.

System name: Travel -- Interior, MESA -- 6.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) as backup entry data for obligation and disbursements in the automated finance system of MESA; (b) as an audit file for examining travel vouchers for travelers who travel on a continuing basis under area or general travel authorizations; (c) travel cost information is reported to each MESA office as part of the detailed composition of monthly expense reports for cost accounts within the finance system. Only data pertinent to individual MESA offices are available to that office. Disclosures outside of the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, state, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquinry from a Congressional office at the request of that individual; (4) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant or other benefit; (5) to Federal, state or local agencies where necessary to obtain information relevant to the hiring or retention of an employee, or the issuance of a security clearance, contract, license, grant or other benefit.

INTERIOR/MESA-- 7.

System name: Personnel Security Files -- Interior, Mines-- 7.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the

records is (a) to provide an accounting record of obligation due to the U. S. Government from employees who have cost advances to defray expenses incurred in official travel. Disclosures outside of the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, state, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual; (4) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant or other benefit; (5) to Federal, state or local agencies where necessary to obtain information relevant to the hiring or retention of an employee, or the issuance of a security clearance, contract, license, grant or other benefit.

INTERIOR/MESA-- 8.

System name: Accident and Injury Records -- Interior, MESA -- 8.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) to identify deficiencies in the Employee Safety Programs that must be corrected in order to maintain a safe and helthy work environment;(b) adjudication of tort, employee and similar claims against the government. Disclosures outside the Department of the Interior may be made (1) to General Services Administration when a GSA motor vehicle is involved in an accident; (2) to the U. S. Department of Justice when related to litigation or anticipated litigation; (3) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, and or license; (4) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual; (5) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant or other benefit.

INTERIOR/MESA-- 9.

System name: Security Clearance Records -- Interior, MESA--9.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the system is to determine qualifications of individuals for employment with MESA. Disclosures outside of the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual; (4) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant or other benefit; and (5) to Federal, State or local agencies where necessary to obtain information relevant to the hiring or retention of an employee, or the issuance of a security clearance, contract, license, grant or other benefit.

INTERIOR/MESA--10.

System name: Coal Mine Health and Safety Special Investigations -- Interior, MESA--10.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) to determine validity of allegations and (b) for use in determining amount of civil penalty assessments against individuals and operators. Disclosures outside of the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, state, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual; (4) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant or other benefit; and (5) toFederal, state or local agencies where necessary to obtain infomation relevant to the hiring or retention of an employee, or the issuance of a security clearance, contract, license, grant or other benefit.

INTERIOR/MESA--11.

System name: National Mine Health and Safety Academy Records-- Interior, MESA -- 11.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the records are (a) by agency officials for purposes of review in connection with an employee's probationary period, transfer, promotion, or determination of qualifications of the individual. Disclosures may be made outside the Department the Interior (1) to provide information to prospective employers of a Government employee or former Federal employee or to an organization at the request of the student; (2) to provide statistical reports to Congress, agencies, and the public relative to health and safety training; (3) to provide information to another educational institution for training purposes; (4) to respond to requests from Labor organizations for names and training information; (5) to the U. S. Department of Justice when related to litigation or anticipated litigation; (6) of information indicating a violation or a potential violation of a statute, regulation, rule, order or license; (6) to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implenting the statute, rule, regulation, order or license; (7) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual; (8) to Federal, State or local agencies where necessary to obtain information relevant to the hiring or retention of an employee, or the issuance of a security clearance, contract, license, grant or other benefit.

INTERIOR/MESA--12.

System name: Property Control--Interior, MESA -- 12.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the records is the identification and control of MESA property. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) disclosure from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/MESA--13.

System name: Coal Mine Respirable Dust Program -- Interior, MESA--13.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the records are (a) to determine respirable dust levels in every active working mine to insure compliance with dust leveE 8 made (1) transfer of respirable dust data to the U. S. Department of HEW in accordance with provisions of PL 91-173; (2) special studies relative to occupational types, mining methods, ventiilation, etc. (3) furnishing mine operators with information relevant to the respirable dust program as it applies to their operations as required by the law; (3) to the U. S. Department of Justice when related to litigation or anticipated litigation; (4) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (5) from the record of an individual in response to an individual.

INTERIOR/MESA--14.

System name: Coal Mine Noise Level Program -- Interior, MESA--14.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) determine noise levels in every active working mine to insure compliance with noise level standards; (b) special studies relative to occupational types, mining methods, ventilation, etc. Disclosures outside the Department of the Interior may be made (1) to furnish mine operators with information relevant to the noise program as it applies to their operations as required by the law; (2) to the U. S. Department of Justice when related to litigation or an-

ticipated litigation; (3) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (4) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/MESA--15.

System name: Health and Safety Training Records including Qualifications and Certification Data --Interior, MESA--15.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are to (a) issue certification cards to individual miners, mining industry personnel and State and Federal employees who have taken MESA's approved training courses and become certified and/or qualified under the law; (b) issue certification cards to instructors authorizing them to teach MESA training courses; (c) statistical reporting of training data in various formats for a variety of uses, e.g., reporting to Congress, publications, etc. Disclosures outside of the Department of the Interior may be made (1) to coal companies requesting information to verify training required by law; (2) Unions requesting information on the training status of its members; (3) coal operators associations requiring training for policy and programming utilization; (4) to the U. S. Department of Justice when related to litigation or anticipated litigation; (5) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriaDe Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (6) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual. to individual miners, mining industry personnel and State and Federal employees who have taken MESA's approved training courses and become certified and/or qualified under the law; (b) issue certification cards to instructors authorizing them to teach MESA training courses; (c) statistical reporting of training data in various formats for a variety of uses, e.g., reporting to Congress, publications, etc. Disclosures outside of the Department of the Interior may be made (1) to coal companies requesting information to verify training required by law; (2) Unions requesting information on the training status of its members; (3) coal operators associations requiring training for policy and programming utilization; (4) to the U. S. Department of Justice when related to litigation or anticipated litigation; (5) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (6) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/MESA--16.

System name: Employee Locator System, Department of the Interior, MESA--16.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) used to assist callers in locating MESA employees and for the use of other employees of MESA who have a need for the records in the performance of their duty; and (b) to complete agency telephone directory. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual; (4) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant or other benefit; (5) to Federal, State, or local agencies where necessary to obtain information relevant to the hiring or retention of an employee, or the issuance of a security clearance, contract, license, grant or other benefit.

INTERIOR/SE-- 1.

System name: Administrative Management and Fiscal Records -- Interior, Southeastern Power Administration--1.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the records is for administrative and fiscal management of the Southeastern Power Administration. Disclosures outside the Department of the Interior may be made (1) to the Department of the Treasury for preparation of (a) payroll checks; (b) payroll deduction and other checks to Federal, State and local government agencies, non-governmental organizations and individuals; and (c) checks for reimbursement of employees and others; (2) to the Internal Revenue Service and to State, Commonwealth, Territorial and local governments for tax purposes; (3) to the Civil Service Commission to report contributions to the Civil Service Retirement System and other contributions; (4) to another Federal agency to which an employee has transferred; (5) to another Federal agency having a subject matter interest in the records; (6) to the U. S. Department of Justice when related to litigation or anticipated litigation; (7) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (8) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/SW-- 1.

System name: Payroll System -- Interior, Southwestern Power Administration -- 1.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses are (a) fiscal operations for payroll, leave, insurance, tax, retirement, and cost programs. Disclosures outside the Department of the Interior may be made (1) to the Treasury Department for issuance of payroll checks, (2) to Internal Revenue for audit of computations of income and social security taxes, (3) to State Governments in area of operations for audit of computation of income tax, (4) to Civil Service Commission in connection with retirement, life insurance, and health insurance accounts, (5) to authorized insurance carriers for use in balancing and reconciling payments, (6) to Federal Power Commission in connection with listing officers in the annual report of SPA to the FPC, (7) to the U. S. Department of Justice when related to litigation or anticipated litigation, (8) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license, (9) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual, (10) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant or necessary to obtain information relevant to the hiring or retention of an employee, or the issuance of a security clearance, contract, license, grant or other benefit.

INTERIOR/SW-- 2.

System name: Contracts System -- Interior, Southwestern Power Administration -- 2.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) processing requisitions and requests for purchasing materials and supplies and (b) processing invoices for payment. Disclosures outside the Department of the Interior may be made, (1) to the Treasury Department for issuance of checks for payment, (2) to the U. S. Department of Justice when related to litigation or anticipated litigation (3) of information indicating a violation or potential violation of a statute, regulation, rule, order or license to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license.

INTERIOR/SW-- 4.

System name: Property Management System -- Interior, Southwestern Power Administration -- 4.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses are (a) processing survey reports of lost, stolen or worn out property and (b) assignment of property items, parking space and motor vehicles for official use. disclosures outside the Department of the Interior may be made (1) to the General Services Administration for assignment of parking space or motor vehicles, (2) to the Postal Service for assignment of parking space, (3) to the U. S. Department of

Justice when related to litigation or anticipated litigation, (4) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license, (5) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual, (6) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant or other benefit, (7) to Federal, State, or local agencies where necessary to obtain information relevant to the hiring or retention of an employee, or the issuance of a security clearance, contract, license, grant or other benefit.

INTERIOR/SW-- 5.

System name: Travel Record System -- Interior, Southwestern Power Administration -- 5.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use is (a) processing travel vouchers for reimbursement of official travel. Disclosures outside the Department of the Interior may be made (1) to the Treasury Department for issuance of travel reimbursement checks, (2) to the U. S. Department of Justice when related to litigation or anticipated litigation, (3) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license, (4) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual, (5) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of security clearance, license, contract, grant or other benefit, (6) to Federal, State or local agencies where necessary to obtain information relevant to the hiring or retention of an employee, or the issuance of a security clearance, contract, license, grant or other benefit.

INTERIOR/SW-- 6.

System name: Imprest Fund Cashiers -- Interior, Southwestern Power Administration--6.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use is (a) for control of funds handling appointments. Disclosures outside the Department of the Interior may be made, (1) to the Department of Justice when related to litigation, and (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license.

INTERIOR/SW-- 7.

System name: Accidents -- Interior, Southwestern Power Administration--7.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses are (a) to identify deficiencies in the employee safety program that must be corrected in order to maintain a safe and healthful workplace for all employees, (b) determination of financial liability and disciplinary action, (c) input documents for Department of the Interior automated system for accident reporting and, (d) to Office of the Solicitor for use in determining tort, employee, and similar claims against the U. S. Disclosures outside the Department of the Interior may be made, (1) to the U. S. Department of Justice when related to litigation or anticipated litigation, (2) of information indicating a violation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license, (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual, (4) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant or other benefit, (5) to Federal, State or local agencies where necessary to obtain information relevant to the hiring or retention of an employee, or the issuance of a security clearance, contract, license, grant or other benefit.

INTERIOR/NPS-- 1.

System name: Special Use Permits -- Interior, NPS--1.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the record is for (1) park management. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation, (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/NPS-- 2.

System name: Land Acquisition & Relocation Files -- Interior, NPS--2.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the record is for (1) land acquisition and relocation purposes. Disclosures outside the Department of the Interior amy be made (1) to authorized title companies and closing agents for title policies and closings, (2) to the U. S. Department of Justice for preliminary and final title opinions and condemnation proceedings, (3) to the U. S. Department of Justice when related to litigation or anticipated litigation, (4) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license. (6) Disclosures from the record of an individual may be made in response to an inquiry from a Congressional office at the request of that individual.

INTERIOR/NPS-- 3.

System name: Land Acquisition Management Information System -- Interior, NPS--3.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the records is for (1) land acquisition statistics for NPS personnel, Congressional or public information. Disclosure outside the department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation, (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license. (3) Disclosures from the record of an individual may be made in response to an inquiry from a Congressional office at the request of that individual.

INTERIOR/NPS-- 4.

System name: Travel Records -- Interior, NPS--4.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the record is for (1) travel advance control, control of GTR's and preparation of travel authorizations and vouchers. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation, (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license.

INTERIOR/NPS-- 5.

System name: Retirement Record -- Interior, NPS--5.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the records is (1) to keep current the employee's Federal employment history and retirement contribution. Disclosures outside the Department of the Interior may be made (1) to the Civil Service Commission in connection with administration of the Civil Service Retirement System, (2) to another Federal agency for the record of an employee who has transferred to that agency, (3) to the U. S. Department of Justice when related to litigation or anticipated litigation, (4) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license.

INTERIOR/NPS-- 6.

System name: Audiovisual Performance Selection Files -- Interior, NPS-m6.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the record is (1) to evaluate voice and photographic quality and to select performers and narrators for NPS productions. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation, (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license.

INTERIOR/NPS-- 7.

System name: National Park Service Historical Library -- Interior, NPS--7.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the record is (1) evaluation of historical documents. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation, (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license. (3) Disclosures from the record of an individual may be made in response to an inquiry from a Congressional office at the request in response to an inquiry from a Congressional office at the request of that individual.

INTERIOR/NPS-- 8.

System name: Property and Supplies Accountability -- Interior, NPS--8.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the record is (1) to identify the responsible individual for accountability of property and supplies. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation, (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign Aagencies responsible for investigating or prosecuting the violation or for for enforcing or implementing the statute, rule, regulation, order or license.

INTERIOR/NPS-- 9.

System name: Advisory Council on Historic Preservation Membership -- Interior, NPS--9.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the record is (1) to maintain the necessary records on expenses of members for the conduct of council business and to provide public information on the individual members of the council. Disclosures outside the Department of Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation, (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or emplementing the statute, rule, regulation, order or license. (4) Disclosures from the record of an individual may be made in response to an inquiry from a Congressional office at the request of that individual.

INTERIOR/NPS--10.

System name: Central Files -- Interior, NPS--10.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the record is (1) to use a cross-reference in locating original correspondence, and to determine the action office that replied. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation, (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, or license.

INTERIOR/NPS--11.

System name: Congressional Correspondence, Advisory Council on Historic Preservation -- Interior, NPS--11.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the record is (1) to the Advisory Council staff for retrieval of correspondence between the Advisory Council and Congressional offices on Advisory Council business. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation, (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/NPS--12.

System name: U.S. Park Police Personnel Photograph File -- Interior, NPS--12.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the record is (1) for management to aid in the investigation of personnel complaints. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation, (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license.

INTERIOR/NPS--13.

System name: Concessioners -- Interior, NPS--13.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the record is (1) to maintain a mailing list of concessioners for management information. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation, (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or Department of the Interior may be made (1) to the U. S. Department statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/NPS--14.

System name: Concessioner Financial Statement and Audit Report Files -- Interior, NPS--14.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the record is (1) to management for contract compliance and information. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation, (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (4) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/NPS--15.

System name: Concessions Management Files -- Interior, NPS--15.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the record is (1) to management for contract compliance and interpretation. Disclosures outside the department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation, (2) OF information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license.

INTERIOR/NPS--16.

System name: Position and Manpower Reporting System (PMRS) -- Interior, NPS--16.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the record is (1) to issue reports on authorized positions and data related to positions and the incumbents. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation, (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license.

INTERIOR/NPS--17.

System name: Employee Financial Irregularities -- Interior, NPS--17.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the record is (1) to aid management in seeking recovery of funds stolen or otherwise misappropriated. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation, (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation, or for enforcing or implementing the statute, rule, regulation, order or license.

INTERIOR/NPS--18.

System name: Collection, Certifying and Disbursing Officers, and Imprest Fund Cashiers -- Interior, NPS--18.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the record is (1) the control of funds handling appointments. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation, (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation order or license.

INTERIOR/NPS--19.

System name: Law Enforcement Statistical Reporting System, incident card reference and related files -- Interior, NPS--19.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (1) to identify incidents in which individuals were involved, (2) to retrieve the report for information for the individual involved, such as accident reports and reports of found property, (3) to aid NPS law enforcement officers on a need to know basis. Disclosures outside the Department of the Interior may be made (1) to law enforcement officers from other agencies in their work on a need to know basis, (2) to the U. S. Department of Justice when related to litigation or anticipated litigation, (3) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation, or for enforcing or implementing the statute, rule, regulation, order or license.

INTERIOR/NPS--20.

System name: Payroll --Interior, NPS -- 20.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the record is (1) to maintain fiscal operations for payroll, leave, insurance, tax, retirement and cost programs. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of the Treasury for preparation of payroll checks and payroll deduction and other checks to Federal, State, and local government agencies, non-governmental organizations and individuals, (2) to the Internal Revenue Service and to State, commonwealth, territorial and local governments for tax purposes, (3) to the U. S. Civil Service Commission in connection with the Civil Service Retirement System, (4) to another Federal agency to which an employee has transferred, (5) to the U. S. Department of Justice when related to litigation or anticipated litigation, (6) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation, or for enforcing or implementing the statute, rule, regulation, order or license; (7) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/NPS--21.

System name: Visitor Statistical Survey Forms -- Interior, NPS -- 21.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (1) to evaluate existing management programs through statistical analysis of the replies furnished by the visitors, (2) to develop new thrusts that might be suggested by the visitors' comments. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation, (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/BOR-- 1.

System name: Congressional Correspondence File -- Interior, BOR -- 1.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) easy retrieval for immediate response to telephone inquiries from members of Congress, staff members or constituents, on matters concerning L&WCF grant notifications. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, or appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license.

INTERIOR/BOR-- 2.

System name: Payroll System -- Interior, BOR--2.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) to compute gross earnings; (b) to make deductions as applicable for items listed under category of records; (c) to have net pay checks issued to employees; (d) to furnish information to state agencies as requested for former employees applying for unemployment benefits. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant or other benefit; (4) to Federal, State or local agencies where necessary to obtain information relevant to the hiring or retention of an employee, or the issuance of a security clearance, license, contract, grant or other benefit.

INTERIOR/BOR-- 3.

System name: Management by Objectives -- Interior, BOR--3.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) Project Management; (b) coordination and integration of BOR work plans with other participating Federal/State agencies. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license.

INTERIOR/BOR-- 4.

System name: Motor Vehicle Operations Program -- Interior, BOR--4.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the

records are (a) authorize a person to operate a government vehicle. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license.

INTERIOR/BOR-- 5.

System name: Financial Management System -- Interior, BOR--5.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) Labor Cost History; (b) work load analysis; (c) Project Management; (d) Manpower Analysis. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license.

INTERIOR/BOR-- 6.

System name: Property Hand Receipt File -- Interior, BOR--6.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) control of U. S. Government property consigned to an individual employee for temporary or short-term use; such as, hand calculators, transportation request books, rent-a-car cards, cameras, tape recorders, dictating equipment, and other portable items for which accountability records are required. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license.

INTERIOR/BOR-- 7.

System name: Travel and Transportation Automated Accounting System -- Interior, BOR--7.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) to provide posting media for the accounting system; (b) to support payments, obligations, and other financial transactions; (c) provide support to the accountable officers accounts. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant or other benefit; (4) to Federal, State or local agencies where necessary to obtain information relevant to the hiring or retention of an employee, or the issuance of a security clearance, license, contract, grant or other benefit.

INTERIOR/FWS-- 1.

System name: Labor Cost Information Records -- Interior, FWS--1.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the records is to serve as a tool in the financial and manpower management of service programs. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to on or anticipated litigation; (2) of information indicating a tion or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual; (4) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant or other benefit; and (5) to Federal, State or local agencies where necessary to obtain information relevant to the hiring or retention of an employee, or the issuance of a security clearance, contract, license, grant or other benefit.

INTERIOR/FWS-- 2.

System name: Travel Records -- Interior, FWS--2.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the records is to form the legal basis for the disbursement of federal funds. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual; (4) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant or other benefit; and (5) to Federal, State, or local agencies where necessary to obtain information relevant to the hiring or retention of an employee, or the issuance of a security clearance, contract, license, grant or other benefit.

INTERIOR/FWS-- 3.

System name: Security File -- Interior, FWS-- 3.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are to (a) document security clearances granted to individuals, and (b) to document suitability determinations for Federal employment. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation order or license; (3)from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual; (4) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant or other benefit; and (5) to Federal, State, or local agencies where necessary to obtain information relevant to the hiring or retention of an employee, or the issuance of a security clearance, contract, license, grant or other benefit.

INTERIOR/FWS-- 4.

System name: Tort Claim Records -- Interior, FWS--4.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the records is for evaluation by tort claims officers, attorneys in the Office of the Solicitor, Department of the Interior. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/FWS-- 5.

System name: National Wildlife Refuge Special Use Permits -- Interior, FWS--5.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the records is identification of personnel having special use permits and cooperative farming agreements on National Wildlife Refuges. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/FWS-- 6.

System name: Hunting and Fishing Survey Records -- Interior, FWS--6.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the records is the development of statistical analyses to assist in the management of the Nation's wildlife resources. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order, or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/FWS-- 7.

System name: Water Development Project and/or Effluent Discharge Permit Application Review -- Interior, FWS--7.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the records is to review and comment on permit applications. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of in individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/FWS-- 8.

System name: Fish Disease Inspection Report -- Interior, FWS--8.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of fish disease inspection records maintained in the system is to certify the disease status of populations of fish in the case of transferring, marketing, or distribution control. Disclosures outside the Department of the Interior may be made (1) to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory: or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated; (2) to the U. S. Department of Justice when related to litigation or anticipated litigation; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual; (4) to Federal, State or local agencies where necessary to obtain information relevant to the hiring or retention of an employee, or the issuance of a security clearance, contract, license, grant or other benefit.

INTERIOR/FWS-- 9.

System name: Farm Pond Stocking Program -- Interior, FWS--9.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the records is to insure that the stocking policy is maintained and to keep track of where various species have been stocked. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/FWS--10.

System name: National Fish Hatchery Special Use Permits -- Interior, FWS--10.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the records is to limit and control the use of the property at the National Fish Hatcheries. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/FWS--11.

System name: Real Property Records -- Interior, FWS--11.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) transfer of pertinent documents to authorized title companies or abstractors to obtain title evidence for closings; (b) transfer of pertinent documents to Regional Solicitors and the U. S. Department of Justice for title opinions and condemnation purposes; (c) for use of appraisal information in negotiations; (d) for permit and outgrant purposes; (e) reporting lands as excess to the General Services Administration for transfer or disposal. Disclosures outside the Department of the Interior may be made (1) to the Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; and (3) Congressional inquiry.

INTERIOR/FWS--12.

System name: Fish Tag Returns -- Interior, FWS--12.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records is to (a) estimate population of large-mouth bass and other reservoir species of recreational, commercial and esthetic importance and (b) determine age structure of these species. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/FWS--13.

System name: North American Breeding Bird Survey -- Interior, FWS--13.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the records is the annual monitoring of migratory bird populations to determine trends in their abundance. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/FWS--14.

System name: Great Lakes Commercial Fisheries Catch Records -- Interior, FWS--14.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) to determine population levels of species of fish of commercial, recreational and esthetic interest and (b) to determine effects of man's activities on these species. Disclosures outside the Department of the Interior may be made (1) to the National Marine Fisheries Service, U. S. Department of Commerce for economic evaluations of Great Lakes commercial fisheries and for publication in its Standard Statistical Digests and related media as provided in a cooperative agreement, (2) to the Departments of Natural Resources or Conservation of the States of Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania and Wisconsin for resource assessment, effective fishery management, economic and social considerations, regulatory purposes, and for ongoing biolgoical research, (3) to the U. S. Department of Justice when related to litigation or anticipated litigation, (4) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation

or for enforcing or implementing the statute, rule, regulation, order or licensel and (5) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/FWS--15.

System name: American Attitudes Toward Animals -- Interior, FWS--15.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the records is to make policy decisions with respect to attitudes in general. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/FWS--16.

System name: Waterfowl Hunter Attitude Study -- Interior, FWS--16.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (1) the waterfowl hunting regulationE 8 and the (2) the adequacy of current management of waterfowl hunting used by service employees. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/FWS--17.

System name: Diagnostic-Extension Service Records -- Interior, FWS--17.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) internal use for identifying regional and national fish and wildlife disease patterns, occurrence and importance (b) as an aid in developing research priorities and (c) for comparison of pathological agents, disease pathology. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/FWS--18.

System name: Animal Damage Control Authorization Records -- Interior, FWS--18.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) to document the use of service animal damage control (ADC) devices; (b) to gather data of predator, rodent, and bird damage; (c) to monitor service field employees' use of ADC devices and techniques; (d) to help determine the success of control devices; (e) to request and permit the service to conduct ADC work on the signator's lands; (f) to help protect the Government from tort claims, charges of trespass and other misunderstandings. Disclosures outside the Department of the Interior may be made (1) to cooperating Federal, State, county, and local governmental units; and cooperating private associations and organizations for administrative purposes, provided that such governmental units and cooperating organizations and associations have provided advance written assurance that the record will be used solely as a statistical research or reporting record and that such record will not be transferred in a form that is individually identifiable; (2) to the U. S. Department of Justice when related to litigation or anticipated litigation; (3) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; and (4) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/FWS--19.

System name: Endangered Species Licensee System -- Interior, FWS--19.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the records is to identify licensees authorized to import or export fish and/or wildlife or products thereof. disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) publication in the Federal Register, as required by law.

INTERIOR/FWS--20.

System name: Investigative Case File System -- Interior, FWS--20.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the records is to include all investigative and enforcement information reported to and investigated by the Division of Law Enforcement, U. S. Fish and Wildlife Service. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license.

INTERIOR/FWS--21.

System name: Permits System -- Interior, FWS--21.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the records is to identify holders of permits which authorizes otherwise illegal activity having to do with fish and/or wildlife. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) publication in the Federal Register, as required by law.

INTERIOR/FWS--22.

System name: U.S. Deputy Game Warden -- Interior, FWS--22.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are to identify holders of and applicants for U. S. Deputy Game Warden commissions. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual; (4) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant or other benefit; and, (5) to Federal, State or local agencies where necessary to obtain information relevant to the hiring or retention of an employee, or the issuance of a security clearance, contract, license, grant or other benefit.

INTERIOR/FWS--23.

System name: Motor Vehicle Permit Log -- Interior, FWS--23.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the records is a ready reference of names of holders of motor vehicle permits and date when permit must be renewed. Disclosures out-

side the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual; (4) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant or other benefit; and, (5) to Federal, State or local agencies where necessary to obtain information relevant to the hiring or retention of an employee, or the issuance of a security clearance, contract, license, grant or other benefit.

INTERIOR/FWS--24.

System name: Payroll -- Interior, FWS--24.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) fiscal operations for payroll, leave, insurance, tax, retirement and cost programs; (b) disclosure to the Department of the Treasury for preparation of (1) payroll checks and (2) payroll deduction and other checks to Federal, State and local government agencies, non-governmental organizations and individuals; (c) disclosure to the Internal Revenue Service and to State, Commonwealth, Territorial and local governments for tax purposes; (d) disclosure to the Civil Service Commission in connection with retirement, life insurance and health insurance accounts; (e) disclosure to another Federal agency to which an employee has transferred. Disclosures outside the Department of the Interior may be made (2) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual; (4) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, contract, grant or other benefit; and (5) to Federal, State or local agencies where necessary to obtain information relevant to the hiring or retention of an employee, or the issuance of a security clearance, contract, license, grant or other benefit.

INTERIOR/FWS--25.

System name: Contract and Procurement Records -- Interior, FWS--25.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the records is evaluation by contracting officers and technical representatives of operating (requesting) Division or Office placing name and address on bidders list for use in sending out future solicitations. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/FWS--26.

System name: Migratory Bird Population and Harvest Systems -- Interior, FWS -- 26.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records maintained in the system are (a) data are routinely used by biologists and/or law enforcement offices of the U. S. Fish and Wildlife Service, Canadian Wildlife Service, Mexican Department Fauna Silvestre, and State and Provincial Conservation Agencies to further understanding, protection, management and utilization of the North American migratory bird resource; (b) portions of the data files including name and address listings are used for research purposes and for guidance, planning and coordination of research on migratory birds; (c) reports of summarized and analyzed data originating from banding and surveys are analyzed and published by the U. S. Fish and Wildlife Service and other cooperating agencies: studies containing analyzed migratory bird population and harvest data also appear in the technical literature involving the records or the subject matter of the records. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information that may aid investigations or indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual; (4) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant or other benefit; (5) to Federal, State or local agencies where necessary to obtain information relevant to the hiring or retention of an employee, or the issuance of a security clearance, contract, license, grant or other benefit; (6) to the Canadian Wildlife Service, Environmental Management Service, Department of the Environment, Ottawa, Ontario, Canada K1A OH3 and Mexican Direccion General Fauna Silvestre, Aquiles Serdan 28-70, Pisa, Mexico 3, DF, Mexico, as part of cooperative agreements; (7) routinely or upon request all or portions of the files, including name and address listings, are supplied to cooperators and researchers in other Federal, State, and local agencies; members of national, regional or local conservation organizations, university researchers and private individuals who establish a bona fide need for the information; (8) to contributors of band recovery information related to the bander and banding of the banded bird they reported, likewide, contributors of survey and harvest information are sometimes supplied with reports of populations and harvest surveys to which they had contributed. (Routine uses (1) and (2) apply only to those individuals in nos. (1) and (2) of the above paragraph 'Categories of individuals covered by the system.' and not to individuals who supply voluntary information to aid the Service in migratory bird management and research).

INTERIOR/FWS--27.

System name: Correspondence Control System -- Interior, FWS--27.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the records is to provide control for prompt handling of priority correspondence by the U. S. Fish and Wildlife Service. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/REC-- 1.

System name: Accidents -- Interior, Reclamation--1.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) to analyze the facts and circumstances surrounding each accident for cause, (b) for compilation of statistical data, (c) adjudicating tort, appropriation act, and employee claims. Disclosures outside the Department of the Interior may be made (1) Office of Worker's Programs when a Federal employee has an accident; (2) to the U. S. Department of Justice when related to litigation or anticipated litigation; (3) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (4) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual; (5) to a Federal agency which has requested information relevent or necessary to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant or other benefit; (6) to Federal, State or local agencies where necessary to obtain information relevant to the hiring or retention of an employee, or the issuance of a security clearance, license, contract, grant or other benefit.

INTERIOR/REC-- 2.

System name: Accounts Receivable -- Interior, Reclamation--2.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are for documentation supporting Bureau's accounts receivable. Disclosures outside the Department of the Interior may be made (1) to the Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/REC-- 3.

System name: Attendance at Meetings -- Interior, Reclamation--3.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are to document attendance at meetings and provide opportunity for administrative overview of current organizational policy requirements. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual; (4) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant or other benefit; (5) to Federal, State or local agencies where necessary to obtain information relevant to the hiring or retention of an employee, or the issuance of a security clearance, contract, license, grant or other benefit.

INTERIOR/REC-- 4.

System name: Audiograms (Hearing Test Record) -- Interior, Reclamation--4.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) for interpretation to take appropriate action to abate noise exposure hazard to employee. Disclosure outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual; (4) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant or other benefit; (5) to Federal, State, or local agencies where necessary to obtain information relevant to the hiring or retention of an employee, or the issuance of a security clearance, contract, license, grant or other benefit.

INTERIOR/REC-- 5.

System name: Claims -- Interior, Reclamation--5.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) to analyze the facts and circumstances surrounding each accident, (b) for compilation of statistical data, (c) adjudicating tort, appropriation act, and employee claims. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual; (4) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant or other benefit; (5) to Federal, State or local agencies where necessary to obtain information relevant to the hiring or retention of an employee, or the issuance of a security clearance, license, contract, grant or other benefit.

INTERIOR/REC-- 6.

System name: Collection Contracts -- Interior, Reclamation--6.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are for (a) for the administration and negotiation of documents to collect money due the Bureau of Reclamation. Disclosures outside the Departmentof the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/REC-- 7.

System name: Concessions -- Interior, Reclamation--7.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the record is administration of Reclamation facilities. Disclosures outside the Department of the Interior may be made (1) to State or local government agencies for taxation purposes; (2) to the U. S. Department of Justice when related to litigation or anticipated litigation; (3) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (4) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/REC-- 8.

System name: Driver's License -- Interior, Reclamation--8.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are to administer driver license program. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual; (4) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant or other benefit; (5) to Federal, State or local agencies where necessary to obtain information relevant to the hiring or retention of an employee, or the issuance of a security clearance, contract, license, grant or other benefit.

INTERIOR/REC-- 9.

System name: Foreign Visitors and Observers -- Interior, Reclamation--9.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the record is internal administration. Disclosures outside the Department of the Interior may be made (1) to news media as a contact; (2) to request or who may need to contact foreign visitors in case of emergency; (3) to the U. S. Department of Justice when related to litigation or anticipated litigation; (4) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (5) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/REC--10.

System name: Identification Cards -- Interior, Reclamation--10.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) to maintain control of identification cards issued. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or an-

ticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/REC--11.

System name: Individual Record of Issues -- Interior, Reclamation--11.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) to collect I.D.'s, passes, drivers licenses, and keys when employees terminate employment; (b) to record I.D. numbers and drivers license numbers and expiration dates Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of the individual.

INTERIOR/REC--12.

System name: Inventions and Patents -- Interior, Reclamation--12.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) to administer internal program for determining rights of employee to invention and status of securing patent for invention. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual; (4) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, contract, grant or other benefit; (5) to Federal, State or local agencies where necessary to obtain information relevant to the hiring or retention of an employee, or the issuance of a security clearance, contract, license, grant or other benefit.

INTERIOR/REC--13.

System name: Irrigation Management Service -- Interior, Reclamation--13.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the record is to assist farmers on Federal Projects in the selection of the proper amounts and timing of irrigation deliveries. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/REC--14.

System name: Land Exchange -- Interior, Reclamation--14.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) to maintain a history of land exchange and to protect individual rights. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual; (5) to Federal, State or local agencies where necessary to obtain information relevant to the hiring or retention of an employee, or the issuance of a security clearance, contract, license, grant or other benefit.

INTERIOR/REC--15.

System name: Land Settlement Entries -- Interior, Reclamation--15.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) to administer settler program and to determine if applicant is qualified to farm unit. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual; (4) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant or other benefit; (5) to Federal, State, or local agencies where necessary to obtain information relevant to the hiring or retention of an employee, or the issuance of a security clearance, contract, license, grant or other benefit.

INTERIOR/REC--16.

System name: Litigation -- Interior, Reclamation--16.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) show record of ownership of lands and right-of-way required for reclamation purposes; (b) for record of final disposition of case. Disclosures outside the Department of the Interior may be made (1) to another Federal agency, a State or local government body having partial or complete jurisdiction over the claim or related claims; (2) to State or local government agencies for taxation purposes; (3) to the U. S. Department of Justice when related to litigation or anticipated litigation; (4) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (5) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/REC--17.

System name: Lands - Leases, Sales, Rentals, and Transfers -- Interior, Reclamation--17.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) make known to interested individuals lands available for lease, sale, or rental; (b) to administer leases, sales, rentals, and transfers. Disclosures outside the Department of the Interior may be made (1) to appropriate Federal agency if it concerns other than reclamation lands; (2) to various counties for possessory interest tax; (3) anticipated litigation; (4) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (5) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/REC--18.

System name: Lease of Housing -- Interior, Reclamation--18.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) to administer leasing and utilization of housing. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual; (4) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security

clearance, license, contract, grant or other benefit; (5) to Federal, State or local agencies here necessary to obtain information relevant to the hiring or retention of an employee, or the issuance of a security clearance, contract, license, grant or other benefit.

INTERIOR/REC--19.

System name: Mineral Location Entries -- Interior, Reclamation--19.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) to determine disposition of claims. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual; (4) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant or other benefit; (5) to Federal, State or local agencies where necessary to obtain information relevant to the hiring or retention of an employee, or the issuance of a security clearance, contract, license, grant or other benefit.

INTERIOR/REC--20.

System name: Movable Property ADP Records -- Interior, Reclamation--20.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) to identify responsible individuals for accountability of movable property. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual; (4) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant or other benefit; (5) to Federal, State or local agencies where necessary to obtain information relevant to the hiring or retention of an employee, or the issuance of a security clearance, contract, license, grant or other benefit.

INTERIOR/REC--21.

System name: Movable Property Individual Responsibility -- Interior, Reclamation--21.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) to account for all property charged to individuals; (b) to record acquisition-relinquishments and other transactions. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/REC--22.

System name: Oil and Gas Applications -- Interior, Reclamation--22.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) for proof and purpose of applications, and land status information. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/REC--23.

System name: Parking -- Interior, Reclamation--23.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) to assign parking space. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/REC--24.

System name: Payroll, Attendance and Leave Records (PAYPERS) -- Interior, Reclamation--24.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) for leave records and to prepare payrolls. Disclosures outside the Department of the Interior may be made (1) to the Department of the Treasury for preparation of payroll checks and payroll deduction and other checks to Federal, State and local government agencies, non-governmental organizations and individuals; (2) to the Internal Revenue Service and to State, Commonwealth, Territorial and local governments for tax purposes; (3) to the Civil Service Commission in connection with the Civil Service Retirement system; (4) to other Federal agencies to which employees have transferred; (5) to the U. S. Department of Justice when related to litigation or anticipated litigation; (6) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation order or license; (7) from the record of an individual in response to an Inquiry from a Congressional office made at the request of that individual; (8) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant or other benefit; (9) to Federal, State or local agencies where necessary to obtain information relevant to the hiring or retention of an employee, or the issuance of a security clearance, contract, license, grant or other benefit.

INTERIOR/REC--25.

System name: Personal Author Reports -- Interior, Reclamation--25.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) to research technical reports by authors. Disclosures outside the Department of the Interior may be made to the general public.

INTERIOR/REC--26.

System name: Photographic Files -- Interior, Reclamation--26.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) in the administration of Bureau award and research programs. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/REC--27.

System name: Publication Sales -- Interior, Reclamation--27.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) to account for monies received for publications. Disclosures outside the Department of the Interior may be made (1) to the Government Printing Office for publications; (2) to the U. S. Department of Justice when related to litigation or anticipated litigation; (3) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (4) from the record of

an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/REC--28.

System name: Real Property and Right-of-Way Acquisitions -- Interior, Reclamation -- 28.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) to maintain record of ownership of lands and rights-of-way acquired for Reclamation purposes. Disclosures outside the Department of the Interior may be made (1) to transfer administration of the land for transmission of power, recreation, fish and wildlife activities, and other purposes as required to another Federal agency, State and local government; (2) to transmit deeds to local County government to record ownership data; (3) to furnish copy of deed to appropriate irrigation district operating the irrigation system to advise right-of-way available in operating the system; (4) to transmit documents to Department of Justice for title opinion; (5) to the U. S. Department of Justice when related to litigation or anticipated litigation; (6) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (7) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/REC--29.

System name: Right-of-Way Applications -- Interior, Reclamation--29.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) to maintain land status information and proof of right-of-way permits for legal purposes. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/REC--30.

System name: Safe Driving Records -- Interior, Reclamation--30.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the record is for reporting purposes and for safe driving awards. Disclosures outside the Department of the Interior may be made to (1) National Safety Council for issuance of safe driving awards; (2) to the U. S. Department of Justice when related to litigation or anticipated litigation; (3) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (4) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual; (5) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant or other benefit; (6) to Federal, State or local agencies where necessary to obtain information relevant to the hiring or retention of an employee, or the issuance of a security clearance, license, contract, grant or other benefit.

INTERIOR/REC--31.

System name: Sale of Power to Individuals -- Interior, Reclamation--31.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) for power accounting. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anitcipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/REC--32.

System name: Special Use Applications, Licenses, and Permits -- Interior, Reclamation--32.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) to administer Reclamation-owned lands and facilities; (b) to allow individuals, firms or other Government entities to use Reclamation lands for special limited uses. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/REC--33.

System name: Speeches -- Interior, Reclamation--33.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) for reference purposes by Public Relations Officer.

INTERIOR/REC--34.

System name: Thefts Listing -- Interior, Reclamation--34.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) to document reporting of loss or theft. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/REC--35.

System name: Travel Approval Authorizations and Reports -- Interior, Reclamation--35.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) to authorize employees to travel on official business. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual; (4) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant or other benefit; (5) to Federal, State or local agencies where necessary to obtain information relevant to the hiring or retention of an employee, or the issuance of a security clearance, contract, license, grant or other benefit.

INTERIOR/REC--36.

System name: Travel Voucher Records -- Interior, Reclamation--36.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) for payment of travel and transportation. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/REC--37.

System name: Trespass Cases -- Interior, Reclamation--37.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) to document final disposition of trespass. Disclo-

sures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual; (4) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant or other benefit; (5) to Federal, State or local agencies where necessary to obtain information relevant to the hiring or retention of an employee, or the issuance of a security clearance, contract, license, grant or other benefit.

INTERIOR/REC--38.

System name: Water Right Applications -- Interior, Reclamation--38.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) for administration and negotiation of water right applications with individual landowners; (b) to entitle purchaser of water right certificate to final water right certificate upon completion of statutory requirements. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/REC--39.

System name: Water Rights Acquisition -- Interior, Reclamation--39.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) for administration and negotiation of individual water service and agreements on division of water. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/REC--40.

System name: Water Sales and Delivery Contracts -- Interior, Reclamation--40.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) administration and negotiation of water sales contracts with individual landowner; (b) to sell water from Corps of Engineers dam and reservoir project. Disclosures outside the Department of the Interior may be made to State of California Water Resources Control Board for settlement of water rights; (2) to the U. S. Department of Justice when related to litigation or anticipated litigation; (3) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (4) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/REC--41.

System name: Permits -- Interior, Reclamation--41.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) To allow Reclamation employees to perform required work on private lands. (2) To allow individuals to erect and maintain structures, on Bureau facilities or land. (3) Land status information, proof of permit and legal applications. (4) Transfer to U.S. Department of Justice in event of litigation involving the records or the subject matter of the records. (5) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal, or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

INTERIOR/REC--42.

System name: Recordable Contracts -- Interior, Reclamation--42.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) to determine value of excess land without reference to proposed construction of irrigation works; (B) to determine eligibility of land to receive water; (c) to establish eligibility of landowner to receive federall-financed project water. Disclosures outside the Department of the Interior may be made (1) to various counties for recording of agreement pertaining to sale of excess lands; (2) to the U. S. Department of Justice when related to litigation or anticipated litigation; (3) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (4) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/REC--44.

System name: Vendor Payment Records--Interior, Reclamation -- 44.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) for documentation to support disbursement of funds. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/REC--45.

System name: Equipment, Supply and Service Contracts--Interior, Reclamation -- 45.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) for administration of the contract. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order of license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/REC--46.

System name: Employee Trip Reports--Interior, Reclamation -- 46.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) to document suggested improvements in operations or structure modifications. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/REC--47.

System name: Employees' Compensation Records -- Interior, Bureau of Reclamation -- 47.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) for reference to reply to employee requests. Disclosures outside the Department of the interior may be made (1) to the

U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual; (4) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant or other benefit; (5) to Federal, State or local agencies where necessary to obtain information relevant to the hiring or retention of an employee, or the issuance of a security clearance, contract, license, grant or other benefit.

INTERIOR/BLM-- 1.

System name: Mining Claim Title Clearance -- Interior, BLM--1.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) to identify owners of record of mining claims on National Resource lands and (b) to establish the chain of title of ownership transfers between private individuals to validate the owner of record. Disclosures outside the Department of the Interior may be made, (1) to the U. S. Department of Justice when related to litigation or anticipated litigation, (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license.

INTERIOR/BLM-- 2.

System name: Range Management System -- Interior, BLM--2.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) to identify owners of grazing leases, licenses, and permits (b) to provide information concerning grazing leases, licenses, and permits for administrative use, and (c) for mailing of bills for rental due. Disclosures outside the Department of the Interior may be made, (1) to a member of the general public in response to a specific request for pertinent information, (2) to the U. S. Department of Justice when related to litigation or anticipated litigation, (3) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license, (4) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/BLM-- 3.

System name: Mineral Lease Management -- Interior, BLM--3.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) to identify ownership of mineral leases and the amount of acreage leased by each individual, (b) to mail courtesy bills for rental due and and receipts of payment, and (c) to document for administrative use, information for the management, disposal and use of National Resource lands and resources. Disclosures outside the Department of the Interior may be made, (1) to a member of the general public in response to a specific request for pertinent information, (2) to the U. S. Department of Justice when related to litigation or anticipated litigation, (3) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license, (4) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/BLM-- 4.

System name: Coal Lease Data System -- Interior, BLM--4.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) to identify ownership of Federal Coal Leases and (b) to document for administrative use information for the management, disposal, and us of National Resource lands and resources. Disclosures outside the Department of the Interior may be made (1) to a member of the general public in response to a specific request for pertinent information, (2) to the U. S. Department of Justice when related to litigation or anticipated litigation, (3) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating rule, regulation, order or license, (4) FROM the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/BLM-- 5.

System name: Alaska Native Claims -- Interior, BLM--5.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) to process claims for rights and interests in National Resource lands,)b) for recordation of adjudicative actions pertaining to the claims and (c) to index documentations in case files supporting administrative actions and notations made on land status records. Disclosures outside the Department of the Interior may be made (1) to a member of the general public in response to a specific request for pertinent information, (2) to appropriate federal agencies when concurrence or supporting information is required prior to granting a right or interest in National Resource lands and resources, (3) to the U. S. Department of Justice when related to litigation or anticipated litigation, (4) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license, (5) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/BLM-- 6.

System name: Mineral Surveyor Appointment File -- Interior, BLM--6.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) to process applications for appointment and (b) to issue notices of appointments. Disclosures outside the Department of the Interior may be made (1) to a member of the general public in response to a request for identification of appointed mineral surveyors within a particular state, (2) to Federal, State or local agencies when necessary to obtain information relevant to the application for appointment, (3) to the U. S. Department of Justice when related to litigation or anticipated litigation, (4) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license, (5) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/BLM-- 7.

System name: Land and Resource Case File -- Interior, BLM-- 7.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are, (a) to process applications for rights and interests in National Resource lands, (b) for recordation of adjudicative actions pertaining to the application, (c) to index documentations in case files supporting administrative actions and notations made on land status records, and (d) for recordation of acquisitions. Disclosures outside the Department of the Interior may be made, (1) to appropriate Federal agencies when concurrence is required prior to granting or acquiring a right or interest in lands or resources, (2 to a Federal, State or local agencies or a member of the general public in response to a specific request for pertinent information, (3) to the U. S. Department of Justice when related to litigation or anticipated litigation, (4) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license, (5) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/BLM-- 8.

System name: Aircraft Passenger Manifest Records - Fire Control -- Interior, BLM--8.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the records is to identify individuals moved to or from a fire area. Dis-

closures outside the Department of the Interior may be made (1) to Federal, State or local agencies to verify the movement of an individual to or from a fire area, (2) to the U. S. Department of Justice when related to litigation or anticipated litigation, (3) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license, (4) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/BLM-- 9.

System name: Property and Supplies Accountability -- Interior, BLM--9.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the records is to identify responsible individuals for accountability of property and supplies. Disclosures outside the Department of the Interior may be made, (1) to federal, State, or local agencies to recover accountable property or supplies, (2) to the U. S. Department of Justice when related to litigation or anticipated litigation, (3) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license, (4) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/BLM--10.

System name: Vehicle Use Authorization -- Interior, BLM--10.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the record is to maintain records of authorized uses of government vehicles. Disclosures outside the Department of the Interior may be made (1) to Federal, State or local agencies to verify an authorized use, (2) to the U. S. Department of Justice when related to litigation or anticipated litigation, (3) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (4) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/BLM--11.

System name: Identification Cards and Passes -- Interior, BLM--11.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) to maintain records of employees and other individuals issued passes and identification cards and (b) to identify qualified trained fire fighters. Disclosures outside the Department of the Interior may be made (1) to Federal, State or local agencies to identify qualified fire fighters, law enforcement officers and special investigators, (2) to the U. S. Department of Justice when related to litigation or anticipated litigation, (3) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, or license.

INTERIOR/BLM--12.

System name: Manpower Management -- Interior, BLM--12.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the records is for the management of manpower and position organization control. Disclosures outside the Department of the Interior may be made, (1) from the record for reports to appropriate Federal and State agencies, (2) to the U. S. Department of Justice when related to litigation or anticipated litigation, (3) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license.

INTERIOR/BLM--13.

System name: Safety Management Information -- Interior, BLM--13.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the records is to document information for the Department of the Interior automated system for accident reporting. Disclosures outside the Department of the Interior may be made, (1) to the Department of Labor in the event there is a claim for compensation, (2) from the record to individuals and companies involved, responsible or sureties, (3) to the U. S. Department of Justice when related to litigation or anticipated litigation, (4) of information indicating a violation or potential of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license, (5) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/BLM--14.

System name: Security Clearance Files -- Interior, BLM--14.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the records is to identify employees having security clearance and their degree of security clearance. Disclosures outside the Department of the Interior may be made, (1) to the U. S. Department of Justice when related to litigation or anticipated litigation, (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license, (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual, (4) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant or other benefit, (5) to Federal, State or local agencies where necessary to obtain information relevant to the hiring or retention of an employee, or the issuance of a security clearance, contract, license, grant or other benefit.

INTERIOR/BLM--15.

System name: Correspondence Control -- Interior, BLM--15.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the records is to identify correspondents and their subject matter of interest. Disclosures outside the Department of the Interior may be made, (1) to a member of the general public or a Federal official in response to specific requests for pertinent information, (2) to the U. S. Department of Justice when related to litigation or anticipated litigation, (3) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license, (4) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual, (5) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant or other benefit.

INTERIOR/BLM--16.

System name: Mineral and Vegetal Material Sales -- Interior, BLM--16.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the records is to identify for administrationalresources lands. Disclosures outside the Department oof the Interior may be made (1) to a member of the general public in rresponse to a specific request for pertinent information, (2) from the record for a semi-annual report to Congress, (3) to the U. S. Department ofJustice when related to litigation or anticipated litigation, (4) of information indicating a violation or potential violation of astatute, regulation, rule, order or license, to appropriate Federal,State, local or foreign agencies responsible for invvestigating orprosecuting the violation or for enforcing or implementing thestatute, rule, regulation, order or license, (5) from the record of anindividual in response to an inquiry from a Congressional officemade at the request of that individual.

INTERIOR/BLM--17.

System name: Payroll -- Interior, BLM--17.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the

records are (a) for the recordation of pay data for the issuance of pay checks and (b) for the recordation of accumulated and used leave. Disclosures outside the Department of the Interior may be made, (1) to the Department of the Treasury for preparation of pay checks and checks for authorized deductions, (2) to the Internal Revenue Service and to State, commonwealth, territorial and local governments for tax purposes, (3) to the Civil Service Commission in connection with the Civil Service retirement system, (4) to another Federal agency to which an employee has transferred for accumulated leave, (5) to appropriate agencies, Federal and State for required reports, (6) to the U. S. Department of Justice when related to litigation or anticipated litigation, (7) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or or implementing the statute, rule, regulation, order or license, (8) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual, (9) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant or other benefit.

INTERIOR/BLM--18.

System name: Criminal Case Investigation -- Interior, BLM--18.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the record is to accumulate investigative data to determine if there is an indication of a violation of a Federal law. Disclosures outside the Department of the Interior may be made, (1) to the U. S. Department of Justice when related to litigation or anticipated litigation, (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license.

INTERIOR/BLM--19.

System name: Civil Trespass Case Investigations -- Interior, BLM--19.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the records is to accumulate investigative data to determine whether a trespass has been committed. Disclosures outside the Department of the Interior may be made, (1) to the U. S. Department of Justice when related to litigation or anticipated litigation, (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license, (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/BLM--20.

System name: Employee Conduct Investigations -- Interior, BLM--20.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) to identify employee and subject matter of allegation and (b) to accumulate investigative data to determine the validity of the allegation. Disclosures outside the Department of the Interior may be made, (1) to the U. S. Department of Justice when related to litigation or anticipated litigation, (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or enforcing or implementing the statute, rule, regulation, order or license, (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual, (4) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant or other benefit.

INTERIOR/BLM--21.

System name: Travel -- Interior, BLM--21.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of records are (a) to process requests for and issue authorizations to travel at the government's expense and (b) to process expense vouchers upon completion of travel. Disclosures outside the Department of the Interior may be made, (1) to the U. S. Department of Justice when related to litigation or anticipated litigation, (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license, (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/BLM--22.

System name: Financial Management -- Interior, BLM--22.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the records is to designate payees to whom payments are to be made. Disclosures outside the Department of the Interior may be made (1) to Federal, State or local agencies in response to specific requests for pertinent information, (2) to the U. S. Department of Justice when related to litigation or anticipated litigation, (3) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license, (4) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/BLM--23.

System name: Contract Files -- Interior, BLM--23.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the records is to identify contractors, prospective supplies, bidders and subject matter of interest. Disclosures outside the Department of the Interior may be made (1) to Federal, State or local agencies in response to specific requests for pertinent information, (2) to the U. S. Department of Justice when related to litigation or anticipated litigation, (3) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license, (4) from the record of an individual in response to an inquiry from a Congressional office made at the request of the individual.

INTERIOR/BLM--25.

System name: Outer Continental Shelf Lease Sale -- Interior, BLM--25.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the record is to identify successful bidders for each sale. Disclosures outside the Department of the Interior may be made (1) to the general public by the publication of information for all bids on each sale, (2) to the U. S. Department of Justice when related to litigation or anticipated litigation, (3) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license, (4) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual.

INTERIOR/BLM--26.

System name: Incentive and Honor Awards -- Interior, BLM--26.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the records is to accumulate information concerning an individual to be used as a basis for awarding and/or honoring employees and non-employees. Disclosures outside the Department of the Interior may be made, (1) to nominate individuals for non-government awards, (2) to the U. S. Department of Justice when related to litigation or anticipated litigation, (3) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license, (4) from the record of an individual in response to an inquiry from a congressional office made at the request of that individual.

INTERIOR/OHA-- 1.

System name: Hearings and Appeals Files - Interior, OHA--1.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are for the adjudication and determination of issues in hearings and appeals proceedings. Disclosures outside the Department of the Interior may be made (1) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license.

INTERIOR/SOL-- 1.

System name: Litigation, Appeal and Case Files -- Interior, Office of the Solicitor--1.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are to provide legal services to the Department of the Interior. Disclosures outside the Department of the Interior may be made (1) to another Federal agency or a State or local government having a subject matter interest in the records; (2) to an individual or entity aligned with the United States or the Department of the Interior or any official or constituent unit thereof as a plaintiff, petitioner, defendant or respondent in any judicial or administrative proceedings; (3) to a court, magistrate or administrative tribunal in the course or presenting evidence thereto, or to opposing counsel in the course of settlement negotiations; (4) to the U. S. Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license.

INTERIOR/SOL-- 2.

System name: Claims Files -- Interior, Office of the Solicitor--2.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are for the adjudication of tort, Federal employee, admiralty and irrigation claims. Disclosures outside the Department of the Interior may be made (1) to another Federal agency or a State or local government body having partial or complete jurisdiction over the claim or related claims; (2) to the U. S. Department of Justice when related to litigation or anticipated litigation; (3) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation for for enforcing or implementing the statute, rule, regulation, order or license.

INTERIOR/SOL-- 3.

System name: Patent Files -- Interior, Office of the Solicitor--3.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) for ongoing retrieval and docketing purposes and intraoffice management and (b) for the preparation of patent applications for submission to the U. S. Patent Office. Disclosures outside the Department of the Interior may be made (1) to the U. S. Patent Office; (2) to inventors and others directly concerned with the government funded research and development information concerning filing dates, serial numbers and patent or trademark registration numbers; (3) to the U. S. Department of Justice when related to litigation or anticipated litigation; (4) of information indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license.

INTERIOR/SOL-- 4.

System name: Workload Analysis -- Interior, Office of the Solicitor--4.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are for the management of workload of the Office of the Solicitor. Disclosures outside the Department of the Interior may be made (1) to the Office of Mnaagement and Budget in connection with preparation of the President's budget; (2) to another Federal agency having a subject matter interest in a case, proceeding or other matter described in the records; (3) to the U. S. Department of Justice when related to litigation or anticipated litigation.

[FR Doc.76-25338 Filed 8-30-76;8:45 am]

Advance Orders are now being Accepted
for delivery in about 6 weeks

CODE OF FEDERAL REGULATIONS

(Revised as of July 1, 1976)

Quantity	Volume	Stock Number	Price	Amount
_____	Title 29—Labor (Parts 1900–1919)	022–003–93227–5	$7.55	$_____
_____	Title 29—Labor (Parts 1920–End)	022–003–93228–3	4.05	_____
_____	Title 41—Public Contracts and Property Management (Chapters 10–17)	022–003–93261–5	4.15	_____
			Total Order	$_____

[A Cumulative checklist of CFR issuances for 1976 appears in the first issue of the Federal Register each month under Title 1]

PLEASE DO NOT DETACH

MAIL ORDER FORM To:

Superintendent of Documents, Government Printing Office, Washington, D.C. 20402

Enclosed find $..... (check, money order, or Supt. of Documents coupons) or charge to my

Deposit Account No. ..... Please send me ..... copies of:

PLEASE FILL IN MAILING LABEL BELOW

Name .....

Street address .....

City and State ..... ZIP Code .....

FOR USE OF SUPT. DOCS.

Enclosed _____
To be mailed later _____
Subscription _____
Refund _____
Coupon refund _____
Postage _____
Foreign Handling _____

FOR PROMPT SHIPMENT, PLEASE **PRINT OR TYPE** ADDRESS ON LABEL BELOW, INCLUDING **YOUR ZIP CODE**

U.S. GOVERNMENT PRINTING OFFICE
ASSISTANT PUBLIC PRINTER
(SUPERINTENDENT OF DOCUMENTS)
WASHINGTON, D.C. 20402

OFFICIAL BUSINESS

POSTAGE AND FEES PAID
U.S. GOVERNMENT PRINTING OFFICE
375
SPECIAL FOURTH-CLASS RATE
BOOK

Name .....

Street address .....

City and State ..... ZIP Code .....