

MONDAY, NOVEMBER 14, 1977



highlights

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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
DOT/COAST GUARD	USDA/ASCS		DOT/COAST GUARD	USDA/ASCS
DOT/NHTSA	USDA/APHIS		DOT/NHTSA	USDA/APHIS
DOT/FAA	USDA/FNS		DOT/FAA	USDA/FNS
DOT/OHMO	USDA/FSQS		DOT/OHMO	USDA/FSQS
DOT/OPSO	USDA/REA		DOT/OPSO	USDA/REA
	CSC			CSC
	LABOR			LABOR
	HEW/ADAMHA			HEW/ADAMHA
	HEW/CDC			HEW/CDC
	HEW/FDA			HEW/FDA
	HEW/HRA			HEW/HRA
	HEW/HSA			HEW/HSA
	HEW/NIH			HEW/NIH
	HEW/PHS			HEW/PHS

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, Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408.

Note: As of Nov. 3, 1977, Food Safety and Quality Service (USDA) documents are being assigned to the Tuesday/Friday schedule.

ATTENTION: For questions, corrections, or requests for information please see the list of telephone numbers appearing on opposite page.

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List of Public Laws

NOTE: the listing of the following two public bills is republished to show the correct page numbers for each. The page numbers published in the issue of Nov. 9, 1977 were incorrect.

- H.J. Res. 611..... Pub. L. 95-154
To extend the authority of the Federal Reserve banks to buy and sell certain obligations. (Nov. 7, 1977; 91 Stat. 1256). Price: \$.50.

- H.R. 2850..... Pub. L. 95-160
To suspend until the close of June 30, 1978, the duty on certain latex sheets, and for other purposes. (Nov. 8, 1977; 91 Stat. 1271). Price: \$.50.
- H.R. 2982..... Pub. L. 95-161
To suspend until the close of June 30, 1980, the duty on synthetic tantalum/columbium concentrate, and for other purposes. (Nov. 8, 1977; 91 Stat. 1273). Price: \$.50.
- H.R. 3259..... Pub. L. 95-159
To continue to suspend for a temporary period the import duty on certain horses, and for other purposes. (Nov. 8, 1977; 91 Stat. 1269). Price: \$.50.
- H.R. 3093..... Pub. L. 95-162
To provide duty-free treatment for certain copying lathes used for making rough or finished shoe lasts and for parts of such lathes, and for other purposes. (Nov. 8, 1977; 91 Stat. 1275). Price: \$.50.
- H.R. 5101..... Pub. L. 95-155
"Environmental Research, Development, and Demonstration Authorization Act of 1978". (Nov. 8, 1977; 91 Stat. 1257). Price: \$.60.
- H.R. 9090..... Pub. L. 95-156
To exempt disaster payments made in connection with the 1977 crops of wheat, feed grains, upland cotton, and rice from the payment limitations contained in the Agricultural Act of 1970 and the Agricultural Act of 1949. (Nov. 8, 1977; 91 Stat. 1264). Price: \$.50.
- H.J. Res. 621..... Pub. L. 95-158
Approving the Presidential decision on an Alaska natural gas transportation system, and for other purposes. (Nov. 8, 1977; 91 Stat. 1268). Price: \$.50.
- H.R. 6010..... Pub. L. 95-163
To amend title XIII of the Federal Aviation Act of 1958 to expand the types of risks which the Secretary of Transportation may insure or reinsure, and for other purposes. (Nov. 9, 1977; 91 Stat. 1278). Price: \$.70.
- H.J. Res. 643..... Pub. L. 95-165
Making further continuing appropriations for the fiscal year 1978, and for other purposes. (Nov. 9, 1977; 91 Stat. 1323). Price: \$.50.
- S. 2149..... Pub. L. 95-157
To create the District Court for the Northern Mariana Islands, implementing article IV of the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America. (Nov. 8, 1977; 91 Stat. 1265). Price: \$.50.
- S. 717..... Pub. L. 95-164
"Federal Mine Safety and Health Amendments Act of 1977". (Nov. 9, 1977; 91 Stat. 1290). Price: \$1.30.

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[3410-08]

Title 7—Agriculture

CHAPTER IV—FEDERAL CROP INSURANCE CORPORATION, DEPARTMENT OF AGRICULTURE

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1969 and Succeeding Crop Years

STANDARD POLICY

AGENCY: Federal Crop Insurance Corporation.

ACTION: Final rule.

SUMMARY: This rule changes certain provisions of the Standard Policy for crop insurance for the 1969 and Succeeding crop years, as amended with respect to dividing land into units in accordance with applicable guidelines which are on file in the County office or by a written agreement between the FCIC and the insured. The intended effect of this change is to simplify the process of dividing insured acreage into two or more units.

EFFECTIVE DATE: December 1, 1977.

FOR FURTHER INFORMATION CONTACT:

Peter F. Cole, Secretary, Federal Crop Insurance Corporation, U.S. Department of Agriculture, Washington, D.C. 20250, 202-447-3325.

SUPPLEMENTARY INFORMATION: Under the authority contained in the Federal Crop Insurance Act, as amended (7 U.S.C. 1501 et seq.), the Federal Crop Insurance Corporation is amending Section 19(e), 7 CFR 401.111 (41 FR 5105-5106, February 4, 1976), effective with the 1978 and succeeding crop years on those crops having a December 31, 1977, or later, cancellation date, and applicable for the 1979 and succeeding crop years on all other crops insurable under the provisions of 7 CFR 401.111 The Policy. Heretofore, the Corporation and the insured could agree in writing to divide the insured's insurable acreage in the county into two or more units: *Provided*, The agreement was made before such time as the insured was required to submit a report of all acreage in the county planted to the insured crop.

Section 19(e) of 7 CFR 401.111 now provides that land which would otherwise be one unit may be divided according to applicable guidelines on file in the office for the county, or, by written agreement between the Corporation and the insured. This has the effect of making the process of dividing insured acreage into two or more units a simpler one.

The amended Section 19(e) is considered beneficial to both the insured and the Corporation since neither party is

required to expend the time to make a unit determination ahead by preparing and processing certain unit agreement forms. Unit determinations, under the provisions of Section 19(e) of the policy, will only be made on acreages upon which an indemnity is to be paid, and only at the time of loss adjustment.

The Corporation will furnish each policyholder copies of this revision, cancel all existing unit agreements and furnish policyholders with new guideline information by conversion letter.

The above amendment is not considered by the Corporation to be substantive and will not adversely affect the policyholder, rather, it is considered to be of benefit to all policyholders. Notice of any changes must be given to all policyholders not later than December 15, 1977, in order to be effective for those crops with a December 31, 1977, or later, cancellation date. Each policyholder will be notified of the changes in Section 19(e) of the policy, and conversion letters will be issued to each policyholder to explain the new guidelines. In view of this, the Corporation has found and determined that compliance with the procedure for notice and public participation would be impracticable and contrary to the public interest.

Accordingly, 7 CFR 401.111 The Policy, is amended as set forth below effective with the 1978 and succeeding crop years on those crops with a December 31, 1977, or later cancellation date, and effective for the 1979 and succeeding crop years on all other crops insurable under the provisions of 7 CFR 401.111, until amended or superseded. The provisions of Section 19(e) of 7 CFR 401.111 (41 FR 5105-5106, February 4, 1976) effective for the 1977 crop year, shall remain in effect for the 1977 crop year.

Pursuant to the authority contained in the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.), as amended, Section 19(e) of The Policy as found in 7 CFR 401.111, is hereby amended to read as follows:

§ 401.111 The policy.

19. Meaning of terms. . . .

(e) Insurance unit means all the insurable acreage of the insured crop in the county at the time of planting (1) in which the insured has a 100 percent interest, (2) which is owned by one person and operated by the insured as a tenant, or (3) which is owned by the insured and rented to one tenant. Land rented for cash or for a fixed commodity payment or for any consideration other than a share in the crop shall be considered as owned by the lessee.

Land which would otherwise be one unit may be divided according to applicable guidelines on file in the office for the coun-

ty, or by written agreement between the Corporation and the insured.

The Corporation shall determine units as herein defined when adjusting a loss, notwithstanding what is shown on the acreage report, and reserves the right to consider any acreage and interest reported by or for the insured's spouse, child or any member of his household, to be the bona fide interest of the insured or any other person having the bona fide interest.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; (7 U.S.C. 1506, 1516).)

NOTE:—The reporting requirements contained herein have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. The Federal Crop Insurance Corporation has determined that this document does not contain a major proposal requiring preparation of an Inflation Impact Statement under Executive Order 11821 and OMB Circular A-107.

Approved by the Board of Directors.

Effective December 1, 1977.

PETER F. COLE,
Secretary, Federal Crop
Insurance Corporation.

Approved on November 8, 1977.

BOB BERGLAND,
Secretary.

[FR Doc. 77-32897 Filed 11-11-77; 8:45 am]

[4910-13]

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. 17834; Amdt. 39-3080]

PART 39—AIRWORTHINESS DIRECTIVES

Short Brothers and Harland Model SC 7 Skyvan, Series 3

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD) which requires repetitive inspections for cracks and repair, as necessary, of the flap mechanism support structure on Short Brothers and Harland Model SC 7 Series 3 airplanes. Cracking of support structure, if left undetected, could result in failure of the support structure causing flap asymmetry in flight and consequent loss of lateral control of the airplane.

DATES: Effective November 28, 1977. Compliance schedule—As prescribed in the body of the AD.

ADDRESSES: The applicable service bulletin may be obtained from Short Brothers and Harland, Ltd., P.O. Box 241,

Airport Road, Belfast BT3 9DZ Northern Ireland.

A copy of the service bulletin is contained in the Rules Docket, Rm. 916, 800 Independence Avenue SW., Washington, D.C. 20591.

FOR FURTHER INFORMATION CONTACT:

D. C. Jacobsen, Chief, Aircraft Certification Staff, AEU-100, Europe, Africa, and Middle East Region, Federal Aviation Administration, c/o American Embassy, Brussels, Belgium, Telephone 513.28.30.

SUPPLEMENTARY INFORMATION: There has been a report of a failure of the flap mechanism support structure on a Model SC 7 Skyvan airplane which resulted in asymmetric flap deployment during flight and subsequent approach to landing. Investigation revealed that the failure of the support structure had been progressive in nature, brought on by excessive wear and chaffing in the control linkages over a period of time which led to cracks in the structure causing distortion and eventual failure of the box structure when the flap drive was operated against the aerodynamic loads in flight. Inspection of other SC 7 airplanes has disclosed at least four other aircraft with crack damage of the type that caused the reported failure. Since this condition is likely to exist or develop on other airplanes of the same type design, an airworthiness directive is being issued which requires repetitive visual inspections and rework or replacement, as necessary, of the flap mechanism support structure on Short Brothers and Harland, Ltd., Model SC 7 Series 3 airplanes.

Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable and good cause exists for making the amendment effective in less than 30 days.

The principal authors of this document are F. J. Karnowski, Europe, Africa, and Middle East Region, F. H. Kelley, Flight Standards Service, and P. J. Lynch, Office of the Chief Counsel.

ADOPTION OF THE AMENDMENT

Accordingly, pursuant to the authority delegated to me by the Administrator, § 39.13 of Part 39 of the Federal Aviation Regulations (14 CFR 39.13) is amended by adding the following new Airworthiness Directive:

SHORT BROTHERS AND HARLAND, LTD. Applies to SC 7 Series 3 airplanes except those modified in accordance with Shorts Modification No. 1658.

Compliance is required as indicated.

To detect cracks and prevent possible failure of the flap mechanism support structure, accomplish the following:

(a) Before the accumulation of 5,000 landings or within 10 hours time in service after the effective date of this AD, whichever occurs later, unless already accomplished, visually inspect the flap mechanism support structure using a 10 power magnifying glass, for cracking and evidence of chaffing and inadequate clearances in accordance with Part

A, Steps 1 through 3, of Shorts Alert Service Bulletin No. 27-A64, Revision 3, dated September 7, 1977, (service bulletin) or an FAA-approved equivalent.

(1) If cracks are found during any inspections required by this AD, that are within the acceptable limits shown in Figures 1 and 2 of the service bulletin, reinspect the flap mechanism support structure prior to each day's operation in accordance with paragraph (a) of this AD.

(2) If cracks are found during any inspections required by this AD, that are unacceptable in accordance with the criteria defined in Figures 1 and 2 of the service bulletin, before further flight, either replace cracked parts with new parts of the same part number, after which the aircraft may continue in service for an additional 2,400 hours time in service at which time the inspection requirements of this AD must again be complied with, or comply with paragraph (b) of this AD.

(3) If no cracks are found during any inspections required by this AD, reinspect the flap mechanism support structure in accordance with paragraph (a) of this AD at intervals not to exceed 50 landings.

(4) If evidence of chaffing or less than minimum clearances are found during any inspections required by this AD, rework the area as shown in Figure 3 of the service bulletin or an FAA-approved equivalent, in accordance with the following compliance schedule:

(i) Within 10 landings of the inspection where no cracking of structural members is found.

(ii) Before further flight, if any cracking is found.

(b) Compliance with the provisions of this AD may be terminated upon accomplishment of the modification of the flap mechanism support structure as shown in Figure 4 of the service bulletin, or an FAA-approved equivalent.

(c) For the purpose of complying with this AD, where airplane landings have not been recorded, number of landings shall be established by assuming two landings for each flight hour recorded.

This amendment becomes effective November 28, 1977.

(Secs. 313(a), 601, and 603 Federal Aviation Act of 1958, as amended (49 U.S.C. 1354(a), 1421, and 1423); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); 14 CFR 11.89.)

NOTE.—The Federal Aviation Administration has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11821, as amended by Executive Order 11949, and OMB Circular A-107.

Issued in Washington, D.C., on November 4, 1977.

J. A. FERRARESE,
Acting Director,
Flight Standards Service.

[FR Doc. 77-32852 Filed 11-11-77; 8:45 am]

[4910-13]

[Airspace Docket No. 77-NW-2]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration and Extension of Federal Airway AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment alters VOR federal airways identified as V-4 and V-2 in the vicinity of Ellensburg, Wash. These actions improve air traffic efficiency by reducing excessive communications to aircraft for route extensions and off airway radar vectors clear of Restricted Area R-6714.

EFFECTIVE DATE: January 26, 1978.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Huff, Airspace Regulations Branch (AAT-230), Airspace and Air Traffic Rules Division, Air Traffic Service, Federal Aviation Administration, 800 Independence Avenue SW., Washington, D.C. 20591; telephone: 202-426-3715.

SUPPLEMENTARY INFORMATION:

HISTORY

On September 6, 1977, the FAA proposed to amend Part 71 of the Federal Aviation Regulations (14 CFR Part 71) to realign a segment of VOR federal airway identified as V-4 between Ellensburg and Pasco, Wash., and to extend VOR federal airway V-2 from Ellensburg, Wash., to Moses Lake, Wash. (42 FR 44557). Interested persons were invited to participate in this rule making proceeding by submitting written comments on the proposal to the FAA. We received one response to the NPRM in which the commenter posed no objection to the proposal. Section 71.123 was republished in the FEDERAL REGISTER on January 3, 1977 (42 FR 307) and amended (42 FR 15309).

THE RULE

This amendment to Subpart C of Part 71 of the Federal Aviation Regulations (FARs) adopts the airspace action proposed in the NPRM (42 FR 44557).

DRAFTING INFORMATION

The principal authors of this document are Mr. Richard Huff, Air Traffic Service, and Mr. Jack P. Zimmerman, Office of the Chief Counsel.

ADOPTION OF THE AMENDMENT

Accordingly, pursuant to the authority delegated to me by the Administrator, Subpart C of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) as republished (42 FR 307) and amended (42 FR 15309) is further amended, effective 0901 GMT, January 26, 1978, as follows:

§ 71.123 [Amended]

In V-2 "Moses Lake, Wash.;" is deleted and "Moses Lake, Wash., including a south alternate via INT Ellensburg 107° and Moses Lake 231° radials," is substituted therefor.

"In V-4 "Pasco, Wash.," is deleted and "INT Ellensburg 107° and Pasco, Wash., 321° radials; Pasco," is substituted therefor.

(Secs. 307(a) and 313(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a) and 1354(a)); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.69.)

NOTE.—The FAA has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11821, as amended by Executive Order 11949, and OMB Circular A-107.

Issued in Washington, D.C., on November 8, 1977.

EDWARD J. MALO,
Acting Chief, Airspace and Air
Traffic Rules Division.

[FR Doc.77-32851 Filed 11-11-77; 8:45 am]

[4910-13]

[Airspace Docket No. 77-EA-69]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

Designation of Transition Area: Wurtsboro, N.Y.

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment designates a Wurtsboro, N.Y., Transition Area, over Wurtsboro-Sullivan County Airport, Wurtsboro, N.Y. This designation will provide protection to aircraft executing a new instrument approach which has been developed for the airport. An instrument approach requires the designation of controlled airspace to protect instrument aircraft utilizing the instrument approach.

EFFECTIVE DATE: 0901 GMT December 15, 1977.

FOR FURTHER INFORMATION CONTACT:

Frank Trent, Airspace and Procedures Branch, AEA-530, Air Traffic Division, Federal Aviation Administration, Federal Building, J.F.K. International Airport, Jamaica, N.Y. 11430; telephone 212-995-3391.

SUPPLEMENTARY INFORMATION: The purpose of this amendment to Subpart G of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) is to designate a Wurtsboro, N.Y., Transition Area. On page 42228 of the FEDERAL REGISTER for August 22, 1977, the FAA published a proposed rule which would designate a transition area over Wurtsboro-Sullivan County Airport, Wurtsboro, N.Y. The area will commence at 700 feet above the surface and add controlled airspace to that already in existence of from approximately 5 miles to the south around to 10 miles to the northwest; 8 miles to the north around to the east. Interested parties were given 30 days in which to submit views or discussions. There were no objections received.

DRAFTING INFORMATION

The principal authors of this document are Frank Trent, Air Traffic Divi-

sion, and Thomas C. Halloran, Esq., Office of the Regional Counsel.

ADOPTION OF THE AMENDMENT

Accordingly, pursuant to the authority delegated to me by the Administrator, Subpart G of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) is amended, effective 0901 GMT December 15, 1977, as published.

(Section 307(a), and 313(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a) and 1354(c)); Sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.69.)

NOTE.—The Federal Aviation Administration has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11821, as amended by Executive Order 11949, and OMB Circular A-107.

Issued in Jamaica, N.Y., on October 27, 1977.

L. J. CARDINALI,
Acting Director, Eastern Region.

1. Amend § 71.181 of Part 71 of the Federal Aviation Regulations by designating a Wurtsboro, N.Y., 700-foot floor transition area as follows:

WURTSBORO, N.Y.

That airspace extending upward from 700 feet above the surface within a 5.5-mile radius of the center, 41°35'52" N., 74°27'32" W., of Wurtsboro-Sullivan County Airport, Wurtsboro, N.Y.; within a 9.5-mile radius of the center of the center of the airport, extending clockwise from a 352° bearing to a 016° bearing from the airport; within a 10.5-mile radius of the center of the airport, extending clockwise from a 016° bearing to a 025° bearing from the airport; within a 12-mile radius of the center of the airport, extending clockwise from a 025° bearing to a 036° bearing from the airport; within a 14.5-mile radius of the center of the airport, extending clockwise from a 036° bearing to a 070° bearing from the airport; within an 8.5-mile radius of the center of the airport, extending clockwise from a 070° bearing to a 086° bearing from the airport; within an 8.5-mile radius of the center of the airport, extending clockwise from a 169° bearing to a 192° bearing from the airport; within a 10.5-mile radius of the center of the airport, extending clockwise from a 192° bearing to a 238° bearing from the airport; within a 12-mile radius of the center of the airport, extending clockwise from a 238° bearing to a 310° bearing from the airport; within an 11.5-mile radius of the center of the airport, extending clockwise from a 310° bearing to a 335° bearing from the airport; within a 10-mile radius of the center of the airport, extending clockwise from a 335° bearing to a 352° bearing from the airport; within 4.5 miles north and 6.5 miles south of the Stewart VOR (41°30'30" N., 74°05'51" W.) 288° radial extending from 2.5 miles west to 19.5 miles west of the Stewart VOR; excluding the portions that coincide with the Newburgh, N.Y., and Monticello, N.Y., transition areas. This transition area is effective from sunrise to sunset, daily.

[FR Doc.77-32713 Filed 11-11-77; 8:45 am]

[4910-13]

[Airspace Docket No. 77-WE-17]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

Extension of Federal Airway

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment extends VOR Federal Airway V-111 from Patty Intersection, Calif., to Modesto, Calif. This action reduces ATC communications and increases ATC efficiency by permitting the use of the airway extension as a transition route from the south for aircraft conducting instrument approaches to Modesto City-County, Harry Sham Field and Stockton Metropolitan Airport.

EFFECTIVE DATE: January 26, 1978.

FOR FURTHER INFORMATION CONTACT:

Mr. John Watterson, Airspace Regulations Branch (AAT-230), Airspace and Air Traffic Rules Division, Air Traffic Service, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, D.C. 20591; telephone: 202-426-8525.

SUPPLEMENTARY INFORMATION:

HISTORY

On September 6, 1977, the FAA proposed to amend Subpart C of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) to extend VOR Federal Airway V-111 from Patty Intersection, Calif., to Modesto, Calif. (42 FR 44556). Interested persons were invited to participate in this rule making procedure by submitting written comments on the proposal to the FAA. The comment received expressed no objection. This amendment is that proposed in the notice. Section 71.123 was republished in the FEDERAL REGISTER on January 3, 1977 (42 FR 307).

THE RULE

This amendment to Part 71 of the Federal Aviation Regulations (FARs) extends VOR Federal Airway V-111 from the Patty Intersection, Calif., to Modesto, Calif. This action is necessary to conform to revised instrument approach procedures being established for Modesto City-County, Harry Sham Field, Modesto, Calif., and Stockton Metropolitan Airport, Stockton, Calif. The revised instrument approach procedures will designate the extended airway to Modesto as a transition route from the south for aircraft conducting instrument approaches to those airports. This action improves ATC efficiency by reducing the need for additional routing clearances.

DRAFTING INFORMATION

The principal authors of this document are Mr. John Watterson, Air Traffic Service, and Mr. Jack P. Zimmerman, Office of the Chief Counsel.

ADOPTION OF THE AMENDMENT

Accordingly, pursuant to the authority delegated to me by the Administrator, § 71.123 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) as republished (42 FR 307) is amended, effective 0901 GMT, January 26, 1978, as follows:

In V-111 "to INT Salinas 028" and Stockton, Calif., 164" radials." is deleted and "INT Salinas 028" and Stockton, Calif., 164" radials; to Modesto, Calif." is substituted therefor.

(Secs. 307(a) and 313(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a) and 1354(a)); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.69.)

NOTE.—The FAA has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11821, as amended by Executive Order 11949, and OMB Circular A-107.

Issued in Washington, D.C., on November 7, 1977.

WILLIAM E. BROADWATER,
Chief, Airspace and Air
Traffic Rules Division.

[FR Doc. 77-32714 Filed 11-11-77; 8:45 am]

[4210-01]

Title 24—Housing and Urban Development
SUBTITLE A—OFFICE OF THE SECRETARY
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. R-77-483]

PART 7—EQUAL EMPLOYMENT OPPORTUNITY; POLICY AND PROCEDURES

AGENCY: Department of Housing and Urban Development.

ACTION: Final rule.

SUMMARY: This document revises the Departmental designation of the Assistant Secretary for Equal Opportunity to act as Director of Equal Employment Opportunity with respect to the making of decisions on complaints of discrimination in employment under Executive Order 11478 to indicate that with respect to complaints arising in the Office of Equal Opportunity the Executive Assistant to the Secretary shall be the Director of Equal Employment Opportunity.

EFFECTIVE DATE: This amendment is effective November 14, 1977.

FOR FURTHER INFORMATION CONTACT:

Charles M. Farbstein, Assistant General Counsel for Equal Opportunity, Department of Housing and Urban Development, Washington, D.C. 20410, 202-755-7194.

SUPPLEMENTARY INFORMATION: Executive Order 11478 provides for equal employment opportunity in Federal Employment. Civil Service Commission Regulations (5 CFR 713) which are applicable to all Federal agencies require the establishment in each agency of an Equal Employment Opportunity program which provides for the prompt,

fair, and impartial consideration and disposition of complaints involving issues of discrimination prohibited under the Executive Order. The head of each agency is required to designate a Director of Equal Employment Opportunity (EEO) to assist in carrying out the agency program and is directed to assign to the Director EEO the authority to issue decisions on complaints for the head of the agency, or if not so authorized, to review, at his discretion the record in cases before decision and to make recommendations to the decision-maker as he considers desirable. Under existing regulations the Department of Housing and Urban Development has designated the Assistant Secretary for Equal Opportunity as the Director of EEO and has authorized him to make the agency decision in E.O. 11478 cases.

The Secretary has now determined that in order to assure the prompt, fair, and impartial consideration and disposition of complaints arising in the Office of the Assistant Secretary for Equal Opportunity, the Executive Assistant to the Secretary shall be the Director of EEO with respect to such complaints. Pursuant to 5 CFR 713.204(c) this revision has been reviewed by the Civil Service Commission.

Because this revision relates only to internal Departmental procedures proposed rulemaking procedures are inapplicable.

NOTE.—It is hereby certified that the economic and inflation impacts of the proposed regulation have been carefully evaluated and the Department of Housing and Urban Development has determined that this document does not contain a major proposal requiring preparation of an Inflation Impact Statement under Executive Order 11821 and OMB Circular A-107. A Finding of Inapplicability regarding the National Environmental Policy Act of 1969 has been made in accordance with HUD procedures.

A copy of this Finding of Applicability will be available for public inspection during regular business hours at the Office of the Rules Docket Clerk, Office of the Secretary, Room 5218, Department of Housing and Urban Development, 451 Seventh Street SW., Washington, D.C. 20410.

Accordingly, Title 24, Part 7, Section 7.3(a) is revised to read as follows:

§ 7.3 Designations.

(a) Director of Equal Employment Opportunity. The Assistant Secretary for Equal Opportunity is designated the Director of EEO, except that with respect to complaints arising in the Office of the Assistant Secretary for Equal Opportunity the Executive Assistant to the Secretary shall be the Director of EEO.

E.O. 11478 of August 8, 1969, 34 FR 12985; regulations of Civil Service Commission codified under 5 CFR 713; and sec. 7(d) Department of HUD Act, 42 U.S.C. 3535(d).

Issued at Washington, D.C., November 4, 1977.

PATRICIA ROBERTS HARRIS,
Secretary of Housing and
Urban Development.

[FR Doc. 77-32872 Filed 11-11-77; 8:45 am]

[4210-01]

CHAPTER VIII—LOW INCOME HOUSING,
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. R-77-484]

PART 841—PUBLIC HOUSING PROGRAM;
DEVELOPMENT PHASE

Appendix A—Prototype Cost Limits for Low
Income Housing—Newark, New Jersey
and Tulsa, Oklahoma

AGENCY: Office of the Assistant Secretary for Housing-Federal Housing Commissioner, Department of Housing and Urban Development.

ACTION: Interim rule.

SUMMARY: On June 30, 1977, the Department published a revised Schedule A, "Prototype Cost Limits for Low-income Housing", to Part 841. Consideration of subsequent factual cost data and other information received from the field offices shows that prototype cost schedules should be revised to make the program feasible in the affected areas. This document revises the prototype cost limits for low-income housing in the Newark, New Jersey areas and in the Tulsa, Oklahoma areas.

DATES: Effective date: November 14, 1977. Comment due date: All comments received on or before December 13, 1977; will be considered.

ADDRESSES: Send comments to the Rules Docket Clerk, Department of Housing and Urban Development, Room 5218, 451 Seventh Street, SW., Washington, D.C. 20410.

FOR FURTHER INFORMATION CONTACT:

Mr. Robert P. Cunningham, Director, Office of Technical Support, Department of Housing and Urban Development, 451 7th Street, S.W., Washington, D.C. 20410, 202-755-5730.

SUPPLEMENTARY INFORMATION: Based on information supplied by field offices and the public, the prototype per unit cost schedules for Newark, New Jersey's prototype areas, and the Tulsa, Oklahoma prototype areas, are being revised and published.

These costs, issued pursuant to Section 6(b) of the U.S. Housing Act of 1937 represent per unit cost schedules for low-income housing and are required to be published at least annually in the FEDERAL REGISTER.

Because of the need to maintain current prototype cost schedules, it is in the public interest to publish the changes for effect. However, timely written comments will be considered, and additional amendments will be published if the Department determines that acceptance of the comments is appropriate. Comments with respect to cost limits for a given location should be sent to the addresses indicated above.

A Finding of Inapplicability respecting the National Environmental Policy Act of 1969, has been made in accordance with HUD procedures. A copy of this finding of inapplicability will be avail-

able for public inspection during regular business hours in the Office of the Rules Docket Clerk, Room 5218, Department of Housing and Urban Development, 451 7th Street, SW., Washington, D.C. 20410.

Accordingly, the Prototype Cost Limits for Low Income Housing, pursuant to 24 CFR, Part 841, Appendix A, are amended as follows:

1. At 41 FR 33641 and 33642, delete the present prototype per unit cost of row dwellings for the Newark, Asbury Park, North Bergen and Freehold prototype cost areas and substitute the prototype per unit cost schedules for these same areas as shown on the table set forth hereinafter entitled Prototype Per Unit Cost Schedule—Region II—New Jersey.

2. At 41 FR 33677 and 33678, delete the present prototype per unit cost of

detached and semi-detached for the Tulsa, Bartlesville, McAlester and Muskogee prototype cost areas and substitute the prototype per unit cost schedules for these same areas as shown on the table set forth hereinafter entitled Prototype Per Unit Cost Schedules—Region VI—Oklahoma.

(Sec. 7(d), Department of HUD Act, 42 U.S.C. 3535(d); Sec. 6(b) of the U.S. Housing Act of 1937, 42 U.S.C. 1437d.)

NOTE.—It is hereby certified that the economic and inflationary impacts of the amendment to Part 841 have been carefully evaluated in accordance with Executive Order No. 11821.

Issued at Washington, D.C., November 4, 1977.

LAWRENCE B. SIMONS,
Assistant Secretary for Housing,
Federal Housing Commissioner.

PROTOTYPE PER UNIT COST SCHEDULES

REGION II

New Jersey							
Newark							
	0 BR	1 BR	2 BR	3 BR	4 BR	5 BR	6 BR
Det. & Semi-Det.	--	--	--	--	--	--	--
Row Dwellings	16,000	19,000	21,100	25,000	30,200	33,700	35,200
Walk-Up	--	--	--	--	--	--	--
Elevator-Structure	--	--	--	--	--	--	--
Asbury Park							
	0 BR	1 BR	2 BR	3 BR	4 BR	5 BR	6 BR
Det. & Semi-Det.	--	--	--	--	--	--	--
Row Dwellings	16,000	19,000	21,100	25,000	30,200	33,700	35,200
Walk-Up	--	--	--	--	--	--	--
Elevator-Structure	--	--	--	--	--	--	--
North Bergen							
	0 BR	1 BR	2 BR	3 BR	4 BR	5 BR	6 BR
Det. & Semi-Det.	--	--	--	--	--	--	--
Row Dwellings	16,000	19,000	21,100	25,000	30,200	33,700	35,200
Walk-Up	--	--	--	--	--	--	--
Elevator-Structure	--	--	--	--	--	--	--
Freehold							
	0 BR	1 BR	2 BR	3 BR	4 BR	5 BR	6 BR
Det. & Semi-Det.	--	--	--	--	--	--	--
Row Dwellings	16,000	19,000	21,100	25,000	30,200	33,700	35,200
Walk-Up	--	--	--	--	--	--	--
Elevator-Structure	--	--	--	--	--	--	--
	0 BR	1 BR	2 BR	3 BR	4 BR	5 BR	6 BR
Det. & Semi-Det.							
Row Dwellings							
Walk-Up							
Elevator-Structure							

REGION VI

Oklahoma Tulsa	0 BR	1 BR	2 BR	3 BR	4 BR	5 BR	6 BR
Det. & Semi-Det.	12,050	14,500	18,050	21,450	25,800	28,750	30,000
Row Dwellings	--	--	--	--	--	--	--
Walk-Up	--	--	--	--	--	--	--
Elevator-Structure	--	--	--	--	--	--	--
Bartlesville	0 BR	1 BR	2 BR	3 BR	4 BR	5 BR	6 BR
Det. & Semi-Det.	12,700	15,300	18,950	22,550	27,180	30,150	31,550
Row Dwellings	--	--	--	--	--	--	--
Walk-Up	--	--	--	--	--	--	--
Elevator-Structure	--	--	--	--	--	--	--
McAlester	0 BR	1 BR	2 BR	3 BR	4 BR	5 BR	6 BR
Det. & Semi-Det.	12,750	15,250	18,950	22,550	27,050	30,150	31,450
Row Dwellings	--	--	--	--	--	--	--
Walk-Up	--	--	--	--	--	--	--
Elevator-Structure	--	--	--	--	--	--	--
Muskogee	0 BR	1 BR	2 BR	3 BR	4 BR	5 BR	6 BR
Det. & Semi-Det.	12,850	15,450	19,200	22,800	27,400	30,500	31,800
Row Dwellings	--	--	--	--	--	--	--
Walk-Up	--	--	--	--	--	--	--
Elevator-Structure	--	--	--	--	--	--	--
	0 BR	1 BR	2 BR	3 BR	4 BR	5 BR	6 BR
Det. & Semi-Det.							
Row Dwellings							
Walk-Up							
Elevator-Structure							

[FR Doc. 77-32882 Filed 11-11-77; 8:45 am]

[4830-01]

Title 26—Internal Revenue

CHAPTER I—INTERNAL REVENUE SERVICE, DEPARTMENT OF THE TREASURY

[T.D. 7517]

INCOME TAX, GIFT TAX, MANUFACTURERS AND RETAILERS EXCISE TAX AND TEMPORARY REGULATIONS REGARDING AIRPORT AND AIRWAY REVENUE ACT OF 1970

Miscellaneous Amendments

AGENCY: Internal Revenue Service, Treasury.

ACTION: Final regulations.

SUMMARY: This document contains amendments to the Income Tax Regulations (26 CFR Part 1), the Gift Tax Regulations (26 CFR Part 25), the Manufacturers and Retailers Excise Tax Regulations (26 CFR Part 48), the Tempo-

rary Regulations in connection with the Airport and Airway Revenue Act of 1970 (26 CFR Part 154), and the Statement of Procedural Rules (26 CFR Part 601). The purpose of these amendments is to eliminate certain forms no longer necessary in the administration of the tax laws and to ease the public's reporting burden by reducing the number of reports that must be filed by taxpayers.

EFFECTIVE DATE: Except as otherwise provided in the amendments, the amendments are effective November 14, 1977.

FOR FURTHER INFORMATION CONTACT:

Mr. Robert C. Graff of the Legislation and Regulations Division, Office of the Chief Counsel, Internal Revenue Service, 1111 Constitution Avenue, NW., Washington, D.C. 20224 (Attention: CC:LR:T) (202-566-3463).

DRAFTING INFORMATION

The principal author of this regulation was Robert C. Graff of the Legislation and Regulations Division of the Office of Chief Counsel, Internal Revenue Service. However, personnel from other offices of the Internal Revenue Service and Treasury Department participated in developing the regulation, both on matters of substance and style.

ADOPTION OF AMENDMENTS TO THE REGULATIONS

The regulations under 26 CFR Parts 1, 25, 48, 154, and 601 are amended as follows:

SUBCHAPTER A—INCOME TAX

PART 1—INCOME TAX: TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1953

PARAGRAPH 1. Paragraphs (e) (2) and (e) (3) of § 1.167(a)-12 are amended to read as follows:

§ 1.167(a)-12 Depreciation based on class lives for property first placed in service before January 1, 1971.

(e) Election under this section. . . .
 (2) Election for taxable years ending after December 31, 1976. For taxable years ending after December 31, 1976, the election to apply this section for a taxable year shall be made by attaching to the income tax return a statement that an election under this section is being made. If the taxpayer does not file a timely return (taking into account extensions of time for filing) for the taxable year, the election shall be made at the time the taxpayer files his first return for the taxable year. The election may be made with an amended return only if such amended return is filed no later than the time prescribed by law (including extensions thereof) for filing the return for the taxable year. A taxpayer who makes an election under this subparagraph must maintain books and records reflecting the information described in paragraph (e) (3) (ii) and (iii) of this section.

(3) Election for taxable years ending on or before December 31, 1976. (i) For taxable years ending on or before December 31, 1976, the election to apply this section for a taxable year may be made by filing Form 5006 with the income tax return for the taxable year. If the taxpayer does not file a timely return (taking into account extensions of time for filing) for the taxable year, the election shall be filed at the time the taxpayer files his first return for the taxable year. The election may be made with an amended return only if such amended return is filed no later than the later of (a) the time prescribed by law (including extensions thereof) for filing the return for the taxable year, or (b) November 5, 1973.

(ii) The election to apply this section for a taxable year ending on or before December 31, 1976, will be deemed to be made if the tax return (filed within the periods referred to in paragraph (e) (3) (i) of this section) contains information sufficient to establish the following:

(a) Each asset guideline class for which the election is intended to apply;
 (b) The class life for each such asset guideline class and whether the class life is determined under paragraph (b) (1) or (2) of this section;

(c) For each asset guideline class, as of the end of the taxable year of election,
 (1) the total unadjusted basis of all qualified property, (2) the aggregate of the reserves for depreciation of all accounts in the asset guideline class, and (3) the aggregate of the salvage value established for all accounts in the asset guideline class; and

(d) Whether the taxpayer is an electric or gas utility using a composite asset guideline class basis in accordance with paragraph (b) (3) (iii) of this section.

If an election is deemed to be made under this subdivision (ii), the taxpayer will be deemed to have consented to apply all the provisions of this section.

(iii) A taxpayer to whom the election applies shall maintain books and records for each asset guideline class reasonably sufficient to identify the unadjusted basis, reserve for depreciation and salvage value established for each depreciation account in such asset guidelines class.

§ 1.1081-4 [Amended]

PAR. 2. Paragraph (g) of § 1.1081-4 is amended by deleting "Form 982A" and inserting in lieu thereof "Form 982".

§ 1.1082-3 [Amended]

PAR. 3. Paragraph (c) (2) of § 1.1082-3 is amended by deleting "Form 982A" and inserting in lieu thereof "Form 982".

§ 1.6035-1 [Amended]

PAR. 4. Paragraph (a) (2) of § 1.6035-1 is amended by adding immediately after "December 31, 1958," the words "and ending before December 31, 1977,".

SUBCHAPTER B—ESTATE AND GIFT TAXES
 PART 25—GIFT TAX; GIFTS MADE AFTER DECEMBER 31, 1954

§ 25.6001-1 [Amended]

PAR. 5. The fourth sentence of paragraph (b) of § 25.6001-1 is amended by deleting "Form 938" and inserting in lieu thereof "Form 712".

SUBCHAPTER D—MISCELLANEOUS EXCISE TAXES

PART 48—MANUFACTURERS AND RETAILERS EXCISE TAXES

PAR. 6. Section 48.4061(a)-2 is revised as follows:

1. The caption to paragraph (c) (2) is amended to read as set forth below.
2. The first sentence of paragraph (c) (2) (i) is amended to read as set forth below.
3. The last two sentences of paragraph (c) (2) (i) are deleted.
4. The last two sentences of paragraph (c) (2) (iii) are deleted.

§ 48.4061(a)-2 Bonding of importers.

- (c) Requirement of bond. * * *
- (2) Execution of bond—(i) In general. The bond required under this paragraph shall be executed with satisfactory surety. * * *

PART 154—TEMPORARY REGULATIONS IN CONNECTION WITH THE AIRPORT AND AIRWAY REVENUE ACT OF 1970

PAR. 7. Section 154.2-1 is revised as follows:

1. Paragraph (d) (2) is amended to read as set forth below.
2. Paragraph (d) (3) is amended by deleting "or Form 1363A" in the first sentence.
3. Paragraph (d) (4) is amended by deleting "or the Blanket Export Exemption Certificate, Form 1363A" in subdivision (i).

§ 154.2-1 Tax on transportation of property by air.

(d) Exportation involving two or more modes of transportation. * * *

(2) (i) Continuous movement in the course of exportation shall be evidenced by (a) the execution of the Export Exemption Certificate, Form 1363, and (b) proof that exportation has actually occurred.

(ii) Form 1363 may be used in connection with a separate payment otherwise subject to tax or it may be used, with the permission of the district director, as a blanket exemption certificate by a person who expects to make payments for numerous export shipments over an indefinite period of time. If used in connection with a separate payment, the certificate shall be executed, in duplicate, by the shipper or other person making the payment subject to tax. Such person shall retain the duplicate with the shipping papers for at least 3 years from the last day of the month during which the shipment was made from the point of origin, and shall file the original with the carrier at the time of payment of the transportation charge. The carrier receiving the original certificate shall retain it along with the document showing payment of the transportation charge, for a period of at least 3 years from the last day of the month during which the shipment was made from the point of origin.

(iii) Form 1363 may be used as a blanket exemption certificate by a person who demonstrates to the satisfaction of the district director that it is impracticable to execute a separate Form 1363 for each payment. Permission to execute a blanket exemption certificate shall be requested, in writing, from the district director for the district in which is located the principal place of business or principal office or agency of the shipper or other person seeking permission. If permission is granted a separate certificate shall be executed in duplicate, by the shipper or other person making the payments, for each air carrier to be

used in making export shipments. Such person shall retain the duplicate together with all shipping papers, and shall file the original with the air carrier with or before payment of the first transportation charge to be covered by the certificate. The air carrier shall retain the original certificate together with all documents showing payment of the transportation charges. Permission to execute a blanket exemption certificate, if granted, shall remain in force until withdrawn by the person who requested such permission or until withdrawn by the district director who granted such permission. Each person shall retain the certificate for at least 3 years after the last day of the month during which the final shipment covered by the certificate was made from the point of origin. Each person shall retain the shipping and payment documents for at least 3 years after the last day of the month during which the shipment was made from the point of origin.

SUBCHAPTER H—INTERNAL REVENUE PRACTICE

PART 601—STATEMENT OF PROCEDURAL RULES

§ 601.402 [Amended]

PAR. 8. Section 601.402(e) (3) is amended by deleting the last sentence.

Because the amendments made by this Treasury decision merely eliminate certain forms that are required to be filed by taxpayers, it is found unnecessary to issue this Treasury decision with notice and public procedure thereon under subsection (b) of section 553 of title 5 of the United States Code or subject to the effective date limitation of subsection (d) of that section.

(Sec. 7805, Internal Revenue Code of 1954 (68A Stat. 917; (26 U.S.C. 7805)).)

WILLIAM E. WILLIAMS,
 Acting Commissioner of
 Internal Revenue.

Approved: November 1, 1977.

LAURENCE N. WOODWORTH,
 Assistant Secretary of the Treasury.

[FR Doc. 77-32777 Filed 11-11-77; 8:45 am]

[4830-01]

SUBCHAPTER F—PROCEDURE AND ADMINISTRATION

[T.D. 7518]

PART 404—TEMPORARY REGULATIONS ON PROCEDURE AND ADMINISTRATION UNDER THE TAX REFORM ACT OF 1976

Disclosures of Certain Returns and Return Information After December 31, 1976, for Tax Administration Purposes by Justice Department Attorneys and IRS Chief Counsel Personnel

AGENCY: Internal Revenue Service, Treasury.

ACTION: Temporary regulations.

SUMMARY: This document provides temporary regulations relating to disclosures after December 31, 1976 of tax returns and tax return information by Justice Department attorneys and IRS Chief Counsel personnel for Federal tax administration purposes where such tax returns or tax return information had been originally disclosed to such attorneys or personnel prior to that date for tax administration purposes authorized by then applicable law and regulations. Changes in the applicable law were made by the Tax Reform Act of 1976. The regulations would provide Justice Department attorneys and IRS Chief Counsel personnel with guidance needed to comply with that Act and would affect disclosures of tax returns and tax return information made after December 31, 1976.

DATE: The regulations are effective as of January 1, 1977.

FOR FURTHER INFORMATION CONTACT:

Karl P. Fryzel of the Office of the Chief Counsel, Internal Revenue Service, 1111 Constitution Avenue NW., Washington, D.C. 20224, Attention: CC: LR:T, 202-566-3294, not a toll-free call.

SUPPLEMENTARY INFORMATION:**BACKGROUND**

Prior to amendment by the Tax Reform Act of 1976, the Internal Revenue Code authorized disclosures of tax returns and tax return information to Justice Department attorneys and IRS Chief Counsel personnel for Federal tax administration purposes as provided by Presidentially approved regulations. A substantial volume of tax returns and tax return information furnished to these attorneys and personnel for tax administration purposes under prior law and regulations was in their possession on January 1, 1977, the effective date of the new statutory disclosure rules of the Act.

These regulations provide that, as a general rule, tax returns and tax return information furnished to these persons under prior law for Federal tax administration purposes may be used by them after December 31, 1976 for tax administration purposes authorized by prior law. However, if any such tax returns or tax return information is to be introduced into evidence in tax litigation after that date, the statutory relevancy tests prescribed by the new law must first be met.

DRAFTING INFORMATION

The principal author of this regulation was David E. Dickinson of the Office of the Chief Counsel, Internal Revenue Service. However, personnel from other offices of the Internal Revenue Service

and Treasury Department participated in developing the regulation, both on matters of substance and style.

ADOPTION OF TEMPORARY REGULATIONS

Accordingly, 26 CFR Part 404 is amended as follows:

§ 404.6103(a)-2 Disclosures after December 31, 1976 by attorneys of the Department of Justice and officers and employees of the office of the Chief Counsel for the Internal Revenue Service of returns and return information (including taxpayer return information) disclosed to such attorneys, officers, and employees by the Secretary before January 1, 1977 for a purpose involving tax administration.

(a) *General rule.* Except as provided by paragraph (b) of this section and subject to the requirements of this paragraph, a return or return information (including taxpayer return information), as defined in section 6103(b) (1), (2), and (3) of the Internal Revenue Code, disclosed by the Secretary before January 1, 1977, to an attorney of the Department of Justice (including a United States attorney) or to an officer or employee of the office of the Chief Counsel for the Internal Revenue Service for a purpose involving tax administration (as defined in section 6103(b) (4)) pursuant to the authority of section 6103 (or any order of the President under section 6103 or rules and regulations thereunder prescribed by the Secretary and approved by the President) before amendment of such section by Section 1202 of the Tax Reform Act of 1976 (Pub. L. 94-455, 90 Stat. 1667) may be disclosed by, or on behalf of, such attorney, officer, or employee after December 31, 1976, for any purpose authorized by such section (or such order or rules and regulations) before such amendment.

(b) *Exception.* Notwithstanding the provisions of paragraph (a) of this section, a return or return information (including taxpayer return information) disclosed before January 1, 1977, by the Secretary to an attorney of the Department of Justice or to an officer or employee of the office of the Chief Counsel for the Internal Revenue Service for a purpose related to tax administration as described in paragraph (a) of this section may, after December 31, 1976, be disclosed by, or on behalf of, such attorney, officer, or employee in an administrative or judicial proceeding only if such proceeding is one described in section 6103(h) (4) and if the requirements of section 6103(h) (4) have first been met.

Because of the need for immediate guidance with respect to the provisions contained in this Treasury decision, it is found impracticable to issue it with notice and public procedure thereon under subsection (b) of section 553 of title

5 of the United States Code or subject to the effective date limitation of subsection (c) of that section.

(Secs. 6103(q), 7805 of the Internal Revenue Code of 1954 (90 Stat. 1685, 68A Stat. 917 (26 U.S.C. 6103(q), 7805)).)

JEROME KURTZ,
Commissioner.

Approved: November 1, 1977.

LAURENCE N. WOODWORTH,
Assistant Secretary
of the Treasury.

[FR Doc. 77-32914 Filed 11-11-77; 8:45 am]

[4910-14]**Title 33—Navigation and Navigable Waters****CHAPTER I—COAST GUARD,
DEPARTMENT OF TRANSPORTATION**

[CGD 77-193]

**PART 117—DRAWBRIDGE OPERATION
REGULATIONS**

Coosa River, Alabama

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: This amendment revokes the regulations for the Seaboard Coast Line Railroad bridge across the Coosa River, mile 148, because the drawbridge has been rebuilt as a fixed bridge. Public comment was solicited prior to the permit to change this bridge from a draw to a fixed bridge being issued. The bridge owner has agreed to remodel this bridge as a drawbridge if future navigation increases, thus requiring a drawspan.

EFFECTIVE DATE: This amendment is effective on November 14, 1977.

FOR FURTHER INFORMATION CONTACT:

Frank L. Teuton, Jr., Chief, Drawbridge Regulations Branch (G-WBR/73), Room 7300, Nassif Building, 400 Seventh Street, SW., Washington, D.C. 20590 (202-426-0942).

SUPPLEMENTARY INFORMATION:

Drafting Information: The principal persons involved in drafting this revocation of regulations are Frank L. Teuton, Jr., Project Manager, Office of Marine Environment and Systems, and Lieutenant Edward J. Gill, Jr., Project Attorney, Office of the Chief Counsel.

In consideration of the above facts, Part 117 of Title 33 of the Code of Federal Regulations is amended by revoking § 117.245(i) (13).

(Sec. 5, 28 Stat. 362, as amended, Sec. 6(g) (2), 80 Stat. 937; 33 U.S.C. 499, 49 U.S.C. 1655(g) (2); 49 CFR 1.46(c) (5).)

Dated: November 3, 1977.

O. W. STILER,
Admiral, U.S. Coast Guard,
Commandant.

[FR Doc. 77-32913 Filed 11-11-77; 8:45 am]

[4910-60]

Title 49—Transportation

CHAPTER I—MATERIALS TRANSPORTATION BUREAU, DEPARTMENT OF TRANSPORTATION

[Docket No. HM-139; Amdt. Nos. 173-111]

PART 173—SHIPPERS—GENERAL REQUIREMENTS FOR SHIPMENTS AND PACKAGINGS

Conversion of Individual Exemptions to Regulations of General Applicability

AGENCY: Materials Transportation Bureau, D.O.T.

ACTION: Final rule.

SUMMARY: This action is being taken to incorporate into the Department's Hazardous Materials Regulations a number of changes based on the data and analysis supplied in selected exemption applications, or from existing special permits and exemptions. The need for this action has been created by the public demand to make available new packaging and shipping alternatives that have proven themselves safe under the Department's special permit and exemption programs. The intended effect of these amendments is to provide wider access to the benefits of transportation innovations recognized and shown to be effective and safe.

EFFECTIVE DATE: November 14, 1977.

FOR FURTHER INFORMATION CONTACT:

Alan I. Roberts, Director, Office of Hazardous Materials Operations, 2100 2nd Street SW., Washington, D.C. 20590, 202-426-0656.

SUPPLEMENTARY INFORMATION: On June 23, 1977, the Materials Transportation Bureau (MTB) published a Notice of Proposed Rulemaking, Docket HM-139; Notice 77-5 (42 FR 31815) which proposed these amendments. The background and the basis for incorporating these exemptions into the regulations were discussed in that notice. Interested persons were invited to give their views prior to the closing date of July 27, 1977. Primary drafters of this document are Darrell L. Raines and John C. Allen of the Office of Hazardous Materials Operations, Exemptions Branch, and George W. Tenley, Jr. of the Office of the Assistant General Counsel for Materials Transportation Law.

The Bureau received only two public comments concerning the proposed rules. One commenter favors the proposal to authorize the shipment of cleaning compounds containing less than 7 per cent hydrofluoric acid in DOT Specification 37M/2U composite packaging in § 173.256. However, the commenter also suggests that additional packaging be authorized for these commodities. Specifically, it is suggested that packaging authorized for 30 per cent hydrochloric acid in § 173.263 be authorized also for these cleaning compounds containing small amounts of hydrofluoric acid in § 173.256. The Bureau has no informa-

tion from its exemption program to substantiate the commenter's contention that such additional packaging would be adequate for cleaning compounds containing hydrofluoric acid and therefore such a rule change would be inappropriate under Docket HM-139.

Another commenter suggests that the DOT Specification 57 portable tank be authorized for corrosive liquids, n.o.s. in § 173.245.

Notice 77-5 proposed to add the DOT 57 portable tank only for the liquids described in § 173.249 based on DOT Exemption No. 7240. Authorizing the DOT 57 tanks for the vast array of corrosive materials shipped as corrosive liquids, n.o.s. goes beyond the rule change presented to the public in the notice of proposed rulemaking and therefore will not be included in these amendments.

The only other changes of significance from the notice concerns (1) additional containerization and palletization requirements for shipment of certain Class B poisonous solids by water as prescribed in § 173.377(j), and (2) air shipments of ethylene imine, inhibited and propylene imine, inhibited. Specifically paragraphs (j) (4) and (j) (5) have been added to require the DOT Specification multiwall paper bags authorized for these commodities in paragraph (j) to be palletized and containerized for shipment by cargo vessel. The proposed restriction against air shipments of ethylene imine, inhibited and propylene imine, inhibited has been deleted because both commodities may be shipped by cargo-only aircraft.

Analysis of these amendments and comments thereon indicate that the costs of regulatory enforcement will not be significantly affected, nor will additional costs be imposed on the private sector, consumers, or Federal, State or local governments, since these amendments will authorize the general use of shipping alternatives previously available to only a few users under the exemptions. The safety record or analysis of shipments under the exemptions, identified in Notice 77-5, demonstrate that significant environmental impacts will not result from any of these amendments. Since these amendments are relaxations of existing rules, and place no additional burden on any person, they are being made effective in less than 30 days after publication in the FEDERAL REGISTER.

In consideration of the foregoing, 49 CFR Part 173 is amended as follows:

1. In § 173.113 paragraph (a) (1) is revised to read as follows:

§ 173.113 Detonating fuzes, class C explosives.

(a) * * *

(1) Specification 12H (§ 178.209 of this subchapter). Fiberboard boxes either without liners with well secured inside pasteboard cartons or with suitable filler or lining material to prevent movement in the box.

2. In § 173.119 paragraph (a) (28) is added to read as follows:

§ 173.119 Flammable liquids not specifically provided for.

(a) * * *

(28) Specification 12A (§ 178.210 of this subchapter). Fiberboard boxes with inside metal containers not over 1-gallon capacity each. Not more than six metal containers shall be packed in a 275-pound test, double faced, corrugated fiberboard, specification 12A box and gross weight shall not exceed 45 pounds. The inner flap gaps of the box shall not exceed 5/8-inch and the box shall provide a tight fit so there is no movement of the cans within the box.

* * * * *

3. In § 173.135 paragraph (a) (10) is added to read as follows:

§ 173.135 Diethyl dichlorosilane, dimethyl dichlorosilane, ethyl dichlorosilane, ethyl trichlorosilane, methyl trichlorosilane, trimethyl chlorosilane, and vinyl trichlorosilane.

(a) * * *

(10) Specification 51 (§ 178.245 of this subchapter). Portable tanks.

4. In § 173.139 paragraph (a) (6) is revised to read as follows:

§ 173.139 Ethylene imine, inhibited, and propylene imine, inhibited.

(a) * * *

(6) Specification 4B240, 4BA240, or 4BW240 (§§ 178.50, 178.51, 178.61 of this subchapter). Cylinders of all welded construction.

5. In § 173.204 paragraph (a) (4) is revised to read as follows:

§ 173.204 Sodium hydrosulfite.

(a) * * *

(4) Specification 37A or 37B (§§ 178.131, 178.132 of this subchapter). Metal drums (STC). Not authorized for transportation by air. Authorized for transportation by water only when the containers are fitted with a minimum 4-mil polyethylene liner, the drum covers contain sponge rubber gaskets, the drums are closed with a bolted ring closure and the gross weight is not over 275 pounds.

* * * * *

6. In § 173.206 paragraph (a) (2) is revised to read as follows:

§ 173.206 Sodium or potassium, metallic; sodium amide; sodium potassium alloys; sodium aluminum hydride; lithium metal; lithium silicon; lithium ferro silicon; lithium hydride; lithium borohydride; lithium aluminum hydride; lithium acetylacetylamine complex; aluminum hydride; cesium metal; rubidium metal; zirconium hydride, powdered.

(a) * * *

(2) Specification 5, 5C, 6A, 6B, or 6C (§§ 178.80, 178.83, 178.97, 178.98, 178.99 of this subchapter). Metal barrels or drums. Not authorized for lithium aluminum hydride or aluminum hydride.

* * * * *

7. In § 173.223 paragraph (a) (5) is revised to read as follows:

§ 173.223 Peracetic acid.

(a) * * *

(5) Specification 6D or 37M (non-reusable container) (§§ 178.102, 178.134 of this subchapter). Cylindrical steel overpacks with inside specifications 2S or 2SL (§§ 178.35, 178.35a of this subchapter) polyethylene containers not over 55-gallon capacity. Polyethylene container must have a vented closure capable of preventing leakage of liquid contents.

8. In § 173.249 paragraph (a) (7) is revised and paragraph (a) (13) is added to read as follows:

§ 173.249 Alkaline corrosive liquids, n.o.s.; alkaline liquids, n.o.s.; alkaline corrosive battery fluid; potassium fluoride solution; potassium hydrogen fluoride solution; sodium aluminate, liquid; sodium hydroxide solution; potassium hydroxide solution; boiler compound, liquid, solution.

(a) * * *

(7) Specification 57 or 60 (§§ 178.253, 178.255 of this subchapter). Portable tanks. Specification 57 portable tank not authorized for transportation by water.

(13) Specification 12B (§ 178.205 of this subchapter). Fiberboard box with inside metal containers. Not more than four 1-gallon containers or six 1-quart containers may be packed in each box. Maximum gross weight may not exceed 65 pounds and the completed package must meet the test requirements of § 178.210-10 of this subchapter.

9. In § 173.253 paragraph (a) (6) is revised to read as follows:

§ 173.253 Chloroacetyl chloride.

(a) * * *

(6) Specification MC 310, MC 311, or MC 312 (§ 178.343 of this subchapter). Tank motor vehicles having tanks fabricated from Type 316 stainless steel or 99 percent pure nickel.

10. In § 173.256 paragraph (a) (7) is added to read as follows:

§ 173.256 Compounds, cleaning, liquid.

(a) * * *

(7) Specification 37M (§ 178.134 of this subchapter). Cylindrical steel overpack with inside specification 2U (§ 178.24 of this subchapter) polyethylene container. The steel overpack must have a minimum 22-gauge body, head, and bottom with a 16-gauge ring and bolt closure if full removable head. Authorized only for compounds containing not more than 7 percent hydrofluoric acid by weight.

11. In § 173.269 paragraph (a) (6) is added to read as follows:

§ 173.269 Perchloric acid.

(a) * * *

(6) Specification 6D (§ 178.102 of this subchapter). Cylindrical steel overpack with inside specification 2S (§ 178.35 of this subchapter) polyethylene container not exceeding 30-gallon capacity. Maximum net weight may not exceed 380

pounds. Not authorized for transportation by air.

12. In § 173.287 paragraph (b) (8) is added to read as follows:

§ 173.287 Chromic acid solution.

(b) * * *

(8) Specification MC 312 (§§ 178.340, 178.343 of this subchapter). Tank motor vehicles. Authorized for solutions containing chromic acid only. Not authorized for transportation by water.

13. In § 173.365 paragraph (a) (14) is revised to read as follows:

§ 173.365 Poison B solids not specifically provided for.

(a) * * *

(14) Specification 21C (§ 178.224 of this subchapter). Fiber drums. Maximum net weight may not exceed 225 pounds except that a 21C400 fiber drum may have a net weight not exceeding 350 pounds.

14. In § 173.375 paragraph (a) (2) is added to read as follows:

§ 173.375 Sodium azide.

(a) * * *

(2) Specification 21C (§ 178.224 of this subchapter). Fiber drums with inside polyethylene moisture barrier. Maximum net weight may not exceed 115 pounds.

15. In § 173.377 paragraph (b) (5) is revised and paragraph (j) is added to read as follows:

§ 173.377 Hexaethyl tetraphosphate mixtures; methyl parathion mixtures; organic phosphorus compound mixtures, organic phosphate compound mixtures; parathion mixtures; tetraethyl dithio pyrophosphate mixtures; and tetraethyl pyrophosphate mixtures, dry.

(b) * * *

(5) Specification 21C (§ 178.224 of this subchapter). Fiber drums. Authorized only for mixtures in which the liquid is absorbed in concentration not greater than 55 percent. Maximum net weight may not exceed 225 pounds.

(j) Dry mixtures containing more than 2 percent but not exceeding 16.5 percent by weight of hexaethyl tetraphosphate, methyl parathion mixtures, organic phosphorus compound mixtures, organic phosphate compound mixtures, parathion, tetraethyl dithio pyrophosphate, or tetraethyl pyrophosphate, and in which the liquid is absorbed in an inert material, in addition to containers prescribed in paragraphs (a) and (b) of this section, may be packed in specification containers as follows:

(1) Specification 44B (§ 178.236 of this subchapter). Multiwall paper bags having not more than 5 specification 2D (§ 178.23 of this subchapter) inner bags, each fabricated with a foil liner and containing not more than ten pounds net weight. Maximum net weight of material in each outside container may not exceed 50 pounds. For water transportation, the

material must also be in containers as prescribed in subparagraph (4) of this paragraph or palletized and unit packed as prescribed in subparagraph (5) of this paragraph. Not authorized for transportation by air.

(2) Specification 44D (§ 178.238 of this subchapter). Multiwall paper bags consisting of 6-ply extensible kraft paper having a minimum total basis weight of 320 pounds. Bags must have a metal foil inner liner and contain not over 60 pounds net weight. For transportation by water, material must be in containers as prescribed in subparagraph (4) of this paragraph or palletized and unit packed as prescribed in subparagraph (5) of this paragraph. Not authorized for transportation by air.

(3) Specification 44D (§ 178.238 of this subchapter). Multiwall paper bags consisting of 5-ply extensible kraft paper having a minimum total basis weight of 300 pounds. Bags may have outer sheet of 60-pound kraft in place of 70-pound basis weight but must have a metal foil inner liner. Maximum net weight may not exceed 54 pounds each. For transportation by water, material must be in containers as prescribed by subparagraph (4) of this paragraph or palletized and unit packed as prescribed by subparagraph (5) of this paragraph. Not authorized for transportation by air.

(4) Containers must be loaded and sealed at the shipper's plant or warehouse and unsealed only at the ultimate destination, unless the Coast Guard Captain of the Port desires to inspect the containers at his Port.

(5) Pallets must be designed to accommodate straps. The bags, fully enclosed by fiberboard or plastic film must be securely strapped to the pallet. The layer or layers of fiberboard or plastic film must fully protect the bags from excessive stress concentration caused by the strapping and normal handling loads.

(49 U.S.C. 1803, 1804, 1808; 49 CFR 1.53(e).)

NOTE.—The Materials Transportation Bureau has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11821 and OMB Circular A-107.

Issued in Washington, D.C., on November 7, 1977.

JOHN J. FEARNSIDES,
Acting Director, Materials
Transportation Bureau.

[FR Doc.77-32853 Filed 11-11-77;8:45 am]

[4910-59]

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

[Docket No. FE 76-2; Notice 2]

PART 527—REDUCTION OF PASSENGER AUTOMOBILE AVERAGE FUEL ECONOMY STANDARDS

Final Rule

AGENCY: National Highway Traffic Safety Administration, Department of Transportation.

ACTION: Final rule.

SUMMARY: This regulation prescribes requirements for the contents and processing of petitions by passenger automobile manufacturers to reduce the average fuel economy standards applicable to passenger automobiles produced in model years 1978, 1979, and 1980 to compensate for any adverse fuel economy impact of more stringent Federal motor vehicle emission, safety, noise, or damageability standards in those years. Such requirements and reductions are authorized by the Motor Vehicle Information and Cost Savings Act. This regulation is intended to provide notice to passenger automobile manufacturers of the procedures to be followed in processing those petitions.

EFFECTIVE DATE: November 14, 1977.

FOR FURTHER INFORMATION CONTACT:

Mr. Theodore Bayler, Office of Automotive Fuel Economy, (NFE-01), National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, D.C. 20590, 202-755-9384.

SUPPLEMENTARY INFORMATION:**I. BACKGROUND INFORMATION**

Title V of the Motor Vehicle Information and Cost Savings Act, as amended (hereafter, "the Act"), establishes average fuel economy standards applicable to manufacturers of passenger automobiles. The term "passenger automobiles" generally includes four-wheeled vehicles manufactured primarily for on-road use and for the transportation of ten or fewer passengers, e.g., sedans and station wagons. See 15 U.S.C. 2001 (1) and (2) and 41 FR 55368. Compliance of a manufacturer with these standards is to be determined by averaging the fuel economy ratings of the various types of passenger automobiles manufactured by the manufacturer in a model year and comparing that number to the fuel economy standard. The Act specifies fuel economy standards of 18, 19, 20, and 27.5 miles per gallon for model years 1978, 1979, 1980, and 1985, respectively. Fuel economy standards for model years 1981-84 have been established administratively at 22 mpg for 1981, 24 mpg for 1982, 26 mpg for 1983, and 27 mpg for 1984. Fuel economy values for the various types of passenger automobiles are determined in accordance with procedures established by the Environmental Protection Agency. See 40 CFR Part 600.

The fuel economy achievable by a particular passenger automobile may be adversely affected by the technology adopted by the manufacturer in order to comply with Federal motor vehicle emission, safety, noise, and damageability standards (hereafter called "nonfuel economy standards") requirements. The fuel economy standards for model years 1978-80 were established at levels which took into account the effects of the nonfuel economy standards in effect in 1975. However, in order to compensate for possible increases in the stringency of the nonfuel economy standards and for any corresponding fuel economy im-

pacts, an additional provision was included in the Act. Under Section 502(d) of the Act, a manufacturer can petition for an adjustment of a fuel economy standard (called a "Federal standards fuel economy reduction") due to the impacts of these more stringent nonfuel economy standards. The Act gives the Department authority to publish regulations specifying the required content of these petitions; the regulations published herein are based upon this authority.

These regulations were published in proposed form on October 26, 1976. See 41 FR 46878. A comment period of 60 days was established. A docket was established for this rulemaking proceeding in the Department's headquarters offices in Washington, D.C. Four domestic automobile companies, two federal agencies, one manufacturer of gasoline additives, one newspaper publishing association, one "public interest" group, and three private individuals submitted written comments on the proposal. All written comments, together with certain other related material such as an economic impact assessment were placed in the docket and made available for public inspection. Finally, copies of this notice were circulated to various Federal agencies for their comment and review. All of the various submissions, discussions referred to above, and other available information were considered in developing the final regulations promulgated herein.

Section 502(g) of the Act requires that petitions for reduction be processed according to standard informal rulemaking procedures, except for the mandatory additional opportunity for oral presentations. The Act also authorizes the consolidation of petitions by more than one automobile manufacturer, to permit the conduct of a single proceeding for all. See section 502(d)(4). As noted in the preamble to the October 26 notice, NHTSA intends to exercise this consolidation authority to the maximum extent possible, consistent with the other requirements of the Act and the commonality of issues raised by various petitioners. See 41 FR 46884. This will reduce the administrative burden of processing petitions and will facilitate participation in the proceeding by less affluent individuals and organizations, who might be unable to participate in a series of completely separate proceedings.

These regulations require a manufacturer applying for a reduction to submit information on two sets of passenger automobiles for the purpose of calculating a reduction. The first set is the actual set of passenger automobiles which the manufacturer plans to produce in the model year for which the reduction is requested (hereafter called the "affected model year"). The second set is the hypothetical set of passenger automobiles which the manufacturer would have produced had 1975-level standards in those nonfuel economy categories for which a reduction is sought (e.g., emissions and damageability) still been

in effect. For each of these sets, information is requested on, among other things, the distribution of vehicles among the various vehicle categories expected to be produced (called the "production mix"), the fuel economy-related technology used in the vehicles, and any available technology not used but which would have reduced any loss of fuel economy and improved the resulting vehicle fuel economy. From all this information, the average fuel economy of the two sets of vehicles can be calculated, and the difference between the two averages gives an indication of the fuel economy penalty associated with the nonfuel economy standards. The required information would also enable NHTSA to assure that the manufacturer has used all available means for complying with the nonfuel economy standards so as to minimize or avoid entirely any reduction of the fuel economy of its passenger automobiles. If a manufacturer sustains its burden of demonstrating that a reduction is warranted under the statute and the regulations, the fuel economy standard applicable to that manufacturer for the affected model year is reduced in accordance with Section 502(d) of the Act.

A more detailed description of this rule and related statutory requirements can be found in the Notice of Proposed Rulemaking published in 41 FR 46878 on October 26, 1976.

II. PRINCIPAL CHANGES IN THE RULE

As a result of the public comments and NHTSA's further analysis, several changes were made to the rule as proposed. Under the final rule, NHTSA will grant confidential treatment to any portion of a reduction petition only in the most exceptional circumstances. Based on comments expressly solicited in the NPRM, the procedure for calculating a reduction was revised to take into account the possible interaction of efforts to comply with more than one category of Federal standards. In addition, the format for submitting information on each of a petitioner's vehicle configurations was revised to make data submission less burdensome. The final rule revises the methodology for adjusting a petitioner's production mix when none of the petitioner's passenger automobiles has a fuel economy rating that equals or exceeds the fuel economy standard. Also, several revisions to the proposed procedures for holding hearings on petitions were adopted. Each of these changes, as well as requested changes that were not adopted, are discussed in greater detail below.

III. COMMENTS RECEIVED AND THE FINAL VERSION OF THE REGULATION**A. REQUIRED CONTENTS OF PETITIONS**

Several commenters raised questions with respect to the quantity of data and level of detail required in petitions. The NPRM suggested that the submission of particular items of data and information would not be required, but that the petitioner would be required to make various specified showings by whatever

means it deemed best. If the means chosen by a manufacturer were inadequate, its petition would be denied. The Administrator retained the authority to require additional supporting information at any time prior to a final decision, however, and to suspend processing of the petition until such information was submitted.

Ford Motor Co., in its comment on the NPRM, argues that NHTSA should not refuse to consider a petition on the basis of inadequacy "unless the petition on its face fails to present any information with respect to each of the items required under the applicable regulations." This argument rests on Ford's reading of "*International Harvester v. Ruckelshaus*," 478 F.2d 615 (D.C. Cir. 1973). However, the portion of that opinion which Ford cites actually states that denial of a petition on the grounds of incompleteness is improper where the petitioner came forward "with all the data there was to be had, and the Administrator did not ask for more." 478 F.2d at 642. Therefore, NHTSA reasserts its right to request additional relevant information where such information either presently exists or can be generated and made available, and to refuse to further consider petitions which a petitioner fails to supplement as required. Failure to provide such information constitutes a failure to satisfy the burden of persuasion in the proceeding.

Most of the automobile manufacturers which responded to the NPRM cautioned NHTSA on the potentially burdensome impact of the data submission requirements, particularly with respect to the requirement for the submission of detailed information on the technology used in each vehicle configuration (as defined by EPA in 40 CFR 600.002-77) of the petitioner's passenger automobiles. It is NHTSA's intent to minimize the data submission burden on petitioners, consistent with our need for detailed information in order to calculate reductions. However, the EPA average fuel economy calculation procedure, which is also applicable to our reduction calculations, requires fuel economy values for most large-selling vehicle configurations. Each data point in the average fuel economy calculation may affect the reduction calculation and must therefore be reviewed by NHTSA in our analysis of petitions for reduction. To reduce this burden, the regulations permit the incorporation by reference of material contained elsewhere in the petition. For example, a petitioner could first list all technology which is used throughout its entire product line, then list additional technology which is common to an individual car line but which differs from other car lines, and so on with similar listings for each model type within that car line, each base level, and finally each configuration. This approach should reduce the amount of duplication involved in presenting the required information.

Chrysler Corporation suggested two additional methods for reducing this burden. First, it suggests that petitioners should be permitted to submit copies of

reports containing quarterly vehicle production data which are submitted to EPA pursuant to 40 CFR 86.077-36 and 86.078-37 in order to satisfy the need for information on its past production mix and totals. Second, it suggests that the requirement that petitions continually be updated as new information becomes available should be revised to permit periodic updates. Both suggestions have merit. To the extent that reports required to be submitted to EPA or to any other agency present the information required under this regulation in a straightforward manner, not requiring extensive culling of useful information from surrounding material irrelevant to a section 502(d) proceeding, copies of those reports may be submitted. The EPA reports cited by Chrysler may satisfy the product mix submission requirements. With respect to the question of updating petitions, Chrysler correctly points out that much of the required data, such as projected production mix and total, will be in a state of flux at the time the manufacturer submits its petition. The regulation has, therefore, been changed to require the submission of revised information within 30 days after the revision. This permits petitioners to submit new information either as it becomes available or to submit monthly updates including more than one change. Allowing more than 30 days for submission of updated information (Chrysler suggested 90 days) would prejudice NHTSA's ability to evaluate petitions quickly and accurately.

In contrast to the above comments, the Center for Auto Safety argues that the data required to be submitted under the proposed regulations is inadequate to evaluate petitions. That organization suggests requiring the submission of additional information similar to that required in EPA emission standard suspension proceedings, principally involving the manufacturer's research and development program resources and its efforts to develop alternative technology. NHTSA has concluded that it would be inappropriate to routinely require the submission of all of this information as part of every petition for a reduction. However, to the extent that this type of information is relevant to a particular reduction proceeding, it is expected that it would normally be submitted to NHTSA as part of the manufacturer's petition for a reduction. Much of the suggested information seems more relevant to an evaluation of a manufacturer's maximum feasible fuel economy improvements in a standard-setting proceeding than to a reduction proceeding. Compliance with applicable fuel economy standards is not a prerequisite to qualifying for a reduction. Both manufacturers which greatly exceed and manufacturers which fail to meet the fuel economy standards may still qualify for a reduction if they can demonstrate that their fuel economy suffered as a result of their efforts to comply with nonfuel economy standards, notwithstanding the use of a "reasonably selected technology." For the purpose of submitting a

petition, it is not even necessary for a manufacturer to actually have used reasonably selected technology in its vehicles, since a petition must be granted if a fuel economy penalty would have resulted had the petitioner used such a technology. See section 502(d)(2)(B)(ii) of the Act.

B. REASONABLY SELECTED TECHNOLOGY

A difference of opinion in the comments arose with respect to the determination of whether a particular technology is "reasonably selected." Ford argues that this should be an individualized determination, with the reasonableness of a given technology depending on the particular manufacturer's circumstances. On the other hand, the Council on Wage and Price Stability contends that the regulations would have an anticompetitive effect unless the same criteria were applied to all technological assessments for all manufacturers. In the Council's view, the regulations should not tolerate the use of less energy efficient technology by financially weaker manufacturers, since to do so would reward inefficiencies in management, production, or marketing which a competitive market would penalize. Although recognizing merit in the Council's argument, NHTSA cannot contravene the clear Congressional intent that an individualized evaluation be performed. Section 502(d) of House bill H.R. 7014, the direct precursor to the reduction provisions in section 502(d) of the Act, required that "emission standards penalties" be calculated on the basis of "all passenger automobiles to be manufactured in a model year," not limiting consideration to a particular manufacturer's fleet. The House Report on H.R. 7014 (H. Rep. No. 94-340, 94th Cong., 1st Sess. 90 (1975)) states that the determination of an emission standards penalty should be on "an industry-wide basis, rather than a manufacturer-by-manufacturer basis." However, the version of that provision which came out of the Conference Committee contained significantly different language. Under the conference substitute, reductions are to be based on "the reduction in a manufacturer's average fuel economy in a model year." (Emphasis added.) Section 502(d) of the Act is replete with references to the petitioning manufacturer's unique circumstances. For example, in evaluating various technological options to determine whether the petitioner applied a reasonably selected technology, the Administration must, under the Act, consider the manufacturer's cost and lead-time requirements. Also, only fuel economy values for the petitioning manufacturer are to be considered in calculating a reduction. Therefore, the Council's position cannot be accepted. It should be noted, however, that beyond 1980, fuel economy standards will be the same for all manufacturers, and any anticompetitive pressures generated by these procedures will no longer exist.

The Council also suggests that a "cost-effectiveness" analysis be performed when evaluating various technological options. The Act requires that

NHTSA evaluate the additional costs and fuel savings associated with these options. It is NHTSA's intent to compare the costs of technological improvements with the value of their associated fuel economy benefits. This would be accomplished by placing a dollar value on the gasoline saved. As noted by the Council, it may be appropriate to assume a number of different gasoline prices in conducting this analysis, since the present pump price cannot be expected to reflect the average pump price prevailing over the lifetime of the vehicles produced in the affected model years, nor does it reflect the "social cost" of gasoline. The results of these analyses would be factors considered by the Administration in determining whether a particular technology is "reasonably selected."

C. ADJUSTMENT AND SELECTION OF PRODUCTION MIX

In certain instances, a petitioner's projected production mix for the affected model year would not be used in calculating reductions. This would occur whenever the petitioner's average fuel economy at the projected mix failed to meet the standard for that model year, even if its vehicles were modified to meet 1975-level nonfuel economy standards. In such cases, the petitioner's projected production mix would be adjusted according to the procedure set forth in section 527.11 of the regulations.

Ford notes that the use of this slightly arbitrary adjustment procedure may result in the use, for calculation purposes, of a production mix which would have been infeasible for the manufacturer to implement. However, NHTSA remains convinced that the proposed adjustment procedure is generally appropriate. Section 502(d)(3)(E) of the Act requires the use in reduction calculation of a production mix which would have resulted in compliance with fuel economy standards. An adjusted mix is used only if the manufacturer would fail to meet the fuel economy standards with its planned production mix, even if the manufacturer's vehicles were designed to meet 1975 nonfuel economy standards in all four categories. If a mix existed which was feasible for the manufacturer and which would have resulted in meeting the fuel economy standard, the manufacturer presumably would have used it rather than risk the substantial civil penalties associated with noncompliance. Furthermore, if no adjustment methodology were specified in advance, petitioners would have an incentive to postulate increased production of those vehicle configurations with a large nonfuel economy standard-related gas mileage penalty. It was deemed necessary, therefore, to use a uniform adjustment methodology. In most instances, the methodology adopted results in reasonable types of adjustments which a manufacturer might well decide to employ in order to comply with the fuel economy standards.

The Center for Auto Safety objected to the adjustment procedure used when no mix of a petitioner's automobiles

would meet the applicable fuel economy standard. This situation would arise if the petitioner did not manufacture even a single vehicle configuration whose fuel economy met or exceeded the standard. Under the proposal, such a petitioner would use its projected mix in calculating the reduction, even though that mix failed to satisfy the requirements of section 502(d)(3)(E). The Center recommends using that mix which would come closest to meeting the standard, to wit, all vehicles produced being of that configuration with the highest fuel economy. This suggested revision has been incorporated in the final rule. Since in this situation the section 502(d)(3)(E) requirement cannot be met by any mix vehicles, it is reasonable to come as close as possible to complying with that requirement, which the Center's approach does. As a practical matter, however, it should be noted that it is extremely unlikely that this provision will ever apply to a petitioner. NHTSA is aware of no vehicle manufacturer subject to fuel economy standards which would not qualify for a low-volume exemption under section 502(c) of the Act and which fails to manufacture at least one vehicle configuration whose fuel economy equals or exceeds even the most stringent standard applicable in the 1978-80 period, the 1980 standard of 20 mpg.

Ford also argues that in those instances where a petitioner can demonstrate that its production mix would differ from that projected if 1975-level nonfuel economy standards remained in effect, it should use that revised mix in its set 2 calculation. However, as discussed in the preamble to the NPRM at 41 FR 46882, section 502(d)(3)(E) of the Act requires the use of the same production mix for set 1 and set 2 passenger automobiles. Ford did not specifically dispute this statutory construction in its comment. Therefore, the regulations continue to require the use of a single production mix.

d. FUEL ECONOMY REDUCTION CALCULATION PROCEDURES.

The most fundamental issue raised with respect to calculation procedures involves the use of analytical methods as an alternative to fuel economy tests in petitions. The notice of proposed rule-making permitted the use of such methods. General Motors Corp. and Ford argued that such analyses are appropriate and should be permitted. Chrysler, on the other hand, argued that such analyses are inappropriate, at least for deriving the majority of the required fuel economy values. The need to use alternatives to actual fuel economy testing arises because of three incompatibilities between EPA's fuel economy testing requirements and the procedures for processing reduction petitions. First, EPA test results may not be available for all specified vehicle configurations in time for inclusion in a manufacturer's petition. Section 502(d)(1) of the Act permits manufacturers to submit reduction petitions at any time within the twenty-

four months before the beginning of the affected model year. Petitioners would, as a practical matter, hope to file petitions and obtain a final decision as early as possible, in order to obtain maximum lead-time in planning production adjustments which may be necessary depending on the level of the applicable average fuel economy standard. However, required EPA testing may not be completed until just prior to the required date for the manufacturer's preliminary determination of its fuel economy average, ten days prior to its public introduction date. See 40 CFR 600.506-78(a). Second, the EPA tests can only provide data with respect to set 1 vehicles, and then only to the extent that the planned production vehicles employ a reasonably selected technology. Third, an incompatibility arises where the projected production mix must be adjusted for purposes of calculating a reduction, and different configurations are required to be tested under the EPA regulations at the adjusted mix than would be required under the projected mix. In each of these cases, EPA test data may not be available for inclusion in the petition for reduction.

The maximum use of actual test data is clearly desirable from the point of view of accuracy in calculating reductions, and is indeed mandated by section 502(d)(2)(A). However, it must be recognized that imposing substantial additional test requirements upon the manufacturers would be extremely burdensome, given the cost of conducting those tests (estimated by Ford at a minimum of \$3,000 per test). Therefore, NHTSA will continue to permit the use of appropriate analytical methods in limited situations. Whether a given method is appropriate will be determined in the context of individual reduction proceedings.

The regulations promulgated herein permit the submission of petitions based on analytical methods, subject to certain conditions. First, the petition must contain all available data from EPA fuel economy testing and the petitioner's own in-house testing program which has been completed by the time the petition is submitted. Second, the petitioner must schedule its fuel economy testing so that as much testing is completed by the time of submission as is reasonably practicable. Third, to the extent practicable, testing should be scheduled so that those vehicle configurations with the largest projected sales are tested first, so that this important data may be included in the petition. Fourth, the previously discussed monthly updates of petitions must include all additional test data which becomes available. Finally, if set 1 data is based in whole or significant part upon analytical methods, the decision made by NHTSA on the petition will be an "interim decision," subject to revision if there are significant disparities between subsequently obtained EPA test data and the analyses submitted in the petition. See pp. 156-7 of the Conference Report (S. Rep. No. 94-516, 94th Cong., 1st Sess. (1975)). To avoid situations in which the submitted non-test

data consistently overstates the reduction shown through actual test results, and to take into account variability in test procedures, the "significance" of disparities between EPA and analytically-generated data will be determined with reference to the aggregate impact of all disparities. In other words, large differences between interim and final fuel economy values for individual configurations would not require revision of the interim decision if the differences did not reflect systematic bias in the analytical procedure used by the petitioner. "Significant disparities" will be defined as those which, when taken together, would result in a difference of 0.1 mpg or more in the calculated average, the level of precision specified in section 503(e) of the Act for fuel economy calculations. Relatively large but nonsystematic errors would tend to cancel each other out in the overall calculation. The approach adopted in this regulation will permit early processing of petitions and will give the petitioner the advantage of greater lead-time, but will place the risk of using inaccurate analytical methods on the advocate of those methods.

As previously noted, it is unlikely that any test data for set 2 vehicles would be generated unless additional tests were run specifically for the purposes of providing data for a reduction petition. In this regard, Chrysler has suggested conducting tests on prototype vehicles in each of the petitioner's largest-selling vehicle configurations which comprise a total of seventy percent of the petitioner's sales, then modifying each vehicle tested to comply with 1975-level nonfuel economy standards and retesting the same vehicle. Presumably, analytical methods could be used to provide set 2 data for the other configurations which were not tested, and EPA-approved data would satisfy other set 1 requirements, although Chrysler does not specifically suggest this. This approach would appear to be an entirely appropriate method for generating data for a petition. However, NHTSA will not attempt to establish generally applicable minimum testing requirements for all manufacturers. Manufacturers may submit petitions in which set 2 data is based entirely upon analytical methods. However, such manufacturers should recognize that data based upon analytical methods will not be given the same probative weight as actual test data in NHTSA's review of petitions. As previously noted, particular types of analytical methods may be found to be completely inadequate for predicting fuel economy values, and a petition based on such analyses could not be granted.

Where it becomes necessary to obtain fuel economy data for particular vehicle configurations solely because of required adjustments to the production mix, NHTSA would accept appropriate non-test data for both set 1 and set 2. These configurations would generally not have large sales fractions, even under the adjusted production mix, and would not be tested otherwise.

Ford has suggested that, in calculating a reduction due to emission standards, vehicles subject to the more stringent California emission standards should be included in set 1 but excluded from set 2. This approach would have the effect of lowering set 1 average fuel economy with respect to that of set 2, and thereby increasing the reduction granted, because of the generally lower fuel economy of vehicles subject to California emission standards.

Ford bases its argument on its reading of H.R. 7014, which contained the House version of Title V, and its view of the assumptions on which Congress based the reduction provisions. First, Ford points out that section 502(d)(3)(C)(i) of the Act specifies the first step in calculating a Federal standards fuel economy reduction is determining "the reduction in a manufacturer's average fuel economy in a model year which results from the application of a category of Federal standards applicable to such model year, and which would not have occurred had Federal standards of such category applicable to model year 1975 remained the only standards of such category in effect." Section 502(d)(3)(D) lists several "categories of Federal standards," the first of which, emission standards, specifically includes the more stringent California standards. Ford concludes from this that the reference in section 502(d)(3)(C)(i) to the average fuel economy resulting from the application of a "category of Federal standards" for the affected model year, which corresponds to set 1 fuel economy under the regulations, must include California vehicles because of the definition of "category of Federal standards" in section 502(d)(3)(D).

However, in Ford's view, the reference to "Federal standards of such category applicable to model year 1975" in section 502(d)(3)(C)(i), which corresponds to set 2 fuel economy under the regulations, is not subject to the same definition, despite the use of the words "such category" and "Federal standards." Rather, in Ford's view, the standards on which set 2 fuel economy is to be based are to be determined by referring to section 502(d) of H.R. 7014, which bases the calculation of an emission standards fuel economy penalty on the 1975-level 49-state emission standards. Ford's second argument is that reductions must be calculated in a manner consistent with the procedure Congress used to project the 1980 fuel economy standard, which was based on the level of fuel economy achieved at 1975-level 49-state emission standards, again referring to H.R. 7014 and its legislative history.

NHTSA is unable to accept this argument. The language of section 502(d) of the Act is unambiguous on its face in this respect. Reductions are to be calculated on the basis of changes in stringency in a "category of Federal standards," and, in the case of emission standards, the category was defined to include the more stringent California standards. The differences in the language of the

phrases "category of Federal standards" and "Federal standards of such category" are too minor to justify giving them completely different meanings, especially when the latter phrase clearly refers to the former. If the meaning of a statute is unambiguous on its face, the generally accepted rules of statutory construction prohibit reference to the legislative history to seek a different meaning.

Even assuming arguendo that Ford's reading of HR 7014 is correct, it does not follow that the Conference Committee necessarily adopted the House provision in total. Ford argues that the Conference Committee lacked authority to amend the House version since, under 2 U.S.C. 190c(a), a Conference Committee can amend a provision only where the House and Senate versions disagree. If Ford's reading of the House bill is correct, the two bills must be viewed as being inconsistent. Under section 504 of S. 1883, baseline fuel economy was established at the "industrywide average fuel economy level for model year 1974," which must be read to include California vehicles. Fuel economy standards were to be established taking into account "the impact of other Federal standards." See § 504(a)(3) of S. 1883. The product of the Conference Committee would necessarily, therefore, be viewed as a "germane modification of subjects in disagreement" between the two bills. 2 U.S.C. 190c(a).

Furthermore, to the extent that the reduction procedure and the 1978 fuel economy standards set forth in HR 7014 were drafted with an assumed baseline of 1975 49-state emission standards in mind, the manufacturers will not suffer under the Conference substitute from any increased stringency due to the inclusion of California vehicles. The Conference substitute decreased each of the fuel economy standards applicable in model years 1978 to 1980 by 0.5 mile per gallon and reduced the amount by which the calculated average fuel economy penalty must be diminished when calculating the allowable reduction from 1.0 to 0.5 mile per gallon per category of standards.

Ford's approach is also inconsistent with the purpose of section 502(d). If the intent of that provision is to first measure the impact on fuel economy of affected model year nonfuel economy standards with respect to 1975-level standards and to give the manufacturers partial credit for that impact, the Ford approach would overstate the actual fuel economy penalty experienced. In fact, it is theoretically possible under Ford's approach for a manufacturer to obtain an emission standards reduction where affected model year and 1975 emission standards are identical in stringency. The more stringent California emission standards had a measurable impact upon average 50-State vehicle fuel economy in 1975. Congress recognized that fact in adopting section 502(d), and the final regulations must also take that fact into account.

Chrysler Corporation stated that the NPRM was unclear regarding the methodology to be used for revising the 1978

or 1979 standard for domestic passenger automobiles with includable captive imports when a manufacturer requests the reduction of the standard as it applies to those vehicles, but not as it applies to the residual, nonincludable group of captive imports. Under the reduction regulations, the manufacturer is to provide for its captive imports the same type of technological information that it is required to provide for its domestically manufactured vehicles. The fuel economy calculations are to be performed in accordance with EPA procedures in 40 CFR Part 600. With respect to the treatment of captive imports in model years 1978 and 1979, 40 CFR 600.511-78 restates the requirements of section 503(b) of the Act. Under § 600.511-78, the petitioner separately calculates, using the projected production mix, the average fuel economy of its planned imports for the affected model year. Next, the petitioner divides its planned imports into its "includable base import volume" and into a residual group of planned imports. Both groups are deemed to have the same average fuel economy as the manufacturer's overall volume of planned imports. In calculating a reduction, as in calculating an overall fuel economy average for standards compliance purposes, the "includable" imports are treated as a single model type with a sales volume equal to the includable base import volume. That model type is added to the model types of domestically-manufactured passenger automobiles. The residual group is not included in the calculation. Corresponding technological information and fuel economy calculations are required to be provided for the set 2 vehicles with the technology modified to reflect the assumption of 1975-level nonfuel economy standards in those categories for which a reduction is sought.

The NPRM raised the issue of how to take into account possible interactions between technology used by a manufacturer to comply with different categories of nonfuel economy standards. Such interactive effects might appear if, for example, compliance with a vehicle damageability standard required the addition of relatively heavy bumpers to a vehicle and the additional weight made compliance with emission standards more difficult.¹ The procedure set forth in the NPRM would have calculated a reduction by separately assessing the impacts of the two standards, if reductions for both damageability and emission standards were requested. The damageability standards reduction would have been calculated by subtracting the aver-

¹ It is also possible that compliance with more stringent standards in one category may facilitate compliance with more stringent standards in another category. For example, a safety requirement relating to high speed crash survivability might require the use of "soft" vehicle front ends, which reduce vehicle weight and might, therefore, make compliance with emission standards easier.

age fuel economy of the vehicles designed to comply with all categories of affected model year standards (set 1) from the average fuel economy of those vehicles at 1975-level damageability standards and affected model year standards in all other categories (set 2), less 0.5 mile per gallon. The 0.5 mile per gallon per category of standards is subtracted as required by section 502(d) (3) (C) of the Act. See Table 1.

TABLE 1

	Emission standards	Safety standards	Noise standards	Damageability standards
Set 1.....	AMY ¹	AMY	AMY	AMY
Set 2.....	AMY	AMY	AMY	75 MY

¹ AMY=affected model year.

Similarly, under the procedure in the NPRM, the reduction attributable to more stringent emission standards would be calculated by subtracting the same set 1 fuel economy as in Table 1 from the average fuel economy of those vehicles designed to meet 1975-level emissions standards and affected model year standards in all other categories of standards, less 0.5 mile per gallon. See Table 2.

TABLE 2

	Emission standards	Safety standards	Noise standards	Damageability standards
Set 1.....	AMY ¹	AMY	AMY	AMY
Set 2.....	75 MY	AMY	AMY	AMY

¹ AMY=affected model year.

The total reduction would have been calculated by summing the two numbers calculated above. This sum may not reflect the actual fuel economy penalty suffered by the petitioner due to the interaction problem. This becomes apparent when one considers that the comparison in Table 1 would measure not just the damageability standards penalty, but also an emission standards impact resulting from the ability of set 2 vehicles to use less extensive emission controls, due to their lighter weight. The impact of emission standards could be partially "double counted" in the above example.

Ford has suggested an alternative method for calculating reductions which avoids the interaction problem by not attempting to apportion the total fuel economy penalty incurred among the various categories of standards for which a reduction is sought. Under Ford's approach, the same set 1 vehicles would be used as above. However, set 2 would include vehicles designed to meet 1975-level standards in all categories for which a reduction is sought. In the example above, where reductions for both emission and damageability standards were sought, the two sets would be defined as set forth in Table 3.

TABLE 3

	Emission standards	Safety standards	Noise standards	Damageability standards
Set 1.....	AMY ¹	AMY	AMY	AMY
Set 2.....	75 MY	AMY	AMY	75 MY

¹ AMY=affected model year.

In calculating a reduction, the difference in fuel economy of the two sets would be calculated, and 0.5 mile per gallon would be subtracted for each category of standards for which a reduction is sought. Thus, in the example above, 1.0 mile per gallon would be subtracted from the fuel economy difference between the two sets.

The Ford approach greatly reduces the data requirements and simplifies calculations where reductions for more than one category of standards are sought. In addition, the Ford procedure is mathematically equivalent to that specified in the Act, merely rearranging and reassociating the terms in the overall summation. Where interactions are present, the Ford procedure measures the true total impact on fuel economy, while the procedure specified in the NPRM, as the NPRM preamble noted, could either overstate or understate that effect. The fact that the Ford procedure does not assign a fuel economy penalty to each of the separate categories of standards is unimportant, since the total penalty is the critical number in adjusting the fuel economy standard. The only possible inaccuracy in the Ford procedure would occur if, for example, one of the categories of standards had an associated fuel economy difference between the two vehicle sets of less than 0.5 mile per gallon. Under the NPRM approach, the fact that the difference for category A was less than 0.5 mile per gallon would have no effect on the calculation of the applicable fuel economy reduction for category B. The only significance of the fact would be that no applicable fuel economy reduction would be allowed for category A. Under the Ford approach, there would be such an effect since the differences for the two categories are added together and then 1.0 mile per gallon (0.5 mile per gallon for each category) is subtracted from the total difference. To the extent that 0.5 mile per gallon was greater than the difference for category A, it would be subtracted from the potential reduction obtainable under category B. A petitioner could avoid this penalty, however, by simply not applying for a reduction in that category. Although the statute defines separate reductions for each category of standards, nothing in the statute requires that these numbers be separately calculated.

Therefore, the NHTSA has revised the final regulations to incorporate the Ford proposal. The regulations no longer provide for the separate calculation of "applicable fuel economy reductions" as in

§ 527.10 of the proposed rule, and corresponding revisions have been made in other sections.

American Motors Corporation raised two issues relevant to the manner in which reductions are calculated. First, it suggested that uniform reductions be promulgated for all manufacturers where changes in stringency of nonfuel economy standards occur and where the impact of those changes is similar for all manufacturers. Although it is not inconceivable that such a situation could arise, NHTSA is unaware of any cases of this type, and does not anticipate promulgating uniform reductions at this time. In order to grant a reduction NHTSA must evaluate the technology actually used by a manufacturer and other technology which might have been reasonably selected. Both of these determinations are necessarily individualized, necessarily made in the context of an individual manufacturer's situation, and the overall determination would not, therefore, lend itself to uniform treatment. See discussion of reasonably selected technology in section IIb. AMC's second point was that changes in nonfuel economy test procedures which affect the stringency of those standards should be treated the same as changes in the numerical level of the standards. NHTSA agrees that where a test procedure change has this effect, the change should be treated the same as a revision to the standard for purposes of calculating a reduction. However, whether particular test procedure changes will be deemed to have such an effect must be determined in individual reduction proceedings, since the precise effect of such changes may differ for the various automobile manufacturers. Changes in the emission test procedures which impact measured fuel economy values (the emission and city fuel economy test procedures are the same) for 1978, 1979, or 1980 would be evaluated for comparability under section 503(d)(1) of the Act. Changes in nonfuel economy test procedures or standards which occur after 1980 would be reflected in possible amendments to the fuel economy standards, under section 502(f).

Ford raised the issue of whether petitioners would be permitted to base their analyses on their need to build vehicles in such a way that the vehicles will have a high probability of meeting applicable nonfuel economy standards. Ford maintains it must "target" its production process to the achievement of an effectively more stringent standard, in order to take into account product variability and, in the case of emissions, performance deterioration of control technology. To the extent that a petitioner can demonstrate that its projected design targeting is reasonable and consistent with past practice, such level may be taken into account in petitions. However, NHTSA will carefully scrutinize any purported lower design targets to assure that assumed safety margins are reasonable in light of methods available to manufacturers to reduce these margins with-

out undue risk and its own past practices. Among these methods might be retesting failed vehicles, certifying several versions of individual models intended for sale, and avoiding recertification of a previous year's vehicles which met a subsequent year's more stringent nonfuel economy standards.

The Ethyl Corporation argued that all fuel economy calculations must take into account the different amounts of energy needed to produce a gallon of leaded or unleaded gasoline. The need for unleaded gasoline was generated in part by the adverse impact of lead additives on some emission control devices. However, the determination of the equivalence of various types of automobile fuels is the responsibility of EPA under section 503(d)(2) of the Act and it would be improper for NHTSA to attempt to decide the matter in this proceeding.

E. HEARING PROCEDURES AND PROCESSING OF PETITIONS

Several comments were received with respect to the question of the proper format for reduction proceedings. Since some of those comments resulted from misunderstandings or ambiguities in the NPRM, it is worthwhile to restate and clarify the intended procedures. The proceeding would commence with the submission of a petition by a manufacturer. The Administrator would then evaluate the petition to assure that it meets each of the requirements of §§ 527.5 through 527.12 of the regulations. If the petition is deemed to be incomplete, the Administrator would so notify the petitioner, specifying the additional material needed. Once a complete petition is received, it is placed in a public docket, and a copy of the petition is transmitted to the Federal agency responsible for the administration of the category of standards for which a reduction is sought for that Agency's evaluation. For example, in the case of a petition for an emission standards reduction, a copy of the petition would be sent to the Environmental Protection Agency. Simultaneously, the Administrator would publish a notice of receipt in the FEDERAL REGISTER. The notice would state that a petition had been received, identify the petitioner, cite the reduction requested and summarize the petitioner's rationale therefor, state the Administrator's options for disposition of the petition and list the criteria to be applied in evaluating the petition. The notice would also identify the location of copies of the petition available for public inspection, and solicit comment on the petition. Once comments are received from interested parties and Federal agencies and evaluated, a proposed decision or, as appropriate, set of alternative decisions would be published. In the latter case, the proposal would set forth reasonable alternative dispositions of the issues, granting, denying, or denying in part the reduction. The alternatives could range from complete denial to complete granting of petitions, but neither of these extreme positions would be proposed unless

NHTSA concluded that those levels could be supported by available data and information and were based on reasonable assumptions and judgments. This will permit advocates of either granting or denying the petition to focus their comments on attacking the undesirable alternative or alternatives and supplementing the data base for the desired one. The proposal would set forth the data, analyses, and methodology on which each alternative disposition is based, and would request comments from the public. The notice also establishes a time and place for a public hearing. Following the hearing, and subsequent comment period, the entire record for the proceeding is reviewed and an interim or final decision is published. An interim decision is subject to readjustment when EPA test data becomes available, after an opportunity for public comment on the readjustment.

EPA's Office of Mobile Source Air Pollution Control (OMSAPC) and the Center for Auto Safety have suggested that proceedings held pursuant to this regulation be patterned after those held in the past by EPA on the suspension of automotive emission standards. Under the suggested EPA procedure, a notice of receipt would be published containing the same information as the notice of receipt in the NHTSA procedure, plus information about the required hearing. OMSAPC and the Center for Auto Safety suggest eliminating the proposed decision from the NHTSA procedure. They propose holding the public hearing after the issuance of the notice of receipt and then proceeding to a final notice. OMSAPC argues that this procedure is legally sufficient and superior from a policy standpoint to the NHTSA procedure.

With respect to the first point, it is true that initial notices which do not provide detailed information on every aspect of the final rule adopted are appropriate in some cases. See, e.g., *Ethyl Corp. v. EPA*, 541 F. 2d 1, at 48. However, courts may be less tolerant of such "general" notices in rulemaking proceedings which have significant adjudicatory aspects. In such cases, the inclusion of a requirement for opportunity for oral comment in addition to the usual opportunity for submission of written comments may evince a Congressional policy of encouraging greater "give-and-take" in the rulemaking proceeding, which may in turn require a more detailed description of the "subjects and issues involved." See, e.g., *International Harvester*, supra at 632, where the court expresses diffidence with respect to the opportunity for full public comment provided in the EPA procedure. Also, the statutory requirements under which NHTSA proceedings will be held differ in two respects from those under which EPA operated. First, no statutory time constraint is specified for the completion of a reduction proceeding, as was the case under the Clean Air Act. The court in *International Harvester* frequently cited the Clean Air Act "60 day requirement" as a basis for tolerating

certain procedural "short-cuts." 478 F. 2d at 629, 631, 632. Second, unlike EPA, NHTSA rulemaking, under section 502(d) is subject to the "substantial evidence test" in any subsequent judicial review. 15 U.S.C. 2004(a). Although the courts are still grappling with the question of the effect of combining informal rulemaking under 5 U.S.C. 553, normally subject to the less stringent "arbitrary and capricious" test of 5 U.S.C. 706 (2)(A), with the substantial evidence test, at least one court has concluded that such a combination necessitates additional procedural safeguards to assure the opportunity for a full dialogue between the agency and interested parties. *Mobil Oil Corp. v. FPC*, 483 F. 2d 1238, 1257-1263 (D.C. Cir. 1973). This may also necessitate the presentation of a more precise statement of the agency's views at a time prior to the formulation of a final rule. NHTSA does not conclude from this discussion that a procedure such as EPA's is necessarily inadequate in the context of section 502(d), but rather that substantial legal questions may exist with respect to the appropriateness of that procedure.

OMSPAC also argues that its procedures would avoid shifting the burden of proof in a proceeding away from the petitioner. However, under the EPA procedure, once the petitioner makes its prima facie case, the burden is shifted to anyone, including the agency, which seeks to apply a different methodology to reach a different result. See *International Harvester*, supra at 643. The only effect of the proposed decision in the NHTSA procedure is to clarify where the burden of proof lies at that time, by either advancing one or more alternative methodologies or concurring in the petitioner's.

In addition, NHTSA disagrees with the policy arguments made by OMSAPC. The original intent of the regulations has been clarified to require that the notice of receipt will solicit comments from the general public. (See letter from Stephen Wood, Assistant Chief Counsel, NHTSA, to Eric Stork, Deputy Assistant Administrator for Mobile Source Air Pollution Control, EPA, dated November 17, 1976, Docket FE 76-2, No. 1A.) Taken together with our prior statement that the views of other affected Federal agencies would be solicited (41 FR 46884) and formal interagency review requirements for rulemaking, it appears that OMSAPC's objections regarding NHTSA taking a position on a petition prior to receiving any outside input have been met. Furthermore, it is NHTSA's view that the use of a proposed decision will achieve a significant improvement over the EPA procedure, by soliciting public comment on not only Agency methodology (it is not clear from the OMSAPC comment that they even recommend this, the "International Harvester" requirement for such comment notwithstanding), but also on the application of that methodology. While the law may not require such a full op-

portunity for comment, NHTSA deems it appropriate to provide more than the bare minimum which the Administrative Procedure Act requires. In light of this, NHTSA cannot conclude that the EPA procedure is clearly superior to that set forth in this regulation from a policy standpoint.

With respect to the issues of the desirability of permitting "two cycles of notice and comment" on complex matters and making public the agency's views on matters important to the final rulemaking at a time prior to the final decision, "in order to enhance the usefulness of further comments," the positions adopted in this regulation appear to be supported by a recent recommendation of the Administrative Conference of the United States. See Recommendation No. 76-3, 1 CFR 305.76-3, also published in 41 FR 29654, July 19, 1976.

There is some merit in the points raised by OMSAPC and the Center for Auto Safety, in regard to the likelihood that an agency which proposes a specific rule has a natural tendency to resist changes to the rule. Efforts to minimize this acknowledged phenomenon conflict with NHTSA's need to provide a full opportunity for public comment by clearly detailing the relevant considerations in the proceeding. NHTSA has attempted to balance these conflicting considerations by providing in the regulation that the proposed decision will, when appropriate, contain alternatives which establish a reasonable range of justifiable reductions, or denial of the petition. Therefore, the proposed procedure, as clarified, has been retained.

Several commenters raised the issue of the need for NHTSA to act on petitions as expeditiously as possible. Recognizing the importance of an early decision to the petitioning manufacturer, NHTSA will endeavor to complete the entire decision process within 180 days from the time a complete petition is received. If complying with that goal proves impossible, NHTSA will still make every effort to expedite the decision, albeit by a later date.

Several changes to the procedures for the public hearing on petitions were adopted. As suggested by EPA, individuals other than NHTSA officials may serve on the hearing panel. In order to emphasize the need for complete and accurate presentations at the hearing, all testimony will be made under oath. In addition, any participant in the proceeding may petition NHTSA to use its authority under section 505(b) of the Act to compel the appearance and testimony at the hearing of any individual shown to have relevant information necessary to an informed decision in the proceeding. The agency may well use that authority on its own initiative to secure the testimony of automobile manufacturers and suppliers of automobile components. Notice of the public hearing will be given through the issuance of a press release by NHTSA, in addition to a FEDERAL REGISTER notice, in order to inform the public at large.

F. TREATMENT OF CONFIDENTIAL INFORMATION

Several commenters discussed the question of how NHTSA should handle petitioners' requests for confidential treatment of information included in petitions for reduction. In such cases, the public's need to obtain access to the information in order to make informed comments on the petition runs counter to the manufacturer's desire to prevent disclosure of information which may be of some benefit to its competitors. This same conflict appears in most of NHTSA's rulemaking activities under Title V of the Act. In recognition of the importance of these issues, NHTSA published a notice requesting comment on how these requests for confidential treatment should be handled. 42 FR 3240 (January 17, 1977).

After evaluating comments submitted on this issue in the context of this proceeding and the January 17 notice, NHTSA deems it appropriate to alert potential petitioners to the agency's intention to grant confidential treatment to information submitted as part of reduction petitions only in exceptional circumstances. This approach is taken under the authority of section 505(d)(1) of the Act which permits the release of trade secret information where relevant to any administrative or judicial proceedings. NHTSA does this for several reasons. First, Congress has expressed its intent that the 1978-80 fuel economy standards established in section 502(a)(1) of the Act should be entitled to a strong presumption of validity and should be modified only on a clear showing by a petitioner and after a broad opportunity for public participation in the reduction proceeding. Unlike most other rulemaking under the Motor Vehicle Information and Cost Savings Act, Congress specified that section 502(d) rulemaking would be subject to the more stringent "substantial evidence" test in any subsequent judicial review, and that participants in the rulemaking proceeding would be entitled to make oral presentations, in addition to the usual opportunity for written comment. See 15 U.S.C. 2002(g) and 2004(a). In view of the manufacturer-specific nature of reduction proceedings (see section IIIb above), the ability of participants in the proceeding to effectively comment on all relevant issues would be limited unless they have access to the entire petition. This is a greater problem in the context of reduction proceedings than in most rulemaking proceedings, where industry-wide considerations and long-term capabilities are of greater relevance. The portions of a petition for which a petitioner is most likely to request confidential treatment, projected production mix and technology to be employed or capable of being employed in the affected model year, will be critical to an informed analysis of the petition and are likely to be central issues in NHTSA's final decision. Second, no manufacturer is re-

quired to submit a reduction petition, so that the potential release of any confidential information is, in a sense, voluntary on the part of the manufacturer. Although manufacturers possess a statutory right to petition for a reduction, it is not unreasonable for NHTSA, in exercising its discretionary authority under section 505(d)(1) to promote the goals of Title V, to require manufacturers to balance their need for a reduction against the potential danger from release of the contents of their petition. Failure to obtain a reduction is unlikely to have devastating consequences for a manufacturer. All manufacturers other than those qualifying for "low-volume" exemptions under section 502(c) of the Act are expected to have average fuel economies either closely approaching or exceeding the applicable fuel economy standards for model years 1978-80. Thus, even in the worst case, a manufacturer which, without a reduction, would fail by a small margin to meet the standard, could elect to pay the civil penalty specified in section 508, which, because of the manufacturer's nearly meeting the standard, would be relatively small on a per-vehicle basis, compared to the price of the automobile. On the other hand, such a manufacturer could elect to implement some of the technological improvements, which would be necessary to meet the next year's fuel economy standard in any case, one year early in order to avoid paying the penalties. Finally, the information submitted in a petition would become public in a relatively short time regardless. Petitions must be submitted within two years of the start of the affected model year under section 502(d)(1). In most cases, a competitor would not have adequate leadtime to take advantage of the information contained in the petition between the time of submission and the start of the affected model year, when the information necessarily becomes public through the sale of the affected model year vehicles. For these reasons, NHTSA will grant confidential treatment to information contained in reduction petitions only in exceptional, and presently unforeseen, circumstances.

IV. ECONOMIC AND ENVIRONMENTAL IMPACTS

The economic and environmental impacts of these regulations were evaluated and found to be minimal. The granting of denial of reductions based on these regulations may have significant impacts but those impacts will be individually evaluated in the context of individual reduction proceedings. No adverse environmental impacts were found to be associated with this essentially procedural regulation itself. The only economic impacts would involve staff time spent in preparing and evaluating petitions and perhaps a small number of additional fuel economy tests. The additional costs attributable to the rule are expected to be under three million dollars total for both the industry and

the government, based on the submission of four petitions.

The program official and lawyer principally responsible for the development of this regulation are Ralph J. Hitchcock and Roger C. Fairchild, respectively.

Issued on November 4, 1977.

JOAN CLAYBROOK,
Administrator.

1. 49 CFR Chapter V is amended by adding a new Part 527, reading as follows:

Sec.	
527.1	Scope and purpose.
527.2	Applicability.
527.3	Definitions.
527.4	Eligibility.
527.5	Requirements for petition.
527.6	Technology.
527.7	Fuel economy.
527.8	Average fuel economy.
527.9	Federal standards fuel economy reduction.
527.10	Projected production total and mix.
527.11	Production mix for determining Federal standards fuel economy reductions.
527.12	Calculation of fuel economy values and average fuel economy.
527.13	Supplementary information requirements.
527.14	Processing of petitions.
527.15	Public hearing.
527.16	Public inspection of information.

AUTHORITY.—Sec. 9, Pub. L. 89-670, 80 Stat. 931 (49 U.S.C. 1657); sec. 301, Pub. L. 94-163, 89 Stat. 901 (15 U.S.C. 2002); delegation of authority at 41 FR 25015, June 22, 1976.

§ 527.1 Scope and purpose.

This part establishes procedures for the submission and disposition of petitions filed by manufacturers of passenger automobiles to obtain reduction of the applicable average fuel economy standard for model year 1978, 1979, or 1980. These reductions are intended to offset any loss of fuel economy due to the application in that year to passenger automobiles of Federal emission, safety, noise, or damageability standards more stringent than those applicable in model year 1975. This part also establishes procedures for holding public hearings on those petitions.

§ 527.2 Applicability.

This part applies to manufacturers of passenger automobiles.

§ 527.3 Definitions.

(a) *Statutory terms.* (1) The terms "Federal standards fuel economy reduction," "fuel," "manufacturer," "model year," and "reasonably selected technology" are used as defined in section 501 or 502 of the Act.

(2) The terms "average fuel economy," "fuel economy," and "model type" are used as defined in 40 CFR 600.002-77.

(3) The terms "automobile" and "passenger automobile" are used as defined in section 501 of the Act and in accordance with the determinations in 49 CFR Part 523.

(b) *Other terms.* (1) The terms "base level" and "vehicle configuration" are used as defined in 40 CFR 600.002-77.

(2) As used in this part, unless otherwise required by the context—

"Act" means the Motor Vehicle Information and Cost Savings Act (Pub. L. 92-513), as amended by the Energy Policy and Conservation Act (Pub. L. 94-163).

"Administration" means the National Highway Traffic Safety Administration.

"Affected model year" means the model year for which a reduction of an average fuel economy standard is requested under this part.

"Category of Federal standards" means any of the following categories of motor vehicle standards and associated measurement procedures—

(1) Emissions standards issued under section 202 of the Clean Air Act (42 U.S.C. 1857f-1), and emissions standards applicable by reasons of section 209(b) of that Act (42 U.S.C. 1857f-6a(b));

(2) Safety standards issued under the National Traffic and Motor Vehicle Safety Act of 1966 (15 U.S.C. 1381 et seq.);

(3) Noise emission standards issued under section 6 of the Noise Control Act of 1972 (42 U.S.C. 4905); or

(4) Property loss reduction standards issued under title I of the Act (15 U.S.C. 1911 et seq.).

"EPA Administrator" means the Administrator of the Environmental Protection Agency.

"Modifications" means changes by a petitioner in the technology of a passenger automobile consistent with the need of the Nation to improve automobile fuel economy and with the energy savings, economic costs, and leadtime requirements associated with the technologies that would have been practicably available to the petitioner given the applicability of the model year 1975 standards in the category or categories of Federal standard for which a reduction is sought.

"NHTSA Administrator" means the Administrator of the National Highway Traffic Safety Administration.

"Production mix" means the number of passenger automobiles, and the percentage of the petitioner's annual total production of passenger automobiles, in each vehicle configuration which a petitioner plans to produce in a specified model year.

"Set 1" means the set of passenger automobiles which a petitioner will produce in the affected model year.

"Set 2" means the set of passenger automobiles which a petitioner would have produced in the affected model year had the model year 1975 standards in all categories of Federal standards for which a Federal standards fuel economy reduction is sought been the only standards in those categories.

§ 527.4 Eligibility.

Any manufacturer of passenger automobiles may petition the NHTSA Administrator under this part for a reduction of the average fuel economy standard applicable to passenger automobiles for model year 1978, 1979, or 1980.

§ 527.5 Requirements for petition.

Each petition filed under this part must:

(a) Request the reduction of an average fuel economy standard for not more than one model year;

(b) Identify the affected model year;

(c) Be submitted within the 24-month period immediately preceding the beginning of the affected model year;

(d) Be submitted in twenty copies to: Administrator, National Highway Traffic Safety Administration, Washington, D.C. 20590;

(e) Be written in the English language;

(f) State the full name, address, and title of the official responsible for the preparation of the petition; and

(g) Set forth in full the data, views, and arguments of the petitioner supporting the Federal standards fuel economy reduction requested in its petition, including the information and data specified in §§ 527.6 through 527.12 and the calculations and analyses used to develop the information and data. No documents may be incorporated by reference in a petition unless the documents are submitted with the petition.

§ 527.6 Technology.

(a) The petitioner shall submit the following information as part of its petition—

(1) *Set 1 technology.* For each vehicle configuration specified in 40 CFR 600.506 (a) (2) (iii) of the petitioner's passenger automobiles to be produced in the affected model year, the information specified in paragraph (a) (1) (i) and (ii) of this section:

(i) A description of the technology that is incorporated in the vehicle configuration and that either relates to the petitioner's efforts to comply with any category of Federal standards or affects the fuel economy of the vehicle configuration;

(ii) A description of any alternative or additional technology that was practicably available to the petitioner for incorporation in the vehicle configuration and the use of which would have enabled that vehicle configuration to achieve higher fuel economy and would have resulted in a smaller Federal standards fuel economy reduction than the technology described under paragraph (a) (1) (i) of this section; and

(iii) For each item of alternative technology described under paragraph (a) (1) (ii) of this section, a statement of the reasons for not incorporating the item, including a comparison of the fuel savings, economic costs and leadtime requirements of that item and of the technology that was incorporated in the vehicle configuration.

(2) *Set 2 technology.* A description of the modifications that the petitioner would have made to each vehicle configuration specified in 40 CFR 600.506(a) (2) (iii) had the model year 1975 standards in all categories of Federal standards for which a Federal standards fuel economy reduction is sought been the only standards in those categories for the affected model year.

§ 527.7 Fuel economy of vehicle configurations and model types.

The petitioner shall submit a fuel economy value for each vehicle configuration specified in 40 CFR 600.506(a) (2) (iii) and for each model type of the petitioner's set 1 and set 2 passenger automobiles.

§ 527.8 Average fuel economy.

The petitioner shall submit the average fuel economy determined in accordance with § 527.12(c) of the petitioner's set 1 and set 2 passenger automobiles.

§ 527.9 Federal standards fuel economy reduction.

Federal standards fuel economy reductions shall be calculated as follows:

(a) Subtract—

(1) Set 1 fuel economy determined under § 527.8 from

(2) Set 2 fuel economy determined under § 527.8; and

(b) Subtract 0.5 miles per gallon from the result obtained under paragraph (a) of this section for each category of Federal standards for which a Federal standards fuel economy reduction is sought.

§ 527.10 Projected production total and mix.

(a) The petitioner shall submit its projections, based on the average fuel economy standard for passenger automobiles as specified in the Act for the affected model year, of its total production and production mix of all model types of its passenger automobiles for the affected model year, and all vehicle configurations within each of those model types, and information demonstrating that those projections are reasonable. The information shall include information showing that those projections are consistent with the petitioner's mixes of passenger automobiles produced or expected to be produced in each model year from model year 1975 through the model year immediately preceding the affected model year, its passenger automobile production capacity for the affected model year, its efforts to comply with that average fuel economy standard, and the anticipated consumer demand for passenger automobiles during that model year.

§ 527.11 Production mix for determining Federal standards fuel economy reductions.

The production mix to be used for calculating Federal standards fuel economy reductions shall be the mix or mixes specified in paragraph (a), (b), or (c) of this section, as appropriate.

(a) (1) The production mix to be used shall be the mix projected under § 527.10 if either of the following conditions are met:

(i) The average fuel economy determined in accordance with § 527.12(c) of the petitioner's passenger automobiles for the affected model year, based upon the production mix projected under

§ 527.10, equals or exceeds the applicable average fuel economy standard; or

(ii) The average fuel economy based on the mix projected under § 527.10 of the petitioner's passenger automobiles to be produced in the affected model year with the modifications that the petitioner would have made to them had the standards in one or more categories of Federal standards for model year 1975 been the only standards in that category or categories in effect during the affected model year equals or exceeds the applicable average fuel economy standard.

(2) If the condition in paragraph (a) (1) (i) of this section is not met but the condition in paragraph (a) (1) (ii) of this section is met, the petitioner shall provide the information specified in § 527.11(a) (1) (ii) equals or exceeds the average fuel economy standard described in paragraph (a) (1) (ii) of this section.

(b) If the average fuel economy of no mix of passenger automobiles for the affected model year as modified under § 527.11 (a) (1) (ii) equals or exceeds the applicable average fuel economy standard, the production mix to be used shall be that mix with production total equal to that total projected under § 527.10 and with all vehicles being of the vehicle configuration with the highest fuel economy.

(c) The production mix to be used shall be that mix calculated under this paragraph if none of the criteria in paragraphs (a) or (b) of this section are met. For the purposes of adjusting the production mix pursuant to this paragraph, the following procedures shall be followed:

(1) Assume initially that the modified passenger automobiles specified in paragraph (a) (1) (ii) of this section are to be produced in the production total and mix projected under § 527.10.

(2) Keeping that total production constant, adjust that production mix as follows:

(i) For each model type of those modified passenger automobiles whose fuel economy is less than the average fuel economy standard for passenger automobiles for the affected model year, decrease the numbers of those modified passenger automobiles in that model type and in each vehicle configuration within that model type by 0.1 percent.

(ii) For each model type of those modified passenger automobiles whose fuel economy is equal to or greater than that standard, increase the numbers of those modified passenger automobiles in that model type and in each vehicle configuration within that model type by that percentage which, in conjunction with the decrease specified in paragraph (c) (2) (i) of this section, will keep the total production constant.

(3) Calculate the average fuel economy of the production mix as adjusted under paragraph (c) (2) of this section.

(4) (i) If the average fuel economy calculated under paragraph (c) (3) of this section equals or exceeds the applicable fuel economy standard, the mix as

adjusted under paragraph (c) (2) of this section shall be used for calculating Federal standards fuel economy reductions.

(ii) If the average fuel economy calculated under paragraph (c) (3) of this section is less than the standard, adjust the projected production mix further by repeating the procedure in paragraphs (c) (2) and (3) of this section until the first production mix is reached whose average fuel economy equals or exceeds that standard.

§ 527.12 Calculation of fuel economy values and average fuel economy.

For the purposes of this part, fuel economy values shall be determined as follows:

(a) *Determination of vehicle configuration fuel economy values.* (1) For each vehicle configuration for which a fuel economy value is required under 40 CFR 600.506 (a) (2) (i) through (a) (2) (iii) and for which a fuel economy value has been determined and approved under 40 CFR Part 600, the petitioner shall submit that fuel economy value.

(2) For each vehicle configuration for which a fuel economy value is required under 40 CFR 600.506(a) (2) (iii) and for which an approved value does not exist, the petitioner shall submit a fuel economy value based on tests or analyses comparable to those prescribed or permitted under 40 CFR Part 600 and a description of the test procedures or analytical methods. Values based on actual tests conducted in accordance with procedures specified in Subpart B of 40 CFR Part 600, shall be entitled to greater probative weight in NHTSA's evaluation of petitions than values based on analytical methods. Values to be used in the average fuel economy calculation in § 527.8 and based on methods other than such actual tests will be acceptable to NHTSA only if the petitioner demonstrates in its petition that—

(i) The petition contains all data previously approved by EPA and all relevant fuel economy test data from the petitioner's in-house testing program;

(ii) To the maximum extent practicable, all fuel economy testing required to be conducted under 40 CFR Part 600, has been scheduled so that as much testing as possible is completed prior to the submission of the petition; and

(iii) To the maximum extent practicable, testing required to be conducted under 40 CFR Part 600, has been scheduled so that those vehicle configurations with the largest projected sales are tested first.

(b) *Determination of model type fuel economy values.* For each model type, the petitioner shall submit a fuel economy value based on the values determined in accordance with paragraph (a) of this section and calculated in the same manner as model type fuel economy values are calculated for use under Subpart F of 40 CFR Part 600.

(c) *Determination of average fuel economy.* Average fuel economy shall be based upon fuel economy values calculated under paragraph (b) of this section

for each model type and shall be calculated in accordance with 40 CFR 600.506, except that—

(1) The production mix determined under § 527.11 shall be used in place of projected sales; and

(2) Fuel economy values for running changes implemented and for vehicle configurations added are required only for those changes or additions made before the submission of the petitioner's petition. Data for subsequent running changes and added vehicle configurations must be included in reports submitted under § 527.13(c).

§ 527.13 Supplementary information requirements.

(a) The petitioner shall provide the NHTSA Administrator with any revisions that it makes, after submitting its petition and before a final decision is rendered under § 527.14, to the production mix and total provided under § 527.10. The petitioner shall submit information demonstrating that the revisions are reasonable, including the information described in § 527.10.

(b) For each vehicle configuration of the petitioner's passenger automobiles to be produced in the affected model year for which a fuel economy value is generated by the petitioner's in-house testing program or approved by the EPA Administrator under 40 CFR 600.506-78 after the submission of the petition and before a final decision is rendered under § 527.14, the petitioner shall provide the NHTSA Administrator with that value and a revised fuel economy value for that vehicle configuration as modified under § 527.6(a) (2).

(c) All revisions required to be submitted under § 527.13 (a) or (b) shall be submitted within thirty days of their availability to the petitioner. The petitioner shall show the effect on the petition of all revisions submitted.

§ 527.14 Processing of petitions.

(a) On receipt of a petition, the petition is evaluated for completeness. If a petition is found not to contain the information required by this part, the petitioner is informed about the areas of insufficiency and advised that the petition will not receive further consideration until the necessary information is submitted.

(b) The NHTSA Administrator may request the petitioner to provide relevant information in addition to that required by this part: *Provided*, That such information either presently exists or can be obtained by the petitioner without undue hardship.

(c) (1) After the NHTSA Administrator concludes that a petition contains all the information required under this part, a notice of receipt of the petition is published in the FEDERAL REGISTER. The notice of receipt provides the following information:

- (i) That a petition has been received;
- (ii) The petitioner's identity;
- (iii) The reduction requested and a brief summary of the petitioner's rationale therefor;

(iv) NHTSA's options for disposition of the petition;

(v) The criteria to be applied in evaluating the petition;

(vi) The location of copies of the petition available for public inspection; and

(vii) An invitation of comments from the public and a deadline for submission of those comments.

(2) At the same time the notice of receipt is published, a copy of the petition is sent to the Federal agency responsible for administering the category of standards for which the Federal standards fuel economy reduction is sought and the comments of that agency are invited.

(d) The NHTSA Administrator requests the EPA Administrator to provide him with fuel economy values as they are approved by the EPA for the petitioner's passenger automobiles to be produced in the affected model year. These values replace the corresponding unapproved values in all calculations of average fuel economies.

(e) After all comments are received and evaluated, the NHTSA Administrator publishes a proposed decision or set of reasonable alternative decisions in the FEDERAL REGISTER. The notice specifies the reasons for each alternative, solicits written comment on the proposal, and establishes a date and place for a public hearing.

(f) After the conclusion of the public comment period and hearing specified in paragraph (e) of this section, the NHTSA Administrator publishes a final decision in the FEDERAL REGISTER. The final decision is based upon the petition, written and oral comments, and other available information. The final decision sets forth the grant or denial of the petition in accordance with section 502(d) (2) of the Act and the reasons for the decision. To the extent practicable, a final decision will be rendered within 180 days of receipt of a complete petition.

(g) If fuel economy values approved by the EPA Administrator cannot be obtained by the NHTSA Administrator for most model types of the petitioner's passenger automobiles to be produced in the affected model year, the NHTSA Administrator may rely on fuel economy values submitted pursuant to § 527.12(a) (2) and issue the notice described in paragraph (f) of this section as an interim determination. The notice, which is published in the FEDERAL REGISTER, contains the interim determination and the findings and analysis upon which such determination is based. The interim determination becomes final unless the NHTSA Administrator determines, after notice and opportunity for written and oral comment in accordance with this section, that significant disparities exist between the fuel economy values upon which the interim determination was based and fuel economy values subsequently approved by the EPA Administrator or submitted by the petitioner under § 527.13(b). Notice of the final determination with the adjusted reduction and of the reasons therefor is published in the FEDERAL REGISTER. For the purposes

of this section, disparities between approved and unapproved data are deemed significant if, when all such disparities are taken together, the total average fuel economy calculated pursuant to § 527.8 would differ by 0.1 mile per gallon or more.

§ 527.15 Public hearing.

(a) Each hearing under § 527.14(e) is a legislative type hearing intended to provide interested persons with an opportunity to state their views or arguments, or to provide pertinent information concerning the proposed reduction.

(b) (1) The NHTSA Administrator appoints one or more employees of the Administration to serve on the hearing panel and designates one of those employees to be the presiding official. Other Federal employees may be invited to serve on the panel as well.

(2) The presiding official may:

(i) Limit the length of oral presentations;

(ii) Exclude irrelevant or redundant material; and

(iii) Direct that corroborative material be submitted in writing rather than presented orally.

(c) Any person desiring to make an oral statement at the hearing should file a notice of such intention and, if practicable, five copies of his proposed statement with the NHTSA Administrator at least ten days prior to the hearing.

(d) (1) The NHTSA Administrator requires representatives of the petitioner able to address all matters raised in the petition to attend the hearing.

(2) The NHTSA Administrator may, on his own motion or at the request of a hearing participant, require any person who submits written comments to the NHTSA Administrator on the proposed reduction before the hearing or who has relevant information necessary to an informed decision in the proceeding to attend the hearing at any time before its conclusion.

(3) The Administrator requires any person who, under paragraph (d) (1) or (2) of this section attends the hearing, to respond to questions posed to him under paragraph (e) of this section.

(4) All testimony at the hearing is made under oath.

(e) Any individual appointed under paragraph (b) of this section may, on his own initiative or at the request of any interested person attending the hearing, propound questions to—

(1) Any person subject to paragraph (d) of this section.

(2) Any person who makes an oral presentation at the hearing.

(f) Interested persons attending the hearing may submit to the panel written questions to be propounded to persons identified in paragraph (e) of this section. Questions for a witness other than those identified in paragraph (d) (1) of this section may not be submitted to the panel after the completion of testimony by that witness.

(g) A verbatim transcript of the proceeding is made and copies are available

from the reporter at the expense of any person requesting them.

§ 527.16 Public inspection of information.

Any person may inspect available information relevant to a petition under this part, including the petition and any supporting data, memoranda of informal meetings with the petitioner or any other interested persons, the transcript of the public hearing, and the notices regarding the petition, in the Docket Section of the Administration. Except as provided in § 527.15(g) regarding transcripts of the public hearings, any person may obtain copies of the information available for inspection under this paragraph in accordance with the regulations of the Office of the Secretary of Transportation (49 CFR Part 7).

[FR Doc.77-32887 Filed 11-11-77;8:45 am]

[Docket No. 77-07; Notice 1]

PART 553—RULEMAKING PROCEDURES

Contents of Written Comments and Petitions for Reconsideration

AGENCY: National Highway Traffic Safety Administration, DOT.

ACTION: Final rule.

SUMMARY: This notice requires persons who comment on Advance Notices of Proposed Rulemaking or Notices of Proposed Rulemaking and persons who submit Petitions for Reconsideration to limit the length of their written submissions to 15 pages. The 15-page limit will facilitate evaluation of submissions and encourage persons making submissions to detail their primary arguments in a succinct and concise manner.

EFFECTIVE DATE: November 14, 1977.

FOR FURTHER INFORMATION CONTACT:

Bernard P. Klein, Office of Chief Counsel, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, D.C. 20590, 202-426-1840.

SUPPLEMENTARY INFORMATION: Title 49 CFR § 553.21 sets forth the requirements for the contents of written comments which are submitted in response to Advance Notices of Proposed Rulemaking (ANPRM) and Notices of Proposed Rulemaking (NPRM). Title 49 CFR § 553.35 sets forth the requirements for the contents of written statements accompanying petitions for Reconsideration. The National Highway Traffic Safety Administration (NHTSA) hereby adopts a procedure, effective immediately, requiring the above submissions to be limited to 15 pages in length. Necessary attachments to the submissions may be appended without regard to the 15-page limit.

It has been the experience of NHTSA that submissions significantly longer than 15 pages generally contain repetitions and even extraneous sections, as well as sections more appropriately

drafted in an appendix than in the body of the argument. Such drafting detracts from the logic and clarity of a submission with the result that NHTSA has encountered difficulties in ascertaining the precise import of a comment or statement as well as difficulties in separating arguments from alleged facts. Administrative time is lost and the risk is created that valuable insight which could be provided by a submission escapes notice. It is expected that a clearer statement of the primary argument will aid the public in reviewing the docket. Additionally, it is reasonable to assume that the 15-page limit, by encouraging commenters and petitioners to detail their primary arguments in a succinct and concise fashion, will aid persons making submissions to NHTSA in identifying and expressing the more significant aspects of their communications.

It should be noted that this amendment does not limit the relevant data or supporting arguments that may be submitted by comment or petition for reconsideration, since necessary attachments may be appended to the submission without regard to the 15-page limit. Additionally, it is recognized that there may be instances where, because of the complexity of the subject matter, the 15-page limit would be an inappropriate restriction. The NHTSA may waive the 15-page limit or establish a different limit for a particular FEDERAL REGISTER notice. The waiver will be published in the notice to which it applies.

In consideration of the foregoing, 49 CFR Part 553 is amended to read as follows:

§ 553.21 is revised as follows:

§ 553.21 Contents of written comments.

All written comments shall be in English. Unless otherwise specified in a notice requesting comments, comments may not exceed 15 pages in length, but necessary attachments may be appended to the submission without regard to the 15-page limit. Any interested person shall submit as a part of his written comments all material that he considers relevant to any statement of fact made by him. Incorporation by reference should be avoided. However, if incorporation by reference is necessary, the incorporated material shall be identified with respect to document and page. It is requested, but not required, that 10 copies of the comments and attachments, if any, be submitted.

Section 553.35 is revised as follows:

§ 553.35 Petitions for reconsideration.

(a) Any interested person may petition the Administrator for reconsideration of any rule issued under this part. The petition shall be submitted to: Administrator, National Highway Traffic Safety Administration, 400 Seventh Street, S.W., Washington, D.C. 20590. It is requested, but not required, that 10 copies be submitted. The petition must be received not later than 30 days after

publication of the rule in the FEDERAL REGISTER. Petitions filed after that time will be considered as petitions filed under Part 552 of this chapter. The petition must contain a brief statement of the complaint and an explanation as to why compliance with the rule is not practicable, is unreasonable, or is not in the public interest. Unless otherwise specified in the final rule, the statement and explanation together may not exceed 15 pages in length, but necessary attachments may be appended to the submission without regard to the 15-page limit.

(b) If the petitioner requests the consideration of additional facts, he must state the reason they were not presented to the Administrator within the prescribed time.

(c) The Administrator does not consider repetitious petitions.

(d) Unless the Administrator otherwise provides, the filing of a petition under this section does not stay the effectiveness of the rule.

(Secs. 103, 119, Pub. L. 89-563, 80 Stat. 718, 15 U.S.C. 1392, 1407; secs. 102, 201, 408, 501, Pub. L. 92-513, 86 Stat. 947, 15 U.S.C. 1912, 1941, 1988, 2001; delegation of authority at 49 CFR 1.50.)

Issued on November 4, 1977.

JOAN CLAYBROOK,
Administrator.

[FR Doc. 77-32801 Filed 11-11-77; 8:45 am]

[7035-01]

CHAPTER X—INTERSTATE COMMERCE COMMISSION

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[Service Order No. 1284]

PART 1033—CAR SERVICE

Chicago and North Western Transportation Co. Authorized to Operate Over Tracks of Chicago, Milwaukee, St. Paul and Pacific Railroad Co.

AGENCY: Interstate Commerce Commission.

ACTION: Emergency order (Service Order No. 1284).

SUMMARY: Service Order No. 1284 authorizes Chicago and North Western Transportation Company (CNW) to operate over tracks of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company (MILW) for a distance of approximately 1.3 miles in the City of Iron Mountain, Mich. The city of Iron Mountain has completed plans for urban renewal and redevelopment of an area in

the center of the City which require removal of the CNW tracks which pass through this area. Use of this line of the MILW by the CNW will eliminate train movements over sixteen grade crossings, thereby greatly increasing public safety and reducing interference with both railroad and vehicular movements in the area.

DATES: Effective 11:59 p.m., November 9, 1977. Expires 11:59 p.m., May 31, 1978.

FOR FURTHER INFORMATION CONTACT:

C. C. Robinson, Chief, Utilization and Distribution Branch, Interstate Commerce Commission, Washington, D.C. 20423, Telephone 202-275-7340, Telex 89-2742.

SUPPLEMENTARY INFORMATION: The Order is printed in full below.

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 8th day of November, 1977.

The City of Iron Mountain, Mich., (City) has completed plans for urban renewal and redevelopment of an area in the center of the City which require removal of tracks of the Chicago and North Western Transportation Company (CNW), which pass through that area. These tracks serve no shippers and are used by the CNW exclusively for the movement of trains through the City. The tracks cross sixteen city streets at grade level. Movement of CNW trains over these street crossings results in excessive congestion to automobile and pedestrian traffic and serious hazard to the general public because of the risk of collisions between trains and vehicles or persons. The Chicago, Milwaukee, St. Paul and Pacific Railroad Company (MILW) has consented to use of approximately 1.3 miles of its parallel line through the City by the CNW. Use of this line of the MILW by the CNW will eliminate train movements over sixteen grade crossings, thereby greatly increasing public safety and reducing interference with both railroad and vehicular movements in the area and will not deprive any shipper of rail services. It is the opinion of the Commission that operation by the CNW over these tracks of the MILW is necessary in the interest of the public and the commerce of the people pending disposition of the application of the CNW seeking permanent authority to operate over these tracks of the MILW; that notice and public procedure are impractical

and contrary to the public interest; and that good cause exists for making this order effective upon less than thirty days' notice.

It is ordered, That:

§ 1033.1284 Service Order 1284.

(a) Chicago and North Western Transportation Co., authorized to operate over tracks of Chicago, Milwaukee, St. Paul and Pacific Railroad Co. The Chicago and North Western Transportation Co. (CNW) is authorized to operate over tracks of the Chicago, Milwaukee, St. Paul and Pacific Railroad Co. (MILW) between MILW mileposts 290.8 and 292.1, in the vicinity of Iron Mountain, Mich.

(b) *Application.* The provisions of this order shall apply to intrastate, interstate, and foreign traffic.

(c) *Rates applicable.* Inasmuch as this operation by the CNW over tracks of the MILW is deemed to be due to carrier's disability, the rates applicable to traffic moved by the CNW over the tracks of the MILW shall be the rates which were applicable on the shipments at the time of shipment as originally routed.

(d) Nothing herein shall be considered as a pre-judgment of the application of the CNW seeking authority to operate over tracks of the MILW.

(e) *Effective date.* This order shall become effective at 11:59 p.m., November 9, 1977.

(f) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., May 31, 1978, unless otherwise modified, changed, or suspended by order of this Commission.

(49 U.S.C. 1 (12), (15), (16), and 17(2).)

It is further ordered, That copies of this order shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and car hire agreement under the terms of that agreement and upon the American Short Line Railroad Association; and that notice of this order shall be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board, members Joel E. Burns, Robert S. Turkington and John R. Michael.

H. G. HOMME, Jr.,
Acting Secretary.

[FR Doc. 77-32907 Filed 11-11-77; 8:45 am]

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.

[3410-02]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 945]

[Docket No. AO-150-A4]

POTATOES GROWN IN IDAHO-MALHEUR COUNTY, OREGON

Recommended Decision and Opportunity to File Written Exceptions to Proposed Further Amendment of Marketing Agreement and Order

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Proposed rule.

SUMMARY: This recommended decision proposes amending the Federal marketing agreement and order for potatoes grown in Idaho and Malheur County, Oregon. It provides interested persons with the opportunity to file written exceptions concerning the recommendations made herein.

The proposed amendment would authorize a public member on the administrative committee, change the term of office of committee members to two years rather than one, authorize a reserve about equal to one fiscal period's operating expenses, and make a few minor changes.

DATE: Exceptions due December 15, 1977.

ADDRESSES: Written exceptions should be filed in quadruplicate with the Hearing Clerk, Room 1077-S, U.S. Department of Agriculture, Washington, D.C. 20250. All written submissions will be made available for public inspection at the office of the Hearing Clerk during regular business hours.

FOR FURTHER INFORMATION CONTACT:

Charles R. Brader, Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service, U.S. Department of Agriculture, Washington, D.C. 20250. Telephone, 202-447-3545.

SUPPLEMENTARY INFORMATION: Prior documents in this proceeding.

Notice of Hearing—Published April 12, 1977 (42 FR 19148) with a minor correction on April 20 (42 FR 20476).

PRELIMINARY STATEMENT: Notice is hereby given of the filing with the Hearing Clerk of this recommended decision with respect to proposed further amendment of the marketing agreement, as amended, and Order No. 945, as amended (7 CFR Part 945) regulating the handling of Irish potatoes grown in Idaho and Malheur County, Oregon.

The above notice of filing of the decision and of opportunity to file exceptions thereto is issued 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).

This proposal was formulated on the record of a public hearing held at Pocatello, Idaho, April 28, 1977. Notice of the hearing was published in the April 12 and 20, 1977 issues of the FEDERAL REGISTER (42 FR 19148, 20476). The proposals contained in the notice of hearing were submitted by the Idaho-Eastern Oregon Potato Committee.

MATERIAL ISSUES: The material issues of record are as follows:

(1) Adding authority for a public member on the committee;

(2) Amending § 945.21 "Term of office" to increase it to two years;

(3) Amending § 945.25 "Nominations" to authorize the committee under certain circumstances to hold nominations by mail and to provide for public member nominations.

(4) Amending § 945.41 "Expenses and compensation" to delete the \$10 per day limit on compensation;

(5) Amending § 945.42 "Assessments" to eliminate the \$1 per carload limit and authorize a rate per unit to be recommended by the committee and approved by the Secretary.

(6) Amending § 945.44 "Excess funds" to increase the amount authorized in the operating reserve to approximately one fiscal period's budgeted expenses; and

(7) Making such changes in the order as may be necessary to bring the entire order, as amended, into conformity with the amendatory action resulting from the hearing.

FINDINGS AND CONCLUSIONS: The following findings and conclusions on the material issues are based on the record of the hearing:

(1) The Idaho-Malheur County, Oregon, potato marketing agreement and order (hereinafter collectively referred to as the "order") should be amended to authorize a public representative on the administrative committee. To effectuate such a change, § 945.20 "Establishment and membership" of the current order should be revised to authorize, upon recommendation of the committee and approval by the Secretary, the addition of one public member to the committee. Because the public interest is to be observed in actions taken under marketing orders, the interests of all groups including growers, handlers and consumers

should be considered. While all committee meetings are open to the public, there has been little direct participation by consumers. Record evidence indicates a public representative could improve the current exchange of information and viewpoints between industry members and the public. Proponent witnesses indicated that the industry likely would benefit from the judgment and knowledge that a public member could contribute to industry decisions.

One witness at the hearing testified against authorizing a public member on the committee, contending that it would in effect be representation without taxation. He suggested instead that a non-voting advisory member be appointed by the Secretary, with such member's expenses to be paid from public funds. Although appointing an advisory member would be helpful in appraising industry members with respect to the interests of other segments of society, the lack of voting rights might significantly dilute the effectiveness of such a member's contribution to the decision-making activities of the committee. The potato industry would be better served if the public member has the same rights and privileges as the other members of the committee. With respect to compensation, the act provides that program expense shall be paid by assessments collected from handlers; there is no authority to use public funds for such purposes.

To implement the selection of a public member, § 945.20 "Establishment and membership" providing for eligibility of committee members should be amended to indicate the criteria for any public member. § 945.25 "Selection" amended to add that category and a new paragraph added to § 945.25 "Nominations" to indicate the procedures which would be used in nominating public members.

The record indicates that public member and alternate nominees should not be engaged in the commercial production of any agricultural product nor in the commercial buying, grading or processing of such products, except as a consumer. The nominees also should not be officers, directors or employees of any firm engaged in such activities. Also, the nominees for public member positions should be able to devote sufficient time and express a willingness to attend committee functions and to familiarize themselves with the practices and economics of the potato industry. They should be residents of the production area so participation would be more convenient and travel costs could be held to a minimum. The public member and alternate should be nominated by the committee in accordance with administrative rules which should indicate the

qualification requirements and the procedure by which the committee will receive names of candidates. The committee should have the duty of recommending such rules for approval of the Secretary. Record evidence indicates that the public member and alternate should be nominated by the committee and the nomination report submitted to the Secretary prior to May 1 or such other date as the Secretary may designate. This should insure sufficient time for the Secretary to consider the nominations so that selection can be made prior to the beginning of such term of office which would have the same beginning date as for producer or handler members, currently June 1. However, the nomination of the initial public member and alternate may be made later than May 1 but as soon as practical after such positions on the committee are authorized.

(2) Section 945.21 "Term of office" should be amended to authorize a two year term rather than the present one year term, and to stagger the terms of office so approximately half of the members are selected each year. The evidence indicates this would provide better efficiency and continuity. A two year term would enable a member to become more familiar with his duties and to more effectively participate in committee activities. Overlapping terms should be provided to assure that at least half of the members are experienced in committee operations, thus avoiding the possibility of a committee consisting entirely of inexperienced new members. One suggested method of initially accomplishing this staggering of terms would be to consecutively number the committee positions as set forth in the selection order issued by the Administrator of the Agricultural Marketing Service on May 31, 1977, starting with producer members in District No. 1, 2, and 3, followed by handler members in similar order. Members in odd numbered positions would serve a term ending in odd-numbered years with the initial term ending in 1979, and members in even-numbered positions would serve a term ending in even-numbered years with the initial term ending in 1980. The initial term of a public member should be two full years in order to provide such a member sufficient time to become acquainted with the program.

The term of office currently ends on May 31, but the committee should have the authority to recommend and the Secretary to approve by rules a different beginning and ending date. This would provide flexibility to align committee terms with future changes which might occur in the marketing of production area potatoes or in committee operations.

(3) Section 945.25 "Nominations," should be amended to provide the use of mail as an alternative method of conducting nominations. Record evidence supports the need for this alternative. In some portions of the production area the producers are widely scattered and comparatively few in number. For example, District No. 3 covers such a large area

that many growers or handlers have to travel several hundred miles to attend nomination meetings and it has been difficult to obtain adequate industry participation. Under such circumstances a mail-ballot nominating procedure would broaden the opportunity for industry members to be involved in selecting their representatives. The evidence further indicates that the committee should recommend, and the Secretary establish, rules for the conduct of such nominations. One possible method would be for the committee to obtain producer nominee names from growers organizations or individual growers. A ballot containing such nominees, plus space for a write-in vote, could be mailed to all known producers in that district. A confidential ballot procedure should be followed with the vote count verified by an impartial person such as a county agent or a field representative of the U.S. Department of Agriculture. The name of the person receiving the highest number of votes for each position would be submitted to the Secretary for selection.

(4) Section 945.31 "Expenses and compensation" should be amended to delete the \$10 per day limit on compensation to members and alternates while performing committee duties. Compensation is intended to at least partially offset costs such as those incurred by members in having someone to take their place while they are away on committee business. The limit, which was set nineteen years ago, is no longer realistic due to subsequent inflation. Record evidence shows the committee should be authorized to recommend and the Secretary approve a rate of compensation better suited to current economic conditions.

(5) Section 945.42 "Assessments" should be amended to delete the current \$1 per carload limit on assessments. Because rail car capacities have increased so significantly since this limit was set—at least 27 years ago—and load per car may greatly vary, it has become impractical to base the assessment upon a fixed rate per carload. Record evidence supports providing authority to establish an assessment on a unit basis as recommended by the committee and approved by the Secretary and the order should be so amended.

(6) Section 945.44 "Excess funds" should be amended to authorize funds in excess of expenses to be placed in an operating reserve not to exceed approximately one fiscal period's budgeted expenses. Record evidence indicates the current authority to have a reserve no larger than a half year's expenses has caused several problems. The committee must sometimes borrow money to continue to operate. In addition, the committee has had to make comparatively insignificant refunds to handlers, at a significant administrative cost, when the end-of-season reserve exceeded the authorized limit. Increasing the reserve limit to the level indicated herein would alleviate both problems.

(7) The amendment heretofore recommended will make it necessary to

make a conforming change in a section not specifically discussed in connection therewith. Such change should be incorporated in the recommended amendment of the order as hereinafter set forth.

Routing on briefs of interested persons. At the conclusion of the hearing, the Administrative Law Judge fixed May 23, 1977, as the final date for interested persons to file proposed findings and conclusions, and written arguments or briefs, based upon the evidence received at the hearing. A letter was filed by Mrs. H. Gildred of Rivervale, N.J., urging uniformity in USDA fruit and vegetable grading, an issue which was not relevant to the material issues discussed at the hearing.

General findings. Upon the basis of the record, it is found that:

(1) The findings hereinafter set forth are supplementary to the previous findings and determinations which were made in connection with the issuance of the marketing agreement and order and each previously issued amendment thereto. Except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein, all of said prior findings and determinations are hereby ratified and affirmed;

(2) The marketing agreement and order, as amended, and as hereby proposed to be further amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(3) The marketing agreement and order, as amended, and as hereby proposed to be further amended, regulate the handling of potatoes grown in the production area in the same manner as, and are applicable only to persons in the respective classes of commercial and industrial activity specified in, the marketing agreement and order upon which hearings have been held;

(4) The marketing agreement and order, as amended, and as hereby proposed to be further amended, are limited in their application to the smallest regional production area which is practicable, consistently with carrying out the declared policy of the act, and the issuance of several orders applicable to subdivisions of the production area would not effectively carry out the declared policy of the act;

(5) The marketing agreement and order prescribe, so far as practicable, such different terms applicable to different parts of the production area as are necessary to give due recognition to the difference in the production and marketing of potatoes grown in the production area; and

(6) All handling of potatoes grown in the production area as defined in the marketing agreement and order, as amended, and as hereby proposed to be further amended, is in the current of interstate or foreign commerce or directly burdens, obstructs, or affects such commerce.

Recommended amendment of the marketing agreement and order. The following amendment of the marketing agreement and order, as amended, is recommended as the detailed means by which the foregoing conclusions may be carried out:

1. Amend § 945.20 by revising paragraph (a) and adding a new paragraph (d) as follows:

§ 945.20 Establishment and membership.

(a) The Idaho-Eastern Oregon Potato Committee is hereby established and shall include at least five producers and three handlers. Upon recommendation of the committee and approval by the Secretary it may be increased by one public member who shall be nominated by the committee and selected by the Secretary. Each member shall have a respective alternate with the same qualifications as the member.

(d) Each person selected as a public member or alternate shall be a resident of the production area. Also, each shall at the time of selection and during the term of office not be engaged in the commercial production, buying, grading or processing of any agricultural commodity, except as a consumer, nor shall such person be a director, officer or employee of any firm so engaged.

2. Revise § 945.21 to read as follows:

§ 945.21 Term of office.

(a) Except as otherwise provided for in this section, the term of office of committee members and alternates shall be for two years beginning June 1 or such other date as recommended by the committee and approved by the Secretary. The term of office of members and alternates shall be so determined that approximately one-half of the total producer and handler committee membership shall terminate each May 31.

(b) Committee members and alternates shall serve during the term of office for which they are selected and have qualified and continue until their successors are selected and have qualified.

§ 945.24 [Amended]

3. Amend § 945.24 *Selection* by adding the following to the end: "; and (d) any public member or public alternate from the production area-at-large."

4. Amend § 945.25 as follows: 1. Revise paragraphs (a) and (c). 2. Reletter paragraph (f) as paragraph (e). 3. Reletter paragraph (g) as paragraph (f). 4. Revise paragraph (e) and reletter it as paragraph (g). 5. Add a new paragraph (h).

§ 945.25 Nominations.

(a) In order to provide nominations for producer and handler committee members and alternates, the committee shall hold, or cause to be held, prior to

April 1 of each year, or such other date as the Secretary may designate, one or more meetings of producers and of handlers in each district to nominate such members and alternates; or the committee may conduct nominations by mail in a manner recommended by the committee and approved by the Secretary.

(c) At least one nominee shall be designated for each position as member and for each position as alternate member on the committee.

(g) Names of nominees shall be supplied to the Secretary in such manner and form as he may prescribe not later than May 1 of each year, or such other date as the Secretary may specify.

(h) Nominations for public member and alternate shall be made at a committee meeting. The names of nominees shall be submitted to the Secretary prior to May 1 of the year nominations are made, or such other date as the Secretary may designate. The Secretary shall establish rules, based on the committee's recommendations or other available information, for the following:

(1) Establishing eligibility requirements for the public member and alternate positions;

(2) Publicizing the positions and receiving names of persons to be considered for nomination; and

(3) Electing the nominees.

§ 945.28 [Amended]

5. Amend § 945.28 *Vacancies* by deleting the words "from the district involved" at the end of the first sentence and inserting in lieu thereof "for the position involved."

6. Revise § 845.31 to read as follows:

§ 945.31 Expenses and compensation.

Committee members and alternates shall be reimbursed for reasonable expenses necessarily incurred by them in the performance of their duties and in the exercise of their powers under this subpart. In addition they may receive reasonable compensation at a rate to be determined by the committee and approved by the Secretary, for each day or portion thereof, spent in conducting committee business.

7. Revise paragraph (b) of § 945.42 to read as follows:

§ 945.42 Assessments.

(b) Assessments shall be levied upon handlers at a rate per unit established by the Secretary. Such a rate may be established by the Secretary upon the basis of the committee's recommendation or other available information.

8. In § 945.44 revise the heading; delete the introductory paragraph; revise paragraph (b) and reletter it as paragraph (a); revise paragraph (a) and

reletter it as paragraph (b) to read as follows:

§ 945.44 Excess funds.

(a) The funds remaining at the end of a fiscal period which are in excess of the expenses necessary for committee operations during such period may be carried over into following periods as a reserve. Such reserve may be established at an amount not to exceed approximately one fiscal period's budgeted expenses. Funds in such reserve shall be available for use by the committee for expenses authorized under § 945.40.

(b) Funds in excess of those placed in the operating reserve shall be credited proportionately against each handler's operations of the following fiscal period, provided that if he demands payment, such proportionate refund shall be paid to him.

Signed at Washington, D.C., on November 9, 1977.

WILLIAM T. MANLEY,
Deputy Administrator,
Program Operations.

[FR Doc.77-32909 Filed 11-11-77;8:45 am]

[6720-01]

FEDERAL HOME LOAN BANK BOARD

[12 CFR Parts 528 and 531]

[No. 77-636]

FEDERAL HOME LOAN BANK SYSTEM

Nondiscrimination Requirements

NOVEMBER 1, 1977.

AGENCY: Federal Home Loan Bank Board.

ACTION: Proposed rules.

SUMMARY: The Federal Home Loan Bank Board proposes to amend its nondiscrimination-in-lending regulations and policy statement. These changes, among other things, would: Prohibit denials of loans and refusal of loan applications, and loan offers on less favorable terms, because of the age or neighborhood location of a dwelling; require member institutions to have written underwriting standards which can be regularly reviewed to assure equal opportunity in lending; and update Board requirements by including Equal Credit Opportunity Act prohibitions against discriminatory lending.

COMMENTS MUST BE RECEIVED ON OR BEFORE: January 9, 1978.

ADDRESS: Send comments to the Office of the Secretary, Federal Home Loan Bank Board, 320 First Street NW., Washington, D.C. 20552. Comments available for public inspection at this address.

FOR FURTHER INFORMATION CONTACT:

Harry W. Quillian, Associate General Counsel, Federal Home Loan Bank Board, 202-376-3556.

SUPPLEMENTARY INFORMATION:

BACKGROUND

The Federal Home Loan Bank Board's nondiscrimination - in - lending regulations and policy statement, contained in Part 528 and § 531.8 (12 CFR Part 528 and 531.8), respectively, of the rules and regulations for the Federal Home Loan Bank System, implement the Board's responsibility to ensure equal opportunity in home financing by the savings and loan institutions which it regulates. In 1972, the Board, implementing Title VIII of the Civil Rights Act of 1968 (the Federal Fair Housing Act), adopted Part 528 prohibiting discrimination in lending on the bases of race, color, religion, and national origin. The following year, the Board issued § 531.8, a policy statement which provided guidance for FSLIC-insured savings and loans in recognizing and eliminating practices which, while not employed with an intent to discriminate, could have that effect. Following passage of the Housing and Community Development Act of 1974 (which amended Title VIII of the Civil Rights Act of 1968 by including sex as a protected category, and added Section 527 to the National Housing Act, which, in addition to prohibiting discrimination in home financing on the basis of sex, required that the combined income of a husband and wife be considered without prejudice), the Board again amended its nondiscrimination regulations and policy statement. At present, therefore, Board regulations include prohibitions against discrimination in lending on the basis of race, color, religion, national origin, or sex.

Proposed amendments. The proposed amendments to Part 528 and § 531.8 are intended, among other things, to broaden and strengthen the Board's ability to carry out its statutory responsibility to prohibit discrimination in lending. Major changes to Part 528 would be supplemented by § 531.8, the Board's policy statement on nondiscrimination in lending, both of which should be read together.

1. *Part 528.* Paragraph (a) of § 528.2 would be revised to include the Equal Credit Opportunity Act (ECOA) protected borrower characteristics of marital status, age, receipt of income from public assistance programs, and good faith exercise of rights under the Consumer Credit Protection Act. It is important to note that these additions do not in any way abrogate the responsibility of FSLIC-insured institutions to comply with the Federal Reserve Regulation B (12 CFR Part 202), as interpreted by that Agency. Rather, these characteristics are included to emphasize that Section 704 of the ECOA authorizes the Board to enforce Regulation B in the same manner as its own regulations.

Proposed paragraph (a) of § 528.2 would also prohibit loan denials and loan offers on less favorable terms because of the age of a dwelling or the neighborhood in which it is located. The Board ac-

knowledges that other factors, such as a dwelling's remaining economic life and actual physical condition, are pertinent appraisal considerations; however, loan denials based upon assumptions regarding a dwelling's age or neighborhood perpetuate discrimination and impede revitalization of older neighborhoods.

As proposed, new paragraph (c) of § 528.2 would additionally require all member institutions to have written loan underwriting standards which must be reviewed and revised, if necessary, to ensure that such standards, and marketing practices based upon those standards, are designed to promote nondiscriminatory lending. The Board, through experience gained in monitoring compliance with its nondiscrimination-in-lending regulations, has found that examination and enforcement procedures are hampered by lack of written standards with which to compare member institutions' lending practices. This new requirement would therefore complement other features of the Board's monitoring program.

Sections 528.3, 528.4, and 528.5 would be amended to include ECOA borrower characteristics. Section 528.3 would also be amended to include age or neighborhood location of the dwelling as prohibited bases for refusal or less favorable treatment of loan applications. New Equal Housing Lender poster language in § 528.5 has been approved by the Department of Housing and Urban Development as required by 24 CFR 110.25(b).

New § 528.9 would suggest that Part 528 and the Board's policy statement in § 531.8 be read together. It is the Board's purpose to supplement Part 528 in this manner for a comprehensive explanation of regulatory requirements.

2. *Section 531.8.* Four major changes are proposed to the Board's policy statement to discuss the loan underwriting relevance of an applicant's prior history, a dwelling's age, neighborhood factors, and marketing practices.

First, present paragraph (c) (7) would be redesignated as (c) (6) and revised to explain that the loan decision should be based upon a realistic evaluation of all pertinent factors respecting an individual's creditworthiness, without giving undue weight to any one particular factor. New paragraph (c) (6) would delineate, as an example, some of the factors which should be taken into consideration; however, no attempt has been made to list all of the pertinent factors.

Second, although age of neighborhood dwellings is discussed briefly in present paragraph (c) (6), proposed paragraph (c) (8) would include this factor along with other neighborhood factors which would be prohibited by proposed § 528.2 (a) (3) as discriminatory.

Third, proposed paragraph (c) (9) would explain that proposed § 528.2(a) (2) prohibits discrimination in lending on the basis of the age of a dwelling because of the adverse effect upon revitalization of existing housing and upon persons who would be precluded from an opportunity to own or renovate a home.

Fourth, new paragraph (d) would set forth the Board's policy on member institutions' marketing practices. In conjunction with proposed § 528.2(c), the Board intends to emphasize that underwriting standards which are nondiscriminatory must be supplemented by marketing practices designed to promote equal opportunity in home financing.

Accordingly, the Board proposes amendments to §§ 528.2, 528.3, 528.4, 528.5, and 531.8, and proposes to add new § 528.9, to read as follows:

§ 528.2 Nondiscrimination in lending and other services.

(a) No member institution shall deny a loan or other service rendered by it for the purpose of purchasing, constructing, improving, repairing, or maintaining a dwelling, or discriminate in the fixing of the amount, interest rate, duration, application procedures, collection or enforcement procedures, or other terms or conditions of such loan or other service because of:

(1) The race, color, religion, sex, national origin, marital status, age: *Provided*, The applicant has the capacity to contract, receipt of income from public assistance programs, or good faith exercise of rights under the Consumer Credit Protection Act, of:

(i) An applicant or joint applicant for any such loan or other service rendered by the member institution;

(ii) Any person associated with the applicant or joint applicant regarding such loan or other service, or with the purposes of such loan or other service;

(iii) The present or prospective owners, lessees, tenants, or occupants of the dwelling(s) for which such loan or other service is to be made or given;

(iv) The present or prospective owners, lessees, tenants, or occupants of other dwellings in the neighborhood of the dwelling(s) for which such loan or other service is to be made or given.

(2) The age of the dwelling;

(3) The neighborhood in which the dwelling is located.

(b) A member institution shall consider without prejudice the combined income of both husband and wife for the purpose of extending mortgage credit to a married couple or either member thereof.

(c) Each member institution shall have written loan underwriting standards, and shall review such standards and business practices implementing such standards annually to ensure equal opportunity in home financing.

§ 528.3 Nondiscrimination in applications.

No member institution shall refuse, or decline to allow, receive, or consider, any application, request, or inquiry with respect to a loan or other service rendered by it for the purpose of purchasing, constructing, improving, repairing, or maintaining a dwelling, or discriminate in the imposition of conditions upon, or in the processing of any such application, request, or inquiry, or make state-

ments which discourage any such application, request, or inquiry because of the age of the dwelling, because of the neighborhood in which the dwelling is located, or because of the race, color, religion, sex, national origin, marital status, age (Provided, The applicant has the capacity to contract), receipt of income from public assistance programs, or good faith exercise of rights under the Consumer Credit Protection Act of the prospective borrower or other person who:

§ 528.4 Nondiscriminatory advertising.

No member institution which directly or through third parties engages in any form of advertising shall use words, phrases, symbols, directions, forms, or models in such advertising which imply or suggest a policy of discrimination or exclusion in violation of the provisions of Title VIII of the Civil Rights Act of 1968 or the Equal Credit Opportunity Act. To the extent feasible, as prescribed by the Board, advertisements other than for savings shall include a facsimile of the following logotype and legend (except that the legend "Equal Opportunity Lender" may be substituted for the legend "Equal Housing Lender"):

§ 528.5 Equal Housing Lender Poster.

(b) * * *



We Do Business in Accordance With The Federal Fair Housing Law

It is illegal, because of race, color, religion, sex, or national origin, to:

Deny a loan for the purpose of purchasing, constructing, improving, repairing, or maintaining a dwelling or

Discriminate in fixing of the amount, interest rate, duration, application procedures or other terms or conditions of such a loan.

If you believe you have been discriminated against, you may send a complaint to:

Assistant Secretary for Fair Housing and Equal Opportunity, Department of Housing and Urban Development, Washington, D.C. 20410.

It is illegal under the equal credit opportunity act to discriminate in extending credit.

On the basis of race, color, religion, national origin, sex, marital status or age.

Because income is from public assistance.

Because a right was exercised under the Consumer Credit Protection Act.

If you believe you have been discriminated against, you may send a complaint to:

Office of Housing and Urban Affairs, Federal Home Loan Bank Board, Washington, D.C. 20552.

§ 528.9 Supplementary Guidelines.

The Board's § 531.8 policy statement should be read together with, and as a supplement to, Part 528.

§ 531.8 Guidelines for nondiscriminatory underwriting standards.

(a) *General*—(1) *Introduction*. Fair housing and equal opportunity in home financing are policies of the United States established by Federal Statutes and Presidential Orders and Proclamations. In furtherance of Federal civil rights laws and the economical home financing purposes of statutes administered by the Board, the Board has adopted, in Parts 528 and 529 of this subchapter, nondiscrimination regulations which, among other things, prohibit discrimination based on race, color, religion, national origin and sex in fixing the amount, interest rate, duration, application procedures, collection procedures, or other terms or conditions of housing related loans. Part 528 of this subchapter also incorporates the Equal Credit Opportunity Act's additional protected classes of age, marital status, receipt of public assistance income, and good faith exercise of rights under the Consumer Credit Protection Act to emphasize that each member institution must comply with Regulation B (12 CFR Part 202) issued by the Board of Governors of the Federal Reserve System, which the Board enforces in the same manner as its own regulations.

(2) *Purpose*. This section provides supplementary guidelines to aid member institutions in developing and implementing nondiscriminatory lending policies. Included in these guidelines are examples of practices prohibited by law and regulations, as well as examples of practices which may have a discriminatory effect. The fact that an activity is not mentioned in the guidelines does not mean that it is not discriminatory.

(c) *Discriminatory practices*—(1) *Discrimination on the basis of sex or marital status*. The Civil Rights Act of 1968 and the National Housing Act prohibit discrimination in home lending on the basis of sex. The Equal Credit Opportunity Act, in addition to this prohibition, forbids discrimination on the basis of marital status. Refusing to lend to, requiring higher standards of creditworthiness of, or imposing different requirements on, members of one sex or individuals in one marital status category is discrimination based on sex or marital status. For example, requiring single women with steady employment or other income, who are otherwise creditworthy, to obtain a co-signer or guarantor in order to obtain mortgage credit if the member institution does not require multiple signatures on mortgage loans to single men in the same income and credit situation is discrimination on the basis of sex. Requesting married women to state their intentions to continue working, particularly when an institution had, in the past, requested information on birth control

practices, is discrimination on the bases of sex and marital status. Loan underwriting decisions must be based on an applicant's credit history and present and reasonably foreseeable economic prospects, rather than on the basis of assumptions regarding comparative differences in creditworthiness between married and unmarried individuals, or between men and women.

(2) *Discrimination on the basis of age*. The Equal Credit Opportunity Act prohibits discrimination on the basis of age (provided the borrower has the capacity to enter into a binding contract). Whether a member institution uses a judgmental or credit scoring system to determine creditworthiness, age of an elderly applicant may not be used as a negative factor. A member institution may, however, consider an elderly applicant's source of income and the security to be offered for the loan. An applicant who may not qualify for a loan with a small downpayment and long maturity may nevertheless qualify for a loan with a larger downpayment and shorter term to maturity.

(4) *Income of husbands and wives*. A practice of discounting all or part of either spouse's income is a violation of section 527 of the National Housing Act. As with other income, the determination as to whether a spouse's income qualifies as effective for credit purposes should depend upon a reasonable evaluation of his or her past, present, and reasonably foreseeable economic circumstances. Information relating to child-bearing intentions of a couple may not be requested.

(6) *Applicant's prior history*. Although unstable or irresponsible behavior, especially toward credit obligations, is a proper consideration in making loan decisions, use of rigid or arbitrary standards may be discriminatory. Therefore, the loan decision should be based upon a realistic evaluation of all pertinent factors respecting an individual's creditworthiness, without giving undue weight to any one particular factor. In this context, the member institution should, among other things, take into consideration that: (i) In some instances, past credit difficulties or arrest records may have resulted from past discriminatory practices; (ii) a policy favoring applicants who previously owned homes may perpetuate prior discrimination; (iii) a current, stable earnings record may be the most reliable indicator of creditworthiness and may be entitled to more weight than factors such as educational level attained; and (iv) job or residential changes may indicate upward mobility.

(7) *Income level or racial composition of neighborhood*. Refusing to lend in particular neighborhoods because of their racial composition is unlawful. Refusing to lend, or offering less favorable terms (such as interest rate, downpayment, or maturity) to applicants because

of the age of the homes or the income level in a neighborhood may discriminate against minority group persons.

(8) *Other neighborhood factors.* Section 582.2(a)(3) prohibits lending decisions based upon the neighborhood in which a dwelling is located. This restriction is intended to prohibit use of unfounded or unsubstantiated assumptions regarding the effect upon loan risk of the physical or economic characteristics of a neighborhood. Loan decisions should be based upon the value of the individual structure offered as security unless specific neighborhood factors affecting its present or short-range future value (such as current market trends based on actual transactions involving comparable property, or housing abandonment in the immediate vicinity) are clearly established and documented.

(9) *Age of dwelling.* Loan denials based upon the age of a dwelling are prohibited by § 528.2(a)(2) since older homes, many of which are soundly constructed, provide housing opportunities which may otherwise be precluded by an arbitrary lending policy. Other physical characteristics of the dwelling, such as its remaining economic life, and exposure to environmental hazards, are proper underwriting considerations.

(d) *Marketing practices.* It is the policy of the Board that savings and loan associations should review their advertising and marketing practices to ascertain that their services are available to the community they serve. Discrimination in housing finance is not limited to loan decisions and underwriting standards; an institution would not be meeting its obligations to the community or implementing its equal lending responsibility if its marketing practices and business relationships with developers and real estate brokers limit its clientele to a limited segment or segments of the community. The Board is studying ways to implement Title VIII of the Housing and Community Development Act of 1977. In the meantime, such a review of marketing practices could begin with an examination of the association's loan portfolio and application flow to ascertain whether, in view of the demographic characteristics of the community in which the institution is located, and the home lending credit demands of such community, it is adequately serving all segments of the community. The Board will systematically review marketing practices where evidence of discrimination in lending is discovered.

(Title VIII, The Housing and Community Development Act of 1977, Pub. L. 95-128; Title VII, Pub. L. 93-495 (15 U.S.C. 1691); Title VIII, Pub. L. 90-284, 82 Stat. 81 (42 U.S.C. 3601-3619), 18 Stat. 144, 14 Stat. 27 (42 U.S.C. 1981); EO 11063, 27 FR 11527; sec. 17, 47 Stat. 736, as amended (12 U.S.C. 1437); secs. 402, 403, 407, 48 Stat. 1256, 1257, 1260, as amended (12 U.S.C. 1725, 1726, 1730); sec. 5, 48 Stat. 132, as amended, 12 U.S.C. 1464); Reorg. Plan No. 3 of 1947, 12 FR 4981, 3 CFR 1943-48 Comp. 1071.)

By the Federal Home Loan Bank Board.

J. J. FINN,
Secretary.

[FR Doc.77-32896 Filed 11-11-77; 8:45 am]

[4910-13]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 77-SO-50]

PROPOSED ALTERATION OF FEDERAL AIRWAY

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice proposes to alter VOR Federal Airway identified as V-159 in the southeastern United States. An airspace utilization study indicated a need for changes in the route structures to reflect the present day traffic flow. This proposed action would provide for more efficient use of the navigable airspace.

DATES: Comments must be received on or before December 14, 1977.

ADDRESSES: Send comments on the proposal in triplicate to: Director, FAA Southern Region, Attention: Chief, Air Traffic Division, Docket No. 77-SO-50, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320.

The official docket may be examined at the following location: FAA Office of the Chief Counsel, Rules Docket (AGC-24), Room 916, 800 Independence Avenue SW., Washington, D.C. 20591.

An informal docket may be examined at the office of the Regional Air Traffic Division.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Huff, Airspace Regulations Branch (AAT-230), Airspace and Air Traffic Rules Division, Air Traffic Service, Federal Aviation Administration, 800 Independence Avenue SW., Washington, D.C. 20591; telephone, 202-426-3715.

SUPPLEMENTARY INFORMATION:

COMMENTS INVITED

Interested persons may participate in the proposed rule making by submitting such written data, views or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Southern Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, P.O. Box 20636, Atlanta, Ga., 30320. All communications received on or before December 14, 1977 will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in

the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

AVAILABILITY OF NPRM

Any persons may obtain a copy of this notice of proposed rule making (NPRM) by submitting a request to the Federal Aviation Administration, Office of Public Affairs, Attention: Public Information Center, APA-430, 800 Independence Avenue, SW., Washington, D.C. 20591, or by calling (202) 426-8058. Communications must identify the docket number of this NPRM. Persons interested in being placed on a mailing list for future NPRMs should also request a copy of Advisory Circular No. 11-2 which describes the application procedures.

THE PROPOSAL

The FAA is considering an amendment to Subpart C of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) to alter Federal Airway V-159 in the State of Florida. The proposed action would amend V-159 by deleting the east alternate of V-159 between Orlando, Fla., VORTAC and Vero Beach, Fla., VORTAC. This airway segment is rarely used today and is no longer required for the movement of IFR traffic.¹

DRAFTING INFORMATION

The principal authors of this document are Mr. Richard Huff, Air Traffic Service, and Mr. Jack P. Zimmerman, Office of the Chief Counsel.

THE PROPOSED AMENDMENT

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend § 71.123 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) as republished (42 FR 307) as follows:

§ 71.123 [Amended]

In V-159 "Fla., including an E alternate via INT Vero Beach 341° and Orlando 123° radials;" would be deleted and "Fla.;" would be substituted therefor.

(Secs. 307(a) and 313(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a) and 1354(a)); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.65.)

NOTE.—The FAA has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11821, as amended by Executive Order 11949, and OMB Circular A-107.

Issued in Washington, D.C., on November 8, 1977.

EDWARD J. MALO,
Acting Chief, Airspace
and Air Traffic Rules Division.

[FR Doc.77-32580 Filed 11-11-77; 8:45 am]

¹Map filed as part of the original document.

[4910-13]

[14 CFR Parts 71 and 73]

[Airspace Docket No. 77-SO-43]

RESTRICTED AREAS AND CONTINENTAL CONTROL AREA**Proposed Restriction**

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice proposes to alter several restricted areas near Avon Park, Fla., and to remove R-2901A from the list of restricted areas above 14,500 feet MSL designated as continental control area.¹ The United States Air Force (USAF) has requested the alterations to contain the flight profiles of high performance military aircraft engaged in ordnance delivery. Alteration of the restricted areas as proposed would provide sufficient restricted areas airspace to permit the USAF to perform its mission.

DATES: Comments must be received on or before December 14, 1977. Proposed effective date is March 23, 1978.

ADDRESSES: Send comments on the proposal in triplicate to:

Director, FAA Southern Region, Attention: Chief, Air Traffic Division, Docket No. 77-SO-43, Federal Aviation Administration, P.O. Box 20636, Atlanta, Ga. 30320.

The official docket may be examined at the following location:

FAA Office of the Chief Counsel, Rules Docket (AGC-24), room 916, 800 Independence Avenue, SW., Washington, D.C. 20591.

An informal docket may be examined at the office of the Regional Air Traffic Division.

FOR FURTHER INFORMATION CONTACT:

Mr. Wray McClung, Airspace Regulations Branch (AAT-230), Airspace and Air Traffic Rules Division, Air Traffic Service, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, D.C. 20591, telephone, 202-426-8530.

SUPPLEMENTARY INFORMATION:**COMMENTS INVITED**

Interested persons may participate in the proposed rule making by submitting such written data, views or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Southern Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, P.O. Box 20636, Atlanta, Ga. 30320. All communications received on or before December 14, 1977, will be considered before action is taken

¹ Maps filed as part of the original document.

on the proposed amendments. The proposals contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

AVAILABILITY OF NPRM

Any person may obtain a copy of this notice of proposed rule making (NPRM) by submitting a request to the Federal Aviation Administration, Office of Public Affairs, Attention: Public Information Center, APA-430, 800 Independence Avenue, SW., Washington, D.C. 20591, or by calling 202-426-8058. Communications must identify the docket number of this NPRM. Persons interested in being placed on a mailing list for future NPRMs should also request a copy of Advisory Circular No. 11-2 which described the application procedures.

THE PROPOSAL

The FAA is considering amendments to Subpart B of Part 73 of the Federal Aviation Regulations (14 CFR Part 73) and Subpart D of Part 71 of the Federal Aviation Regulations (14 CFR Part 71). Part 73 would be amended to alter the restricted area complex near Avon Park, Fla. This complex is now divided into seven separate areas—R-2901A, R-2901B, R-2901C, R-2901D, R-2901E, R-2901F and R-2901G. Subpart B of Part 73 was republished in the FEDERAL REGISTER on January 3, 1977, (42 FR 657) and these restricted areas appeared on pages 667 and 668. The United States Air Force (USAF) has been using the R-2901 restricted area complex for years for ordnance delivery, but is currently operating certain profiles at altitudes that do not provide optimum training for pilots. In order to alleviate this situation, the USAF has requested that the R-2901 complex be reconfigured and enlarged to contain the flight profiles of high performance military aircraft engaged in ordnance delivery. Actual ordnance expenditure would take place only in those restricted areas that extend down to the surface. Those restricted areas that do not extend down to the surface would be used for high speed head in the cockpit maneuvering prior to expenditure of ordnance. The USAF originally requested designation of R-2901D from 500 feet MSL to 4,000 feet MSL; however, as proposed herein, the base altitude of the western half of R-2901D would be 1,000 feet MSL in lieu of 500 feet MSL. The proposed base altitude was raised at the request of city officials of Avon Park and Lake Wales because of a housing development underlying the proposed western half of R-2901D. A second alteration to the original proposal was made in R-2901F near the Sebring Airport. The western boundary of R-2901F as proposed herein would be aligned farther to the east than originally proposed. The realignment was made to honor a request by the city officials of Sebring, Fla., in order to provide a larger maneuvering area to the

northeast of Sebring Airport; and to honor a request by the State of Florida Department of Transportation to provide a better landmark to help nonparticipating pilots remain clear of the area. The overall size of the R-2901 complex would be increased by approximately 14 percent.

An administrative change would be made to R-2901A since it presently extends above 14,500 feet MSL into the continental control area. By definition the continental control area excludes airspace within restricted areas; however, airspace within restricted areas above 14,500 feet MSL can be designated Part 71. R-2901A is presently included those restricted areas in Subpart D of Part 71. R-2901A is presently included in Subpart D; however, since it is proposed that R-2901A extend only to 14,000 feet MSL, it would no longer be necessary to list that restricted area in Subpart D, and it would be removed.

The USAF has stated that they will serve as lead agency for purposes of compliance with the National Environment Policy Act. Comments on any land use problems may be addressed to LTC Henry R. Darden, Chief, Current Operations Division, 56th Tactical Fighter Wing, MacDill AFB, Fla. 33608; telephone number, 813-830-2902.

DRAFTING INFORMATION

The principal authors of this document are Mr. Wray McClung, Air Traffic Service, and Mr. Jack P. Zimmerman, Office of the Chief Counsel.

THE PROPOSED AMENDMENT

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend § 73.29 of the Federal Aviation Regulations (14 CFR Part 73) as republished (42 FR 667) and § 71.151 of the Federal Aviation Regulations (14 CFR Part 71) as republished (42 FR 345) as follows:

1. In § 73.29, R-2901A, R-2901B, R-2901C, R-2901D, R-2901E, R-2901F and R-2901G as presently described in the FEDERAL REGISTER would be revoked, and the following would be substituted therefor.

a. R-2901A AVON PARK, FLA.

Boundaries. Beginning at Lat. 27°44'45" N., Long. 81°25'20" W.; via Lat. 27°44'45" N., Long. 81°11'40" W.; Lat. 27°35'00" N., Long. 81°09'00" W.; Lat. 27°32'30" N., Long. 81°07'30" W.; Lat. 27°29'00" N., Long. 81°13'30" W.; Lat. 27°32'40" N.; Long. 81°16'50" W.; Lat. 27°32'32" N.; Long. 81°21'40" W.; Lat. 27°42'00" N., Long. 81°25'20" W.; to point of beginning. Designated altitudes. Surface to and including 14,000 feet MSL. Time of designation. Continuous. Controlling agency. Federal Aviation Administration, Miami ARTCC. Using/scheduling agency. 56th TFW, MacDill AFB, Fla.

b. R-2901B AVON PARK, FLA.

Boundaries. Beginning at Lat. 27°44'45" N., Long. 81°25'20" W.; via Lat. 27°44'45" N., Long. 81°11'40" W.; Lat. 27°35'00" N., Long. 81°09'00" W.; Lat. 27°32'40" N., Long. 81°12'20" W.; Lat. 27°32'32" N., Long. 81°21'40" W.; Lat. 27°42'00" N., Long. 81°25'20" W.; to point of beginning

Designated altitudes. 14,000 feet MSL to and including FL 180.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Miami ARTCC.
Using/scheduling agency. 56th TFW, MacDill AFB, Fla.

c. R-2901C AVON PARK, FLA.

Boundaries. Beginning at Lat. 27°44'45" N., Long. 81°25'20" W.; via Lat. 27°44'50" N., Long. 81°25'20" W.; via Lat. 27°44'50" N., Long. 81°25'20" W.; thence east along Florida State Routes 60 and 80 to Lat. 27°48'30" N., Long. 81°14'00" W.; Lat. 27°44'50" N., Long. 81°14'00" W.; to point of beginning.

Designated altitudes. Surface to 14,000 feet MSL.

Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Miami ARTCC.
Using/scheduling agency. 56th TFW, MacDill AFB, Fla.

d. R-2901D AVON PARK, FLA.

Boundaries. Beginning at Lat. 27°44'50" N., Long. 81°25'20" W.; via Lat. 27°50'00" N., Long. 81°25'20" W.; Lat. 27°50'00" N., Long. 81°14'00" W.; Lat. 27°48'30" N., Long. 81°14'00" W.; thence west along Florida State routes 80 and 60 to point of beginning.

Designated altitudes. 500 feet MSL to 4,000 feet MSL east of Long. 81°21'00" W.; 1,000 feet AGL to 4,000 feet MSL west of Long. 81°21'00" W.

Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Miami ARTCC.
Using/scheduling agency. 56th TFW, MacDill AFB, Fla.

e. R-2901E AVON PARK, FLA.

Boundaries. Beginning at Lat. 27°50'00" N., Long. 80°25'20" W.; via Lat. 27°55'00" N., Long. 81°25'20" W.; Lat. 28°00'00" N., Long. 81°21'00" W.; Lat. 28°00'00" N., Long. 81°14'00" W.; Lat. 27°50'00" N., Long. 81°14'00" W.; to point of beginning.

Designated altitudes. 1,000 feet MSL to 4,000 feet MSL.

Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Miami ARTCC.
Using/scheduling agency. 56th TFW, MacDill AFB, Fla.

f. R-2901F AVON PARK, FLA.

Boundaries. Beginning at Lat. 27°32'32" N., Long. 81°21'40" W.; via Lat. 27°32'40" N., Long. 81°16'50" W.; Lat. 27°29'00" N., Long. 81°13'30" W.; Lat. 27°24'25" N., Long. 81°11'00" W.; Lat. 27°30'45" N., Long. 81°17'50" W.; to point of beginning.

Designated altitudes. 4,000 feet MSL to 5,000 feet MSL.

Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Miami ARTCC.
Using/scheduling agency. 56th TFW, MacDill AFB, Fla.

g. R-2901G AVON PARK, FLA.

Boundaries. Beginning at Lat. 27°29'00" N., Long. 81°13'30" W.; Lat. 27°32'30" N., Long. 81°07'30" W.; Lat. 27°29'30" N., Long. 81°05'30" W.; Lat. 27°24'45" N., Long. 81°11'00" W.; to point of beginning.

Designated altitudes. Surface to 5,000 feet MSL.

Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Miami ARTCC.
Using/scheduling agency. 56th TFW, MacDill AFB, Fla.

h. R-2901H AVON PARK, FLA.

Boundaries. Beginning at Lat. 27°24'45" N., Long. 81°11'00" W.; via Lat. 27°29'30" N., Long. 81°05'30" W.; Lat. 27°21'00" N., Long. 81°00'00" W.; to point of beginning.

Designated altitudes. 1,000 feet MSL to 4,000 feet MSL.

Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Miami ARTCC.
Using/scheduling agency. 56th TFW, MacDill AFB, Fla.

1. R-2901I AVON PARK, FLA.

Boundaries. Beginning at Lat. 27°24'45" N., Long. 81°11'00" W.; via Lat. 27°21'00" N., Long. 81°00'00" W.; Lat. 27°16'45" N., Long. 81°06'00" W.; to point of beginning.

Designated altitudes. 1,500 feet MSL to 4,000 feet MSL.

Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Miami ARTCC.
Using/scheduling agency. 56th TFW, MacDill AFB, Fla.

2. In § 71.151, "R-2901A Avon Park, Fla." would be deleted.

(Secs. 307(a), 313(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a), 1354(a)); sec. 6 (c), Department of Transportation Act (49 U.S.C. 1655(c)); 14 CFR 11.65)

NOTE.—The FAA has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11821, as amended by Executive Order 11949, and OMB Circular A-107.

Issued in Washington, D.C., on November 8, 1977.

EDWARD J. MALO,
*Acting Chief, Airspace and Air
Traffic Rules Division.*

[FR Doc. 77-32849 Filed 11-11-77; 8:45 am]

[3510-12]

DEPARTMENT OF COMMERCE

**National Oceanic and Atmospheric
Administration**

[15 CFR Part 904]

FINANCIAL COMPENSATION OF PARTICIPANTS IN ADMINISTRATIVE PROCEEDINGS

Extension of Comment Period on Proposed Rulemaking; Availability of Record of Proposed Rulemaking for Public Inspection

AGENCY: National Oceanic and Atmospheric Administration, Commerce.

ACTION: Extension of time for comments.

SUMMARY: This document extends the comment period on a proposed rule that was published on August 11, 1977 at 42 FR 40711 regarding financial compensation of participants in administrative proceedings. Also in this document, NOAA gives notice that the record of this proposed rulemaking, including all comments will be open to public inspection.

DATE: Comments must be received on or before December 9, 1977.

ADDRESS: Send comments to: Office of General Counsel, National Oceanic and Atmospheric Administration, room 5807, U.S. Department of Commerce, Washington, D.C. 20230.

FOR FURTHER INFORMATION CONTACT:

Patrick J. Travers, 202-377-4080.

SUPPLEMENTARY INFORMATION: On August 11, 1977, the National Oceanic and Atmospheric Administration (NOAA) published a notice of proposed rulemaking on Financial Compensation of Participants in Administrative Proceedings. 42 FR 40711. Interested persons were invited to comment on the proposed rules on or before November 9, 1977.

In response to indications that extensive comments may still be in preparation, NOAA hereby gives notice that the comment period on the proposed rulemaking identified above is extended until Friday, December 9, 1977. Comments should be addressed to: Office of General Counsel, National Oceanic and Atmospheric Administration, room 5807, U.S. Department of Commerce, Washington, D.C. 20230.

NOAA has decided to take this opportunity to implement on an experimental basis a new rulemaking procedure that it believes may be desirable in light of a recent decision of the United States Court of Appeals for the District of Columbia Circuit. In *Home Box Office v. FCC*, No. 75-1280, decided on March 25, 1977, the Court indicated that the Administrative Procedure Act was intended to make the notice-and-comment rulemaking process a dialogue on the record among the commenters on a proposed rule, as well as between the commenters on the one hand and the agency on the other. In order to foster such dialogue, NOAA hereby gives notice that the record of this proposed rulemaking as it currently stands, including all comments that have been received from interested members of the public, will be open to public inspection between the hours of 8:30 a.m. and 5:00 p.m., Monday through Friday (Federal holidays excepted), from November 10, 1977 until December 9, 1977. The record will be located in room 5222 of the Department of Commerce Building, 14th Street and Constitution Avenue, N.W., Washington, D.C. Persons wishing to inspect the record should obtain a building pass from the desk at the 14th Street entrance, and proceed directly to room 5222.

Persons who have submitted comments on the proposed rulemaking by November 9, 1977 will be informed by mail of the extension of the comment period and the opening of the record to public inspection.

For more information on the submission of comments in this proposed rulemaking or on inspection of the record, please contact Patrick J. Travers, Office of General Counsel, National Oceanic and Atmospheric Administration, room

5807, U.S. Department of Commerce, Washington, D.C. 20230, telephone 202-377-4080.

Dated: November 9, 1977.

RICHARD A. FRANK,
Administrator.

[FR Doc.77-32878 Filed 11-11-77;8:45 am]

[6355-01]

**CONSUMER PRODUCT SAFETY
COMMISSION**

[16 CFR Part 1500]

**CERTAIN WRITING INSTRUMENT
CARTRIDGES**

**Proposed Exemption From Labeling
Requirements**

AGENCY: Consumer Product Safety Commission.

ACTION: Proposed rule.

SUMMARY: The Consumer Product Safety Commission proposes to exempt certain rigid or semi-rigid writing instrument cartridges from the labeling requirements of sections 2(p)(1) and 3(b) of the Federal Hazardous Substances Act insofar as such requirements would apply because the ink contained in the cartridge is a "toxic" substance as defined by the Commission's regulations and/or because the ink contains 10 percent or more by weight of ethylene glycol or diethylene glycol. The Commission has proposed the exemption because it has preliminarily determined that the conditions specified in the exemption are such that full compliance with the labeling requirements otherwise applicable under the act is not necessary for the adequate protection of the public health and safety.

DATES: The proposed effective date is upon publication of any final exemption issued by the Commission.

Written comments should be submitted on or before December 14, 1977.

ADDRESSES: Written comments, preferably in five (5) copies, should be submitted to the Secretary, Consumer Product Safety Commission, Washington, D.C. 20207. All material which the Commission has that is relevant to this proceeding, including any comments that may be received on this proposal, may be seen in, or copies obtained from, the Office of the Secretary, Consumer Product Safety Commission, 3rd floor, 1111 18th Street, N.W., Washington, D.C. 20207.

FOR FURTHER INFORMATION CONTACT:

Dr. S. Molinas, Engineering and Science Directorate, Consumer Product Safety Commission, Washington, D.C. 20207, 301-492-6477.

SUPPLEMENTARY INFORMATION: Under section 2(f) of the Federal Hazardous Substances Act ("the act"), 15 U.S.C. 1261(f), the term "hazardous substance" includes any substance or mixture

of substances which is "toxic" if such substance or mixture of substances may cause substantial personal injury or substantial illness during, or as a proximate result of, any customary or reasonably foreseeable handling or use, including reasonably foreseeable ingestion by children. The term "hazardous substance" also includes any substances which the Consumer Product Safety Commission by regulation finds meet this definition. Section 2(g) of the act defines toxic as including "any substance * * * which has the capacity to produce personal injury or illness to man through ingestion * * *". Section 2(p) of the act provides that a hazardous substance which is intended, or packaged in a form suitable, for use in the household or by children is misbranded if it does not bear a label conspicuously stating certain specified information and warning statements. The Commission's regulations (16 CFR 1500.3(c)(2)) further define "toxic" as any substance that produces death within 14 days in half or more of a group of white rats (each weighing between 200 or 300 grams) when a single dose of from 50 milligrams to 5 grams per kilogram of body weight is administered orally. (The dosage required to produce death in one half of the rats in this test is referred to as the LD-50 single oral dose.)

Section 3(b) of the act (15 U.S.C. 1262(b)) authorizes the Commission to issue regulations establishing reasonable variations or additional label requirements if it finds that the requirements of section 2(p)(1) of the act are not adequate for the protection of the public health and safety in view of the special hazard presented by any particular hazardous substance. Pursuant to section 3(b) of the act, the Commission's regulations (16 CFR 1500.14(b)(1, 2)) establish special labeling requirements for substances containing 10 percent or more by weight of diethylene glycol or ethylene glycol.

Section 3(c) of the act provides that if the Commission finds that, because of the size of the package involved or because of the minor hazard presented by the substance contained therein, or for other good and sufficient reasons, full compliance with the labeling requirements of the act is impractical or is not necessary for the adequate protection of the public health and safety, it may issue regulations exempting such substance from the requirements to the extent consistent with the adequate protection of the public health and safety.

PETITION

In a petition received January 3, 1977 (HP 77-4), the Parker Pen Company requested an exemption to the labeling requirements of the act. The product category for which the exemption was requested was rigid or semi-rigid writing instrument cartridges that have a writing point and an ink reservoir containing ink as a free liquid and that comply with the following conditions:

(a) The cartridge is constructed so that the ink will emerge only from the

writing tip under any reasonable foreseeable condition of manipulation and use.

(b) When tested by the method described in 16 CFR 1500.3(c)(2)(i), the ink does not have an LD-50 single oral dose of less than 2.5 grams per kilogram of body weight of the test animal.

(c) If the ink contains ethylene glycol or diethylene glycol, the amount of such substance, either singly or in combination, will not exceed one gram per cartridge.

(d) The cartridge will not contain more than three grams of ink.

The petition requests an exemption for these products from the special labeling requirements of 16 CFR 1500.14(b)(1), (2), which would otherwise apply if the ink had 10 percent or more by weight of ethylene glycol or diethylene glycol. The petition also explains the functional advantages of using higher percentages of ethylene glycol or diethylene glycol. The petition also requests an exemption to the allowable LD-50 single oral dose limit for the unlabeled product (5.0 grams per kilogram of body weight) so that inks having a LD-50 of 2.5 grams per kilogram of body weight could be used. The petition states that the lower LD-50 would allow additional freedom in the development of future ink formulations. The petition provides data to support the minor hazard presented by the cartridges for which the exemption is sought, both on the basis of the requested LD-50 limit and on the basis of the use of more than 1 gram of ethylene glycol and/or diethylene glycol.

The Commission estimates that approximately 4200 injuries that were associated with pens and marking pens were treated in hospital emergency rooms in the United States during calendar year 1976. Inquiries caused by the ink itself would probably be included in the category of "dermatitis and poisonings," which constitutes 4 percent of the reported diagnoses. No deaths in this category have been reported. On the other hand, the categories of "foreign body" (such as parts in the ear or nose), ingested foreign object, and aspirated foreign object all suggest the presence of small parts and account for 22 percent of the reported injuries. The petition is intended to remove a barrier to the marketing of ink cartridges which include the reservoir and writing point. To the extent that cartridges of this type would reduce the number of small parts readily available for aspiration or ingestion, without increasing the risk of poisonings, the availability of such cartridges could decrease the risk presented by the product.

CONCLUSION

The Commission has considered the data submitted with the petition and has also analyzed the degree of risk which is associated with ink cartridges that meet the conditions set forth in the requested exemption. In view of the difficulty of extracting ink from the writing tip, and in view of the limitation of the amount

of ink in each cartridge to 3 grams, the Commission finds that the requested LD₅₀ single oral dose of 2.5 grams per kilogram of body weight of the test animal will provide an adequate degree of protection of the public health and safety. Similarly, the difficulty in extracting the ink from the tip and the limitation that the amount of ethylene glycol and/or diethylene glycol shall not exceed 1 gram per cartridge will provide an adequate degree of protection of the public health and safety where the percentage by weight of either of these substances is ten percent or more. Accordingly, the Commission preliminarily finds that because of the size of the package involved, the minor hazard of the substance contained therein, and for the other good and sufficient reasons discussed above, full compliance with the labeling requirements otherwise applicable under the Federal Hazardous Substances Act is not necessary for the adequate protection of the public health and safety.

PROPOSAL

Therefore, pursuant to the Federal Hazardous Substances Act (secs. 2(f, p), 3(a-c), 74 Stat. 372, 374, 375, as amended; 15 U.S.C. 1261(f, p), 1262(a-c)), the Commission proposes that Title 16, Chapter II, of the Code of Federal Regulations be amended by adding to Subchapter C, Part 1500, § 1500.83, a new paragraph (a)(38) to read as follows. (The text of the introductory portion of § 1500.83(a), although unchanged, is included for context.)

§ 1500.83 Exemptions for small packages, minor hazards, and special circumstances.

(a) The following exemptions are granted for the labeling of hazardous substances under the provisions of § 1500.82:

(38) Rigid or semi-rigid writing instrument cartridges having a writing point and an ink reservoir and containing ink in the reservoir as a free liquid are exempt from the labeling requirements of section 2(p)(1) of the act (repeated in § 1500.3(b)(14)(i) of the regulations) and regulations issued under section 3(b) of the act (§ 1500.14(b)(1, 2)) insofar as such requirements would be necessary because the ink contained therein is a "toxic" substance as defined in § 1500.3(c)(2)(i) and/or because the ink contains 10 percent or more by weight ethylene glycol or diethylene glycol, if all the following conditions are met:

(i) The writing instrument ink cartridge is of such construction that the ink will, under any reasonably foreseeable condition of manipulation and use, emerge only from the writing tip.

(ii) When tested by the method described in § 1500.3(c)(2)(i), the ink does not have an LD₅₀ single oral dose of less than 2.5 grams per kilogram of body weight of the test animal.

(iii) If the ink contains ethylene glycol or diethylene glycol, the amount of

such substance either singly or in combination does not exceed 1 gram per writing instrument ink cartridge.

(iv) The amount of ink in the cartridge does not exceed 3 grams.

Interested persons are invited to submit written data, views, or arguments regarding any aspect of the proposal on or before December 14, 1977. Comments submitted after this date will be considered to the extent practicable. Comments should be accompanied, to the extent possible, by supporting data or documentation. Requests for confidentiality of any information submitted will be handled in accordance with the Freedom of Information Act as amended (5 U.S.C. 552), the Commission's regulations under that act (16 CFR Part 1015, issued February 22, 1977 at 42 FR 10490) and the provisions of section 6(a)(2) of the Consumer Product Safety Act (15 U.S.C. 2055(a)(2)). Comments may be supported by a memorandum or brief.

Written comments and any accompanying data or materials should be submitted, preferably in five copies, to the Office of the Secretary, Consumer Product Safety Commission, Washington, D.C. 20207.

Any comments that are received, and all other material which the Commission has that is relevant to this proceeding, may be seen in, or copies obtained from, the Office of the Secretary, Consumer Product Safety Commission, 3rd floor, 1111 18th Street, NW., Washington, D.C. 20207.

Dated: November 9, 1977.

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

[FR Doc.77-32910 Filed 11-11-77;8:45 am]

[4210-01]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of Assistant Secretary for Community Planning and Development,
Department of Housing and Urban Development

[24 CFR Part 570]

[Docket No. R-77-471]

COMMUNITY DEVELOPMENT BLOCK GRANTS

Eligible Activities, Applications for Entitlement Grants, Urban Development Action Grants; Extension of Time

AGENCY: Department of Housing and Urban Development.

ACTION: Proposed rulemaking.

SUMMARY: This extends the Comment Due Date in FR Doc. 77-30859, appearing in the FEDERAL REGISTER dated October 25, 1977, Volume 42, Page 56450, from November 18, 1977 to November 25, 1977.

DATES: Comments must be received on or before November 15, 1977.

FOR FURTHER INFORMATION CONTACT:

William Hammer, 202-775-6304.

Authority: Sec. 7(d) of the Department of Housing and Urban Development Act, 42 U.S.C. 3535(d).

Issued at Washington, D.C., November 4, 1977.

HARWOOD G. MARTIN,
Liaison Officer, Office of
Regulations and Issuances.

[FR Doc.77-32871 Filed 11-11-77;8:45 am]

[4910-14]

DEPARTMENT OF TRANSPORTATION

Coast Guard

[33 CFR Part 117]

[CGD 75-053]

DRAWBRIDGE OPERATION REGULATIONS

Mystic River, Mass.

AGENCY: Coast Guard, DOT.

ACTION: Withdrawal of notice of proposed rulemaking.

SUMMARY: In FR Doc. 75-7934 appearing at page 13518 of the March 27, 1975, issue of the FEDERAL REGISTER, a proposal to regulate the operation of the Massachusetts Bay Transit Authority drawbridge at mile 1.4, Mystic River, was proposed. This proposal is hereby withdrawn because this bridge has been removed.

FOR FURTHER INFORMATION CONTACT:

Frank L. Tueton, Jr., Chief, Drawbridge Regulations Branch (G-WBR/73), Room 7300, Nassif Building, 400 Seventh Street SW., Washington, D.C. 20590, 202-426-0942.

SUPPLEMENTARY INFORMATION: Drafting Information: The principal persons involved in drafting this document are: Frank L. Tueton, Jr., Project Manager, Office of Marine Environment and Systems, and Lt. Edward J. Gill, Project Attorney, Office of the Chief Counsel.

(Sec. 5, 28 Stat. 362, as amended, sec. 6(g)(2), 80 Stat. 937; 33 U.S.C. 499, 49 U.S.C. 1655(g)(2); 49 CFR 1.46(c)(5).)

Dated: November 8, 1977.

E. L. PERRY,
Vice Admiral, U.S. Coast Guard,
Acting Commandant.

[FR Doc.77-32912 Filed 11-11-77;8:45 am]

[3710-92]

DEPARTMENT OF DEFENSE

Corps of Engineers,
Department of the Army

[33 CFR Part 207]

NAVIGATION LOCKS AND APPROACH CHANNELS, COLUMBIA & SNAKE RIVERS

Navigation Regulations

AGENCY: U.S. Army Corps of Engineers, DOD.

ACTION: Notice of Proposed Rulemaking.

SUMMARY: This proposal would amend navigation regulations affecting the use, administration and navigation of the locks and approach channels at the Bonneville, The Dalles, John Day, McNary, Ice Harbor, Lower Monumental, Little Goose, and Lower Granite Locks and Dams located on the Lower Columbia and Lower Snake Rivers. This revision is necessary because of operation of the recently completed Lower Granite Lock and Dam on the Lower Snake River and to provide additional safety requirements for controlling passage of vessels through these eight locks.

DATE: Comments must be received on or before December 15, 1977.

ADDRESS: Send all comments to:

Office of the Chief of Engineers,
DAEN-CWO-N, Washington, D.C.
20314.

FOR FURTHER INFORMATION CONTACT:

Mr. Ralph T. Eppard, 202-693-5070.

SUPPLEMENTARY INFORMATION: Regulations have been promulgated by the Secretary of the Army (acting through the Chief of Engineers) in 33 CFR 207.718 governing the use, administration and navigation of the locks and approach channels on the Columbia and Snake Rivers, Oregon and Washington under authority of Section 7 of the River and Harbor Act of August 8, 1917. We are hereby amending those regulations in 33 CFR 207.718 as set forth below.

§ 207.718 Navigation Locks and Approach Channels, Columbia and Snake Rivers, Oregon and Washington.

(a) *General.* All locks, approach channels, and all lock appurtenances, shall be under the jurisdiction of the District Engineer, Corps of Engineers, U.S. Army, in charge of the locality. His representative at the locks shall be the Project Engineer, who shall issue orders and instructions to the Lock Master in charge of the lock. Hereinafter, the term "Lock Master" shall be used to designate the person in immediate charge of the lock at any given time. In case of emergency and on all routine work in connection with the operation of the lock, the Lock Master shall have authority to take action without waiting for instructions from the Project Engineer.

(b) *Lockage Control.* The Lock Master shall be charged with immediate control and management of the lock, and of the area set aside as the lock area, including the lock approach channels. Upstream and downstream approach channels extend to the end of the wing or the guide wall, whichever is longer. At Bonneville lock the upstream approach channel extends to the upstream end of Bradford Island and the downstream approach channel extends to the downstream end of the lower moorage. The

Lock Master shall demand compliance with all laws, rules and regulations for the use of the lock and lock area and is authorized to issue necessary orders and directions, both to employees of the Government or to other persons within the limits of the lock or lock area, whether navigating the lock or not. Use of lock facilities is contingent upon compliance with regulations, Lock Master instructions and the safety of people and property.

(c) *Authority of Lock Master.* No one shall initiate any movement of any vessel in the lock or approaches except by or under the direction of the Lock Master. ("Vessel" as used herein includes all connected units, tugs, barges, tows, boats or other floating objects.)

(d) *Signals—(1) Radio.* All locks are equipped with two-way FM radio operating on channel 14, frequency of 156.700 MHz, for both the calling channel and the working channel. Vessels equipped with two-way radio desiring a lockage shall call WUJ 33 Bonneville, WUJ 34 The Dalles, WUJ 35 John Day, WUJ 41 McNary, WUJ 42 Ice Harbor, WUJ 43 Lower Monumental, WUJ 44 Little Goose, or WUJ 45 Lower Granite, at least one-half hour in advance of arrival since the Lock Master is not in constant attendance of the locks. Channel 14 shall be monitored constantly in the vessel pilot house from the time the vessel enters the approach channel until its completion of exit. Prior to entering the lock chamber, the commercial freight or log-tow vessel operator shall report the nature of any cargo, the maximum length, width and draft of the vessel and whether the vessel is in any way hazardous because of its condition or the cargo it carries or has carried.

(2) *Pull-cord signal stations.* Pull-cord signal stations marked by large instructional signs and located near the end of the upstream and downstream lock entrance walls may be used in place of radios to signal the Lock Master for a lockage.

(3) *Entering and exit signals.* Signal lights are located outside each lock gate. When the green (go) light is on, all vessels will enter in the sequence prescribed by the Lock Master except at Bonneville where freight and log-tow vessels only will enter on the amber light. When the red (stop) light is on, the lock is not ready for entrance and vessels shall stand clear. In addition to the above visual signals, the Lock Master will signal that the lock is ready for entrance by sounding one long blast on the lock air horn. The Lock Master will signal that the lock is ready for exit by lighting the green (exit) light and sounding one short blast on the air horn.

(4) *Craft lockage-readiness signal.* Upon query from Lock Master, a vessel operator will signal when he is properly moored and ready for the lockage to begin.

(e) *Permissible dimensions of vessels.* Nominal overall dimensions of vessels allowed in the lock chamber are 84 feet wide and 650 feet long, except at Bonne-

ville where these dimensions are 74 feet wide and 500 feet long. Depth of water in the lock depends upon river levels which may vary from day to day. Staff gauges showing the minimum water level depth over gate sills are located inside the lock chamber near each lock gate and outside the lock chamber near the end of both upstream and downstream guide walls. Vessels which do not have a draft of at least one foot less than a gauge reading shall not pass that gauge. Information concerning allowable draft for vessel passage through the locks may be obtained from the Lock Master. Minimum lock chamber water level depth is 15 feet except at Ice Harbor where it is 14 feet and at Bonneville where it is 24.2 feet. When the river flow at Lower Granite exceeds 330,000 cubic feet per second the normal minimum 15-foot depth may be decreased to as little as eight feet. At Bonneville, a tow may be rearranged to less than clear lock dimensions (74 feet by 500 feet) prior to entering the lock, and be passed in one lockage. Such rearrangements at Bonneville may be done at the moorage in the downstream lock approach channel or above the upstream guide wall and with the Lock Master's permission at the upstream guide wall. In consideration of river and swing bridge traffic at Bonneville the Lock Master may authorize rearrangement of vessels within the lock chamber only when both miter gates at the open end of the lock are in their recesses in the lock walls and rearrangement will not be hazardous to them. Vessels wider than 50 feet will not be permitted to enter the Bonneville Lock during extreme high water when tailwater at the lock is higher than 35 feet above m.s.l. since the downstream guide wall will be inundated.

(f) *Precedence at Lock.* Ordinarily, the vessel or tow arriving first at the lock will be locked through first; however, depending upon whether the lock is full or empty this precedence may be modified at the discretion of the Lock Master. When several vessels are waiting for a lockage, precedence shall be given as follows:

First: Vessels owned or operated by the United States whose mission requires immediate passage.

Second: Commercial freight and log-tow vessels.

Third: All other vessels.

(g) *Loss of turn.* Vessels that fail to enter the lock with reasonable promptness, after being authorized to do so, shall lose their turn.

(h) *Lockage.—(1) Multiple lockage.* The Lock Master shall decide whether one or more vessels or tows may be locked through at the same time. Vessels with flammable or highly hazardous cargo will be passed separately from all other vessels. Hazardous materials are described in Part 171, Title 49, Code of Federal Regulations. Flammable materials are defined in the National Fire Code of the National Fire Protection Association.

(2) *Small Craft.* At the discretion of the Lock Master, the lockage of pleasure,

fishing, and other small vessels may be coordinated with the lockage of commercial vessels. If no commercial craft is scheduled to be locked through within a reasonable time, not to exceed one (1) hour after arrival of the small craft at the lock, separate lockage will be made for such small craft.

(i) *Mooring in approaches prohibited.* Mooring or anchoring in the approaches to the lock is prohibited where such mooring will interfere with navigation.

(j) *Waiting for Lockage.* Vessels waiting for lockage shall wait in the clear outside of the lock approach channel, or contingent upon permission by the Lock Master, may at their own risk, lie inside the approach channel at a place specified by the Lock Master. At Bonneville, vessels may at their own risk, lay-to at the downstream moorage facility on the south shore downstream from the guide wall: *Provided*, That a 100-foot-wide open channel is maintained and vessels upstream may lay-to against the guide wall, at their own risk, provided they remain not less than 400 feet upstream of the upstream lock gate; or contingent upon prior radio clearance by the Lock Master they may, at their own risk, tie to the upstream guide wall.

(k) *Mooring in lock.* All vessels must be moored within the lock chamber so that no portion of any vessel extends beyond the lines painted on the lock walls. Moorage within the lock chamber will be to floating mooring bits only and will be accomplished in a proper no-slip manner. Small vessels will not be locked with a large vessel unless the large vessel is so moored (two mooring bits) that no lateral movement is possible. The vessel operator will constantly monitor the position of his vessel and his mooring bit ties to assure that there is no fore or aft movement of his vessel and lateral movement is minimized. Propulsion by vessels within the lock chamber will not be permitted during closure operation of a lock chamber gate or as otherwise directed by the Lock Master.

(l) *Crew to move craft.* During the entire lockage, the vessel operator shall constantly attend the wheelhouse, be aware of the vessel's position, and monitor radio channel 14 on frequency 156.700 MHz, or otherwise be constantly able to communicate with the Lock Master. At a minimum, vessels shall be as vigilantly manned as if underway.

(m) *Speed.* Vessels shall be adequately powered to maintain a safe speed and be under control at all times. Vessels shall not be raced or crowded alongside another in the approach channels. When entering the lock, speed shall be reduced to a minimum consistent with safe navigation. As a general rule, when a number of vessels are entering the lock, the following vessel shall remain at least 200 feet astern of the vessel ahead.

(n) *Delay in lock.* Vessels shall not unnecessarily delay any operation of the locks.

(o) *Landing of freight.* No freight, baggage, personnel, or passengers shall be landed on or over the walls of the lock,

except by permission and direction of the Lock Master.

(p) *Damage to lock or other structures.* The regulations in this section shall not relieve owners and/or operators of vessels from liability for any damage to the lock or other structures or for the immediate removal of any obstruction. No vessel in less than stable floating condition or having unusual sinking potential shall enter the locks or its approaches. Vessels must use great care not to strike any part of the lock, any gate or appurtenance thereto, or machinery for operating the gates, or the walls protecting the banks of the approach channels. All vessels with projecting irons, or rough surfaces which may damage the gates or lock walls, shall not enter the lock unless provided with suitable buffers and fenders. Vessels having chains, lines, or drags either hanging over the sides or ends or dragging on the bottom for steering or other purposes will not be permitted to pass.

(q) *Tows.* Prior to a lockage, the person in charge of a vessel towing a second vessel by lines shall, at a safe distance outside of the incoming approach channel, secure the second vessel to the towing vessel and keep it secured during the entire course of a lockage and until safely clear of the outgoing approach channel.

(r) *Violation of regulations.* Any violation of these regulations may subject the owner or master of any vessel to any or all of the following: (1) Penalties prescribed by law of the United States Government (33 U.S.C. 1); (2) Report of violation to the titled owner of the vessel; (3) Report of violation to the U.S. Coast Guard; (4) Refusal of lockage at the time of violation.

(s) *Refuse in locks.* No material of any kind shall be thrown or discharged into the lock, or be deposited in the lock area. Vessels leaking or spilling cargo will be refused lockage and suitable reports will be made to the U.S. Coast Guard. Deck cargo will be so positioned so as not to be subject to falling overboard.

(t) *Handling valves, gates, bridges, and machinery.* No person, unless authorized by the Lock Master, shall open or close any bridge, gate, valve, or operate any machinery in connection with the lock. However, the Lock Master may call for assistance from the master of any vessel using the lock, should such aid be necessary; and when rendering such assistance, the person so employed shall be directly under the orders of the Lock Master. Masters of vessels refusing to provide such assistance when it is requested of them may be denied the use of the lock by the Lock Master.

(u) *Statistics.* On each passage through the lock, masters or pursers of vessels shall furnish to the Lock Master, a written statement of passengers, freight, and other information as indicated on forms furnished boat operators by the Lock Master.

(v) *Hazardous areas.* At McNary, Ice Harbor, Lower Monumental, Little Goose, and Lower Granite Dams, all water from

the downstream face of the dam to a line straight across the river at the downstream end of the downstream lock guide wall is considered hazardous and vessels may enter only at their own risk.

(w) *Restricted areas.* No vessel shall enter or remain in any restricted area at any time without first obtaining permission from the District Engineer, Corps of Engineers, U.S. Army, or his duly authorized representative.

(1) *At Bonneville Dam.* The waters restricted to only Government vessels are described as all waters of the Columbia River and Bradford Slough within 1,000 feet above and 2,000 feet below the powerhouse. The restricted areas will be designated by signs.

(2) *At the Dalles Dam.* The waters restricted to only Government vessels are described as all downstream waters other than those of the navigation lock downstream approach channel which lie between the Wasco County Bridge and the project axis including those waters between the powerhouse and the Oregon shore and all upstream waters other than those of the navigation lock upstream approach channel which lie between the project axis and a line projected from the upstream end of the navigation lock guide wall to the junction of the concrete structure with the earth fill section of the dam near the upstream end of the powerhouse.

(3) *At the John Day Dam.* The waters restricted to only Government vessels are described as all of the waters within a distance of about 1,000 yards above the dam lying south of the navigation channel leading to the lock and bounded by a line commencing at the upstream end of the guide wall, and running in a direction 54°01'37" true for a distance of 771 yards, thence 144°01'37" true across the river to the south shoreline. The downstream limit is marked by orange and white striped monuments on the north and south shores.

(4) *At McNary Dam.* The waters restricted to only Government vessels are described as all waters within a distance of about 1,000 yards above the dam lying south of the guide wall and bounded by a line commencing at the upstream end of the guide wall and running in a direction 93°30' true for a distance of 495 yards, thence 175°15' true for 707 yards, thence 179°00' true for 441 yards, thence 235°00' true for 585 yards, thence 268°00' true for 146 yards to the head of the fishladder.

(5) *At Ice Harbor Dam.* The waters restricted to only Government vessels are described as the waters within a distance of about 800 yards upstream of the dam lying south of the navigation channel leading to the lock and bounded by a line commencing at the upstream end of the guide wall, and running a direction 83°00' true for a distance of 600 yards, thence 175°00' true for a distance of 250 yards, thence 241°00' true to the upstream face of the dam.

(6) *At Lower Monumental Dam.* The waters restricted to only Government vessels are described as the waters within

a distance of about 1,200 yards upstream of the dam lying north of the navigation channel leading to the lock and bounded by a line commencing at the upstream end of the fixed guide wall and running in a direction 48°00' true for a distance of 340 yards, thence 326°00' true for a distance of 366 yards, thence 260°00' true for a distance of 160 yards, thence 270°00' true to the north shore.

(7) *At Little Goose Dam.* The waters restricted to only Government vessels are described as those within a distance of 800 yards above the dam lying north of the guide wall and bounded by a line commencing at the upstream end of the guide wall and running in a direction 64°13' true for a distance of 567 yards, thence 349°03' true for a distance of 610 yards to the north shoreline.

(8) *At Lower Granite Dam.* The waters restricted to only Government vessels are described as those within a distance of 800 yards above the dam lying south of the guide wall and bounded by a line commencing at the upstream end of the guide wall and running in a direction 136° true for a distance of 586 yards±, thence 214° true for a distance of 250 yards to the south shoreline.

Drawings which depict the hazardous and restricted areas in paragraphs (v) and (w) of this section are available from the District Engineers for areas within their respective jurisdictions.

NOTE.—The Department of the Army has determined that this document does not contain a major proposal requiring preparation of an Inflation Impact Statement under Executive Order 11821 and OMB Circular A-107. (40 Stat. 266; (33 U.S.C. 1).)

Dated: November 7, 1977.

C. A. SELLECK,
Colonel, Corps of Engineers,
Executive Director of Civil Works.

[FR Doc. 77-32870 Filed 11-11-77; 8:45 am]

[3510-12]

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric
Administration

[50 CFR Part 255]

FISHING VESSEL OBLIGATION GUARANTEE PROGRAM PROCEDURES

Increase in Useful Life

AGENCY: National Oceanic and Atmospheric Administration, Commerce.

ACTION: Proposed rule.

SUMMARY: The Fishing Vessel Obligation Guarantee program provides long-term financing of the debt portion of fishing vessel construction costs by guaranteeing private credit given for that purpose. This document proposes amendment of program procedures to increase from 15 to 20 years the maximum useful life (and, thus, the maturity of guaranteed financing) of certain fishing vessels participating in the program.

DATE: Comments must be received no later than November 14, 1977.

ADDRESS: Financial Assistance Division, National Marine Fisheries Service, Washington, D.C. 20235.

FOR FURTHER INFORMATION CONTACT:

Michael L. Grable, Chief, Financial Assistance Division, National Marine Fisheries Service, Washington, D.C. 20235 (202-634-7496).

SUPPLEMENTARY INFORMATION: Title XI of the Merchant Marine Act, 1936, which authorized the Fishing Vessel Obligation Guarantee program, provides for guaranteed obligations with maturities up to 25 years (but not exceeding vessels' economically useful lives.)

The fishing vessel portion of the Title XI authority (the Fishing Vessel Obligation Guarantee program) has restricted fishing vessels to a maximum useful life (and, thus, a maximum debt financing maturity) of 15 years. Many of the larger and more expensive fishing vessels to be constructed in the future will have economically useful lives in excess of 15 years and can benefit from an extended debt financing maturity.

This amendment purposes, consequently, to amend Fishing Vessel Obligation Guarantee program procedures in order to allow guaranteed obligations with maturities of up to 20 years.

Since the vessels which can best benefit from extended debt financing maturities are those which require the largest capital investment, the extended maturity is proposed for vessels costing \$500,000 or more.

The proposed amendment follows:

Substitute the following for § 255.1 (f) and (g).

§ 255.1 Definitions.

(f) *Useful Life.* For purposes of guarantee under this Part 255: the useful life of new vessels costing less than \$500,000 shall not ordinarily exceed 15 years from delivery date; the useful life of new vessels costing more than \$500,000 shall not ordinarily exceed 20 years from delivery date; and the useful life of reconstructed or reconditioned vessels shall not ordinarily exceed 10 years from redelivery date. The Secretary will, however, determine individually the useful life of each vessel for the purpose of guarantee under this Part 255. Useful life shall be reduced by 6 months for each full 6-month interval elapsed from vessel delivery and/or redelivery date. Intervals of less than a full 6 months will not be considered for the purpose of determining remaining useful life.

(g) *Maturity Date.* This term means the date upon which a guaranteed obligation matures. Maturity date shall not exceed the date upon which useful life ends; i.e., the maximum term between inception of a guaranteed obligation and its maturity date shall not exceed useful life remaining at inception of a guaranteed obligation. Any guaranteed obligation which matures more than 15 years from inception shall be secured by a vessel mortgage which requires, at the tenth year, completion (at the mortgagor's expense) of a survey of the project vessel by a qualified marine surveyor of the Secretary's choice and accomplishment of the surveyor's recommendations within 6 months of their rendition. At the Secretary's discretion, this may be extended to maturities of 15 years or less and the Secretary may, depending on the circumstances of each case, require additional protection for maturities in excess of 15 years. The consequence of failing to fulfill such requirement shall, at the Secretary's discretion, be mortgage default, debt acceleration, and foreclosure of the mortgage.

Dated: November 4, 1977.

T. P. GLEITER,
Assistant Administrator
for Administration.

[FR Doc. 77-32869 Filed 11-11-77; 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.

[3410-02]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

SHIPPERS ADVISORY COMMITTEE

Handling of Oranges, Grapefruit, Tangerines, and Tangelos Grown in Florida; Public Meetings

Pursuant to the provisions of § 10(a) (2) of the Federal Advisory Committee Act (86 Stat. 770), notice is hereby given of meetings of the Shippers Advisory Committee established under Marketing Order No. 905 (7 CFR Part 905). This order regulates the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida and is effective pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). The committee will meet in the A. B. Michael Auditorium of the Florida Citrus Mutual Building, 302 South Massachusetts Avenue, Lakeland, Fla., at 10:30 a.m. on November 29 and December 6, 1977.

The meetings will be open to the public and a brief period will be set aside for public comments and questions. The agenda of the committee includes analysis of current information concerning market supply and demand factors, and consideration of recommendation for regulation of shipments of the named fruits.

The names of committee members, agenda, summary of the meetings, and other information pertaining to the meetings may be obtained from Frank D. Trovillion, Manager, Growers Administrative Committee, P.O. Box R, Lakeland, Fla. 33802; telephone 813-682-3103.

Dated: November 10, 1977.

WILLIAM T. MANLEY,
Deputy Administrator,
Program Operations.

[FR Doc.77-32936 Filed 11-11-77; 8:45 am]

[3410-07]

Farmers Home Administration

[Notice of Designation No. A518]

NEW YORK

Designation of Emergency Areas

The Secretary of Agriculture has determined that farming, ranching, or aquaculture operations have been substantially affected in the following New York counties as a result of natural disasters consisting of drought, excessive rainfall, heavy snow, freezing and/or frost, and extremely cold weather during the period April 1 through October 25, 1977 (Steuben County also reported extremely low temperatures January 1 through February 28, 1977):

Allegany
Cayuga
Clinton
Franklin
Genesee

Livingston
Niagara
Orleans
Steuben
Tompkins

Therefore, the Secretary has designated these areas as eligible for emergency loans pursuant to the provisions of the Consolidated Farm and Rural Development Act, as amended, and the provisions of 7 CFR 1904 Subpart C, Exhibit D, Paragraph VB, including the recommendation of Governor Hugh L. Carey that such designation be made.

Applications for emergency loans must be received by this Department no later than April 25, 1978, for physical losses and October 27, 1978, for production losses, except that qualified borrowers who receive initial loans pursuant to this designation may be eligible for subsequent loans. The urgency of the need for loans in the designated area makes it impracticable and contrary to the public interest to give advance notice of proposed rulemaking and invite public participation.

Done at Washington, D.C., this 2d day of November 1977.

JAMES E. THORNTON,
Associate Administrator,
Farmers Home Administration.

[FR Doc.77-32864 Filed 11-11-77; 8:45 am]

[3410-07]

[Designation Number A519]

NEW YORK

Designation of Emergency Areas

The Secretary of Agriculture has determined that farming, ranching, or aquaculture operations have been substantially affected in the following New York Counties as a result of drought, excessive rainfall, heavy snow, freezing and/or frost, and extremely cold weather during the period April 1 through October 25, 1977, (Chataqua and Yates Counties also reported extremely cold weather and snow January 1 through February 28, 1977):

Broome
Cattaraugus
Chautauqua
Chemung
Chenango
Cortland
Erie
Monroe

Otsego
Schuyler
Seneca
Sullivan
Wayne
Wyoming
Yates

Therefore, the Secretary has designated these areas as eligible for emergency loans pursuant to the provisions of the Consolidated Farm and Rural Development Act, as amended, and the provisions of 7 CFR 1904 Subpart C, Exhibit D, Paragraph V B, including the

recommendation of Governor Hugh L. Carey that such designation be made.

Applications for emergency loans must be received by this Department no later than April 26, 1978, for physical losses and October 30, 1978, for production losses, except that qualified borrowers who receive initial loans pursuant to this designation may be eligible for subsequent loans. The urgency of the need for loans in the designated area makes it impracticable and contrary to the public interest to give advance notice of proposed rulemaking and invite public participation.

Done at Washington, D.C., this 7th day of November, 1977.

GORDON CAVANAUGH,
Administrator,
Farmers Home Administration.

[FR Doc.77-32892 Filed 11-11-77; 8:45 am]

[3410-07]

[Designation Number A520]

TEXAS

Designation of Emergency Areas

The Secretary of Agriculture has determined that farming, ranching, or aquaculture operations have been substantially affected in the following Texas Counties as a result of:

Navarro: Drought April 15 through September 30, 1977.

Parmer: Severe hailstorm June 20, 1977, and hot and dry weather June 1 through September 30, 1977:

Therefore, the Secretary has designated these areas as eligible for emergency loans pursuant to the provisions of the Consolidated Farm and Rural Development Act, as amended, and the provisions of 7 CFR 1904 Subpart C, Exhibit D, Paragraph V B, including the recommendation of Governor Dolph Briscoe that such designation be made.

Applications for emergency loans must be received by this Department no later than May 1, 1978, for physical losses and November 2, 1978, for production losses, except that qualified borrowers who receive initial loans pursuant to this designation may be eligible for subsequent loans. The urgency of the need for loans in the designated area makes it impracticable and contrary to the public interest to give advance notice of proposed rulemaking and invite public participation.

Done at Washington, D.C., this 7th day of November, 1977.

GORDON CAVANAUGH,
Administrator,
Farmers Home Administration.

[FR Doc.77-32893 Filed 11-11-77; 8:45 am]

[3410-11]

Forest Service

GASQUET-ORLEANS ROAD CHIMNEY
ROCK SECTION, SIX RIVERS NATIONAL
FORESTAvailability of Draft 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 draft environmental statement for the Chimney Rock Section, Gasquet-Orleans Road, Six Rivers National Forest, Calif., USDA-FS-R5-DRS (Adm)-78-02.

The environmental statement concerns the proposed construction of the Chimney Rock Section of the Gasquet-Orleans Road (Forest Road No. 15N01), Six Rivers National Forest, Calif. The project area is located in Del Norte County 17 miles east of the community of Klamath, Calif. The objective of the proposed project is to complete the primary National Forest transportation system for Six Rivers National Forest land north of Highway 96.

The project, a double-lane, paved road with a 25-mile per hour design speed to link the existing Summit Valley and Dillon-Flint Sections of the Gasquet-Orleans Road, will be from 5.9 to 9.5 miles long, depending on the alternative selected. Alternatives considered include three alternative routes within the Chimney Rock Corridor (ridge route) middle slope route, and low-slope route) and two alternative transportation corridors. The no-project alternative was analyzed extensively in the Final Environmental Statement, Eightmile-Blue Creek Units, Six Rivers National Forest.

The preferred alternative, the low-slope route, is 6.06 miles long and will remove 50 acres of vegetation. Initial construction cost is estimated at \$2.2 million. If constructed, sedimentation from roadcaused landslides and sheet and gully erosion will increase 5.5 percent over natural background sediment yield. Loss of 50 acres of potential wildlife habitat and low degree long-term disturbance will affect spotted owls, pileated woodpeckers, black bear, deer, and predatory animals. Direct effects to sensitive plant species known to occur in the area can be avoided. Air quality emissions will be increased locally during the summer.

No direct adverse effects will occur to cultural sites nominated for inclusion in the National Register. In the viewpoint of some contemporary users, any of the proposed road alternatives will indirectly affect visual, audible and psychic attributes of the cultural sites. The preferred alternative is the one farthest removed from the known cultural sites.

Timber-based economic effects will increase employment in Del Norte County by 168 jobs; total County income will increase by \$1.8 million annually. The change in haul costs associated with completion of a through road will cause 85 percent of the timber

harvest tributary to the road to go to Del Norte rather than Humboldt County mills.

Completing the road will provide opportunity for a scenic recreational drive along a through route not presently available. The visual character of the area will be permanently changed. Access for hunting and fishing will be improved, as will access to the Siskiyou Roadless Area to the north.

This draft environmental statement was transmitted to the Council on Environmental Quality (CEQ) on November 7, 1977.

Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service, South Agriculture Bldg., Rm. 3210, 12th St. & Independence Ave., S.W., Washington, D.C. 20250.

Forest Supervisor's Office, Six Rivers National Forest, 710 E Street, Eureka, Calif. 95501. Gasquet Ranger District, U.S. Forest Service, Gasquet, Calif. 95543.

Lower Trinity Ranger District, U.S. Forest Service, Willow Creek, Calif. 95573.

Regional Forester's Office, U.S. Forest Service, 630 Sansome St., room 529, San Francisco, Calif. 94111.

Mad River Ranger District, U.S. Forest Service, Mad River, Calif. 95552.

Orleans Ranger District U.S. Forest Service, Orleans, Calif. 95556.

A limited number of copies are available, upon request, from Forest Supervisor Richard E. Burke, Six Rivers National Forest, 710 E Street, Eureka, Calif. 95501.

Copies of the environmental statement have been sent to various Federal, State, and local agencies as outlined in the CEQ guidelines.

Comments are invited from the public, and from State and local agencies which are authorized to develop and enforce environmental standards, and from Federal agencies having jurisdiction by law or special expertise with respect to any environmental effect for which comments have not been specifically requested.

Comments concerning the proposed action, and requests for additional information should be addressed to Forest Supervisor Richard E. Burke, Six Rivers National Forest, 710 E Street, Eureka, Calif. 95501. Comments must be received within 60 days after transmittal to CEQ in order to be considered in the preparation of the final environmental statement.

DOUGLAS R. LEISZ,
Regional Forester.

NOVEMBER 7, 1977.

[FR Doc.77-32868 Filed 11-11-77;8:45 am]

[6320-01]

CIVIL AERONAUTICS BOARD

[Docket 31574]

CALIFORNIA-NEVADA LOW-FARE ROUTE
PROCEEDING

Prehearing Conference

Notice is hereby given that a prehearing conference in the above-entitled mat-

ter is assigned to be held on January 10, 1978, at 9:30 a.m. (local time), in Room 1003, Hearing Room D, Universal North Building, 1875 Connecticut Avenue NW., Washington, D.C., before Administrative Law Judge Arthur S. Present.

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 of issues; (2) proposed stipulations; (3) proposed requests for information and for evidence; (4) statements of positions; and (5) proposed procedural dates. The Bureau of Operating Rights will circulate its material on or before December 13, 1977, and the other parties on or before January 3, 1978. 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., November 7, 1977.

HENRY M. SWITKAY,
Acting Chief Administrative
Law Judge.

[FR Doc.77-32880 Filed 11-11-77;8:45 am]

[6320-01]

[Docket 31311]

CINCINNATI-CLEVELAND NONSTOP
ROUTE PROCEEDING

Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that the hearing in the above-entitled proceeding will be held on December 14, 1977, at 9:30 a.m. (local time), in Room 1003, Hearing Room B, 1875 Connecticut Avenue NW., Washington, D.C., before Administrative Law Judge William A. Kane, Jr.

For information concerning the issues involved and other details in this proceeding, interested persons are referred to the prehearing conference report served on October 4, 1977, 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., November 8, 1977.

WILLIAM A. KANE, JR.,
Administrative Law Judge.

[FR Doc.77-32881 Filed 11-11-77;8:45 am]

[6335-01]

COMMISSION ON CIVIL RIGHTS
IOWA ADVISORY COMMITTEE

Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a planning meeting of the Iowa Advisory Committee (SAC) of the Commission will convene at 9 a.m. and will end at 3 p.m. on December 2, 1977, in the Ramada Inn Downtown (Room 230), 929 Third Street, Des Moines, Iowa.

Persons wishing to attend this open meeting should contact the Committee Chairperson, or the Central States Regional Office of the Commission, Old Federal Office Building, Room 3103, 911 Walnut Street, Kansas City, Mo. 64106.

The purpose of this meeting will be the discussion of Des Moines CETA project will be the main agenda item.

This meeting will be conducted pursuant to the provisions of the Rules and Regulations of the Commission.

Dated at Washington, D.C., November 9, 1977.

JOHN I. BINKLEY,
Advisory Committee
Management Officer.

[FR Doc.77-32855 Filed 11-11-77;8:45 am]

[6335-01]

MASSACHUSETTS ADVISORY COMMITTEE

Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a planning meeting of the Massachusetts Advisory Committee (SAC) of the Commission will convene at 6 p.m. on December 2, 1977, and will end at 4 p.m. on December 3, 1977, in the Hyatt Regency, Cambridge, Mass. (575 Memorial Drive).

Persons wishing to attend this open meeting should contact the Committee Chairperson, or the Northeastern Regional Office of the Commission, 26 Federal Plaza, 1639, New York, N.Y. 10007.

The purpose of this meeting is to discuss termination of SACs and transition to RACs.

This meeting will be conducted pursuant to the provisions of the Rules and Regulations of the Commission.

Dated at Washington, D.C., November 9, 1977.

JOHN I. BINKLEY,
Advisory Committee
Management Officer.

[FR Doc.77-32856 Filed 11-11-77;8:45 am]

[6335-01]

MONTANA ADVISORY COMMITTEE

Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a Conference of the Montana Advisory Committee (SAC) of the Commission will convene at 9 a.m. and will end at 2:30 p.m. on December 13, 14, 1977, in the Holiday Inn West, Billings, Mont.

Persons wishing to attend this open meeting should contact the Committee Chairperson, or the Rocky Mountain Regional Office of the Commission, Executive Tower Inn, Suite 1700, 1405 Curtis Street, Denver, Colo. 80202.

The purpose of this will focus on issues regarding the incarceration of women juveniles and minorities in the State.

This meeting will be conducted pursuant to the provisions of the Rules and Regulations of the Commission.

Dated at Washington, D.C., November 9, 1977.

JOHN I. BINKLEY,
Advisory Committee
Management Officer.

[FR Doc.77-32857 Filed 11-11-77;8:45 am]

[6335-01]

MONTANA ADVISORY COMMITTEE

Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a planning meeting of the Montana Advisory Committee (SAC) of the Commission will convene at 7 p.m. and will end at 9 p.m. on December 12, 1977, in the Holiday Inn West, Coalstrip Room, Billings, Mont.

Persons wishing to attend this open meeting should contact the Committee Chairperson, or the Rocky Mountain Regional Office of the Commission, Executive Tower Inn, Suite 1700, Curtis Street, Denver, Colo. 80202.

The purpose of this meeting is for SAC members to finalize plans for consultation on Corrections to be held December 13 and 14.

This meeting will be conducted pursuant to the provisions of the Rules and Regulations of the Commission.

Dated at Washington, D.C., November 9, 1977.

JOHN I. BINKLEY,
Advisory Committee
Management Officer.

[FR Doc.77-32858 Filed 11-11-77;8:45 am]

[6335-01]

MONTANA ADVISORY COMMITTEE

Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a Consultation of the Montana Advisory Committee (SAC) of the Commission will convene at 9 a.m. on December 9 and will end at 2:30 p.m. December 10, 1977, in the Holiday Inn West, Bitterroot Room, Billings, Mont.

Persons wishing to attend this open meeting should contact the Committee Chairperson, or the Rocky Mountain Regional Office of the Commission, Executive Tower Inn, Suite 1700, 1405 Curtis Street, Denver, Colo. 80202.

The purpose of this consultation will focus on women minorities and adult correctional issues in the State.

This meeting will be conducted pursuant to the provisions of the Rules and Regulations of the Commission.

Dated at Washington, D.C., November 9, 1977.

JOHN I. BINKLEY,
Advisory Committee
Management Officer.

[FR Doc.77-32859 Filed 11-11-77;8:45 am]

[6335-01]

MONTANA ADVISORY COMMITTEE

Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a planning meeting of the Montana Advisory Committee (SAC) of the Commission will convene at 7 p.m. and will end at 9 p.m. on December 8, 1977, in the Holiday Inn West Coalstrip Room, Billings, Mont.

Persons wishing to attend this open meeting should contact the Committee Chairperson, or the Rocky Mountain Regional Office of the Commission, Executive Tower Inn, Suite 1700, 1405 Curtis Street, Denver, Colo. 80202.

The purpose of this meeting is for the SAC to discuss final agenda for consultation on corrections which will take place December 9 and 10.

This meeting will be conducted pursuant to the provisions of the Rules and Regulations of the Commission.

Dated at Washington, D.C., November 9, 1977.

JOHN I. BINKLEY,
Advisory Committee
Management Officer.

[FR Doc.77-32860 Filed 11-11-77;8:45 a.m.]

[6335-01]

NEVADA ADVISORY COMMITTEE

Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a Factfinding meeting of the Nevada Advisory Committee (SAC) of the Commission will convene at 8:30 a.m. and will end at 7 p.m. on December 8, 1977, in the Board Room, No. 399, Education Building, University of Nevada, 4505 Maryland Parkway, Las Vegas, Nev. 89154.

Persons wishing to attend this fact-finding meeting should contact the Committee Chairperson, or the Western Regional Office of the Commission, 312 North Spring Street, Room 1015, Los Angeles, Calif. 90012.

This will be a open meeting to collect information on the status of equal employment opportunity at the University of Nevada, Las Vegas campus.

This meeting will be conducted pursuant to the provisions of the Rules and Regulations of the Commission.

Dated at Washington, D.C., November 9, 1977.

JOHN I. BINKLEY,
Advisory Committee
Management Officer.

[FR Doc.77-32861 Filed 11-11-77;8:45 am]

[6335-01]

NEVADA ADVISORY COMMITTEE

Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights,

that a planning meeting of the Nevada Advisory Committee (SAC) of the Commission will convene at 7:30 p.m. and will end at 10:30 p.m. on December 7, 1977, in the Maxim, 160 East Flamingo Road, Las Vegas, Nev. 89109.

Persons wishing to attend this open meeting should contact the Committee Chairperson, or the Western Regional Office of the Commission, 312 North Spring Street, Room 1015, Los Angeles, Calif. 90012.

The purpose of this meeting is to review agenda witnesses and hearing book for the one day open meeting on the status of equal employment opportunity at the University of Nevada, Las Vegas campus.

This meeting will be conducted pursuant to the provisions of the Rules and Regulations of the Commission.

Dated at Washington, D.C., November 9, 1977.

JOHN I. BINKLEY,
Advisory Committee
Management Officer.

[FR Doc. 77-32862 Filed 11-11-77; 8:45 am]

[6335-01]

NEW JERSEY ADVISORY COMMITTEE

Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a planning meeting of the New Jersey Advisory Committee (SAC) of the Commission will convene at 9:00 a.m. to 10:00 p.m. on December 2, 1977, in the State Museum Building, Trenton, N.J.

Persons wishing to attend this open meeting should contact the Committee Chairperson, or the Northeastern Regional Office of the Commission, 26 Federal Plaza, Room 1639, New York, N.Y. 10007.

This will be a hearing on battered women.

This meeting will be conducted pursuant to the provisions of the Rules and Regulations of the Commission.

Dated at Washington, D.C., November 9, 1977.

JOHN I. BINKLEY,
Advisory Committee
Management Officer.

[FR Doc. 77-32863 Filed 11-1-77; 8:45 am]

[3510-25]

DEPARTMENT OF COMMERCE

Domestic and International Business Administration

UNIVERSITY OF PENNSYLVANIA/CVP DIVISION, 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). In-

terested 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 December 5, 1977.

Amended regulations issued under cited Act, (15 CFR Part 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: 77-00388. Applicant: University of Pennsylvania/CVP Division, Room 874 Maloney Building, 3600 Spruce Street, Philadelphia, Pennsylvania 19104. Article: Desk projector for Morphometry. Manufacturer: Univ. of Berne, Switzerland. Intended use of article: The article is intended to be used to study quantitative changes taking place in the lung under normal circumstances and in laboratory animals during experimental edema formation or during other experimental diseases. The objective of these studies is to clarify mechanisms of disease relevant to humans. Application received by Commissioner of Customs: October 17, 1977.

Docket Number: 77-00389. Applicant: International Fertility Research Program, Highway 54, Research Triangle Park, N.C. 27709. Article: Tubal Ligation Applicators & Ligation Clips. Manufacturer: Gerhard Hug GmbH, West Germany. Intended use of article: The article is intended to be used for testing to determine extent of tubal occlusion, side effects including tissue rejection, change in menstrual patterns and pain and, most importantly efficacy in preventing pregnancy. In particular emphasis will be placed on comparison of mechanical (i.e. noncautery) methods of ligation including tubal rings and clips. The objectives of the studies are to show procedure complications such as immediate pain and post operative pain, ease of application on interval and post-partum patients, instrument dependability, blood loss, bowel injury, and instrument related morbidity and long term complications such as pregnancy, change in the menstrual patterns, other gynecological problems, or tissue reaction/rejection. Application received by Commissioner of Customs: October 6, 1977.

Docket Number: 78-00005. Applicant: The Memorial Hospital, Prospect Street, Pawtucket, Rhode Island 02860. Article: Electron Microscope, Model HS-9 and accessories. Manufacturer: Perkin-Elmer, Japan. Intended use of article: The article is intended to be used in a study of the attachment of virus particles to specific site locations on the surface of cells. The majority of the work will be done with shadow casted replicas coupled

with the examination of negatively stained materials. Application received by Commissioner of Customs: October 5, 1977.

Docket Number: 78-00006. Applicant: University of Southern California, Electrical Engineering Dept.—University Park, Los Angeles, CA 90007. Article: One (1) Lumonics Model TEA-103-2 laser less control unit and high voltage power supply. Manufacturer: Lumonics Research Ltd., Canada. Intended use of article: The article is intended to be used to carry out basic research on the interaction of a powerful laser field with a resonant medium in order to understand how an isolated molecule can acquire a large amount of vibrational excitation in the presence of a strong field, and what happens to this energy as the molecule dissociates. The article will also be used by students at the M.S. and Ph.D. levels in the courses EE 590 and EE 790 to carry out their research projects for these courses. Application received by Commissioner of Customs: October 6, 1977.

Docket Number: 78-00007. Applicant: Brigham Young University, Provo, Utah 84620. Article: Vibrating Densimeter, Model 02D and Accessories. Manufacturer: Sodev Inc., Canada. Intended use of article: The article is intended to be used to measure the volume changes when nonelectrolytic liquids such as benzene, carbon tetrachloride, hexane, etc., are mixed. Densities will be measured with the densimeter from which these excess volumes can be calculated. The object of the research is to use thermodynamic measurements to better understand the nature of molecular interactions in liquid mixtures and hence, be able to predict their properties. The article will also be used by both graduate and undergraduate chemistry students in the courses Chemistry 598, Special Problems; Chemistry 697, Master's Candidate Research; Chemistry 797, Dissertation for Ph.D. Degree. Application received by Commissioner of Customs: October 7, 1977.

Docket Number: 78-00008. Applicant: Brigham Young University, Provo, Utah 84602. Article: Sodev Programmable Circulating Thermostat, Model CT-C and Sodev Circulating Pump Unit, Model PC-B. Manufacturer: Sodev Inc., Canada. Intended use of article: The article is intended to be used to measure the volume changes when nonelectrolytic liquids such as benzene, carbon tetrachloride, hexane, etc., are mixed. Densities will be measured with the densimeter from which these excess volumes can be calculated. The object of the research is to use thermodynamic measurements to better understand the nature of molecular interactions in liquid mixtures and hence, be able to predict their properties. The article will also be used by both graduate and undergraduate chemistry students in the courses Chemistry 598, Special Problems; Chemistry 697, Master's Candidates Research; Chemistry 797, Dissertation for Ph.D. Degree. Ap-

plication received by Commissioner of Customs: October 7, 1977.

Docket Number: 78-00009. Applicant: Geophysical Institute, C. T. Elvey Bldg., University of Alaska, Fairbanks, Alaska 99701. Article: Micrometeorological system (one without anemometer wet and dry bulb psychrometer and one with solid state humidity sensor. Manufacturer: Grant Instruments, United Kingdom. Intended use of article: The article is intended to be used in climatological research which includes the study of the potential for air pollution in Glacier Bay National Monument, the climatological influence of a large lake on its surroundings in interior Alaska and solar radiation measurements in remote areas in Alaska. Application received by Commissioner of Customs: October 7, 1977.

Docket Number: 78-00010. Applicant: Iowa State University, College of Veterinary Medicine, Ames, Iowa 50011. Article: LKB 8800A Ultratome III Ultramicrotome complete and Accessories. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used to prepare tissues and cells taken from animals involved in a variety of research projects, including studies of nutritional, metabolic, toxicological, infectious, and parasitic diseases for ultramicrotomy and electron microscopic examination. Research projects will include studies of changes in cell organelles and membranes in response to nutritional deficiencies, evaluation of cell reactions to parasitism and bacterial infections, studies of parasite ultrastructure, determinations of the presence and precise location of viruses in tissues, observations in subcellular responses to toxicological agents and drugs, and histochemical localizations of enzymes within cells. The article will also be used to prepared specimens for demonstration of pathological changes in animal tissues in various graduate and undergraduate courses in Vet. Pathology. Application received by Commissioner of Customs: October 12, 1977.

Docket Number: 78-00011. Applicant: The University of Texas System Cancer Center, M.D. Anderson Hosp. & Tumor Inst., Science Park, Research Div., Buescher State Park, P.O. Box 418, Smithville, Tex. 78957. Article: Electron Microscope, Model EM 201, Plate Camera and Accessories. Manufacturer: Philips Electronics Instruments NVD, The Netherlands. Intended use of article: The article is intended to be used in research directed toward identification of environmental carcinogens and elucidation of their mode of action at both the molecular and cellular levels. Some of the projects are as follows:

(1) Cellular selection and its relationship to histopathological changes observed during carcinogenesis.

(2) Metabolic alterations induced by chemical carcinogens.

(3) Alterations in plasma membrane structure, dynamics and antigenic properties during carcinogenesis.

(4) Virus-chemical carcinogen interactions.

(5) Carcinogen-DNA interactions.

(6) Detection of chemical carcinogen induced chromosome damage.

(7) Changes in cell-to-cell association during carcinogenesis.

(8) Toxic effects of chemical carcinogens.

In addition, the article will be used in the following routine applications: (1) Screening of cell cultures for contamination by mycoplasma; (2) determining the epithelial or mesenchymal origin of primary cell cultures; (3) assessment of cellular integrity following dispersion of solid tissues by enzymatic digestion, and (4) evaluation of the purity of preparations of subcellular organelles. Application received by Commissioner of Customs: October 12, 1977.

Docket Number: 78-00012. Applicant: University of Wisconsin-Madison, Speech Motor Control Laboratories, Room 521, Waisman Ctr., 1500 Highland Avenue, Madison, WI 53706. Article: Optical Detector, Model 2L24 and Accessories. Manufacturer: SELCOM AB, Sweden. Intended use of article: The article is intended to be used for studies of the human movement due to muscle contraction, particularly as it relates to speech production. The experiments to be conducted will involve comparison of the movements of both normal and neurologically impaired subjects. Application received by Commissioner of Customs: October 12, 1977.

Docket Number: 78-00013. Applicant: University of California—Lawrence Livermore Laboratory, P.O. Box 5021, Livermore, Livermore, CA 94550. Article: Two (2) 4 GHz Oscilloscopes, Model TSN 660. Manufacturer: Thomson, CSF, France. Intended use of article: The article is intended to be used for studies of the fast X-ray emission from a laser irradiated deuterium tritium filled glass microballoon. Application received by Commissioner of Customs: October 12, 1977.

Docket Number: 78-00014. Applicant: University of Arizona, College of Agriculture, Building No. 36, Tucson, Arizona 85721. Article: Electron Microscope, Model H500 including Dessicator Kit and Anti-contamination Device. Manufacturer: Hitachi, Japan. Intended use of article: The article is intended to be used for the study of nematode ultrastructure and development, the cytochemical localization of enzymes in plant and animal pathogens, taxonomic and structural studies of plant viruses and the influence of herbicides on microtubule and membrane formation in plants. Other uses include meat tenderization studies and collagen state in meat products. In addition, the article will be used in training graduate students in its use when this expertise will benefit their research program. The article will also be used in two courses in electron microscopy; one dealing with the techniques of electron microscopy and the other with pathological ultrastructure of plants and animals. Application received by Commissioner of Customs: October 12, 1977.

Docket Number: 78-00015. Applicant: National Radio Astronomy Observatory, Associated Universities, Inc., Edgemont Road, Charlottesville, Virginia 22901. ARTICLE: Carcinotron Tube, Model CO-10 (backward wave oscillator) and accessories. Manufacturer: Thomson-CSF Electron Tubes, France. Intended use of article: The article will be used in connection with the development of receivers in the 200-250 GHz range which are required for research in radio astronomy in the higher millimeter wave frequencies. Specifically, the article will be used as a swept signal source for measuring the performance of receiver components and as a pump for down-converters operating in the 200-500 GHz frequency range. Application received by Commissioner of Customs: October 17, 1977.

Docket Number: 78-00017. Applicant: International Fertility Research Program, Highway 54, Research Triangle Park, N.C. 27709. Article: 2500 Hulka/Clemens Clips. Manufacturer: Rocket of London, United Kingdom. Intended use of article: The article is intended to be used in comparative studies with tubal clips of different styles and manufacture to determine specific properties of this particular device. Studies will be conducted to show procedure complications such as immediate pain and post operative pain, ease of application on interval and postpartum patients, instrument dependability, blood loss, bowel injury and instrument related morbidity and long term complications such as pregnancy, change of menstrual patterns, other gynecological problems or tissue reaction/rejection. Application received by Commissioner of Customs: October 18, 1977.

Docket Number: 78-00018. Applicant: University of Florida, College of Dentistry, Box J-424, J. Hillis Miller Health Center, Gainesville, Fla. 32610. Article: LKB 8800A Ultratome III Ultramicrotome and Accessories. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used to support research studies related to dental research including the following: (a) Electron microscopy of fibril purification from *Actinomyces viscosus*, (b) comparative ultrastructure of various strains of *Actinomyces viscosus*, (c) effects of carbohydrate and nutrient on the ultrastructure of *Actinomyces viscosus*, (d) electron microscopy of osteoclasts in studies on stress related bone resorption, (e) electron microscopy studies on the effect of pharmacologic agents on salivary gland cells, and (f) electron microscopy of obligated anaerobic microorganisms in the oral cavity. The overall objective of this research is further basic knowledge and understanding of the ultrastructure of cells and tissues and microorganisms found in the oral cavity, the reaction of such cells and tissues to the introduction of foreign objects such as implants, and to gain insight into the mechanisms leading to periodontal disease. In addition, the article will be used in the courses "Introduction to Electron Microscopy"

and "Electron Microscopy in Dental Research" for the instruction of dental students. Application received by Commissioner of Customs; October 18, 1977.

Docket Number: 78-00019. Applicant: New York University School of Medicine, Department of Dermatology, 550 First Avenue, New York, New York 10016. Article: Dermovac Suction Blister Device. Manufacturer: Instrumentarium, Finland. Intended use of article: The article is intended to be used to produce epidermal blisters at the level of the dermal/epidermal junction without inflammatory or red blood cell contamination of blister fluid which may also be collected to perform epidermal biopsies. The biopsy material will be examined for and used as a source of epidermal Langerhans cells which have been implicated in delayed hypersensitivity reaction. Application received by Commissioner of Customs; October 18, 1977.

Docket Number: 78-00020. Applicant: United States Department of the Interior Bureau of Geological Survey, National Center, MS 526, 12201 Sunrise Valley Drive, Reston, VA 22092. Article: Photomapper Series-2. Manufacturer: Instronics Ltd., Canada. Intended use of article: The article is intended to be used to analyze aerial photographs by digitally-controlled optics that transform the images on the photographs to orthographic view of the images from points above the earth's surface. This technique is employed to produce orthophotos, contour sheets, and digital terrain models. These products are used by scientists to analyze spatial features of the earth's surface. Intended use of article: October 20, 1977.

Docket Number: 78-00021. Applicant: United States Department of the Interior Bureau of Geological Survey, National Center, MS 526, 12201 Sunrise Valley Drive, Reston, VA 22092. Article: Wild Offline Orthophoto System. Manufacturer: Wild Heerbrugg Instruments Ltd., Switzerland. Intended use of article: The article is intended to be used to analyze aerial photographs by digitally-controlled optics that transform the images on the photographs to orthographic views of the images from points above the earth's surface. This technique is employed to produce orthophotos, stereo-mates and digital terrain models. These products are used by scientists to analyze spatial features of the earth's surface. Application received by Commissioner of Customs; October 20, 1977.

Docket Number: 78-00022. Applicant: University of Illinois, Center for Electron Microscopy, 99 Bevier Hall, Urbana, IL 61801. Article: Electron Microscope, Model H-300 and Accessories. Manufacturer: Hitachi, Japan. Intended use of article: The article is intended to be used in research on the temperature sensitive mutants of Murine Leukemia Viruses, electron microscopic analysis of plasmids by a modification of the Kline-schmidt technique and examination of freeze fracture replicas of colon chloroplasts in the intestine of notobiotic animals. The article will also be used as the primary teaching instrument in the

advanced graduate level course "Transmission Electron Microscopy Laboratory, Biology/Chemistry 429." Application received by Commissioner of Customs; October 20, 1977.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

RICHARD M. SEPPA,
Director, Special Import
Programs Division.

[FR Doc.77-32838 Filed 11-11-77;8:45 am]

[3510-25]

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

CERTAIN COTTON APPAREL

Prohibiting Imports From the Polish People's Republic

NOVEMBER 8, 1977.

AGENCY: Committee for the Implementation of Textile Agreements.

ACTION: To control the level of imports of men's and boys' cotton trousers, slacks, and outer shorts in Category 50 from Poland during the twelve-month period which began on January 1, 1977.

SUMMARY: The Bilateral Cotton Textile Agreement of November 6, 1975, as amended, between the Governments of the United States and the Polish People's Republic, establishes consultation levels for all categories of cotton textile products, such as Category 50, which are not subject to designated annual consultation levels. The limit for individual apparel categories during the current agreement year is 700,000 square yards equivalent. The United States Government has decided to control imports in Category 50 at that level for the agreement year which began on January 1, 1977. Inasmuch as imports in Category 50 have exceeded the specified consultation level, no further imports will be permitted from the effective date of this action through the remainder of the year.

EFFECTIVE DATE: November 15, 1977.

FOR FURTHER INFORMATION CONTACT:

Edmond Callahan, International Trade Specialist, Office of Textiles, U.S. Department of Commerce, Washington, D.C. 20230, 202-377-5423.

SUPPLEMENTARY INFORMATION: On January 3, 1977, a letter dated December 29, 1976 was published in the FEDERAL REGISTER (42 FR 64) from the Chairman of the Committee for the Implementation of Textile Agreements to the Commissioner of Customs which established the levels of restraint applicable to certain specific categories of cotton textile products produced or manufactured in Poland and exported to the United States during the twelve-month period which began on January 1, 1977. In the letter of November 8, 1977, published below, the Chairman of the Com-

mittee for the Implementation of Textile Agreements directs the Commissioner of Customs to prohibit entry into the United States for consumption or withdrawal from warehouse for consumption of cotton textile products in Category 50 from Poland.

ROBERT E. SHEPHERD,
Chairman, Committee for the
Implementation of Textile
Agreements, and Deputy As-
sistant Secretary for Re-
sources and Trade Assistance,
U.S. Department of Commerce.

COMMISSIONER OF CUSTOMS,
Department of the Treasury,
Washington, D.C. 20229

NOVEMBER 8, 1977.

DEAR MR. COMMISSIONER: This directive further amends, but does not cancel, the directive issued to you on December 29, 1976 by the Chairman, Committee for the Implementation of Textile Agreements, concerning imports into the United States of certain cotton textile products, produced or manufactured in Poland. The directive of December 29, 1976 was previously amended by directive of July 29, 1977.

Under the terms of the Arrangement Regarding International Trade in Textiles done at Geneva on December 20, 1973, pursuant to the Bilateral Cotton Textile Agreement of November 6, 1975, as amended, between the Governments of the United States and the Polish People's Republic, and in accordance with the provisions of Executive Order 11651 of March 3, 1972, you are directed, effective on November 15, 1977 and for the period extending through December 31, 1977, to prohibit entry into the United States for consumption or withdrawal from warehouse for consumption of cotton textile products in Category 50, produced or manufactured in Poland.

Cotton textile products in Category 50 which have been released from the custody of the U.S. Customs Service under the provisions of 19 U.S.C. 1448(b) prior to the effective date of this directive shall not be denied entry under this directive.

A detailed description of the categories in terms of T.S.U.S.A. numbers was published in the FEDERAL REGISTER on February 3, 1975 (40 FR 5010), as amended on December 31, 1975 (40 FR 60220), December 30, 1976 (41 FR 56881), January 21, 1977 (42 FR 3888), and March 7, 1977 (42 FR 12898).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of the Polish People's Republic and with respect to imports of cotton textile products from Poland have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the rulemaking provisions of 5 U.S.C. 553. This letter will be published in the FEDERAL REGISTER.

Sincerely,

ROBERT E. SHEPHERD,
Chairman, Committee for the Im-
plementation of Textile Agree-
ments, and Deputy Assistant Sec-
retary for Resources and Trade
Assistance, U.S. Department of
Commerce.

[FR Doc.77-32727 Filed 11-11-77;8:45 am]

[3128-01]

DEPARTMENT OF ENERGY

Economic Regulatory Administration
CASES FILED WITH THE OFFICE OF
ADMINISTRATIVE REVIEWWeek of October 21 Through October 28,
1977

Notice is hereby given that during the week of October 21 through October 28, 1977, the appeals and applications for exception or other relief listed in the Appendix to this Notice were filed with the Office of Administrative Review of the Economic Regulatory Administration of the Department of Energy.

Under the DOE's procedural regulations, 10 CFR, Part 205, any person who will be aggrieved by the DOE action

sought in such cases may file with the DOE 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. All such comments shall be filed with the Office of Administrative Review, Economic Regulatory Administration, Department of Energy, Washington, D.C. 20461.

MELVIN GOLDSTEIN,
Acting Director, Office of
Administrative Review.

NOVEMBER 2, 1977.

APPENDIX.—List of cases received by the Office of Administrative Review, week of Oct. 21 through Oct. 28, 1977

Date	Name and location of applicant	Case No.	Type of submission
Oct. 21, 1977	Capps LP-Gas Co., Broken Bow, Okla. (If granted: Capps LP-Gas Co. would be assigned a new, lower priced supplier of propane to replace the firm's base period supplier, Texas Petro.)	DEE-0083	Exception to change suppliers.
Do.....	Pennzoil Producing Co., Houston, Tex. (If granted: Pennzoil Producing Co. would be permitted to sell crude oil produced from its McGraw-Stevens Waterflood unit and its Woodruff Waterflood unit located in Yazoo County, Miss., at prices in excess of the lower tier ceiling prices.)	DEE-0085 DEE-0086	Price exception (sec. 212.73).
Do.....	Young Refining Corp., Douglasville, Ga. (If granted: Young Refining Corp. would receive an extension of the relief granted in the June 14, 1977, decision and order and would be relieved of its obligation to purchase entitlements.)	DXE-0084	Extension of the relief granted in Young Refining Corp., 6 FEA Par. 83,022 (June 14, 1977).
Oct. 25, 1977	Chevron U.S.A., Inc., San Francisco, Calif. (If granted: The FEA's notice of refiners' crude oil allocation program for the allocation period Oct. 1, 1977 through Mar. 31, 1978, issued Sept. 16, 1977 (42 FR 47866 (Sept. 22, 1977)), would be modified and Chevron U.S.A., Inc. would not be required to supply Plateau, Inc.'s Roosevelt, Utah, refinery with Altamont crude oil.)	DEA-0019	Appeal from the notice of refiners' crude oil allocation program.
Do.....	Continental Oil Co. Houston, Tex. (If granted: The FEA's Sept. 21, 1977, information request denial would be rescinded and Continental Oil Co. would receive access to data utilized in the FEA's calculation pursuant to sec. 212.84(e) of representative and maximum prices for crude oil lifted in Venezuela.)	DFA-0018	Appeal of the information request denial.
Do.....	Kern County Refinery, Inc., Bakersfield, Calif. (If granted: Kern County Refinery, Inc. would receive an extension of the exception relief granted in the FEA's June 14, 1977, decision and order and would be relieved of its obligation to purchase entitlements.)	DXE-0088	Extension of the exception relief granted in Kern County Refinery, Inc., 6 FEA Par. 83,012 June (14, 1977).
Do.....	Navajo Refining Co., Washington, D.C. (If granted: Navajo Refining Co. would receive an extension of the exception relief granted in the FEA's June 14, 1977, decision and order and would be relieved of its obligation to purchase entitlements.)	DXE-0089	Extension of the exception relief granted in Navajo Refining Co., 6 FEA Par. 83,017 (June 14, 1977).
Do.....	Rock Island Refining Corp., Indianapolis, Ind. (If granted: The FEA's June 14, 1977, decision and order would be modified and Rock Island Refining Corp.'s entitlement purchase obligation would be determined using the standards established in the DOE's Oct. 14, 1977, decision and order issued to Southland Oil Co.)	DMR-0003	Modification of the decision and order in Rock Island Refining Corp., 6 FEA Par. 80,506 (June 14, 1977).
Oct. 26, 1977	Chanslor-Western Oil Development Co., Torrance, Calif. (If granted: The FEA's Sept. 13, 1977, decision and order would be modified and the working interest owners would be granted additional price relief for crude oil produced from the Torrance main zone unit in Torrance, Calif.)	DMR-0004	Modification of the relief granted in Chanslor-Western Oil Development Co., 6 FEA Par. — (Sept. 13, 1977).
Do.....	Farmland Industries, Inc., Kansas City, Mo. (If granted: Farmland Industries, Inc. would receive an extension of the exception relief granted in the FEA's May 23, 1977, decision and order which would permit the firm to increase its prices to reflect nonproduct cost increases in excess of \$0.005/gal for natural gas liquid products produced at its Gillette, Lamont, Mertzon, and Quitman plants.)	DXE-0090 DXE-0093	Extension of the relief granted in Farmland Industries, Inc., case Nos. FXE-4067 through FXE-4070 (decided May 23, 1977) (unreported decision).
Do.....	Getty Oil Co., Washington, D.C. (If granted: Getty Oil Co. would receive a stay of the refund requirements set forth in the DOE's Oct. 7, 1977, decision and order pending judicial review of that Order.)	DES-0006	Stay Request. Getty Oil Co., 6 FEA Par. — (Oct. 7, 1977).
Oct. 27, 1977	Caribou Four Corners, Inc., Salt Lake City, Utah. (If granted: Caribou Four Corners, Inc. would be granted an exception from the class of purchaser rule with respect to products sold from its Afton, Wyo. facility.)	FEE-0100	Exception from class of purchaser rule.

Date	Name and location of applicant	Case No.	Type of submission
Do.....	Clark Oil & Refining Corp., Milwaukee, Wis. (If granted: The DOE's Office of Administrative Review would review DOE Region V's denial of Clark's application to quash a subpoena which was issued to the firm on Aug. 12, 1977.)	DSG-0003 DES-0009	Request for special redress stay request.
Do.....	Driscoll Production Co., Corpus Christi, Tex. (If granted: Driscoll Production Co.'s Welder "E-F" lease located in San Patricio County, Tex., would be classified as a stripper well property.)	DEE-0006	Price exception (sec. 212.165).
Do.....	Hagee-Lewis Petroleum Corp., Long Beach, Calif. (If granted: The FEA's Aug. 16, 1977, decision and order would be rescinded and Hagee-Lewis Petroleum Corp. would be permitted to sell the crude oil produced from the El Segundo No. 2 well, located in Los Angeles County, Calif., at upper tier ceiling prices.)	FXA-1401	Appeal of the FEA's decision and order in Hagee-Lewis Petroleum Corp., 6 FEA Par. — (Aug. 16, 1977).
Do.....	National Helium Corp., Liberal, Kans. (If granted: National Helium Corp. would receive a stay of the provisions of sec. 212.165 pending a final decision on its application for exception.)	DES-0010	Stay request.
Do.....	Pacific Northern Oil Corp., Seattle, Wash. (If granted: Pacific Northern Oil Corp. would receive an exception from the entitlements program (211.67) to permit the firm to include crude oil which is attributable to the residual fuel oil which it produces and sells in the West Coast market in calculating its entitlement obligations.)	DEE-0004	Exception to the entitlements program (sec. 211.67).
Do.....	San Joaquin Refining Co., Newport Beach, Calif. (If granted: San Joaquin Refining Co. would receive an extension of the exception relief granted in the FEA's June 14, 1977, decision and order and would be relieved of its obligation to purchase entitlements.)	DXE-0005	Extension of the relief granted in San Joaquin Refining Co., 6 FEA Par. 83,018 (June 14, 1977).
Oct. 28, 1977.	Arent, Fox, Kintner, Plotkin & Kahn, Washington, D.C. (If granted: The FEA's Sept. 20, 1977, information request denial would be modified and Arent, Fox would receive additional documentary information relating to the "Y1" factor.)	DFA-0020	Appeal of FEA's information request denial.

**Notices of objection received, week of
Oct. 21 through Oct. 28, 1977**

Date	Name and location of applicant	Case No.
Oct. 21, 1977	Sun Company, Inc., Dallas, Tex.	FXE-4780 through FXE-4785 FXE-4805 FXE-4806 FXE-4823 FXE-4826 FXE-4833 FXE-4847 DXE-0041
Do.....do.....	Nicks Chevron, Ozona, Tex.	DRC-0002
Oct. 26, 1977	Disney's Mobil, Ellis, Kans.	DRC-0003
Oct. 27, 1977	Estates of Inez and Loyce Phillips, Austin, Tex. Justiss-Mears Oil Co., Inc., Jena, La.	FXE-4773 FEE-4306
Oct. 28, 1977	Franklin Oil Co., Old Saybrook, Conn.	FEE-4121

[FR Doc.77-32683 Filed 11-11-77;8:45 am]

[6740-02]

**Federal Energy Regulatory Commission
ALGONQUIN GAS TRANSMISSION CO.
Extension of Time**

NOVEMBER 3, 1977.

On October 18, 1977, Penn Fuel Gas, Inc., and Standard Steel filed a motion to extend the time for filing comments on the proposed Stipulation and Agreement filed by Algonquin Gas Transmission Company (Algonquin) September 26, 1977, and noticed October 6, 1977, in the above referenced dockets. The motion states that Staff Counsel does not object to the requested extension.

Upon consideration, notice is hereby given that the date for filing comments on Algonquin's proposed Stipulation and Agreement is extended to and including

November 11, 1977. The date for filing reply comments is extended to and including November 25, 1977.

KENNETH F. PLUMB,
Secretary.

[FR Doc.77-32813 Filed 11-11-77;8:45 am]

[6740-02]

[Docket No. CP 78-47]

**ARKANSAS OKLAHOMA GAS CORP.
Application**

NOVEMBER 7, 1977.

Take notice that on October 27, 1977, Arkansas Oklahoma Gas Corporation (Applicant), P.O. Box 2406, Fort Smith, Arkansas 72902, filed in Docket No. CP 78-47 an application pursuant to Section 7(c) of the Natural Gas Act and § 157.7(b) of the regulations under (18 CFR 157.7(b)) for a certificate of public convenience and necessity authorizing the construction during the calendar year 1978 and operation of facilities, to enable Applicant to take into its certificated main pipeline system natural gas which would be purchased from producers and other similar sellers thereof, all as more fully set forth in the application on file with the Commission and open to public inspection.

Applicant states that the purpose of this budget-type application is to augment its ability to act with reasonable dispatch in connecting to its pipeline system supplies of natural gas which may become available from various producing areas generally coextensive with its pipeline system of the systems of other pipeline companies which may be authorized to transport gas for the account of or exchange gas with Applicant.

The application states that the total cost of the proposed facilities would not exceed \$475,000 and the total cost of a

single project would not exceed \$115,000 which costs would be financed from treasury funds.

Any person desiring to be heard or to make any protest with reference to said application should on or before November 28, 1977, file with the Federal Energy Regulatory 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 Energy Regulatory 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.77-32823 Filed 11-11-77;8:45 am]

[6740-02]

[Docket No. ER78-36]

**BOSTON EDISON CO.
Proposed Tariff Change**

NOVEMBER 7, 1977.

Take notice that Boston Edison Company ("Edison") on October 31, 1977, tendered for filing a September 7, 1977 Amendment to its Rate Schedule FPC No. 71. Edison states that that rate schedule is an October 27, 1972 agreement providing for the sale of system capacity by Edison to Fitchburg Gas and Electric Light Company ("Fitchburg") in the amount of 40 MW for the period December 9, 1972 through September 30, 1981. According to Edison the amendment extends the termination date of the agreement by one month from September 30, 1981 to October 31, 1981. According to Edison all other terms of the agreement remain unchanged.

Edison indicates that copies of this filing were served upon Fitchburg and upon the Massachusetts Department of Public Utilities.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Energy Regulatory 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 November 21, 1977. 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. 77-32824 Filed 11-11-77; 8:45 am]

[6740-02]

[Docket No. ER76-533]

CENTRAL VERMONT PUBLIC SERVICE CORP.

Compliance Filing

NOVEMBER 4, 1977.

Take notice that Central Vermont Public Service Corporation (Central Vermont) on October 13, 1977, filed substitute tariff sheets pursuant to the Order Approving Settlement Agreement issued by the Federal Power Commission on September 30, 1977.

Any person desiring to be heard or to protest this compliance filing should file comments with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with the Commission's rules of practice and procedure. All comments should be filed on or before November 28, 1977. Copies of this compliance filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 77-32814 Filed 11-11-77; 8:45 am]

[6740-02]

[Docket No. CP78-38]

COLUMBIA GAS TRANSMISSION CORP.

Application

NOVEMBER 8, 1977.

Take notice that on October 21, 1977, Columbia Gas Transmission Corporation (Applicant), 1700 MacCorkle Avenue, SE., Charleston, West Virginia 25314, filed in Docket No. CP78-38 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 the transportation of up to 150

Mcf of natural gas per day for Brush Wellman, Inc. (Brush Wellman), and existing distribution customer of Penn Fuel Gas, Inc. (Penn Fuel), for the months of November through March of any of the two years in which the transportation is accomplished, all as more fully set forth in the application on file with the Commission and open to public inspection.

Applicant requests authorization to transport the gas for Brush Wellman pursuant to a transportation agreement dated August 25, 1977, between the two parties. Applicant states that it would receive the natural gas into its Line 0-16 in Noble County, Ohio, at a point to be mutually agreed upon. The gas would be delivered to Texas Eastern Transmission Corporation (TETCO) by a reduction in Applicant's scheduled receipts from TETCO at an existing point of delivery near Uniontown, Fayette County, Pennsylvania. Applicant further states that TETCO would make the gas available to Penn Fuel for ultimate delivery to Brush Wellman's Shoemakersville, Pennsylvania, plant through existing distribution facilities.

The application states that Brush Wellman produces beryllium cooper alloys which are essential to the electronics, communications and computer industries, and that Brush Wellman's beryllium refining operations are in Elmore, Ohio, but all of its finished beryllium copper strip is produced at the Shoemakersville plant. The application further states that the production of high quality beryllium copper strip involves a number of complex processing operations under highly controlled pure atmosphere environments, for which alternate fuels are not feasible. These uses are said to be in Priority 2.

It is indicated that the gas to be transported by Applicant would be produced from oil and gas leases in Noble County, Ohio, in which Brush Wellman has an 80 percent working interest and David S. Towner, d/b/a C.T. Productions (Towner), has a 20 percent working interest. It is further indicated that the natural gas to be transported hereunder is not available to the interstate market inasmuch as 80 percent of the working interest in the leases from which the gas would be produced is owned by Brush Wellman.

The transportation agreement provides that the subject gas is subject to diversion to Applicant on a temporary basis in emergency periods when, in Applicant's sole judgment, such gas is required for the protection of Priority 1 requirements on its system. Gas so diverted would be paid back as soon as practicable after the emergency period, the agreement provides.

Applicant states that it would charge Brush Wellman a transportation charge for this service its average system-wide unit storage and transmission costs exclusive of company-use and unaccounted for gas, which current cost is currently 20.56 cents per Mcf.

Any person desiring to be heard or to make any protest with reference to said application should on or before November 22, 1977, file with the Federal Energy Regulatory 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 Energy Regulatory 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. 77-32837 Filed 11-11-77; 8:45 am]

[6740-02]

[Docket No. ER77-546]

DAYTON POWER AND LIGHT CO.

Proposed Amendment to Interconnection Agreement

NOVEMBER 4, 1977.

Take notice that the Dayton Power and Light Company (DP&L) on October 14, 1977, tendered for filing proposed Modification No. 2 to the Interconnection Agreement dated as of May 10, 1972, between the Dayton Power and Light Company and the City of Piqua, Ohio. DP&L states that the proposed Modification No. 2, which has been agreed to by the City of Piqua, Ohio would effect a change in the term of the Agreement by providing that the term of the Agreement continue from May 10, 1977 through March 10, 1978 and continue thereafter on a year to year basis.

DP&L states that Section 1 of Modification No. 2 changes the Firm Contract Demand from 0 to 8000 KW for the term of the Agreement and increases the Demand Charge for Firm Power from \$2.15

to \$4.24 kilowatt per month. DP&L further states that Modification No. 2 also increases the Demand Charge for Short Term Power from \$0.40 to \$0.60 per kilowatt per week to include a charge of \$0.15 per kilowatt for Short Term Power and Energy supplied by a party from sources other than the party's system.

DP&L requests waiver of the Commission's notice requirements to allow for an effective date of May 10, 1977.

DP&L states that copies of the filing were served upon the City of Piqua, Ohio.

Any person wishing to be heard or to protest said filing should file with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, a petition to intervene or protest 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 November 16, 1977. 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.77-32817 Filed 11-11-77; 8:45 am]

[6740-02]

[Docket No. ER76-151]

DELMARVA POWER AND LIGHT CO. AND SUBSIDIARIES

Refund Report

NOVEMBER 7, 1977.

Take notice that on October 31, 1977, Delmarva Power & Light Company, Delmarva Power & Light Company of Maryland, and Delmarva Power & Light Company of Virginia (Delmarva) tendered for filing their joint refund report in compliance with the Order Approving Settlement issued by the Federal Power Commission on July 28, 1977 in the docket herein.

Any person desiring to be heard or to protest said application should file a protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NW., Washington, D.C. 20426, in accordance with § 1.10 of the Commission's rules of practice and procedure (18 CFR 1.10). All such protests should be filed on or before December 2, 1977. Protests will be considered by the Commission in determining the appropriate action to be taken. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.77-32825 Filed 11-11-77; 8:45 am]

[6740-02]

[Docket No. ES78-1]

DETROIT EDISON CO.

Application

NOVEMBER 7, 1977.

Take notice that on October 5, 1977, the Detroit Edison Company (Applicant) filed a supplemental application with the Commission, pursuant to Section 204 of the Federal Power Act, seeking authority to issue short-term unsecured promissory notes in the aggregate principal amount not exceeding \$300 million outstanding at any one time to commercial banks, insurance companies or similar institutions. All notes are to be issued on or before December 31, 1978 with final maturities of on or before December 31, 1979. The FPC by order issued December 20, 1976, authorized the Applicant to issue on or before December 31, 1977, a maximum of \$300 million of its short-term notes, with final maturities of not later than December 31, 1978, in Docket No. E-8913.

Applicant is incorporated under the laws of the States of Michigan and New York, with its principal business office at Detroit, Mich. The Applicant is a public utility engaged primarily in the generation, purchase, transmission, distribution and sale of electricity in a service area of approximately 7,600 square miles in southeastern Michigan. The Applicant also provides steam service in Detroit and provides industrial steam. During 1975, approximately 98 percent of the Applicant's revenue were derived from its electric service.

The proceeds from the issuance of the notes will be used for the construction, completion, extension and improvement of facilities, pending permanent financing.

The notes are expected to be issued with an interest rate or at a discount rate which will be determined from time to time as the notes are issued.

Any person desiring to be heard or to make any protest with reference to said application should on or before November 18, 1977, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, petitions or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8, 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. Persons wishing to become parties to the proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.77-32829 Filed 11-11-77; 8:45 am]

[6740-02]

[Docket No. RI78-1]

E. G. DURRETT, ET AL.

Petition for Special Relief

NOVEMBER 7, 1977.

Take notice that on October 18, 1977, E. G. Durrett, et al. (Petitioner), P.O. Box 4431, Odessa, Texas 79760, filed in Docket No. RI78-1 a petition for special relief pursuant to § 2.76 of the Commission's General Policy and Interpretations. Petitioner seeks a total rate of \$2.427 per Mcf to recover additional gas reserves estimated to aggregate 200,000 Mcf to be produced from the E. G. Durrett No. 1-E University "7" Well, Barnhard Field, Reagan County, Tex. Petitioner, including all other working interest owners, propose to invest an additional \$50,000 to install a gas gathering line of approximately 2 miles in length.

Any person desiring to be heard or to make any protest with reference to said petition should on or before November 25, 1977, file with the Federal Energy Regulatory 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 to a proceeding, or to participate as a party in any hearing therein, must file a petition to intervene in accordance with the Commission Rules.

KENNETH F. PLUMB,
Secretary.

[FR Doc.77-32826 Filed 11-11-77; 8:45 am]

[6740-02]

[Docket No. RI77-85]

GOLDKING PRODUCTION CO.

Amended Petition for Special Relief

NOVEMBER 4, 1977.

Take notice that on October 25, 1977, Goldking Production Company (Petitioner), 900 First City National Bank Bldg., Houston, Tex., filed a proposed settlement agreement in the above-captioned docket which amends its petition for special relief filed May 11, 1977, pursuant to § 2.76 of the Commission's General Policy and Interpretation. By this amendment, petitioner seeks a rate of \$1.0548 per Mcf for sales of gas attributable to its working interest in the Ballard and Cardells No. 1 Krenek Well, Bonus Field, Wharton County, Tex. Petitioner, in its filing of May 11, 1977, was seeking a rate of \$1.161 per Mcf.

It appears reasonable and consistent with the public interest in this case to prescribe a period shorter than 15 days

for the filing of protests and petitions to intervene. Therefore, any person desiring to be heard or to make any protest with reference to said application should on or before November 16, 1977, file with the Federal Energy Regulatory 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 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. 77-32815 Filed 11-11-77; 8:45 am]

[6740-02]

[Docket Nos. CI77-721 etc.]

HARKINS & CO. (OPERATOR, ET AL.)

Order Consolidating Proceedings for Purposes of Oral Argument and Fixing Time for Oral Argument

NOVEMBER 4, 1977.

On October 1, 1977, pursuant to the provisions of the Department of Energy Organization Act (DOE Act), Pub. L. 95-91, 91 Stat. 565 (August 4, 1977) and Executive Order No. 12009, 42 FR 48267 (September 15, 1977), the Federal Power Commission ceased to exist and its functions and regulatory responsibilities were transferred to the Secretary and the Federal Energy Regulatory Commission (FERC) which, as an independent commission within the Department of Energy, was activated on October 1, 1977.

The "savings provisions" of Section 705(b) of the DOE Act provide that proceedings pending before the FPC on the date the DOE Act takes effect shall not be affected and that orders shall be issued in such proceedings as if the DOE Act had not been enacted. All such proceedings shall be continued and further actions shall be taken by the appropriate component of the DOE now responsible for the function under the DOE Act and regulations promulgated thereunder. The functions which are the subject of these proceedings were specifically transferred to the FERC by Section 402(a)(1) of the DOE Act.

The joint regulation adopted on October 1, 1977, by the Secretary and the FERC entitled "Transfer of Proceedings to the Secretary of Energy and the FERC," 10 CFR —: Provided, That this proceeding would be continued before the FERC. The FERC takes action in this proceeding in accordance with the above-mentioned authorities.

On August 10, 1977, C & K Petroleum, Inc., et al. (C & K) filed in Docket No. CI77-724 an application for a three year limited term certificate pursuant to Section 7(c) of the Natural Gas Act, § 2.70

of the Commission's Statements of General Policy and Interpretations (18 CFR 2.70), and § 157.23 of the Commission's regulations Under The Natural Gas Act (18 CFR 157.23). On August 11, 1977, Harkins & Co. (Harkins) filed in Docket No. CI77-721, for itself and as operator for others, an application for a two year limited term certificate under Section 7(c) of the Natural Gas Act and the above-referred-to regulations. On August 25, 1977, Amerada Hess (Amerada) filed in Docket No. CI77-758 an application for a 2-year limited term certificate. Each of the applicants seeks authorization to sell natural gas to Transcontinental Gas Pipe Line Corp. (Transco) for the limited term recited in each application.

C & K seeks authorization to collect a rate of \$2.03 per Mcf for sale of its interest in production from the Jefferson Island Field, Iberia Parish, Louisiana, plus tax reimbursement, subject to upward and downward Btu adjustment from a base of 1,000, with quarterly escalations of one percent after the first year of the proposed limited term. Harkins and Amerada seek Commission authorization to collect a base rate of \$1.81 per Mcf, plus 10.86 cents per Mcf tax reimbursement, with a quarterly increase of one percent for the sale of gas from the No. 1 Board of Supervisors Well and the No. 1 Tolar Unit Well (15-6) in Greens Creek Field, Jefferson Davis and Marion Counties, Miss.

Transco has filed a request for oral argument in all those cases; Harkins has requested the opportunity to present oral argument to the Commission in Docket No. CI77-721. In its request, filed by telegram dated October 24, 1977, Harkins asked for oral argument so that it might "point out to the Commission that the guidelines set forth in Opinion No. 669-B are not mandatory," and that the Commission could issue the limited term certificates "in the overall public interest."

We find that good cause exists to grant oral argument in these proceedings on the issue of whether it is "in the overall public interest" to grant limited term certificates. The Commission is particularly interested in the reasonableness of the pricing provisions in these contracts. We shall also allow Staff, Amerada and thirty minutes each for oral argument. We shall also allow Staff, Amerada and C & K to request permission to present oral argument.

The Commission orders: (A) Docket Nos. CI77-721, CI77-758, and CI-77-724, are consolidated for the purpose of oral argument only.

(B) An oral argument in the above-captioned proceedings will be heard by the Commission *en banc* commencing at 11:00 a.m. e.s.t., November 8, 1977, in Hearing Room A of the Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, D.C. 20426. Harkins and Transco shall have thirty minutes each to present oral argument.

(C) Staff, Amerada, and C & K may request time to present oral argument to the Commission. If they make such a request, Staff, Amerada and C & K shall be allotted thirty minutes each for such argument.

By the Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 77-32815 Filed 11-11-77; 8:45 a.m.]

[6740-02]

[Docket No. ER78-35]

HARTFORD ELECTRIC LIGHT CO.

Purchase Agreement

NOVEMBER 4, 1977.

Take notice that on October 27, 1977, the Hartford Electric Light Company (HELCO) tendered for filing a proposed Purchase Agreement with Respect to Middletown Station (Purchase Agreement), dated August 25, 1977 between HELCO and Village of Ludlow Electric Light Department (Ludlow).

HELCO states that the Purchase Agreement provides for a sale to Ludlow of a specified percentage of capacity and energy from four oil-fired steam generating units (Middletown Unit Nos. 1, 2, 3 and 4) during the period from November 1, 1977 to October 31, 1979, together with related transmission service.

HELCO requests that the Commission waive the thirty-day notice requirements and permit the rate schedule filed to become effective November 1, 1977.

HELCO states that the capacity charge rate for the proposed service is a rate determined on a cost-of-service basis. HELCO further states that the monthly transmission charge is equal to one-twelfth of the annual average unit cost of transmission service on the Northeast Utilities (NU) system determined in accordance with Section 13.9 of the New England Power Pool (NEPOOL) Agreement and the uniform rules adopted by the NEPOOL Executive Committee, multiplied by the number of kilowatts of winter capability which Ludlow is entitled to receive. HELCO indicates that the energy charge is based on Ludlow's portion of the applicable fuel expenses and no special cost-of-service studies were made to derive this charge.

HELCO states that copies of this rate schedule have been mailed or delivered to Ludlow, c/o Vermont Electric Power Co., Inc., Rutland, Vermont.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, D.C., 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 November 14, 1977. 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 and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.77-32816. Filed 11-11-77;8:45 am]

[Docket No. ER78-32]

[6740-02]

INDIANAPOLIS POWER & LIGHT CO.

Proposed Changes in Rates and Charges

NOVEMBER 7, 1977.

Take notice that Indianapolis Power & Light Co. (Indianapolis Co.) on November 2, 1977, tendered for filing Modification No. 4 dated as of November 1, 1977, to the Interconnection Agreement dated December 2, 1968, as heretofore modified, between Indianapolis Co. and Southern Indiana Gas and Electric Co. (Southern Indiana Co.), designated Indianapolis Rate Schedule FPC No. 6.

Indianapolis Co. indicates that Section 1 of Modification No. 4 provides for an increase in the Demand Charge for Short Term Power from \$0.55 to \$0.60 per kilowatt per week and from \$0.95 to \$0.10 per kilowatt per day for Short Term Power sold (purchased) for periods less than one week. Indianapolis Co. further indicates that Section 2 of said Modification provides for an increase in the Demand Charge for Limited Term Power (Firm) from \$3.00 to \$3.25 per kilowatt per month. Waiver of any requirements of § 35.13 of the Commission's regulations under the Federal Power Act not already complied with is requested. Waiver of filing requirements is also requested pursuant to § 35.11 of the Commission's regulations to permit an effective date of November 1, 1977 for Modification No. 4. A copy of this filing was sent to Southern Indiana Co. and the Public Service Commission of Indiana, according to Indianapolis Co.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Energy Regulatory 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 practice and procedure (18 CFR 1.8, 1.10) should be filed on or before November 21, 1977. 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.77-32827 Filed 11-11-77;8:45 am]

[6740-02]

[Docket No. ER78-39]

INTERSTATE POWER CO.

Filing for Contract Supplements

NOVEMBER 7, 1977.

Take notice that Interstate Power Co. (Company) on October 31, 1977, tendered for filing Contract Supplements dated August 26, 1977, for Contracts Nos. 14-06-600-1557 and 14-06-600-474A. Company proposes that the Supplements extend the aforementioned contracts to December 31, 1978, or until replacement contracts are executed.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory 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 and protests should be filed on or before November 21, 1977. 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.77-32830 Filed 11-11-77;8:45 am]

[6740-02]

[Docket No. ER78-37]

KENTUCKY UTILITIES CO.

Filing a Change in Rate Schedule

NOVEMBER 7, 1977.

Take notice that on October 31, 1977, the Kentucky Utilities Co. (Company) tendered for filing a change in its Rate Schedule FPC No. 78 to include an additional delivery point as requested by Old Dominion Power Co. (Customer). The Company indicates that service is expected to begin on or about December 16, 1977, which is requested as the effective date.

The Company states that no reasonable billing estimates can be made since the load served will be that transferred from other delivery points from time to time. The Company further states that copies of the tendered filing have been sent to the Customer, Virginia State Corporation Commission, and the Kentucky 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 Energy Regulatory Commission, 825 North Capitol Street, N.E., 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 November 21, 1977. 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.77-32831 Filed 11-11-77;8:45 am]

[6740-02]

[Docket Nos. CP77-368, CS72-1181]

LONE STAR GAS CO., ENSERCH CORP. AND GORDON OIL COMPANY INC.

Order Consolidating Proceedings and Establishing Hearing Procedures

NOVEMBER 4, 1977.

On October 1, 1977, pursuant to the provisions of the Department of Energy Organization Act (DOE Act), Pub. L. 95-91, 91 Stat. 565 (August 4, 1977) and Executive Order No. 12009, 42 FR 46267 (September 15, 1977), the Federal Power Commission ceased to exist and its functions and regulatory responsibilities were transferred to the Secretary and the Federal Energy Regulatory Commission (FERC) which, as an independent commission within the Department of Energy, was activated on October 1, 1977.

The "savings provisions" of Section 705(b) of the DOE Act provide that proceedings pending before the FPC on the date the DOE Act takes effect shall not be affected and that orders shall be issued in such proceedings as if the DOE Act has not been enacted. All such proceedings shall be continued and further actions shall be taken by the appropriate component of DOE now responsible for the function under the DOE Act and regulations promulgated thereunder. The functions which are the subject of these proceedings were specifically transferred to the FERC by Section 402(a) (1) of the DOE Act.

The joint regulation adopted on October 1, 1977, by the Secretary and the FERC entitled "Transfer of Proceedings to the Secretary of Energy and the FERC," 10 CFR : Provided, That this proceeding would be continued before the FERC. The FERC takes action in this proceeding in accordance with the above mentioned authorities.

By order issued November 22, 1967, in Docket No. CI68-291, the Gordon Oil Co., Inc., (Gordon) was authorized to sell natural gas from Sherman Field, Grayson County, Texas, including two units known as the Garr and Turner Units, in interstate commerce to Lone Star Gas Co., a Division of ENSERCH Corp. (Lone Star).¹ The Federal Power Commission (FPC) later issued a small producer certificate to Gordon to sell the same gas, in Docket No. CS72-1181, on December 6, 1972.

¹ Gordon succeeded R. J. Carraway as operator.

In 1976, Gordon corresponded with the Secretary of the FPC on a number of occasions in which it stated its intent to abandon service to Lone Star upon expiration of the contract, December 31, 1976. Prior to Gordon's cessation of service to Lone Star, the FPC had informed Gordon of the requirement to obtain abandonment authorization. In a letter dated October 13, 1972, the Secretary of the FPC advised Mr. Robert A. Gordon, President of Gordon Oil Co., Inc., that Gordon would be required to file an abandonment application pursuant to Section 7(b) and § 157.30 of the regulations in order to discontinue a jurisdictional sale of natural gas. In its December 6, 1972 order issuing a small producer certificate to Gordon, the FPC specifically ordered that "[w]ith respect to any small producer sale made pursuant to the authorization herein, the small producer shall not be relieved from compliance with Section 7(b) of the Natural Gas Act." And in a letter dated December 29, 1976,² the Secretary of the FPC informed Gordon's attorney that Gordon would have to file for abandonment authorization pursuant to Section 7(b) before removing the gas production from the Sherman Field wells from interstate commerce.

By letter to Gordon dated January 26, 1977, the FPC was informed that Gordon had ceased deliveries to Lone Star on December 31, 1976. On January 31, 1977, Gordon filed an application for abandonment in Docket No. C177-246 to disconnect the Turner and Garr gas wells. In response to Lone Star's request, Gordon reconnected these wells and resumed delivery on February 10, 1977. It withdrew its application for abandonment on April 25, 1977.

In response to Gordon's allegation of diversion from the interstate market, Lone Star filed in Docket No. CP77-368 a petition for a declaratory order on April 22, 1977, pursuant to Section 16 of the Natural Gas Act and § 1.7(c) of the FPC's rules of practice and procedure. Specifically, Lone Star requested that the FPC exempt any natural gas which it uses from its intrastate system to pay back any deficiencies in the interstate system caused by past diversions of natural gas.

In its petition, Lone Star stated that Gordon's allegations resulted in its investigation of the facilities in the Sherman Field which disclosed that gas had been diverted from the interstate transmission facilities. Lone Star alleged that from 1955, the commencement of the contract, until 1961, gas from the Garr and Turner Units flowed into uncertificated gathering facilities designated gathering line EC, which was thereafter delivered into transmission line E, a certificated facility. In 1961, Lone Star constructed a pipeline connecting gathering line EC to its intrastate system transmission line D-9, which

resulted in the diversion of a portion of the gas production from the Garr and Turner Units to its intrastate transmission system. Subsequently, in 1966, Lone Star removed a portion of the gathering line EC causing all gas to flow into the intrastate system. In its filing, Lone Star was unable to present an explanation for its action.

Upon completion of this investigation during 1976, Lone Star replaced that portion of the gathering facility EC removed in 1966, thereby enabling delivery of the gas supply from the Sherman Field to the certificated transmission Line E by November 24, 1976. Lone Star estimates that approximately 16,968,381 Mcf of gas was diverted into its intrastate D-9 system from November 1, 1961 until November 24, 1976. During this period, Lone Star asserts that the following operators sold gas to it for sale in interstate commerce, pursuant to FPC authorizations:

R. J. Carraway, *et al.* (predecessor to Gordon);
Walter H. Gant, *et al.*;
Walter H. Gant;
R. T. Karli;
Langford Drilling Co.;
Larson and Thomas, *et al.*;
Perry E. Larson, *et al.*;
Perry E. Larson;
H.S. Moss, *et al.*;
Moss Petroleum Co.;
Hugh H. Prather.

In its petition, Lone Star stated its intent to pay back to the interstate market those volumes diverted. In so doing, it allege that a supplemental application detailing the intrastate sources and volumes which could be used in the payback plan would be filed prior to May 15, 1977. On June 6, 1977, Lone Star filed a statement that the material would be submitted in the near future. Lone Star submitted a "Supplement to Petition for a Declaratory Order or Other Relief" on September 12, 1977, proposing a payback procedure whereby the amount of 16,913,165 Mcf of intrastate gas supplies would be supplied to the interstate market during the next three years.

By FPC order, Lone Star was authorized to abandon facilities used in its interstate transmission system in order to allow its use of intrastate gas supplies in the major interstate market of Wichita Falls, Texas.³ It anticipated that this realignment would be accomplished by the Spring of 1978 and gas would be available then for payback. Citing the absence of economic motive,⁴ Lone Star urged the FPC to expedite the resolution of this proceeding.

We find it is appropriate that this petition and supplement thereto should be set for formal hearing in order to establish the facts surrounding this

² Lone Star Gas Co., a Division on ENSERCH Corp., Docket No. CP77-73, issued April 29, 1977.

³ Lone Star's interstate system is utilized to supply its own retail distribution systems as well as to make direct mainline industrial sales. Accordingly, Lone Star is not subject to the Commission's rate jurisdiction and does not have a tariff on file.

apparent violation of the Natural Gas Act. In its filing, Lone Star was unable to state the basis for its actions in 1961 and in 1966, so that further investigation by the Commission Staff is warranted. Moreover, the amount of gas supplies diverted from the interstate market must be verified and the proposed method of repayment must be reviewed. We also find that Gordon should be joined as a party to this proceeding to afford Gordon an opportunity to show cause why it should not be found in violation of Section 7(b) of the Act and to develop a complete record in these proceedings. Based upon his assessment of the evidence presented by Gordon in response to the direction to show cause, the Presiding Administrative Law Judge may take whatever action he finds appropriate. We herein consolidate the proceedings in Docket Nos. CS72-1181 and CP77-368; however, the Presiding Administrative Law Judge may sever and dispose of the proceeding in Docket No. CS72-1181 should it be deemed appropriate.

If it appears on the basis of an administrative proceeding before the Commission, or on the basis of other information available to the Commission, that a violation of the Natural Gas Act has occurred and that the alleged acts or omissions may fall within the sanctions set forth in Sections 20 and 21 of the Natural Gas Act, or the Commission's rules, regulations, conditions restrictions or orders, the Commission will pursue all available civil and criminal sanctions should it be found that the nature of the violation and the surrounding circumstances thereof warrant such action. In the event that it appears to be a "willful and knowing" violation of either statutes or regulations thereunder, the Commission may refer the case to the Department of Justice for appropriate action or pursue such relief in the Courts.

The Commission orders (A) The proceedings in Docket Nos. CP77-368 and CS72-1181 is thereby consolidated due to the interrelationship of the parties and thereby to assure the completeness of the administrative record concerning the alleged violation.

(B) Pursuant to the Natural Gas Act, particularly Sections 4, 5, and 15 thereof, the Commission's rules of practice and procedure (18 CFR, Part I), and the regulations Under the Natural Gas Act (18 CFR, Ch. I, Subchapter (E)), a hearing shall be held in this consolidated proceeding. A prehearing conference shall be convened on December 12, 1977, commencing at 10 a.m. in a hearing room of the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426.

(C) Gordon is directed to show cause why it should not be held in violation of Section 7(b) of the Natural Gas Act. The Presiding Administrative Law Judge shall review the response and supporting evidence.

(D) An Administrative Law Judge, to be designated by the Chief Administra-

² This letter was in response to an inquiry dated November 9, 1976, from Gordon as to whether Lone Star's diversion of the gas supplies had affected the jurisdictional status of its wells.

tive Law Judge for that purpose (see Delegation of Authority, 18 CFR 2.5(d)), shall preside at the prehearing conference in this proceeding with authority to establish and change all procedural dates, and to rule on all motions (with the sole exception of Petitions to Intervene, motions to consolidate or sever, and motions to dismiss), as provided for in the rules of practice and procedure.

(E) The Secretary shall promptly serve this order on Gordon and Lone Star and shall provide for publication in the FEDERAL REGISTER.

By the Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc.77-32819 Filed 11-11-77;8:45 am]

[6740-02]

[Docket No. CP73-147]

MICHIGAN WISCONSIN PIPE LINE CO.
ET AL.

Petition To Amend

NOVEMBER 7, 1977.

On October 1, 1977, pursuant to the provisions of the Department of Energy Organization Act (DOE Act), Pub. L. 95-91, 91 Stat. 565 (August 4, 1977) and Executive Order No. 12009, 42 FR 46267 (September 15, 1977), the Federal Power Commission ceased to exist and its functions and regulatory responsibilities were transferred to the Secretary of Energy and the Federal Energy Regulatory Commission (FERC) which, as an independent commission within the Department of Energy, was activated on October 1, 1977.

The "savings provisions" of Section 705(b) of the DOE Act provided that proceedings pending before the FPC on the date the DOE Act takes effect shall not be affected and that orders shall be issued in such proceedings as if the DOE Act had not been enacted. All such proceedings shall be continued and further actions shall be taken by the appropriate component of DOE now responsible for the function under the DOE Act and regulations promulgated thereunder. The functions which are the subject of this proceeding were specifically transferred to the FERC by Section 402(a) (1) of the DOE Act.

The joint regulation adopted on October 1, 1977, by the Secretary and the FERC entitled "Transfer of Proceedings to the Secretary of Energy and the FERC," 10 CFR : Provided, That this proceeding would be continued before the FERC. The FERC takes action in this proceeding in accordance with the above mentioned authorities.

Take notice that on October 26, 1977, Michigan Wisconsin Pipe Line Co. (Michigan Wisconsin), One Woodward Avenue, Detroit, Mich. 48226, Truckline Gas Co. (Truckline), and Panhandle Eastern Pipe Line Co. (Panhandle), both at P.O. Box 1642, Houston, Tex. 77001 (Petitioners) filed in Docket No. CP73-147 a petition to amend the order of April 6, 1973, as amended, issued by

the Federal Power Commission in the instant docket pursuant to Section 7(c) of the Natural Gas Act so as to authorize the continued transportation of gas by Petitioners through April 30, 1979, all as more fully set forth in the petition to amend on file with the Commission and open to public inspection.

It is indicated that pursuant to the FPC order of April 6, 1973, as amended July 26, 1973, January 4, 1974, February 12, 1975, August 6, 1975, and October 14, 1976, Michigan Wisconsin and Truckline were authorized to exchange gas and Truckline and Panhandle were authorized to transport gas for Michigan Wisconsin, all pursuant to a deferred exchange and transportation agreement dated November 14, 1972, among Michigan Wisconsin, Truckline, and Panhandle.

Petitioners indicate that under existing FPC orders issued herein, the authorization of Truckline and Panhandle to transport gas for Michigan Wisconsin expired on October 31, 1977, and that Truckline and Panhandle desire to continue said transportation through April 30, 1979.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before November 28, 1977, file with the Federal Energy Regulatory 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.77-32833 Filed 11-11-77;8:45 am]

[6740-02]

MISSOURI UTILITIES CO.

Order Conditionally Accepting for Filing Proposed Increased Rates, Providing for Hearing, Denying Motions, and Consolidating Proceedings

NOVEMBER 4, 1977.

On October 1, 1977, pursuant to the provisions of the Department of Energy Organization Act (DOE Act), Pub. L. 95-91, 91 Stat. 565 (August 4, 1977) and Executive Order No. 12009, 42 FR 46267 (September 15, 1977), the Federal Power Commission ceased to exist and its functions and regulatory responsibilities were transferred to the Secretary and the Federal Energy Regulatory Commission (FERC) which, as an independent commission within the Department of Energy, was activated on October 1, 1977.

The "savings provisions" of Section 705(b) of the DOE Act provide that proceedings pending before the FPC on the date the DOE Act takes effect shall not be affected and that orders shall be issued in such proceedings as if the DOE Act had not been enacted. All such proceedings shall be continued and further actions shall be taken by the appropriate component of DOE now responsible for the function under the DOE Act and regulations promulgated thereunder. The functions which are the subject of these proceedings were specifically transferred to the FERC by Section 402(a) (1) of the DOE Act.

The joint regulation adopted on October 1, 1977, by the Secretary and the FERC entitled "Transfer of Proceedings to the Secretary of Energy and the FERC," 10 CFR : Provided, That this proceeding would be continued before the FERC. The FERC takes action in this proceeding in accordance with the above mentioned authorities.

On April 29, 1977, Missouri Utilities Co. (MUCo) submitted for filing proposed increased rates for the Cities of Jackson, Malden, and Kennet, Mo., in Docket No. ER77-354. The FPC by order issued June 1, 1977, determined that pursuant to Jackson's and Malden's contracts with MUCo, an impasse in negotiations for a new rate was a condition precedent to submitting the matter to the Commission for decision. The FPC accepted the rate for filing with respect to Jackson, but rejected it with respect to Malden without prejudice to subsequent refiling if an impasse in negotiations was reached.

On October 5, 1977, MUCo resubmitted the proposed rate increase to the City of Malden. MUCo states that it has complied with the rate redetermination section of the contract and that an impasse in negotiations has been reached. MUCo's filing would raise the rates to Malden by \$157,672 (38.9 percent) for the 12 months ending May 31, 1978. MUCo requests waiver of § 35.13(b) (4) (i) of the Commission's Regulations, but does not state any reason for the waiver.¹

MUCo requests that the rate be made effective as of October 2, 1977. Although MUCo's rate increase was tendered for filing pursuant to Section 205 of the Federal Power (Act), the Commission will order a hearing pursuant to Section 206 of the Act to determine just and reasonable rates to be prospectively applied. Malden's contract with MUCo prohibits rate increases becoming effective prior to the Commission determination of the lawful rates.

Notice of MUCo's filing was issued on October 14, 1977, with Responses due on or before October 24, 1977. On October 25, 1977, Malden filed a motion to reject. The Commission will address the issues raised by Malden in its Motion to Reject in a subsequent order. However, pending our consideration of that

¹ "The Commission" as used from this point on refers to the Federal Energy Regulatory Commission.

motion, the proposed new rate will be conditionally accepted for filing.

Commission review of the proposed rates indicates that they have not been shown to be just and reasonable, and may be unjust, unreasonable, unduly discriminatory, preferential or otherwise unlawful. The Commission will therefore set for investigation the lawfulness of MUCo's proposed increased rates to the City of Malden.

In Docket No. ER77-354, Jackson, Kennet, and Malden were treated as a single class. Because of common issues of law and fact, Docket No. ER78-14 should be consolidated with Docket No. ER77-354 for purposes of a hearing and decision thereon.

The Commission finds: (1) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Federal Power Act that the Commission enter upon a hearing concerning the lawfulness of the proposed increased rates tendered by MUCo on October 5, 1977, and that the proposed increased rates be conditionally accepted for filing and the use thereof deferred until completion of the hearing ordered herein.

(2) Good cause exists to consolidate Docket No. ER78-14 with Docket No. ER77-354.

(3) Good cause does not exist for waiver of § 35.13(b)(4)(i) of the Commission's regulations.

The Commission orders: (A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by Section 402(a) of the DOE Act and by the Federal Power Act, particularly Sections 206, 301, 307, 308, and 309 thereof, and pursuant to the Commission's rules of practice and procedure and the regulations under the Federal Power Act (18 CFR Ch. 1), a public hearing shall be held concerning the justness and reasonableness of the rates proposed herein.

(B) MUCo's proposed rate is hereby conditionally accepted for filing and its use is hereby deferred pending a determination of its lawfulness in the Section 206 hearing hereinabove initiated.

(C) Docket No. ER78-14 is hereby consolidated with Docket No. ER77-354 for the purpose of a hearing and decision thereon.

(D) MUCo's request for waiver of § 35.13(b)(4)(i) of the Commission's rules is hereby denied.

(E) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission, Commissioner Holden voted present.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 77-32820 Filed 11-11-77; 8:45 am]

[6740-02]

[Docket No. ER76-785]

MONONGAHELA POWER CO.

Refund Report

NOVEMBER 7, 1977.

Take notice than on October 21, 1977, Monongahela Power Co. (Monongahela) tendered for filing a refund report in compliance with the Order Approving Settlement issued in this docket on July 1, 1977, by the Federal Power Commission.

Monongahela states that copies of this filing were sent to the Public Service Commission of West Virginia.

Any person desiring to be heard or to protest this filing should file a protest with the Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with § 1.10 of the Commission's rules of practice and procedure (18 CFR 1.10). All such petitions should be filed on or before November 25, 1977. Protest will be considered by the Commission in determining the appropriate action to be taken. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 77-32832 Filed 11-11-77; 8:45 am]

[6740-02]

[Docket No. ER78-34]

MONTAUP ELECTRIC CO.

Proposed Purchase Agreement

NOVEMBER 4, 1977.

Take notice that Montaup Electric Co. (Montaup), on October 26, 1977, tendered for filing an agreement between itself and the City of Taunton (Massachusetts) under which Taunton will purchase 10,000 kW of capacity and related energy for the period November 1, 1977, through October 31, 1978. Montaup states that the Taunton purchase is pursuant to and will be governed by certain agreements reached by the parties in settlement of *Montaup Electric Company*, Docket No. E-9117.

According to Montaup, copies of this filing were served upon Taunton and the Massachusetts Department of Public Utilities.

Montaup requests waiver of the Commission's notice requirements to allow for an effective date of November 1, 1977.

Any person desiring to be heard or to protest said application, should file a petition to intervene or protest with the Federal Energy Regulatory 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 November 14, 1977. 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. 77-32821 Filed 11-11-77; 8:45 am]

[6740-02]

NANTAHALA POWER AND LIGHT CO.

[Docket No. E-9181]

Filing

NOVEMBER 7, 1977.

Take notice that on October 27, 1977, Nantahala Power and Light Company (Nantahala) tendered for filing with this Commission a proposed Cost of Service Adjustment Clause (COSAC) together with supporting documentation in the docket herein.

On February 7, 1977, the Federal Power Commission issued an order in this docket rejecting Nantahala's proposed purchased power adjustment clause. The order stated that Nantahala " * * * could * * * put together and file a fuel adjustment clause which would meet the standards set forth in our Order No. 517 * * *" or " * * * Nantahala might file an appropriate cost of service rate for wholesale service that will automatically adjust rates to reflect changes in all costs allocated to wholesale customers." Nantahala states that it is submitting the filing herein pursuant to the February 7 order and that the revised tariff sheet for Nantahala's rate PL is being submitted to accommodate references to COSAC instead of the purchased power adjustment clause but that the tariff sheet does not reflect any changes in the base rate from that which was originally filed in this docket.

In addition to the COSAC tariff, Nantahala states that it is submitting calculations demonstrating the amount which would have been collected under COSAC during the period from February 18, 1975 through September 30, 1976 (the period during which the rates in this docket would be effective), and that it is submitting a revised statement P pursuant to § 35.13 of the Commission's Regulations.

Any person desiring to be heard or to make any protest with reference to said filing should on or before December 6, 1977, file with the Federal Energy Regulatory Commission, Washington, D.C.

20426, petitions or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8, 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. Persons wishing to become parties to the proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The filing is on file and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.77-32834 Filed 11-11-77;8:45 am]

[6740-02]

NORTHERN STATES POWER CO.

[Docket No. ER78-38]

Supplement No. 1 to Municipal Resale Electric Service Agreement With City of St. James

NOVEMBER 7, 1977.

Take notice that Northern States Power Company (NSPC) on October 31, 1977, tendered for filing Supplement No. 1, dated October 20, 1977, to the Municipal Resale Electric Service Agreement, dated July 7, 1965, with the City of St. James.

NSPC states that the Agreement provides for Northern States to furnish the City's requirements in excess of Bureau of Reclamation power and energy as Load Pattern Power. NSPC also states that the Agreement changes the wheeling rate from 2.3 mills per KWH to \$11.88 per KW per year.

NSPC requests waiver of the Commission's notice requirements to allow for an effective date of October 21, 1977.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Energy Regulatory 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 and protests should be filed on or before November 21, 1977. 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.77-32835 Filed 11-11-77;8:45 am]

[6740-02]

[Docket No. ER78-20]

PUBLIC SERVICE COMPANY OF OKLAHOMA

Filing for Rate

NOVEMBER 7, 1977.

Take notice that the Public Service Company of Oklahoma (PSO) on Oc-

tober 27, 1977, tendered for filing a rate, designated by PSO as Rate RE-5. PSO indicates that this rate was amended pursuant to the Commission's Opinion No. 788 issued February 17, 1977, in Docket No. E-8242.

PSO now requests that said rate be applied to the following municipalities in Oklahoma, proposed to be effective December 1, 1977: Commanche, Duncan, El Dorado, Granite, Monitou, Olustee, Ryan, Skiatook, Walters, and Wetumka.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., 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 November 21, 1977. 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.77-32836 Filed 11-11-77;8:45 am]

[6740-02]

[Docket No. CP78-49]

TRANSCONTINENTAL GAS PIPE LINE CORP.

Application

NOVEMBER 4, 1977.

Take notice that on October 27, 1977, Transcontinental Gas Pipe Line Corporation (Applicant), P.O. Box 1396, Houston, Texas 77001, filed in Docket No. CP78-49 an application pursuant to Section 7(c) of the Natural Gas Act and § 2.79 of the Commission General Policy and Interpretations (18 CFR 2.79) for a certificate of public convenience and necessity authorizing the transportation, on an interruptible basis, of up to 5,005 million Btu's of natural gas per day for J. P. Stevens & Company, Inc. (Stevens), an existing industrial customer of North Carolina Natural Gas Corporation (NCNG), Fort Hill Natural Gas Authority (Fort Hill), Carolina Pipeline Company (Carolina) and Piedmont Natural Gas Company, Inc. (Piedmont), four of Applicant's resale customers served under Rate Schedule CD-2, all as more fully set forth in the application on file with the Commission and open to public inspection.

Applicant proposes to transport gas for Stevens pursuant to a transportation agreement dated October 7, 1977 among Applicant, Stevens, NCNG, Fort Hill, Carolina, and Piedmont. Applicant states that Stevens has purchased the subject gas from Louisiana Land & Exploration Company (LL&E) at a price of \$1.69 per million Btu's the first contract year, and \$1.85 per million Btu's for the second year of the contract,

which gas would be produced from the Lake Hatch field and Bayou Penchant Field, Terrebonne Parish, Louisiana. The application states that Stevens would arrange to have such gas delivered to a mutually agreeable point on United Gas Pipe Line Company's (United) system in Terrebonne Parish and United would deliver the gas to Applicant at mutually agreeable existing authorized exchange points. Applicant states that if would redeliver the transportation quantities to existing points of delivery to NCNG, Fort Hill, Carolina and Piedmont for the account of Stevens, and that the four distribution companies have agreed to transport such quantities of natural gas delivered to them by Applicant for the account of Stevens to the following Stevens plants:

Carolina—Delta No. 2 and Delta No. 3 (Wallace, South Carolina).

NCNG—Aberdeen (Aberdeen, North Carolina), Bob Stevens (Wagram, North Carolina), Delta No. 4 and Roanoke Printing (Roanoke Rapids, North Carolina), Greene (Snow Hill, North Carolina).

Fort Hill—Delta No. 1 (Clemson, South Carolina).

Piedmont—Duncan & Parker (Greenville, South Carolina), High Point (High Point, North Carolina), Slater (Slater, South Carolina), Taylors No. 2 (Taylors, South Carolina).

It is indicated that Stevens would use the subject gas in its plant for Priority 2 purposes, specifically, this gas would be used in textile finishing plants or textile finishing type operation(s), which operations require an intense heat and a fuel with clean burning properties, it is said. It is indicated that the gas which Applicant proposes to transport is not available to the interstate market.

Applicant states that it would charge Stevens, initially 29.8 cents per Dekatherm (dt) for all quantities delivered hereunder, which rate is to be applicable to similar transportation services providing for deliveries in its Rate Zone 2. Applicant further states that it would also retain, initially, 3.8 percent of the quantities received for transportation as make-up for compressor fuel and line loss, which percentage is based on Applicant's company use factor for pipeline throughput to and within its Rate Zone 2 in which the transportation deliveries proposed herein would be made.

Any person desiring to be heard or to make any protest with reference to said application should on or before November 19, 1977, file with the Federal Energy Regulatory 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 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 Energy Regulatory 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.77-32822 Filed 11-11-77;8:45 am]

[6740-02]

[Docket No. CP76-202]

UNITED GAS PIPE LINE CO.

Petition To Amend

NOVEMBER 4, 1977.

On October 1, 1977, pursuant to the provisions of the Department of Energy Organization Act (DOE Act), Pub. L. 95-91, 91 Stat. 565 (August 4, 1977) and Executive Order No. 12009, 42 FR 46267 (September 15, 1977), the Federal Power Commission ceased to exist and its functions and regulatory responsibilities were transferred to the Secretary of Energy and the Federal Energy Regulatory Commission (FERC) which, as an independent commission within the Department of Energy, was activated on October 1, 1977.

The "savings provisions" of Section 705(b) of the DOE Act provide that proceedings pending before the FPC on the date the DOE Act takes effect shall not be affected and that orders shall be issued in such proceedings as if the DOE Act had not been enacted. All such proceedings shall be continued and further actions shall be taken by the appropriate component of DOE now responsible for the function under the DOE Act and regulations promulgated thereunder. The functions which are the subject of this proceeding were specifically transferred to the FERC by Section 402(a)(1) of the DOE Act.

The joint regulation adopted on October 1, 1977, by the Secretary and the FERC entitled "Transfer of Proceedings to the Secretary of Energy and the FERC," 10 CFR —: Provided, That this proceeding would be continued before the FERC. The FERC takes action in this proceeding in accordance with the above mentioned authorities.

Take notice that on October 25, 1977, United Gas Pipe Line Co. (Petitioner), P.O. Box 1478, Houston, Tex. 77001, filed

in Docket No. CP76-202 a petition to amend the order of February 6, 1976 (44 FPC —, issued by the FPC in the instant docket pursuant to Section 7(c) of the Natural Gas Act and § 2.79 of the General Policy and Interpretations (18 CFR 2.79) so as to permit Petitioner to transport a new maximum daily quantity (MDQ) not to exceed 655 million Btu's equivalent of natural gas for Corning Glass Works (Corning) for use at its Danville, Va., plant, all as more fully set forth in the petition to amend on file with the Commission and open to public inspection.

Petitioner indicates that pursuant to the FPC order of February 6, 1976, in this proceeding, it was authorized to transport up to 500 million Btu's equivalent of natural gas for the account of Corning for use as its Danville plant. Petitioner states that it receives gas purchased by Corning from Glenda Petroleum Corp. (Glenda) in the Monroe Field, Ouachita, Union, and Morehouse Parishes, La., at a point of receipt on Petitioner's 18-inch Sarepta-Sterlington line located in Union Parish, La., and that it delivers, pursuant to Rate Schedule X-64 of Petitioner's FERC Gas Tariff, Original Volume No. 2, the subject volumes to Transcontinental Gas Pipe Line Corp. (Transco), for the account of Corning; at various authorized points of interconnection with Transco. Petitioner further states Transco in turn transports the volumes of gas so delivered for the account of Corning to the city of Danville, Va.

It is stated that although the gas purchase agreement between Corning and Glenda provided for the delivery of up to 1,500 million Btu's equivalent per day to Corning, Petitioner had only sought authorization to transport up to 500 million Btu's equivalent, such volume being the most urgently required by Corning at its Danville plant. Such facility was then operating at 80 percent of capacity due to general economic conditions and the then requested 500 million Btu's MDQ was sufficient to sustain that level of operation, Petitioner states. It is indicated that Petitioner has been advised by Corning that the subject facility is currently operating at 100 percent of capacity and expects to maintain operations at such level for at least another year. The high-priority process use of the volumes of gas originally certificated herein remains unchanged, it is said. Because of the increased production of Corning's Danville facility, in addition to Corning's being informed by its supplier that gas deliveries to the Danville facility would be curtailed 100 percent during the 1977-78 winter season, Corning has now requested that Petitioner increase its MDQ to 655 million Btu's.

The petition states that pursuant to an agreement, dated September 27, 1977, which amends the transportation agreement dated December 1, 1975, between Corning and Petitioner, Corning has agreed to deliver or cause to be delivered to Petitioner for transportation a new MDQ not to exceed 655 million Btu's.

Petitioner states that the rate it would charge Corning, the retention percentage of gas by Petitioner as fuel and line loss, and the delivery points to Transco are all unchanged from those certificated in this proceeding.

The petition states that due to a decreasing deliverability in the Glenda production supplying Corning, a supplemental supply of up to 400 million Btu's equivalent of gas per day has been purchased by Corning from Weiser-Brown Oil Co. (Weiser-Brown) in the Newport Field, Winn Parish, La. Consequently, Petitioner and Corning have further amended the transportation agreement dated December 1, 1975, to provide an additional delivery point to Petitioner for the Weiser-Brown volumes so purchased by Corning. Petitioner indicates that said additional delivery point would be located on Petitioner's 30-inch North-South transmission line located in Caldwell Parish, La., wherein Petitioner would receive the Weiser-Brown volumes, for the account of Corning, in an amount not to exceed 400 million Btu's equivalent per day. Corning would pay \$1.53 per million Btu. The petition indicates that the Weiser-Brown gas is unavailable to the interstate market because Weiser-Brown is unwilling to make it available. It is stated that in no instances would the combined Glenda-Weiser-Brown deliveries to Petitioner for the account of Corning exceed the proposed MDQ of 655 million Btu's.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before November 18, 1977, file with the Federal Energy Regulatory 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.77-32823 Filed 11-11-77;8:45 am]

[6740-02]

[Docket No. CP74-192]

FLORIDA GAS TRANSMISSION CO.

Settlement Conference

NOVEMBER 8, 1977.

Take notice that a further settlement conference in the above-referenced proceeding will be held at 10:00 a.m. on

Tuesday, November 15, 1977, in a hearing room at the Federal Energy Regulatory Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc.77-32875 Filed 11-11-77;8:45 am]

[6740-02]

[Docket No. RP73-43 (PGA77-3)]

MID LOUISIANA GAS CO.
PGA Rate Settlement Proposal

NOVEMBER 8, 1977.

Take notice that on October 31, 1977, Mid Louisiana Gas Company filed in the captioned docket a stipulation and agreement which, if approved, would resolve all issues in the proceeding.

Mid Louisiana Gas Company indicates that the stipulation and agreement was served on all parties of record.

Any person may submit comments in writing concerning the stipulation and agreement filed October 31, 1977. All comments should be addressed to the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426 and should be mailed on or before November 16, 1977. The settlement proposal is on file with the commission and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.77-32877 Filed 11-11-77;8:45 am]

[6740-02]

[Docket Nos. RP76-136, RP77-26]

TRANSCONTINENTAL GAS PIPE LINE
CORP.

Certification of Proposed Settlement
Agreement

NOVEMBER 8, 1977.

Take notice that on November 3, 1977, Presiding Administrative Law Judge Stephen C. Grossman certified a proposed settlement agreement to the Commission for consideration and disposition. The Presiding Judge states that the agreement addresses all issues in this proceeding except advance payments (previously severed for hearing with other Transco advance payments cases), accounting for unsuccessful gas supply projects (pending determination of a similar issue before the U.S. Court of Appeals for the District of Columbia Circuit), and rate of return and propriety and amount of carrying charges on customer curtailment credits (reserved for initial decision by the Presiding Judge). Copies of the proposed settlement

agreement are on file with the Commission and are available for public inspection. Any person desiring to comment on matters contained therein should file comments with the Federal Energy Regulatory Commission, 825 North Capitol Street NW., Washington, D.C. 20426, on or before November 16, 1977. Any reply comments should be filed on or before November 30, 1977.

KENNETH F. PLUMB,
Secretary.

[FR Doc.77-32876 Filed 11-11-77;8:45 am]

[6712-01]

FEDERAL COMMUNICATIONS
COMMISSION

[Report No. I-405]

INTERNATIONAL AND SATELLITE RADIO
Applications Accepted For Filing

NOVEMBER 7, 1977.

The Application listed herein have been found, upon initial review, to be acceptable for filing. The Commission reserves the right to return any of these applications if, upon further examination, it is determined they are defective and not in conformance with the Commission's Rules, Regulations and its Policies. Final action will not be taken on any of these applications earlier than 31 days following the date of this notice. Section 309(d)(1).

FEDERAL COMMUNICATIONS
COMMISSION,

WILLIAM J. TRICARICO,
Acting Secretary.

SATELLITE COMMUNICATIONS SERVICES:

Correction:

37-DSE-P-78 The Ohio State University, Columbus, Oh. Amended to correct the coordinates to: Lat. 40°00'41" N. Long. 83°01'17" W.

SC 49-DSE-P/L-78 Orangeburg Cable TV, Inc., Orangeburg, S.C. Authority to construct, own and operate a domestic communications satellite receive-only earth station at this location. Lat. 33°30'51" N. Long. 80°50'10" W. Rec. freq: 3700-4200 MHz. Emission 36000F9. With a 5 meter antenna.

T- 50-DSE-P/L-78 Satellite Technology for Christ, d/b/a. Radio Evangelism, El Paso, TX. Authority to construct, own and operate a domestic communications satellite receive-only earth station at this location. Lat. 31°46'53" N. Long. 106°30'10" W. Rec. freq: 3700-4200 MHz. Emission 36000F9. With a 4.5 meter antenna.

NJ 51-DSE-P-78 Washington Satellite Corp., Washington, N.J. Authority to construct, own and operate a domestic communications satellite receive-only earth

station at this location. Lat. 40°48'25" N. Long. 74°57'22" W. Rec. freq: 3700-4200 MHz. Emission 36000F9. With a 6 meter antenna.

AR 52-DSE-P/L-78 Pine Bluff Cable Television, Inc., Pine Bluff, AR. Authority to construct, own and operate a domestic communications satellite receive-only earth station at this location. Lat. 34°12'11" N. Long. 92°05'30" W. Rec. freq: 3700-4200 MHz. Emission 36000F9. With a 6 meter antenna.

OK 53-DSE-P/L-78 Robert B. Cooper, Jr. d/b/a CATV/CATJ, Laboratory, Guthrie, OK. Authority to construct, own and operate a domestic communications satellite receive-only earth station at this location. Lat. 35°45'16" N. Long. 97°19'24" W. Rec. freq: 3700-4200 MHz. Emission 36000F9. With a 1.9 meter (6 foot) antenna, for developmental services.

IN 54-DSE-P/L-78 American Television & Communications Corp., Terre Haute, IN. Authority to construct, own and operate a domestic communications satellite receive-only earth station at this location. Lat. 39°26'32" N. Long. 87°23'42" W. Rec. freq: 3700-4200 MHz. Emission 36000F9. With a 5 meter antenna.

CT 55-DSE-P/L-78 Systems TV, Inc., West Haven, CT. Authority to construct, own and operate a domestic communications satellite receive-only earth station at this location. Lat. 41°17'43" N. Long. 72°58'23" W. Rec. freq: 3700-4200 MHz. Emission 36000F9. With a 5 meter antenna.

PA 67-DSE-P/L-78 American Satellite Corp., Blue Bell, PA. Authority to construct and operate a transmit/receive earth station at this location. Lat. 40°08'25" N. Long. 75°17'00" W. Rec. freq: 3700-4200 MHz. Trans. freq: 5925-6425 MHz. Emission 200F9Y. With a 5 meter antenna.

MN 68-DSE-P/L-78 American Satellite Corp., Roseville, MN. Authority to construct and operate a transmit/receive earth station at this location. Lat. 45°00'58" N. Long. 93°12'21" W. Rec. freq: 3700-4200 MHz. Trans. freq: 5925-6425 MHz. Emission 200F9Y. With a 5 meter antenna.

WI 70-DSE-P/L-78 Ripon Cable Co., Inc., Ripon, WI. Authority to construct, own and operate a domestic communications satellite receive-only earth station at this location. Lat. 43°50'23" N. Long. 88°52'01" W. Rec. freq: 3700-4200 MHz. Emission 36000F9. With a 6 meter antenna.

FL 71-DSE-ML-78 Polk Cablevision, Inc. (WE63), Lakeland, FL. Modification of license to permit the operation of this facility on a shared-use, cost sharing basis with another cable system.

AK 72-DSE-MP-78 RCA Alaska Communications, Inc., Unalaska, AK. Modification of construction permit to make technical changes in the 10 meter antenna originally applied for.

Amendment:

461-DSE-P-77 Shenandoah Valley Educational Television Corp., Harrisonburg, VA. Amended to change coordinates to: Lat. 38°24'41" N. Long. 78°53'22" W.

[FR Doc.77-32757 Filed 11-11-77;8:45 am]

[6712-01]

[Report No. 1087]

PETITIONS FOR RECONSIDERATION OF ACTIONS IN RULE MAKING PROCEEDINGS
FILED

Docket or RM No.	Rule No.	Subject	Date received
21002, RM-2695, RM-2723.	Part 76, subparts B and C.	Amendment of subparts B and C of part 76 of the Commission's rules pertaining to applications for certificates of compliance and Federal-State/local regulatory relationships. Filed by John D. Matthews and John I. Davis, attorneys for Sammons Communications, Inc. Filed by John P. Bankson, Jr. and Louise A. Sunderland, attorneys for Northeast Georgia Broadcasting Co., Inc., d.b.a. Gainesville Cablevision. Filed by Stuart F. Feldstein, Frederick W. Finn and Arthur H. Harding, attorneys for National Cable Television Association. Filed by John D. Matthews and John I. Davis, attorneys for Becker Communications Associates, Citrus County Cablevision, Inc., Connorsville Cable TV, Inc., Cox Cable Communications, Inc., Newchannels Corp., and Tri-County Cable TV Co., Inc. Filed by Edward J. Kuhlmann, attorney for The Legislative Committee of the Philadelphia Community Cable Coalition, Citizens for Cable Awareness in Pennsylvania, American Civil Liberties Union of Georgia, and The Atlanta Branch of the National Association for the Advancement of Colored People. Filed by John R. Wilner, attorney for American Television and Communications Corp. Filed by George H. Shapiro and Alan Auckenthaler, attorneys for TM Communications Co. Filed by George H. Shapiro and Alan Auckenthaler, attorneys for Astro Cablevision Corp.	Oct. 31, 1977 Do. Do. Do. Do. Do. Do. Do. Do. Do. Do. Do. Do. Do. Do.
21033	Part 97	Deregulation of part 97 of the Commission's rules to simplify the licensing and operation of complex systems of stations and modify repeater subbands in the amateur radio service. Filed by Gary Pearce, WA9NSO, president for Chicago FM Club. Filed by Robert L. Bingham. Filed by Corwin D. Moore, Jr., for the Michigan Area Repeater Council. Filed by Robert M. Booth, Jr., attorney for The American Radio Relay League, Inc.	Do. Do. Do. Do.

NOTE.—Oppositions to petitions for reconsideration must be filed by Nov. 29, 1977. Replies to an opposition must be filed within 10 d after time for filing oppositions has expired.

FEDERAL COMMUNICATIONS
COMMISSION,
WILLIAM J. TRICARICO,
Acting Secretary.

[FR Doc.77-32758 Filed 11-11-77;8:45 am]

[6730-01]

FEDERAL MARITIME COMMISSION

AGREEMENTS FILED

The Federal Maritime Commission hereby gives notice that the following agreements have been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of each of the agreements and the justifications offered therefor at the Washington Office of the Federal Maritime Commission, 1100 L Street NW., Room 10126; or may inspect the agreements at the Field Offices located at New York, N.Y.; New Orleans, La.; San Francisco, Calif.; and San Juan, P.R. Interested parties may submit comments on each agreement, including requests for hearing, to the Secretary, Federal Maritime Commission, Washington D.C. 20573, on or before December 5, 1977. Comments should include facts and arguments concerning the approval, modification, or disapproval of the proposed agreement. Comments shall dis-

cuss with particularity allegations that the agreement is unjustly discriminatory or unfair as between carriers, shippers, exporters, importers, or ports, or between exporters from the United States and their foreign competitors, or operates to the detriment of the commerce of the United States, or is contrary to the public interest, or is in violation of the Act.

A copy of any comments should also be forwarded to the party filing the agreements and the statement should indicate that this has been done.

AGREEMENT NO.: T-3544.

FILING PARTY: Mr. Winston F. Tyler, Deputy City Attorney, City of Los Angeles, Harbor Division, P.O. Box 151, San Pedro, Calif. 90733.

SUMMARY: Agreement No. T-3544 is a nonexclusive preferential berth assignment form used at the Port of Los Angeles for routine day-to-day terminal operations involving the temporary assignment of berths and wharves. The assignment and privileges granted by this agreement are subject to the Charter of the City of Los Angeles, the then current

Port of Los Angeles tariff and other orders, rules and regulations of the Board of Harbor Commissioners.

AGREEMENT NO.: 2846-34.

FILING PARTY: Stanley O. Sher, Esq., Billig, Sher & Jones, P.C., 2033 K Street NW., Washington, D.C. 20006.

SUMMARY: Agreement No. 2846-34, among the members of The West Coast of Italy, Sicilian and Adriatic Ports/North Atlantic Range Conference (WINAC), restores the general arbitration requirements for resolving disputes among members and is designated as new Article 30.

AGREEMENT NO.: 5600-36.

FILING PARTY: Charles F. Warren, Esq., 1100 Connecticut Avenue, NW., Washington, D.C. 20036.

SUMMARY: Agreement No. 5600-36, has been entered into by the member lines of the Philippines North America Conference for the purpose of modifying the conference's self-policing provisions. In particular, it is proposed to replace the present conference arbitration procedure of self-policing with a neutral body system of self-policing.

AGREEMENT NO.: 8190-12.

FILING PARTY: Charles F. Warren, Esq., 1100 Connecticut Avenue NW., Washington, D.C. 20036.

SUMMARY: Agreement No. 8190-12, entered into among the member lines of the Japan-Puerto Rico and Virgin Islands Freight Conference, amends Article I of the approved agreement to provide that the Agreement shall include the establishment of joint through water/land/water rates, charges, and rules, and that cargo moving under such joint through rates shall be discharged at a U.S. Pacific Coast port for movement by a land carrier to a U.S. Atlantic or Gulf Coast port, and thence loaded onto vessels to ports of destination within the scope of the Agreement. The proposed modification also deletes Okinawa from the origin scope of the Conference.

AGREEMENT NO.: 9510-4.

FILING PARTY: Alan F. Wohlstetter, Esq., Denning & Wohlstetter, 1700 K Street NW., Washington, D.C. 20006.

SUMMARY: Agreement No. 9510-4 would amend paragraph 3 of the Household Goods Forwarders Association of America Rate Agreement to allow any party thereto to take independent action with respect to any tariff adopted or to be adopted on 30 days' written notice to the Association.

AGREEMENT NO.: 10051-3.

FILING PARTY: Howard A. Levy, Esq., Suite 727, 17 Battery Place, New York, N.Y. 10004.

SUMMARY: Agreement No. 10051-3, among the members of the Mediterranean Force Majeure Agreement, modifies the basic agreement by (1) expand-

ing its scope to include Greece and Turkey, (2) specifying the indemnity rights of each carrier, and (3) requiring the distressed carrier to take delivery of temperature-controlled cargo within 24 hours of being made available at destination.

AGREEMENT NO.: 10267-1.

FILING PARTY: Howard A. Levy, Esq., Suite 727, 17 Battery Place, New York, N.Y. 10004.

SUMMARY: Agreement No. 10267-1, among the members of the Container Carriers Discussion Agreement, modifies the basic agreement to extend the duration of the agreement for an additional one-year period through December 31, 1978.

AGREEMENT No.: 10315.

FILING PARTY: R. J. Finnan, Pricing, Lykes Bros. Steamship Co., Inc., 300 Poydras Street, New Orleans, La. 70130.

SUMMARY: Agreement No. 10315, a cooperative working arrangement entered into between Lykes Bros. Steamship Co., Inc. and Compagnie National Algerienne de Navigation would permit the parties to interchange empty cargo containers, trailers and related equipment between points in the United States and the Mediterranean, in accordance with the terms and conditions set forth in the agreement.

Dated: November 9, 1977.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.77-32883. Filed 11-11-77;8:45 am]

[6730-01]

Agreements Filed

The Federal Maritime Commission hereby gives notice that the following agreements have been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of each of the agreements and the justifications offered therefor at the Washington Office of the Federal Maritime Commission, 1100 L Street NW., Room 10126; or may inspect the agreements at the Field Offices located at New York, N.Y.; New Orleans, La.; San Francisco, Calif.; and San Juan, P.R. Interested parties may submit comments on each agreement, including requests for hearing, to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, before or on November 24, 1977. Comments should include facts and arguments concerning the approval, modification, or disapproval of the proposed agreement. Comments shall discuss with particularity allegations that the agreement is unjustly discriminatory or unfair as between carriers, shippers, exporters,

importers, or ports, or between exporters from the United States and their foreign competitors, or operates to the detriment of the commerce of the United States, or is contrary to the public interest, or is in violation of the Act.

A copy of any comments should also be forwarded to the party filing the agreements and the statement should indicate that this has been done.

AGREEMENT NO. 9848-5.

FILING PARTY: Mr. F. A. Wendt, Senior Vice President, Delta Steamship Lines, Inc., 1700 International Trade Mart, New Orleans, La. 70150.

SUMMARY: Agreement No. 9848-5, between Delta Steamship Lines, Inc., Cia. de Navegacao Lloyd Brasileiro and Cia. Maritima Nacional, amends the parties' basic cargo revenue pooling, sailing and equal access agreement in the southbound trade from U.S. Gulf ports to ports in Brazil, by extending the term of the agreement through March 31, 1978. It also provides that the pool period beginning January 1, 1977 shall be for fifteen (15) months, i.e., through March 31, 1978.

AGREEMENT NO. 9873-2.

FILING PARTY: J. Alton Boyer, Esquire, Kominers, Fort, Schlefer & Boyer, 1776 F Street NW., Washington, D.C. 20006.

SUMMARY: Agreement No. 9873-2, between Prudential Lines, Inc. and Cia. de Navegacao Lloyd Brasileiro, amends the parties' basic cargo revenue pooling, sailing and equal access agreement in the southbound trade from U.S. Pacific Coast ports to ports in Brazil, by extending the term of the agreement through March 31, 1978. It also provides that the pool period beginning January 1, 1977, shall be fifteen (15) months, i.e., through March 31, 1978.

By Order of the Federal Maritime Commission.

Dated: November 9, 1977.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.77-32884 Filed 11-11-77;8:45 am]

[6730-01]

[Independent Ocean Freight Forwarder License No. 1740-R]

OVERSEAS TRAFFIC SERVICES, INC.

Order of Revocation

On November 2, 1977, Overseas Traffic Services, Inc., 2800 NW. 75th Street, Miami, Fla. 33147, voluntarily surrendered its Independent Ocean Freight Forwarder License No. 1740-R for revocation.

By virtue of authority vested in me by the Federal Maritime Commission as set forth in Manual of Orders, Commission Order No. 201.1 (Revised), § 5.01(c), dated August 8, 1977:

It is ordered, That Independent Ocean Freight Forwarder License No. 1740-R

issued to Overseas Traffic Services, Inc. be and is hereby revoked effective November 2, 1977, without prejudice to reapply for a license in the future.

It is further ordered, That a copy of this Order be published in the FEDERAL REGISTER and served upon Overseas Traffic Services, Inc.

LEROY F. FULLER,
Director, Bureau of
Certification & Licensing.

[FR Doc.77-32885 Filed 11-11-77;8:45 am]

[6730-01]

[Independent Ocean Freight Forwarder License No. 1268]

SCHICK MOVING & STORAGE CO.

Order of Reinstatement of License

By Federal Maritime Commission Order served October 14, 1977, Schick Moving & Storage Co., Independent Ocean Freight Forwarder License No. 1268 was revoked effective October 12, 1977 for failure to maintain a valid surety bond on file with the Commission. The Order of Revocation was published on October 20, 1977 in 42 FR 55923, 55925.

An appropriate surety bond has been received in favor of Schick Moving & Storage Co. and compliance pursuant to Section 44, Shipping Act, 1916, and Section 510.9 of General Order 4 has been achieved.

Therefore, by virtue of authority vested in me by the Federal Maritime Commission as set forth in Manual of Orders, Commission Order No. 201.1 (Revised) Section 5.01 (a); dated August, 1977, Independent Ocean Freight Forwarder License No. 1268 shall be reissued to Schick Moving & Storage Co., effective October 21, 1977. A copy of this Notice of Reinstatement shall be published in the FEDERAL REGISTER and served upon Schick Moving & Storage Co.

LEROY F. FULLER,
Director, Bureau of
Certification & Licensing.

[FR Doc.77-32886 Filed 11-13-77;8:45 am]

[1610-01]

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 November 8, 1977. 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 ICC 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 request, comments (in triplicate) must be received on or before December 2, 1977, and should be addressed to Mr. John M. Lovelady, Acting Assistant Director, Regulatory Reports Review, United States General Accounting Office, Room 5033, 441 G Street NW., Washington, D.C. 20548.

Further information may be obtained from Patsy J. Stuart of the Regulatory Reports Review Staff, 202-275-3532.

INTERSTATE COMMERCE COMMISSION

ICC requests clearance of a revision to Annual Report Forms F-1 and F-2 by addition of a new schedule, Summary of Freight Loss and Damage Claims for Freight Forwarders. The schedule will be filed by some 140 Class A and 26 Class B freight forwarders in accordance with the report and order of the Interstate Commerce Commission in Docket No. 35345 served July 14, 1977. The new schedule will be added to freight forwarder Annual Report Forms F-1 and F-2 effective with the year ending December 31, 1978. The new schedule will provide loss and damage information on a summary basis adequate for detecting freight forwarders that are experiencing high losses from theft claims or other claims problems. ICC estimates that it will take each carrier approximately 8 hours to complete the schedule.

NORMAN F. HEYL,
Regulatory Reports
Review Officer.

[FR Doc. 77-32906 Filed 11-11-77; 8:45 am]

[4110-02]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education

NATIONAL ADVISORY COUNCIL ON WOMEN'S EDUCATIONAL PROGRAMS

Meeting

AGENCY: Office of Education National Advisory Council on Women's Educational Programs.

ACTION: Notice of meeting.

SUMMARY: This notice sets forth the schedule of a forthcoming meeting of a joint Task Force on Sex Equity in Vocational Education of the National Advisory Council on Women's Educational Programs and the National Advisory Council on Vocational Education. It also describes the functions of the National Advisory Council on Women's Educational Programs. Notice of meetings is required pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463). This document is intended to notify the public of their opportunity to attend.

DATE: December 3, 1977, 8:30 a.m. to 12 noon.

ADDRESS: The Ruby East Room, Sheraton Seaside Hotel, Pennsylvania Avenue at Boardwalk, Atlantic City, N.J.

FOR FURTHER INFORMATION CONTACT:

Joy Simonson, National Advisory Council on Women's Educational Programs, 1832 M Street NW., No. 821, Washington, D.C. 20036; telephone 202-653-5846.

The National Advisory Council on Women's Educational Program is established pursuant to Pub. L. 93-380, Section 408(f)(1). The Council is mandated to (a) advise the Commissioner with respect to general policy matters relating to the administration of the Women's Educational Equity Act of 1974; (b) advise and make recommendations to the Assistant Secretary concerning the improvement of educational equity for women; (c) make recommendations to the Commissioner with respect to the allocation of any funds pursuant to Section 408 of Pub. L. 93-380, including criteria developed to insure an appropriate distribution of approved programs and projects throughout the Nation; (d) make such reports to the President and the Congress on the activities of the Council as it determines appropriate; (e) develop criteria for the establishment of program priorities; and (f) disseminate information concerning its activities under Section 408 of Pub. L. 93-380.

The meeting of the joint Task Force on Sex Equity in Vocational Education will take place from 8:30 a.m. to noon on December 3, 1977. The agenda for the meeting will include plans for activities to promote sex equity in vocational education.

The meeting will be open to the public. Records will be kept of the proceedings and will be available for public inspection at the offices of the National Advisory Council on Women's Educational Programs, 1832 M Street NW., Suite 821, Washington, D.C. 20036.

Signed on November 9, 1977, at Washington, D.C.

Joy R. SIMONSON,
Executive Director, NACWEP.

[FR Doc. 77-32898 Filed 11-11-77; 8:45 am]

[4210-01]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Assistant Secretary for Community Planning and Development

[Docket No. N-77-815]

INNOVATIVE GRANTS—FISCAL YEAR 1978

Funding Proposal Applications

AGENCY: Department of Housing and Urban Development.

ACTION: Notice regarding Innovative Grants Proposals—Fiscal Year 1978.

SUMMARY: HUD will consider funding proposals for Innovative Grants that ad-

vance the state of the community development art in the areas of urban reinvestment, and promotion of neighborhood diversity and vitality by deconcentration of economic groups of persons.

ADDRESS: Room 7158, Department of Housing and Urban Development, 451 7th Street, SW., Washington, D.C. 20410.

FOR FURTHER INFORMATION CONTACT:

Howard E. Ball, Director, Office of Policy Planning, Room 7158, Telephone Number: 202-755-5890.

DATE: Applications are due by January 27, 1978.

SUPPLEMENTARY INFORMATION: The Innovative Grants Program is authorized by Section 107(a)(4) of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) and this Notice informing eligible applicants of requirements for proposals is published pursuant to 24 CFR 570.406.

Eligible applicants for Innovative Grants Program are units of general local government which are defined in the Community Development Block Grant regulations 24 CFR 570.3 (v) and (w).

HUD will consider all proposals for Innovative Grants funds that (a) advance the state of the art in urban reinvestment activities and programs, and/or (b) reduce the isolation of income groups within communities and geographic areas and promote the diversity and vitality of neighborhoods through the spatial deconcentration of housing for persons of lower income and the revitalization of deteriorating or deteriorated neighborhoods to attract persons of higher income. A major selection criterion will be whether the proposal either prevents or minimizes the impact of dislocation or the inequities associated with relocation of low- and moderate-income persons and families as a result of urban reinvestment. One measure of effective relocation would be the extent to which the program relocates low- and moderate-income persons from neighborhoods of high concentrations of such persons to jurisdictions and neighborhoods that have lower concentrations. are less densely populated, and are characterized by having a mix or diversity of family incomes, including the extent to which minority persons are located outside areas of their own concentration. Proposals addressing these objectives must have features which if implemented as a demonstration project would expand the total range of experiences associated with these types of community development activities. Notwithstanding the provisions of § 570.406(b) concerning demonstration of already existing projects, and due to the scarcity of funds, proposals which represent new applications of programs operating successfully in other geographic areas or jurisdictions and which offer no new or unique feature do not address the objectives of this program and, therefore, cannot be considered for funding.

Applications for the Innovative Grants Program must be received by or postmarked not later than January 27, 1978. Applications must conform with the format outlined in 24 CFR 570.406(c).

In connection with the environmental review of this Notice, a Finding of Inapplicability has been made under HUD Handbook 1390.1, 38 FR 19183. A copy of the Finding is available for inspection in the Office of the Rules Docket Clerk, Room 5218, Department of Housing and Urban Development, 451 7th Street, SW., Washington, D.C. 20410.

NOTE.—It is hereby certified that the economic and inflationary impacts of this notice have been carefully evaluated in accordance with OMB Circular A-107, Executive Order 11821.

Issued at Washington, D.C., November 3, 1977.

ROBERT C. EMBRY, Jr.,
Assistant Secretary for Community Planning and Development.

[FR Doc. 77-32839 Filed 11-11-77; 8:45 am]

[4210-01]

Office of the Secretary

[Docket No. N-77-814]

PRIVACY ACT OF 1974

Proposed Amendment to Routine Uses

AGENCY: Department of Housing and Urban Development.

ACTION: Proposed Amendment.

SUMMARY: This amendment proposes amendment of routine uses to HUD's Privacy Act system of records designated Accounting Records (HUD/DEP-2). It also adds to the categories of individuals, of records and of record sources applicable to this system of records.

DATES: Interested persons may submit comments on or before December 12, 1977.

ADDRESS: Rules Docket Clerk, Room 5218, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, D.C. 20410.

FOR FURTHER INFORMATION CON-

Mr. Harold Rosenthal, Departmental Privacy Act Officer, Room 3176, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, D.C. 20410, 202-755-5192.

SUPPLEMENTARY INFORMATION: The proposed additions to the system of records are being made to delineate more accurately the types of records contained in this record system. The additions are an amplification rather than an alteration or expansion of the scope of this system. They were not previously included because of an oversight. The Office of Management and Budget advised that a Report of Intention to Alter an Existing System of Records to Congress is not required.

The proposed additions to the Accounting Records system follow:

Categories of individuals covered by the system:

Builders, developers, contractors, appraisers, individuals writing to the department, employees on HUD/FHA projects, investors, subjects of audits, closing agents, former mortgagors and purchasers of HUD-owned properties.

Categories of records in the system:

Mortgagors, builders, and contractors financial statements, records, and audit reports, requests for termination of home mortgage insurance, deposit and receipt records, detailed accounting reports concerning diversified payments, disbursements, and cancelled checks, repurchases of mortgages, adjustments from recoveries, manual adjustments, and defaults, acquired home property records, sales closing papers, statement of accounts, tax records.

Routine uses of records maintained in the system including categories of users and purposes of such uses:

Internal Revenue Service—for reporting of sales commissions, Department of Justice—for statements of accounts and statements of net investments, Department of Labor and taxing authorities—for audit, accounting and financial reference, mortgages—for accounting and financial reference.

Record source categories:

Other individuals, credit bureaus, HUD personnel.

It should also be noted that "local housing authorities" is being deleted from the categories of individuals identified by this system. The prefatory statement containing General Routine Uses applicable to all of the Department's systems of records was published at 41 FR 4457 (October 8, 1976). Appendix A which lists the addresses of HUD's field offices was published at 41 FR 50523 (November 16, 1976).

The Department has determined that an Environmental Impact Statement is not required with respect to this notice. A copy of the Finding of Inapplicability is available for inspection in the Office of the Rules Docket Clerk, Room 5218, Department of Housing and Urban Development, Washington, D.C. 20410.

Accordingly, HUD proposes to amend the routine uses of system HUD/DEPT-2 to read as follows:

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See Routine Uses paragraphs in prefatory statement. Other routine uses: U.S. Treasury—for disbursements and adjustments thereof; Internal Revenue Service—for reporting of sales commissions; Department of Justice—for Statements of Account and Statements of Net Investment; General Accounting Office, General Services Administration, Department of Labor, local housing authorities, and taxing authorities—for audit, accounting and financial reference

purposes; mortgagee lenders—for accounting and financial reference purposes.

For the convenience of the public, the Department is printing below the system of records in its entirety including the modifications as proposed above.

HUD/DEPT-2

System name:

Accounting Records.

System location:

Many Regional, Area, Insuring and Service Offices, as well as the Headquarters, maintain files of this type. For a complete listing of these offices, with addresses, see Appendix A.

Categories of individuals covered by the system:

Mortgagors; mortgagees; grant/project and loan applicants and recipients; HUD personnel; vendors; brokers bidders; managers; tenants; individuals within Disaster Assistance Programs; builders, developers, contractors, and appraisers; individuals writing to the Department; employees on HUD/FHA projects; investors; subjects of audit; closing agents; former mortgagors and purchasers of HUD-owned properties.

Categories of records in the system:

Lease and loan collection register; schedule of payments receivable and received; premiums due; claim files and fee billing statements; escrow and certificates of deposit files; cash flow and budget control files; earnest money register; purchase order log; imprest fund; area managers' accounting records; restitution, maintenance, and market expenses; distributive shares records; salary; savings bonds; bills of lading; vouchers; invoices; receipts; cancelled checks; mortgagors, builders and contractors financial statements, records and audit reports; requests for termination of home mortgage insurance; deposit and receipt records; detailed accounting reports concerning diversified payments, disbursements, and cancelled checks; repurchases of mortgages; adjustments from recoveries, manual adjustments, and defaults; acquired home property records; sales closing papers; statements of accounts; tax records.

Routine uses of records maintained in the system including categories of users and the purposes of such uses:

See Routine Uses paragraphs in prefatory statement. Other routine uses: U.S. Treasury—for disbursements and adjustments thereof; Internal Revenue Service—for reporting of sales commissions; Department of Justice—for Statements of Account and Statements of Net Investments; General Accounting Office, General Services Administration, Department of Labor, Local housing authorities, and taxing authorities—for audit, accounting, and financial reference purposes; mortgagee lenders—for accounting and financial reference purposes.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Desks; safes; locked file cabinets; central files; bookcases; ledger trays and binders; tables.

Retrievability:

By Social Security number; name; case file number; schedule number; audit number; control number; receipt number; voucher number; contract number; address.

Safeguards:

Security checks; limited authorization and access; security guards.

Retention and disposal:

GSA schedules of retention and disposal; destruction after six months; transfer to either a Federal Records Center or Archives.

System manager and address:

Director, Office of Organization and Management Information, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, D.C. 20410.

Notification procedure:

For information, assistance, or inquiry about existence of records, contact the Privacy Act Officer at the appropriate location, in accordance with 24 CFR Part 16. A list of all locations is given in Appendix A.

Record access procedures:

The Department's rules for providing access to records to the individual concerned appear in 24 CFR Part 16. If additional information or assistance is required, contact the Privacy Act Officer at the Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, D.C. 20410.

Contesting record procedures:

The Department's rules for contesting the contents of records and appealing initial denials, by the individual concerned, appear in 24 CFR Part 16. If additional information or assistance is needed, it may be obtained by contacting: (i) in relation to contesting contents of records, the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A; (ii) in relation to appeals of initial denials, the HUD Departmental Privacy Appeals Officer, Office of General Counsel, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, D.C. 20410.

Record source categories:

Subject individuals; other individuals; current or previous employers; credit bureaus; financial institutions; private corporations or firms doing business with HUD; Federal and non-federal government agencies; HUD personnel.

(5 U.S.C. 552a, 88 Stat. 1896; sec. 7(d) Department of HUD Act (42 U.S.C. 3535(d)).)

Issued at Washington, D.C., November 7, 1977.

PATRICIA ROBERTS HARRIS,
*Secretary of Housing and
Urban Development.*

[FR Doc.77-32847 Filed 11-11-77;8:45 am]

[4210-01]

Office of the Secretary

[Docket No. D-77-494]

DIRECTOR OF EQUAL EMPLOYMENT OPPORTUNITY, ET AL.

Designation and Delegation of Authority

AGENCY: Department of Housing and Urban Development.

ACTION: Delegation of Authority.

SUMMARY: This document revises the Departmental delegation of authority to the Assistant Secretary for Equal Opportunity to act as Director of Equal Employment Opportunity which was published on August 27, 1970 to conform to a revision in Department Equal Employment Opportunity regulations which is being published as a final rule today.

EFFECTIVE DATE: This revision is effective immediately.

SUPPLEMENTARY INFORMATION:

The Delegation of Authority to the Assistant Secretary for Equal Opportunity is being revised to indicate that with respect to complaints under E.O. 11478 arising in the Office of Equal Opportunity the Executive Assistant to the Secretary shall be the Director of Equal Opportunity.

Accordingly, Section A, Paragraph 2a of the Secretary's designation and delegation of authority with respect to Equal Employment Opportunity (35 FR 13682) is revised to read as follows:

(a) Exercise all authority of the Director of Equal Employment Opportunity pursuant to the regulations of the Civil Service Commission codified under 5 CFR 713.202(d), including making the decision under 5 CFR 713.221 for the Secretary on complaints of discrimination and ordering such corrective measures as the Director may consider necessary except that with respect to complaints arising in the Office of the Assistant Secretary for Equal Opportunity, the Executive Assistant to the Secretary shall be Director of Equal Employment Opportunity.

(E.O. 11478 of August 8, 1969, 34 FR 12985; regs. of Civil Service Commission codified under 5 CFR Part 713; and sec. 7(d), Department of HUD Act, 42 U.S.C. 3535(d).)

Issued at Washington, D.C., November 4, 1977.

PATRICIA ROBERTS HARRIS,
*Secretary of Housing and
Urban Development.*

[FR Doc.77-32854 Filed 11-11-77;8:45 am]

[4310-70]

DEPARTMENT OF THE INTERIOR

National Park Service

HOT SPRINGS NATIONAL PARK, BATHHOUSE ROW AND VICINITY, HOT SPRINGS, ARKANSAS

**Proposed General Management Plan
Availability of Proposal/Assessment**

The National Park Service has prepared a Proposal/Assessment which delineates a preferred plan and the alternatives which were considered to revitalize the bathhouse row and vicinity in Hot Springs National Park, Garland County, Ark.

Specific issues addressed in the Proposal/Assessment include maintenance and adaptive uses for vacant and occupied bathhouses, construction of thermal water displays, a West Mountain Tower and an initial visitor contact point at the historic entrance on Central Avenue.

The Proposal/Assessment will be discussed at a public workshop to be held on December 14, 1977, at 7:30 p.m. in Room 1, Convention Auditorium, Convention Boulevard and Malvern Avenue, Hot Springs. National Park Service personnel will be present an hour prior to the beginning of the meeting to answer questions or explain details of the proposed plan.

Copies of the Proposal/Assessment are available at the following locations: Southwest Regional Office, National Park Service, 1100 Old Santa Fe Trail, P.O. Box 728, Santa Fe, N. Mex. 87501; Hot Springs National Park, P.O. Box 1860, Hot Springs, Ark. 71901; and National Park Service, Room 10-G-3, Fritz G. Lanham Federal Center, 819 Taylor Street, Fort Worth, Tex. 76102. Anyone wishing to express an opinion on the Proposal/Assessment should send written comments to the Superintendent at the Hot Springs address on or before January 16, 1978.

At the conclusion of the review period, the National Park Service will evaluate comments and suggestions received and a decision will be made as to whether or not the selected plan will significantly affect the environment.

Dated: November 1, 1977.

JOHN E. COOK,
*Regional Director, Southwest
Region, National Park Service.*

[FR Doc.77-32840 Filed 11-11-77;8:45 am]

[4310-70]

INDIANA DUNES NATIONAL LAKESHORE ADVISORY COMMISSION

Meeting

Notice is hereby given in accordance with the Federal Advisory Committee Act that a meeting of the Indiana Dunes National Lakeshore Advisory Commission will be held at 10 a.m. (CST) on Saturday, December 10, 1977, at the

Beverly Shores Elementary School, Marne Avenue, Beverly Shores, Ind.

The Commission was established by Pub. L. 89-761 to meet and consult with the Secretary of the Interior on matters related to the administration and development of the Indiana Dunes National Lakeshore.

The members of the Commission are as follows:

Mr. Harry W. Frey (Chairman).
Mrs. Anna R. Carlson.
Mr. John A. Hillenbrand II.
Mr. William L. Lieber.
Mr. Lawrence Miller.
Mr. John R. Schnurlein.
Mr. Norman E. Tufford.

The meeting is being held to provide information and an opportunity for public expression on land acquisition, home owner's rights and proposed expansion related to Indiana Dunes National Lakeshore. The meeting will be open to the public and interested persons may make oral or written statements.

A transcript will be made of the proceedings and a copy will be available for public review at the Office of the Superintendent, Indiana Dunes National Lakeshore, State Park Road and U.S. Highway 12, Chesterton, Ind., three weeks after the meeting. Members of the public wishing copies of the transcript may obtain information about their availability and cost from the Superintendent, Indiana Dunes National Lakeshore, Route 2, Box 139-A, Chesterton, Ind. 46304, telephone area code 219-926-7561.

Dated: November 3, 1977.

RANDALL R. POPE,
Acting Regional Director,
Midwest Region.

[FR Doc.77-32841 Filed 11-11-77;8:45 am]

[4410-01]

DEPARTMENT OF JUSTICE

Immigration and Naturalization Service HISPANIC ADVISORY COMMITTEE ON IMMIGRATION AND NATURALIZATION Meeting

AGENCY: Immigration and Naturalization Service, Justice.

ACTION: Notice of meeting.

SUMMARY: This notice announces the Meeting of the Hispanic Advisory Committee on Immigration and Naturalization to be held in McAllen, Texas, on December 1-2, 1977.

FOR FURTHER INFORMATION CONTACT:

E. B. Duarte, Special Assistant to the Commissioner of Immigration and Naturalization for Hispanic Liaison, Room 7058, 425 Eye Street, NW., Washington, D.C. 20536. Telephone 202-376-8211.

SUPPLEMENTARY INFORMATION AND MEETING AGENDA: Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463; 5 U.S.C.

App. D), notice is hereby given of a meeting of the Hispanic Advisory Committee on Immigration and Naturalization to be held from 9 a.m. to 5 p.m. on Thursday, December 1, 1977, and continuing from 9 a.m. to 12 m. on Friday, December 2, 1977 in Casa De Palmas-Section B of La Posada Hotel, McAllen, Texas.

THURSDAY, DECEMBER 1, 1977

- I. Call to order by the Chairperson.
- II. Approval of Minutes of Meeting of September 7-8, 1977.
- III. Welcoming remarks by the San Antonio District Director, INS.
- IV. Briefings: A. Legislative Update on Immigration.
B. Report on Proposed Federal Advisory Committee and Proposed Regional and District Advisory Committees.
- C. Report on Temporary Workers.
- V. Presentations from Audience.
- VI. Briefings (continued): D. Annual Report.
- VII. Subcommittee on Annual Report, and other Subcommittee Meetings.
- VIII. Recess.

FRIDAY, DECEMBER 2, 1977

- IX. Meeting Reconvenes.
 - X. Remarks by the Commissioner.
 - XI. Subcommittee on Annual Report and other Subcommittee Reports.
 - XII. Old/New Business.
 - XIII. Formal Recommendations to the Commissioner.
 - XIV. Meeting Adjourns.
- Attendance is open to the interested public but is limited to the space available.

Dated: November 9, 1977.

LEONEL J. CASTILLO,
Commissioner of
Immigration and Naturalization.

[FR Doc. 77-32889 Filed 11-11-77; 8:45 am]

[7590-01]

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-213]

CONNECTICUT YANKEE ATOMIC POWER CO.

Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 19 to Facility Operating License No. DPR-61, issued to Connecticut Yankee Atomic Power Co., which revised Technical Specifications for operation of the Haddam Neck Plant (the facility) located in Middlesex County, Conn. The amendment is effective as of its date of issuance.

The amendment revises the Appendix A Technical Specifications (1) to incorporate periodic surveillance for the charging pumps, boric acid pumps and the metering pump, (2) to specify mechanically blocking open valve No. SI-FCV-875 rather than locking out the power supply to this valve, and (3) to relocate the Technical Specification requirements governing valve lineups from the surveillance section to the limiting conditions for operation section of the Technical Specifications.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR § 51.5(d)(4) an environmental impact statement, or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated August 22, 1977, (2) Amendment No. 19 to License No. DPR-61 and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. and at the Russell Library, 119 Broad Street, Middletown, Conn. 06457. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Md., this 18th day of October 1977.

For the Nuclear Regulatory Commission.

A. SCHWENCER,
Chief, Operating Reactors
Branch No. 1, Division of
Operating Reactors.

[FR Doc.77-32903 Filed 11-11-77;8:45 am]

[7590-01]

[Docket No. 50-302]

FLORIDA POWER CORP. ET AL. Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 8 to Facility Operating License No. DPR-72, issued to the Florida Power Corp., City of Alachua, City of Bushnell, City of Gainesville, City of Kissimmee, City of Leesburg, City of New Smyrna Beach and Utilities Commission, City of New Smyrna Beach, City of Ocala, Orlando Utilities Commission and City of Orlando, Sebring Utilities Commission, Seminole Electric Cooperative, Inc., and the City of Tallahassee (the licensees) which revised Technical Specifications for operation of the Crystal River Unit No. 3 Nuclear Generating Plant located in Citrus County, Fla. The amendment is effective as of the date of issuance.

The amendment revises various Technical Specifications to agree with actual plant conditions, clarify their intent and eliminate unnecessary requirements.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR § 51.5(d)(4) an environmental impact statement, negative declaration or environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated May 20, 1977, (2) Amendment No. 8 to License No. DPR-72, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. and at the Crystal River Public Library, Crystal River, Fla. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Md., this 1st day of November 1977.

For the Nuclear Regulatory Commission.

ROBERT W. REID,
Chief, Operating Reactors
Branch No. 4, Division of Operating Reactors.

[FR Doc. 77-32804 Filed 11-11-77; 8:45 am]

[7590-01]

[Docket No. 50-285]

OMAHA PUBLIC POWER DISTRICT Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 31 to Facility Operating License No. DPR-40 issued to Omaha Public Power District which revised Technical Specifications for operation of the Fort Calhoun Station, Unit No. 1, located in Washington County, Nebr. The amendment is effective as of its date of issuance.

The amendment revises the Surveillance Capsule Removal Schedule to conform to the requirements of Appendix H to 10 CFR Part 50.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954,

as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR § 51.5(d)(4) an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated September 20, 1977, (2) Amendment No. 31 to License No. DPR-40, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C., and at the Blair Public Library, 1665 Lincoln Street, Blair, Nebr. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Md., this 7th day of November 1977.

For the Nuclear Regulatory Commission.

GEORGE LEAR,
Chief, Operating Reactors
Branch No. 3, Division of Operating Reactors.

[FR Doc. 77-32805 Filed 11-11-77; 8:45 am]

[7590-01]

ABNORMAL OCCURRENCE EVENT Management and Procedural Control Deficiencies

Section 208 of the Energy Reorganization Act of 1974, as amended, required the NRC to disseminate information on abnormal occurrences (i.e., unscheduled incidents or events which the Commission determines are significant from the standpoint of public health and safety). The following events were determined to be an abnormal occurrence using the criteria published in the FEDERAL REGISTER on February 24, 1977 (42 FR 10950). Appendix A (Example I, D, 3) of the Policy Statement notes that a serious deficiency in management or procedural controls in major areas can be considered an abnormal occurrence.

Date and Place.—A series of three events relating to management and procedural control deficiencies occurred at the Zion Nuclear Power station on July 8, 10, and 12, 1977, which indicated a serious breakdown in these controls. Zion is a dual unit (Units 1 and 2) pressurized water reactor plant owned and operated by Commonwealth Edison Co. and located in Zion, Ill.

Nature and Probable Consequences. Within several days, a series of three unscheduled events occurred at the Zion plant. Two events resulted in inadvertent reactor shutdowns and the third occurred while Unit 2 was already shutdown. These three events raised safety-related concerns to the NRC in the area of the adequacy of existing management and procedural controls. Though none of these events posed an immediate threat to public health and safety, the personnel and procedural errors associated with these events are indicative of lax management controls which if not corrected, are significant from the standpoint of public health and safety because of the associated reduction in the degree of protection.

A brief description of the three events and related information follows:

(1) On July 8, 1977, while performing a periodic test of the reactor protection logic for Zion Unit 1, the inadvertent omission of several procedural steps resulted in an automatic safe reactor shutdown. Following the shutdown, the auxiliary feedwater system started automatically and experienced a temporary pressure surge (a water hammer caused by water condensing steam in the line). Piping system vibration associated with this transient in turn affected safety signal transmitters located in the area and resulted in actuation of the safety injection system. Operation of the safety injection system was terminated manually by operations personnel prior to the sixty (60) second operating time required by the system design. This method of termination was not covered by procedure, and there was insufficient evaluation to determine that safety injection was not needed. An analysis of the event by the licensee indicated that no system or component damage had occurred.

(2) On July 10, 1977, at Zion Unit 2, a main feedwater pump failed because of pump lubrication system problems. The loss of the feedwater pump ultimately resulted in a reactor trip. Following the reactor trip, all auxiliary feedwater pumps started automatically as designed and delivered the preset flow to the steam generators. Approximately twenty minutes later, while the steam generator water levels were still below the feedwater spargers, the shift engineer elected to start the motor driven main feedwater pump. This resulted in a feedwater line water hammer of sufficient magnitude to cause one or more transmitters in the area to initiate safety injection. The safety injection signal tripped the main feedwater pump and terminated the water hammer.

As in the previous event of July 8, 1977, operations personnel again terminated the operation of the safety injection system in a manner that was not specifically covered by established procedures. As a result of this incident, the motor casings of two feedwater isolation valves were cracked. It was concluded that no piping yield stress was exceeded and no public health and safety consequences resulted.

(3) On July 12, 1977, Zion Unit 2 was in a hot shutdown condition (unit at

operating temperature and pressure, reactor at zero power level), when station management decided to perform a surveillance test of the reactor protection logic circuitry. Artificial test signals were simultaneously inserted in thirty-one circuits: Three pressurizer water level sensors, four pressurizer pressure sensors, three water level sensors in each of the four steam generators, and three flow sensors in each of the four steam generators, and three flow sensors in each of the four primary coolant loops. These test signals were to be installed only as needed to simulate plant conditions at hot shutdown. Instead, all were installed, when in fact none were needed. These test signals effectively eliminated the ability of the safety injection logic (Emergency Core Cooling System automatic initiation) to sense loss of primary coolant from the pressurizer (which maintains proper volume and pressure in the Primary Cooling System) or loss of heat removal capability from the steam generators. Two automatic safety system initiation functions remained in effect to provide protection in case of an accident. These two functions were the containment high pressure and the steam generator differential pressure sensors. From an operational standpoint, the test signals also generated false signals to the pressurizer level control system and visual displays used by the operator.

The test signals had been installed for approximately forty (40) minutes when due to unusual readings on pump seal flows and other unusual indications, an operator requested that the test signals be removed. Upon removal, the pressurizer level indication dropped below the range of the indicator. The drop in pressurizer water level resulted from the pressurizer water level test signal being slightly higher than the automatic pressurizer level control set point. In response to this condition the charging pump flow was automatically reduced to the minimum pump flow rate, which was maintained until the test signals were removed. During this forty minute period the letdown flow remained constant. Consequently, the rate at which coolant was being removed from the primary coolant system was approximately 75 gpm greater than the rate at which coolant was being returned to the system.

The level was restored to an on-scale reading in approximately ten (10) minutes via the charging pumps. The pressurizer pressure and steam generator levels remained essentially constant during this event.

Calculations indicate that the lowest level reached during the event was in the surge line between the pressurizer and the piping of the primary cooling system. Normal water levels were maintained in the reactor; therefore, no fuel was uncovered. It was estimated that 3100 gallons of water were required to bring the pressurizer level back to its original level of 22 percent. There was no apparent damage to plant equipment as a result of this event.

Cause or causes. The three events were caused primarily by breakdowns in management and procedural controls with personnel errors also contributing. The apparent cause for each event was as follows:

(a) July 8 event—The reactor trip was caused by failure of the operator to follow each step of the test procedure. Moreover, the water hammer and subsequent safety injection initiation was due to using an obsolete procedure to regulate the auxiliary feedwater system flow rate. The latest revision of the test procedure which established the proper throttle setting of the valves in the auxiliary feedwater system had not been properly distributed by station management.

(b) July 10 event—Based on past experiences and company quality assurance procedures, the starting of the motor driven main feedwater pump should have been prohibited by procedure while the steam generator feedwater spargers were uncovered.

(c) July 12 event—A review established that this event occurred primarily due to improper review and approval of the request for surveillance testing by management and plant operators. Contributing factors were inadequate communications and understanding between work groups.

ACTION TAKEN TO PREVENT RECURRENCE

Licensee. Corrective actions in the areas of procedure revisions and personnel training have been initiated by the licensee to prevent recurrence of each specific event. In addition, certain management changes have been affected by the licensee. Other actions to correct the broad management and procedural control concerns are being initiated.

NRC. The events were investigated during inspections conducted on July 5-8, 14, 15, and 21, 1977. During the inspections, several items of apparent noncompliance were identified. Based on the inspection findings and the licensee's history of noncompliance, a Notice of Violation and Proposed Imposition of a Civil Penalty in the amount of \$21,000 were issued to the licensee on September 30, 1977. The proposed civil penalty is based on six items of apparent noncompliance. Four of these are associated with three events listed above. One of the four is an alleged "violation"—the most severe category in NRC's classification of non-compliance items and is related to the July 12 event. The Notice of Violation and Proposed Imposition of a Civil Penalty directed the licensee, Commonwealth Edison, to contact the Office of Inspection and Enforcement to arrange a meeting with the Director of that Office. The purpose of the meeting is to discuss:

1. The licensee's specific plans for prompt identification and correction of the factors which have caused the degradation of management controls and which permitted the personnel errors that lead to the three events and non-compliance, including the licensee's schedule for corrective action.

2. Related concerns for these type controls at all Commonwealth Edison

operating reactor facilities—Zion, Dresden and Quad Cities.

The Office of Inspection and Enforcement intends to augment the inspection efforts at the licensee's operating sites to evaluate the effectiveness of the corrective actions in a more comprehensive manner.

Future reports will be made as appropriate.

Dated at Washington, D.C., this 8th day of November 1977.

For the Nuclear Regulatory Commission.

SAMUEL J. CHILK,
Secretary of the Commission.

[FR Doc. 77-32866 Filed 11-11-77; 8:45 am]

[7590-01]

[Docket No. 50-17]

INDUSTRIAL REACTOR LABORATORIES, INC. AND N. L. INDUSTRIES, INC.

Order Terminating Facility License

By application dated June 12, 1975,¹ as supplemented November 26, 1976, February 28, 1977, and July 1, 1977, Industrial Reactor Laboratories, Inc. and N. L. Industries, Inc. (the licensees) requested authorization to terminate Facility License No. R-46 for the Industrial Reactor Laboratory Research Reactor (the facility), located in Plainsboro Township, Middlesex County, New Jersey. A "Notice of Proposed Issuance of Order Authorizing Termination of Facility License" was published in the FEDERAL REGISTER on December 30, 1976 (FR 56893). No request for a hearing or petition for leave to intervene was filed following notice of the proposed action.

The Commission has found that the facility has been dismantled and decontaminated, and that satisfactory disposition has been made of the component parts and fuel in accordance with the Commission's regulations in 10 CFR Chapter I, and in a manner not inimical to the common defense and security or to the health and safety of the public. The facility has been dismantled pursuant to the Commission's Order dated September 12, 1975. The facility area has been inspected by the Commission's Office of Inspection and Enforcement and radiation surveys confirm that the reactor-generated radioactive material has been removed as required by the Commission's Order of September 12, 1975. Residual byproduct material associated with NRC Byproduct Material License

¹ Copies of (1) the application, as supplemented, (2) the Commission's Order Authorizing Dismantling of Facility dated September 12, 1975, and (3) the Commission's Safety Evaluation in support of this Order, are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. Attention: Director, Division of Operating Reactors.

No. 29-03686-02 will be considered separately. The NRC Byproduct Material License will remain in effect until the NRC has determined that adequate disposition of that residual material has been made.

Therefore, pursuant to the application by Industrial Reactor Laboratories, Inc. and the N. L. Industries, Inc., Facility License No. R-46 is hereby terminated as of the date of this Order.

Dated at Bethesda, Maryland, this 4th day of November 1977.

For the Nuclear Regulatory Commission.

ROBERT W. REID,
Acting Assistant Director for
Operating Reactors, Division
of Operating Reactors.

[FR Doc.77-32891 Filed 11-11-77;8:45 am]

[7590-01]

REGULATORY GUIDE, FIRE PROTECTION GUIDELINES FOR NUCLEAR POWER PLANTS

Issuance and Availability

The Nuclear Regulatory Commission has issued a guide in its Regulatory Guide Series. This series has been developed to describe and make available to the public methods acceptable to the NRC staff of implementing specific parts of the Commission's regulations and, in some cases, to delineate techniques used by the staff in evaluating specific problems or postulated accidents and to provide guidance to applicants concerning certain of the information needed by the staff in its review of applications for permits and licenses.

Regulatory Guide 1.120, Revision 1, "Fire Protection Guidelines for Nuclear Power Plants," presents guidelines acceptable to the NRC staff for implementing the Commission's regulations with regard to developing a fire protection program for nuclear power plants. The purpose of the fire protection program is to ensure the capability to shut down the reactor and maintain it in safe shutdown condition and to minimize radioactive releases to the environment in the event of a fire. This guide was originally issued for comment in June 1976. In view of the many changes made as a result of that public comment period, this guide is being issued for a further extended comment period of one year. At the conclusion of the comment period the staff will consider the public comments in conjunction with an in-depth evaluation of different approaches to plant fire protection for future plants.

Comments should be sent to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Branch.

Regulatory guides are available for inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. Requests for single copies of issued guides (which may be reproduced) or for placement on an automatic distribution list for single cop-

ies of future guides in specific divisions should be made in writing to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Document Control. Telephone requests cannot be accommodated. Regulatory guides are not copyrighted, and Commission approval is not required to reproduce them.

Dated at Rockville, Maryland this 8th day of November 1977.

(5 U.S.C. 552(a))

For the Nuclear Regulatory Commission.

ROBERT B. MINOGUE,
Director, Office of
Standards Development.

[FR Doc.77-32890 Filed 11-11-77;8:45 am]

[7590-01]

STATE WORKSHOP FOR THE REVIEW OF URANIUM MILLS NRC/State Regulation

The subject of Federal and State regulation of uranium mills is an urgent and important issue. There are currently 19 uranium mills in operation, all located in Western States. Ten of these mills are licensed by the U.S. Nuclear Regulatory Commission, and nine are licensed under the Agreement States program under Section 274 of the Atomic Energy Act of 1954, as amended. A number of other mills are planned for the future.

The U.S. Nuclear Regulatory Commission (NRC) is planning a workshop to be held at the Broadmoor Hotel, Colorado Springs, Colorado on November 17 and 18, 1977. Starting time is 9:00 A.M. This workshop will allow an exchange of views among State representatives and the NRC. All sessions will be open to public attendance and observation. Reports of the workshop will be filed in the NRC Public Document Room, 1717 H Street NW., Washington, D.C. 20555.

Topics to be discussed include the NRC licensing process for uranium mills; the *Natural Resources Defense Council, Inc. vs. New Mexico* lawsuit; the technical content of the environmental impact statement for uranium mills under the National Environmental Policy Act; the Generic Environmental Impact Statement on Uranium Mills; regulation and licensing of uranium mills in Agreement States; and the development of NRC staff and Commission policy positions on uranium mills. Most of the workshop will be devoted to group discussion and deliberation based on a prepared list of questions.

Persons who wish further information about this workshop or who wish to observe should write Mr. John Craig, Workshop Director, care of Center for Public Issues, University of Denver, 2355 South Vine, Denver, Colo. 80208, or call 303-753-2744.

Dated at Bethesda, Maryland this 10th day of November 1977.

For the Nuclear Regulatory Commission.

ROBERT G. RYAN, DIRECTOR,
Office of State Programs.

[FR Doc.77-33028 Filed 11-11-77;9:48 am]

[8410-01]

OHIO RIVER BASIN COMMISSION WABASH RIVER BASIN COMPREHENSIVE COORDINATED JOINT PLAN

Availability of Adopted Plan

Pursuant to Section 204(3) of the Water Resources Planning Act of 1965 (Pub. L. 89-80), the Ohio River Basin Commission has adopted the Wabash Basin Comprehensive Coordinated Joint Plan for transmittal to the President and the Congress through the Water Resources Council.

Copies are available on request to the Ohio River Basin Commission, 36 East Fourth Street, Cincinnati, Ohio 45202.

FRED E. MORR,
Chairman.

[FR Doc.77-32939 Filed 11-11-77;8:45 am]

[3195-01]

OFFICE OF SCIENCE AND TECHNOLOGY POLICY ADVISORY GROUP ON WHITE HOUSE INFORMATION SYSTEMS

Meeting

In accordance with the Federal Advisory Committee Act, Pub. L. 94-463, the Office of Science and Technology Policy announces the following meeting:

Name: Advisory Group on White House Information Systems.

Date: November 29 and 30, 1977.

Time: 9 a.m. to 4 p.m.

Place: Room 3104, New Executive Office Building, 726 Jackson Place NW., Washington, D.C.

Type of meeting: Open, subject to space limitations. Those wishing to attend should call the Contact Person below, to assist us in making adequate preparations.

Contact person: Dr. Joel A. Snow, Advisory Group Executive Secretary, Office of Science and Technology Policy, Executive Office of the President, Washington, D.C. 20500; telephone 202-395-3153.

Summary minutes: May be obtained from the Office of Science and Technology Policy.

Purpose of advisory group: The Office of Science and Technology Policy, in accordance with the statutory mandate to advise the President and to analyze and interpret significant developments and trends in science and technology, will be identifying the information systems needs and the impact of technological advances in information and data handling as these might support the decision processes of the White House and the Executive Office of the President. The work of the Advisory Group will be based upon inputs from the relevant departments and earlier work carried out by other organizations in the Executive Branch including the Reorganization Team.

Agenda: 9 a.m. to 4 p.m. This final panel meeting will include a review of conceptual documents for an information systems plan for the EOP; a review of current project activities and status; a review of the Group's

final report and covering memo, and a final verbal briefing for the Advisory Group co-sponsors.

WILLIAM J. MONTGOMERY,
Executive Officer.

[FR Doc. 77-32916 Filed 11-11-77; 8:45 am]

[8010-01]

**SECURITIES AND EXCHANGE
COMMISSION**

[Release No. 34-14109; File No. SR-DTC-77-10]

DEPOSITORY TRUST CO.

**Self-Regulatory Organizations; Proposed
Rule Change**

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1), as amended by Pub. L. No. 94-29, 16 (June 4, 1975), notice is hereby given that on October 7, 1977, the above mentioned self-regulatory organization filed with the Securities and Exchange Commission a proposed rule change as follows.

**STATEMENT OF THE TERMS OF SUBSTANCE
OF THE PROPOSED RULE CHANGE**

The proposed rule change provides for an addition to the Fee Schedule for Major Services, filed on Form 19b-4, File No. SR-NYSE-75-19 (italics indicate new material):

<i>Interdepository Move- ments by a dual par- ticipant.</i>	<i>\$0.40 (in addition to the \$0.74 charge for deliveries by bookentry) for each item deliv- ered, received or reclaimed.</i>
<i>Interdepository Third Party Deliveries.</i>	<i>\$1.00 charge (above the \$0.74 charge for deliveries by bookentry) for each item deliv- ered, received or reclaimed.</i>
<i>Inter-regional Clear- ing Corporation De- liveries to or from National Securities Clearing Corpora- tion (NSCC).</i>	<i>\$0.40 for each item delivered (payable by NSCC).</i>

STATEMENT OF BASIS AND PURPOSE

The basis and purpose of the foregoing proposed rule change as follows:

The purpose of the proposed rule change is to fairly allocate the cost to DTC of making interdepository deliveries.

The proposed rule change relates to DTC's carrying out the purposes of Section 17A of the Securities Exchange Act of 1934 by equitably allocating fees among DTC Participants.

Comments on the proposed rule change have been solicited by a memorandum to all Participants dated August 12, 1977. A copy of that memorandum is attached as Exhibit 2 to DTC's filing. One written comment in response to that memorandum has been received.

DTC perceives no burden on competition by reason of the proposed rule change.

On or before December 19, 1977 or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the above-mentioned self-regulatory organization consents, the Commission will:

(A) By order approve such proposed rule change, or

(B) Institute proceedings to determine whether the proposed rule change should be disapproved.

Interested persons are invited to submit written data, views, and arguments concerning the foregoing. Persons desiring to make written submissions should file 6 copies thereof with the Secretary of the Commission, Securities and Exchange Commission, Washington, D.C. 20549. Copies of the filing with respect to the foregoing and of all written submissions will be available for inspection and copying in the public reference room, 1100 L Street, N.W., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number referenced in the caption above and should be submitted within 21 days of the date of this publication.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

GEORGE A. FITZSIMMONS,
Secretary.

OCTOBER 27, 1977.

[FR Doc. 77-32942 Filed 11-11-77; 8:45 am]

[8010-01]

[812-4216; ReI. No. 10007]

**FUND FOR GOVERNMENT INVESTORS,
INC.**

Filing of Application

NOVEMBER 10, 1977.

Notice is hereby given that Fund for Government Investors, Inc., 1735 K Street, Northwest, Washington, D.C. 20006 ("Applicant"), registered under the Investment Company Act of 1940 (the "Act") as a diversified, open-end, management investment company, filed an application on October 28, 1977, and an amendment thereto on November 7, 1977, for an order of the Commission, pursuant to Section 6(c) of the Act, exempting Applicant from the provisions of Section 2(a)(41) of the Act and Rules 2a-4 and 22c-1 thereunder, to the extent necessary to permit Applicant to value its assets in the manner set forth in the application, which generally would be the "amortized cost" method of valuation. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

Applicant states that it is a "money market fund" designed as an investment

vehicle for investors who wish to invest for short periods of time, and that its investment objective is to achieve current income with safety of principal. Money Management Associates is Applicant's investment adviser.

Applicant further states that its portfolio is restricted to short-term U.S. Government securities; that its average portfolio maturity normally averages between 60 and 150 days; and that investments are generally held to maturity.

The Applicant submits that the investors that utilize it as a vehicle for investing in the short-term money market would be unfairly treated if Applicant were forced to abandon amortized cost as a method for valuing securities. It states that these investors currently use amortized cost as a basis for carrying their direct investments in the money market, and that, furthermore, they have selected Applicant, which states in its prospectus that it uses amortized cost and describes the effect thereof on its portfolio during rising and falling interest rates, over other "money market" funds that utilize the mark-to-market valuation method.

According to the application, as of September 30, 1977, Applicant had approximately \$37 million in net assets; approximately 60 percent of Applicant's assets were held by trust departments, brokers, and investment counsellors; and approximately 7 percent was held by individuals. Applicant asserts that it is owned primarily by large, sophisticated investors and that, while those investors are not concerned with differences which might occur between yield computed by pricing to a market and yield computed by using amortized cost, they are adamant that the yield not exhibit volatility which may occur through use of "mark-to-market" valuation methods.

As here pertinent, Section 2(a)(41) of the Act defines "value" to mean: (1) with respect to securities for which market quotations are readily available, the market value of such securities, and (2) with respect to other securities, fair value as determined in good faith by the board of directors.

Rule 22c-1 adopted under the Act provides, in part, that no registered investment company issuing any redeemable security shall sell, redeem, or repurchase any such security except at a price based on the current net asset value of such security which is next computed after receipt of a tender of such security for redemption or of an order to purchase or sell such security. Rule 2a-4 adopted under the Act provides as here relevant, that the "current net asset value" of a redeemable security issued by a registered investment company used in computing its price for the purposes of distribution and redemption shall be an amount which reflects calculations made substantially in accordance with the provisions of that Rule, with estimates used where necessary or appropriate. Rule 2a-4 further provides that portfolio securities for which market quotations are readily available shall be valued at

current market value, and other securities shall be valued at fair value as determined in good faith by the board of directors.

Section 6(c) of the Act provides, in part, that the Commission may, upon application, exempt any person, security or transaction, or any class or classes of persons, securities or transactions, from any provision or provisions of the Act and the rules thereunder, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Applicant has requested an order of the Commission pursuant to section 6(c) of the Act exempting it from the provisions of section 2(a) (41) of the Act and Rules 2a-4 and 22c-1 thereunder to the extent necessary to permit Applicant's portfolio securities to be valued at amortized cost, whether or not market quotations are readily available.

Applicant states that its request for exemption is made based upon its existing management policies, and has agreed that the order it seeks may be conditioned upon the following:

1. That investments will be made only in instruments having a remaining maturity of one year or less, and that the portfolio will be managed so that the average maturity of all investments in the portfolio (on a dollar-weighted basis) will be 120 days or less. Applicant will schedule the maturity dates of its investments, and maintain overnight investments, in order that redemptions of its shares in the largest foreseeable volume may be made without the necessity of disposing of portfolio securities.

2. It will not sell instruments in its portfolio prior to maturity unless such sale is mandated by redemption requirements, or other extraordinary circumstances not presently foreseeable.

3. That it henceforth will offer its shares only to present shareholders and to institutional investors, with a required initial single or group minimum purchase of \$50,000.

4. That it will describe in its prospectus its fundamental investment policy and the impact of valuing its investments using the amortized cost method as compared to market-to-market.

5. That the Board of Directors will continuously review market conditions to assure that the amortized cost method of portfolio valuations represents fair value as determined in good faith by the Board of Directors. If a change in the method of valuation of portfolio securities is deemed necessary, the Board of Directors will revise the method of valuation in order to approximate more closely the market value of portfolio securities.

6. That, as soon as practicable, it will initiate a policy of reserving the right to honor redemption requests in whole or part by a distribution in kind of portfolio securities in lieu of cash, such policy to be implemented if the Board of Directors determines that a material adverse effect would be experienced by

the remaining investors if a redemption request was satisfied wholly or partly in cash.

Applicants submit that the requested exemption is appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than November 30, 1977, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail upon Applicant at the address stated above. Proof of such service (by affidavit or, in the case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0-5 of the Rules and Regulations promulgated under the Act, an order disposing of the application will be issued as of course following said date unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advise as to whether a hearing is ordered, will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.77-33061 Filed 11-11-77; 11:57 am]

[8025-01]

SMALL BUSINESS ADMINISTRATION

REGION X SPOKANE ADVISORY COUNCIL

Public Meeting

The Small Business Administration Region X Spokane Advisory Council will hold a public meeting at 9:00 a.m., Thursday, December 8, 1977, in room 752, U.S. Court House Building, West 920 Riverside Avenue, in Spokane, Wash., to discuss such business as may be presented by members, the staff of the Small Business Administration, or others attending. For further information, write or call William S. Schumacher, District Director, U.S. Small Business Administration, U.S. Court House, room 651, Post Office Box 2167, Spokane, Wash. 99210, 509-456-3781, FTS 439-3781.

Dated: November 4, 1977.

K. DREW,
Deputy Advocate for
Advisory Councils.

[FR Doc.77-32807 Filed 11-11-77; 8:45 am]

[8025-01]

[Declaration of Disaster Loan Area No. 1364,
Amdt. No. 2]

VIRGINIA

Declaration of Disaster Loan Area

The above numbered Declaration (see 42 FR 44863) and Amendment No. 1 (see 42 FR 52590), are amended by extending the filing date for physical damage until the close of business on December 30, 1977, and for economic injury until the close of business on July 31, 1978.

(Catalog of Federal Domestic Assistance Program Nos. 59002 and 59008)

Dated: October 28, 1977.

A. VERNON WEAVER,
Administrator.

[FR Doc.77-32806 Filed 11-11-77; 8:45 am]

[4910-14]

DEPARTMENT OF TRANSPORTATION

Coast Guard

[CGD 77-209]

NATIONAL BOATING SAFETY ADVISORY COUNCIL

Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463; 5 U.S.C. App. 1) notice is hereby given of a meeting of the National Boating Safety Advisory Council to be held on Tuesday and Wednesday, December 13-14, 1977, in the Admirals Ballroom, Holiday Inn, 600 Strand, Galveston, Tex. The meeting is scheduled to begin at 9 a.m. both days and adjourn at 7 p.m. on Tuesday, December 13, and in the early afternoon on Wednesday, December 14. The agenda for this meeting will be as follows:

1. Review of action taken at the Seventeenth Meeting of the Council.
2. Executive Director's Report.
3. Marine Dealers Responsibility Subcommittee Report and Vote on Concurrence.
4. Navigation Light Discussion.
5. Update on Research and Development Progress.
6. Daytime and Nighttime Visual Distress Signals demonstration will be conducted on December 13, 1977, at approximately 4 p.m. and 6 p.m. respectively, at the U.S. Coast Guard LORAN Station, Galveston, Tex.
7. Vote on Proposed Ventilation Regulations.
8. Office of Boating Safety Report.
9. Members Items.
10. Chairman's Session.

Attendance is open to the interested public. With approval of the Chairman, members of the public may present oral statements at the meeting. Persons wishing to present oral statements should so notify the Executive Director no later than the day before the meeting. Any member of the public may present a written statement to the Council at any time. Additional information may be obtained from Comdr. M. Tubella, Jr., Executive Director, National Boating Safety Advisory Council, U.S. Coast Guard (G-BA), Washington, D.C. 20590, or by calling 202-426-1080.

Issued in Washington, D.C., on November 9, 1977.

D. F. LAUTH,
Rear Admiral, U.S. Coast Guard,
Chief, Office of Boating Safety.

[FR Doc.77-32888 Filed 11-11-77;8:45 am]

[4910-13]

Federal Aviation Administration

RADIO TECHNICAL COMMISSION FOR AERONAUTICS (RTCA); SPECIAL COMMITTEE 133-AIRBORNE WEATHER AND GROUND MAPPING PULSED RADARS

Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463; 5 U.S.C. App. 1) notice is hereby given of a meeting of the RTCA Special Committee 133 on Airborne Weather and Ground Mapping pulsed Radars to be held December 6-7-8, 1977, Lafayette Airport Terminal Building Conference room, Lafayette, La., commencing at 9:30 a.m. The Agenda for this meeting is as follows: (1) Chairman's Comments; (2) Approval of Minutes of Third Meeting held September 28-29-30, 1977; (3) Review of European Organization for Civil Aviation Electronics (EUROCAE) WG-3 Minutes; (4) Working Group Reports; (5) Review Draft of New Performance Standards; (6) Airborne Radar Approach Orientation Trip; (7) New Business; and (8) Assignment of Tasks.

Attendance is open to the interested public but, limited to space available. With the approval of the Chairman, members of the public may present oral statements at the hearing. Persons wishing to attend and persons wishing to present oral statements should notify, not later than the day before the meeting, and information may be obtained from, RTCA Secretariat, 1717 H Street, NW., Washington, D.C. 20006; 202-296-0484. Any member of the public may present a written statement to the committee at any time.

Issued in Washington, D.C. on November 4, 1977.

KARL F. BIERACH,
Designated Officer.

[FR Doc.77-32716 Filed 11-11-77;8:45 am]

[4830-01]

DEPARTMENT OF THE TREASURY

Internal Revenue Service

COMMISSIONER'S ADVISORY GROUP

Open Meeting

There will be a meeting of the Commissioner's Advisory Group on November 30 and December 1, 1977, in room 3313 of the Internal Revenue Service Building. The building is located at 1111 Constitution Avenue NW., Washington, D.C. The meeting will begin at 10:00 a.m. on November 30 and 9:00 a.m. on December 1. The agenda will include the following topics:

WEDNESDAY, NOVEMBER 30, 1977

Possible Excessive Requirements for Powers Of Attorney.

IRS and New Taxpayer Gambits—What Techniques Does IRS Use to Keep Abreast of and Discourage New Taxpayer Gambits? Recruitment and Training of IRS Personnel (Including Continuing Career Educational Opportunities).

Voluntary Disclosure as a Bar to Criminal Prosecution—What Should IRS Policy Be? How Should it be Communicated to the Public?

Coping with Taxpayer Service Workload with Static or Diminishing Resources.

Report of Current Developments, Including Tax Package Questionnaire Survey, Status of TAS, and Filing of Form 5500.

THURSDAY, DECEMBER 1, 1977

Settlement Authority in Tax Court Cases—Reexamination of Revenue Procedure 60-18.

What Would be Appropriate Action for IRS to take in the Employee-Independent Contractor Area Pending Joint Committee and/or Congressional Action?

The meeting, which will be open to the public, will be in a room that accommodates approximately 50 people. After the Committee members finish discussing the items on the agenda, there may be time for statements by non-members. If you want to make a statement at the meeting, or if you would like the Committee to consider a written statement, please call or write to the Assistant Commissioner (Planning and Research), 1111 Constitution Avenue NW., Washington, D.C. 20224.

FOR FURTHER INFORMATION CONTACT:

Assistant Commissioner, (Planning and Research), 202-566-4420 (not toll free).

JEROME KURTZ,
Commissioner.

NOVEMBER 4, 1977.

[FR Doc.77-32900 Filed 11-11-77;8:45 am]

[4830-01]

COMMISSIONER'S ADVISORY GROUP Reestablishment

Pursuant to the Federal Advisory Committee Act of October 6, 1972 (Pub. L. 92-463, 86 Stat. 770-776, 5 U.S.C. App. I, Supp. II), and with the approval of the Secretary of the Treasury and the concurrence of the Office of Management and Budget, the Office of the Commissioner of Internal Revenue announces the reestablishment of the following advisory committee:

Title: The Advisory Group to the Commissioner of Internal Revenue.

Purpose: The primary purpose of the Advisory Group is to provide an organized public forum for discussions of relevant tax administration issues between officials of IRS and representatives of the public. The Advisory Group also offers constructive observations about IRS' current or proposed policies, programs, and procedures and, where necessary, suggests ways to improve IRS' operations.

The Commissioner and other senior officials receive from the Advisory Group a significant amount of information about the problems taxpayers encounter not only in dealing with IRS but also in meeting obligations imposed on them

statutorily. The Service uses the advice of the Advisory Group to develop a tax administration system which reflects the simplest, most equitable approach to administering the tax system that it is within our power to pursue. Accordingly, the Advisory Group conveys to the Service the public's perceptions of IRS' activities.

Termination Date: The services of the Group are expected to be needed for an indefinite period of time. No termination date has been established which is less than two years from the date the Advisory Group's charter is approved. The Advisory Group's charter is approved by signature of the Assistant Secretary of the Treasury for Administration.

JEROME KURTZ,
Commissioner.

NOVEMBER 8, 1977.

[FR Doc.77-32899 Filed 11-11-77;8:45 am]

[7035-01]

INTERSTATE COMMERCE COMMISSION

[No. 526]

ASSIGNMENT OF HEARINGS

NOVEMBER 9, 1977.

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.

MC 115491 Sub No. 133 Commercial Carrier Corp., now assigned November 14, 1977 at Tampa, Florida in Room 412, Federal Bldg., 500 Zack Street is being transferred to the Federal Bldg. & U.S. Courthouse, Downtown Post Office Station, 415 Zack Street in Tampa, Florida.

MC 118159 Sub No. 205 National Refrigerated Transport, Inc., now assigned November 15, 1977 at Tampa, Florida in Room 412, Federal Bldg., 500 Zack Street is being transferred to the Federal Bldg. & U.S. Courthouse, Downtown Post Office Station, 415 Zack Street in Tampa, Florida.

No. 36616 *Agrico Chemical Co., Et al v. Seaboard Coast Line Railroad Co.*, now assigned November 16, 1977 at Tampa, Florida in Room 412, Federal Bldg., 500 Zack Street is being transferred to the Federal Bldg. & U.S. Courthouse, Downtown Post Office Station, 415 Zack Street in Tampa, Florida.

MC 115311 Sub No. 216 J & M Transportation Co., Inc., now being assigned January 17, 1978 (1 day) for hearing at Little Rock, Arkansas, in a hearing room to be later designated.

MC 141804 Sub No. 63 Western Express, now being assigned January 18, 1978 (3 days) for hearing at Little Rock, Arkansas, in a hearing room to be later designated.

MC-F 13219 *Dodds Truck Line, Inc.—Purchase—Bennett Truck Line, Inc.*, now being assigned January 23, 1978 (1 week) for hearing at Little Rock, Arkansas, in a hearing room to be later designated.

MC 16851 Sub No. 23 Mid Seven Transportation Co., now being assigned February 7, 1978 (2 days) for hearing at Chicago, Illinois, in a hearing room to be later designated.

MC 69116 Sub No. 191 Spector Freight System, Inc., now being assigned February 9, 1978 (2 days) for hearing at Chicago, Illinois, in a hearing room to be later designated.

MC 119619 Sub No. 105 Distributors Service Co., now being assigned February 13, 1978 (1 week) for hearing at Chicago, Illinois, in a hearing room to be later designated.

MC 142998, Laughlin Lines, Inc now assigned November 30, 1977 at Portland, Oregon is cancelled, application dismissed.

MC 106398 Sub No. 776 National Trailer Convoy, Inc., now being assigned February 22, 1978 (1 day) for hearing in Chicago, Illinois, in a hearing room to be later designated.

MC 114211 Sub No. 304 Warren Transport, Inc., now being assigned February 23, 1978 (1 day) for hearing in Chicago, Illinois, in a hearing room to be later designated.

MC 95084 Sub No. 117 Hove Truck Line, now being assigned February 24, 1978 (1 day) for hearing in Chicago, Illinois, in a hearing room to be later designated.

MC 35358 Sub No. 39 Berger Transfer & Storage, Inc., now being assigned February 27, 1978 (1 week) for hearing in Chicago, Illinois, in a hearing room to be later designated.

MC 129387 Sub No. 33 Payne Transportation, Inc., now being assigned January 31, 1978 (1 day) for hearing in Seattle, Washington, in a hearing room to be later designated.

MC 136669 Sub No. 13 Processed Beef Express, Inc., now being assigned February 1, 1978 (1 day) for hearing in Seattle, Washington, in a hearing room to be later designated.

MC 109397 Sub No. 362 Tri-State Motor Transit Co., now being assigned February 2, 1978 (2 days) for hearing in Seattle, Washington, in a hearing room to be later designated.

MC 114211 Sub No. 307 Warren Transport, Inc., now being assigned February 6, 1978 (2 weeks) for hearing in Seattle, Washington, in a hearing room to be later designated.

MC 1924 Sub 14, Wallace-Colville Motor Freight, Inc., now assigned November 28, 1977 at Missoula, Montana and will be held at the Red Lion, 700 West Broadway.

MC-C 9854 Marotta Air Service, Inc. Investigations of Operations now being assigned January 23, 1978 (1 day) for hearing in New York, New York, in a hearing room to be later designated.

MC 117119 Sub No. 643 Willis Shaw Frozen Express, Inc., now being assigned January 24, 1978 (1 day) for hearing in New York, New York, in a hearing room to be later designated.

MC-F 13267 William Corbitt, Inc.—Purchase (Portion)—Wm. B. Duffy Carting Co., Inc., Louis A. Ryen, Trustee in Bankruptcy and MC 2366 Sub No. 6 William Corbitt, Inc., now being assigned January 25, 1978 (3 days) for hearing in New York, New York, in a hearing room to be later designated.

MC 74321 Sub 130, B. F. Walker, Inc. now being assigned January 30, 1978 (2 days) at Denver, Colorado in a hearing room to be later designated.

H. G. HOMME, Jr.,
Acting Secretary.

[FR Doc. 77-32903 Filed 11-11-77; 8:45 am]

[7035-01]

[AB 193 (SDM)]

CANTON RAILROAD CO.

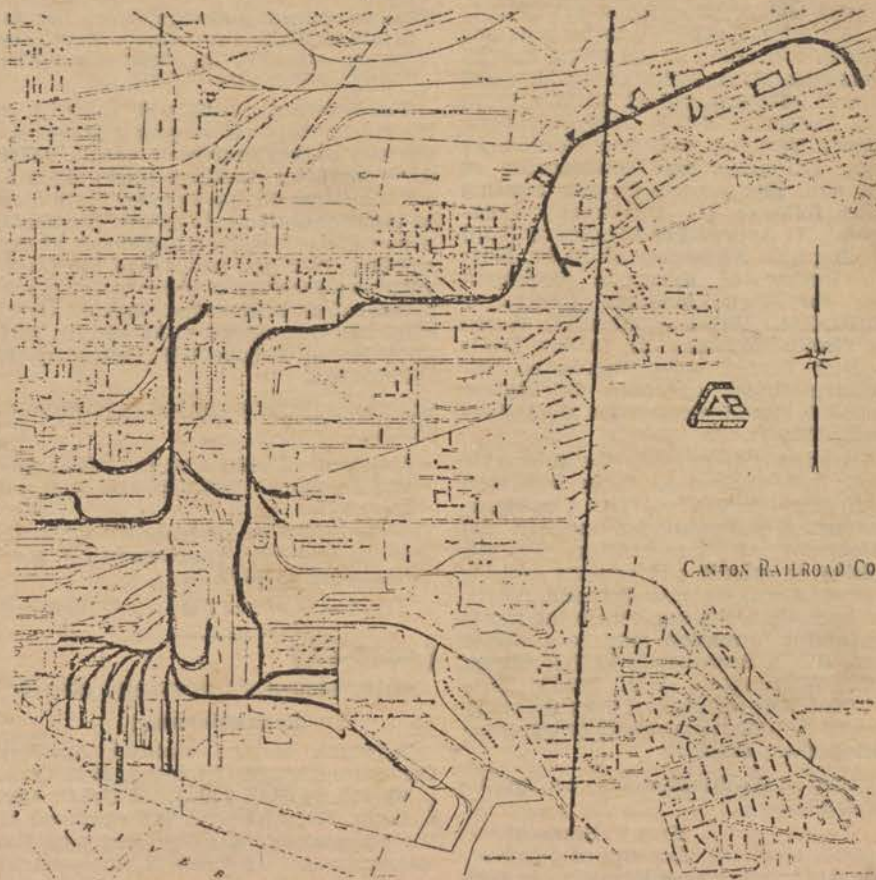
Amended System Diagram Map

Notice is hereby given that, pursuant to the requirements contained in Title 49 of the Code of Federal Regulations, Part 1121.23, that the Canton Railroad Co., has filed with the Commission its amended color-coded system diagram map in docket No. AB 193 (SDM). The maps reproduced here in black and white are reasonable reproductions of that amended system diagram map and the Commission on September 26, 1977,

received a certificate of publication as required by said regulation which is considered the effective date on which the system diagram map was filed.

Color-coded copies of the map have been served on the Governor of each state in which the railroad operates and the Public Service Commission or similar agency and the State designated agency. Copies of the map may also be requested from the railroad at a nominal charge. The maps also may be examined at the office of the Commission, Section of Dockets, by requesting docket No AB 193 (SDM).

H. G. HOMME, Jr.,
Acting Secretary.



CANTON RAILROAD COMPANY

P. O. Box 447

Baltimore, Maryland 21203

I. C. C. No. AB 193 (SDM)

FIRST AMENDED SYSTEM DIAGRAM MAP

(filed pursuant to 49 C. F. R. 1121.20)

By publication, posting and filing of this map, the Canton Railroad Company gives notice that all of its lines, being situated in the City or County of Baltimore, MD, are anticipated to be the subject of applications for discontinuance of service or abandonment to be filed with the Interstate Commerce Commission within three years' time and, hence, are in Category 1. Certified to be a true copy. Fritz R. Kahn, Attorney

Fritz R. Kahn

[FR Doc. 77-32906 Filed 11-11-77; 8:45 am]

[7035-01]

[No. 36574]

DEMURRAGE CHARGES CAUSED BY SEVERE WINTER WEATHER**Petition of Railroads Seeking Authorization to Waive**

NOVEMBER 8, 1977.

In an order served August 12, 1977, the Commission granted specified rail carriers the right to waive a portion of demurrage charges caused by severe winter weather. (Published in the FEDERAL REGISTER, on August 19, 1977, Vol. 42, p. 41,948.) In that order, the Commission stated that other carriers who want to participate in the proposal could, upon notifying the Commission in writing of their intent to do so. In a letter filed October 21, 1977, The Lake Terminal Railroad Company gave notice of its intent to participate in the approved proposal.

H. G. HOMME, Jr.,
Acting Secretary.

[FR Doc. 77-32902 Filed 11-11-77; 8:45 am]

[7035-01]

[Notice No. 251]

MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

The following publications include motor carrier, water carrier, broker, and freight forwarder transfer applications filed under Section 212(b), 206(a), 211, 312(b), and 410(g) of the Interstate Commerce Act.

Each application (except as otherwise specifically noted) 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.

Protests against approval of the application, which may include a request for oral hearing, must be filed with the Commission on or before December 14, 1977. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest must be served upon applicants' representative(s), or applicants (if no such representative is named), and the protestant must certify that such service has been made.

Unless otherwise specified, the signed original and six copies of the protest shall be filed with the Commission. All protests must specify with particularity the factual basis, and the section of the Act, or the applicable rule governing the proposed transfer which protestant believes would preclude approval of the application. If the protest contains a request for oral hearing, the request shall be supported by an explanation as to why the evidence sought to be presented cannot reasonably be submitted through the use of affidavits.

The operating rights set forth below are in synopsis form, but are deemed sufficient to place interested persons on notice of the proposed transfer.

No. MC-FC-77203, filed June 21, 1977. Transferee: PLANES MOVING & STORAGE, INC., 1714 Cleaneay Avenue, Cincinnati, Ohio 45212. Transferor: Klappert Moving & Storage, Inc., 4306 Boron Drive, Covington, Ky. 41015. Applicant's representative: James J. Sheridan, Jayanel Assoc., P.O. Box 43229, Madeira, Ohio. Authority sought for purchase by transferee of the operating rights of transferor set forth in Certificate No. MC-649 issued October 21, 1969, as follows: *Household goods* as defined by the Commission between points in Campbell, Kenton, and Boone Counties, Ky. on the one hand, and, on the other, points in Illinois, Indiana, Michigan, Missouri, Ohio, Tennessee, and West Virginia. Transferee operates as a common carrier under Certificate No. MC-89700 issued June 27, 1977. Temporary authority under Section 210a(b) is not sought.

No. MC-FC-77267, filed September 30, 1977. Transferee: BOWMAN BUS SERVICE, INC., RD No. 2, Box 75, Milford, Del. 19963. Transferor: William P. Bowman, d.b.a. Bowman's Bus Service, RD No. 2, Box 75, Milford, Del. 19963. Applicant's representative: Chester A. Zyblut, 366 Executive Bldg., 1030 Fifteenth St. NW., Washington, D.C. 20005. Authority sought for purchase by transferee of the operating rights of transferor set forth in Certificate No. MC-107367 and No. MC-107367 (Sub-No. 2) issued January 15, 1974 and October 29, 1975 respectively, as follows: *Passengers and their baggage*, in round trip charter operations, beginning and ending at points in Sussex County, Del. and extending to points in Maryland, New Jersey, New York, Pennsylvania, Virginia, and the District of Columbia; from Milford, Del. and points in Delaware within 20 miles of Milford to points in New Jersey, Maryland, Pennsylvania, Virginia, and the District of Columbia; and passengers, in special operations, between points in Caroline County, Maryland, on the one hand, and, on the other, Milford, Del. Transferee holds no authority from this Commission; temporary authority under Section 210a(b) is not sought.

No. MC-FC-77322, filed September 22, 1977. Transferee: ECHO FREIGHT LINES, INC., 844 Union Street, West Springfield, Mass. 01089. Transferor: S & S Express, Inc., 72 Irene Street, Springfield, Mass. 01108. Applicants' representative: James E. Mahoney, Attorney at Law, 84 State Street, Boston, Mass. 02109. Authority sought for purchase by the transferee of the operating rights set forth in Certificate of Public Convenience and Necessity No. 143034 issued August 29, 1977 to the transferor as follows: *General commodities*, with specified exceptions, over regular routes, between Springfield, Mass. and West Suffield, Conn., serving the intermediate points of Agawam, Mass. and Suffield, Conn., and the off-route point of Feeding Hills, Mass. Transferee is a carrier holding authority from this Commission un-

der Certificate of Registration No. MC-121074 (Sub-No. 1). Application has not been filed for temporary authority under Section 210a(b) of the Act.

No. MC-FC-77335 filed November 1, 1977. Transferee: DAVID K. HERSHEY, 1140 Carlisle Street, Hanover, Pa., 17331. Transferor: H & H Trucking, Inc., 1140 Carlisle Street, Hanover, Pa. 17331. Applicants' representative: John M. Muselman, P.O. Box 1146, 410 North Third Street, Harrisburg, Pa. 17108. Authority sought for purchase by transferee of the operating rights of transferor, as set forth in Certificate No. MC-133717, issued November 14, 1969, as follows: *Brick* from New Oxford, Pa., to points in Maryland; from points in Mount Pleasant Township, Adams County, Pa., to points in Ohio, points in Arlington, Clarke, Fairfax, Fauquier, Frederick, Loudoun, Prince William, and Stafford Counties, Va., points in Berkeley and Jefferson Counties, W. Va., and Alexandria, Va.; from points in Mount Pleasant Township, Adams County, Pa., to points in Connecticut, Delaware, Maine, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Rhode Island, Vermont, Virginia (except Alexandria, Va., and points in Arlington, Clarke, Fairfax, Fauquier, Frederick, Loudoun, Prince William, and Stafford Counties, Va.), and West Virginia, (except points in Berkeley and Jefferson Counties, W. Va.). Transferee is presently authorized to operate as a common carrier under Certificate No. MC-56167 and Subs thereto. Application has not been filed for temporary authority under Section 210a(b).

No. MC-FC-77371, filed October 17, 1977. Transferee: TIMBERLANE TRANSPORTATION, INC., P.O. Box 423, Plaistow, N.H. 03865. Transferor: William J. Marshall, Jr., (Pauline M. Price, Administratrix), d.b.a. Marshall Transportation Co., 11 Court Street, Exeter, N.H. 03833. Applicant's representative: Maxwell A. Howell, 1100 Investment Bldg., 1511 K Street NW., Washington, D.C. 20005. Authority sought for purchase by transferee of the operating rights of transferor set forth in Certificate No. MC-91742, issued February 3, 1953 as follows: *Passengers and their baggage* between Eliot, Maine and Portsmouth, N.H. and all intermediate points over a specified regular route and between Exeter, N.H. and Kittery, Maine and the intermediate points of Stratham and Greenland, N.H. and the U.S. Navy Yard at Kittery over a specified regular route. Application has been filed for temporary authority under Section 210a(b); transferee holds authority under Certificate No. MC-139100.

No. MC-FC-77375, filed October 25, 1977. Transferee: CROSS & MURRAY, INC., 710 3rd Ave. North, Minneapolis, Minn. 55403. Transferor: Edward S. Murray & Ruth H. Murray, a partnership, d.b.a. Cross & Murray Transportation Div., 710 3rd Ave. No., Minneapolis, Minn. 55403. Applicant's representative:

F. H. Kroeger, 1745 University Avenue, St. Paul, Minn. 55104. Authority sought for purchase by transferee of the operating rights of transferor set forth in Certificate No. MC-116328 issued October 5, 1973 as follows: *Edible corn syrup, liquid sugar, and blends thereof* from Minneapolis, St. Paul, Hopkins, and Chaska, Minn. to points in Minnesota, specified portions of North Dakota and Wisconsin, and from Minneapolis, St. Paul, and Hopkins, Minn. to Mason City, Iowa. Transferee holds no authority from this Commission, and temporary authority under Section 210a(b) is not sought.

No. MC-FC-77376, filed October 21, 1977. Transferee: CHI-FLI, INC., of Gary, Indiana, d.b.a. Chi-Fli, Inc., 7592 Melton Road, Gary, Ind. 46403. Transferor: Chi-Fli, Inc., 1128 Williams St., No. A-3, Westmont, Ill. 60559. Applicant's representative: H. Neil Garson, Attorney at Law, 3251 Old Lee Highway (suite 400), Fairfax, Va. 22030. Authority sought for purchase by transferee of a portion of the operating rights of transferor, as set forth in Certificate No. MC-80388, issued June 4, 1964, as follows: *General commodities* with the usual exceptions, between Gary, Ind. (except points within its Commercial Zone), on the one hand, and, on the other, Louisville, Kentucky, and points in Indiana. Transferee presently holds no authority from this Commission. Application has not been filed for temporary authority under Section 210a(b).

No. MC-FC-77378, filed October 26, 1977. Transferee: ZEPHYR LINE, INC., 84 Western Avenue, West Springfield, Mass. 01089. Transferor: J. C. Driscoll Transportation, Inc., 115 Carter Street, Chelsea, Mass. 02150. Applicant's representative: Frank J. Weiner, Attorney, 15 Court Square, Boston, Mass. 02108. Authority sought for purchase by transferee of the operating rights of transferor, set forth in Certificate No. MC-2051 issued September 12, 1974, as follows: *General commodities* with the usual exceptions between Boston, Mass. and Westerly, R.I. serving specified intermediate points over specified regular routes and between Boston, Mass. and Fitchburg, Mass. and between Boston, Mass. and Fall River, Mass., serving specified intermediate points over specified regular routes. Transferee presently operates as a common carrier under Certificate No. MC-98752 and subs thereunder; temporary authority under Section 210a(b) is not sought.

No. MC-FC-77379, filed October 26, 1977. Transferee: BINGHAMTON-GREENE TRUCK LINES, INC., 12 Davidson St. (P.O. Box 157), Greene, N.Y. 13778. Transferor: REGINALD TUCKER, d.b.a. B & G Lines, R.D. 3, Montrose, Pa. 18801. Applicants' representative: Reginald Tucker, P.O. Box 159, Greene, N.Y. 13778. Authority sought for purchase by transferee of the operating rights of transferor, as set forth in Certificate No. MC-1795, issued May 9, 1974, as follows: *General commodities,*

with exceptions, between Binghamton, N.Y., and Greene, N.Y., serving the intermediate and off-route points of Nimmonsburg, Chenango Forks, Chenango Bridge, Kattleville, Coventry, McDonough, and Smithsville Flats, N.Y.; from Binghamton over New York Highway 12 to Greene, and return over the same route. Transferee presently holds no authority from this Commission. Application has not been filed for temporary authority under Section 210a(b).

No. MC-FC-77381, filed October 28, 1977. Transferee: JOHN B. TE SLAA, d.b.a. Te Slaa Trucking, Box 391, Hull, Iowa 51239. Transferor: Iowa Packers Xpress, Inc., P.O. Box 231, Spencer, Iowa 51301. Applicants' representative: Edward A. O'Donnell, 1004 29th Street, Sioux City, Iowa 51104. Authority sought for purchase by transferee of the operating rights of transferor set forth in Certificate MC-115113 (Sub-No. 12) issued April 10, 1972, as follows: *Meats, meat products, meat by-products, and articles distributed by meat packing-houses*, (except hides, skins, and pieces thereof, and liquid commodities in bulk), from the plant site of Sioux-Preme Packing Company and storage facilities used by Sioux-Preme Packing, at/or near Sioux Center, Iowa, to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, New Hampshire, and the District of Columbia. Transferee presently holds no authority from this Commission. Application has been filed for temporary authority under Section 210a(b).

No. MC-FC-77384, filed October 31, 1977. Transferee: KNOTTTS, INC., 700 Wilmington Road, New Castle, Del. 19720. Transferor: Edgar T. Harvey and W. Lawrence Knotts, a partnership, doing business as Harvey & Knotts, 601 Boxwood Road, Wilmington, Del. 19804. Applicant's representative: W. Lawrence Knotts, President, 700 Wilmington Road, New Castle, Del. 19720. Authority sought for purchase by transferee of the operating rights of transferor as set forth in Certificate No. MC 8586 issued January 18, 1963, as follows: *Passengers and their baggage in charter operations from Wilmington and Elsmere, Del., to points in Pennsylvania, New Jersey, Maryland, and the District of Columbia.* Transferee presently holds no Commission authority; no temporary authority under Section 210a(b) is sought.

H. G. HOMME, Jr.,
Acting Secretary.

[FR Doc.77-32904 Filed 11-11-77; 8:45 am]

[7035-01]

[No. 36683]

**NEBRASKA INTRASTATE FREIGHT
RATES AND CHARGES—1977**

Petition for Investigation

By joint petition authorized under section 13(3) of the Interstate Commerce

Act, filed August 29, 1977, petitioners, five common carriers by railroad subject to Part I of the Interstate Commerce Act, and also operating in intrastate commerce in the State of Nebraska, request that this Commission institute an investigation of their Nebraska intrastate freight rates and charges, under sections 3(1), 13, and 15a of the Interstate Commerce Act, wherein they will seek an order authorizing them to increase such rates and charges in the same amounts approved for interstate application by this Commission in Ex Parte Nos. 318 and 330.

By application filed with the Nebraska Public Service Commission on October 15, 1976, petitioners sought to make the increases granted in Ex Parte Nos. 318 and 330 applicable on Nebraska intrastate traffic. Said Commission granted the application in part and denied it in part, by order entered April 11, 1977.

Petitioners contend that the partial denial by the State Commission has resulted in a disparity between intrastate and interstate rates on like commodities in Nebraska; that transportation conditions for intrastate traffic in Nebraska are not more favorable than for interstate traffic; that traffic moving under present Nebraska intrastate rail freight rates and charges fails to generate revenue necessary to provide adequate and efficient rail service; that the present Nebraska intrastate rail freight rates and charges prefer and favor "local" traffic to the prejudice and discrimination of interstate traffic, in violation of section 3(1) of the Interstate Commerce Act; and that an undue burden of cost has been effected upon interstate and foreign commerce which will continue until a parity of rates and charges is established between intrastate rates and the increases authorized in Ex Parte Nos. 318 and 330.

Under section 13 of the Interstate Commerce Act this Commission may institute an investigation into the lawfulness of intrastate rail freight rates and charges for the purpose of adjusting such rates and charges to those charged on similar traffic moving in interstate or foreign commerce. This Commission may act notwithstanding the laws or constitution of any state.

Petitioners also contend that upon entering an order as prayed for herein, it may become necessary to make readjustments for the purpose of retaining rail traffic and maintaining market relationships, which adjustments have no relation to interstate rates and charges on like traffic as to contravene the provisions of the act. Petitioners therefore request that provision be made in said order for subsequent rate adjustments by petitioners on a self-executing basis without further proceedings or orders by this Commission so that excessive delays of sup-

¹ Chicago & North Western Transportation Co.; Burlington Northern, Inc.; Chicago, Rock Island & Pacific Railroad Co.; Missouri Pacific Railroad Co.; Union Pacific Railroad Co.

plemental orders may be avoided. They suggest that the order herein contain a self-operative provision permitting such adjustment in rates and charges on 30 days' notice given to the Commission and to the general public, or upon such lesser period as may be authorized by special permission application, and where no protest to such adjustment is received by the Commission on or before 12 days prior to the expiration of the 30-day notice, said adjustment may become effective automatically, unless otherwise ordered by the Commission.

Therefore, *it is ordered:*

The petition is granted. An investigation under sections 13 and 15a of the Interstate Commerce Act is instituted to determine whether the Nebraska intrastate rail freight rates in any respect cause any unjust discrimination against or any undue burden on interstate or foreign commerce, or cause undue or unreasonable advantage, preference, or prejudice as between interstate or foreign commerce, or are otherwise unlawful, by reason of the failure of such rates and charges to include the full increases authorized for interstate application by this Commission in Ex Parte Nos. 318 and 330. The investigation shall also determine if any rates or charges, or maximum or minimum charges, or both, shall be prescribed to remove any unlawful advantage, preference, discrimination, undue

burden, or other violation of law, found to exist.

The investigation will also determine whether the requested self-operative provision permitting self-executing rate readjustments is properly within the scope of an investigation under section 13, and, if so, whether the pleadings submitted in this investigation show reason sufficient to warrant such a provision. In particular, the investigation will consider whether the pleadings have shown why such a rate readjustment might not create once again a disparity between interstate and intrastate rates that results in a violation of section 13 which the Commission will have just removed.

All common carriers by railroad operating in the State of Nebraska subject to the jurisdiction of this Commission are made respondents in this proceeding.

All persons who wish to actively participate in this proceeding and to file and receive copies of pleadings shall make known that fact by notifying the Office of Proceedings, Room 5342, Interstate Commerce Commission, Washington, D.C. 20423, on or before November 29, 1977. Although individual participation is not precluded, to conserve time and to avoid unnecessary expense, persons having common interests should endeavor to consolidate their presentations to the greatest extent possible. The Commission desires participation of only those who intend to take an active part in the proceeding.

As soon as practicable after the date of indicating a desire to participate in the proceeding has passed, the Commission will serve a list of names and addresses of all persons upon whom service of all pleadings must be made and that thereafter this proceeding will be assigned for oral hearing or handling under modified procedure.

A copy of this order shall be served upon each of the petitioners and respondents herein. The State of Nebraska shall be notified of the proceeding by sending copies of this order of the instant petition by certified mail to the Governor of the State of Nebraska and the Nebraska Public Service Commission. Further notice of this proceeding shall be given to the public by depositing a copy of this order in the Office of the Secretary of the Interstate Commerce Commission, at Washington, D.C., and by filing a copy with the Director, Office of the Federal Register, for publication in the FEDERAL REGISTER.

NOTE.—This is not a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969.

Dated at Washington, D.C., this 4th day of November 1977.

By the Commission, Commissioner Murphy.

H. G. HOMME, Jr.,
Acting Secretary.

[FR Doc. 77-32905 Filed 11-11-77; 8:45 am]

sunshine act meetings

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94-409), 5 U.S.C. 552b(e)(3).

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[6351-01]

1

AGENCY HOLDING THE MEETING:
Commodity Futures Trading Commission.

TIME AND DATE: 2:00 p.m., November 17, 1977.

PLACE: 2033 K Street, NW., Washington, D.C., 8th Floor Conference Room.

STATUS: Closed.

MATTERS TO BE CONSIDERED: Judicial Session.

CONTACT PERSON FOR MORE INFORMATION

Jane Stuckey, 254-6314.

[S-1829-77 Filed 11-10-77;3:06 pm]

[6351-01]

2

AGENCY HOLDING THE MEETING:
Commodity Futures Trading Commission.

TIME AND DATE: 11:00 A.M., November 18, 1977.

PLACE: 2033 K Street, N.W., Washington, D.C., 8th Floor Conference Room.

STATUS: Closed.

MATTERS TO BE CONSIDERED: Market Surveillance Meeting.

CONTACT PERSON FOR MORE INFORMATION:

Jane Stuckey, 254-6314.

[S-1828-77 Filed 11-10-77;3:06 pm]

[6714-01]

3

FEDERAL DEPOSIT INSURANCE CORPORATION.

Notice of change in subject matter of agency meeting.

Pursuant to the provisions of subsection (e) (2) of the "Government in the Sunshine Act" (5 U.S.C. 552(e) (2)), notice is hereby given that, on November 8, 1977, Chairman George A. LeMaistre and Mr. Robert Bloom (acting in the place and stead of Director John G. Heimann, Comptroller of the Currency) voted to add the following item to the agenda for the previously announced open meeting of the Corporation's Board of Directors scheduled for 11:00 a.m. on Monday, November 14, 1977:

Memorandum proposing the approval of a contract for data processing services in connection with a survey on bank stock loans, insider loans, and overdrafts.

Notice is further given that on November 9, 1977, Chairman George A. LeMaistre and Mr. Thomas G. DeShazo (acting in the place and stead of Director John G. Heimann, Comptroller of the Currency) voted to add the following additional item to the agenda for the open Board of Directors' meeting scheduled for 11:00 a.m. on Monday, November 14, 1977:

Memorandum proposing the acquisition of additional space for the expansion of the Washington headquarters office.

In voting to add the items to the agenda, the Board determined that Corporation business required its consideration of the items on less than seven days' notice to the public and that no earlier notice of a change in the subject matter of the meeting was practicable.

Dated: November 9, 1977.

By:

FEDERAL DEPOSIT INSURANCE
CORPORATION,
ALAN R. MILLER,
Executive Secretary.

[S-1822-77 Filed 11-10-77;9:08 am]

[6210-01]

4

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM.

TIME AND DATE: 10 a.m., Friday, November 18, 1977.

PLACE: 20th Street and Constitution Avenue NW., Washington, D.C. 20331.

STATUS: Closed.

MATTERS TO BE CONSIDERED:

1. Federal Reserve Bank and Branch director appointments.

2. Any agenda items carried forward from a previously announced meeting.

CONTACT PERSON FOR MORE INFORMATION:

Mr. Joseph R. Coyne, Assistant to the Board: 202-452-3204.

GRIFFITH L. GARWOOD,
Deputy Secretary of the Board.

NOVEMBER 10, 1977.

[S-1826-77 Filed 11-10-77;12:56 pm]

[6750-01]

5

FEDERAL TRADE COMMISSION.

TIME AND DATE: 2 p.m., Thursday, November 17, 1977.

PLACE: Room 532 (open), Room 540 (closed), Federal Trade Commission Building, 6th Street and Pennsylvania Avenue NW., Washington, D.C. 20580.

STATUS: Parts of this meeting will be open to the public. The rest of the meeting will be closed to the public.

MATTERS TO BE CONSIDERED:

Portions open to Public:

(1) Oral argument in Raymond Lee Organization, Inc., et al., Docket 9045.

Portions closed to the Public:

(2) Executive Session for Consideration of Disposition in Raymond Lee Organization, Inc., et al., Docket 9045, immediately following oral argument.

CONTACT PERSON FOR MORE INFORMATION:

Wilbur T. Weaver, Office of Public Information: 202-523-3830; Recorded Message: 202-523-3806.

[S-1825-77 Filed 11-10-77;12:56 pm]

[7020-02]

6

[USITC SE-77-67]

AGENCY HOLDING THE MEETING:
United States International Trade Commission.

TIME AND DATE: 2:00 p.m., Thursday, November 17, 1977.

PLACE: Room 117, 701 E Street NW., Washington, D.C. 20436.

STATUS: Open to the public.

MATTERS TO BE CONSIDERED:
1. High-carbon ferrochromium (*py. TA-201-28)—vote.

CONTACT PERSON FOR MORE INFORMATION:

Kenneth R. Mason, Secretary, 202-523-0161.

[S-1823-77 Filed 11-10-77;9:30 am]

[7035-01]

7

NOVEMBER 9, 1977.

AGENCY HOLDING THE MEETING: Interstate Commerce Commission.

TIME AND DATE: 9:30 a.m., Friday, November 18, 1977.

PLACE: Room 4225, Interstate Commerce Commission Building, 12th Street and Constitution Avenue NW., Washington, D.C.

STATUS: Special Open Conference.

MATTER TO BE CONSIDERED: 1. Commission Division Organization (Discussion and voting).

CONTACT PERSON FOR MORE INFORMATION:

Office of Information and Consumer Affairs, Douglas Baldwin, Director, Telephone: 202-275-7252.

The Commission's professional staff will be available to brief news media representatives on conference issues at the conclusion of the meeting.

[S-1821-77 Filed 11-10-77;9:08 am]

8

[4910-06]

NATIONAL RAILROAD PASSENGER CORP.

Board of Directors meeting.¹

ADDITIONAL AGENDA ITEM FOR MEETING

In accordance with rule 4d. of Appendix A of the By-laws of the National Railroad Passenger Corporation, notice is given that the following item will be added to the agenda for the Board of Directors meeting of November 16, 1977:

7. Board Committee Reports:

A. Planning/Equipment;

B. Northeast Corridor Improvement Project: (1) Status of 1977 Work Program; (2) Status of Concrete Ties and TLS Equipment; (3) Status of Woonasquatucket River Bridge; (4) Status of Labor Situation.

Board members Jacobs, Head, Luna, MacDonald, Reistrup, and Quinn determined by recorded vote that the business

¹ The original announcement was published in the Federal Register on November 9, 1977, 42 FR 58491.

of the Corporation requires the change in subject matter by addition of the agenda item, and affirmed that no earlier announcement of the change was possible, and directed the issuance of this notice at the earliest practicable time. Board members Lorentzen, Langdon, Dunlop, Besson, and Adams could not be reached for the vote.

The revised agenda to be discussed at the meeting follows:

AGENDA

NATIONAL RAILROAD PASSENGER CORPORATION
MEETING OF THE BOARD OF DIRECTORS—NOVEMBER 16, 1977

Open session:

1. Procedure for Selection of Chairman and Vice Chairman and Formation of Committees of the Board of Directors.

2. Approval of Minutes of Regular Meeting of October 26, 1977.

3. Consultation with Secretary of Transportation on the Lake Shore Limited Experimental Route.

4. Route Criteria and Procedures: A. Task III Status On:

- (a) Chicago-Seattle,
- (b) Chicago-Houston/Chicago-Laredo,
- (c) Chicago-Oakland/San Francisco,
- (d) Kansas City-New York City/Washington,

- (e) Chicago-New York City/Boston,

- (f) Oakland-Bakersfield.

5. Decision on The Floridian.

6. Commitment Approval Requests: A. 77-278, Retirement of AMFLEET Car No. 20022; B. 78-14, Emergency Rehabilitation No. 3 Generator at Richmond, Pa.

7. Board Committee Reports: A. Planning/Equipment; B. Northeast Corridor Improvement Project:

- (a) Status of 1977 Work Program,

- (b) Status of Concrete Ties and TLS Equipment,

- (c) Status of Woonasquatucket River Bridge,

- (d) Status of Labor Situation.

8. President's Reports: A. Operations:

- (a) National Operations,

- (b) Operations Support,

- (c) Northeast Corridor Operations.

B. Marketing; C. Government Affairs; D. Other.

9. Financial Reports.

10. Approval of 1978 Board Meeting Dates.

11. Resolution of Appreciation for Outgoing Board Members.

12. New Business.

Closed Session:

13. Internal Personnel Matters.

14. Litigation Matters.

15. Adjournment.

Inquiries regarding the agenda for the November 16, 1977, Board meeting should

be directed to the Corporate Secretary at (202) 484-7679.

Dated: November 10, 1977.

ELYE G. WANDER,
Corporate Secretary.

[S-1827-77 Filed 11-10-77;2:22 pm]

[3210-01]

9

OVERSEAS PRIVATE INVESTMENT CORP. (BOARD OF DIRECTORS).

TIME AND DATE: Meeting of the OPIC Board of Directors: Tuesday November 17, 1977 at 9:00 a.m. (Closed Portion) 9:30 a.m. (Open Portion).

PLACE: Offices of the Corporation, Seventh (7th) Floor Board Room, 1129-20th Street NW., Washington, D.C.

STATUS: The first part of the meeting from 9:00 a.m. to 9:30 a.m. will be closed to the public. The open portion of the meeting will start at 9:30 a.m.

MATTERS TO BE CONSIDERED: (Closed to the Public 9:00 a.m. to 9:30 a.m.)

1. Personnel Matters;
2. Private Participation Negotiations;
3. Reinsurance Proposal;
4. Claims Report;
5. Information Reports.

FURTHER MATTERS TO BE CONSIDERED:

(Open to the Public: 9:30 a.m.)

1. Approval of Minutes of Previous Meeting;
2. Reconfirmation of Scheduled Board Meeting;
3. Insurance for Institutional Lenders;
4. Revisions in Insurance Premium Rating Structure;
5. Retrospective Premium Adjustment Plan and Management of Portfolio Country Concentration;
6. Use of Insurance Brokers to Encourage Small Business Investment;
7. Minerals/Energy Program Developments;
8. War Risk Insurance Reciprocal: Dissolution;
9. Financial Statement;
10. Information Reports.

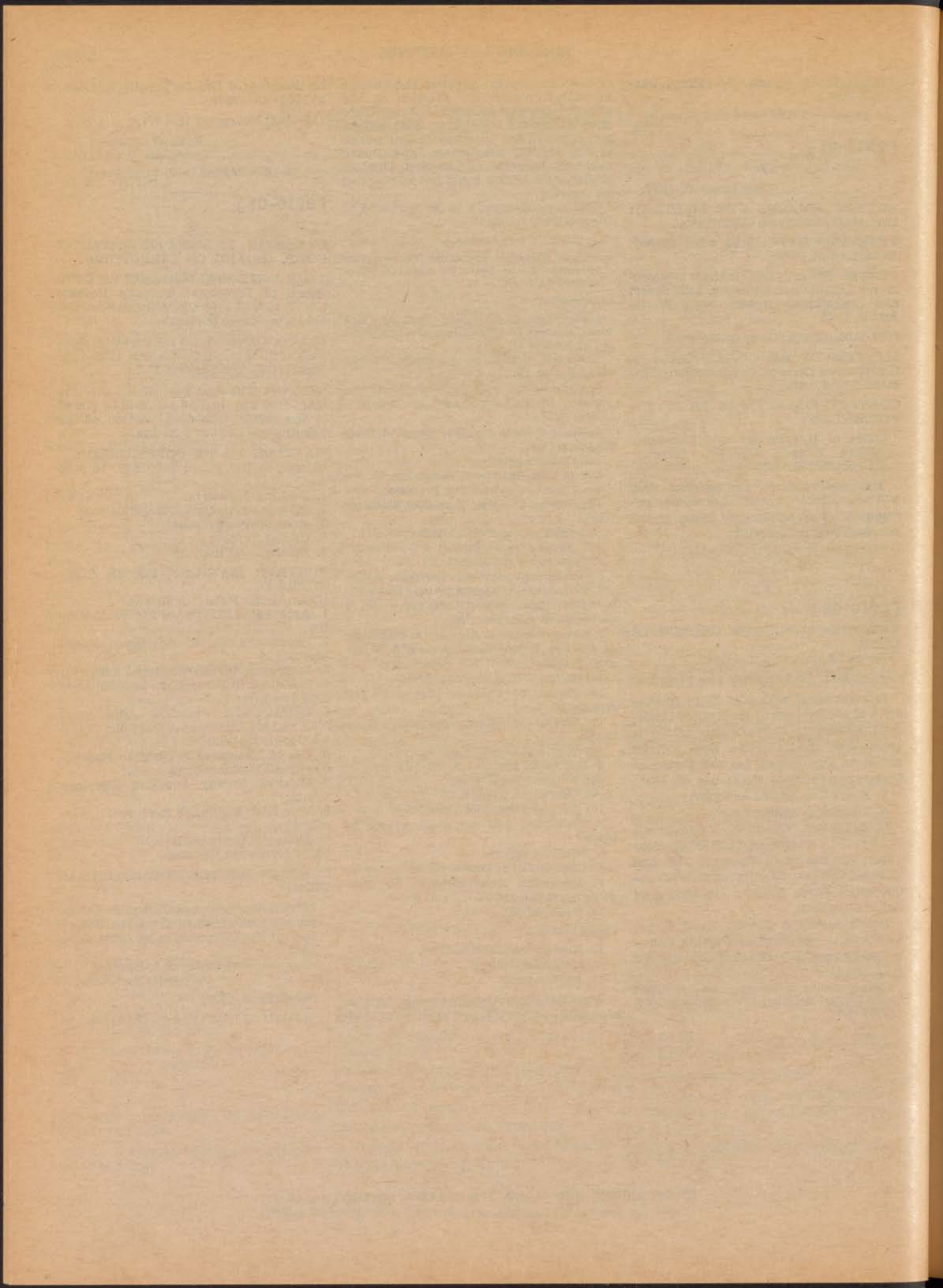
CONTACT PERSON FOR INFORMATION:

Information with regard to this meeting may be obtained from the Secretary of the Corporation at (202) 632-1839.

ELIZABETH A. BURTON,
Corporate Secretary.

NOVEMBER 8, 1977.

[S-1824-77 Filed 11-10-77;12:56 pm]



**Register
Federal Order**

**MONDAY, NOVEMBER 14, 1977
PART II**



**DEPARTMENT OF
HOUSING AND
URBAN
DEVELOPMENT**

**Federal Insurance
Administration**



**NATIONAL FLOOD
INSURANCE PROGRAM**

[4210-01]

Title 24—Housing and Urban Development

CHAPTER X—FEDERAL INSURANCE ADMINISTRATION, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM

[Docket No. FI-3608]

PART 1914—COMMUNITIES ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

AGENCY: Federal Insurance Administration, HUD.

ACTION: Final rule.

SUMMARY: This rule lists communities participating in the National Flood Insurance Program (NFIP). These communities have applied to the program and have agreed to enact certain flood plain management measures. The communities' participation in the program authorizes the sale of flood insurance to owners of property located in the communities listed.

§ 1914.6 List of Eligible Communities.

EFFECTIVE DATES: The date listed in the fourth column of the table.

ADDRESSES: The addresses where flood insurance policies can be obtained are published at 24 CFR 1912.7.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, 202-755-5581 or Toll Free Line 800-424-8872, room 5270, 451 Seventh Street SW., Washington, D.C. 20410.

SUPPLEMENTARY INFORMATION: The Flood Disaster Protection Act of 1973 (Pub. L. 93-234), amended, requires the purchase of flood insurance as a condition of Federal financial assistance of insurable property if such assistance is: (1) for acquisition and construction purposes as defined in Part 1909 of Title 24 of the Code of Federal Regulations and (2) for property located in a special flood hazard area identified by the Secretary of Housing and Urban Development.

The requirement applies to all identified special flood hazard areas within

the United States, and no such financial assistance can legally be provided for acquisition or construction except as authorized by section 202(a) of the Act unless the community has entered the program. Accordingly, for communities listed under the Part no such restriction exists, although insurance, if required, must be purchased.

Flood insurance policies for property located in the communities listed can be obtained from any licensed property insurance agent or broker serving the eligible community, or from the National Flood Insurers Association (NFIA) servicing company for the State.

The Federal Insurance Administrator finds that delayed effective dates would be contrary to the public interest. The Administrator also finds that notice and public procedure under 5 U.S.C. 553 (b) are impracticable and unnecessary.

In each entry, a complete chronology of effective dates appears for each listed community. The entry reads as follows:

Section 1914.6 is amended by adding in alphabetical sequence new entries to the table.

State	County	Location	Effective date of authorization of sale of flood insurance for area	Hazard area identified	Community No.
New Mexico	Lea	Jal, city of	Sept. 28, 1977, emergency	July 9, 1976	350030
New York	Delaware	Stamford, town of	do	Feb. 18, 1977	360212-A
Oklahoma	Wagoner	Porter, town of	do	Apr. 9, 1976	400434-A
South Dakota	Kingsbury and Beadle	Iroquois, city of	do	July 18, 1975	460121
Texas	McLennan	Beverly Hills, city of	do	Nov. 12, 1976	480625
Utah	Box Elder	Cosmo, city of	do	June 25, 1976	490197
Do	Millard	Holden, town of	do	June 3, 1977	490201-A
Massachusetts	Dukes	Gosnold, town of	Sept. 29, 1977, emergency	Dec. 20, 1974	250071
Colorado	Boulder	Longmont, city of	Nov. 26, 1977, emergency; July 5, 1977, regular; July 5, 1977, suspended; Sept. 23, 1977, reinstated.	Oct. 26, 1973	080027-A
Pennsylvania	Blair	Roaring Springs, borough of	Sept. 4, 1973, emergency; Sept. 1, 1977, regular; Sept. 15, 1977, suspended; Sept. 26, 1977, reinstated.	Feb. 1, 1974	420163-B
Iowa	Crawford	Deloit, city of	Oct. 4, 1977, emergency	Aug. 30, 1974	190095-A
Maine	Aroostook	St. Francis, town of	do	Dec. 26, 1975	230183
Pennsylvania	Berks	Centre, township of	do	Nov. 1, 1974	421056-A
Do	Clearfield	Newburg, borough of	do	Nov. 7, 1975	420311
New York	Oneida	Oriskany Falls, village of	Oct. 6, 1977, emergency	Nov. 22, 1974	361351-A
Iowa	Polk	Windsor Heights, city of	Oct. 7, 1977, emergency	June 18, 1976	190687
Missouri	Lafayette	Higginsville, city of	do	Oct. 29, 1976	290713
Nebraska	Fillmore	Exeter, village of	do	Nov. 5, 1976	310080
Massachusetts	Middlesex	Tewksbury, town of	Dec. 10, 1971, emergency; July 18, 1977, regular; July 18, 1977, suspended; Oct. 3, 1977, reinstated.	Aug. 2, 1974	250218-A
New Hampshire	Cheshire	Rindge, town of	Oct. 11, 1977, emergency	Apr. 4, 1975	330189
Massachusetts	Bristol	Mansfield, town of	Jan. 28, 1973, emergency; Apr. 1, 1977, regular; Apr. 15, 1977, suspended; Oct. 4, 1977, reinstated.	June 28, 1974	250057-A
Missouri	Jackson	Greenwood, city of	Oct. 11, 1977, emergency	June 4, 1976	290711
Louisiana	Livingston Parish	Killian, village of	Oct. 26, 1977, emergency	June 25, 1976	220355
Michigan	Saginaw	Kochville, township of	do	July 25, 1975	260501
Oklahoma	Bryan	Colbert, city of	do	Apr. 9, 1976	400359
Illinois	Saline	Carrier Mills, village of	Oct. 27, 1977, emergency	Nov. 5, 1976	170786
Iowa	Linn	Center Point, city of	do	Oct. 29, 1976	190439
Kentucky	Bourbon	Millersburg, city of	do	May 10, 1974	210014-A
Colorado	Larimer	Berthoud, town of	Oct. 28, 1977, emergency	Feb. 20, 1976	1080296
Iowa	Pottawattamie	Underwood, city of	do	Mar. 26, 1976	190494
South Dakota	Custer	Unincorporated areas	do	do	460018
Texas	Colorado	Colorado County Water Control and Improvement District No. 2	do	do	1481489
Do	Hudspeth	Dell City, city of	do	Dec. 17, 1976	480362
Do	Jeff Davis	Unincorporated areas	do	do	481251
Maine	Waldo	Burnham, town of	Nov. 3, 1977, emergency	July 26, 1974	230130-A
New York	Steuben	Canisteo, town of	do	Aug. 20, 1976	360769
New Jersey	Hudson	Harrison, town of	Mar. 17, 1976, emergency; Sept. 30, 1977, regular; Oct. 1, 1977, suspended; Oct. 31, 1977, reinstated.	June 28, 1974	340221-A

1 New.

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968); effective Jan. 28, 1969 (33 FR 17804, Nov. 28, 1968), as amended, 42 U.S.C. 4001-4128; and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, Feb. 27, 1969) as amended 39 FR 2787, Jan. 24, 1974.)

Issued: October 13, 1977.

PATRICIA ROBERTS HARRIS,
Secretary.

[FR Doc.77-32548 Filed 11-11-77;8:45 am]

[4210-01]

[Docket No. FI-3609]

PART 1915—IDENTIFICATION AND MAPPING OF SPECIAL HAZARD AREAS

List of Communities With Special Hazard Areas

AGENCY: Federal Insurance Administration, HUD.

ACTION: Final rule.

SUMMARY: This rule identifies communities with areas of special flood, mudslide, or erosion hazards as authorized by the National Flood Insurance Program (NFIP). The identification of these areas is to provide guidance to communities on the reduction of property losses, by the adoption of appropriate flood plain management, and other measures to minimize damage. It will en-

able communities to guide future construction, where practicable, away from locations which are threatened by flood or other hazards.

EFFECTIVE DATE: The date listed in the eighth column of the table or 30 days after the date of this FEDERAL REGISTER publication, whichever is later.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, 202-755-5581 or toll free line 800-424-8872, Room 5270, 451 Seventh Street SW., Washington, D.C. 20410.

SUPPLEMENTARY INFORMATION: The Flood Disaster Protection Act of 1973 (Pub. L. 93-234), as amended, requires the purchase of flood insurance as a condition of Federal financial assistance of insurable property if such assistance is: (1) for acquisition and construction purposes as defined in Part 1909 of Title 24 of the Code of Federal Regulations and (2) for property located in a special flood hazard area identified by the Secretary of Housing and Urban Development.

One year after the identification of the community as flood prone, the requirement applies to all identified special flood hazard areas within the United States, so that, after that date, no such finan-

cial assistance can legally be provided for acquisition and construction in these areas unless the community has entered the program.

This 30-day period does not supersede the statutory requirement that a community, whether or not participating in the program, be given the opportunity for a period of six months to establish that it is not seriously flood prone or that such flood hazards as may have existed have been corrected by floodworks or other flood control methods. The six months period shall be considered to begin 30 days after the date of publication in the FEDERAL REGISTER or the effective date of the Flood Hazard Boundary Map, whichever is later. Similarly, the one year period a community has to enter the program under section 201(d) of the Flood Disaster Protection Act of 1973 shall be considered to begin 30 days after publication in the FEDERAL REGISTER or the effective date of the Flood Hazard Boundary Map, whichever is later.

This identification is made in accordance with Part 1915 of Title 24 of the Code of Federal Regulations as authorized by the National Flood Insurance Program (42 U.S.C. 4001-4128).

Section 1915.3 is amended by adding in alphabetical sequence a new entry to the table:

§ 1915.3 List of communities with special hazard areas (FHBMs in effect).

State	County	Community Name and number of panels	Community number and suffix	Program and change code	Inland or coastal	Hazard F/M/E	Identification date(s)	Effective date of this map action	Local map repository
Alabama	Dale	Dale County (unincorporated areas) 01-41.	010060A	E-10, 11, 12, 14	I	F	Oct. 18, 1974	Sept. 9, 1977	Frank Snell, Chairman, County Commissioners, P.O. Box 248, Ozark, Ala. 36360, 205-774-6025.
Indiana	Kosciusko	Kosciusko County (unincorporated areas) 0001A-0006A.	180121	E-10, 11, 12, 14	I	F	Dec. 27, 1974	do	Fredrick Gilliam, President, County Commissioners, County Courthouse, Warsaw, Ind. 46380, 219-267-4526.
Do.	Whitley	Whitley County (unincorporated areas) 0001A-0006A.	180298	E-10, 11, 12, 14	I	F	Dec. 13, 1974	do	San Taulbee, President, County Commissioners, County Courthouse, Columbia, Ind. 46725, 219-249-8212.
Kentucky	Logan	Logan County (unincorporated areas) 0001A-0008A.	210341	N-5	I	F	Sept. 9, 1977	do	Robert R. Brown, County Judge, County Courthouse, Russellville, Ky. 42276, 502-726-3116.
Do.	Pike	Pike County (unincorporated areas) 0001A-001A.	210298	N-5	I	F	do	do	Wayne T. Rutherford, County Judge, County Courthouse, Main St., Pikeville, Ky. 41501, 606-432-2553.
Minnesota	LeSueur	City of Waterville 0001B.	270251	E-11, 12, 14	I	F	Oct. 22, 1976 May 17, 1974	do	Irene Greer, City Clerk, P.O. Box 9, Waterville, Minn. 56096, 507-362-4267.
Mississippi	Stone	Stone County (unincorporated areas) 0001A-0006A.	280300	N-5	I	F	Sept. 9, 1977	do	O. B. Brown, President, Board of Supervisors, P.O. Drawer 7, Wiggins, Miss. 39577, 601-928-3301.
North Carolina	Harnett	City of Dunn, 0001B-0004B.	37064	N-5	I	F	do	do	William P. Elmore, Mayor, P.O. Box 388, 401 East Broad St., Dunn, NC. 8334, 919-892-2633.
South Carolina	Anderson	Anderson County (unincorporated areas) 0001A-0015A.	450013	E-10, 11, 12, 14.	I	F	Dec. 6, 1974	do	Calvin Barnett, Chairman, Planning Board, 201 North Main St., Anderson, S.C. 29621, 803-224-2086.
Do.	Lancaster	Lancaster County (unincorporated areas) 0001A-0012A.	450120	E-10, 11, 12, 14.	I	F	Dec. 20, 1974	do	L. E. Hudson, Chairman, County Council, 904 East Grace Ave., Lancaster, S.C. 29720, 803-285-1215.
Tennessee	Cheatham	Cheatham County (unincorporated areas) 0001A-0008A.	470026	E-9	I	F	Sept. 9, 1977	do	Robert Pennington, County Judge, County Courthouse, Ashland City, Tenn. 37015, 615-792-4316.
Colorado	Unincorporated area.	Montrose County (0001-0006, 0008-0014, 0017-0023).	080124A	E-10, 11, 12, 14.	I	F	Aug. 30, 1977	Aug. 30, 1977	Mr. John A. Kramer, Jr., Chairman, Board of County Commissioners, County Courthouse, Montrose, Colo. 81401, 303-249-4373.
Arkansas	do	Ouachita County (0001-0011).	050161A	N-5	I	F	Sept. 13, 1977	Sept. 13, 1977	Hon. Alfred Stinnett, County Judge, County Courthouse, P.O. Box 641, Camden, Ark. 71701, 501-836-4116.
California	do	Glenn County (01-19, 21-26, 28-33, 35-63, 65-66).	060057A	E-5	I	F	do	do	Mr. David J. Soeth, Chairman, Board of Supervisors, County Courthouse, Willows, Calif. 95988, 916-934-3834.
Do.	do	Humboldt County (01, 03-05, 07-11, 13-14, 18-19, 23-24, 27-30, 34-36, 39-42, 44-47, 49-52, 54-58, 60-63, 66-69, 72-76, 79-84, 86-92, 94-99, 101, 133, 135-141, 144-146, 148-151, 153-155, 157-178, 180-192).	060060A	E-5	C	F	do	do	Mr. Pat Dorsey, Chairman, Board of County Supervisors, County Courthouse, Eureka, Calif. 95501, 707-445-7520.

State	County	Community Name and number of panels	Community number and suffix	Program and change code	Inland or coastal	Hazard F/M/E	Identification date (S)	Effective date of this map action	Local map repository
Colorado	do	Summit County (0001-0006, 0008-0010)	080290A	E-5	I	F	do	do	Mr. Thomas E. Croak, Chairman, Board of County Supervisors, County Courthouse, Breckenridge, Colo. 80424, 303-453-2561.
Idaho	do	Benewah County (01-12, 14-19, 21-22, 24, 28-33, 36-40, 42-46, 51-52)	160014A	E-10, II, 12, 14	I	F	Jan. 10, 1975	do	Mr. Gerald Moore, Chairman, Board of County Commissioners, County Courthouse, St. Maries, Idaho 83861, 208-245-3212.
Do	Camas	City of Fairfield (01)	160035A	E-11	I	F	Aug. 13, 1976	do	Mr. Rex O'Neal, Councilman, Fairfield, Idaho 83327, 208-764-2202.
Do	Unincorporated area	Teton County (0001-0004, 0006-0007)	160230A	N-5	I	F	Sept. 13, 1977	do	Mr. Donald Gardine, Chairman, Board of County Commissioners, County Courthouse, Driggs, Idaho 83422, 208-354-2905.
Iowa	Cass	City of Griswold (01)	190346A	E-8, 11	I	F	Sept. 19, 1975	do	Mr. Roland Frank, Clerk, P.O. Box 446, Griswold, Iowa 51535, 712-778-2171.
Do	Humboldt	City of Thor (01)	190813A	N-5	I	F	Sept. 13, 1977	do	Hon. Leonard Anderson, Mayor, City Hall, Thor, Iowa 50591, 515-378-3288.
Do	Black Hawk	City of Waterloo (01-06, 08-14, 16-22)	190025B	E-8, II, 12, 14	I	F	June 28, 1974	do	Mr. Dale C. Mercer, City Administrator, City Hall, 715 Mulberry St., Waterloo, Iowa 50705, 319-291-4429.
Kansas	Unincorporated area	Chase County (0001-0012)	200040A	N-5	I	F	Sept. 13, 1977	do	Mr. Harry M. Fetrow, Chairman, Board of County Commissioners, Cottonwood Falls, Kans. 66845, 316-273-6423.
Do	Phillips	City of Long Island (01)	200266A	E-12, 14	I	F	Jan. 3, 1975	do	Mr. Bernard A. Griffiths, Mayor, Commercial State Bank, Box 36, Long Island, Kans. 67047.
Do	Unincorporated area	Seward County (0001-0006)	200006A	N-5	I	F	Sept. 13, 1977	do	Mr. Everett Johns, Chairman, Board of County Commissioners, County Courthouse, Liberal, Kans. 67901, 316-624-1826.
Louisiana	do	Union Parish (0001-0012)	220359A	N-5	I	F	do	do	Mr. Brooks Jones, President, Office of the Police Jury, Parish Courthouse, Farmerville, La. 71241, 318-368-3296.
Montana	do	Lewis and Clark County (0001-0019, 0021-0023, 0025-0030)	360038A	E-10, 11, 12	I	F	Dec. 27, 1974	do	Mr. Arthur Woods, Chairman, Board of County Commissioners, County Courthouse, Helena, Mont. 59601, 406-442-6737.
Oklahoma	Lincoln	City of Prague (0001)	400435A	N-15	I	F	Sept. 13, 1977	do	Mr. Drake N. Rice, City Manager, P.O. Box 648, Prague, Okla. 74864, 405-567-2279.
Oregon	Unincorporated area	Washington County (01, 03, 05-07, 10-15, 18-21, 23-27, 29-34, 36-51, 53-54)	410238A	E-11, 12, 14	I	F	Jan. 24, 1975	do	Mr. Art Schlaack, Senior Planner, Planning Department, Administration Building, 150 North First Ave., Hillsboro, Ore. 503-648-8761.
Texas	Pecos	City of Fort Stockton (0001)	480525A	E-8, 10, 11, 12	I	F	May 24, 1974	do	Hon. Michael Walling, Mayor, City Hall, P.O. Box 1000, Fort Stockton, Tex. 79735, 915-336-3361.
Do	Williamson	City of Round Rock (04-09)	481048A	E-6	I	F	Sept. 13, 1977	do	Mr. Gerri Bendele, Assistant Director for Community Development, 214 East Main St., Round Rock, Tex. 78664, 512-255-3612.
Vermont	Washington	Town of Berlin (01-03, 05-12)	500106A	E-11, 12, 14	I	F	Feb. 15, 1974	do	Mr. Frederick J. Nussli, Chairman, Planning Commission, R.D. No. 4, Montpelier, Vt. 05602, 802-223-3165.
Do	Washington	Village of Marshfield (01)	500113A	N-10, 11, 12	I	F	Sept. 20, 1974	do	Mr. Dwight Baker, Selectman, Village Hall, Marshfield, Vt. 05658, 802-426-3854.
Washington	Unincorporated area	Asotin County (01-04, 06-08, 10-13, 15, 18, 23, 28, 34, 37-40, 42-46)	530007A	N-5	I	F	Sept. 13, 1977	do	Mr. Charles S. Collins, Chairman, Board of County Commissioners, County Courthouse, Asotin Wash. 99402, 509-243-4164.
Do	do	Skagit County (0001-0007, 0009-0015, 0017-0023)	530151A	E-10, 11, 12	I	F	Oct. 25, 1974	do	Mr. Howard Miller, Chairman, Board of County Commissioners, County Courthouse, Mount Vernon, Wash. 98273, 206-336-3287.
Do	do	Thurston County (01-05, 07-11, 13-17, 19-52)	530188A	E-5	I	F	Sept. 13, 1977	do	Ms. Marjorie Yung, Chairman, Board of County Commissioners, County Courthouse, Olympia, Wash. 98503, 206-733-8031.
Do	King	City of Tukwila (01-03)	530091A	E-10, 12	I	F	May 24, 1974	do	Hon. Edgar D. Bauch, Mayor, 14475 Fifty-ninth Ave., South, Tukwila Wash. 98167, 206-242-7150.
Do	Unincorporated area	Walla Walla County (01-05, 07-08, 12, 14, 16-19, 21-36, 38, 42-44, 46-47, 49-51, 53, 55-60, 62-69, 71-78)	530004A	E-10, 11, 12, 14	I	F	Dec. 27, 1974	do	Mr. Frank F. Cline, Chairman, Board of County Commissioners, County Courthouse, Walla Walla, Wash. 99362, 509-525-6161.
Arkansas	do	Benton County (0001-0011)	050410A	N-5	I	F	Oct. 18, 1977	Oct. 18, 1977	Hon. Railey A. Steele, County Judge, Office of the County Judge, County Courthouse, Bentonville, Ark. 72824, 501-273-7442.
Do	do	Logan County (0001-0013)	050447A	N-5	I	F	do	do	Hon. Buster Tritt, County Judge, Office of the County Judge, Logan County Courthouse, Booneville, Ark. 72927, 501-963-3601.

State	County	Community Name and number of panels	Community number and suffix	Program and change code	Inland or coastal	Hazard F/M/E	Identification date (S)	Effective date of this map action	Local map repository
Do.....do.....		Mississippi County (0001-0016).	050452A	N-5	I	F	.....do.....do.....	.....do.....do.....	Hon. A. A. Banks, County Judge, Office of the County Judge, County Courthouse, Blytheville, Ark. 72315, 501-763-3212.
Do.....do.....		Polk County (0001-0011).	050473A	N-5	I	F	.....do.....do.....	.....do.....do.....	Hon. Sam Varner, County Judge, Office of the County Judge, Polk County Courthouse, Mena, Ark. 71953, 501-394-4945.
California.....do.....		Ventura County (02-11, 13-58, 60-62, 64).	060413A	N-11, 12	C	F	Jan. 31, 1975	.....do.....	Mr. William G. Haydon, Chief Planning Division, Public Works Agency, 507 East Main St. Ventura, Calif. 93001, 805-648-61.
Do.....do.....		Yolo County (01-74)	060423A	E-5	I	F	Oct. 18, 1977	.....do.....	Mr. David L. Barton, Chairman, Board of Supervisors, County Courthouse, Woodland, Calif. 95695, 916-666-8204.
Colorado.....do.....		Lake County (0001-0006).	060282A	N-5	I	F	.....do.....do.....	.....do.....do.....	Mr. William Gregory, Chairman, Board of County Commissioners, County Courthouse, Leadville, Colo. 80461, 303-486-0993.
Connecticut.....Hartford.....		Town of Suffield (01-15).	090038A	N-5	I	F	.....do.....do.....	.....do.....do.....	Mr. Chester A. Kuras, First Selectman, Board of Selectman, Town Hall, Suffield, Conn. 06078, 203-668-7397.
Iowa.....Des Moines.....		City of Burlington (06, 10-19).	190114B	E-11, 12, 14	I	F	May 17, 1974 Feb. 27, 1976	.....do.....	Mr. John Johnson, Department of Planning and Development, Fourth and Washington, Burlington, Iowa 52601, 319-753-2241.
Do.....Unincorporated area.....		Marion County (01-35).	190889A	N-5	I	F	Oct. 18, 1977	.....do.....	Mr. John Derlouw, Chairman, Board of County Supervisors, Marion County Courthouse, Knoxville, Iowa 50138, 515-842-3711.
Do.....do.....		Mills County (0001-0004).	190891A	N-5	I	F	.....do.....do.....	.....do.....do.....	Mr. Walter Marshall, Chairman, Board of County Commissioners, County Courthouse, Glenwood, Iowa 51534, 712-527-4880.
Kansas.....do.....		Ellis County (0001-0010).	200094A	N-5	I	F	.....do.....do.....	.....do.....do.....	Mr. Eugene Schmidler, Chairman, Board of County Commissioners, County Courthouse, Hays, Kans. 67501, 913-625-6558.
Do.....do.....		Geary County (0001-0007).	200379A	N-5	I	F	.....do.....do.....	.....do.....do.....	Mr. Keith Devenney, Chairman, Board of County Commissioners, County Courthouse, Junction City, Kans. 66441, 913-238-4300.
Do.....do.....		Kingman County (0001-0009).	200389A	N-5	I	F	.....do.....do.....	.....do.....do.....	Mr. Bill Milford, Chairman, Board of County Commissioners, County Courthouse, Kingman, Kans. 67068, 319-532-2521.
Do.....do.....		Montgomery County (0001-0006).	200305A	N-5	I	F	.....do.....do.....	.....do.....do.....	Mr. Charles Vandergriff, Chairman, Board of County Commissioners, County Courthouse, Independence, Kans. 67301, 316-331-2710.
Nebraska.....do.....		Adams County (0001-0006).	310411A	N-5	I	F	.....do.....do.....	.....do.....do.....	Mr. Ed Lightner, Chairman, Board of County Commissioners, County Courthouse, Hastings, Nebr. 68901, 402-463-2491.
Do.....do.....		Dawson County (0001-0012).	310058A	N-5	I	F	.....do.....do.....	.....do.....do.....	Mr. Daniel Grafton, Chairman, Board of County Commissioners, County Courthouse, Lexington, Nebr. 68850, 308-324-2127.
Oklahoma.....Tulsa and Wagoner.....		City of Broken Arrow (01-13, 15-23).	400236A	E-5	I	F	.....do.....do.....	.....do.....do.....	Hon. Clyde Wright, Mayor, 115 East Commercial, P.O. Box 610, Broken Arrow, Okla. 74012, 918-251-6311.
Oregon.....Unincorporated area.....		Sherman County (0001-0015).	410191A	N-5	I	F	.....do.....do.....	.....do.....do.....	Mr. Robert W. Holmes, Chairman, Board of County Commissioners, County Courthouse, Moro, Oreg. 97039, 503-565-3606.
South Dakota.....do.....		Clay County (0001-0006).	460259A	N-5	I	F	.....do.....do.....	.....do.....do.....	Mr. Daniel Bylander, Chairman, Board of County Commissioners, County Courthouse, Vermillion, S. Dak. 57069, 605-624-2281.
Do.....do.....		Custer County (0001-0017).	460018A	N-5	I	F	.....do.....do.....	.....do.....do.....	Mr. Maynard Downen, Chairman, Board of County Commissioners, County Courthouse, Custer, S. Dak. 57730, 605-673-4815.
Do.....do.....		Hutchinson County (0001-0006).	460041B	N-12	I	F	June 3, 1977	.....do.....	Mr. Elmer Brandt, Chairman, Board of County Commissioners, Tripp, S. Dak. 57376, 605-935-6383.
Do.....do.....		Sanborn County (0001-0006).	460074A	E-5	I	F	Oct. 18, 1977	.....do.....	Mr. Tom Callan, Chairman, Board of County Commissioners, Sanborn County Courthouse, Woonsocket, S. Dak. 57385, 605-796-4513.
Texas.....do.....		Brazos County (0001-0011).	481195A	N-5		F	.....do.....do.....	.....do.....do.....	Hon. William Vance, County Judge, Office of the County Judge, County Courthouse, Bryan, Tex. 77801, 713-822-7373.
Do.....do.....		Cooke County (0001-0012).	480765A	N-5		F	.....do.....do.....	.....do.....do.....	Hon. Greg Underwood, County Judge, Office of the County Judge, County Courthouse, Gamesville, Tex. 76240, 817-685-3731.

State	County	Community Name and number of panels	Community number and suffix	Program and change code	Inland or coastal	Hazard F/M/E	Identification date (S)	Effective date of this map action	Local map repository
Do	do	Hood County (0001-0007).	480356A	N-5	I	F	do	do	Hon. Milton Meyer, County Judge, Office of the County Judge, Hood County Courthouse, Granbury, Tex. 76048, 817-573-1353.
Do	do	Jim Hogg County (0001-0014).	481081A	E-10, 11, 12, 14	I	F	Jan. 31, 1975	do	Hon. Homero T. Martinez, County Judge, Office of the County Judge, County Courthouse, Hebronville Tex. 78361, 512-527-3015.
Do	do	Rains County (0001-0004).	480975A	N-5	I	F	Oct. 18, 1977	do	Hon. Cecil B. Johnson, County Judge, Office of the County Judge, County Courthouse, Emory, Tex. 75440, 214-473-2555.
Utah	do	Uintah County (0003-0004, 0007-0032, 0034-0037, 0040-0042, 0045-0047).	490147A	N-10, 11, 12	I	F	Feb. 14, 1975	do	Mr. Orlan Cook, Chairman, Board of County Commissioners, County Building, Vernal, Utah 84078, 801-328-7541.
Washington	do	Cowlitz County (0001-0014).	530032A	E-10, 11, 12, 14	I	F	July 26, 1974	do	Mr. Brian J. Boyle, Chairman, Board of County Commissioners, County Courthouse, Kelso, Wash. 98626, 206-577-3020.
Florida	Hamilton	Hamilton County (unincorporated areas) 0001A-0012A.	120101	E-5	I	F	Oct. 21, 1977	Oct. 21, 1977	L. A. Edenfield, Chairman, County Commissioners, County Courthouse, Jasper, Fl. 32052, 904-792-1388.
Georgia	Laurens	Town of East Dublin, 0001A.	130121	N-5	I	F	do	do	Hugh Wood, Mayor, 119 Soperton Ave., East Dublin, Ga. 31021, 912-272-8883.
Indiana	Hamilton	Town of Cicero, 0001B.	180320	E-8, 11, 12, 14	I	F	Feb. 1, 1974 June 11, 1976	do	Rosemary Kaiser, Clerk/treasurer, 70 North Byron St., Cicero, Inc. 46034, 317-984-4900.
Kentucky	Breckinridge	Breckinridge County (unincorporated areas) 0001A-0010A.	210025	N-5	I	F	Oct. 21, 1977	do	James T. Stinnett, County Judge, County Courthouse, Hardinsburg, Ky. 40143, 502-756-2269.
Do	Montgomery	Montgomery County (unincorporated areas) 0001A-0006A.	210326	N-5	I	F	do	do	Harry Hofman, County Judge, County Courthouse, Box 640C, Mt. Sterling, Ky. 40353, 606-498-1092.
Do	Spencer	Spencer County (unincorporated areas) 0001A-0006A.	210211	E-5	I	F	do	do	Jesse Kelen, County Judge, County Courthouse, Taylorsville, Ky. 40071, 502-477-8127.
Maryland	St. Marys	St. Marys County (unincorporated areas) 0001A-0016A.	240064	E-15	I, C	F	do	do	James M. McKay, President, County Board, Box 351, Leonardtown, Md. 20650, 301-475-5621.
Michigan	Van Buren	Township of Arlington, 0001A-0002A.	260705	E-5	I	F	do	do	William Colgren, Jr., Township Supervisor, Lawrence, Mich. 616-427-8692.
Do	Genesee	Township of Davison, 0001A-0004A.	260664	N-5	I	F	do	do	Donald L. Parks, Township Supervisor, 403 South Main, Davison, Mich. 48423, 313-653-5107.
Minnesota	Benton	Benton County (unincorporated areas) 0001A-0005A.	270019	E-10, 11, 12, 14.	I	F	June 28, 1974	do	Earl Bukowski, Chairman, County Board, County Courthouse, Foley, Minn. 56329, 612-968-7060.
Do	Hubbard	Hubbard County (unincorporated areas) 0001A-0010A.	270195	E-10, 11, 12, 14.	I	F	Jan. 24, 1975	do	Winston Meslove, Chairman, Board of Commissioners, Nevis, Minn. 56467, 218-652-3105.
Do	Lake	Lake County (unincorporated areas) 0001A-0025A.	270630	E-5	I, C	F	Oct. 21, 1977	do	Lloyd Houle, Chairman, County Commissioners, County Courthouse, Two Harbors, Minn. 55616, 218-834-4391.
Do	Rice	Rice County (unincorporated areas) 0001A-0006A.	270646	E-5	I	F	do	do	President, County Board, County Courthouse, Faribault, Minn. 55021, 507-334-6337.
Mississippi	Coahoma	Coahoma County (unincorporated areas) 0001A-0013A.	280038	E-5	I	F	do	do	Robert L. Demmlio, President, Board of Supervisors, County Courthouse, Clarksdale, Miss. 38614 601-624-6288.
Do	Simpson	Simpson County (unincorporated areas) 0001A-0009A.	280281	N-5	I	F	do	do	Garrett Welch, President, Board of Supervisors, County Courthouse, Mendenhall, Miss. 39114, 601-847-1418.
Do	Tallahatchie	Tallahatchie County (unincorporated areas) 0001A-0012A.	280206	E-5	I	F	do	do	Jim Pennington, President, Board of Supervisors, County Courthouse, Charlestown, Miss. 38921, 601-647-5551.
New Jersey	Bergen	Borough of Emerson, 0001A.	340030	E-10, 11, 12, 14	I	F	June 15, 1973	do	Owen D. Cassidy, Mayor, Municipal Building, Emerson, N.J. 07630, 201-262-6086.
Do	Sussex	Township of Sandyston, 0001A-0004A.	340455	N-5	I	F	Oct. 21, 1977	do	Harold Haskins, Mayor, Township Hall, Branchburg, N.J. 201-948-3520.
Ohio	Morgan	Morgan County (unincorporated areas) 01-29.	390420B	E-11, 12, 14	I	F	Jan. 10, 1975 Mar. 4, 1977	do	Kenneth Porter, Chairman, County Commissioners, County Courthouse, McConnelsville, Ohio 43756, 614-962-3171.
Pennsylvania	Northumberland	Borough of Snyderstown, 0001A.	420742	E-5	I	F	Oct. 21, 1977	do	Leon Clayberger, Mayor, Box 64, Snyderstown, Pa. 17807, 717-672-9811.
Tennessee	Hawkins	Hawkins County (unincorporated areas) 0001A-0008A.	470085	N-5	I	F	do	do	J. B. Howe, County Judge, County Courthouse, 150 Washington St., Rogersville, Tenn. 37857, 615-272-7359.
Do	McNairy	McNairy County (unincorporated areas) 0001A-0006A.	470127	N-5	I	F	do	do	Wilburn Ashe, County Judge, County Courthouse, P.O. Box 188, Selmer, Tenn. 38375, 901-645-3472.
Do	Putnam	Putnam County (unincorporated areas) 0001A-0009A.	470149	N-10, 11, 12, 14	I	F	Sept. 13, 1974	do	Ben Austin, County Judge, County Courthouse, Cookeville, Tenn. 38501, 615-526-3161.

State	County	Community Name and number of panels	Community number and suffix	Program and change code	Inland or coastal	Hazard F/M/E	Identification date (8)	Effective date of this map action	Local map repository
Do.	Sequatchie	Sequatchie County (unincorporated areas), 0001A-0006A.	470171	N-5	I	F	Oct. 21, 1977	do.	Grady Barker, County Judge, P.O. Box 595, Dunlap, Tenn. 37327, 615-949-3479.
Do.	Smith	Smith County (unincorporated areas), 0001A-0006A.	470283	E-5	I	F	do.	do.	Jack Kittrell, County Judge, Judge's Office, Carthage, Tenn. 615-735-2294.
Wisconsin	Washington	Village of Slinger, 0001A.	550587	N-5	I	F	do.	do.	Ray Charles Miller, Village Manager, 111 West Washington, Slinger, Wis. 53086, 414-644-5515.
Do.	Walworth	Village of Williams Bay, 0001A.	550594	N-5	I	F	do.	do.	Herbert Erickson, Village President, Box 580, Williams Bay, Wis. 53191, 414-245-5455.
Alaska	Unorganized borough.	City of Delta Junction (0001).	020040A	E-5	I	F	Oct. 25, 1977	Oct. 25, 1977	Hon. Bob Cramer, Mayor, P.O. Box 229, Delta Junction, Ark. 99737, 907-895-4421.
Arizona	Unincorporated area.	Greenlee County (0001-0003, 0006-0020, 0022-0024).	040310A	N-5	I	F	do.	do.	Mr. Forrest Wilkerson, Chairman, Board of Supervisors, County Courthouse, Clifton, Ariz. 85533, 602-864-2072.
Arkansas	do.	Clark County (0001-0012).	050422A	N-5	I	F	do.	do.	Hon. Mr. Stevenson, County Judge, Office of the County Judge, County Courthouse, Arkadelphia, Ark. 71923, 501-246-5847.
Do.	do.	Drew County (0001-0009).	050430A	N-5	I	F	do.	do.	Hon. Vernon D. Roberts, County Judge, Office of the County Judge, County Courthouse, Monticello, Ark. 71656, 501-367-3574.
Do.	do.	Pulaski County (01-07, 09-10, 12-61).	050179A	N-5	I	F	do.	do.	Hon. Roger C. Mears, County Judge, Office of the County Judge, County Courthouse, Little Rock, Ark. 72203, 501-374-4805.
California	Placer	City of Roseville (0001-0003).	060243B	E-12, 14	I	F	Aug. 2, 1974 Jan. 14, 1977	do.	Mr. Frederick L. Barnett, Director of Public Works, 316 Vernon St., Roseville, Calif. 95678, 916-783-9151.
Colorado	Unincorporated area.	Pitkin County (0002-0005, 0007-0013).	050287A	E-5	I	F	Oct. 25, 1977	do.	Mr. Mike Kinsley, Chairman, Board of County Commissioners, County Courthouse, 506 East Main St., Aspen, Colo. 81611, 303-925-7116.
Idaho	do.	Bonner County (0001-0017).	160206A	E-5	I	F	do.	do.	Mr. James Brockway, Chairman, Board of County Commissioners, Bonner County Courthouse, Sandpoint, Idaho 83864, 208-283-6841.
Do.	do.	Jerome County (0001-0008).	160228A	N-5	I	F	do.	do.	Mr. Ray Cobble, Chairman, Board of County Commissioners, Jerome County Courthouse, P.O. Box 467, Jerome, Idaho 83338, 208-324-8811.
Do.	do.	Nez Perce County (01-05, 07-10, 13, 15-21, 24-28, 31-34, 38-39, 41-42, 44-53, 55-62).	160101A	N-5	I	F	do.	do.	Ms. Vera N. White, Chairman, Board of County Commissioners, County Courthouse, Lewiston, Idaho 83501, 208-746-1331.
Iowa	do.	Black Hawk County (01-16, 18-35).	190535A	E-5	I	F	do.	do.	Mr. Lynn G. Cuther, Chairman, Board of Supervisors, County Courthouse, Waterloo, Iowa 50703, 319-291-2416.
Do.	do.	Dallas County (0001-0009).	190860A	N-5	I	F	do.	do.	Mr. Francis Ford, Chairman, Board of Supervisors, County Courthouse, Adel, Iowa 50003, 515-993-3687.
Do.	do.	Plymouth County (0001-0012).	190899A	N-5	I	F	do.	do.	Mr. Fred R. Claesson, Chairman, Board of County Commissioners, County Courthouse, Le Mars, Iowa 51031, 712-546-6100.
Do.	do.	Sioux County (0001-0009).	190906A	N-5	I	F	do.	do.	Mr. Bernard L. Smith, Chairman, Board of Supervisors, County Courthouse, Orange City, Iowa 51041, 712-737-2131.
Do.	do.	Wapello County (0001-0004).	190911A	N-5	I	F	do.	do.	Mr. Phillip D. Horan, Chairman, Board of Supervisors, County Courthouse, Ottumwa, Iowa 52501, 515-684-4671.
Kansas	do.	Bourbon County (0001-0009).	200022A	N-5	I	F	do.	do.	Mr. Raymond Krull, Chairman, Board of County Commissioners, County Courthouse, Fort Scott, Kans. 66701, 316-223-1870.
Do.	do.	Labetee County (0001-0009).	200590A	N-5	I	F	do.	do.	Mr. Bill Brewer, Chairman of Planning Board, Board of County Commissioners, County Courthouse, Oswego, Kans. 67356, 316-795-2138.
Do.	do.	Pawnee County (0001-0009).	200566A	N-5	I	F	do.	do.	Mr. Don Foster, Chairman, Board of County Commissioners, County Courthouse, Larned, Kans. 67550, 316-285-3721.
Louisiana	do.	St. Martin Parish (01-74).	220178A	E-10, 11, 12, 14	I	F	Dec. 27, 1974	do.	Mr. M. G. Greig, Parish Supervisor, St. Martin Parish Police Jury, P.O. Box 9, St. Martinville, La. 70582, 318-394-3711.
Maine	Hancock	Town of Sedgwick (0001-0004).	230291A	N-11, 12	C	F	Jan. 24, 1975	do.	Mr. William Darrach, Selectman, P.O. Box 267, Sargentville, Maine 04673, 207-359-8957.
Nebraska	Unincorporated area.	Cheyenne County (0001-0014).	310424A	N-5	I	F	Oct. 25, 1977	do.	Mr. Kenneth Rose, Chairman, Board of County Commissioners, County Courthouse, Sidney, Nebr. 69162, 308-254-2141.

RULES AND REGULATIONS

State	County	Community Name and number of panels	Community number and suffix	Program and change code	Inland or coastal	Hazard F/M/E	Identification date (S)	Effective date of this map action	Local map repository
Oregon	do	Union County (0001-0018, 0021-0025).	410216A	E-5	I	F	do	do	Mr. Earle C. Misener, Chairman, Board of County Commissioners, County Courthouse, La Grande, Oreg. 97850, 503-963-5214.
South Dakota	do	Lincoln County (0001-0008).	460277A	N-5	I	F	do	do	Mr. Richard Koopson, Chairman, Board of County Commissioners, County Courthouse Canton, S. Dak. 57013, 605-987-2581.
Texas	do	Chambers County (0001-0012)	480119A	E-10, 11, 12, 14.	C	F	Aug. 9, 1974	do	Hon. O. F. Nelson, Jr., County Judge, Office of the County Judge, County Courthouse, Anahuac, Tex. 77514, 713-267-3671.
Do	do	Hockley County (0001-0012).	480352A	N-5	I	F	Oct. 25, 1977	do	Hon. Garden B. Martin, County Judge, Office of the County Judge, County Courthouse, Levelland, Tex. 79336, 806-894-6856.
Do	do	Limestone County (0001-0014).	480910A	N-5	I	F	do	do	Hon. Calvin Hardison, County Judge, Office of the County Judge, County Courthouse, Groesbeck, Tex. 76642, 817-729-3810.
Do	Fort Bend and Harris.	City of Missouri City (0001-0002).	480304A	E-8, 10, 11, 12, 14.	I	F	Jan. 17, 1975	do	Mr. Frank A. Reed, City Manager, 310 Orchard St., P.O. Box 26, Missouri City, Tex. 77459, 713-499-1681.
Do	Unincorporated area.	Ward County (0001-0012).	481249A	N-5	I	F	Oct. 25, 1977	do	Hon. Hesther Taggart, County Judge, Office of the County Judge, County Courthouse, Monahans, Tex. 79756, 915-943-3200.
Utah	Tooele	Town of Rush Valley (0001-0002).	490215A	N-5	I	F	do	do	Mr. David Bush, Town President, P.O. Box 3, St. John, Utah 84069, 801-882-1749.
Vermont	Bennington	Town of Peru (03, 05-06, 08-09, 12).	500181A	N-11, 12	I	F	Jan. 10, 1975	do	Mr. H. P. Catlin, Chairman, Board of Selectmen, Peru, Vt. 05152, 802-824-3065.
Washington	Unincorporated area.	Island County (0001-0000).	530312A	E-5	C	F	Oct. 25, 1977	do	Mr. Delmon Anderson, Chairman, Board of County Commissioners, County Courthouse, Coupeville, Wash. 98239, 206-678-5111.
Do	do	Klickitat County (0001-0004, 0006-0022).	530099A	E-10, 11, 12, 14	I	F	Sept. 6, 1974	do	Mr. Fred Holly, Chairman, Board of County Commissioners, County Courthouse, Goldendale, Wash. 98620, 509-773-4612.
Do	do	Pierce County (0001-0016, 0019-0021, 0024-0025).	530138A	E-5	I	F	Oct. 25, 1977	do	Mr. Patrick J. Gallagher, Chairman, Board of County Commissioners, County Courthouse, Tacoma, Wash. 98402, 206-593-4000.
Michigan	Leelanau	Village of Northport, 01.	260580A	E-5	I	F	Oct. 28, 1977	Oct. 28, 1977	Robert Buehrer, Village President, 119 East Nagonaba, Northport, Mich. 49670, 616-386-5461.
Do	Arenac	City of Omer, 01.	260622A	N-5	I, C	F	do	do	Alex Caverly, Mayor, 821 North Main, Omer, Mich. 48749, 517-653-2564.
Do	Hillsdale	Township of Reading, 0001A-0002A.	260410	N-5	I	F	do	do	Harold Ashton, Supervisor, 579 Abbott Rd., Reading, Mich. 49274, 217-233-2422.
Minnesota	Chisago	Chisago County (unincorporated areas) 0001A-0015A.	270682	E-5	I	F	do	do	Carl Lindberg, Chairman, County Board, County Courthouse, Center City, Minn. 55012, 612-257-1300.
Mississippi	Marshall	Marshall County (unincorporated areas) 0001A-0012A.	280274	N-5	I	F	do	do	Joe Cooper, President, Board of Supervisors, County Courthouse, Holly Springs, Miss. 38365, 601-333-7791.
Ohio	Harrison	Village of Freeport, 0001A.	390804	N-5	I	F	do	do	Gary Hart, Mayor, Main St., Freeport, Ohio 43993, 614-658-3347.
Pennsylvania	Lebanon	Township of Jackson, 0001A-0004A.	421805	E-5	I	F	do	do	Glenn Williams, Chairman, Township Supervisors, Route 4, Myerstown, Pa., 717-866-4750.
Tennessee	Lincoln	Lincoln County (unincorporated areas) 0001A-0008A.	470104	N-5	I	F	do	do	Taylor Crawford, County Judge, County Courthouse, P.O. Box 32, Fayetteville, Tenn. 37334, 615-433-3045.
Do	Marion	Marion County (unincorporated areas) 0001A-0008A.	470114	E-5	I	F	do	do	E. D. Hughes, County Judge, County Courthouse, Jasper, Tenn. 37347, 615-942-2552.
Do	Trousdale	Trousdale County (unincorporated areas) 0001A-0003A.	470192	E-5	I	F	do	do	Ray F. Coley, County Judge, P.O. Box 69, Hartsville, Tenn. 37074, 615-374-2461.
California	Unincorporated area.	El Dorado County (01-06, 08-12, 14, 16-18, 21, 24-27, 30-33, 35-36, 38, 41, 45-49, 52-55, 59-63).	060041A	N-11, 12		F	Aug. 2, 1974	Nov. 1, 1977	Mr. William V. D. Johnson, County Supervisor, 2850 Cold Springs Rd., Placerville, Calif. 95667, 916-626-2464.
Idaho	Blaine	City of Sun Valley (01-02).	160024B	E-11, 12	I	F	Sept. 6, 1974	do	Mr. Clayton Stewart, City Administrator, P.O. Box 416, Sun Valley, Idaho 83353, 208-726-4489.
Massachusetts	Essex	Town of Groveland (01-05).	250083B	E-12, 14	I	F	June 28, 1974	do	Mr. Abbot, Town Clerk, 22 School St., Groveland, Mass. 01834, 617-372-686.
Oregon	Unincorporated area.	Wasco County (01-03, 06-09, 12-22, 25-27, 29, 31-36, 39, 40, 42, 46-48, 51, 53-58, 61-65, 67-73, 75, 77, 81, 83, 85-86, 91-93, 98-100, 105-109, 112-114, 116, 120-121).	410229A	E-11, 12	I	F	Feb. 21, 1975	do	Mrs. Dorothy Soderstrom, Zoning Officer, Wasco County Planning Office, 400 West 4th St., The Dalles, Oreg. 97038, 503-298-5161.
Vermont	Bennington	Town of Bennington (01-06, 08-09, 11-12).	500013B	E-11, 12, 14	I	F	Sept. 13, 1974	do	Mr. Stuart A. Hurd, Zoning Administrator, 205 South St., Bennington, Vt. 05201, 802-442-8822.

NOTE.—R=Regular program; E=Emergency program; N=Not in program.

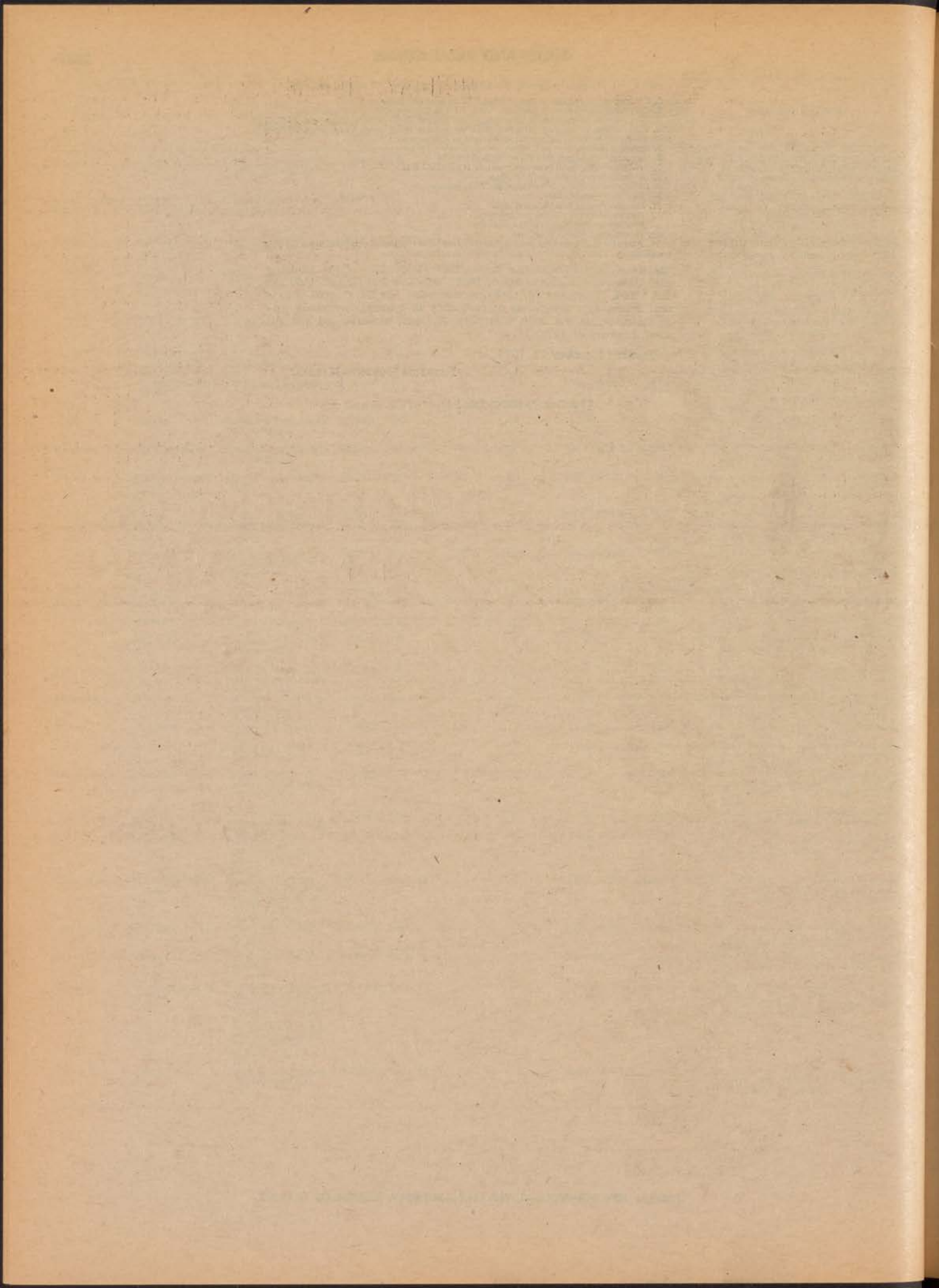
1. Conversion to regular program with FIRM (elevations determined).
2. Conversion to regular program with FIRM (no elevations determined).
3. Conversion to regular program with no special flood hazard areas—no FIRM.
4. Conversion to regular program with no special flood hazard areas—no FIRM; rescission of FHBM effective on same date as conversion.
5. Initial FHBM.
6. Revision—change of elevation; revised FIRM.
7. Revision—change of zone designation; revised FIRM.
8. Revision—corporate limit changes.
9. Revision—drafting corrections; printing errors.
10. Revision—curvilinear.
11. Revision—add flood hazard area.
12. Revision—reduce flood hazard area.
13. Revision—Federal Register omission.
14. Revision—refunds possible.
15. Attention! A previous map (or maps) has been rescinded or withdrawn for this community. This may have affected the sequence of suffixes.

(National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended (42 U.S.C. 4001-4128); and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, February 27, 1969, as amended (39 FR 2787, January 24, 1974).)

Issued: October 13, 1977.

PATRICIA ROBERTS HARRIS,
Secretary.

[FR Doc.77-32549 Filed 11-11-77; 8:45 am]



**Register
Federal Order**

MONDAY, NOVEMBER 14, 1977

PART III



**DEPARTMENT OF
TRANSPORTATION**

Coast Guard



**VESSELS OF 1600 GROSS
TONS OR MORE**

**Proposed Electronic Navigation
Equipment**

[4910-14]

DEPARTMENT OF
TRANSPORTATION

Coast Guard

[33 CFR Part 164]

[CGD 77-168]

VESSELS OF 1,600 GROSS TONS OR MORE
Proposed Electronic Navigation Equipment

AGENCY: Coast Guard, DOT.

ACTION: Proposed rule; withdrawal of prior proposed rule.

SUMMARY: This document withdraws an earlier notice of proposed rulemaking and proposes amending the regulations requiring certain navigation equipment on all vessels of 1,600 gross tons or more by adding a requirement for an electronic position fixing device. Many vessels in the coastal area do not have an adequate position fixing capability. This amendment would require vessels entering U.S. navigable waters bound to or from a U.S. port to have that capability.

DATE: Comments must be received before January 13, 1978.

ADDRESSES: Comments should be submitted to Commandant (G-CMC/81) (CGD 77-168), U.S. Coast Guard, Washington, D.C. 20590. Comments will be available for examination at the Marine Safety Council (G-CMC/81), Room 8117, Department of Transportation, Nassif Building, 400 Seventh Street SW., Washington, D.C. 20590. A copy of the economic evaluation from which the economic summary in this document is taken is also available for examination at the above address.

FOR FURTHER INFORMATION CONTACT:

Capt. George K. Greiner, Marine Safety Council (G-CMC/81), Room 8117, Department of Transportation, Nassif Building, 400 Seventh Street SW., Washington, D.C. 20590.

SUPPLEMENTARY INFORMATION: Interested persons are invited to participate in this proposed rulemaking by submitting written views, data, or arguments. Each person submitting a comment should include his or her name and address, identify this notice (CGD 77-168) and the specific section of the proposal to which the comment applies, and give reasons for each comment. All comments received before the expiration of the comment period will be considered before final action is taken on this proposal. No additional public hearing is planned but one may be held at a time and place to be set in a later notice in the FEDERAL REGISTER if such meeting is requested in writing by an interested person raising a genuine issue and desiring to comment orally at a public hearing.

DRAFTING INFORMATION

The principal persons involved in drafting this document are: Mr. Fred Schwer, Office of Marine Environment

and Systems, Project Manager, and Mr. Stanley Colby, Office of Chief Counsel, Project Attorney.

WITHDRAWAL OF CGD 77-002

In the January 31, 1977, issue of the FEDERAL REGISTER (42 FR 5966) the Coast Guard published a proposed rule (docket No. CGD 77-002) to require LORAN-C receivers on vessels of 1,600 gross tons or more. Interested persons were given until April 1, 1977, to submit comments. A correction to the notice was published in the FEDERAL REGISTER of February 17, 1977 (42 FR 9685) and the closing date for comments was subsequently extended to April 20, 1977. Public hearings on this proposal were held in Washington on March 4, 1977, and in San Francisco on March 16, 1977.

Seven persons presented oral comments at the Washington hearing. Six were heard in San Francisco. Fifty-nine written comments were received by the closing date, April 20, 1977.

The correction to the notice of proposed rulemaking on LORAN-C published on February 17, 1977 (42 FR 9685) stated in part that a supplementary notice of proposed rulemaking setting forth minimum standards for acceptable LORAN-C receivers would be published in the near future. After analyzing the great number of responses to the notice, the Coast Guard determined that an entirely new proposal should be published. Accordingly, the notice of proposed rulemaking (docket No. CGD 77-002) published in the January 31, 1977, issue of the FEDERAL REGISTER (42 FR 5966), as corrected by the notice of February 17, 1977 (42 FR 9685) is hereby withdrawn.

DISCUSSION OF PROPOSED REGULATIONS

Eighteen letters of comment were received which endorsed the proposal of January 31, 1977. Proponents included individuals, equipment manufacturers, mariners, ship owners, ecology and conservation-oriented groups, and government officials.

Sixteen commenters concurred in the need for an accurate offshore positioning system, but objected to the requirement of a specific system, i.e., LORAN-C. They maintained that other navigation systems can serve equally well and purchase of LORAN-C would be an unnecessary and redundant expense. Ten more commenters objected to the specific requirement of LORAN-C without commenting on the need for better position fixing. Six more pointed out that requirement of any "national" system invites other sovereignties to require their own system, leading to a proliferation of disparate and incompatible systems. Many of the commenters suggested that, rather than require a specific system, the Coast Guard set standards of navigational accuracy or equipment performance and let each mariner decide on how best to meet the requirement.

The proposed requirement for LORAN-C stemmed directly from the National Plan for Navigation (NTIS AD 741944), as amended, which named

LORAN-C the primary navigation system for the U.S. Coastal Confluence Zone (CCZ). This is defined in the plan as the area from the U.S. shoreline and harbor entrances to 50 miles offshore or to the 100 fathom curve, whichever is greater. In arriving at that determination, other radio navigation systems were considered. LORAN-C was judged best in terms of capabilities, availability, and cost.

Presently, the single navigation system which can continuously provide a merchant mariner with an adequate positioning capability throughout the CCZ is LORAN-C. Neither Decca nor Differential Omega is generally available. Radar is available only inshore. TRANSIT based satellite navigation systems are extremely accurate, but do not provide continuous information. Some hybrid systems, such as satellite/doppler, satellite/inertial, and satellite/Omega, do provide reasonably accurate information on a continuous basis. Therefore, these hybrid systems are considered to be adequate alternatives to LORAN-C. It must be remembered, however, that all of the satellite systems now in use rely on the TRANSIT satellite, a military system which can be modified or discontinued at any time.

Other radio navigation systems are under development which may meet the intent of this proposed rule. It is proposed that the Coast Guard would consider other receivers or receiver combinations which can be shown to meet the intent of the marine navigation requirements for the U.S. CCZ regarding availability, coverage, and accuracy as stated in the National Plan for Navigation, as amended. In considering other receivers, the Coast Guard would seek to insure that an equivalent level of navigation safety is achieved.

The Coast Guard gave lengthy consideration to the option of requiring an accuracy standard without specifying equipment. The alternative was finally rejected for the reasons stated above and because it would be impossible to enforce economically.

Thirteen commenters requested that the Coast Guard allow LORAN-A or A/C receivers in lieu of LORAN-C until the LORAN-A system is discontinued in 1980. This was considered, but it is believed that vessels of 1,600 gross tons or more need a more accurate positioning capability than LORAN-A can provide.

Five commenters maintained that the level of accuracy attainable with LORAN-C is not necessary until a vessel is within radar range of shore, where radar can provide an even more accurate fix. This is a subjective opinion with which the Coast Guard does not agree. Many coastlines are poor radar targets and provide ambiguous returns at best. Moreover, vessels in convergence areas may have to keep their single radars on a maneuvering and collision avoidance scale and not be able to use it efficiently for navigation.

Six commenters maintained that LORAN-C is limited in coverage and therefore not sufficiently useful. The

proposed regulation does not require LORAN-C in areas where coverage does not exist. However, adequate coverage now exists in almost all of the U.S. continental CCZ, except in the Gulf of Mexico, where LORAN-C chains will be on the air in mid-1978, and on the Great Lakes, scheduled for February 1980. It is not prudent to deprive the greater part of U.S. coastlines the protection provided by LORAN-C simply because some areas do not have coverage yet.

Several individual commenters raised questions concerning the capabilities of the LORAN-C system. Most of the questions concern receiver capabilities, charting accuracy, and availability of Loran signals. A modern LORAN-C receiver which complies with the minimum standards set forth in this proposed regulation should be reliable and easily adjusted. LORAN-C chains routinely achieve a 99.7-percent level of availability and the user is adequately warned of the brief periods of signal unreliability by the "blink" feature. A LORAN-C chart verification program by the Federal government is in progress to provide improved accuracy. Although the LORAN-C system is not perfect, it offers a vast improvement in overall positioning capability in the U.S. CCZ when compared with most other available systems.

The Special Committee of the Radio Technical Commission for Marine Services (RTCM) is developing a Minimum Performance Specification (MPS) for Marine LORAN-C receivers. The Coast Guard feels that proceeding with this proposal is too vital to the public interest to delay publication until the RTCM Executive Committee has approved the MPS. Persons desiring to comment should be aware of the MPS and may consider it a detailed standard against which this proposal may be evaluated. Moreover, the RTCM MPS will contain definitions, explanations, and test procedures which also may aid the purchaser.

The minimum standards set forth in the proposed new § 164.41 (c) and (d) are those characteristics which will provide for an adequate position fixing capability within the limits of the U.S. CCZ. A lesser device may not be capable of using the systems' full potential. It is recognized that the "state-of-the-art" in receiver electronics is evolving rapidly. However, unless technological advances make these standards markedly obsolete, the Coast Guard would allow continued use of receivers installed under these standards for a reasonable period of time.

While the Coast Guard proposes to require an electronic position fixing device on all vessels of 1,600 gross tons or more that enter U.S. waters, it recognizes that a requirement of this nature would place a sudden surge on manufacturers' capabilities and could cause a severe backlog problem. Accordingly, the Coast Guard proposes that if the amendment is adopted, it will become effective for each category of vessel at

staggered intervals. Because the tank vessel segment of the industry is somewhat smaller than the freighter segment, and because the ability to accurately navigate tankers has assumed much greater importance of late, it is proposed that this segment of the industry would be required to comply with the regulations at the earliest time, such as 120 days after publication of the rule. It is proposed to require the remaining vessels to comply one year after publication of the rule.

This proposal has been reviewed for economic effects under Department of Transportation "Policies to Improve Analysis and Review of Regulations" (41 FR 16200). The Coast Guard estimates that there would be no more than 500 U.S. and 5,000 foreign flag vessels which might be affected by this rule. Of those, it is estimated that 50 percent of U.S. and 20 percent of foreign flag vessels already have a suitable electronic positioning device installed. Therefore, approximately 250 U.S. and 4,000 foreign flag vessels would have to purchase and install the equipment.

For the purpose of this analysis, it is estimated that the average cost for installed equipment would be \$8,000 for LORAN-C and \$35,000 for satellite/Omega hybrid receivers. Satellite/doppler and satellite/inertial systems cost considerably more than either of the previously mentioned systems and therefore probably would not be purchased solely to comply with this regulation. Therefore, for the purpose of this statement, only the LORAN-C and satellite/Omega hybrid systems are considered. The depreciation period is assumed to be seven years and the installed cost would be passed to U.S. consumers in seven equal increments. The economic impact on the U.S. economy for the first year would be the initial cost of the installed equipment for U.S. vessels, plus a portion of the total cost to both U.S. and foreign vessels which will be passed on to the U.S. consumers over the life of the equipment in the form of increased shipping rates. The initial cost of the equipment to foreign vessels is not considered a cost to the U.S. economy.

The highest single year costs to the U.S. shipping industry would be the first year cost of \$3,350,000 for initial purchase and installation. First year total impact on the U.S. economy would be \$11,500,000. Total cost of compliance to the U.S. economy over the seven year period would be \$60,300,000.

Because of more accurate navigation, the benefits from having this equipment installed include cost saving in vessel operation and the probability of fewer vessel accidents. This in turn could yield a reduction in injuries and deaths, as well as savings in search and rescue costs, ship repair costs, and pollution costs.

The following terms are used in the regulation, and are explained here for clarity:

Automatic signal acquisition. After inserting numbers which identify the sta-

tions to be used and commanding the receiver to start, no further action by the operator is required to obtain time difference information.

Manually assisted automatic acquisition. In addition to the operations he performs for automatic signal acquisition, the operator must insert, or set, the secondary station course timing numbers. No further action is required by the operator.

In consideration of the foregoing, it is proposed to amend Part 164 of Chapter I of Title 33, Code of Federal Regulations, as follows:

§ 164.30 [Amended]

1. By striking, in § 164.30, the section number "164.35" and inserting the section number "164.41" in place thereof.

2. By adding a new § 164.41 to read as follows:

§ 164.41 Equipment: Certain vessels.

(a) This section applies to vessels calling at ports in the continental U.S. or on the Gulf of Alaska, except—

(1) Vessels not engaged in commerce and owned or bareboat chartered and operated by the United States, by a State or its political subdivisions, or by a foreign nation; and

(2) Vessels calling only at U.S. ports on the Gulf of Mexico or on the Great Lakes are not required to meet paragraph (b) of this section until LORAN-C for those areas is declared operational by the U.S. Coast Guard.

(b) Each vessel must have—

(1) A LORAN-C receiver that is warranted by the manufacturer as meeting paragraph (c) of this section;

(2) A continual update, satellite-based hybrid navigation receiver (i.e., satellite/doppler, satellite/inertial, or satellite/Omega) that is warranted by the manufacturer as meeting paragraph (d) of this section; or

(3) A receiver other than a LORAN-C or satellite hybrid receiver that the Commandant finds meets the intent of the statements of availability, coverage, and accuracy for the U.S. Coastal Confluence Zone (CCZ) contained in the U.S. Department of Transportation National Plan for Navigation (NTIS AD 741944), as amended. A person desiring a determination by the Commandant on a receiver under this subparagraph must submit to Commandant (G-W/73), Washington, D.C. 20590, a written request describing the receiver. The Commandant may require that the applicant obtain and submit additional data and test results to establish the suitability of the receiver.

(c) Each LORAN-C receiver must—

(1) Have the capability of rejecting at least two near band sources of interference;

(2) Acquire the signal with

(i) Automatic signal acquisition; or

(ii) Manually assisted automatic acquisition, which, as used in this subdivision, means that after manual crude positioning of the receiver's time base relative to that of the received LORAN-

PROPOSED RULES

C secondary signal to within 100 microseconds, the receiver must automatically locate the master and secondary signals;

(3) Automatically select correct ground wave cycle on each signal;

(4) Continuously track groundwave phase (cycle) on all pulses;

(5) Automatically display 2 or more time difference readings, simultaneously or sequentially, with a readout resolution of at least 0.1 microseconds and with data updates every 15 seconds or less; and

(6) Automatically activate an alarm for signal "blink," lost signal, signal below useable level, cycle selection dis-

abled or unreliable, and time-difference readings not yet reliable.

(d) A hybrid satellite system must have—

(1) Automatic acquisition of the satellite signals after initial operator settings have been entered;

(2) Position updates derived from satellite information obtained during each satellite pass; and

(3) A continuous tracking complementary system which provides, in between satellite fixes, position update at intervals of one minute or less.

§ 164.53 [Amended]

3. By adding in § 164.53(b) the words "radio navigation receivers," after the

word "radar," and before the word "gyrocompass."

(Sec. 104, Stat. 427 (33 U.S.C. 1224); sec. 201(3), 86 Stat. 428, as amended (46 U.S.C. 391a(3)); 49 CFR 1.46(n)(4).)

NOTE.—The Coast Guard has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11821, as amended, and OMB Circular A-107.

Dated: November 8, 1977.

E. L. PERRY,
Vice Admiral, U.S. Coast Guard,
Acting Commandant.

[FR Doc. 77-32911 Filed 11-11-77; 8:45 am]

Federal Register

MONDAY, NOVEMBER 14, 1977

PART IV



COMMITTEE FOR
PURCHASE FROM
THE BLIND AND
OTHER SEVERELY
HANDICAPPED



PROCUREMENT LIST 1978

Establishment

[6820-33]

**COMMITTEE FOR PURCHASE FROM
THE BLIND AND OTHER SEVERELY
HANDICAPPED**

PROCUREMENT LIST 1978

Establishment

The Committee for Purchase from the Blind and Other Severely Handicapped was established by Pub. L. 92-28, June 23, 1971 (85 Stat. 77, 41 U.S.C. 46-48) (hereinafter the Act) for the purpose of directing the procurement of selected commodities and services by the Federal Government to qualified workshops serving blind and other severely handicapped individuals with the objective of increasing the employment opportunities for these individuals. The Committee is required to establish and publish in the FEDERAL REGISTER a procurement list of:

(1) Commodities produced by any qualified nonprofit agency for the blind or by any qualified nonprofit agency for other severely handicapped, and

(2) The services provided by any such agency.

which the Committee determines are suitable for procurement by the Government pursuant to the Act.

The Act further provides that any entity of the Government which intends to procure any commodity or service on the procurement list, shall procure such commodity or service, at the price established by the Committee, from a qualified nonprofit agency for the blind or such agency for the other severely handicapped if the commodity or service is available within the normal period required by that Government entity. However, this requirement shall not apply to the procurement of any commodity which is available from Federal Prison Industries, Inc.

A Government entity is defined as any entity of the legislative branch or judicial branch, any executive agency or military department (as such agency and department are respectively defined by Sections 102 and 105 of Title 5, United

States Code), the U.S. Postal Service, and any nonappropriated fund instrumentality under the jurisdiction of the Armed Forces.

Notice is hereby given pursuant to Section 2 of the Act that Procurement List 1978 is established as set forth below. Procurement List 1978 supersedes Procurement List 1977, November 18, 1976 (41 FR 50975) and subsequent changes thereto through November 11, 1977.

Any proposed additions or deletions to Procurement List 1977 pending on this date shall be considered as pending and applicable to Procurement List 1978.

By the Committee.

C. W. FLETCHER,
Executive Director.

ASSIGNMENT CODES

Center Nonprofit Agency	CODE
National Industries for the Blind	IB
National Industries for the Severely Handicapped.	SH

NOTICES

59017

COMMODITIES

CLASS 1005

Sling, Adjustable, Small Arms (IB)
1005-00-167-4336

CLASS 1095

Scabbard, Bayonet-Knife (IB)
1095-00-508-0339

CLASS 1430

Circuit Card Assembly (SH)
1430-00-409-7997
1430-00-471-5375
1430-00-089-9251
1430-00-403-5787
1430-00-421-4036

CLASS 1560

Wire Bundle Assemblies (SH)
1560-00-881-4215
1560-00-894-3991
1560-00-884-0409
1560-00-934-0924
1560-00-919-3706
1560-00-883-4487
1560-00-222-3876
1560-00-826-7752
1560-00-974-5275
1560-00-974-5276
1560-00-998-8594

CLASS 1730

Chock Assembly, Wheel (IB)
1730-00-294-3694
1730-00-063-4095
1730-00-294-3696
1730-00-294-3695
1730-00-945-8450

CLASS 2540

Belt, Automobile, Safety (IB)
2540-00-894-1273
2540-00-894-1275
2540-00-894-1274
2540-00-894-1276

CLASS 3510

Net, Laundry (IB)
3510-00-273-9738
3510-00-273-9739

CLASS 3920

Safety Guard (SH)
P.S. Item #01075B

CLASS 3990

Pallet, Material Handling (SH)
3990-00-555-0458
(Sharpe Army Depot,
Lathrop, CA ONLY)

Pallet, Wood (SH)

3990-00-366-6806
3990-00-366-6821

Skid, Wood (SH)

3990-00-366-6810
3990-00-366-6814
3990-00-366-6815
3990-00-366-6816
3990-00-366-6817
3990-00-366-6819
3990-00-366-6820

CLASS 4910

Creeper, Mechanic's (SH)
4910-00-251-6981
4910-00-106-7834

CLASS 5140

Bag, Tool (IB)
5140-00-772-4142

CLASS 5440

Stepladder (IB)
5440-00-514-4483
5440-00-514-4485
5440-00-514-4487

Note: IB will provide requirements
for GSA Regions 8, 9, & 10 only.

CLASS 5510

Stakes, Wood (SH)
Location Stakes
5510-00-171-7701
5510-00-171-7700
5510-00-171-7734
Hub Stakes
5510-00-171-7733
5510-00-171-7732

Wedge, Wood (SH)

5510-00-640-9237

CLASS 5660

Fencing, Wire & Wood Picket (SH)
5660-00-257-3860

CLASS 5940

Adapter, Battery Terminal (SH)
5940-00-549-6583
5940-00-549-6581

CLASS 6150

Cable Assembly, Power (SH)
6150-00-666-0045
6150-00-935-8799
6150-00-117-8867
6150-00-666-0041

CLASS 6230

Light, Desk (SH)

NOTE: SH will provide requirements for
GSA Regions shown in parentheses.
6230-00-299-7771 (2,3,4,5,7,9)
6230-00-682-3423 (2,3,5,7,9)

NOTICES

Light, Marker, Distress (SH)
6230-00-067-5209
6230-00-938-1778

CLASS 6505
Ammonia Inhalant Solution,
Aromatic (SH)
6505-00-106-0875

Iodine Ampoules, NF (SH)
6505-00-664-1408

Thimerosal Tincture, NF (SH)
6505-00-664-6911

CLASS 6515
Case, Ear Plug (SH)
6515-00-299-8287
Note: SH will provide 80% of the
Govt's requirements.

Kit, Shaving, Surgical Preparation (IB)
6515-00-676-7372

Tourniquet, Non-Pneumatic (IB)
6515-00-383-0565

CLASS 6530
Cover, Litter (IB)
6530-00-784-1035
6530-00-784-1250

Drape, Surgical (IB)
6530-00-299-9608
6530-00-299-9607
6530-00-299-9605
6530-00-299-9604

Strap, Webbing, Patient
Securing (IB)
6530-00-784-4205

Surgical Pack, Disposable,
Pre-Operative (IB)
6530-00-103-6659

Urinal, Incontinent (IB)
6530-01-004-8969
6530-00-290-8292

Wrapper, Sterilization (IB)
6530-00-299-9603
6530-00-719-0000
6530-00-299-9602
6530-00-719-0030
6530-00-299-9601
6530-00-719-0035
6530-00-299-9600
6530-00-719-0040
6530-00-299-9599
6530-00-719-0045
6530-00-850-8613
6530-00-197-9223
6530-00-197-9228
6530-00-197-9283
6530-00-926-4902
6530-00-926-4903
6530-00-926-4904
6530-00-926-4905

CLASS 6532
Cap, Operating, Surgical (IB)
6532-00-299-9614
6532-00-299-9613
6532-00-299-9612

Cap, Operating, Surgical (SH)
6532-00-250-5042
6532-00-083-6545
6532-00-250-5041
6532-00-122-0468

Clothing, Operating Room (SH)
6532-00-261-9005
6532-00-290-1887
6532-00-172-3509
6532-00-172-3507
6532-00-172-3506
6532-00-158-9890
6532-00-009-7174

Dress, Operating, Surgical (SH)
6532-00-149-0464
6532-00-149-0465
6532-00-149-0466
6532-00-149-0467
6532-00-149-0472
6532-00-149-0473

Gown, Hospital, Patient's
Bedshirt (SH)
6532-01-005-8411
6532-01-005-8412

Gown, Operating, Surgical (SH)
6532-00-009-2034
6532-00-009-2035

Pillowcase, Disposable (IB)
6532-00-634-9828

Robe, Dressing, Nomex (SH)
6532-00-003-3057
6532-00-006-3482

Shirt, Operating, Surgical (SH)
6532-00-149-0322
6532-00-149-0323
6532-00-149-0324
6532-00-149-0325

Smock, Man's, Dental Operating (SH)
6532-00-159-4881
6532-00-926-9964
6532-00-926-9975
6532-00-926-9976

Suit, Convalescent (SH)
6532-00-512167
6532-00-512168
6532-00-512170
6532-00-512171

Trousers, Operating, Surgical (SH)
6532-00-149-0327
6532-00-149-0328
6532-00-149-0329
6532-00-149-0330

CLASS 6540
Case, Spectacle (IB)
6540-00-735-5157

CLASS 6625
Test Set, Lead (SH)
6625-00-553-1442

CLASS 6630
Tube, Bleeding (IB)
6630-01-NIB-0001

CLASS 6645
Clock, Wall (IB)
6645-01-046-8848
6645-01-046-8849

CLASS 6695
Kit, Spectro Oil Analysis (IB)
6695-00-925-2982

Sampler-Spectro, Analysis Oil Kit (IB)
6695-00-758-1355

Sampling Kit, Spectrometric Oil Analysis (IB)
6695-NC-609-651P

CLASS 6840
Disinfectant, Detergent (IB)
6840-00-687-7904
6840-00-584-3129
6840-00-551-8346

CLASS 6920
Circuit Card Assembly (SH)
6920-00-482-8335

CLASS 7105
Frame, Picture (SH)
7105-00-053-0170
7105-00-061-5834
7105-00-052-8697
7105-00-052-8695

Mirror, Glass (SH)
7105-00-260-1390

CLASS 7110
Blackboard (SH)
7110-00-132-6651
7110-00-843-7916
NOTE: SH will provide 60% of the Govt's requirement.

Bookcase, Wood, Executive (SH)
7110-00-290-0368
7110-00-973-5127

Tables, Steel (SH)
7110-00-113-0448
7110-00-113-0454
7110-00-149-2044
7110-00-149-2045
7110-00-149-2046
7110-00-149-2047

CLASS 7195
Bulletin Board (IB)
7195-00-989-2370
7195-00-844-9036
7195-00-989-2371
7195-00-844-9037
7195-00-989-2372
7195-00-844-9038
7195-00-990-0615
7195-00-843-7938

Costumer, Wood, Executive (SH)
7195-00-132-6642

CLASS 7210
Bedsprad (IB)
7210-00-728-0186
7210-00-728-0187
7210-00-728-0188
7210-00-728-0189
7210-00-728-0190
7210-00-728-0191
7210-00-728-0173
7210-00-728-0175
7210-00-728-0176
7210-00-728-0177
7210-00-728-0178
7210-00-728-0179
7210-00-408-2800

Bedspring (IB)
7210-00-582-7540
7210-00-582-0984
7210-00-110-8104
7210-00-582-7541
7210-00-110-8105

Cover, Mattress (IB)
7210-00-291-8419
7210-00-205-3083
7210-00-205-3082
7210-00-067-7969
7210-00-998-7745
7210-00-883-8492
7210-00-171-1091
7210-00-935-6619
7210-00-230-1041
7210-00-241-9718

Mattress, Cotton-Felt (IB)
7210-00-139-6517
7210-00-139-6555
7210-00-139-6538

Mattress, Innerspring (IB)

7210-00-205-3585
 7210-00-139-6424
 7210-00-716-0706
 7210-00-139-6411
 7210-00-205-3534
 7210-00-139-6434
 7210-00-139-6428
 7210-00-110-8102
 7210-00-110-8103

Mattress

Innerspring, Plastic-Coated (IB)
 7210-00-995-1093
 7210-00-682-7146

Mattress, Foam (IB)

7210-00-682-6503
 7210-00-682-6504

Pad, Mattress (IB)

7210-00-227-1526
 7210-00-753-3042

Pillow, Bed (IB)

7210-00-619-8262
 7210-00-894-1144
 7210-01-035-3342

Pillow, Passenger, Headrest (IB)

7210-00-682-6601

Pillowcase (IB)

7210-00-299-9609
 7210-00-170-5478
 7210-00-171-1100
 7210-00-205-3101
 7210-00-716-9000
 7210-00-761-1472
 7210-00-054-7910
 7210-00-259-9005
 7210-00-259-9006
 7210-00-119-7356
 7210-00-231-2373
 7210-00-259-9004
 7210-00-259-8897
 7210-00-081-1380

**Protector, Hospital Bed,
Mattress (IB)**

7210-00-761-1471
 7210-00-761-1470

Protector, Hospital Bed, Pillow (IB)

7210-00-958-9118

Sheet, Crib (IB)

7210-00-717-0000

Washcloth (IB)

7210-00-060-6008
 7210-00-082-2065

CLASS 7220

Mat, Floor (IB)
 7220-00-205-3099
 7220-00-224-6491
 7220-00-205-3100
 7220-00-224-6489
 7220-00-205-2807
 7220-00-205-2808
 7220-00-224-6490
 7220-00-224-6487
 7220-00-238-8852
 7220-00-224-6488
 7220-00-224-6486
 7220-00-205-2805
 7220-00-238-8854
 7220-00-205-2806
 7220-00-165-7020

Mat, Floor (SH)

7220-00-205-3192
 7220-00-205-3182

CLASS 7230

Curtain, Shower, (IB)
 7230-00-205-1762
 7230-00-247-1280

CLASS 7290

Cover, Ironing Board (IB)
 7290-00-130-3271

CLASS 7330

Pad, Bakery (IB)
 7330-00-379-4439

NOTE: IB will provide requirements
 for GSA Regions 5 and 8 only.

Tongs, Food Serving (SH)

7330-00-616-0997
 7330-00-616-0998
 7330-00-616-1000

CLASS 7340

Flatware, Plastic, Heavy Duty (IB)
 7340-00-022-1315
 7340-00-022-1316
 7340-00-022-1317
 7340-00-401-8041

Spoon, Picnic, Plastic (IB)

7340-00-J19-1300

CLASS 7360

Dining Packet (IB)
 7360-00-935-6407

Dining Packet, Inflight (IB)

7360-00-660-0526

Flatware Set, Plastic (IB)

7360-00-634-4800

CLASS 7430

Cover, Typewriter (SH)
 7430-00-823-8080
 7430-00-823-8081
 7430-00-823-8082
 7430-00-823-8083
 7430-00-823-8084
 7430-00-823-8085
 7430-00-823-8090
 7430-00-823-8086
 7430-00-823-8087

CLASS 7510

Binder, Awards Certificate (IB)
 7510-00-115-3250
 NOTE: IB will provide 60% of the
 Govt's requirements.

7510-00-482-2994

Binder, Looseleaf (IB)

7510-00-281-4309
 7510-00-281-4314
 7510-00-582-4201
 7510-00-281-4310
 7510-00-281-4311
 7510-00-281-4313
 7510-00-281-4315
 7510-00-286-7792
 7510-00-286-7794
 7510-00-582-5488
 7510-00-286-7791
 7510-00-582-3807
 7510-00-782-2663
 7510-00-782-2664
 7510-00-409-8646
 7510-00-409-8647
 7510-00-984-5787

Binder, Looseleaf, Presentation
Style (IB)

7510-00-582-5398
 7510-00-582-5399
 7510-00-582-5400

NOTE: IB will provide requirements
 for GSA Regions 2, 3 and 4 ONLY.

Binder, Note Pad (IB)

7510-00-286-6954
 7510-00-145-0296
 7510-00-728-8060

Board, Wall Calendar (IB)

7510-00-789-2455

Calendar Pad (SH)

7510-01-022-4974 (1978)
 7510-01-021-3252 (1979)

Clip, Paper (SH)

7510-00-161-4292

Eraser, Mechanical (IB)

7510-00-865-5292
 7510-00-082-2665

File Backer, Paper (IB)

7510-00-285-2567

Pad, Typewriter (IB)

7510-00-257-2576
 7510-00-530-6412
 7510-00-849-1137

Pencil (IB)

7510-00-286-5757
 7510-00-281-5234
 7510-00-281-5235

Pencil, Woodcased, with
Imprinting (IB)

050-8LP-201-6521

Portfolio (IB)

7510-00-558-1572
 7510-00-616-7241
 7510-00-551-9813
 7510-00-558-1573
 7510-00-616-7239
 7510-00-558-1571
 7510-00-995-4856
 7510-00-995-4857
 7510-00-995-4854
 7510-00-995-4852
 7510-00-995-4853
 7510-00-995-4850
 7510-00-584-2489
 7510-00-584-2490
 7510-00-584-2491
 7510-00-584-2492

Refill, Ballpoint Pen (IB)

7510-00-543-6792
 7510-00-543-6793
 7510-00-754-2687
 7510-00-543-6795
 7510-00-754-2688
 7510-00-754-2689
 7510-00-754-2690
 7510-00-754-2691

Refill, List Finder, Automatic (SH)

7510-00-285-2800
 7510-00-530-7191

CLASS 7520

Arch Board File (IB)

7520-00-281-4848
 7520-00-240-5498
 7520-00-191-1074
 7520-00-191-1075
 7520-00-281-4845
 7520-00-255-7081

NOTICES

Ballpoint Pen (IB)

7520-00-935-7136
 7520-00-935-7135
 7520-00-664-5198
 7520-00-664-5200
 7520-00-663-0059
 7520-00-664-5197
 7520-00-298-7045
 7520-00-754-2516
 7520-00-298-7046
 7520-00-754-2517
 7520-00-543-7149

Ballpoint Pen, with Imprinting (IB)

050-8LP-201-6520

Book Ends (IB)

7520-00-264-5479
 7520-00-139-6158

Box, Filing (SH)

NOTE: SH will provide requirements
 for GSA Regions shown in
 parentheses.

7520-00-285-3147 (All regions)
 7520-00-285-3143 (All regions)
 7520-00-285-3144 (1,2,3,4,5,6,7,8)
 7520-00-285-3145 (1,2,3,9,10)
 7520-00-285-3146 (1,2,3,9,10)
 7520-00-285-3148 (1,2,3,6,7,8,9,10)

**Case, Maintenance and
Operational Manuals (IB)**

7520-00-559-9618

Clipboard, File (IB)

7520-00-281-5918
 7520-00-254-4610
 7520-00-240-5503
 7520-00-274-5496
 7520-00-281-5892

Easel, Display & Training (IB)

7520-00-579-7013

Holder, Desk Memorandum (IB)

7520-00-139-3802
 7520-00-290-6445

Marker, Tube Type (IB)

7520-00-973-1059
 7520-00-973-1060
 7520-00-079-0285
 7520-00-973-1061
 7520-00-079-0286
 7520-00-079-0287
 7520-00-973-1062
 7520-00-079-0288
 7520-00-558-1501
 7520-00-904-1265
 7520-00-904-1268
 7520-00-935-0979
 7520-00-904-1267
 7520-00-935-0981
 7520-00-935-0982
 7520-00-904-1266

Marker, Tube Type (IB) (CONT'D)

7520-00-935-0980
 7520-00-051-5031
 7520-00-051-5035
 7520-00-116-2888
 7520-00-051-5036
 7520-00-116-2886
 7520-00-116-2889
 7520-00-051-5033
 7520-00-116-2887
 7520-00-904-4476

Pencil, Mechanical (IB)

7520-00-223-6672
 7520-00-223-6673
 7520-00-223-6674
 7520-00-268-9913
 7520-00-223-6675
 7520-00-223-6676
 7520-00-268-9912
 7520-00-577-4570
 7520-00-285-5826
 7520-00-285-5822
 7520-00-285-5823
 7520-00-205-1645
 7520-00-285-5817
 7520-00-161-5664
 7520-00-164-8950
 7520-00-268-9915
 7520-00-285-5818
 7520-00-268-9916
 7520-00-634-3475
 7520-00-724-5606

Pen Set, Desk (IB)

7520-00-106-9840

Perforator, Paper, Desk (SH)

7520-00-139-4101
 7520-00-263-3425

Stand, Calendar Pad (IB)

7520-00-162-6153
 7520-00-139-4341

Tray, Desk (SH)

7520-00-232-6828
 7520-00-286-5801
 7520-00-285-5043

Trimmer, Paper (IB)

7520-00-224-7621
 7520-00-282-2137

CLASS 7530**Card, Guide, File (IB)**

7530-00-989-0184
 7530-00-989-2425
 7530-00-988-6541
 7530-00-988-6542
 7530-00-988-6543
 7530-00-988-6549
 7530-00-988-6550
 7530-00-988-6551
 7530-00-988-6544
 7530-00-988-6545

Card, Guide, File (IB) (CONT'D)

7530-00-988-6546
 7530-00-988-6547
 7530-00-988-6548
 7530-00-988-6515
 7530-00-988-6516
 7530-00-988-6520
 7530-00-988-6521
 7530-00-988-6517
 7530-00-988-6518
 7530-00-988-6522

Card Set, Guide, File (IB)

7530-00-989-0698
 7530-00-989-0697
 7530-00-989-0683
 7530-00-082-2635
 7530-00-989-0684
 7530-00-989-0686
 7530-00-989-0692
 7530-00-989-0694
 7530-00-989-0693
 7530-00-989-0695

Folder, File, Military
Personnel Records Jacket
(IB)

DA Form 201

Folder, File (IB)

7530-00-889-3555
 7530-00-559-4512
 7530-00-281-5907
 7530-00-281-5908
 7530-00-926-8978
 7530-00-273-9845
 7530-00-926-8980
 7530-00-286-6924

NOTE: IB will provide requirements
 for GSA Regions 1, 2, 4, 5, 6,
 7 and 8 only, for item 6924.

Folder Set, File (IB)

7530-00-281-5905
 7530-00-286-6923

NOTE: IB will provide requirements
 for GSA Regions 1, 2, & 3 only,
 for item 6923.

Notebook, Stenographer's (IB)

7530-00-223-7939

NOTE: IB will provide 2,100,000 each of
 this item.

Pad, Writing Paper (IB)

NOTE: IB will provide requirements for
 GSA Regions shown in parentheses.

7530-00-286-6173 (2, 3)
 7530-00-285-3090 (1, 5, 6)
 7530-00-239-8479 (1, 2, 4, 5, 6, 7, 8)
 7530-00-285-3088 (1, 2, 3, 4, 5, 6, 7, 8)
 7530-00-285-3083 (1, 3[Franconia depot only],
 5, 6, 7, 8)
 7530-00-619-8880 (2, 3, 4)

Paper, Looseleaf, Blank (IB)

7530-00-286-5777
 7530-00-286-5778
 7530-00-286-5782
 7530-00-286-5780
 7530-00-286-5781
 7530-00-286-5779

Paper, Looseleaf, Ruled (IB)

7530-00-286-6366
 7530-00-286-4332
 7530-00-286-4331
 7530-00-286-4333
 7530-00-286-4334
 7530-00-286-4335
 7530-00-198-6265
 7530-00-286-4336
 7530-00-286-4337
 7530-00-286-4338
 7530-00-286-4339

Paper, Teletypewriter, Roll (IB)

7530-00-223-7966

NOTE: IB will provide requirements
 for GSA Regions 4, 5, and 6 only.

Paper, Writing (IB)

7530-00-285-5836

Refill, Appointment Book (SH)

7530-01-022-3567 (1978)
 7530-01-022-3568 (1979)

Tape, Paper, Computing Machine (IB)

7530-00-286-9052
 7530-00-222-3455
 7530-00-286-9053
 7530-00-286-9054
 7530-00-238-8352
 7530-00-222-3456
 7530-00-286-9055

CLASS 7690

Decalcomania (SH)

NO SMOKING
 7690-00-857-9662
 7690-00-857-9574
 7690-00-857-9700
 7690-00-857-9613
 7690-00-858-3403
 7690-00-858-3365
 7690-00-310-6627
 7690-00-311-7272
 7690-00-328-9517
 7690-00-329-0205
 U. S. ARMY
 7690-00-857-9575
 7690-00-857-9663
 7690-00-857-9614
 Code 600 USPSW

Decalcomania (SH) (CONT'D)

Code 607 USPSW
7690-00-311-7276
7690-00-329-0206
7690-00-858-3405
7690-00-858-3366
7690-00-310-9208

MAX SPEED

7690-00-857-9572
7690-00-857-9660
Code 633 USPSW
7690-00-857-9611
7690-00-857-9698
7690-00-328-9507
7690-00-329-0204

NO RIDERS

Code 635 USPSW
7690-00-857-9573
Code 636 USPSW
7690-00-857-9612
7690-00-857-9699

LIFT HERE

Code 622-L-USPSW
FOR OFFICIAL USE ONLY
7690-00-329-0538

TP

Code 669-L-USPSW
Code 666-L-USPSW
Code 672-L-USPSW
Code 667-L-USPSW
Code 675-L-USPSW
Code 668-L-USPSW

NUMBERS AND LETTERS

7690-----1-1/2"
7690-----2"
7690-00-311-7128
7690-----4"

CLASS 7920

Broom, Push (IB)
7920-00-267-2967

Broom, Upright (IB)

7920-00-292-4371
7920-00-292-4372
7920-00-291-8305
7920-00-292-4375

Broom, Whisk (IB)

7920-00-240-6350

Brush, Chassis and Running

Gear (IB)
7920-00-255-7536

Brush, Cleaning, Aircraft (IB)

7920-00-051-4384

Brush, Dusting (IB)

7920-00-178-8315

Brush, Floor Sweeping (IB)

7920-00-243-3407
7920-00-292-2363
7920-00-292-2367
7920-00-264-4638
7920-00-292-2362
7920-00-292-2365

Brush, Sanitary (IB)

7920-00-772-5800
7920-00-234-9317

Brush, Scrub (IB)

7920-00-240-7174
7920-00-951-8795
7920-00-282-2470
7920-00-297-1511
7920-00-324-2746
7920-00-619-9162
7920-00-061-0038

Brush, Shoe and Stove (IB)

7920-00-852-8170

Brush, Wire, Scratch (IB)

7920-00-291-5815
7920-00-282-9246
7920-00-246-8501
7920-00-223-7649

Brush, Wire, Stainless Steel (IB)

7920-00-958-1157

Brush Set, Shoe and Stove (IB)

7920-00-205-0200

Cloth, Polishing (IB)

7920-00-205-1656
7920-00-205-3170
7920-00-664-0103

Handle, Mop (IB)

7920-00-205-1168
7920-00-267-1218
7920-00-205-1167
7920-00-550-9902
7920-00-550-9911
7920-00-550-9912
7920-00-998-2485
7920-00-998-2486
7920-00-851-0140
7920-00-851-0142
7920-00-246-0930
7920-00-205-1170

Handle, Paint Roller (IB)

7920-00-682-6512

Handle, Wood (IB)

7920-00-177-5106
7920-00-141-5452
7920-00-263-0328

Box, Wood (SH)
8115-00-935-6526
8115-00-935-6527
8115-00-935-6532

CLASS 8120
Cap, Compressed Gas Cylinder (IB)
8120-00-178-9814
8120-00-179-0076

CLASS 8315
Sewing Kit (SH)
8315-00-889-3632
8315-00-816-5905

CLASS 8340
Pin, Tent, Aluminum (SH)
8340-00-261-9749

Pin, Tent, Wood (SH)
8340-00-261-9750
8340-00-261-9751

CLASS 8345
Case, Flag, Interment (IB)
8345-00-782-3010

Flag, Signal (IB)
8345-00-935-0588
8345-00-935-0589
8345-00-935-0590
8345-00-935-0591
8345-00-935-0592
8345-00-935-0594
8345-00-935-0595
8345-00-935-0597
8345-00-935-0598
8345-00-935-0599
8345-00-935-0602
8345-00-935-0604
8345-00-935-0607
8345-00-935-0608
8345-00-935-0633
8345-00-935-1840
8345-00-935-0634
8345-00-935-0638
8345-00-935-0639
8345-00-935-0640
8345-00-926-9977
8345-00-926-9216
8345-00-926-9978
8345-00-926-6804
8345-00-926-6806
8345-00-926-9979
8345-00-926-6807
8345-00-926-6809
8345-00-926-9980
8345-00-926-9219
8345-00-935-0582
8345-00-926-9984
8345-00-926-6003
8345-00-926-9985
8345-00-935-0619
8345-00-935-1839
8345-00-935-0620
8345-00-935-0623

Flag, Signal (IB) (CONT'D)
8345-00-935-0409
8345-00-935-0624
8345-00-935-0445
8345-00-926-6803
8345-00-935-0446
8345-00-926-6805
8345-00-935-0447
8345-00-926-9987
8345-00-935-0448
8345-00-926-6810
8345-00-926-9988
8345-00-935-0450
8345-00-935-0451
8345-00-935-0453
8345-00-926-6002
8345-00-926-6814
8345-00-935-0436
8345-00-935-0437
8345-00-935-0438
8345-00-935-0408
8345-00-935-0441
8345-00-935-0442
8345-00-935-0464
8345-00-935-0465
8345-00-935-0466
8345-00-935-0467
8345-00-935-0468
8345-00-935-0470
8345-00-935-0471
8345-00-935-0473
8345-00-935-0474
8345-00-935-0475
8345-00-935-0478
8345-00-935-0480
8345-00-935-0483
8345-00-935-0484
8345-00-935-0626
8345-00-935-1838
8345-00-935-0627
8345-00-935-0407
8345-00-935-0630
8345-00-935-0631

Pennant, Signal, and Special
Flags (IB)
8345-00-935-0420
8345-00-935-0517
8345-00-935-4755
8345-00-825-1847
8345-00-935-3201
8345-00-935-4756
8345-00-935-0522
8345-00-914-6086
8345-00-935-4753
8345-00-935-4754
8345-00-935-0404
8345-00-935-0514
8345-00-825-1868
8345-00-935-0406
8345-00-935-0509
8345-00-926-5988
8345-00-935-0512
8345-00-921-4497
8345-00-935-3199
8345-00-825-1839

Pennant, Signal and Special
Flags (IB) (CONT'D)

8345-00-935-0526
 8345-00-914-6076
 8345-00-914-6080
 8345-00-914-6083
 8345-00-935-0524
 8345-00-926-5987
 8345-00-926-5989
 8345-00-935-0539
 8345-00-926-5991
 8345-00-825-1840
 8345-00-935-0521
 8345-00-914-6087
 8345-00-926-6026
 8345-00-935-0403
 8345-00-935-0536
 8345-00-926-9210
 8345-00-926-9213
 8345-00-926-6028
 8345-00-935-0508
 8345-00-935-0519
 8345-00-935-0415
 8345-00-914-6085
 8345-00-926-9215
 8345-00-935-0411
 8345-00-926-9212
 8345-00-914-7411
 8345-00-914-6079
 8345-00-914-6082
 8345-00-935-0523
 8345-00-935-0417
 8345-00-926-5990
 8345-00-935-0421
 8345-00-926-9207
 8345-00-935-0542
 8345-00-935-0520
 8345-00-935-0492
 8345-00-935-0493
 8345-00-926-9214
 8345-00-935-0513
 8345-00-935-0490
 8345-00-935-0495
 8345-00-926-9208
 8345-00-935-0518
 8345-00-935-0511
 8345-00-914-6084
 8345-00-935-0405
 8345-00-935-0410
 8345-00-935-0525
 8345-00-914-6075
 8345-00-914-6077
 8345-00-914-6081
 8345-00-935-0419
 8345-00-935-0416
 8345-00-935-0537
 8345-00-935-0538
 8345-00-935-0540
 8345-00-935-0541
 8345-00-926-9211
 8345-00-935-0499
 8345-00-935-0500
 8345-00-935-0501
 8345-00-825-1818
 8345-00-935-0497
 8345-00-935-0504

Pennant, Signal and Special
Flags (IB) (CONT'D)

8345-00-935-1841
 8345-00-935-0418
 8345-00-825-1819
 8345-00-926-1551
 8345-00-935-0503
 8345-00-935-0534
 8345-00-935-1843
 8345-00-926-1548
 8345-00-926-1549
 8345-00-926-1552

CLASS 8405

Cover, Service Cap (IB)
 8405-00-965-1548

CLASS 8410

Havelock (IB)
 8410-00-782-2782
 8410-01-013-9109

CLASS 8415

Apron (IB)
 Construction Worker's
 8415-00-205-3895
 8415-00-257-4290
 Food Handling
 8415-00-255-8577
 8415-00-634-0205
 8415-00-051-1173

Band, Helmet, Camouflage (IB)

8415-00-576-2873

Cap, Food Handler's (IB)

8415-00-234-7677
 8415-00-234-7678
 8415-00-234-7679

Cover, Helmet (IB)

8415-00-105-0605

Traffic Safety Clothing (IB)

See also Class 8465
 8415-00-177-4978
 8415-00-177-4974

CLASS 8430

Slide Fastener Unit, Laced
 Boot (IB)
 8430-00-465-1888
 8430-00-465-1889
 8430-00-465-1890

CLASS 8440

Necktie (IB)
 8440-00-216-6130
 8440-00-316-2519
 8440-00-555-7194

CLASS 8460

Kit Bag, Flyer's (IB)
 8460-00-606-8366

Suitcase, Coated Cloth (SH)
8460-00-391-0502

Suitcase, Coated Cloth, Nylon (SH)
8460-01-014-1972

CLASS 8465
Bag, Barrack (IB)
8465-00-530-3692

Bag, Duffel (IB)
8465-00-265-4928

Bag, Laundry (SH)
8465-00-616-9576
8465-00-656-0816

Bag, Sleeping, Firefighter's (IB)
8465-00-081-0798
NOTE: IB will provide requirements
for GSA Regions 9 & 10 ONLY.

Bag, Soiled Clothes (SH)
8465-00-122-3869

Bag, Soiled Clothes, Submarine (IB)
8465-00-762-7671

Belt, Individual, Equipment,
Nylon, LC-1 (IB)
8465-00-001-6488
8465-00-001-6487

Belt, M.P. (IB)
8465-00-527-8843

Carrier, Intrenching Tool (IB)
8465-00-001-6474

Case, Field, First Aid
Dressing (IB)
8465-00-935-6814

Case, Maintenance Equipment,
Small Arms (IB)
8465-00-781-9564

Clothes Stop (IB)
8465-00-377-5701

Club, Policeman's (IB)
8465-00-641-8551

Cover, Water Canteen (IB)
8465-00-118-4956

Cover, Water Canteen, Nylon (IB)
8465-00-860-0256
NOTE: IB will provide 30% of the
Govt's requirement.

Pocket, Ammunition Magazine (IB)
8465-00-782-2239
8465-00-261-4983

Protector, Trousers, Pistol
Holster (IB)
8465-00-682-6741

Strap, Tie, Mail Carrier's,
with Buckle (IB)
D-1216D
D-1216E
D-1216F

Strap, Webbing, Cargo Tie-Down (IB)
8465-00-001-6477

Suspenders, Individual Equipment
Belt (IB)
8465-00-001-6471

Traffic Safety Clothing (IB)
see also Class 8415
8465-00-177-4977
8465-00-177-4976
8465-00-177-4975

Whistle, Ball, Plastic (IB)
8465-00-254-8803

CLASS 8470
Headband, Ground Troop, Helmet
Liner (IB)
8470-00-153-6671

Neckband, G.T., Helmet Liner (IB)
8470-00-753-6166

Strap, Soldier's Steel Helmet
M-1 (IB)
8470-00-030-8003

Suspension Assembly, Liner,
Helmet (IB)
8470-00-880-8814

CLASS 8520
Soap, Toilet (IB)
8520-00-228-0598
8520-00-141-2519

CLASS 8940
Condiment Packet (Dietetic) (IB)
8940-00-177-4958
8940-00-177-4959
8940-00-177-4960
8940-00-177-4961
8940-00-177-4962
8940-00-177-4963
8940-00-935-6416
8940-00-935-6417
8940-00-935-6420
8940-00-935-6421

CLASS 8950

Condiment Packet (IB)

8950-00-935-6408

8950-00-935-6409

8950-00-935-6410

8950-00-935-6411

8950-00-935-6412

8950-00-935-6413

CLASS 9905

Plate, Marking, Blank (SH)

9905-00-473-6336

Sign Kit, Vehicle (SH)

9905-00-565-6267

Tag, Marker (SH)

9905-00-537-8955

9905-00-537-8956

9905-00-537-8957

CLASS 9920

Ash Receiver, Tobacco (IB)

9920-00-682-6757

Mop, Dusting, Cotton (IB)

7920-00-205-0481
7920-00-205-0483
7920-00-205-0484
7920-00-245-8289

Mop, Wet (IB)

7920-00-224-8726

Mop, Wet, Cellulose (IB)

Mop, Complete
7920-00-432-7117
7920-00-728-1167
Sponge Refill
7920-00-471-2876

Mophead, Dusting, Cotton (IB)

7920-00-634-0201
7920-00-267-4921
7920-00-998-2482
7920-00-998-2483
7920-00-998-2484
7920-00-851-0141
7920-00-205-0485
7920-00-205-0487
7920-00-205-0488

Mophead, Wet (IB)

7920-00-205-0425
7920-00-205-0426
7920-00-141-5549
7920-00-171-1148
7920-00-141-5550
7920-00-141-5547
7920-00-141-5548
7920-00-141-5544
7920-00-141-5542
7920-00-245-8290
7920-00-141-5543
7920-00-923-0448
7920-00-141-5541
7920-00-926-5492
7920-00-926-5493
7920-00-926-5494
7920-00-926-5495
7920-00-926-5496
7920-00-926-5497
7920-00-926-5498
7920-00-926-5499
7920-00-926-5500
7920-00-926-5501
7920-00-926-5502
7920-00-926-5503
7920-00-634-0202
7920-00-634-0203

Scraper and Squeegee (IB)

7920-00-045-2556

Sponge, Cellulose (IB)

7920-00-161-6219
7920-00-633-9928
7920-00-240-2559
7920-00-884-1116
7920-00-559-8462

Sponge, Cellulose (IB) (CONT'D)

7920-00-559-8463
7920-00-559-8464
7920-00-884-1115
7920-00-633-9905
7920-00-240-2555
7920-00-633-9906

Squeegee (SH)

7920-00-224-8339

CLASS 7930

Detergent, General Purpose (IB)

7930-00-926-5280
7930-00-357-7386
7930-00-068-1669
7930-00-177-5243
7930-00-985-6945
7930-00-985-6946
7930-00-530-8067
7930-00-527-1207
7930-00-527-1237

Dishwashing Compound, Hand (IB)

7930-00-880-4454
7930-00-899-9534

NOTE: IB will provide requirements for
GSA Regions 1, 2, 3, 5 and 10 ONLY.

Rinse Additive, Dishwashing (IB)

7930-00-619-9573
7930-00-619-9575

NOTE: IB will provide 60% of the Govt's
requirements for item 9575.

Wax, Floor (IB)

7930-00-205-2870
7930-00-141-5888
7930-00-205-2871

NOTE: IB will provide requirements
for GSA Regions 1, 2, 3, 5
and 10 only.

CLASS 8105

Bag, Cloth (IB)
8105-00-282-8183

Bag, Cotton (IB)

8105-00-183-6981
8105-00-281-3924
8105-00-183-6982
8105-00-179-0089
8105-00-271-1511
8105-00-183-6985
8105-00-174-0836
8105-00-183-6989
8105-00-290-3360

Bag, Lunch (SH)

8105-00-664-3715

Bag, Motion Sickness (IB)

8105-00-835-7212

CLASS 8115

Box, Set-Up, Mailing, Dental (IB)
8115-00-511-5750

NOTICES

MILITARY RESALE COMMODITIES

Procedures for ordering military resale commodities are contained in Section 51-5.6, Code of Federal Regulations, Title 41.

STOCK NO.	ITEM NAME	STOCK NO.	ITEM NAME
450	Tennis racket (IB)	923	Mop, block sponge (IB)
452	Tennis racket (IB)	924	Mop, block sponge (IB)
600	Trowel, transplanter (IB)	925	Mop, dusting (IB)
601	Trowel, regular (IB)	926	Mop, stick or yacht, wet (IB)
602	Cultivator (IB)	928	Mop, cotton, wet (IB)
603	Weeder (IB)	932	Refill, wax applicator (IB)
604	Grass shears (IB)	933	Refill, mop, block sponge (IB)
605	Pruning shears (IB)	934	Refill, sponge (IB)
718	Paint roller, 7" (IB)	936	Mophead, viscose and rayon (IB)
719	Paint roller, 9" (IB)	937	Mophead, cotton, wet (IB)
720	Paint roller cover, 7" (IB)	941	Cloth, dish (IB)
721	Paint roller cover, 9" (IB)	944	Scrubber, (IB)
722	Paint roller cover, 7" (IB)	945	Towel, kitchen (IB)
723	Paint roller cover, 9" (IB)	946	Potholder (IB)
724	Paint roller cover, 7" (IB)	949	Mitt, oven (IB)
725	Paint roller cover, 9" (IB)	950	Mop, dish and bottle (IB)
726	Paint roller cover, 7" (IB)	951	Mop, glassware and dishware (IB)
727	Paint roller cover, 9" (IB)	952	Brush, percolator (IB)
728	Paint roller cover, 7" (IB)	954	Scrubber, nylon (IB)
729	Paint roller cover, 9" (IB)	955	Brush, vegetable (IB)
730	Paint roller cover, 9" (IB)	956	Brush, bottle (IB)
731	Paint roller cover, 7" (IB)	957	Brush, dish and pan (IB)
732	Paint roller cover, 7" (IB)	959	Brush, pastry and basting (IB)
733	Paint roller cover, 9" (IB)	962	Cover and pad set, ironing board (IB)
735	Trimmer, paint roller, 3" (IB)	963	Scrubber, plastic (IB)
736	Refill, trimmer, 3" (IB)	964	Cover, ironing board (IB)
901	Broom, mixed fiber (IB)	969	Cover, ironing board (IB)
902	Pushbroom, indoor/outdoor (IB)	970	Bag, washing machine (IB)
903	Broom, parlor (IB)	974	Clothesline, plastic (IB)
904	Broom, corn (IB)	975	Sponge, cellulose (IB)
905	Broom, plastic filament (IB)	976	Sponge, cellulose (IB)
907	Broom, plastic, angle-cut (IB)	977	Sponge, cellulose (IB)
909	Broom, whisk (IB)	978	Sponge, cellulose (IB)
910	Broom, whisk (IB)	980	Cloth, all-purpose (IB)
911	Brush, floor with handle (IB)	983	Cloth, polishing (IB)
913	Brush, lint (IB)	986	Cloth, wash (IB)
914	Brush, barbecue (IB)	988	Opener, pour and store set (IB)
915	Brush, counter (IB)	993	Sponge, body (IB)
916	Brush, sanitary (IB)	994	Swatter, fly (IB)
918	Brush, scubbing (IB)	995	Dustpan (IB)
919	Brush, scrubbing (IB)	998	Dish, plastic, pet (IB)
920	Handle, spring lever (IB)	999	Dish, plastic, pet (IB)
922	Applicator, wax (IB)		

SERVICES

These services are identified by industrial group number as provided in the Standard Industrial Classification Manual prepared by the Technical Committee on Industrial Classification, Statistical Policy Division, Office of Management and Budget.

SIC 0782

GROUNDS MAINTENANCE

Edwards Air Force Base, California, for Chapels 2700 and 6447; Hospital Areas 5500, 5510 and 5550; Recreation Fields 2201, 5201, 5208, and 5213; and Housing Area D (SH)
Federal Aviation Administration, Leesburg, Virginia (SH)
Fort Lawton, Washington (SH)
Fort Ord, California, for Silas B. Hays Army Hospital; Fort Ord Officer's Open Mess; Headquarters Area and Welcome Center (SH)
Naval Air Station, Whidbey Island, Washington (SH)
Special Training Building and Complex, U. S. Secret Service, Beltsville, Maryland (SH)
State Line Park, West Point Lake, West Point, Georgia (SH)

LAWN MAINTENANCE

Naval Weapons Station, Yorktown, Virginia (SH)

SIC 0851

SEEDLING HARVESTING

USDA, McKinleyville, California (SH)

SIC 7211

LAUNDERING OF WOOL BLANKETS

Naval Administrative Command Supply Depot, Great Lakes, Illinois (SH)

SIC 7218

LAUNDRY

Naval Training Center, Great Lakes, Illinois (SH)
U. S. Army Medical Materiel Agency, Fort Detrick, Frederick, Maryland (SH)

SIC 7331

MAILING

Consumer Product Safety Commission, Washington, D.C. (SH)
Library of Congress, Washington, D.C. (SH)
President's Committee on Employment of the Handicapped, Washington, D.C. (SH)
U. S. Department of Agriculture, Washington, D.C. (D.C. metropolitan area only, excluding Foreign Agriculture Services, Management Services Division) (SH)
U. S. Department of HEW, for following offices only:
Alcohol, Drug Abuse, and Mental Health Administration, Rockville, Maryland (SH)
Food and Drug Administration, Rockville, Maryland (SH)
Health Resources Administration, Rockville, Maryland (SH)
Health Services Administration, Rockville, Maryland (SH)
National Institutes of Health, Bethesda, Maryland (SH)
Office of Assistant Secretary for Health, Rockville, Maryland (SH)
Office of the Secretary, Washington, D.C. (SH)
U. S. Department of HUD, Washington, D.C. (SH)
U. S. Department of Labor, Manpower Administration, Washington, D.C. (SH)
U. S. Department of Labor, 200 Constitution Avenue, Washington, D.C. (SH)

TAX FORM ORDER FULFILLMENT

Internal Revenue Service, Buffalo, New York (SH)

SIC 7349

CAMPGROUND CLEANUP AND TRASH REMOVAL

U.S. Department of Agriculture, Forest Service, Pole Mountain and Centennial Areas, Laramie, Wyoming (SH)

JANITORIAL/CUSTODIAL SERVICE

Bergstrom Air Force Base, Texas, Building 2600 (Chapel) (SH)
Bureau of Land Management District Building, Roseburg, Oregon (SH)
ERDA, Administration Office at Rogers Hotel and 1st Street Building, Idaho Falls, Idaho (SH)
Federal Building, Iowa City, Iowa (SH)
Federal Building & U. S. Courthouse, Lincoln, Nebraska (SH)
Federal Building, Manchester, New Hampshire (SH)
Federal Building, Muskogee, Oklahoma (SH)
Fairchild AFB, Spokane, Washington (SH)
National Marine Fisheries Complex, 2725 Montlake Boulevard East, Seattle, Washington, for the West, Central, East, and Pilot Plant Building ; and Behavior Laboratory (SH)
Naval Air Station, Buildings 12, 18, 100, 103, 108, 110, 113, 116, 124, 126, 243, 365, 369, 371, 374, 375, 376, 377, 380, 381, 385, 386, 960, 961, 974, 994, 2547, and 2551, Whidbey Island, Oak Harbor, Washington (SH)
Pentagon Officers Athletic Center, Pentagon, Washington, D.C. (SH)
Social Security Administration District Office Building, Watertown, New York (SH)
U. S. Army Reserve Center, Camp Drum, Watertown, New York (SH)
U. S. Courthouse and Federal Building, Rapid City, South Dakota (SH)

JANITORIAL/ELEVATOR OPERATOR

Federal Building, New York, New York (SH)

SIC 7369

FOOD SERVICE ATTENDANT

Seneca Army Depot, Romulus, New York (SH)

SIC 7374

KEYPUNCH AND VERIFICATION

GSA Region 2, Federal Data Processing Division overflow requirements (SH)

SIC 7395

FILM DEVELOPING

Photographic Processing for the GSA Self-Service Store #60, Denver Federal Center, Denver, Colorado (IB)

SIC 7399

ASSEMBLY

Affix Labels - U. S. Patent Documents, Commerce Department, Crystal City, Arlington, Virginia (SH)
#Belt, Trousers (IB)
#Food Packet, Isolated Site (8 Menus) (IB)
#Food Packet, Survival, Abandon Ship (8970-00-299-1395) (IB)
TPK-1 (Regular packing)
TPK-2 (Weather-resistant packing)
#Food Packet, Survival, General Purpose, Individual (8970-00-082-5665) (IB)

BURSTING AND PACKAGING OF COMMEMORATIVE STAMPS

U. S. Postal Service, Washington, D.C. (SH)

SEWING

Redstone Arsenal, Alabama (SH)

SIC 7538

REBUILDING OF AUTOMOTIVE COMPONENTS

GSA Interagency Motor Pool, New York, New York (SH)

SIC 7542

VEHICLE DETAILING

Duluth, Minnesota, plus 10-mile radius (SH)

SIC 7641

FURNITURE REHABILITATION

Cleveland, Ohio, plus 25-mile radius (SH)

Eielson Air Force Base, Alaska (SH)

Fairbanks, Alaska, plus 30-mile radius (SH)

Lackland Air Force Base, San Antonio, Texas (SH)

Long Beach, California, plus 100-mile radius, excluding San Diego County and San Clemente (SH)

Monterey, California, plus 10-mile radius, including Fort Ord (SH)

Randolph Air Force Base, San Antonio, Texas (SH)

Rickenbacker Air Force Base, Columbus, Ohio (SH)

Sacramento, California, plus 60-mile radius, excluding San Joaquin County (SH)

San Francisco, California, and the counties of Alameda, Contra Costa, San Mateo, and Santa Clara (SH)

Seattle, Washington, plus 30-mile radius (SH)

Spokane, Washington, plus 30-mile radius from city limits (SH)

Tacoma-Auburn, Washington, plus 30-mile radius, including McChord Air Force Base and Fort Lewis (SH)

Wright-Patterson Air Force Base, Dayton, Ohio (SH)

METAL FURNITURE REHABILITATION

Bremerton, Washington, plus 13-mile radius (SH)

Olympia, Washington, plus 13-mile radius (SH)

Seattle, Washington, plus 13-mile radius (SH)

Tacoma, Washington, plus 13-mile radius (including McChord Air Force Base and Fort Lewis) (SH)

SIC 7699

MATTRESS AND BOX SPRING REHABILITATION (IB)

Orders for renovated mattresses may be arranged through GSA Regional offices.

IB will provide requirements for mattress and box spring renovation for GSA Regions 2, 3, 4, 5, 6, 7, and 8 only.

REPAIR AND MAINTENANCE OF ELECTRIC AND MANUAL TYPEWRITERS

Federal Courthouse Building, Syracuse, New York (Manual typewriters only) (SH)

Rochester, New York, including Monroe County (SH)

Social Security Administration, Chicago, Illinois (Electric typewriters only) (SH)

Syracuse, New York (including Onondaga County), (Electric typewriters only) (SH)

U. S. Customs, 6 World Trade Center, New York, New York (SH)

U. S. Customs, Milwaukee, Wisconsin (SH)

U. S. Federal Office Building, Milwaukee, Wisconsin (SH)

U. S. Post Office, Milwaukee, Wisconsin (SH)

Veterans Administration Center and Hospital, Wood, Wisconsin (SH)

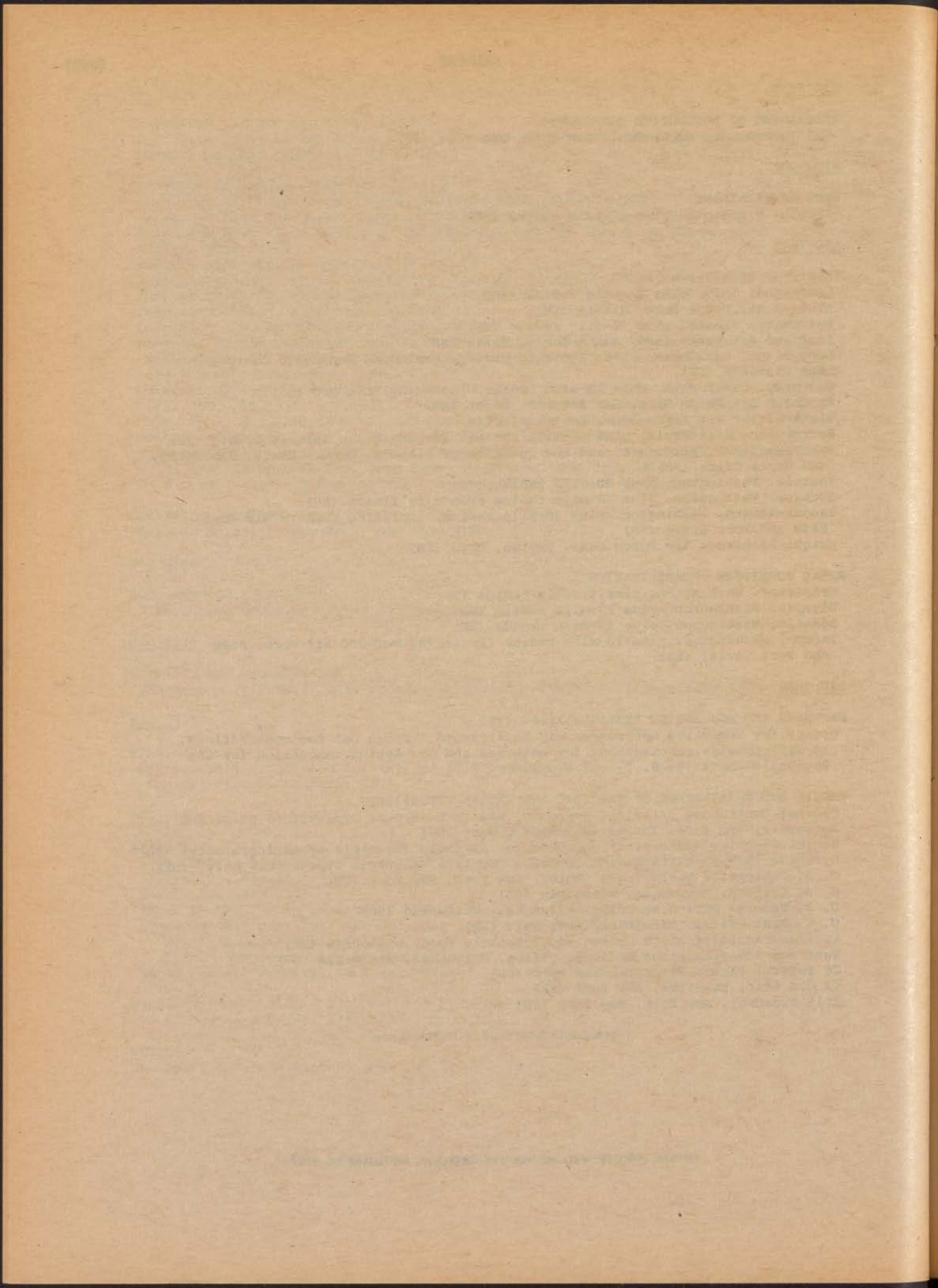
Veterans Administration Regional Office, Milwaukee, Wisconsin (SH)

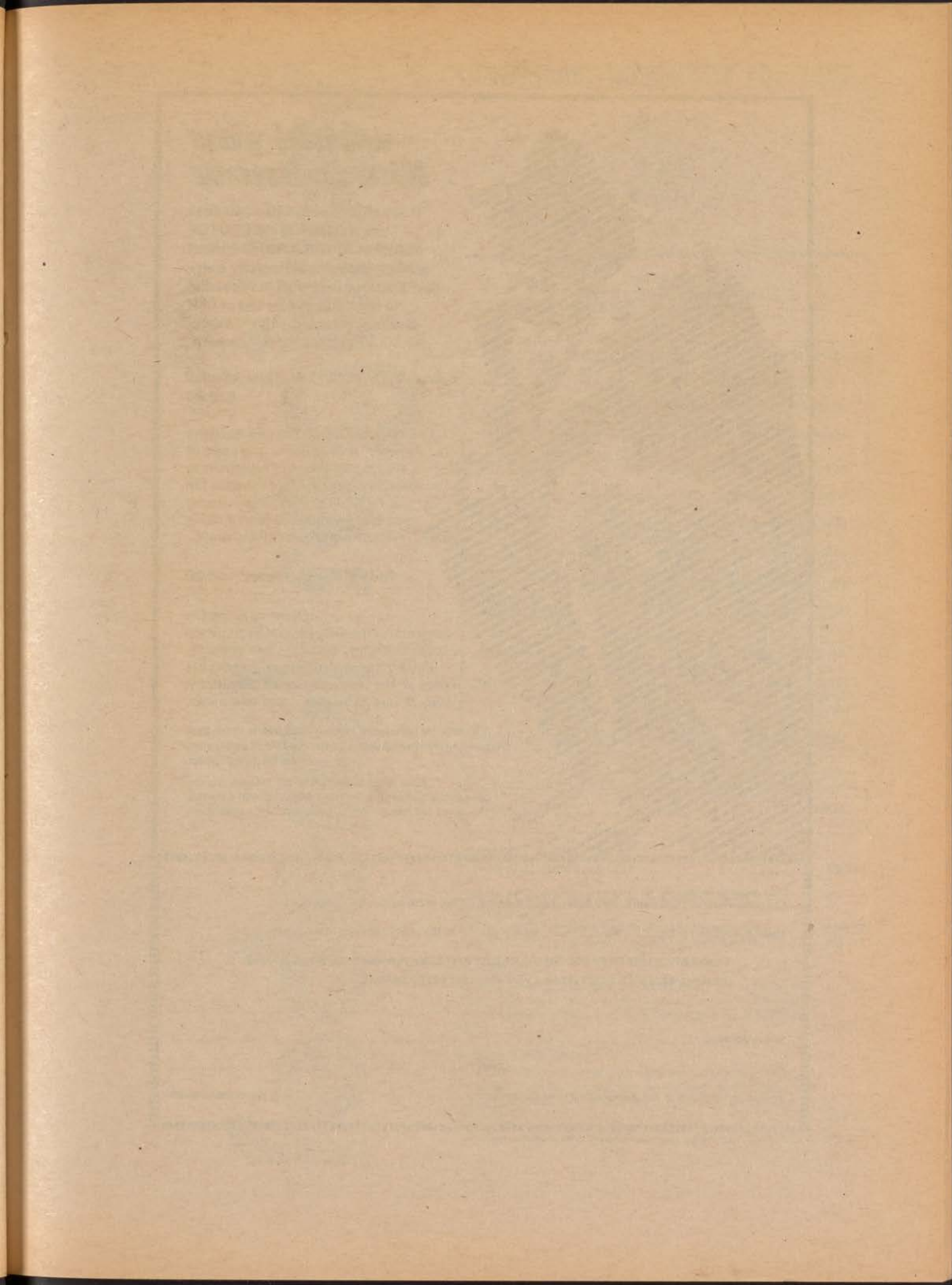
26 Federal Plaza, New York, New York (SH)

32 Old Slip, New York, New York (SH)

1515 Broadway, New York, New York (SH)

[FR Doc.77-32867 Filed 11-11-77;8:45 am]







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