

Monday
May 7, 1979

Federal Register

Highlights

Telecommunications Device for the Deaf—Office of the Federal Register provides a new service for deaf or speech impaired persons who need information about documents published in the Federal Register. See the Reader Aids section for the telephone listing.

26798, Anti-Crime Program HUD announces competition
26801 among Public Housing Agencies to prepare program proposals; (2 documents)

26745 Community Action Programs CSA revises income poverty guidelines; effective 6-6-79

26769 Hospital Review HEW/HCFA proposes new method of reimbursement for review of hospital care conducted under authority of Professional Standards Review Organizations; comments by 7-6-79

26740 Oil and Bulk Hazardous Material Tankers DOT/CG amends safety rules to require certain tankers to be equipped with a dual radar system; effective 6-1-79

26748 Business Loan SBA proposes to clarify when to permit two related companies to borrow funds to benefit both companies; comments by 7-6-79

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- 26731 Milk USDA/CCC announces 1978-79 Price Support; effective 4-1-79**
- 26743 Pesticide Program EPA/OPP establishes residue tolerances for herbicide 4-amino-6-(1,1-dimethylethyl)-3-(methylthio)-1,2,4-triazin-5(4H)-one; effective 5-7-79**
- 26750 Pesticide Program EPA/OPP proposes feed and food additive tolerances for 4-amino-6-(1,1-dimethylethyl)-3-(methylthio)-1,2,4-triazin-5(4H)-one; comments by 6-8-79**
- 26761 Improving Government Regulations Federal Mediation and Conciliation Service publishes Semi-Annual Agenda of Regulations Under Review and Development**
- 26835 Sunshine Act Meetings**

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

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

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 979

Melons Grown in South Texas, Expenses and Rate of Assessment

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This regulation authorizes expenses for the functioning of the South Texas Melon Committee. It will enable the committee to collect assessments from first handlers on all assessable melons and to use the resulting funds for its expenses.

EFFECTIVE DATE: May 7, 1979.

FOR FURTHER INFORMATION CONTACT: Charles R. Brader, Acting Director, Fruit and Vegetable Division, AMS, U.S. Department of Agriculture, Washington, D.C. 20250. Telephone: 202-447-4722.

SUPPLEMENTARY INFORMATION: Findings. Pursuant to Marketing Order No. 979 (44 FR 22038) regulating the handling of melons grown in South Texas, effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the committee, established under the marketing order, and upon other information, it is found that the expenses and rate of assessment, as hereinafter provided, will tend to effectuate the declared policy of the act.

The budget and rate of assessment have not been determined significant under USDA criteria for implementing Executive Order 12044. They should be approved as soon as possible because the committee's initial fiscal period began May 1, 1979, and the order requires that the rate of assessment for

a particular fiscal period shall apply to all assessable melons handled from the beginning of such period. Handlers and other interested persons offered no disagreement when given an opportunity to submit information and views on the expenses and assessment rate at three open meetings of the committee. It is necessary to effectuate the declared purposes of the act to make these provisions effective as specified.

Part 979 is amended by adding a new § 979.201 as follows:

§ 979.201 Expenses and rate of assessment.

(a) The reasonable expenses that are likely to be incurred during the fiscal period ending April 30, 1980, by the South Texas Melon Committee for its maintenance and functioning and for such other purposes as the Secretary may determine to be appropriate will amount to \$96,150.

(b) The rate of assessment to be paid by each handler in accordance with this part shall be one and one half cents (\$0.015) per 40-pound container or equivalent quantity, of melons handled by him as the first handler thereof during the fiscal period.

(c) Unexpended income in excess of expenses for the fiscal period may be carried over as a reserve.

(d) Terms used in this section have the same meaning as when used in the marketing agreement and this part.

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

Dated: May 2, 1979.

D. S. Kuryloski,
Acting Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc. 79-14141 Filed 5-4-79; 8:45 am]

BILLING CODE 3410-02-M

Commodity Credit Corporation

7 CFR Part 1430

Milk, 1978-1979 Price Support

AGENCY: Commodity Credit Corporation (CCC), USDA.

ACTION: Final rule.

SUMMARY: Pursuant to the Food and Agriculture Act of 1977, and based on the 9.0 percent increase in the parity index from October 1, 1978, to April 1, 1979, the support price was increased from \$9.64 per hundredweight to \$10.51,

effective April 1, 1979. The announced price is for milk containing 3.5 percent milkfat. This price is equivalent to \$10.76 for milk containing 3.67 percent milkfat.

The whey solids-not-fat value used in calculating the CCC purchase price for cheese was reduced from 15 to 2 cents per hundredweight to reflect estimates of lower market prices of whey products during the last half of the marketing year.

EFFECTIVE DATE: April 1, 1979.

ADDRESSES: Procurement and Sales Division, ASCS, USDA, 5741 South Building, P.O. Box 2415, Washington, D.C. 20013.

FOR FURTHER INFORMATION CONTACT: Donald E. Friedly, Agricultural Economist, Dairy Branch, Procurement and Sales Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, 5741 South Building, P.O. Box 2415, Washington, D.C. 20013, (202-447-3571).

SUPPLEMENTARY INFORMATION: Section 201 of the Agricultural Act of 1949, as amended by the Food and Agriculture Act of 1977, requires that the price of milk be adjusted at midyear to reflect any estimated change in the parity index (index of prices paid by farmers, interest, taxes and wage rates) during the first six months of the marketing year. In that regard, as published in the March 30, 1979 "Agricultural Prices" report, the parity index increased 9.0 percent between October 1, 1978, the beginning of the marketing year, and April 1, 1979.

On January 25, 1979, a notice was published in the *Federal Register* (44 FR 5147) inviting comments concerning the semiannual adjustment in the support price for milk and the prices and terms of purchase by CCC of butter, cheese, and nonfat dry milk. On February 1, a similar notice was also issued in a USDA press release.

Discussion of Comments

The Department received 79 written comments from dairy farmers, dairy cooperatives and associations, general farm organizations, dairy product manufacturers, consumers and their advocacy groups, and other farm-interested persons and organizations. Twenty-five comments included recommendations to increase the support price. Of these, 15 commenters recommended a level of support at 80

percent of parity, three at 90 percent of parity, and two at 100 percent of parity. Five commenters recommended an increase without specifying the amount. Eight commenters were against a support price increase. The recommendations of the 17 dairy farmer cooperatives and associations who responded, are summarized as follows: Twelve for increasing the manufacturing margins used in calculating CCC's purchase prices, six for maintaining CCC's sales prices of dairy products for unrestricted use at no less than 110 percent of their current purchase prices, five for purchasing process cheese at an announced price, six that purchase prices to butter-nonfat dry milk manufacturers and cheese manufacturers be increased by equal amounts per hundredweight of milk, eight for allocating half of the support price increase for milk to the purchase prices of butter and half to nonfat dry milk, and nine that CCC reduce the value for whey in calculating the purchase price for cheese (two of these were for elimination of the whey value), and three that CCC establish a higher butter price at terminal markets on the west coast. Recommendations were received from 27 consumers and one consumer advocacy group concerning the level of support: Two recommended an increase in the support price, three were against increasing the support price and 21 were in favor of eliminating the program.

Support Price Adjustment

The parity index was 757 on October 1, 1978, and 825 on April 1, 1978. Thus, the support price for milk was increased 9.0 percent to \$10.51 per hundredweight effective April 1, 1978.

The results of the semiannual support price adjustment were described in a USDA press release. The latest available statistics of the Federal Government were used in making determinations under this rule.

Most of the cooperative associations recommended that the support price be increased to 80 percent of parity as of April 1. This would have raised the support price to \$10.81 per hundredweight. The support price was set at \$10.51, the legal minimum because it minimizes the inflationary impact on the nation's economy, and the resulting 87-cent increase in the support price is estimated to be sufficient to assure an adequate supply of milk for both the short and long term. Any larger increase in the support price would add to inflationary pressures, encourage surplus milk production and discourage consumption.

Manufacturing Margins

The manufacturing margins used in calculating the CCC purchase prices for dairy products are designed to reflect the average cost of manufacturing butter and nonfat dry milk on one hand, and that of cheese, on the other. The level of the purchase prices should be such that manufacturers as a group will be able to pay producers the announced support price for milk. If average manufacturing costs exceed the manufacturing margins, dairy plants on the average would not realize enough revenue over costs to pay the support price to farmers when market prices of dairy products are at or near CCC's purchase price levels.

The manufacturing margins were last increased on April 1, 1978. These same margins were continued for April-September 1979 because any increase would have tended to be inflationary. Average prices received by producers were within three cents per hundredweight of the support price in June 1978, the last month in which CCC purchased all three dairy products during the entire month. Average prices received by producers in March 1979 were within three cents of the new support price and dairy product prices were near the new CCC purchase price levels. Therefore, there will be no lag in reaching the support price which normally occurs when the support price is raised to a level over prices received by producers during the period before the increase. It is expected that the average prices received by producers during April-September 1979 will be at least equal to the support price.

Adjustment of manufacturing margins will again be considered at the beginning of the 1979-80 marketing year.

Relative Increases in the CCC Purchase Prices for Butter and Nonfat Dry Milk

Since nonfat dry milk and butter are made from the same whole milk, manufacturers must receive enough revenue from the sale of both products to pay a given price for milk to producers. In the past several years, the price support increases have been divided equally per hundredweight of milk between butter and nonfat dry milk, based on the yield of each product from 100 pounds of whole milk. CCC purchase prices apparently were in about the proper relationship to each other in the year beginning October 1, 1976, since CCC purchased quantities of fat and nonfat solids contained in the dairy products roughly in proportion to their respective production. During the 1977-78 marketing year, CCC's nonfat dry milk purchases increased relative to

butter purchases, which may indicate that this price relationship may have been somewhat out of line. However, CCC's butter outlets are limited and butter purchased in excess of domestic donation requirements might eventually have to be converted into butteroil (a costly operation) before it could be donated abroad under Pub. L. 480.

The support increase on April 1, 1979, was divided equally between the two products. This action should not encourage abrupt changes in consumption production, and CCC removal patterns for these products. Any sharp changes could result in serious disposal and inventory problems for CCC.

Allocating a greater increase to the purchase price of nonfat dry milk would result in reduced consumption of solids-not-fat in fluid milk, nonfat dry milk and other dairy products, thereby resulting in greater production of nonfat dry milk, increased sales to CCC, and additions to CCC's large inventory of nonfat dry milk. The further increases in the retail prices of low fat and skim milk, low fat dairy products, and cottage cheese would impact substantially on consumers. Low fat and skim milk sales now comprise about 38 percent of fluid milk sales in Federal milk orders (compared to only 17 percent 10 years ago). Cottage cheese and ice milk consumption has increased 13-14 percent in the past 10 years.

Allocating a greater increase to the purchase price of butter would result in sharp price increases in butter prices and for high butterfat items such as ice cream. It would substantially increase butter purchases by CCC, a product for which CCC's outlets are limited. Also, it could be more costly for CCC to dispose of surplus butter than nonfat dry milk because butter purchased in excess of domestic donation requirements might eventually have to be converted into butteroil before it could be donated abroad under Pub. L. 480.

Whey Value

In October 1978-March 1979, the CCC purchase price for cheese was 1.5 cents per pound less than it otherwise would have been because it was expected that strong demand and increased market prices for whey would result in a return over costs equal to about 1.5 cents for each pound of cheese manufactured.

In the last six months, the average market price for dried whey has declined from 14 to about 10 cents per pound. Stocks of whey products are up sharply and cheese manufacturers are expected to realize a return over costs equal to about 0.25 cent for each pound

of cheese manufactured during April-September 1979.

CCC Purchase Price for Butter at West Coast Terminal Markets

The butter differential pricing system was established to conform to commercial practice as much as possible. The rationale is to encourage commercial movement of butter from the surplus areas toward the deficit areas.

The major surplus area for dairy products is in the upper midwest and butter not purchased by CCC moves from there to meet commercial needs—mostly to the South and the heavy populated East. Beginning about a decade ago, a surplus area developed in the West, and several west coast price adjustments have been made to keep the butter in commercial channels as much as possible and to keep price support purchases by CCC as close to the points of production as possible. To set a CCC purchase price at west coast terminal markets higher than at locations in the surrounding area could encourage movement of butter to terminal markets in excess of commercial needs. This in turn would result in sales to CCC at the higher terminal market purchase prices.

Thus, it would encourage unnecessary and uneconomic movement of butter.

Terminating the Program

The Secretary is required by law (7 U.S.C. 1446) to support the price of milk and to adjust the support price to reflect changes in the party index. Comments that the program be terminated were not considered for that reason.

Final Rule

Based on the \$10.51 support price, paragraphs (a)(1), (b)(1) and (b)(2) of 7 CFR 1430.282 are revised to read as follows:

§ 1430.282 Price support program for milk.

(a)(1) The general level of prices to producers for milk will be supported from April 1 through September 30, 1978, at \$10.51 per hundredweight for manufacturing milk, subject to adjustment as provided for by law.

(b) (1) Commodity Credit Corporation will consider offers of butter, Cheddar cheese, and nonfat dry milk in bulk containers meeting specifications in the announcements at the following prices:

(In dollars per pound)

Commodity and location	Produced before Apr. 1, 1979	Produced on or after Apr. 1, 1979.
Cheddar Cheese: Standard moisture, 37.8-39.0%: ¹		
40-pound blocks, U.S. Grade A, or higher	1.06	1.16
500 pounds in fiber barrels, U.S. Extra Grade: ²	1.03	1.13
Nonfat Dry Milk, Spray Process, U.S. Extra Grade: ³		
Unfortified7375	.79
Fortified (Vitamins A & D)795	.805
Butter: U.S. Grade A or Higher:		
New York, N.Y., and Jersey City, Newark and Secaucus, New Jersey	1.135	1.24

¹ The price per pound for cheese which contains less than 37.8 percent moisture shall be as specified in Form ASCS-150. Copies are available in offices listed in (a)(4).

² Also includes granular cheese.

³ If upon inspection bags do not fully comply with specifications, the price paid will be subject to a discount of .50 cent (1/2 cent) per pound of nonfat dry milk.

(2) Offers to sell butter at any location for which a price is not specifically provided for in this section will be considered at the price set forth in this section for New York City, less 80 percent of the lowest published domestic railroad through freight rate for frozen butter per pound gross weight for a 60,000 pound carlot, in effect at the beginning of the 1978-79 marketing year (October 1), from such other point to New York City. The minimum price at any location shall be the price at New York City minus 2.5 cents per pound. Bulk butter offered in the area consisting of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey,

Pennsylvania, Delaware, Maryland, and Virginia, must have been produced in such states. Butter produced elsewhere is ineligible for offering to CCC in such states.

(Sec. 201, 401, Pub. L. 439, 81st Cong., 63 Stat. 1052, 1054, as amended (7 U.S.C. 1446, 1421); secs. 4 and 5, Pub. L. 806, 80th Cong., 62 Stat. 1070, 1072, as amended (15 U.S.C. 714 b and c).)

Note.—A Final Impact Statement is available from Donald E. Friedly, Agricultural Economist, Dairy Branch, Procurement and Sales Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, 5741 South Building, P.O. Box 2415, Washington, D.C. 20013, (202-447-3571).

Note.—This regulation has been determined not significant under the USDA criteria implementing Executive Order 12044.

Signed at Washington, D.C., on April 30, 1979.

Ray Fitzgerald,

Executive Vice President, Commodity Credit Corporation.
[FR Doc. 79-14139 Filed 5-4-79; 8:45 am]

BILLING CODE 3410-05-M

FEDERAL ELECTION COMMISSION

11 CFR Part IX

Presidential Election Campaign Fund; Presidential Primary Matching Fund

AGENCY: Federal Election Commission.

ACTION: Final rule: Announcement of Effective Date and Deletion of Existing Regulations.

SUMMARY: On Wednesday, April 4, 1979, (44 FR 20336-20348) the Commission published the text of revised regulations to implement the Presidential Primary Matching Fund which were submitted to Congress on February 16, 1979, pursuant to 26 U.S.C. 9039(c). Corrections were published on Friday, April 13, 1979 (44 FR 22407), and Monday, April 30, 1979 (44 FR 25193).

The revised regulations supercede the regulations presently in 11 CFR, Chapter 1, Subchapter C, Parts 130 through 134. The Commission announces that the revised regulations will become effective as of Monday, May 7, 1979, and concurrently deletes existing regulations appearing in 11 CFR, Chapter 1, Subchapter C.

EFFECTIVE DATE: Monday, May 7, 1979.

FOR FURTHER INFORMATION CONTACT:

Ms. Patricia Ann Fiori, Assistant General Counsel for Legislation and Regulations, 1325 K Street, Northwest, Washington, D.C. 20463 (202) 523-4143.

SUPPLEMENTARY INFORMATION: 26 U.S.C. 9039(c) requires that any rule or regulation prescribed by the Commission to implement Chapter 96 of Title 26, United States Code, be transmitted to the Speaker of the House of Representatives and the President of the Senate prior to final promulgation. If neither House of Congress disapproves of the regulations within 30 legislative days after their transmittal, the Commission may finally prescribe the regulations in question. The revised regulations being made effective by this announcement were transmitted to the Congress on February 16, 1979. Thirty legislative days passed as of the close of business May 1, 1979.

"11 CFR Chapter IX, Parts 9031 through 9038 (44 FR 20341-20348, as

corrected at 44 FR 22407 and 44 FR 25193), are effective as of Monday, May 7, 1979. Regulations presently appearing in 11 CFR, Chapter 1, Subchapter C, Parts 130 through 134, are hereby deleted as of May 7, 1979."

Dated: May 2, 1979.

Joan D. Aikens,

Chairman, Federal Election Commission.

[FR Doc. 79-14201 Filed 5-4-79; 8:45 am]

BILLING CODE 6715-01-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

Airworthiness Directives; AVCO Lycoming

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD) applicable to Lycoming O-360-E1A6D and LO-360-E1A6D engines installed in Piper PA-44 type airplanes. It requires an inspection and replacement where necessary of the eight P/N LW38-275 engine mounting bracket attach bolts system for correct torque. The purpose of the requirement is to preclude failure of the engine to aircraft mounting. This failure can lead to an unsafe condition.

DATE: May 9, 1979. Compliance is required as set forth in the AD.

ADDRESSES: AVCO Lycoming Service Bulletins may be acquired from the manufacturer at AVCO Lycoming Division, Williamsport, Pennsylvania 11701.

FOR FURTHER INFORMATION CONTACT: E. Manzi, Propulsion Section, AEA-214, Engineering and Manufacturing Branch, Federal Building, J.F.K. International Airport, Jamaica, New York 11430; Tel. 212-995-2894.

SUPPLEMENTARY INFORMATION: There had been reports of loose, broken and missing bolts on the subject aircraft engines. The result has been severe engine vibration and some unscheduled landings. The correction is to inspect and retorquer the bolts and replace where necessary. This information was the subject of an airmail dispatch to all known owners of the subject airplanes. Since this deficiency affects air safety, notice and public procedure hereon are impractical and good cause exists for making the rule effective in less than 30 days.

Adoption of the Amendment

Accordingly, and pursuant to the authority delegated to me by the Administrator, 39.13 of the Federal Aviation Regulations (14 CFR 39.13) is amended, by issuing a new airworthiness directive, as follows:

AVCO Lycoming. Applies to O-360-E1A6D Series engines, Serial Number L-101-77 through L-347-77, L-352-77 and LO-360-E1A6D Series engines, Serial Number L-101-72 through L-319-72, L-321-72 through L-324-72, L-326-72 through L-339-72, L-341-72 through L-348-72, L-350-72 installed in the Piper Model PA-44 aircraft.

Compliance required before further flight, unless already accomplished, except that the aircraft may be flown in accordance with FAR 21.197 to a base where the inspection can be performed.

To prevent loss of integrity of the engine to aircraft mounting due to loosening of the engine mounting bracket attaching bolts, inspect the eight part number LW38-275 mounting bolts for correct torque. Mounting bolts found to be 200 inch-pounds or less of torque when measured in the tightening direction must be replaced and torqued to 360 inch-pounds. Those mounting bolts found to be less than 360 inch-pounds but greater than 200 inch-pounds must be retorqued to 360 inch-pounds.

Effective date: This amendment is effective May 9, 1979.

(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); and 14 CFR 11.89.)

Issued in Jamaica, New York, on April 25, 1979.

Louis L. Cardinali,

Acting Director, Eastern Region.

[Docket No. 78-EA-121; Amdt. 39-3462]

[FR Doc. 79-13865 Filed 5-4-79; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 39

Canadair Aircraft; Airworthiness Directives

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts an airworthiness directive applicable to Canadair CL-44D4 and CL-44J type airplanes that involves the following problems: (1) fire-proofing the fire extinguishing system fittings in the engine nacelles to enhance the airworthiness of the system; (2) adding a metal bracket to support the float in outer auxiliary fuel tanks so as to preclude over-pressurizing the tank and, (3) providing drain holes in the engine

cowl area and altering scupper and fuel line draining to reduce the risk of fire from oil accumulating in the engine cowl areas. All of the foregoing items are presently covered by AD's promulgated by Transport Canada.

DATE: May 9, 1979. Compliance is required as set forth in the AD.

ADDRESSES: Canadair Service Bulletins may be acquired from the manufacturer at P.O. Box 6087, Montreal, Canada.

FOR FURTHER INFORMATION CONTACT: F. Covelli, Propulsion Section, AEA-214, Engineering and Manufacturing Branch, Federal Building, J.F.K. International Airport, Jamaica, New York 11430; Tel. 212-995-2894.

SUPPLEMENTARY INFORMATION: On page 60174 of the Federal Register for December 26, 1978, the FAA proposed a rule to issue an AD applicable to Canadair CL-44D4 and CL-44J. Interested parties were given time in which to submit written data or views. No comments were received.

Adoption of the Amendment

Accordingly, and pursuant to the authority delegated to me by the Administrator, Section 39.13 of the Federal Aviation Regulations (14 CFR 39.13) is amended, by adopting the AD as published.

Effective date: This amendment is effective May 9, 1979.

(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); and 14 CFR 11.89.)

Issued in Jamaica, New York, on April 25, 1979.

Louis J. Cardinali,

Acting Director, Eastern Region.

Canadair: Applies to Models CL-44D4, and CL-44J aircraft.

Compliance required within the next 1700 hours in service and, if applicable, upon application for U.S. registration and airworthiness certification, after the effective date of this AD unless already accomplished.

1) (Docket No. 78-EA-82)

In order to fireproof the engine fire extinguishing system fittings in inboard and outboard nacelles, accomplish the following:

a. Wrap the fittings with asbestos tape and then coat them with a suitable end dip as described in Paragraphs "2" and "3" of Canadair Service Bulletin No. CL-44D4-480, dated December 11, 1972, or an equivalent alteration.

2) (Docket No. 78-EA-85)

To minimize the chance of over-pressurizing the outer auxiliary fuel tanks during pressure refueling, and to eliminate wear caused by possible interference between float arm and valve casing, accomplish the following:

a. Alter the modulator and shut-off pilot valves by riveting a fabricated angle to the

float, re-identify them; re-identify the fuel level control valve assembly; and functionally check the altered valves all in accordance with the "Modification Procedure" of Canadair Service Bulletin No. CL-44-485, dated April 5, 1978.

3) (Docket No. 78-EA-86)

In order to reduce the probability of flammable fluid fires within the engine cowl areas and reduce the risk of damaging engine oil and fuel drain lines located on the engine bottom cowls, accomplish the following:

a. Alter the engine cowl and drain lines in accordance with the "Modification" paragraph of Canadair Service Bulletin No. CL-33D4-486 dated May 12, 1978, on an equivalent alteration.

Any equivalent method of compliance must be approved by the Chief, Engineering and Manufacturing Branch, FAA, Eastern Region. Upon request with substantiating data submitted through an FAA Maintenance Inspector, the compliance time may be changed by the Chief, Engineering and Manufacturing Branch, FAA, Eastern Region.

The aircraft may be flown in accordance with FAR 21.197 to a location where the AD can be accomplished.

Compliance with this AD must be noted in the logbook of the aircraft by referencing the AD number and the specific item complied with: ex. AD 78-?-? (2) if item (2) is being accomplished.

[Docket Nos. 78-EA-82; 78-EA-85; 78-EA-86 Amdt. No. 39-3459]

[FR Doc. 79-13866 Filed 5-4-79; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 39

Piper Aircraft; Airworthiness Directives

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment amends airworthiness directive AD 78-02-01 applicable to Piper PA-31T and PA-31T1 type airplanes which requires an inspection of the main landing gear actuating cylinder rod and bearing assembly and replacement of hollow shank rods where found. The purpose of the amendment is to add serial numbers to AD 78-02-01 and revise the service bulletin.

DATE: May 9, 1979. Compliance is required as set forth in the AD.

ADDRESSES: Piper Service Bulletins may be acquired from the manufacturer at Piper Aircraft Corporation, 820 East Bald Eagle Street, Lock Haven, Pennsylvania 11745.

FOR FURTHER INFORMATION CONTACT: K. Tunjian, Systems & Equipment Section, AEA-213, Engineering and Manufacturing Branch, Federal Building,

J.F.K. International Airport, Jamaica, New York 11430; Tel. 212-995-3372.

SUPPLEMENTARY INFORMATION: Since the same air safety concern exists as for the original AD, notice and public procedure hereon are impractical and good cause exists for making the rule effective in less than 30 days.

Adoption of the Amendment

Accordingly, and pursuant to the authority delegated to me by the Administrator, 39.13 of the Federal Aviation Regulations (14 CFR 39.13) is amended, by amending AD 78-02-01, as follows:

1. Delete the words "through 31T-7720040" and insert in lieu thereof the words "through 31T-7820077, and Model PA-31T1 airplanes, serial numbers 31T-7804001 through 31T-780-4006".

2. Delete the words "No. 570, dated June 22, 1977," from paragraph (2), and insert in lieu thereof the words "No. 57A, dated August 30, 1978."

Effective date: This amendment is effective May 9, 1979.

(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); and 14 CFR 11.89.)

Issued in Jamaica, New York, on April 25, 1979.

Louis J. Cardinali,

Acting Director, Eastern Region.

[Docket No. 78-EA-108; Amdt. 39-3460]

[FR Doc. 79-13867 Filed 5-4-79; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 39

Piper Aircraft; Airworthiness Directives

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment amends airworthiness directive AD 78-12-06 applicable to Piper PA-31T and PA-31T1 type airplanes which required a check of the nose wheel. The purpose of the amendment is to add an additional acceptable replacement nose wheel which will eliminate repeated inspections.

DATE: May 9, 1979. Compliance is required as set forth in the AD.

ADDRESSES: Piper Service Bulletins may be acquired from the manufacturer at Piper Aircraft Corporation, 820 East Bald Eagle Street, Lock Haven, Pennsylvania 11745.

FOR FURTHER INFORMATION CONTACT: K. Tunjian, Systems & Equipment

Section, AEA-213, Engineering and Manufacturing Branch, Federal Building, J.F.K. International Airport, Jamaica, New York 11430; Tel. 212-995-3372.

SUPPLEMENTARY INFORMATION: Since the amendment is relieving in nature, notice and public procedure hereon are unnecessary and the rule may be made effective in less than 30 days.

Adoption of the Amendment

Accordingly, and pursuant to the authority delegated to me by the Administrator, § 39.13 of the Federal Aviation Regulations (14 CFR 39.13) is amended, by amending AD 78-12-06, as follows:

1. In sub-paragraph (a), after the words "6 ply rating", add ", or Piper P/N 551-782, B. F. Goodrich P/N 3-1076."

2. In sub-paragraph (c), before the words "is installed", add "or Piper P/N 551-782, B. F. Goodrich P/N 3-1076."

Effective date: This amendment is effective May 9, 1979.

(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); and 14 CFR 11.89.)

Issued in Jamaica, New York, on April 25, 1979.

Louis J. Cardinali,

Acting Director, Eastern Region.

[Docket No. 78-EA-113; Amdt. 39-3461]

[FR Doc. 79-13868 Filed 5-4-79; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

Designation of Federal Airways, Area Low Routes, Controlled Airspace, and Reporting Points; Alteration of Transition Area, Chester, South Carolina

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This rule alters the Chester, South Carolina, Transition Area and lowers the base of controlled airspace north of the Chester Municipal Airport from 1200 to 700 feet AGL. A new public use instrument approach procedure, NDB RWY 17, has been developed and the additional controlled airspace is required to protect aircraft executing the approach procedure.

EFFECTIVE DATE: May 30, 1979.

ADDRESS: Federal Aviation Administration, Chief, Air Traffic Division, P.O. Box 20636, Atlanta, Georgia 30320.

FOR FURTHER INFORMATION CONTACT: Harlen D. Phillips, Airspace and

Procedures Branch, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone: 404-763-7646.

SUPPLEMENTARY INFORMATION: A Notice of Proposed Rulemaking was published in the *Federal Register* on Thursday, March 1, 1979 [44 FR 11557], which proposed the alteration of the Chester, South Carolina, Transition Area. No objections were received from this Notice.

Adoption of the Amendment

Accordingly, Subpart G, § 71.181 (44 FR 442) of Part 71 of the Federal Aviation Regulations (14 CFR 71) is amended, effective 0901 GMT, May 30, 1979, by adding the following:

Chester, South Carolina

"... within three miles each side of the 353° bearing from the Chester RBN (Latitude 34°46'56" N., Longitude 81°11'48" W.), from the 7-mile radius area to 8.5 miles north of the RBN ..."

(Sec. 307(a) of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1348(a)) and Sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).)

Note.—The Federal Aviation Administration has determined that this document involves a regulation which is not significant under Executive Order 12044, as implemented by DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). Since this regulatory action involves an established body of technical requirements for which frequent and routine amendments are necessary to keep them operationally current and promote safe flight operations, the anticipated impact is so minimal that this action does not warrant preparation of a regulatory evaluation.

Issued in East Point, Georgia, on April 25, 1979.

Phillip M. Swatek,
Director, Southern Region.

[Airspace Docket No. 79-SO-13]
[FR Doc. 79-13869 Filed 5-4-79; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

Designation of Federal Airways, Area Low Routes, Controlled Airspace, and Reporting Points; Designation of Transition Area, Lake Wales, Florida

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: A public use Standard Instrument Approach Procedure has been developed for the Lake Wales Airport and additional controlled airspace is necessary for containment of IFR operations. This rule will lower the base of controlled airspace in the

vicinity of the Lake Wales Airport from 1,200 to 700 above ground.

EFFECTIVE DATE: 0901 GMT, June 14, 1979.

ADDRESS: Federal Aviation Administration, Chief, Air Traffic Division, P.O. Box 20636, Atlanta, Georgia 30320.

FOR FURTHER INFORMATION CONTACT: Ronald T. Niklasson, Airspace and Procedures Branch, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone: 404-763-7646.

SUPPLEMENTARY INFORMATION: A Notice of Proposed Rulemaking was published in the *Federal Register* on Monday, March 5, 1979 [44 FR 12045], which proposed the designation of the Lake Wales, Florida, transition area. No objections were received from this Notice.

Adoption of the Amendment

Accordingly, Subpart G, § 71.181 (44 FR 442) of Part 71 of the Federal Aviation Regulations (14 CFR 71) is amended, effective 0901 GMT, June 14, 1979, by adding the following:

Lake Wales, Florida

That airspace extending upward from 700 feet above the surface within a 6.5 mile radius of the Lake Wales Municipal Airport (latitude 27°53'39"N., longitude 81°37'12"W.) excluding that portion within the Lakeland, Florida, transition area.

(Sec. 307(a) of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1348(a)) and Sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).)

Note.—The Federal Aviation Administration has determined that this document involves a regulation which is not significant under Executive Order 12044, as implemented by DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). Since this regulatory action involves an established body of technical requirements for which frequent and routine amendments are necessary to keep them operationally current and promote safe flight operations, the anticipated impact is so minimal that this action does not warrant preparation of a regulatory evaluation.

Issued in East Point, Georgia, on April 25, 1979.

Phillip M. Swatek,
Director, Southern Region.

[Airspace Docket No. 79-SO-17]
[FR Doc. 79-13870 Filed 5-4-79; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

Designation of Federal Airways, Area Low Routes, Controlled Airspace, and Reporting Points; Designation of Transition Area, Clayton, Alabama

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This rule will designate the Clayton, Alabama, Transition Area and will lower the base of controlled airspace within a 6.5 mile radius of the Clayton Municipal Airport from 1,200 to 700 feet AGL to accommodate Instrument Flight Rule (IFR) operations. A new public use instrument approach procedure has been developed for the Clayton Municipal Airport, and the additional controlled airspace is required to protect aircraft conducting Instrument Flight Rule (IFR) operations.

EFFECTIVE DATE: June 14, 1979.

ADDRESS: Federal Aviation Administration, Chief, Air Traffic Division, P.O. Box 20636, Atlanta, Georgia 30320.

FOR FURTHER INFORMATION CONTACT: William F. Herring, Airspace and Procedures Branch, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone: 404-763-7646.

SUPPLEMENTARY INFORMATION: A Notice of Proposed Rulemaking was published in the *Federal Register* on Monday, March 19, 1979 [44 FR 16440], which proposed the designation of the Clayton, Alabama, transition area. No objections were received from this notice.

Adoption of the Amendment

Accordingly, Subpart G, § 71.181 (44 FR 442) of Part 71 of the Federal Aviation Regulations (14 CFR 71) is amended, effective 0901 GMT, June 14, 1979, by adding the following:

Clayton, Alabama

That airspace extending upward from 700 feet above the surface within a 6.5 mile radius of Clayton Municipal Airport (Latitude 31°53'00" N, Longitude 85°29'00" W.)

(Sec. 307(a) of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1348(a)) and Sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).)

Note.—The Federal Aviation Administration has determined that this document involves a regulation which is not significant under Executive Order 12044, as implemented by DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). Since this regulatory action involves an established body of technical requirements for which frequent and routine amendments are necessary to keep them operationally current and promote safe flight operations,

the anticipated impact is so minimal that this action does not warrant preparation of a regulatory evaluation.

Issued in East Point, Georgia, on April 25, 1979.

Phillip M. Swatek,
Director, Southern Region.

[Airspace Docket No. 79-SO-16]
[FR Doc. 79-13871 Filed 5-4-79; 8:45 am]
BILLING CODE 4910-13-M

14 CFR Parts 121 and 135

Domestic, Flag, and Supplemental Air Carriers and Commercial Operators of Large Aircraft and Air Taxi Operators and Commercial Operators; Miscellaneous Amendments

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: These amendments accomplish clarifications and correct certain minor omissions and typographical errors noted in Regulatory Review Program Amendment Nos. 121-147 and Revision of Part 135. These amendments are necessary to express correctly the FAA's intended statement of the rules. In addition, the compliance date is extended for the instrument rating requirement applicable to pilots in command of aircraft under visual flight rules.

EFFECTIVE DATE: May 7, 1979.

FOR FURTHER INFORMATION CONTACT: Mr. Raymond E. Ramakis, Regulatory Projects Branch, Safety Regulations Division, Flight Standards Service, Federal Aviation Administration, 800 Independence Avenue, S.W., Washington, D.C. 20591; telephone (202) 755-8716.

SUPPLEMENTARY INFORMATION: In September 1978 Amendment Nos. 121-147, 127-135, and Revision of Part 135 were issued under the Regulatory Review Program. A Review of those amendments shows that there were minor errors and omissions and that clarifying changes are needed in some sections of Parts 121 and 135. Also, it has been determined that it is necessary to extend the compliance date of one requirement. The reasons for each of the amendments are explained below:

1. § 121.9. There was a typographical error in this section. The phrase "E through K" should read "E through V" as proposed in Notice No. 77-17.

2. § 135.10. The FAA has received numerous petitions requesting exemptions from the instrument rating requirement prescribed in § 135.243(b)(3). As a result, the FAA has

determined that additional rule making regarding that requirement should be initiated before compliance with the requirement becomes mandatory. Accordingly, this amendment extends the compliance date for the instrument rating requirement until December 1, 1980. After this amendment becomes effective, the FAA will issue a notice of proposed rule making and propose appropriate changes to the rule requiring an instrument rating in § 135.243(b)(3).

3. § 135.67. It has been determined that the Air Traffic Service has procedures for collecting and disseminating information regarding potentially hazardous meteorological conditions and irregularities in communications or navigational facilities. Therefore, it is not necessary to require the pilot to request that this information be disseminated and the words "and request that the information be disseminated" are deleted. This will relieve pilots of an unnecessary burden.

4. § 135.149. In § 135.149(d) the reference to "§ 21.205" was a typographical error. It should read "§ 21.305".

5. § 135.245. Section 135.243(b)(4) allows a pilot in command of a helicopter to operate visual flight rules (VFR) below a ceiling without holding an instrument rating. Section 135.245 requires all second-in-command pilots to hold an instrument rating. This requirement is greater than that for pilots in command. To correct this unintended and anomalous result, § 135.245 has been revised by adding an amended first paragraph designated (a) and by adding a new paragraph (b) to allow second-in-command helicopter pilots to fly other than over-the-top without requiring an instrument rating.

6. Section 135.335. This section has been revised to clarify which subsections apply to both simulators and training devices and which apply to only simulators. Additionally, § 135.335(c) has been redesignated paragraph (d) and a new paragraph (c) has been added to make it clear that an appropriate simulator or other training device may be used by more than one certificate holder.

It should also be noted that in the explanation of § 135.227, the reference in the second sentence of the second paragraph to "§ 135.229" was a typographical error. It should have read "§ 135.227".

Since these amendments extend a compliance date and are clarifying and editorial in nature and implement changes required to carry out the intent of amendments under revised Part 135, or are relaxatory, and impose no

additional burden on any person, I find that notice and public procedure are unnecessary and that good cause exists for making them effective in less than 30 days. However, the FAA invites interested persons to submit such written data, views, or arguments as they may desire regarding these amendments. Communications should identify the docket number and be submitted in duplicate to the Federal Aviation Administration, Office of the Chief Counsel, Attention: Rules Docket, AGC-24, 800 Independence Avenue, S.W., Washington, D.C. 20591. All communications received on or before July 9, 1979, will be considered by the Administrator and these amendments may be changed in the light of the 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.

The Amendments

Accordingly, Parts 121 and 135 of the Federal Aviation Regulations are amended, effective May 7, 1979, as follows:

PART 121—CERTIFICATION AND OPERATIONS: DOMESTIC, FLAG, AND SUPPLEMENTAL AIR CARRIERS AND COMMERCIAL OPERATORS OF LARGE AIRCRAFT

§ 121.9 [Amended]

1. By revising this section to delete the letter "K" and substitute in its place the letter "V".

PART 135—AIR TAXI OPERATORS AND COMMERCIAL OPERATORS

2. By amending § 135.10 to delete § 135.10(a)(4), by redesignating paragraph (c) as (d), and by adding a new paragraph (c) to read as follows:

§ 135.10 Compliance dates for certain rules.

* * * * *

(c) A certificate holder or pilot is allowed until December 1, 1980, to comply with the instrument rating requirement of § 135.243(b)(3).

(d) * * *

§ 135.67 [Amended]

3. By revising this section to delete the words "and request that the information be disseminated" at the end of the paragraph.

§ 135.149 [Amended]

4. By revising § 135.149(d) to delete the reference to "§ 21.205" and substitute in its place "§ 21.305".

§ 135.245 [Amended]

5. By revising § 135.245 to amend the existing paragraph and designate it as (a) and to add a new paragraph (b) to read as follows:

§ 135.245 Second in command qualifications.

(a) Except as provided in paragraph (b), no certificate holder may use any person, nor may any person serve, as second in command of an aircraft unless that person holds at least a commercial pilot certificate with appropriate category and class ratings and an instrument rating. For flight under IFR, that person must meet the recent instrument experience requirements of Part 61 of this chapter.

(b) A second in command of a helicopter operated under VFR, other than over-the-top, must have at least a commercial pilot certificate with an appropriate aircraft category and class rating.

6. By revising § 135.335 to amend paragraph (b), redesignate paragraph (c) as (d), and add a new paragraph (c) to read as follows:

§ 135.335 Approval of aircraft simulators and other training devices.

(b) * * *

(1) * * *

(i) The certificate holder; and
(ii) The particular maneuver, procedure, or crewmember function involved.

(2) * * *

(3) Additionally, for aircraft simulators, it must be—

(i) Approved for the type aircraft and, if applicable, the particular variation within type for which the training or check is being conducted; and

(ii) Modified to conform with any modification to the aircraft being simulated that changes the performance, functional, or other characteristics required for approval.

(c) A particular aircraft simulator or other training device may be used by more than one certificate holder.

(d) In granting initial and final approval of training programs or revisions to them, the Administrator considers the training devices, methods, and procedures listed in the certificate holder's curriculum under § 135.327.

(Secs. 313(a), 314(a), 601 through 610, and 1102 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1355(a), 1421 through 1430, and 1502); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)).)

The Federal Aviation Administration has determined that this document involves a regulation which is not significant under

Executive Order 12044, as implemented by DOT in Department of Transportation Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). In addition, since these amendments extend a compliance date and are editorial and clarifying in nature, or are relaxatory, and impose no additional burden on any person, the Federal Aviation Administration has determined that the anticipated impact is so minimal that an evaluation is not required.

Issued in Washington, D.C., on April 27, 1979.

[Docket No. 16097; Amdt. Nos. 121-152 and 135-1]

[FR Doc. 79-13873 Filed 5-4-79; 8:45 am]

BILLING CODE 4910-13-M

CIVIL AERONAUTICS BOARD**14 CFR Part 287****Interlocks With Commercial Lending Institutions**

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., April 30, 1979.

AGENCY: Civil Aeronautics Board.

ACTION: Final Rule.

SUMMARY: The CAB is extending the expiration date of a regulation exempting air carriers from obtaining prior Board approval of interlocking relationships with commercial lending institutions. The Board is extending the expiration date, at the request of Braniff Airways, until September 30, 1979, pending final action on a jurisdictional question.

DATES: Adopted: April 30, 1979.

Effective: April 30, 1979.

FOR FURTHER INFORMATION CONTACT:

Mark Frisbie, Office of the General Counsel, Civil Aeronautics Board, 1825 Connecticut Avenue, NW., Washington, D.C. 20428, (202) 673-5442.

SUPPLEMENTARY INFORMATION: On March 23, 1966, the Board adopted 14 CFR 287.3a [31 FR 5121, March 30, 1966], exempting air carriers from obtaining prior Board approval for interlocking relationships with commercial lending institutions as long as the air carrier does not engage in leasing transactions with the commercial lending institution. The exemption was originally granted on a 3-year experimental basis, and has been extended for 1- or 2-year intervals since then. It is due to expire on April 30, 1979.

The Deregulation Act of 1978 (Pub. L. 95-504) amended section 409 of the Federal Aviation Act, governing interlocking relationships, to apply only to such relationships between persons "substantially engaged in the business of aeronautics" rather than to persons

"engaged in any phase of aeronautics," as it had previously read. The Board is considering, in Dockets 31725, 30595, and 24420, whether any interlocking relationships between air carriers and commercial lending institutions are within its jurisdiction under the new amendment. Pending determination of the jurisdictional matter, we are continuing the exemption in § 287.3a. When the jurisdictional question has been resolved, we will decide whether to make the exemption permanent, extend it for another definite period, or allow it to expire. We find the exemption to be in the public interest for the same reasons that led us to adopt it originally: the burden of monitoring interlocks and applying for approval in the marginal situations covered by the rule is much greater than the public benefits that might result from such a requirement. Our past experience confirms this judgment.

Because of the imminent expiration date of the current rule, because the underlying issues are being considered in other proceedings, and because this is a substantive rule that grants or recognizes an exemption, we find for good cause that notice and public procedure are impracticable, unnecessary, and contrary to the public interest, and that the rule should be made effective immediately.

Accordingly, the Civil Aeronautics Board amends § 287.3a of 14 CFR Part 287, *Exemption and application of certain interlocking relationships*, to read as follows:

§ 287.3a Exemption of air carriers with respect to interlocking relationships with commercial lending institutions.

In addition to the exemptions provided in §§ 287.2 and 287.3, and subject to the other provisions of this part, air carriers are hereby relieved from the provisions of section 409 of the Act and Part 251 of this chapter with respect to any interlocking relationship between any such air carrier and a commercial lending institution which does not lease aircraft to the air carrier. *Provided, however,* That such exemption shall expire on September 30, 1979, and shall extend only to the relationship involving a director of the air carrier who is not an officer or employee of the air carrier or a stockholder holding a controlling interest in the air carrier (or the representative or nominee of any such person) and who is not a member of the commercial lending institution: *Provided, further,* That in order to qualify for an exemption under this section air carriers shall file with the

Bureau of Pricing and Domestic Aviation annual reports on or before April 1 of each year showing for the previous calendar year (a) the names and addresses of all directors of the air carrier who were also directors, officers, or employees of commercial lending institutions; (b) the names and addresses of such commercial lending institutions; and (c) a description of all transactions between the air carrier (and/or its directors, who were also officers or directors of commercial lending institutions) and such commercial lending institutions.

(Secs. 101(3), 204(a), 409, 416, 72 Stat. 737, 743, 92 Stat. 1728, 1731; 49 U.S.C. 1301, 1324, 1379, and 1386)

By the Civil Aeronautics Board.

Phyllis T. Kaylor,
Secretary.

[Reg. ER-1120, Amdt. No. 11]

[FR Doc. 79-14230 Filed 5-4-79; 8:45 am]

BILLING CODE 6320-01-M

SECURITIES AND EXCHANGE COMMISSION

17 CFR Parts 231, 261

Offerings of Debt Securities Pursuant to Trust Indentures

AGENCY: Securities and Exchange Commission.

ACTION: No-action position.

SUMMARY: The Commission announces that it will not take enforcement action against persons offering debt securities for public sale pursuant to Regulation A (17 CFR 230.251 et seq.) under the Securities Act of 1933 (15 U.S.C. 77a et seq.) who do not comply with applicable provisions of the Trust Indenture Act of 1939 (15 U.S.C. 77aaa et seq.) although such compliance is technically required.

EFFECTIVE DATE: May 7, 1979.

FOR FURTHER INFORMATION CONTACT: Norman Schou, Division of Corporation Finance, Securities and Exchange Commission, Washington, D.C. 20549, (202) 755-1240.

SUPPLEMENTARY INFORMATION: The Securities and Exchange Commission announced today that it will not take enforcement action against any issuer of debt securities in an offering exempt from the registration requirements of the Securities Act of 1933 pursuant to Regulation A thereunder, of \$1,500,000 or less, if the issuer should offer the securities for public sale without filing or qualifying the trust indenture covering such securities under the Trust Indenture Act of 1939.

The Congress recently authorized the Commission to raise the ceiling on public offerings exempt from registration pursuant to Regulation A under Section 3(b) of the Securities Act of 1933 from \$500,000 to \$1,500,000 in May 1978 and to \$2,000,000 in October 1978.¹ Although a trust indenture is required to be used in public offerings of debt securities exceeding \$250,000 by the same issuer in any consecutive twelve month period, the indenture used is not required to be filed under the Trust Indenture Act of 1939 if the indenture limits the aggregate principal amount outstanding under it to \$1,000,000 aggregate principal amount of securities during any consecutive thirty-six month period. As a result, offerings of debt securities pursuant to Regulation A under the revenue ceiling of \$500,000 were able to meet the exemption from qualification requirements of the Trust Indenture Act of 1939. When, pursuant to the new Congressional authorization, the Commission raised the ceiling on offerings exempt from registration pursuant to Regulation A, it made that exemption available for the first time to offerings subject to the qualification provisions of the Trust Indenture Act of 1939.

In light of the policy considerations underlying the Congressional authorization to raise the ceiling on Regulation A offerings, the filing and qualification of trust indentures covering those issues under the Trust Indenture Act of 1939 would appear to impose burdens on issuers in small offerings which were not contemplated by Congress. It should be noted that when the \$1,000,000 threshold for qualification of indentures under the Trust Indenture Act was adopted in 1939 the ceiling on offerings permitted to be exempt from registration under Section 3(b) of the Securities Act was \$100,000. Accordingly, although the Trust Indenture Act technically appears to require the use of a trust indenture qualified under the provisions of that Act for any public offering of debt securities of the same issuer exceeding \$1,000,000 in any consecutive thirty-six month period, the Commission will not take any enforcement action against such an issuer for failure to qualify an indenture under the Trust Indenture Act pursuant to Regulation A, provided that the indenture limits the amount of securities to be outstanding under it to \$1,500,000 during any consecutive twelve month period. Issuers of such securities in amounts exceeding \$250,000 will remain subject to the requirement of Section 306 of the Trust Indenture Act

that an indenture be used which need not contain the qualifying provisions but which, in the Commission's view, should provide for a trustee in order to facilitate the collective enforcement of security holders' rights although use of a trustee is not a statutory requirement in indentures which are not qualified under the Trust Indenture Act.

This position will remain effective until the Congress amends the Trust Indenture Act so as to provide a statutory exemption from qualification or to indicate an intention that qualification is required. If the Commission should raise the ceiling on the Regulation A exemption from \$1,500,000 to \$2,000,000, qualification will not be required of any indenture limiting the amount of securities to be outstanding under it to \$2,000,000 in any consecutive twelve month period.

Accordingly, Parts 231 and 261 of Title 17 of the Code of Federal Regulations are amended by adding this release thereto.

By the Commission.

Shirley E. Hollis,
Assistant Secretary.
April 25, 1979.

[Release Nos. 33-6059; 39-524]

[FR Doc. 79-14146 Filed 5-4-79; 8:45 am]

BILLING CODE 8010-01-M

DEPARTMENT OF DEFENSE

32 CFR Part 806b

Air Force Privacy Act Program; Correction

AGENCY: Department of the Air Force, Department of Defense.

ACTION: Correction to final rule.

SUMMARY: This document corrects a final rule that appeared at page 23080 in the Federal Register of Wednesday, April 18, 1979.

FOR FURTHER INFORMATION CONTACT: Captain Robert N. Veeder, (202) 694-3431.

SUPPLEMENTARY INFORMATION: Subpart E—Exempting Systems of Records, as published in 44 FR 23080, April 18, 1979, should be corrected to read as follows:

Delete the first paragraph under Subpart E and change 806b.16 to read as follows:

§ 806b.16 General and specific exemptions.

(a) The Secretary of the Air Force may exempt Air Force systems of records from certain parts of the Privacy Act. There are two kinds of exemptions: general and specific. The general

¹ Pub. L. 95-283, May 21, 1978 and Pub. L. 95-425, October 8, 1978.

exemption relieves systems of records from most requirements of the Act; the specific exemption from only a few.

(b) The exemption index below shows for which parts of the Privacy Act exemptions may be claimed. "No" means that no exemption may be taken; "yes" means that an exemption may be taken. Note that the index provides a cross reference to this part.

Carol M. Rose,
Air Force Federal Register Liaison Officer.
[FR Doc. 79-14167 Filed 5-4-79; 8:45 am]
BILLING CODE 3910-01-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 164

Navigation Safety Regulations; Radar Requirement for Certain Tankers of 10,000 Gross Tons or More

AGENCY: Coast Guard, DOT.

ACTION: Interim Final Rule.

SUMMARY: This rule amends the Navigation Safety Regulations by requiring oil and bulk hazardous material tankers of 10,000 gross tons or more, when operating on the navigable waters of the United States except the Panama Canal or St. Lawrence Seaway, to be equipped with a dual radar system, having short-range and long-range capabilities, and each with true-north features. The radar display presentation provided by these features makes information more easily assimilable by the watch officer. This rule implements one of the directives of the Port and Tanker Safety Act of 1978.

EFFECTIVE DATE: This amendment is effective on June 1, 1979.

ADDRESSES: Comments should be submitted to Commandant (G-CMC/81) (CGD 79-033), U.S. Coast Guard, Washington, DC 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, DC 20590.

FOR FURTHER INFORMATION CONTACT: Mr. Fred A. Schwer, Project Manager, Office of Marine Environment and Systems (G-WLE-4/73), Room 7315, Department of Transportation, Nassif Building, 400 Seventh Street, SW., Washington, DC 20590, (202) 426-4958.

SUPPLEMENTARY INFORMATION: This regulation implements the Port and Tanker Safety Act of 1978 (Pub. L. 95-474). It is being promulgated because the

statute does not impose any direct requirements upon vessels, but instead instructs the agency: "In issuing regulations . . . the Secretary shall require that any self-propelled vessel . . . (j) of 10,000 gross tons or above . . . be equipped with (i) a dual radar system, with short-range and with long-range capabilities and each with true-north features . . ." The statute also states that this radar equipment is to be required on specified vessels not later than June 1, 1979.

Notice and public procedure thereon are impracticable and unnecessary because this regulation prescribes exactly what is mandated by the statute. The purpose of any notice and public procedure thereon is to give the public a timely and meaningful opportunity to participate in the rulemaking process. Here, the rulemaking consists merely of a repetition of the statutory mandate. Receiving public comment, where no discretion is being exercised and a purely ministerial act is being performed, would serve no useful purpose.

The public is invited to comment on the enforcement policy discussed below. The Coast Guard will consider those comments and may modify its enforcement policy in their light.

Drafting Information

The principal persons involved in drafting this rule are Mr. Fred A. Schwer, Project Manager, Office of Marine Environment and Systems and Mr. Michael N. Mervin, Project Attorney, Office of Chief Counsel.

Discussion

This amendment modifies 33 CFR Part 164.37, which was published as a final rule on July 24, 1978 (43 FR 32122). That rule requires that, after June 1, 1979, all vessels of 10,000 gross tons or more, when operating on the navigable waters of the United States except the Panama Canal and St. Lawrence Seaway, be equipped with two radar systems capable of independent operation. The Port and Tanker Safety Act of 1978 (PTSA) added additional requirements and excluded certain foreign vessels, including those in innocent passage or transiting an international strait. This interim rule applies only to tankers subject to the PTSA.

At the time the "two radar" rule was being developed, consideration was given to inclusion of minimum standards for ships' radars. However, the existing international standard for marine radars, Resolution A-222 (VII) of the Inter-Governmental Maritime Consultative Organization (IMCO), was

being revised by that organization. It was expected that work on the revised standard would be completed by January of 1979 and that the United States could then publish a standard which would not conflict with IMCO's.

The PTSA was signed on October 17, 1978. Tankers of 10,000 gross tons or above are required by that law to have a dual radar system with long and short range capabilities and true north features. Both of these requirements were being addressed by IMCO's Subcommittee on Safety of Navigation as part of the new international radar standard and it was anticipated that the standard would fully comply with the statutory mandate. It was decided, therefore, to wait until the new standard became available and then implement the PTSA as part of a minimum standard for all required radars. IMCO did not complete the work on the revision in January as expected. It is possible that it may be accomplished in September of this year, but that will be too late to accommodate the June 1, 1979, implementation date specified in the PTSA. It became necessary then to issue this interim rule to comply with the mandate of the PTSA. When the revised international radar standard does become available, the Coast Guard expects to be able to publish a parallel U.S. standard.

It is the Coast Guard's present intention when drafting the United States standard to "grandfather" existing radar installations which comply with the presently existing IMCO standard. New installations after that date will have to comply with the new IMCO standard. However, because of the PTSA, existing installations on tankers addressed by the Act will have to have the long and short range and true north features, even though they are not required by the present IMCO standard.

In deciding on an interim enforcement policy pending the finalization of the new international standard, the Coast Guard considered the capabilities of radars currently in use. It is recognized that some radars are effective at closer ranges than that selected; however, there is a practical limit below which most radars are ineffective. In addition, action to avoid accidents must be taken while the danger is a reasonable distance away. Accordingly, pending promulgation of Coast Guard regulatory standards after finalization of new international standards, the Coast Guard interim policy will be to consider a short range capability of 3 miles or less to be in compliance with the statutory mandate promulgated below.

Many radars are capable of effective use at ranges of beyond 16 miles; however, detection of objects at this range will normally allow sufficient time to evaluate the information and take corrective action, if required. Accordingly, pending promulgation of regulatory standards, the Coast Guard interim policy will be to consider a long range capability of 16 miles or more to be in compliance with the statutory mandate promulgated below.

"True-north features" is another way of saying that the radar display is stabilized in azimuth so that, when so selected and regardless of the vessel's heading, the indicated true north direction remains unchanged. Both radars must have this feature.

The Coast Guard anticipates that the requirements imposed by this interim rule can be met by most radars currently in use on vessels of 10,000 gross tons or over; however, there are radars on some vessels that do not have true-north features and some vessels may not yet have dual radars installed.

This interim final rule has been evaluated in accordance with DOT "Regulatory Policies and Procedures," 44 FR 11033 (February 26, 1979). A copy of the final evaluation may be obtained from: Commandant (G-CMC/81), U.S. Coast Guard, Washington, D.C. 20590. (202-426-1477).

In consideration of the foregoing, Part 164 of Chapter I, Title 33, Code of Federal Regulations is amended by designating the existing text of § 164.37 as paragraph (a) and adding a new paragraph (b) as follows:

PART 164—NAVIGATION SAFETY REGULATIONS

§ 164.37 Equipment: Vessels of 10,000 gross tons or more.

(a) * * *

(b) On each tanker of 10,000 gross tons or more that is subject to Section 5 of the Port and Tanker Safety Act of 1978 (46 U.S.C. 391a), the dual radar system required by this part must have a short range capability and a long range capability and each radar must have true north features consisting of a display that is stabilized in azimuth.

(46 U.S.C. 391a; 49 CFR 1.46(n)(4).)

Dated: May 1, 1979.

J. B. Hayes,
Admiral, U.S. Coast Guard Commandant.

(CGD 79-033)

[FR Doc. 79-14224 Filed 5-4-79; 8:45 am]

BILLING CODE 4910-14-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

Approval and Promulgation of Implementation Plans, Louisiana; Correction

AGENCY: Environmental Protection Agency

ACTION: Final rule; correction

SUMMARY: On March 28, 1979 (44 FR 18490) a final rule was published for Louisiana. In noting the receipt of the State implementation plan revision, an incorrect paragraph number under § 52.970 was used. This notice corrects that error.

FOR FURTHER INFORMATION CONTACT: Jerry Stubberfield (214) 767-2742.

SUPPLEMENTARY INFORMATION: In FR Doc. 79-9231 appearing at 44 FR 18490 in the Federal Register of Wednesday, March 28, 1979, the following correction is made: on page 18491, under Subpart T—Louisiana, action number 1, paragraph "(6)" under paragraph (c) is changed to paragraph "(12)".

Dated: April 6, 1979.

Earl Kari,

Acting Regional Administrator.

[FRL 1216-6]

[FR Doc. 79-13029 Filed 5-4-79; 8:45 am]

BILLING CODE 5560-01-M

40 CFR Part 65

Approval of a Delayed Compliance Order Issued by the Morgan County, Ala., Board of Health to the Goodyear Tire & Rubber Co., Morgan County, Ala.

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: The Administrator of EPA hereby approves a Delayed Compliance Order issued by the Morgan County, Alabama, Board of Health to Goodyear Tire and Rubber Company. The Order requires the Goodyear Tire and Rubber Company to bring air emissions from its Latex Dip Unit Nos. 2 and 3 at Morgan County, Alabama, into compliance with State air pollution control regulations contained in the federally approved Alabama State Implementation Plan (SIP). Because of the Administrator's approval, the Goodyear Tire and Rubber Company's compliance with the Order will preclude suits under the federal enforcement and citizen suit provisions of the Clean Air Act for violation(s) of

the SIP regulations covered by the Order during the period the Order is in effect.

DATE: This rule takes effect on May 7, 1979.

FOR FURTHER INFORMATION CONTACT:

Robert R. Geddis, Air Enforcement Branch, U.S. Environmental Protection Agency, Region IV, 345 Courtland Street, NE., Atlanta, Georgia 30308. Telephone Number: (404) 881-4253.

ADDRESS: A copy of the State Delayed Compliance Order, any supporting material, and any comments received in response to a prior Federal Register notice proposing approval of the Order are available for public inspection and copying during normal business hours at: U.S. Environmental Protection Agency, Region IV, Air Enforcement Branch, 345 Courtland Street, NE., Atlanta, Georgia 30308.

SUPPLEMENTARY INFORMATION: On October 2, 1978, the Regional Administrator of EPA's Region IV Office published in the Federal Register, 43 FR 45407, a notice proposing approval of a delayed compliance order issued by the Morgan County, Alabama, Board of Health to Goodyear Tire and Rubber Company. The notice asked for public comments by November 1, 1978, on EPA's proposed approval of the Order. No public comments were received in response to the proposal notice.

Therefore, the delayed compliance order issued to the Goodyear Tire and Rubber Company is approved by the Administrator of EPA pursuant to the authority of Section 113(d)(2) of the Clean Air Act, 42 U.S.C. 7413(d)(2). The Order places the Goodyear Tire and Rubber Company on a schedule to bring its Latex Dip Unit Nos. 2 and 3 into compliance as expeditiously as practicable with Alabama Air Pollution Regulation 4.1.1, part of the federally approved Alabama State Implementation Plan. The Order also imposes interim requirements which meet Sections 113(d)(1)(C) and 113(d)(7) of the Act, and emission monitoring and reporting requirements. If the conditions of the Order are met, it will permit the Goodyear Tire and Rubber Company to delay compliance with the SIP regulations covered by the Order until June 1, 1979. The facility is unable to comply immediately with these regulations.

EPA has determined that its approval of the Order shall be effective May 7, 1979, because of the immediate need to place the Goodyear Tire and Rubber Company on a schedule which is effective under the Clean Air Act for compliance with the applicable

requirement(s) in the Alabama State Implementation Plan.

(42 U.S.C. 7413(d), 7601)

Dated: April 30, 1979.

Douglas M. Costle,
Administrator.

In consideration of the foregoing, Chapter I of Title 40 of the Code of Federal Regulations is amended as follows:

Source	Location	Order No.	SIP regulation(s) involved	Date of FR proposal	Final compliance date
Goodyear Tire and Rubber Company (Latex Dip Unit Nos. 2 and 3).	Morgan County, Ala.	DCO-78-20	Section 4.1.1	10/2/78	6/1/79

[FRL 1211-6]

[FR Doc. 79-14219 Filed 5-4-79; 8:45 am]

BILLING CODE 6560-01-M

40 CFR Part 65

Delayed Compliance Order for the Town of Rockport, Maine

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: The Administrator of EPA hereby issues a Delayed Compliance Order to the Town of Rockport, Maine. The Order requires the municipality to bring air emissions from its open burning dump into compliance with certain regulations contained in the federally-approved Maine State Implementation Plan (SIP). The Town of Rockport's compliance with the Order will preclude suits under the federal enforcement and citizen suit provisions of the Clean Air Act for violation(s) of the SIP regulations covered by the Order during the period the Order is in effect.

DATE: This rule takes effect on May 7, 1979.

FOR FURTHER INFORMATION CONTACT: Mr. R. W. DiNardo, engineer, 617/223-5610 or Mr. Wesley Marshall, attorney, 617/223-5600 both at EPA, Region I, Room 2103, J.F.K. Federal Building, Boston, Massachusetts 02203.

ADDRESS: The Delayed Compliance Order, supporting material, and any comments received in response to a prior Federal Register notice proposing issuance of the Order are available for public inspection and copying during

PART 65—DELAYED COMPLIANCE ORDERS

1. By adding the following entry to the table in § 65.51:

§ 65.51 EPA Approval of State delayed compliance orders issued to major stationary sources.

* * * * *

normal business hours at: EPA, Region I, Room 2103, J.F.K. Federal Building, Boston, Massachusetts 02203.

SUPPLEMENTARY INFORMATION: On January 26, 1979, the Regional Administrator of EPA's Region I Office published in the Federal Register, 44 FR 5475, a notice setting out the provisions of a proposed delayed compliance order for the Town of Rockport, Maine. The notice asked for public comments and offered the opportunity to request a public hearing on the proposed Order. No public comments or requests were received in response to the proposal notice.

Therefore, a delayed compliance order effective this date is issued to the Town of Rockport, Maine by the Administrator of EPA pursuant to the authority of Section 113(d)(1) of the Clean Air Act, 42 U.S.C. 7413(d)(1). The Order places the Town of Rockport, Maine on a schedule to bring its solid

waste disposal system into compliance as expeditiously as practicable with Section 100.2.2 of the Maine Department of Environmental Protection Air Pollution Control Regulations, a part of the federally-approved Maine State Implementation Plan. The Order also imposes interim requirements which meet Sections 113(d)(1)(C) and 113(d)(7) of the Act, and reporting requirements. Although Section 113(d)(C) of the Act normally requires emission monitoring in an ORDER, no reasonable system of emission monitoring for the Town of Rockport's open burning dump site exists. If the conditions of the Order are met, it will permit the Town of Rockport to delay compliance with the SIP regulation covered by the Order until July 1, 1979. The Town is unable to immediately comply with these regulations.

EPA has determined that the Order shall be effective May 7, 1979, because of the need to immediately place the Town of Rockport, Maine on a schedule for compliance with the applicable requirement of the Maine State Implementation Plan.

(42 U.S.C. 7413(d), 7601)

Dated: April 26, 1979.

Douglas M. Costle,
Administrator.

In consideration of the foregoing, Chapter I of Title 40 of the Code of Federal Regulations is amended as follows:

PART 65—DELAYED COMPLIANCE ORDERS

By adding the following entry to the table in § 65.240:

§ 65.240 Federal delayed compliance orders issued under section 113(d)(1), (3), and (4) of the Act.

* * * * *

Source	Location	Order No.	Date of FR Proposal	SIP regulation involved	Final compliance date
(Town of Rockport)	(Maine)	(A-SS-77-591)	(January 26, 1979)	(100.2.2)	(July 1, 1979)

[FRL 1205-1]

[FR Doc. 79-14218 Filed 5-4-79; 8:45 am]

BILLING CODE 6560-01-M

40 CFR Part 65

Delayed Compliance Order for the Town of Camden, Maine

AGENCY: Environmental Protection Agency.

ACTION: Final Rule.

SUMMARY: The Administrator of EPA hereby issues a Delayed Compliance Order to the Town of Camden, Maine. The Order requires the municipality to bring air emissions from its open burning dump into compliance with certain regulations contained in the federally-approved Maine State Implementation Plan (SIP). The Town of Camden's compliance with the Order will preclude suits under the federal enforcement and citizen suit provisions of the Clean Air Act for violation(s) of the SIP regulations covered by the Order during the period the Order is in effect.

DATES: This rule takes effect on May 7, 1979.

FOR FURTHER INFORMATION CONTACT:

Mr. R. W. DiNardo, engineer, 617/223-5610 or Mr. Wesley Marshall, attorney, 617/223-5600 both at EPA, Region I, Room 2103, J.F.K. Federal Building, Boston, Massachusetts, 02203.

ADDRESS: The Delayed Compliance Order, supporting material, and any comments received in response to a prior Federal Register notice proposing issuance of the Order are available for public inspection and copying during normal business hours at: EPA, Region I, Room 2103 J.F.K. Federal Building, Boston, Massachusetts 02203.

SUPPLEMENTARY INFORMATION: On January 26, 1979, the Regional Administrator of EPA's Region I Office published in the Federal Register, 44 FR 5476, a notice setting out the provisions of a proposed delayed compliance order for the Town of Camden, Maine. The notice asked for public comments and offered the opportunity to request a public hearing on the proposed Order. No public comments or requests were received in response to the proposal notice.

Therefore, a delayed compliance order effective this date is issued to the Town of Camden, Maine by the Administrator of EPA pursuant to the authority of Section 113(d)(1) of the

Clean Air Act, 42 U.S.C. 7413(d)(1). The Order places the Town of Camden, Maine on a schedule to bring its solid waste disposal system into compliance as expeditiously as practicable with Section 100.2.2 of the Maine Department of Environmental Protection Air Pollution Control Regulations, a part of the federally-approved Maine State Implementation Plan. The Order also imposes interim requirements which meet Sections 113(d)(1)(C) and 113(d)(7) of the Act, and reporting requirements. Although Section 113(d)(C) of the Act normally requires emission monitoring in an ORDER, no reasonable system of emission monitoring for the Town of Camden's open burning dump site exists. If the conditions of the Order are met, it will permit the Town of Camden to delay compliance with the SIP regulation covered by the Order until July 1, 1979. The Town is unable to immediately comply with these regulations.

EPA has determined that the Order shall be effective May 7, 1979, because of the need to immediately place the Town of Camden, Maine on a schedule for compliance with the applicable requirement of the Maine State Implementation Plan.

(42 U.S.C. 7413(d), 7601)

Dated: April 26, 1979.

Douglas M. Costle,
Administrator.

In consideration of the foregoing, Chapter I of Title 40 of the Code of Federal Regulations is amended as follows:

PART 65—DELAYED COMPLIANCE ORDERS

By adding the following entry to the table in § 65.240:

§ 65.240 Federal delayed compliance orders issued under section 113(d) (1), (3), and (4) of the Act.

Source	Location	Order No.	Date of FR proposal	SIP regulation involved	Final compliance date
(Town of Camden)	(Maine)	(A-SS-77-582)	(January 26, 1979)	(100.2.2)	(July 1, 1979)

[FRL 1204-8]

[FR Doc. 79-14217 Filed 5-4-79; 8:45 am]

BILLING CODE 6560-01-M

40 CFR Part 180

Tolerances and Exemptions From Tolerances for Pesticide Chemicals in or on Raw Agricultural Commodities; 4-Amino-6-(1,1-Dimethylethyl)-3-(Methylthio)-1,2,4-Triazin-5(4H)-One

AGENCY: Office of Pesticide Programs, Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This rule establishes tolerances for residues of the herbicide 4-amino-6-(1,1-dimethylethyl)-3-(methylthio)-1,2,4-triazin-5(4H)-one on barley grain and wheat grain at 0.75 part per million (ppm), barley straw and wheat straw at 1 ppm, and wheat forage at 2 ppm. The regulation was requested

by Mobay Chemical Corp. This rule establishes maximum permissible levels for residues of the subject pesticide on barley grain, wheat grain, barley straw, wheat straw, and wheat forage.

EFFECTIVE DATE: Effective on May 7, 1979.

FOR FURTHER INFORMATION CONTACT:

Mr. Robert Taylor, Product Manager (PM) 25, Registration Division (TS-767), Office of Pesticide Programs, EPA, 401 M Street, SW, Washington, D.C. 20460 (202/755-7013).

SUPPLEMENTARY INFORMATION: On August 2, 1978, notice was given (43 FR 33961) that Mobay Chemical Corp., Chemagro Agricultural Div., P.O. Box 4913, Hawthorne Road, Kansas City, MO 64120, had filed a pesticide petition

(PP 8F2091) with the EPA. This petition proposed that 40 CFR 180.332 be amended to establish tolerances for combined residues of the herbicides 4-amino-6-(1,1-dimethylethyl)-3-(methylthio)-1,2,4-triazin-5(4H)-one and its triazinone metabolites in or on the raw agricultural commodities wheat forage at 2 ppm, barley straw and wheat straw at 1 ppm, and barley grain and wheat grain at 0.75 ppm. (A related document proposing food and feed additive regulations for residues of the subject pesticide appears elsewhere in today's Federal Register.) No comments were received in response to this notice of filing.

The data submitted in the petition and other relevant material have been evaluated. The toxicological data considered in support of the proposed tolerances included rat acute oral lethal dose (LD₅₀) studies, a rabbit teratogenicity study with a no-observed-effect level (NOEL) of 30 milligrams (mg)/kilogram (kg) of body weight (bw) (highest level fed), a rat teratogenicity study with an NOEL of 100 mg/kg bw (highest level fed), a 2-year dog feeding study with an NOEL of 100 ppm, a two-year rat feeding study with an NOEL of 300 ppm, an 18-month mouse carcinogenicity study (negative at 2,500 ppm, the highest level fed), a three-generation rat reproduction study with an NOEL of 300 ppm, and a mouse mutagenicity study with an NOEL of 20 mg/kg bw (highest level tested).

Tolerances have previously been established for residues of the subject herbicide on a variety of raw agricultural commodities at levels ranging from 7 ppm to 0.01 ppm. Food additive tolerances have previously been established for residues of the herbicide in processed potatoes (including potato chips) at 3 ppm and sugarcane molasses at 2 ppm. A feed additive tolerance has also previously been established in sugarcane molasses at 2 ppm. These previously established tolerances (except processed potatoes) result in a theoretical maximal residue contribution (TMRC) of 0.23 mg/day in a 1.5-kg diet compared with a maximal permissible intake (MPI) of 1.5 mg/day for a 60-kg man, or 15.36 percent of the MPI. These tolerances contribute an additional 7.79 percent of the MPI based on an acceptable daily intake of .025 mg/kg bw/day, for a total of 23.15 percent of the MPI. Should all other pending tolerances be established 27.37 percent of the MPI will be utilized. Other feed additive tolerances previously established are processed potato waste (dried) at 3 ppm, sugarcane bagasse at

0.5 ppm, and dried tomato pomace at 2 ppm.

There are no regulatory actions pending against the registration of the subject pesticide. The nature of the residues of the pesticide is adequately delineated, and an adequate analytical method (a gas chromatographic procedure using an electron capture detector) is available for enforcement purposes. No other considerations are involved in establishing the proposed tolerances, nor are desirable data lacking from the petition.

Residues could occur in the eggs; milk; and the meat, fat, and meat byproducts of livestock, but such residues would be adequately covered by existing tolerances (section 180.6(a)(2) applies).

The pesticide is considered useful for the purpose for which tolerances are sought, and it is concluded that the proposed tolerances established by amending 40 CFR 180.332 will protect the public health. It is concluded, therefore, that the tolerances be established as set forth below.

Any person adversely affected by this regulation may, on or before June 6, 1979, file written objections with the Hearing Clerk, Environmental Protection Agency, Rm. M-3708 (A-110), 401 M St., SW, Washington, DC 20460. Such objections should be submitted in triplicate and specify the provisions of the regulation deemed to be objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought.

Under Executive Order 12044, EPA is required to judge whether a regulation is "significant" and therefore subject to the procedural requirements of the Order or whether it may follow other specialized development procedures. EPA labels these other regulations "specialized". This regulation has been reviewed, and it has been determined that it is a specialized regulation not subject to the procedural requirements of Executive Order 12044.

Effective on May 7, 1979, Part 180 is amended as set forth below.
(Section 408(d)(2) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a(d)(2)).)

Dated: April 26, 1979.

James M. Conlon,
Acting Deputy Assistant Administrator for Pesticide Programs.

PART 180—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Part 180, Subpart C, § 180.332, is amended by alphabetically inserting barley grain and wheat grain at 0.75 ppm, barley straw and wheat straw at 1 ppm, and wheat forage at 2 ppm in the table to read as follows:

§ 180.332 4-Amino-6-(1,1-dimethylethyl)-3-methylthio-1,2,4-triazin-5(4H)-one; tolerances for residues.

Commodity:	Parts per million
Barley, grain.....	0.75
Barley, straw.....	1
Wheat, forage.....	2
Wheat, grain.....	0.75
Wheat, straw.....	1

[FRL 1218-6; PP8F2091/R204]

[FR Doc. 79-14208 Filed 5-4-79; 8:45 am]

BILLING CODE 6560-01-M

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

41 CFR Part 14H-1

Designation of Contracting Officer Positions

April 23, 1979.

AGENCY: Bureau of Indian Affairs, Department of the Interior.

ACTION: Amendment to Final rule.

SUMMARY: This document amends the present designation of contracting officer position titles contained in the Bureau of Indian Affairs Procurement Regulations at 41 CFR 14H-1.451-2 to reflect changes in position titles and duties that have taken place since the last such publication in the *Federal Register* of April 1, 1976 (41 FR 13923).

EFFECTIVE DATE: This amendment is effective immediately May 7, 1979.

FOR FURTHER INFORMATION CONTACT: Mr. Donald F. Asbra, Chief, Contracting and Grants Administration Staff, Bureau of Indian Affairs, Department of Interior, 1951 Constitution Avenue, N.W., Washington, D.C. 20245. Telephone number area code (703) 235-8061.

SUPPLEMENTAL INFORMATION: The primary author of this Regulation is Mr. Donald F. Asbra, address above.

Chapter 14H of 41 CFR was published beginning on Page 13659 of the August 26, 1969, *Federal Register* (34 FR 13659). Chapter 14H contains the Bureau of Indian Affairs Procurement Regulations which supplement the Federal Procurement Regulations (41 CFR 1) and the Interior Procurement Regulations (41 CFR 14).

Since this amendment involves internal Bureau procedures, advance notice and public comments are deemed unnecessary and are dispensed with under the exception provided in (b)(3) of 5 U.S.C. 553 (1970). Since delay in the amendment becoming effective could delay the internal processing in the Bureau with a resultant delay in providing services to Indian and Alaskan Native people, the 30-day deferred effective date is dispensed with under the exception quoted above.

The Department of Interior has determined that this document is not a significant rule and does not require a regulatory analysis under Executive Order 12044 and 43 CFR Part 14.

Accordingly, 41 CFR 14H-1.451-2 is revised to read as follows:

§ 14H-1.451-2 Designation of contracting officer positions.

- (a) Each of the following organizational titles is designated as a contracting officer position:
- (1) Headquarters Office Officials:
 - (i) Commissioner.
 - (ii) Deputy Commissioner.
 - (iii) Director, Office of Administration.
 - (iv) Chief, Contracting and Grants Administration Staff.
 - (v) Contract Specialist (Operations).
 - (vi) Chief, Division of Property Management.
 - (vii) Chief, Division of Facilities Engineering, Albuquerque, New Mexico.
 - (viii) Chief, Branch of Contract Services, Division of Facilities Engineering, Albuquerque, New Mexico.
 - (ix) Chief, Indian Technical Assistance Center, Denver, Colorado.
 - (x) Chief, Contracts Group, Indian Technical Assistance Center, Denver, Colorado.
 - (xi) Property and Supply Officer, Field Administrative Office, Albuquerque, New Mexico.
 - (2) Area Office Officials:
 - (i) Area Director.
 - (ii) Area Administrative Officer.
 - (iii) Area Property and Supply Officer except the Albuquerque and Navajo Area Property and Supply Officers.
 - (iv) Director, Seattle Liaison Office, Seattle, Washington.
 - (v) Contract Administrator, Aberdeen and Juneau Area Offices.

(vi) Chief, Branch of Contracting and Procurement Services, Navajo Area Office.

(vii) Supervisory Contract Specialist, Minneapolis and Portland Area Offices.

(viii) Area Contracts and Grants Officer, Albuquerque, Billings and Eastern Area Offices.

Forrest J. Gerard,

Assistant Secretary—Indian Affairs.

[FR Doc. 79-14147 Filed 5-4-79; 8:45 am]

BILLING CODE 4310-02-M

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Human Development Services

42 CFR Parts 205 and 206

Research Projects Relating to Maternal and Child Health Services and Crippled Children's Services and Research and Demonstration Projects Relating to Child Welfare Services; Withdrawal of Regulations

AGENCY: Office of Human Development Services, DHEW.

ACTION: Withdrawal of Regulations.

SUMMARY: The Children's Bureau, within the Administration for Children, Youth and Families (ACYF), HDS, withdraws the publication of Part 205, Research Projects Relating to Maternal and Child Health Services and Crippled Children's Services, and Research or Demonstration Projects Relating to Child Welfare Services, and Part 206, Administrative Procedure.

Part 205 was published in the March 4, 1969 *Federal Register* (34 FR 3743) and amended in the September 19, 1973 *Federal Register* (38 FR 26201). These regulations cover the same areas and conflict with the Department's regulations in 45 CFR Part 74, Administration of Grants. Other information in Part 205 to be withdrawn is made available to the research community through publication of program announcements in the *Federal Register* and mailings to organizations who have expressed interest in these programs. Therefore, these regulations are unnecessary.

Part 206 was published in the September 11, 1969 *Federal Register* (11 FR 177A-537). Part 206 is being withdrawn because it is not necessary to regulate administrative procedure.

The withdrawal of Parts 205 and 206 is part of the Department's Common Sense initiative to reduce unnecessary and duplicative regulations.

FOR FURTHER INFORMATION CONTACT:

Norman Goldstein, Director, Grants and Contract Management Division, Office of Human Development Services, 337 F.5 Humphrey Building, Washington, D.C. 20201, (202) 245-1589.

Dated: April 3, 1979.

Arabella Martinez,

Assistant Secretary for Human Development Services.

Approved: April 30, 1979.

Joseph A. Califano, Jr.,

Secretary.

[FR Doc. 79-14203 Filed 5-4-79; 8:45 am]

BILLING CODE 4110-92-M

COMMUNITY SERVICES ADMINISTRATION

45 CFR Part 1060

CSA Income Poverty Guidelines (Revised)

AGENCY: Community Services Administration.

ACTION: Final rule.

SUMMARY: The Community Services Administration is revising its income poverty guidelines. The Economic Opportunity Act of 1964, as amended requires yearly revisions of the poverty guidelines for use by every agency administering programs under the Act in which the poverty guidelines are used to judge eligibility for participating in programs. These annual revisions assure that the income guidelines reflect the changes in the cost of living.

EFFECTIVE DATE: This rule is effective June 6, 1979.

FOR FURTHER INFORMATION CONTACT:

Mr. Phil Wall, Policy, Planning and Analysis Division, Community Services Administration, Office of Policy, Planning and Evaluation, 1200 19th Street, N.W., Washington, D.C. 20506, Telephone: (202) 632-6630, Teletypewriter: (202) 254-6218.

SUPPLEMENTARY INFORMATION: The Community Services Administration revisions of the updated poverty guidelines constitute compliance with the legislatively mandated requirement of Section 625 of the Economic Opportunity Act of 1964, as amended. This revision is not significant since the only change being made reflects the changes in the Consumer Price Index which is required by the previously mentioned section of the EOA. The text defining "Income" and "A Farm Residence" remains unchanged.

This amendment to § 1060.2 revises the guidelines previously published in § 1060.2-1—§ 1060.2-2 (CSA Instruction 6004-1k).

Authority: The provisions of this subpart are issued under Sec. 602, 78 Stat. 530, 42 U.S.C. 2942.

Graciela (Grace) Olivarez,
Director.

45 CFR 1060.2-1 through 1060.2-2 are revised to read as follow:

Sec.
1060.2-1 Applicability.
1060.2-2 Policy.

§ 1060.2-1 Applicability.

This subpart applies to all grants financially assisted under Titles II, III-B and VII of the Economic Opportunity Act of 1964, as amended, if such assistance is administered by the Community Services Administration.

§ 1060.2-2 Policy.

(a) The attached income guidelines are to be used for all those CSA-funded programs, whether administered by a grantee or delegate agency, which use CSA poverty income guidelines as admission standards. These guidelines do not supersede alternative standards of eligibility approved by CSA.

(b) The guidelines are also to be used in certain other instances where required by CSA as a definition of poverty, e.g., for purposes of data collection and for defining eligibility for allowances and reimbursements to board members. Agencies may wish to use these guidelines for other administrative and statistical purposes as appropriate.

(c) The attached guidelines are based upon Table 15 of the U.S. Bureau of the Census, *Current Population Reports*, Series P-60, No. 116, "Money Income and Poverty Status of Families and Persons in the United States: 1977", and the Economic Report of the President, January 1979, Table B-49 and December press release.

(d) The following definitions, from "Current Population Reports", P-60, No. 91, Bureau of the Census, December 1973 have been adopted by CSA for use with the attached poverty guidelines.

(1) *Income*. Refers to total cash receipts before taxes from all sources. These include money wages and salaries before any deductions, but not including food or rent in lieu of wages. They include receipts from self-employment or from own farm or business after deductions for business or farm expenses. They include regular payments from public assistance, social security, unemployment and workmen's compensation, strike benefits from

union funds, veterans benefits, training stipends, alimony, child support and military family allotments or other regular support from an absent family member or someone not living in the household; government employee pensions, private pensions and regular insurance or annuity payments; and income from dividends, interest, rents, royalties or income from estates and trusts. For eligibility purposes, income does not refer to the following money receipts: any assets drawn down as withdrawals from a bank, sale of property, house or car, tax refunds, gifts, one-time insurance payments or compensation for injury; also to be disregarded is non-cash income, such as the bonus value of food and fuel produced and consumed on farms and the imputed value of rent from owner-occupied farm or non-farm housing.

(2) *A Farm Residence*. Is defined as any dwelling on a place of 10 acres or more with \$50 or more annual sales of farm products raised there; or any place less than 10 acres having product sales of \$250 or more.

Attachment

Community Services Administration

Poverty Income Guidelines For All States Except Alaska and Hawaii

Size of family unit:	Non-farm family	Farm family
1	\$3,400	\$2,910
2	4,500	3,840
3	5,600	4,770
4	6,700	5,700
5	7,800	6,630
6	8,900	7,560

For family units with more than 6 members, add \$1,100 for each additional member in a non-farm family and \$930 for each additional member in a farm family.

Poverty Guidelines For Alaska

Size of family unit:	Non-farm family	Farm family
1	\$4,270	\$3,650
2	5,640	4,810
3	7,010	5,970
4	8,380	7,130
5	9,750	8,290
6	11,120	9,450

For each family unit with more than 6 members, add \$1,370 for each additional member in a non-farm family and \$1,160 for each additional member in a farm family.

Poverty Guidelines For Hawaii

Size of family unit:	Non-farm family	Farm family
1	\$3,930	\$3,350
2	5,190	4,420
3	6,450	5,490
4	7,710	6,560
5	8,970	7,630
6	10,230	8,700

For family units with more than 6 members, add \$1,260 for each additional member in a non-farm family and \$1,070 for each additional member in a farm family.

[CSA Instruction 6004-1L]

[FR Doc. 79-14014 Filed 5-4-79; 8:45 am]

BILLING CODE 6315-01-M

DEPARTMENT OF THE INTERIOR

50 CFR Part 26

Fish and Wildlife Service

Public Entry and Use

AGENCY: U.S. Fish and Wildlife Service, Department of the Interior.

ACTION: Special regulation: Correction.

SUMMARY: This document corrects a special regulation relating to the opening of certain national wildlife refuges to public access, use, and recreation in Oklahoma published at 44 FR 15495, March 14, 1979.

FOR FURTHER INFORMATION CONTACT: Robert A. Karges, Refuge Manager, P.O. Box 448, Cache, Okla. 73527 at 405-371-2402.

SUPPLEMENTARY INFORMATION: In FR Doc. 79-7672, appearing at page 15495, March 14, 1979 make the following correction:

On page 15499, under the heading of "Oklahoma," paragraph 14 appearing in the second column under "Wichita Mountains Wildlife Refuge" should read:

"(14) Public display or consumption of alcoholic beverages, including beer containing 3.2% (or less) alcoholic content by weight, is prohibited."

Dated: April 27, 1979.

W. O. Nelson, Jr.,

Regional Director, Albuquerque, N. Mex.

[FR Doc. 79-14153 Filed 5-4-79; 8:45 am]

BILLING CODE 4310-55-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 661

Salmon Fishery; Commercial and Recreational Salmon Fisheries off the Coasts of Washington, Oregon, and California

Correction

In FR Doc. 79-12395, appearing at page 24291 in the issue for Wednesday, April 25, 1979, there were numerous typographical errors in two of the discussion topics under Supplementary Information. Those discussion topics which appeared on page 24292, are correctly reprinted below:

The Fisheries

The ocean salmon fishery primarily harvests chinook and coho salmon. It includes commercial harvesters and recreational participants. Events in the ocean also affect the numbers of fish returning to spawning grounds and fisheries as far as several hundred miles inland. Coho and chinook salmon range widely during their lives in the ocean, and are harvested in the ocean while the stocks are mixed. The quality of chinook and coho which are harvested depends on both location and time of capture. Market qualities are affected by size and maturity of the fish, type of fishing gear, and the degree of care in handling and processing. All of these factors affect prices, market supplies, and demands.

Fishery Management Options

Six management options were assembled on February 9, 1979, in a document entitled "Selected Options for Managing 1979 Ocean Salmon Fisheries off Washington, Oregon and California" and were considered by the Pacific Council. This document was included as Appendix X in the supplement to the fishery management plan dated March, 1979. The options were recommended, in whole or in part, by representatives of California's (Option II), Oregon's (Option III), and Washington's (Option IV) fishery agencies and by representatives of the commercial trollers (Option I) and Indian fishermen (Option V). Option VI was developed by the Council's salmon plan development team to demonstrate the effect the regulations would have if shifts in fishing effort between states prior to August 1 could be reduced or eliminated through an "Area Registration Plan." This document was widely distributed. The Council conducted three additional public hearings during the last week of

February to receive public comment on these options. As a result of these hearings, the salmon management plan development team defined for the Council five optional regulatory packages and analyzed their impacts. The fifth package (identified in the document as Option E) would permit a higher harvest rate off California but still consistent with escapement needs, while recognizing the need for more stringent restrictions on harvests off the Oregon and Washington coasts, and at the same time try to keep the impacts of the regulations as comparable as possible for the three states to avoid detrimental impacts due to shifts in fishing effort. A slight modification of this option was adopted by the Council as being most consistent with the objectives of the FMP. Although these regulations are more restrictive than recommended by California, slightly more restrictive than recommended by Oregon, and less restrictive than recommended by Washington, they are intended to reconcile differing resource needs along the Pacific Coast, and distribute impacts of catch reductions equitably. The Director of the Washington Department of Fisheries filed a minority report with the Secretary on March 16. That report expressed concern, also expressed by others, that the measures adopted by the Council would be insufficient to ensure adequate escapements for some runs of salmon, and recommended ocean catch quotas and restrictions on fishing fleet mobility. These alternatives were considered both by the Council and by the Assistant Administrator during review of the FMP. However, while such measures would further restrict the ocean fisheries, existing management systems are insufficient to implement such measures effectively at this time, particularly on an emergency basis.

The regulations published here are intended to prevent overfishing of the ocean fishery and minimize impacts on weaker stocks, while equitably apportioning the increased regulatory burden and minimize shifts in fishing effort along the coast. While the regulations are similar to the 1978 regulations, several important changes have been made. These changes shorten the seasons for commercial and recreational salmon fishing and reduce the catch limit for recreational fishermen. There are 325 fishing days open for commercial salmon fishing in 1979, summed over the seasons in the States of Washington, Oregon, and California, as compared to 521 days in 1978. There are 479 fishing days available for recreational salmon fishing

in 1979, compared with 737 days available in 1978. The catch limit for recreational fishermen is reduced from three salmon per day to two salmon per day, except north of Cape Falcon, Oregon, where three salmon may be kept providing that no more than two are coho or chinook. The regulations for 1979 are summarized in the table below:

BILLING CODE 1505-01-M

Proposed Rules

Federal Register

Vol. 44, No. 89

Monday, May 7, 1979

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.

SMALL BUSINESS ADMINISTRATION

[13 CFR Part 120]

Business Loan Policy; Proposed Rule

AGENCY: Small Business Administration.

ACTION: Proposed rule.

SUMMARY: Many business owners have separated the ownership of some or all fixed assets into one business entity and the operating phase of the business into another entity. This separation is done for legitimate business reasons such as tax benefits or limitation of liability. It has not been clear to applicants or participants which loans to such concerns are eligible under Small Business Administration rules and what factors are considered in determining an eligible situation. SBA is proposing a rule to clarify when a loan can be made to permit two related companies to borrow funds to benefit both companies.

DATE: Comments by: July 6, 1979.

ADDRESSES: Comments, in duplicate, may be addressed to the Associate Administrator for Finance and Investment, Small Business Administration, 1441 L Street N.W., Washington, D.C. 20416.

FOR FURTHER INFORMATION CONTACT: Robert H. Bartlett, Chief, Program Operations Division, Office of Financing, Small Business Administration, Telephone 202-653-6470.

SUPPLEMENTARY INFORMATION: The SBA considered excluding loans or loan guaranties to related companies when the use of the loan would benefit directly or indirectly the passive entity that was not the prime operating concern. Such an action, however, would put SBA in the position of penalizing those operators that take advantage of Federal tax laws, limitations on liability or other sound business procedures. We determined that such a Related Company Transaction Policy by SBA would not

reflect the intent of the Small Business Act.

Several provisions that would result in an expanded eligibility scope, such as requiring only a majority of the ownership of the two entities be identical, were also considered. We determined that these provisions would be confusing to all parties and allow many otherwise ineligible investment businesses to become eligible for SBA loans.

More restrictive provisions were also considered, such as (1) restricting the eligibility to real property only; (2) restricting the amount of lease (rental) payments to amounts necessary to cover debt service, and costs of insurance, taxes, and maintenance of the property; and (3) requiring the lease to contain an irrevocable option for the operating business to purchase the property at depreciated cost at the termination of the lease. These provisions were rejected because they could result in the loss of some tax benefits, reduce our flexibility to assist small firms; and impose undue governmental restrictions on managerial discretion.

It is proposed to amend § 120.2(d), Part 120, of SBA Regulations by renumbering the present subparagraph (10) as (12) and inserting a new subparagraph (10) as follows:

PART 120—BUSINESS LOAN POLICY

§ 120.2 Business loans and guaranties

(d) Financial assistance will not be granted by SBA:

(10) If the applicant (whether proprietorship, partnership or corporation) owns and leases real or personal property to an otherwise eligible small business concern and the loan proceeds are to be used to directly benefit the applicant (e.g. purchase real or personal property to be leased to the eligible small business concern or refinance debts previously incurred for such purpose), notwithstanding that benefits will also flow to small business concern, unless all of the following conditions are met to qualify the applicant as an "alter ego" of the otherwise eligible small business concern:

(i) The small business concern is an eligible small business and the proposed use of proceeds would be eligible for such assistance if the small business concern were the owner of the property

that is owned or to be owned by the applicant.

(ii) The proceeds of the loan to be used to benefit directly such applicant will be used only to acquire or improve real or personal property for the exclusive use of such small business concern (including eligible refinancing);

(iii) The ownership interest(s) in the applicant shall be completely identical with and in the same proportion as the ownership interest(s) in such small business concern, and this identity of interests shall remain unchanged until the loan is repaid in full or SBA sooner gives approval to a change.

(iv) Collateral includes an assignment of the lease between the applicant and the small business concern and a lien on the property itself and the lease shall be for a term of not less than the term of the loan.

(v) The small business concern must be either a guarantor or co-borrower and the owners of the small business concern and the applicant must also guarantee the loan.

(Catalog of Federal Domestic Assistance Programs No. 59.001, 59.002, 59.003, 59.010, 59.012, 59.013, 59.014, 59.017, 59.018, 59.020, 59.021, 59.022, 59.023, 59.024, 59.025, 59.027)

Dated: April 27, 1979.

William H. Mauk, Jr.,

Acting Administrator.

[FR Doc. 79-14290 Filed 5-4-79; 8:45 am]

BILLING CODE 8025-01-M

[14 CFR Part 71]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Designation of Airway Segments

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice proposes to extend V-151 eastward from Providence, R.I., to begin at a point north of Hyannis, Mass., and to extend V-203 southeastward from Norwich, Conn., to begin at a point west of Nantucket, Mass. This action would help to reduce the congestion in the Hyannis and Nantucket areas by providing two additional airways.

DATE: Comments must be received on or before May 31, 1979.

ADDRESSES: Send comments on the proposal in triplicate to: Director, FAA New England Region, Attention: Chief,

Air Traffic Division, Docket No. 79-NE-1, Federal Aviation Administration, 12 New England Executive Park, Burlington, Mass. 01803.

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. Everett McKisson, 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 rulemaking 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, New England Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, 12 New England Executive Park, Burlington, Mass. 01803. All communications received on or before May 31, 1979, 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 person may obtain a copy of this notice of proposed rulemaking (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 Part 71 of the Federal Aviation Regulations (14 CFR Part 71) that would extend V-151 eastward from its terminal at Providence to begin at the

INT of Hyannis 318°T(333°M) and Providence 079°T(094°M) radials and go direct to Providence. It is also proposed to extend V-203 southeastward from its present terminal at Norwich to begin at the INT of Nantucket 255°T(270°M) and Norwich 120°T(134°M) radials and go direct to Norwich. Designation of the two additional airway segments would help to reduce congestion in the Hyannis and Nantucket areas and improve the traffic flow on present routes to and from these terminals. The proposed airways are designed to bypass restricted areas sufficiently to cause no interference with either airway or restricted area operations.

ICAO Considerations

As part of this proposal relates to the navigable airspace outside the United States, this notice is submitted in consonance with the International Civil Aviation Organization (ICAO) International Standards and Recommended Practices.

Applicability of International Standards and Recommended Practices by the Air Traffic Service, FAA, in areas outside domestic airspace of the United States is governed by Article 12 of and Annex 11 to the Convention on International Civil Aviation, which pertains to the establishment of air navigational facilities and services necessary to promoting the safe, orderly, and expeditious flow of civil air traffic. Their purpose is to insure that civil flying on international air routes is carried out under uniform conditions designed to improve the safety and efficiency of air operations.

The International Standards and Recommended Practices in Annex 11 apply in those parts of the airspace under the jurisdiction of a contracting state, derived from ICAO, wherein air traffic services are provided and also whenever a contracting state accepts the responsibility of providing air traffic services over high seas or in airspace of undetermined sovereignty. A contracting state accepting such responsibility may apply the International Standards and Recommended Practices to civil aircraft in a manner consistent with that adopted for airspace under its domestic jurisdiction.

In accordance with Article 3 of the Convention on International Civil Aviation, Chicago, 1944, state aircraft are exempt from the provisions of Annex 11 and its Standards and Recommended Practices. As a contracting state, the United States agreed by Article 3(d) that its state aircraft will be operated in international

airspace with due regard for the safety of civil aircraft.

Since this action involves, in part, the designation of navigable airspace outside the United States, the Administrator has consulted with the Secretary of State and the Secretary of Defense in accordance with the provisions of Executive Order 10854.

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 (44 FR 307) as follows.

Under V-151 "From Providence, R.I., is deleted and "From the INT of Hyannis, Mass., 318° and Providence, R.I., 079° radials, via Providence;" is substituted therefor.

Under V-203 "From Norwich, Conn., is deleted and "From the INT of Nantucket, Mass., 225° and Norwich, Conn., 120° radials, via Norwich;" is substituted therefor. (Secs. 307(a), 313(a), and 1110, Federal Aviation Act of 1958 (49 U.S.C. 1348(a), 1354(a), and 1510); Executive Order 10854 (24 FR 9565); Sec. 6(c), Department of Transportation Act. (48 U.S.C. 1655(c)); and 14 CFR 11.65.)

The FAA has determined that this document involves a proposed regulation which is not significant under Executive Order 12044, as implemented by DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). Since this regulatory action involves an established body of technical requirements for which frequent and routine amendments are necessary to keep them operationally current and promote safe flight operations, the anticipated impact is so minimal that this action does not warrant preparation of a regulatory evaluation and a comment period of less than 45 days is appropriate.

Issued in Washington, D.C., on April 30, 1979.

B. Keith Potts,

Acting Chief, Airspace and Air Traffic Rules Division.

[Airspace Docket No. 79-NE-1]

[FR Doc. 79-13872 Filed 5-4-79; 8:45 am]

BILLING CODE 4910-13-M

[14 CFR Parts 71 and 73]

Establishment of Temporary Restricted Areas and Alteration of Continental Control Area

Correction

In FR Doc. 79-12463 appearing on page 23877 in the issue of Monday, April 23, 1979 make the following correction:

On page 23878, the restricted area for "R-6714G Brave Shield 20, Wash." should have read as follows:

R-6714G Brave Shield 20, Wash.

Boundaries. Beginning at Lat. 46°54'30"N., Long. 120°15'00"W.; to Lat. 46°59'00"N., Long. 119°57'00"W.; to Lat. 46°49'00"N., Long. 119°15'00"W.; to Lat. 46°46'00"N., Long. 119°15'00"W.; to Lat. 46°46'00"N., Long. 119°03'00"W.; to Lat. 46°40'00"N., Long. 118°57'00"W.; to Lat. 46°39'00"N., Long. 119°22'00"W.; to Lat. 46°27'00"N., Long. 119°41'00"W.; to Lat. 46°33'00"N., Long. 120°09'00"W.; thence along the southern boundaries of R-6714C/B and the eastern boundaries of R-6714B/A to the point of the beginning, but excluding the airspace at and below 2,200 feet MSL within a 1½ NM radius of Vantage, Wash., Airport, and within a corridor extending northward from the airport and conforming to the boundaries of the Columbia River. Designated altitudes. 200 feet AGL up to and including FL 200. Time of designation. Continuous, 0001 August 16 to 2359, local time, August 23, 1979. Controlling agency. Federal Aviation Administration, Seattle ARTC Center. Using agency. U.S. Air Force Tactical Air Command/USAF Readiness Command (TAC/USAFRED), Langley Air Force Base, Va. 23665.

BILLING CODE 1505-01-M

ENVIRONMENTAL PROTECTION AGENCY

[21 CFR Parts 193 and 561]

Proposed Feed and Food Additive Tolerances for 4-Amino-6-(1,1-dimethylethyl)-3-(methylthio)-1,2,4-triazin-5(4H)-one

AGENCY: Office of Pesticide Programs, Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: This notice proposes that tolerances be established for residues of the herbicide 4-amino-6-(1,1-dimethylethyl)-3-(methylthio)-1,2,4-triazin-5(4H)-one in the milled fractions of barley (except flour) and wheat (except flour) at 3 parts per million (ppm). This amendment would establish maximum permissible levels for residues of the subject pesticide in the milled fractions of barley and wheat (except flour).

DATE: Comments must be received on or before June 6, 1979.

ADDRESS COMMENTS TO: Mr. Robert Taylor, Product Manager (PM) 25, Office of Pesticide Programs, Registration Division (TS-767), EPA, East Tower, 401 M Street, SW., Washington DC 20460.

FOR FURTHER INFORMATION CONTACT: Mr. Robert Taylor, PM 25, at the above address (202/755-7013).

SUPPLEMENTARY INFORMATION: On August 2, 1978, the EPA published in the Federal Register (43 FR 33961) a notice that Mobay Chemical Corp., Chemagro

Agricultural Div., P.O. Box 4913, Hawthorne Road, Kansas City, MO 64120, had submitted a petition (FAP 8H5187). This petition proposed that 21 CFR 561.41 be amended by the establishment of a regulation permitting combined residues of the herbicide 4-amino-6-(1,1-dimethylethyl)-3-(methylthio)-1,2,4-triazin-5(4H)-one and its triazinone metabolites in the milled fractions of barley (except flour) and wheat (except flour) resulting from application of the herbicide to growing barley and wheat with tolerance limitations of 3 ppm.

Subsequently, the Agency amended the petition by expanding the proposed tolerances to include the milled fractions of barley (except flour) and wheat (except flour) as processed foods (21 CFR 193.25). Because of the potential increase in exposure of humans to residues of the subject pesticide as a result of the expanded tolerances, the tolerances are being proposed at this time to provide an opportunity for public comment. (A related document establishing tolerances for residues of the subject herbicide on barley grain and straw and wheat forage, grain, and straw appears elsewhere in today's Federal Register.)

The data submitted in the petition and all other relevant material have been evaluated, and it is concluded that the pesticide may be safely used in the prescribed manner when such use is in accordance with the label and labeling registered pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act, as amended in 1972, 1975, and 1978 (92 Stat. 819; 7 U.S.C. 136). The toxicological data considered in support of the proposed tolerances included rat acute oral lethal dose (LD₅₀) studies, a rabbit teratogenicity study with a no-observed-effect level (NOEL) of 30 milligrams (mg)/kilogram (kg) of body weight (bw) (highest level fed), a two-year dog feeding study with an NOEL of 100 ppm, a two-year rat feeding study with an NOEL of 300 ppm, an 18-month mouse carcinogenicity study (negative at 2,500 ppm, the highest level fed), a three-generation rat reproduction study with an NOEL of 300 ppm, and a mouse mutagenicity study with an NOEL of 20 mg/kg bw (highest level tested).

Tolerances have previously been established (40 CFR 180.332) for residues of the subject herbicide on a variety of raw agricultural commodities at levels ranging from 7 ppm to 0.01 ppm. Food additive tolerances have previously been established for residues of the herbicide in processed potatoes (including potato chips) at 3 ppm and sugarcane molasses at 2 ppm. A feed

additive tolerance has also previously been established in sugarcane molasses at 2 ppm. These previously established tolerances (except processed potatoes) result in a theoretical maximal residue contribution (TMRC) of 0.23 mg/day in a 1.5-kg diet compared with a maximal permissible intake (MPI) of 1.5 mg/day for a 60-kg man or 15.36 percent of the MPI. These tolerances contribute an additional 7.79 percent of the MPI based on an acceptable daily (ADI) of .025 mg/kg/day, for a total of 23.15 percent of the MPI. Should all other pending tolerances be established, 27.37 percent of the MPI will be utilized. Other feed additive tolerances previously established are processed potato waste (dried) at 3 ppm, sugarcane bagasse at 0.5 ppm, and dried tomato pomace at 2 ppm.

There are no regulatory actions pending against the registration of the subject pesticide. The nature of the residues of the pesticide is adequately delineated and an adequate analytical method (a gas chromatographic procedure using an electron capture detector) is available for enforcement purposes. No other considerations are involved in establishing the proposed tolerances, nor are desirable data lacking from the petition.

Residues could concur in eggs; milk; and the meat, fat, and meat byproducts of livestock, but such residues would adequately be covered by existing tolerances (section 180.6(a)(2) applies).

The pesticide is considered useful for the purpose for which tolerances are sought. Therefore, it is proposed that 21 CFR 193.25 and 561.41 be amended as set forth below.

Any person who has registered or submitted an application for the registration of a pesticide, under the Federal Insecticide, Fungicide, and Rodenticide Act, which contains any of the ingredients listed herein, may request on or before June 6, 1979, that this rulemaking proposal be referred to an advisory committee in accordance with section 408(e) of the Federal Food, Drug, and Cosmetic Act.

Interested persons are invited to submit written comments on the proposed regulation. Three copies of the comments should be submitted to facilitate the work of the Agency and of others interested in inspecting them. The comments must bear a notation indicating both the subject and the petition/document control number, "FAP 8H5187/P14". All written comments filed in response to this notice of proposed rulemaking will be available for public inspection in the office of PM 25, Room 359, East Tower,

from 8:30 a.m. to 4 p.m. Monday through Friday.

Under Executive Order 12044, EPA is required to judge whether a regulation is "significant" and therefore subject to the procedural requirements of the Order or whether it may follow other specialized development procedures. EPA labels these other regulations "specialized". This proposed rule has been reviewed, and it has been determined that it is a specialized regulation not subject to the procedural requirements of Executive Order 12044.

(Section 409 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 348).)

Dated: April 24, 1979.

Douglas D. Compt,
Acting Director, Registration Division.

It is proposed that Parts 193 and 561 be amended as follows:

PART 193—TOLERANCES FOR PESTICIDES IN FOOD ADMINISTERED BY THE ENVIRONMENTAL PROTECTION AGENCY

1. Part 193, Subpart A, § 193.25 is revised by reformatting the section into a columnar listing and alphabetically inserting the milled fractions of barley (except flour) and wheat (except flour) at 3 ppm as follows:

§ 193.25 4-amino-6-(1,1-dimethylethyl)-3-methylthio-1,2,4-triazin-5(4H)-one.

Tolerances are established for combined residues of the herbicide 4-amino-6-(1,1-dimethylethyl)-3-(methylthio)-1,2,4-triazin-5(4H)-one and its triazinone metabolites in or on the following processed foods when present therein as a result of application of this herbicide to growing crops:

Food:	Parts per million
Barley, milled fractions (except flour).....	3
Potatoes, processed (inc. potato chips).....	3
Sugarcane molasses.....	2
Wheat, milled fractions (except flour).....	3

PART 561—TOLERANCES FOR PESTICIDES IN ANIMAL FEEDS ADMINISTERED BY THE ENVIRONMENTAL PROTECTION AGENCY

2. Part 561, § 561.41 is amended by revising the table to include the milled fractions of barley (except flour) and wheat (except flour) at 3 ppm as follows:

§ 561.41 4-Amino-6-(1,1-dimethylethyl)-3-(methylthio)-1,2,4-triazin-5(4H)-one.

Feed:	Parts per million
Barley, milled fractions (except flour).....	3
Potato waste, processed (dried).....	3
Sugarcane bagasse.....	0.5
Sugarcane molasses.....	2
Tomato pomace, dried.....	2
Wheat, milled fractions (except flour).....	3

[FRL 1218-7; FAP 6H5187/P14]

[FR Doc. 79-14209 Filed 5-4-79 8:45 am]

BILLING CODE 6560-01-M

FEDERAL EMERGENCY MANAGEMENT AGENCY

[24 CFR Part 1917]

Proposed Flood Elevation Determinations for the City of Cleveland, Bradley County, Tenn., Under the National Flood Insurance Program

AGENCY: Office of Federal Insurance and Hazard Mitigation, FEMA.¹

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed base (100-year) flood elevations listed below for selected locations in the City of Cleveland, Bradley County, Tennessee.

These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

DATE: The period for comment will be ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in the above-named community.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base (100-year) flood elevations are available for review at City Planners Office, 70 Second Street, N.E., Cleveland, Tennessee 37311. Send comments to: Mayor Dechero or Mr. Joe Edwards, City Engineer, 190 Church Street, N.E., Cleveland, Tennessee, 37311.

FOR FURTHER INFORMATION CONTACT: Mr. Richard Krimm, National Flood Insurance Program, Room 5270, 451 Seventh Street, SW., Washington, D.C. 20410, 202-755-5581 or toll-free line 800-424-8872.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of the proposed determinations of base (100-year) flood elevations for the City of Cleveland, Bradley County, Tennessee, in accordance with section

110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)), 42 U.S.C. 4001-4128, and 24 CFR 1917.4(a).

These elevations, together with the flood plain management measures required by § 1910.3 of the program regulations, are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

The proposed base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet, national geodetic vertical datum
South Mouse Creek.....	Just downstream of Mohawk Road.	774
	Just downstream of Mouse Creek Road.	780
	Just upstream of Sunset Avenue.	794
	Just upstream of 25th Street.	805
	Just upstream of 20th Street.	814
	Just downstream of 17th Street.	815
	Just upstream of U.S. Highway 11 and 64.	833
	Just upstream of Smith Drive.	841
	Just upstream of Blue Springs Road.	871
	Fillauer Branch.....	
Fillauer Branch.....	Just upstream of Ocoee Street.	789
	Just downstream of Westview Drive.	790
	Just downstream of Weeks Drive.	797
	Just upstream of McIntire Street.	808
	Just upstream of 25th Street.	814
	Just downstream of Inman Street.	826
	Just downstream of Oak Street.	829
	Just upstream of Broad Street.	836
	Just downstream of Euclid Avenue.	844
	Just downstream of Cincinnati Avenue.	859
Woolen Mill Branch.....	Just downstream of 14th Street.	893
	West Fork Woolen Mill Branch.	
	Just upstream of King Edward Avenue.	868
	Just upstream of Blythe Avenue.	870
	Just upstream of Aurora Street.	880
West Fork Woolen Mill Branch.	Just upstream of 18th Street.	887

¹ The functions of the Federal Insurance Administration, Department of Housing and Urban Development, were transferred to the newly established Federal Emergency Management Agency by Reorganization Plan No. 3 of 1978 (43 FR 41943, September 19, 1978) and Executive Order 12127 (44 FR 19387, April 3, 1979).

(National Flood Insurance Act of 1968 (Title XIII of 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; Executive Order 12127, 44 FR 19367; and delegation of authority to Federal Insurance Administrator, 44 FR 20963.)

Issued: April 24, 1979.

Gloria M. Jimenez,

Federal Insurance Administrator.

[Docket No. FI-5406]

[FR Doc. 79-13765 Filed 5-4-79; 8:45 am]

BILLING CODE 4210-23-M

[24 CFR Part 1917]

Proposed Flood Elevation Determination, for the Township of Upper Allen, Cumberland County, Pa., Under the National Flood Insurance Program

AGENCY: Office of Federal Insurance and Hazard Mitigation, FEMA.¹

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed base (100-year) flood elevations listed below for selected locations in the Township of Upper Allen, Cumberland County, Pennsylvania.

These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

DATE: The period for comment will be ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in the above-named community.

ADDRESS: Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base (100-year) flood elevations are available for review at the Upper Allen Township Office.

SEND COMMENTS TO: Mr. Ray E. Trimmer, President of the Commission of Upper Allen, 52 Gettysburg Pike, Mechanicsburg, Pennsylvania 17055.

FOR FURTHER INFORMATION CONTACT: Mr. Richard Krimm, National Flood Insurance Program, Room 5270, 451 Seventh Street, SW., Washington, D.C. 20410, 202-755-5581 or toll-free line 800-424-8872.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives

notice of the proposed determinations of base (100-year) flood elevations for the Township of Upper Allen, Cumberland County, Pennsylvania in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)), 42 U.S.C. 4001-4128, and 24 CFR 1917.4(a).

These elevations, together with the flood plain management measures required by § 1910.3 of the program regulations, are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

The proposed base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet, national geodetic vertical datum
Yellow Breeches Creek	Lisburn Road.....	376
	Wharf Road.....	380
	Macadam Road.....	395
	Pa. Route 114.....	399
	Bishop Road.....	404
	Gilbert Road.....	413
	Macadam Drive.....	416
	Conrail.....	419
	Grantham Road.....	419
	College Avenue.....	413
Trout Run	Conrail.....	413
	Grantham Road.....	413
	Mill Road.....	413
	U.S. Route 15.....	427
	Gettysburg Pike.....	430
	Dirt Lane.....	430
	Lisburn Road.....	436
	Corporate Limits.....	447

(National Flood Insurance Act of 1968 (Title XIII of 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; Executive Order 12127, 44 FR 19367; and delegation of authority to Federal Insurance Administrator, 44 FR 20963.)

Issued: April 24, 1979.

Gloria M. Jimenez,

Federal Insurance Administrator.

[Docket No. FI-5406]

[FR Doc. 79-13765 Filed 5-4-79; 8:45 am]

BILLING CODE 4210-23-M

[24 CFR Part 1917]

Proposed Flood Elevation Determinations for the Borough of Prospect Park, Delaware County, Pa., Under the National Flood Insurance Program

AGENCY: Office of Federal Insurance and Hazard Mitigation, FEMA.¹

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed base (100-year) flood elevations listed below for selected locations in the Borough of Prospect Park, Delaware County, Pennsylvania.

These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

DATES: The period for comment will be ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in the above-named community.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base (100-year) flood elevations are available for review at the Borough Office, 720 Maryland Avenue, Prospect Park, Pennsylvania.

SEND COMMENTS TO: Mr. William R. Goodworth, Council President of Prospect Park, 19 Pennsylvania Avenue, Prospect Park, Pennsylvania 19076.

FOR FURTHER INFORMATION CONTACT: Mr. Richard Krimm, National Flood Insurance Program, Room 5270, 451 Seventh Street, SW., Washington, D.C. 20410, 202-755-5581 or Toll Free Line 800-424-8872.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of the proposed determinations of base (100-year) flood elevations for the Borough of Prospect Park, Delaware County, Pennsylvania in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)), 42 U.S.C. 4001-4128, and 24 CFR 1917.4(a).

¹The functions of the Federal Insurance Administration, Department of Housing and Urban Development, were transferred to the newly established Federal Emergency Management Agency by Reorganization Plan No. 3 of 1978 (43 FR 41943, September 19, 1978) and Executive Order 12127 (44 FR 19367, April 3, 1979).

¹The functions of the Federal Insurance Administration, Department of Housing and Urban Development, were transferred to the newly established Federal Emergency Management Agency by Reorganization Plan No. 3 of 1978 (43 FR 41943, September 19, 1978) and Executive Order 12127 (44 FR 19367, April 3, 1979).

These elevations, together with the flood plain management measures required by § 1910.3 of the program regulations, are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

The proposed base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet, national geodetic vertical datum
Stony Creek	Downstream Corporate Limits	60
	Upstream side of Dam north of 13th Street	69
	Upstream Corporate Limits	72
	Downstream Corporate Limits	10
Darby Creek	Downstream Corporate Limits	10
	Upstream Corporate Limits	10

(National Flood Insurance Act of 1968 (Title XIII of 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; Executive Order 12127, 44 FR 19367; and delegation of authority to Federal Insurance Administrator 44 FR 20963.)

Issued: April 24, 1979.

Gloria M. Jimenez,

Federal Insurance Administrator.

[FR Doc. 79-13782 Filed 5-4-79; 8:45 am]

BILLING CODE 4210-23-M

[24 CFR Part 1917]

Proposed Flood Elevation Determinations for the Borough of Rutledge, Delaware County, Pa., Under the National Flood Insurance Program

AGENCY: Office of Federal Insurance and Hazard Mitigation, FEMA.¹

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed base (100-year) flood elevations listed

¹ The functions of the Federal Insurance Administration, Department of Housing and Urban Development, were transferred to the newly established Federal Emergency Management Agency by Reorganization Plan No. 3 of 1978 (43 FR 41943, September 19, 1978) and Executive Order 12127 (44 FR 19367, April 3, 1979).

below for selected locations in the Borough of Rutledge, Delaware County, Pennsylvania. These base (100-year) flood elevations are the basis of the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

DATES: The period for comment will be ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in the above-named community.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base (100-year) flood elevations are available for review at the residence of the Borough Secretary, Rutledge, Pennsylvania. Send comments to: Mr. Nicholas Ossman, Rutledge Council President, 102 Sylvan Avenue, Rutledge, Pennsylvania 19070.

FOR FURTHER INFORMATION CONTACT: Mr. Richard Krimm, National Flood Insurance Program, Room 5270, 451 Seventh Street, SW., Washington, D.C. 20410, 202-755-5581 or toll free line 800-424-8872.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of the proposed determinations of base (100-year) flood elevations for the Borough of Rutledge, Delaware County, Pennsylvania in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)), 42 U.S.C. 4001-4128, and 24 CFR 1917.4(a).

These elevations, together with the flood plain management measures required by § 1910.3 of the program regulations, are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

The proposed base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet, national geodetic vertical datum
Stony Creek	Downstream Corporate Limits at Melrose Terrace	98
	Upstream Corporate Limits at Morton Avenue	114

(National Flood Insurance Act of 1968 (Title XIII of 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; Executive Order 12127, 44 FR 19367; and delegation of authority to Federal Insurance Administrator 44 FR 20963.)

Issued: April 24, 1979.

Gloria M. Jimenez,

Federal Insurance Administrator.

[FR Doc. 79-13783 Filed 5-4-79; 8:45 am]

BILLING CODE 4210-23-M

[24 CFR Part 1917]

Proposed Flood Elevation Determinations for the Borough of Ridgway, Elk County, Pa., Under the National Flood Insurance Program

AGENCY: Office of Federal Insurance and Hazard Mitigation, FEMA.¹

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed base (100-year) flood elevations listed below for selected locations in the Borough of Ridgway, Elk County, Pennsylvania.

These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

DATES: The period for comment will be ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in the above-named community.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base (100-year) flood elevations are available for review at the Municipal Building, 108 Main Street, Ridgway, Pennsylvania. Send comments to: Honorable Robert Neilson, Mayor of

¹ The functions of the Federal Insurance Administration, Department of Housing and Urban Development, were transferred to the newly established Federal Emergency Management Agency by Reorganization Plan No. 3 of 1978 (43 FR 41943, September 19, 1978) and Executive Order 12127 (44 FR 19367, April 3, 1979).

Ridgway, 108 Main Street, Ridgway, Pennsylvania 15853.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, National Flood Insurance Program, Room 5270, 451 Seventh Street, SW., Washington, D.C. 20410, 202-755-5581 or toll free line 800-424-8872.

SUPPLEMENTARY INFORMATION:

The Federal Insurance Administrator gives notice of the proposed determinations of base (100-year) flood elevations for the Borough of Ridgway, Elk County, Pennsylvania in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)), 42 U.S.C. 4001-4128, and 24 CFR 1917.4(a).

These elevations, together with the flood plain management measures required by § 1910.3 of the program regulations, are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

The proposed base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet, national geodetic vertical datum
Clarion River	Downstream side of Main Street	1,375
	Downstream side of Dam	1,379
	Upstream side of Dam	1,383
Elk Creek	Confluence with Clarion River	1,376
	Upstream side of North Broad Street	1,377
	200 feet upstream of Depot Street	1,380
	Downstream side of Conrail ..	1,398
	900 feet upstream of Conrail ..	1,400
Gallagher Run	Confluence with Elk Creek	1,376
	9,350 feet upstream of North Broad Street at Driveway	1,384
	Upstream side of Depot Street	1,394
	Downstream side of Main Street	1,400
	4,550 feet upstream of Main Street at Driveway	1,410
	8,660 feet upstream of Main Street	1,421
	13,700 feet upstream of Main Street at Footbridge	1,432

(National Flood Insurance Act of 1968 (Title XIII of 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; Executive Order 12127, 44 FR 19367; and delegation of authority to Federal Insurance Administrator 44 FR 20963).

Issued: April 24, 1979.

Gloria M. Jimenez,

Federal Insurance Administrator.

[Docket No. FI-5401]

[FR Doc. 79-13760 Filed 5-4-79; 8:45 am]

BILLING CODE 4210-23-M

[24 CFR Part 1917]

Proposed Flood Elevation Determinations for the City of Decherd, Franklin County, Tenn.; Under the National Flood Insurance Program

AGENCY: Office of Federal Insurance and Hazard Mitigation, FEMA.¹

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed base (100-year) flood elevations listed below for selected locations in the City of Decherd, Franklin County, Tennessee. These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the national flood insurance program (NFIP).

DATES: The period for comment will be ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in the above-named community.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base (100-year) flood elevations are available for review at Decherd City Hall, Decherd, Tennessee. Send comments to: Mayor William T. Brown or Mr. Kenneth Layman, Jr., City Recorder, P.O. Box 488, Decherd, Tennessee 37324.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, National Flood Insurance Program, Room 5270, 451 Seventh Street SW., Washington, D.C. 20410, 202-755-5581 or toll-free line 800-424-8872.

¹ The functions of the Federal Insurance Administration, Department of Housing and Urban Development, were transferred to the newly established Federal Emergency Management Agency by Reorganization Plan No. 3 of 1978 (43 FR 41943, September 19, 1978) and Executive Order 12127 (44 FR 19367, April 3, 1979).

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of the proposed determinations of base (100-year) flood elevations for the City of Decherd, Franklin County, Tennessee, in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)), 42 U.S.C. 4001-4128, and 24 CFR 1917.4(a).

These elevations, together with the flood plain management measures required by § 1910.3 of the program regulations, are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

The proposed base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet, national geodetic vertical datum
Wagner Creek	Just upstream of Sharp Spring Road	890
	U.S. Highway 41A Bridge (Upstream)	909
	Just upstream of Old Decherd Road	914
Sink Hole	Entire Shoreline	948

(National Flood Insurance Act of 1968 (Title XIII of 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; Executive Order 12127, 44 FR 19367; and delegation of authority to Federal Insurance Administrator, 44 FR 20963.)

Issued: April 24, 1979.

Gloria M. Jimenez,

Federal Insurance Administrator.

[Docket No. FI-5401]

[FR Doc. 79-13769 Filed 5-4-79; 8:45 am]

BILLING CODE 4210-23-M

[24 CFR Part 1917]**Proposed Flood Elevation Determinations for the City of Cowan, Franklin County, Tenn., Under the National Flood Insurance Program**

AGENCY: Office of Federal Insurance and Hazard Mitigation, FEMA.¹

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed base (100-year) flood elevations listed below for selected locations in the City of Cowan, Franklin County, Tennessee.

These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the national flood insurance program (NFIP).

DATE: The period for comment will be ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in the above-named community.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base (100-year) flood elevations are available for review at City Hall, City of Cowan, Cowan, Tennessee 37318. Send comments to: Mayor Rodgers or Ms. Mildred Hatchatt, Councilperson, City Hall, Cowan, Tennessee 37318.

FOR FURTHER INFORMATION CONTACT: Mr. Richard Krimm, National Flood Insurance Program, Room 5270, 451 Seventh Street SW., Washington, D.C. 20410, 202-755-5581 or toll-free line 800-424-8872.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of the proposed determinations of base (100-year) flood elevations for the City of Cowan, Franklin County, Tennessee, in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)), 42 U.S.C. 4001-4128, and 24 CFR 1917.4(a).

These elevations, together with the flood plain management measures required by § 1910.3 of the program regulations, are the minimum that are

required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

The proposed base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet, national geodetic vertical datum
Miller Creek.....	Approximately 850 feet downstream of Oak Street.	945
	Just downstream of Oak Street.	955
Bolling Fork Creek.....	Just downstream of Goshen Road.	943
	Just downstream of Louisville and Nashville Railroad.	949

(National Flood Insurance Act of 1968 (Title XIII of 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; Executive Order 12127, 44 FR 19367; and delegation of authority to Federal Insurance Administrator 44 FR 20963.)

Issued: April 24, 1979.

Gloria M. Jimenez,
Federal Insurance Administrator.
[Docket No. FI-5409]
[FR Doc. 79-13798 Filed 5-4-79; 8:45 am]
BILLING CODE 4210-23-M

[24 CFR Part 1917]**Proposed Flood Elevation Determinations for the City of Chattanooga, Hamilton County, Tenn., Under the National Flood Insurance Program**

AGENCY: Office of Federal Insurance and Hazard Mitigation, FEMA.¹

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed base (100-year) flood elevations listed below for selected locations in the City of Chattanooga, Hamilton County, Tennessee.

¹ The functions of the Federal Insurance Administration, Department of Housing and Urban Development, were transferred to the newly established Federal Emergency Management Agency by Reorganization Plan No. 3 of 1978 (43 FR 41943, September 19, 1978) and Executive Order 12127 (44 FR 19367, April 3, 1979).

These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

DATE: The period for comment will be ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in the above-named community.

ADDRESS: Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base (100-year) flood elevations are available for review at the City Hall, Chattanooga, Tennessee. Send comments to: Honorable Charles A. Rose, Mayor of Chattanooga, City Hall, East 11th Street, Chattanooga, Tennessee, 37402.

FOR FURTHER INFORMATION CONTACT: Mr. Richard Krimm, National Flood Insurance Program, Room 5270, 451 Seventh Street SW., Washington, D.C. 20410, 202-755-5581 or toll-free line 800-424-8872.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of the proposed determinations of base (100-year) flood elevations for the City of Chattanooga, Hamilton County, Tennessee, in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)), 42 U.S.C. 4001-4128, and 24 CFR 1917.4(a).

These elevations, together with the flood plain management measures required by § 1910.3 of the program regulations, are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

The proposed base (100-year) flood elevations for selected locations are:

¹ The functions of the Federal Insurance Administration, Department of Housing and Urban Development, were transferred to the newly established Federal Emergency Management Agency by Reorganization Plan No. 3 of 1978 (43 FR 41943, September 19, 1978) and Executive Order 12127 (44 FR 19367, April 3, 1979).

Source of flooding	Location	Elevation in feet, national geodetic vertical datum
Tennessee River	Downstream Corporate Limits	651
	Walnut Street	657
	Downstream of Chickamauga Dam	661
Mountain Creek	Upstream Corporate Limits	686
	Confluence with Tennessee River	653
	North Runyan Road	663
	Valley Bridge Road	663
	Upstream Corporate Limits	714
Stringers Branch	Confluence with Mountain Creek	653
	Upstream Corporate Limits	653
Lookout Creek	Confluence with Tennessee River	654
	Dixie Highway	654
	Upstream Corporate Limits	658
Chattanooga Creek	Confluence with Tennessee River	655
	East 38th Street	657
	Wilson Road	659
	Upstream Corporate Limits	663
South Chickamauga Creek	Confluence with Tennessee River	659
	Lightfoot Mill Road	667
	Shallowford Drive	673
	Upstream Corporate Limits	688
West Chickamauga Creek	Confluence with South Chickamauga Creek	677
	Upstream Corporate Limits	677
Spring Creek	Confluence with West Chickamauga Creek	677
	Upstream Corporate Limits	678
North Chickamauga Creek	Confluence with Tennessee River	661
	Hamill Road	661
	Old Hixon Pike	668
	Upstream Corporate Limits	670

(National Flood Insurance Act of 1968 (Title XIII of 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; Executive Order 12127, 44 FR 19367; and delegation of authority to Federal Insurance Administrator 44 FR 20963.)

Issued: April 24, 1979.

Gloria M. Jimenez,

Federal Insurance Administrator.

[Docket No. FI-5407]

[FR Doc. 79-13766 Filed 5-4-79; 8:45 am]

BILLING CODE 4210-23-M

[24 CFR Part 1917]

Proposed Flood Elevation Determinations for the City of Weslaco, Hidalgo County, Tex., Under the National Flood Insurance Program

AGENCY: Office of Federal Insurance and Hazard Mitigation, FEMA.¹

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed

¹ The functions of the Federal Insurance Administration, Department of Housing and Urban Development, were transferred to the newly established Federal Emergency Management Agency by Reorganization Plan No. 3 of 1973 (43 FR 41943, September 19, 1978) and Executive Order 12127 (44 FR 19367, April 3, 1979).

base (100-year) flood elevations listed below for selected locations in the City of Weslaco, Hidalgo County, Texas.

These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

DATES: The period for comment will be ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in the above-named community.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base (100-year) flood elevations are available for review at Office of Planning, City Hall, 500 S. Kansas Ave., Weslaco, Texas 78596.

Send comments to: Mayor Joe B. Sanchez or Mr. Robert M. Hopkins, City Manager, City Hall, 500 Kansas Street, Weslaco, Texas 78596.

FOR FURTHER INFORMATION CONTACT: Mr. Richard Krimm, National Flood Insurance Program, Room 5270, 451 Seventh Street, SW., Washington, D.C. 20410, (202) 755-5581 or Toll Free Line (800) 424-8872.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of the proposed determinations of base (100-year) flood elevations for the City of Weslaco, Hidalgo County, Texas, in accordance with section 110 of the Flood Disaster Protection Act of 1973.

(Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)), 42 U.S.C. 4001-4128, and 24 CFR 1917.4(a).

These elevations, together with the flood plain management measures required by § 1910.3 of the program regulations, are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

The proposed base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation, in feet, national geodetic vertical datum
Ponding Area No. 1	Northwest of Texas Boulevard at U.S. Expressway 83.	74
Ponding Area No. 2	Intersection of San Benito Street and Calle de la Republica.	74
Ponding Area No. 3	Intersection of Texas Boulevard and Mesquite Street.	74
Ponding Area No. 4	Intersection of Bridge Avenue and Llano Grande Street.	74
Ponding Area No. 5	South of Weslaco Cemetery Intersection of Queen Palm and Palm Boulevard.	72

(National Flood Insurance Act of 1968 (Title XIII of 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; Executive Order 12127, 44 FR 19367; and delegation of authority to Federal Insurance Administrator, 44 FR 20963.)

Issued: April 24, 1979.

Gloria M. Jimenez,

Federal Insurance Administrator.

[Docket No. FI-5411]

[FR Doc. 79-13770 Filed 5-4-79; 8:45 am]

BILLING CODE 4210-23-M

[24 CFR Part 1917]

Proposed Flood Elevation Determinations for the Borough of New Eagle, Washington County, Pa., Under the National Flood Insurance Program

AGENCY: Office of Federal Insurance and Hazard Mitigation, FEMA.¹

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed base (100-year) flood elevations listed below for selected locations in the Borough of New Eagle, Washington County, Pennsylvania.

These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the national flood insurance program (NFIP).

DATES: The period for comment will be ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in the above-named community.

¹ The functions of the Federal Insurance Administration, Department of Housing and Urban Development, were transferred to the newly established Federal Emergency Management Agency by Reorganization Plan No. 3 of 1978 (43 FR 41943, September 19, 1978) and Executive Order 12127 (44 FR 19367, April 3, 1979).

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base (100-year) flood elevations are available for review at the Borough Building, 157 Main Street, New Eagle, Pennsylvania. Send comments to: Mr. Raymond Dombrowski, Council President of New Eagle, 157 Main Street, New Eagle, Pennsylvania 15067.

FOR FURTHER INFORMATION CONTACT: Mr. Richard Krimm, National Flood Insurance Program, Room 5270, 451 Seventh Street SW., Washington, D.C. 20410, 202-755-5581 or toll-free line 800-424-8872.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of the proposed determinations of base (100-year) flood elevations for the Borough of New Eagle, Washington County, Pennsylvania in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)), 42 U.S.C. 4001-4128, and 24 CFR 1917.4(a).

These elevations, together with the flood plain management measures required by § 1910.3 of the program regulations, are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

The proposed base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet, national geodetic vertical datum
Monongahela River	Downstream Corporate Limits	753
	Upstream Corporate Limits	754

(National Flood Insurance Act of 1968 (Title XIII of 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; Executive Order 12127, 44 FR 19367; and delegation of authority to Federal Insurance Administrator, 44 FR 20963.)

Issued: April 24, 1979. Gloria M. Jimenez.

Federal Insurance Administrator,
[Docket No. FI-5402]
[FR Doc. 79-13761 Filed 5-4-79; 8:45 am]
BILLING CODE 4210-23-M

[24 CFR Part 1917]

Proposed Flood Elevation Determinations for the Borough of Scottsdale, Westmoreland County, Pa.; Under the National Flood Insurance Program

AGENCY: Office of Federal Insurance and Hazard Mitigation, FEMA.¹

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed base (100-year) flood elevations listed below for selected locations in the Borough of Scottsdale, Westmoreland County, Pennsylvania.

These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

DATES: The period for comment will be ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in the above-named community.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base (100-year) flood elevations are available for review at the Borough Building, Scottsdale, Pennsylvania. Send comments to: Honorable Frederick Eberharter, Mayor of Scottsdale, 10 Mount Pleasant Road, Scottsdale, Pennsylvania 15063.

FOR FURTHER INFORMATION CONTACT: Mr. Richard Krimm, National Flood Insurance Program, 202-755-5581 or Toll Free Line 800-424-8872. Room 5270, 451 Seventh Street SW., Washington, D.C. 20410.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of the proposed determinations of base (100-year) flood elevations for the Borough of Scottsdale, Westmoreland County, Pennsylvania in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234),

¹ The functions of the Federal Insurance Administration, Department of Housing and Urban Development, were transferred to the newly established Federal Emergency Management Agency by Reorganization Plan No. 3 of 1978 (43 FR 41943, September 19, 1978) and Executive Order 12127 (44 FR 19367, April 3, 1979).

87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)), 42 U.S.C. 4001-4128, and 24 CFR 1917.4(a).

These elevations, together with the flood plain management measures required by Section 1910.3 of the program regulations, are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

The proposed base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet, national geodetic vertical datum
Jacobs Creek	Downstream Corporate Limits	1,028
	Confluence of Stauffer Run ...	1,035
Stauffer Run	Upstream Corporate Limits ...	1,035
	Mt. Pleasant Road	1,035
	Upstream Corporate Limits	1,038

(National Flood Insurance Act of 1968 (Title XIII of 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; Executive Order 12127, 44 FR 19367; and delegation of authority to Federal Insurance Administrator 44 FR 20963).

Issued: April 24, 1979.

Gloria M. Jimenez,
Federal Insurance Administrator,
[Docket No. FI-5405]
[FR Doc. 79-13764 Filed 5-4-79; 8:45 am]
BILLING CODE 4210-23-M

[24 CFR Part 1917]

Proposed Flood Elevation Determinations for the Town of Chester, Windsor County, Vt., Under the National Flood Insurance Program

AGENCY: Office of Federal Insurance and Hazard Mitigation, FEMA.¹

ACTION: Proposed rule.

¹ The functions of the Federal Insurance Administration, Department of Housing and Urban Development, were transferred to the newly established Federal Emergency Management Agency by Reorganization Plan No. 3 of 1978 (43 FR 41943, September 19, 1978) and Executive Order 12127 (44 FR 19367, April 3, 1979).

The proposed base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet, national geodetic vertical datum	Williams River	Approximately 180 feet downstream of the State Route 103 first crossing. Just downstream of the Green Mountain Railroad seventh crossing located approximately 330 feet downstream of Duttonsville Gulf Road.	755 761
Williams River	Downstream corporate limit ...	512			
	Just downstream of the Green Mountain Railroad first crossing located approximately 500 feet downstream of the Green Mountain Turnpike.	521		Just downstream of Duttonsville Gulf Road.	768
	Just upstream of the Green Mountain Turnpike.	530		Just upstream of Duttonsville Gulf Road.	771
	Approximately 6150 feet upstream of the Green Mountain Turnpike.	545		Approximately 2500 feet upstream of Duttonsville Gulf Road.	795
	200 feet upstream of the Green Mountain Railroad second crossing located 1.45 miles upstream of the Green Mountain Turnpike.	554		Approximately 840 feet upstream of the second crossing of State Route 103.	814
	Approximately 850 feet downstream of the confluence of Kingclom Valley Brook.	565		Just upstream of the second crossing of State Route 103.	823
	Just upstream of Pleasant Street.	571		Approximately 540 feet upstream of the second crossing of State Route 103.	830
	Just downstream of First Avenue.	588		Approximately 1510 feet downstream of Smokeshire Road.	892
	Just upstream of Depot Street.	592		Just downstream of Smokeshire Road.	921
	Approximately 3250 feet upstream of Church Street.	610		Approximately 560 feet upstream of Smokeshire Road.	932
	Just downstream of Colburn Road.	623		Approximately 1500 feet upstream of Smokeshire Road.	948
	Just downstream of Baileys Mills Road.	638		930 feet downstream of the confluence of Chase Brook.	1005
	Just upstream of Baileys Mills Road.	644		420 feet downstream of the confluence of Chase Brook.	1011
	Approximately 100 feet downstream of Thompson Road.	654		200 feet downstream of the confluence of Chase Brook.	1018
	Approximately 60 feet downstream of Jewett Road.	664	Middle Branch Williams River.	780 feet upstream of the confluence of Chase Brook.	1036
	60 feet upstream of Jewett Road.	668		At confluence with Williams River.	568
	Approximately 80 feet downstream of the private road located approximately 1430 feet upstream of Jewett Road.	670		Just upstream of the Green Mountain Railroad.	571
	Just upstream of the private road located approximately 1430 feet upstream of Jewett Road.	674		Just downstream of South Main Street.	581
	Just downstream of the Green Mountain Railroad third crossing located approximately 3425 feet upstream of Jewett Road.	686		100 feet downstream of Grafton Street.	602
	Approximately 100 feet upstream of the Green Mountain Railroad third crossing located approximately 3425 feet upstream of Jewett Road.	691		Just upstream of School Street footbridge.	611
	Approximately 100 feet upstream of the Green Mountain Railroad fourth crossing located approximately 5600 feet upstream of Jewett Road.	707		2370 feet upstream of the School Street footbridge.	635
	Approximately 140 feet downstream of the Green Mountain Railroad fifth crossing located approximately 7630 feet upstream of Jewett Road.	721		610 feet downstream of the first crossing of Joe Swett Road.	655
	100 feet upstream of the Green Mountain Railroad fifth crossing located 7630 feet upstream of Jewett Road.	730		Just downstream of the first crossing of Joe Swett Road.	662
	100 feet downstream of the sixth Green Mountain Railroad crossing located approximately 1175 feet downstream of the first crossing of State Highway 103.	746		1400 feet upstream of the first crossing of Joe Swett Road.	680
				Approximately 3000 feet downstream of the second crossing of Joe Swett Road.	702
				30 feet downstream of the second crossing of Joe Swett Road.	739
				Just upstream of the second crossing of Joe Swett Road.	743
				1230 feet upstream of the second crossing of Joe Swett Road.	760
				1200 feet downstream of the State Route 11 crossing located approximately 3900 feet downstream of the Andover Branch confluence.	780
				Just upstream of the State Route 11 first crossing located approximately 3900 feet downstream of the Andover Branch confluence.	799

Middle Branch Williams River.	260 feet downstream of the State Route 11 second crossing located approximately 2200 feet downstream of the Andover Branch confluence.	815	South Branch Williams River.	Just downstream of the wooden footbridge located 1.0 mile downstream of Ethan Allen Road.	1140	Andover Branch.....	1140 feet upstream of Potash Brook Road.	965
	1200 feet downstream of the Andover Branch confluence.	830		380 feet upstream of the wooden footbridge located 1.0 mile downstream of Ethan Allen Road.	1160		1870 feet upstream of Potash Brook Road.	980
	Confluence of Andover Branch.	847		1300 feet upstream of the wooden footbridge located 1.0 mile downstream of Ethan Allen Road.	1190	Potash Brook	2780 feet upstream of Potash Brook Road.	995
	Just upstream of Kingsbury Road.	851		650 feet downstream of the Popple Dungeon Road crossing located 2825 feet downstream of Ethan Allen Road.	1220		At confluence with Andover Branch.	932
	2000 feet upstream of Kingsbury Road.	875		250 feet downstream of the Popple Dungeon Road crossing located 2825 feet downstream of Ethan Allen Road.	1240		465 feet upstream of confluence with Andover Branch.	950
	3500 feet upstream of Kingsbury Road.	891		Just upstream of the Popple Dungeon Road crossing located 2825 feet downstream of Ethan Allen Road.	1258		1060 feet upstream of confluence with Andover Branch.	970
	300 feet downstream of the third crossing of State Route 11.	930		1050 feet upstream of the Popple Dungeon Road crossing located 2825 feet downstream of Ethan Allen Road.	1285		1730 feet upstream of confluence with Andover Branch.	990
	920 feet downstream of the upstream corporate limits.	945		890 feet downstream of Ethan Allen Road.	1315		2320 feet upstream of confluence with Andover Branch.	1010
South Branch Williams River.	Upstream corporate limits	958		150 feet downstream of Ethan Allen Road.	1340		2665 feet upstream of confluence with Andover Branch.	1030
	Confluence with Middle Branch Williams River.	572		775 feet downstream of Ethan Allen Road.	1370		3170 feet upstream of confluence with Andover Branch.	1041
	Approximately 490 feet upstream of State Route 103.	580		125 feet downstream of the Popple Dungeon Road crossing located 1525 feet upstream of Ethan Allen Road.	1390	Kingdom Valley Brook	Mouth at Williams River.....	570
	Approximately 1130 feet upstream of State Route 103.	590		430 feet upstream of the Popple Dungeon Road crossing located 1525 feet upstream of Ethan Allen Road.	1410		50 feet downstream of the Green Mountain Turnpike.	571
	Approximately 400 feet downstream of State Route 35.	665		1550 feet upstream of the Popple Dungeon Road crossing located 1525 feet upstream of Ethan Allen Road.	1440		Just upstream of Green Mountain Turnpike.	583
	Approximately 120 feet upstream of State Route 35.	681		40 feet upstream of the private driveway located 4200 feet upstream of Ethan Allen Road.	1472		480 feet upstream of Green Mountain Turnpike.	608
	Approximately 1230 feet upstream of State Route 35.	708		Mouth at Middle Branch Williams River.	581		890 feet upstream of Green Mountain Turnpike.	622
	4000 feet downstream of the Popple Dungeon Road crossing approximately 2.6 miles downstream of Ethan Allen Road.	876	Lovers Lane Brook.....	Just upstream of State Route 11.	585		1370 feet upstream of Green Mountain Turnpike.	629
	2340 feet downstream of the Popple Dungeon Road crossing approximately 2.6 miles downstream of Ethan Allen Road.	895		1690 feet upstream of State Route 11.	595		2220 feet upstream of Green Mountain Turnpike.	640
	Approximately 1260 feet downstream of the Popple Dungeon Road crossing approximately 2.6 miles downstream of Ethan Allen Road.	910		80 feet downstream of Maple Street.	599		2900 feet upstream of Green Mountain Turnpike.	650
	380 feet downstream of the Popple Dungeon Road crossing approximately 2.6 miles downstream of Ethan Allen Road.	925		Just upstream of Maple Street.	603	Great Brook	3320 feet upstream of Green Mountain Turnpike.	662
	Just upstream of the Popple Dungeon Road crossing approximately 2.6 miles downstream of Ethan Allen Road.	940		Just upstream of Depot Street.	605		4250 feet upstream of Green Mountain Turnpike.	678
	Approximately 1650 feet upstream of the Popple Dungeon Road crossing approximately 2.6 miles downstream of Ethan Allen Road.	960		1000 feet upstream of Depot Street.	610		At downstream corporate limits.	585
	3560 feet upstream of the Popple Dungeon Road crossing approximately 2.6 miles downstream of Ethan Allen Road.	990		500 feet upstream of Church Street.	620		Just downstream of Gould Road.	594
	880 feet downstream of the private driveway located 1.6 miles downstream of Ethan Allen Road.	1020		Just downstream of Church Street.	625		Just upstream of Gould Road.	600
	Just downstream of the private driveway located 1.6 miles downstream of Ethan Allen Road.	1050		Just upstream of Church Street.	628		Just downstream of Chandler District Road.	608
	1225 feet upstream of the private driveway located 1.6 miles downstream of Ethan Allen Road.	1090		2200 feet upstream of Church Street.	641		Just upstream of Chandler District Road.	612
	660 feet downstream of the wooden footbridge located 1.0 mile downstream Ethan Allen Road.	1120	Andover Branch.....	At confluence with Middle Branch Williams River.	847		950 feet downstream of Mineral Springs Road.	619
				Just downstream of State Route 11.	854		1400 feet upstream of Mineral Springs Road.	628
				Just upstream of State Route 11.	857		Just downstream of the private drive located 1925 feet downstream of Baltimore Road.	637
				720 feet upstream of State Route 11.	865		Just upstream of the private drive located 1925 feet downstream of Baltimore Road.	643
				1950 feet upstream of State Route 11.	885		50 feet downstream of Baltimore Road.	645
				3250 feet upstream of State Route 11.	905		Just upstream of Baltimore Road.	650
				Confluence of Potash Brook..	932		60 feet downstream of Great Brook Road.	737
				80 feet downstream of Potash Brook Road.	941		Just downstream of Duttonville Gulf Road.	745
				60 feet upstream of Potash Brook Road.	949		Just upstream of Duttonville Gulf Road.	747
							Upstream Corporate limits.....	748

(National Flood Insurance Act of 1968 (Title XIII of 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; Executive Order 12127, 44 FR 19367; and delegation of authority to Federal Insurance Administrator, 44 FR 20963)

Issued: April 24, 1979.

Gloria M. Jimenez,
Federal Insurance Administrator.
[Docket No. FI-5412]
[FR Doc. 79-13771 Filed 5-4-79; 8:45 am]
BILLING CODE 4210-23-M

[24 CFR Part 1917]

Proposed Flood Elevation Determinations for the City of Kewaunee, Kewaunee County, Wis., Under the National Flood Insurance Program

AGENCY: Office of Federal Insurance and Hazard Mitigation, FEMA.¹

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed base (100-year) flood elevations listed below for selected locations in the City of Kewaunee, Kewaunee County, Wisconsin.

These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

DATES: The period for comment will be ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in the above-named community.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base (100-year) flood elevations are available for review at the City Hall, City Clerk's Office, 413 Milwaukee, Kewaunee, Wisconsin. Send comments to: Ms. Lorna Rodie, City Clerk, City of Kewaunee, City Hall, 413 Milwaukee, Kewaunee, Wisconsin 54216.

FOR FURTHER INFORMATION CONTACT: Mr. Richard Krimm, National Flood Insurance Program, Room 5270, 451 Seventh Street, SW., Washington, D.C. 20410, 202-755-5581 or toll free 800-424-8872.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of the proposed determinations of base (100-year) flood elevations for the City of Kewaunee, in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234).

¹The functions of the Federal Insurance Administration, Department of Housing and Urban Development, were transferred to the newly established Federal Emergency Management Agency by Reorganization Plan No. 3 of 1978 (43 FR 41943, September 19, 1978) and Executive Order 12127 (44 FR 19367, April 3, 1979).

87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)), 42 U.S.C. 4001-4128, and 24 CFR Part 1917.4 (a)).

These elevations, together with the flood plain management measures required by 1910.3 of the program regulations, are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

The proposed base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet, national geodetic vertical datum
Kewaunee River	Mouth at Lake Michigan	584
	5460 feet downstream of County Highway E	584
	Just upstream of County Highway E	585
	4830 feet upstream of County Highway E	586
Lake Michigan	General shoreline	584

(National Flood Insurance Act of 1968 (Title XIII of 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; Executive Order 12127, 44 FR 19367; and delegation of authority to Federal Insurance Administrator, 44 FR 20963).

Issued: April 24, 1979.

Gloria M. Jimenez,
Federal Insurance Administrator.
[Docket No. FI-5413]
[FR Doc. 79-13772 Filed 5-4-79; 8:45 am]
BILLING CODE 4210-23-M

[24 CFR Part 1917]

Proposed Flood Elevation Determinations for the City of South Milwaukee, Milwaukee County, Wis., Under the National Flood Insurance Program

AGENCY: Office of Federal Insurance and Hazard Mitigation, FEMA.¹

¹The functions of the Federal Insurance Administration, Department of Housing and Urban Development, were transferred to the newly established Federal Emergency Management Agency by Reorganization Plan No. 3 of 1978 (43 FR

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed base (100-year) flood elevations listed below for selected locations in the City of South Milwaukee, Milwaukee County, Wisconsin.

These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

DATES: The period for comment will be ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in the above-named community.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base (100-year) flood elevations are available for review at City Hall, 2005 10th Avenue, South Milwaukee, Wisconsin. Send comments to: Honorable Chester Grobschmidt, Mayor, City of South Milwaukee, City Hall, 2005 10th Avenue, South Milwaukee, Wisconsin 53172.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, National Flood Insurance Program, Room 5270, 451 Seventh Street, SW., Washington, D.C. 20410, 202-755-5581 or toll free line 800-424-8872.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of the proposed determinations of base (100-year) flood elevations for the City of South Milwaukee, Wisconsin, in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)), 42 U.S.C. 4001-4128, and 24 CFR 1917.4(a).

These elevations, together with the flood plain management measures required by § 1910.3 of the program regulations, are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations will also be

41943, September 19, 1978) and Executive Order 12127 (44 FR 19367, April 3, 1979).

used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

The proposed base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet, national geodetic vertical datum
Oak Creek	Oak Creek Parkway (downstream crossing) (25 feet*)	588
	6th Avenue (25 feet*)	602
	6th Avenue (100 feet*)	617
	15th Avenue (downstream crossing) (10 feet*)	642
	Milwaukee Avenue (10 feet*)	651
Lake Michigan	200 feet southeast of intersection of Hawthorne Avenue and Park Drive.	584

*Upstream from centerline.

**Downstream from centerline.

(National Flood Insurance Act of 1968 (Title XIII of 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; Executive Order 12127, 44 FR 19367; and delegation of authority to Federal Insurance Administrator, 44 FR 20963.)

Issued: April 24, 1979.

Gloria M. Jimenez,

Federal Insurance Administrator.

[Docket No. FI-5414]

[FR Doc. 79-13773 Filed 5-4-79; 8:45 am]

BILLING CODE 4210-23-M

[24 CFR Part 1917]

Proposed Flood Elevation Determinations for the City of South Haven, Van Buren County, Mich., Under the National Flood Insurance Program

AGENCY: Office of Federal Insurance and Hazard Mitigation, FEMA.¹

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed base (100-year) flood elevations listed below for selected locations in the City of South Haven, Van Buren County, Michigan.

These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

¹The functions of the Federal Insurance Administration, Department of Housing and Urban Development, were transferred to the newly established Federal Emergency Management Agency by Reorganization Plan No. 3 of 1978 (43 FR 41943, September 19, 1978) and Executive Order 12127 (44 FR 19367, April 3, 1979).

DATES: The period for comment will be ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in the above-named community.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base (100-year) flood elevations are available for review at the City Hall, 539 Phoenix Street, South Haven, Michigan. Send comments to: The Honorable Richard Lewis, Mayor, City of South Haven, City Hall, 539 Phoenix Street, South Haven, Michigan 49090.

FOR FURTHER INFORMATION CONTACT: Mr. Richard Krimm, National Flood Insurance Program, Room 5270, 451 Seventh Street, SW., Washington, D.C. 20410, 202-755-5581 or toll free line 800-424-8872.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of the proposed determinations of base (100-year) flood elevations for the City of South Haven, in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448), 42 U.S.C. 4001-4128, and 24 CFR 1917.4(a)).

These elevations, together with the flood plain management measures required by § 1910.3 of the program regulations, are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

The proposed base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet, national geodetic vertical datum
Lake Michigan	Entire reach within City of South Haven,	584
Black River	At the mouth with Lake Michigan.	584
	At upstream corporate limits..	584

(National Flood Insurance Act of 1968 (Title XIII of 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; Executive Order 12127, 44 FR 19367; and delegation of authority to Federal Insurance Administrator, 44 FR 20963.)

Issued: April 24, 1979.

Gloria M. Jimenez,

Federal Insurance Administrator.

[Docket No. FI-5415]

[FR Doc. 79-13774 Filed 5-4-79; 8:45 am]

BILLING CODE 4210-23-M

FEDERAL MEDIATION AND CONCILIATION SERVICE

[29 CFR Ch. XII]

Semi-Annual Agenda of Regulations Under Review and Development

AGENCY: Federal Mediation and Conciliation Service.

ACTION: Publication of Semi-annual Agenda of Regulations under Review and Development.

SUMMARY: This notice contains the semi-annual list of existing Regulations FMCS Regulations presently under review by the Service and the list of proposed Regulations currently under development. The Regulations discussed are those governing Arbitration Services, Federal Sector, Health Care, and Arbitration under the Insecticide, Fungicide, and Rodenticide Act. The list is published pursuant to Section 2(a) of Executive Order 12044.

FOR FURTHER INFORMATION CONTACT: Scott Kruse, General Counsel, or David Vaughn, Associate General Counsel, Federal Mediation and Conciliation Service, Washington, D.C. 20427, (202) 653-5305, FTS 653-5305.

SUPPLEMENTARY INFORMATION: This Agenda of Regulations under development or review by Federal Mediation and Conciliation Service is published semi-annually pursuant to Section 2(a) of Executive Order 12044. The initial list of Regulations was contained in paragraph 5 of the report published at 43 FR 54139. This Agenda has been approved by the Director of FMCS.

The following Regulations are under review or development:

1. The review of Regulations governing FMCS Arbitration Services (29 CFR Part 1404) has been completed. Revised Regulations were published at 44 FR 13008 and became effective on April 15, 1979. Inquiries regarding the Arbitration Regulations may be directed to David Vaughn, Associate General Counsel, (202) 653-5305.

2. The review of Regulations governing FMCS Mediation Services in

the Federal Sector (29 CFR Part 1425) listed previously is continuing. Revision of the Regulations is necessary in order to comply with Section 7134 of the Civil Service Reform Act of 1978 and to incorporate changes in FMCS procedures due to the evolving nature of federal sector labor relations. A regulatory analysis is not required for these Regulations. Internal agency review of the Regulation continues. Publication in the *Federal Register* of draft regulations is expected in the near future. Inquiries regarding the Federal Sector Regulations may be directed to David Vaughn, Associate General Counsel or Nancy Broff, Assistant General Counsel (202) 653-5305.

3. FMCS has under development new regulations to delineate the role of the Service and the parties in the operation of the Health Care Amendments of 1974 (P. L. 96-360). Those amendments to the Labor-Management Relations Act of 1947 (Taft-Hartley) give certain special authority to FMCS to prevent or minimize labor disputes in the health care industry and confer on the parties to health care labor disputes certain special notice and participation responsibilities. The proposed Regulation would interpret and apply the amendments. A regulatory analysis is not required for those regulations. A notice of proposed rulemaking for the health care regulations was published at 44 FR 14577. Inquiries regarding the proposed health care Regulations may be directed to Scott Kruse, General Counsel, or David Vaughn, Associate General Counsel, (202) 653-5305.

4. FMCS is in the process of developing new Regulations as to how FMCS will make appointments of arbitrators for disputes regarding compensation for use or development of data in connection with the registration of pesticides under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) (Public Law 95-386, September 30, 1978), and as to the procedure and rules that will be applicable to such arbitration proceedings. Development of Regulations is necessary for FMCS to perform its statutory responsibility under FIFRA. A regulatory analysis is not required for these Regulations. Internal agency review continues. Publication in the *Federal Register* of advance notice of rulemaking is expected in the near future. Inquiries regarding the FIFRA Regulations may be

directed to Alice Everitt, Special Assistant to the Director, (202) 653-5226.

Wayne L. Horvitz,

Director

[FR Doc. 79-14229 Filed 5-4-79; 8:45 am]

BILLING CODE 6732-01-M

VETERANS ADMINISTRATION

[38 CFR Part 3]

Veterans Benefits; Proximate Results, Secondary Conditions

AGENCY: Veterans Administration.

ACTION: Proposed Regulatory Development.

SUMMARY: The Veterans Administration is proposing to amend its regulation which grants service connection for a disability which is proximately due to a service-connected disease or injury. This amendment results from a report made by the National Academy of Sciences. The effect of this action is to grant service connection for ischemic heart disease or other cardiovascular disease developing in a veteran who has a service-connected amputation of one lower extremity at or above the knee or service-connected amputations of both lower extremities at or above the ankles.

DATES: Comments must be received on or before June 6, 1979. It is proposed to make this change effective the date of final approval.

ADDRESSES: Send written comments to: Administrator of Veterans Affairs (271A), Veterans Administration, 810 Vermont Avenue, N.W., Washington, D.C. 20420.

Comments will be available for inspection at the address shown above during normal business hours until June 18, 1979.

FOR FURTHER INFORMATION CONTACT: T. H. Spindle, Jr. (202-389-3005).

SUPPLEMENTARY INFORMATION: Public Law 94-433 (90 Stat. 1374), the Veterans Disability Compensation and Survivor Benefits Act of 1976, ordered a scientific study to determine if there is a causal relationship between the amputation of an extremity and the subsequent development of cardiovascular disorders.

The study was made by the Medical Follow-up Agency of the National Academy of Sciences. The resulting report, "Service-connected Traumatic Limb Amputations and Subsequent Mortality from Cardiovascular Disease and Other Causes of Death" analyzed statistically valid samples of veterans having service-connected extremity

amputations matched by age, sex, and war period with nonamputee veterans.

The report indicates that veterans who have suffered an amputation of both legs or of one leg at or above the knee, have a significantly higher risk of dying from diseases of the cardiovascular system.

As a result of these findings we are amending § 3.310 to provide service connection for ischemic heart disease or other cardiovascular disease developing in veterans who have suffered service-connected amputation of one lower extremity at or above the knee or service-connected amputation of both lower extremities at or above the ankles.

Additional Comment Information

Interested persons are invited to submit written comments, suggestions or objections regarding these documents to the Administrator of Veterans Affairs (271A), Veterans Administration, 810 Vermont Avenue, N.W., Washington, DC 20420. All written comments received will be available for public inspection at the above address only between the hours of 8 am and 4:30 pm Monday through Friday (except holidays) until June 18, 1979. Any person visiting Central Office for the purpose of inspecting any such comments will be received by the Central Office Veterans Services Unit in room 132. Such visitors to any VA field station will be informed that the records are available for inspection only in Central Office and furnished the above address and room number.

Approved: May 1, 1979.

By direction of the Administrator.

Rufus H. Wilson,

Deputy Administrator.

Section 3.310 is revised to read as follows:

§ 3.310 Proximate results, secondary conditions.

(a) *General.* Disability which is proximately due to or the result of a service-connected disease or injury shall be service connected. When service connection is thus established for a secondary condition, the secondary condition shall be considered a part of the original condition.

(b) *Cardiovascular disease.* Ischemic heart disease or other cardiovascular disease developing in a veteran who has a service-connected amputation of one lower extremity at or above the knee or service-connected amputations of both lower extremities at or above the ankles, shall be held to be the proximate result of the service-connected

amputation or amputations. (38 U.S.C. 210(c), 310, 331)

[FR Doc. 79-14174 Filed 5-4-79; 8:45 am]

BILLING CODE 8320-01-M

[38 CFR Part 21]

Education Benefits; Approval of Courses

AGENCY: Veterans Administration.

ACTION: Proposed Regulation.

SUMMARY: The Veterans Administration always has considered the class schedules of resident courses, other than flight courses, not leading to a standard college degree to be an integral part of the approval of such courses. Agreements negotiated with State approving agencies to pay them for their services have provided that approvals for these courses would include approvals for their class schedules. However, the Code of Federal Regulations has made no mention of this policy. The amended regulation corrects this by specifically setting forth this policy.

This amendment will serve to place in the code of Federal Regulations an approval requirement which previously was stated only in negotiated agreements between the Veterans Administration and the State approving agencies.

DATE: Comments must be received on or before June 6, 1979. It is proposed to make this amendment effective the date of final approval.

ADDRESSES: Send written comments to: Administrator of Veterans Affairs (271A), Veterans Administration, 810 Vermont Avenue, N.W., Washington, D.C. 20420.

Comments will be available for inspection at the above address during normal business hours until June 18, 1979.

FOR FURTHER INFORMATION CONTACT: June C. Schaeffer, Assistant Director for Policy and Program Administration, Education and Rehabilitation Service, Department of Veterans Benefits, Veterans Administration, Washington, DC 20420 (202-389-2092).

SUPPLEMENTARY INFORMATION: Section 21.4250(a) is amended to state that approvals of resident courses (other than flight courses) not leading to a standard college degree must include approval of course schedules as well. This includes both full-time and part-time schedules.

Additional Comment Information

Interested persons are invited to submit written comments, suggestions, or objections regarding the proposal to the Administrator of Veterans Affairs (271A), Veterans Administration, 810 Vermont Avenue, NW., Washington, DC 20420. All written comments received will be available for public inspection at the above address only between the hours of 8 am and 4:30 pm Monday through Friday (except holidays), until June 18, 1979. Any person visiting Central Office for the purpose of inspecting any such comments will be received by the Central Office Veterans Services Unit in room 132. Such visitors to any VA field station will be informed that the records are available for inspection only in Central Office and furnished the address and the above room number.

Approved: May 1, 1979.

By direction of the Administrator.

Rufus H. Wilson,
Deputy Administrator.

In § 21.4250, the introductory portion of paragraph (a) preceding subparagraph (1) is revised to read as follows:

§ 21.4250 Approval of courses.

(a) *General.* A course of education, including the class schedules of a resident course (other than a flight course) not leading to a standard college degree, offered by a school must be approved by the State approving agency for the State in which the school is located, or by the State approving agency which has appropriate approval authority, or, where appropriate, by the Veterans Administration.

(38 U.S.C. 1772)

* * * * *

[FR Doc. 79-14175 Filed 5-4-79; 8:45 am]

BILLING CODE 8320-01-M

ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 52]

Approval and Promulgation of Implementation Plans; Nevada State Plan Revision Inspection/Maintenance Program

AGENCY: Environmental Protection Agency.

ACTION: Notice of Proposed Rulemaking.

SUMMARY: Revisions to the Nevada Revised Statutes and Air Quality Regulations for Mobile Equipment have been submitted to the Environmental Protection Agency (EPA) by the

Governor for the purpose of revising the Nevada State Implementation Plan (SIP). The intended effect of these revisions is to establish an annual motor vehicle inspection and maintenance program in the urban areas of Nevada. This Notice provides a description of the proposed revisions, discusses the applicable Clean Air Act requirements, and invites public comments on the revisions especially with respect to the requirements of Part D of the Clean Air Act, "Plan Requirements for Nonattainment Areas."

DATES: Comments may be submitted up to July 6, 1979.

ADDRESSES: Comments may be sent to: Regional Administrator, Attn: Air & Hazardous Materials Division, Air Technical Branch, Regulatory Section (A-4), Environmental Protection Agency, Region IX 215 Fremont Street, San Francisco, CA 94105.

Copies of the proposed revisions and EPA's associated Evaluation Report are contained in document file No. NAP-NV-9 and are available for public inspection during normal business hours at the EPA Region IX Library at the above address and at the following locations:

Nevada Department of Conservation & Natural Resources, Division of Environmental Protection, 201 South Fall Street, Carson City, NV 89710.

Washoe Council of Governments, 241 Ridge Street, Reno, NV 89502.

Clark County Department of Comprehensive Planning, Environmental Planning Division, 200 East Carson Avenue, Las Vegas, NV 89101.

Public Information Reference Unit, Room 2922 (EPA Library), 401 "M" Street, SW., Washington, D.C. 20460.

FOR FURTHER INFORMATION CONTACT: Douglas Grano, Chief, Regulatory Section, Air & Hazardous Materials Division, EPA, Region IX 415-556-2938.

SUPPLEMENTARY INFORMATION:

Background

Amendments to the Nevada Revised Statutes, Chapter 445, adopted during the 1977 session of the State Legislature, provide authority and guidance for the State Environmental Commission and the State Department of Motor Vehicles to establish an annual inspection and maintenance (I/M) program. The Regulations for mobile equipment were jointly adopted on August 16, 1978 by the State Environmental Commission and the State Department of Motor Vehicles. The State Department of Motor Vehicles and the Peace Officers of the State are the administering agencies for these regulations.

These statutes and regulations revise the State carbon monoxide (CO) and ozone control strategies, particularly in the two counties where the I/M program applies: Clark and Washoe. The revision was also submitted in partial fulfillment of new provisions of the Clean Air Act, enacted in August 1977 (Public Law 95-95). Section 172(b) (11) (B) requires that an I/M program be part of the SIP for areas unable to attain the carbon monoxide or ozone standards by December 31, 1982. The State has requested an extension beyond 1982 for two nonattainment areas: Las Vegas Valley in Clark County (CO and ozone) and Truckee Meadows in Washoe County (ozone). Separate Federal Register notices address all other provisions of the State's nonattainment area plans for these two areas.

Description of Proposed Revisions

On December 29, 1978 the Governor of Nevada submitted Statutes and Regulations which together provide an inspection and maintenance program for portions of Nevada, including the Las Vegas and Truckee Meadows areas. This legislation and supporting regulations establish in progressive steps a mandatory annual I/M program for all used light-duty vehicles being registered or re-registered in counties with more than 100,000 population. The regulations provide that, on or after July 1, 1979, such vehicles in Clark and Washoe Counties must have evidence of compliance with State exhaust emission standards.

The program requires a motor vehicle owner to obtain a certificate of compliance with the State emission standards and federal emission control equipment requirements. This certificate must be obtained from a State authorized inspector, complying with all State regulations concerning testing equipment and procedures. The State regulations establish standards for licensing inspection stations, which may include service stations and fleet stations.

The inspection test measures emissions from vehicles at both low and fast idle speeds. The engine is then adjusted to the manufacturer's specifications, such as timing and dwell. The emissions are again measured at the two engine speeds. If the measurements after adjustment of the engine are in compliance, the vehicle is issued a certificate of compliance. The inspection with adjustments usually requires 15 to 20 minutes of operator time.

The program provides for exceptions to the requirements of inspection and maintenance. These exceptions include,

among others, heavy duty motor vehicles, light duty motor vehicles more than 15 years old, and motorcycles. In addition, these requirements do not apply to vehicles changing registration under specific circumstances and vehicles for which necessary repair costs exceed fixed amounts.

Any vehicle not complying with these requirements is prohibited from operating on public roads. No vehicle may be registered if it violates the I/M requirements. In addition, a violation of any regulation under the program is punishable as a misdemeanor.

The regulations include a program for informing the public of the reasons and methods for the emission control inspection.

The following is a list of statutes and regulations which are considered in this notice.

Nevada Revised Statutes

Engine Emission Controls

445.610, Definitions.

445.620, Power of Commission to Prescribe Uniform Emission Standards for Internal Combustion Engines.

445.625, Information Concerning Emission Control Programs: Collection, Interpretation, Correlation; open to public.

445.630, Commission Regulations: Control of Motor Vehicle Emissions; Program of Motor Vehicle Inspection and Testing.

445.632, Regulations of Department of Motor Vehicles: Licensing of Stations; Manner of Inspection; fee, bond, insurance, pamphlet for vehicle owners.

445.634, Inspection of Stations; grounds for Suspension, revocation of station's license.

445.635, Compulsory motor vehicle emission inspection program: When evidence of compliance required for certain used motor vehicles.

445.640, Evidence of emission control compliance prerequisite to transfer of used motor vehicle in certain areas.

445.650, Exceptions to requirement of evidence of emission control compliance.

445.660, State Department of Conservation and Natural Resources to provide assistance.

445.670, Evidence of compliance prerequisite to registration of vehicle in certain areas; submission of evidence of compliance by owner, lessee of fleet of vehicles.

445.680, Installation, inspection of motor vehicle pollution control device.

445.690, Exemption of certain classes of motor vehicles; waiver from provisions of NRS 445.630 to 445.670, inclusive.

445.700, Fees: Amounts; collection and deposit; use of money; maximum inspection fees.

445.705, Unlawful acts.

445.710, Penalties.

Air Quality Regulations for Mobile Equipment

1 Definitions.

2.1 Severability.

2.2 Circumvention.

3.1 Pollution control devices.

3.2 Visible smoke; gasoline-powered.

3.3 Visible emissions; diesel-powered.

3.4 Visible emissions above 1500 meters; diesel-powered.

3.5 Devices made after January 1, 1970; stationary rails.

3.6 Devices made prior to January 1, 1970; stationary rails.

3.7 Exceptions.

3.8 Motor vehicle inspection standards.

3.9 Time of Implementation.

3.10 Licensing of authorized station required.

3.11 Application, fee for stations; issuance of license.

3.12 Approval of inspectors.

3.13 Fleet station.

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4.1 Prescribed inspection test procedures.

4.2 Exhaust gas analyzer performance specifications.

4.3 Inspection and certification.

4.4 Certificates of compliance; responsibility.

4.5 Approved authorized station sign.

4.6 Authorized station's bond.

4.7 Misleading advertising; false information.

4.8 Approved inspector/license stipulations.

4.9 Denial, revocation of station license; grounds.

4.10 Licensing hearings.

4.11 Judicial review of license.

4.12 Denial of an inspector's license.

4.13 Denial; revocation of an inspector's license.

4.14 Inspector licensing hearings.

4.15 Judicial review of inspector licensing.

4.16 Certificate of compliance.

4.17 Certificate of compliance; purchase.

4.18 Certificate of compliance; responsibility.

4.19 Fleet stations.

4.20 Penalties.

Discussion

These regulations replace portions of Article 1, *Definitions*, and all of Article 11, *Mobile Equipment* in the State of

Nevada Air Quality Regulations, as contained in the approved SIP. These changes appear to be consistent with 40 CFR Part 51 requirements and have the effect of strengthening the SIP. In addition to the requirements of Part 51, the I/M regulations, in their entirety, must satisfy specific criteria for approval under Part D, Section 172(b)(11)(B), of the Clean Air Act.

The general requirements for the I/M programs are set out in a February 24, 1978 memorandum from the EPA Administrator to the Regional Administrator (reprinted in the *Federal Register* on May 19, 1978, 43 FR 21673). Additionally, EPA published a General Preamble for Proposed Rulemaking on Approval of Plan Revision for Nonattainment Areas (44 FR 20372, April 4, 1979) which identifies the major considerations that will guide EPA's evaluation of each nonattainment plan submittal, including I/M program. These requirements include certification of adequate legal authority and a commitment to develop, adopt, and implement the I/M program as expeditiously as practicable.

All of the above general requirements appear to be met through the submitted Statutes and Regulations which include adequate legal authority and provide for full implementation of the Nevada I/M program as expeditiously as practicable. In addition to complying with EPA's general requirements, the Nevada I/M program is also consistent with EPA policy in that the Statutes and Regulations provide for:

1. Regular periodic inspections of all vehicles for which emission reductions are claimed in the SIP;
2. Maintenance and retesting of failed vehicles to provide for compliance with applicable emission standards;
3. Prohibition against vehicle registration for operating on public roads for any vehicle which does not comply with the applicable exhaust emission requirements;
4. Quality control regulations and procedures for the inspection system including:
 - a. Minimum specifications for emission analyzers,
 - b. Required calibrations of all types on analyzers, and
 - c. Minimum record keeping;
5. A program to inform the public of the location and operating hours of service establishments with approved emission analyzers;
6. The licensing of inspection facilities which insure that the facility:
 - a. Has obtained, prior to licensing, analytical instrumentation which has been approved for use by the

appropriate state, local, or regional government agency,

b. Has received instructions in the proper use of the instruments and in vehicle testing methods and has demonstrated proficiency in these methods, and

c. Agrees to maintain records and submits to inspections;

7. Penalties for facilities which fail to follow prescribed procedures and for misconduct; and

8. Records to be maintained including the description (make, year, license number, etc.) of each vehicle inspected, and its emissions test results and the calibration of testing equipment.

In addition, as a result of the cut points used and the starting date of the program, it appears that implementation of the regulations will result in emission reductions of 25 percent for both hydrocarbons and carbon monoxide by December 31, 1987, in accordance with EPA policy.

In summary, the Statutes and Regulations listed and discussed in this Notice appear to meet the requirements of 40 CFR Part 51 and Section 172 of the Clean Air Act, and are consistent with EPA policy.

Public Comments

Under Section 110 of the Clean Air Act as amended, and 40 CFR Part 51, the Administrator is required to approve or disapprove the regulations and statutes submitted as revisions to the SIP. The Regional Administrator hereby issues this notice setting forth these revisions, including rule deletions caused thereby, as proposed rulemaking and advises the public that interested persons may participate by submitting written comments to the Region IX Office. Comments received on or before July 6, 1979, will be considered. Comments received will be available for public inspection at the Nevada Department of Conservation and Natural Resources, Clark County Department of Comprehensive Planning, Washoe Council of Governments, EPA Region IX Library and the EPA Public Information Reference Unit.

The Administrator's decision to approve or disapprove the proposed revisions will be based on the comments received and on a determination whether the amendments meet the requirements of Section 110 and Part D of the Clean Air Act and 40 CFR Part 51, Requirements for Preparation, Adoption, and Submittal of State Implementation Plans.

(Secs. 10, 129, 171 to 178, and 301(a) of the Clean Air Act as amended (42 U.S.C. 7410, 7429, 7501 to 7508, and 7601(a)).

Dated: March 28, 1979.

Paul De Falio, Jr.,
Regional Administrator

[FRL 1217-7]

[FR Doc. 79-14216 Filed 5-4-79; 8:45 am]

BILLING CODE 6560-01-M

[40 CFR Part 52]

State and Federal Administrative Orders Revising the Illinois State Implementation Plan; Proposed Approval of an Administrative Order Issued by Illinois Pollution Control Board to Commonwealth Edison Co.

AGENCY: U.S. Environmental Protection Agency.

ACTION: Proposed Rule.

SUMMARY: U.S. EPA proposes to approve an Administrative Order issued by the Illinois Pollution Control Board to Commonwealth Edison Company. The Order requires the company to bring air emissions from coal fired boilers at its Kincaid Generating Station located near Sicily, Christian County, Illinois, into compliance with certain regulations contained in the federally approved Illinois State Implementation Plan (SIP), by October 31, 1981. Because the Order has been issued to a major source and it relaxes particulate emissions of the SIP, it must be approved by U.S. EPA before it becomes effective as a SIP revision under the Clean Air Act, 42 U.S.C. § 7410. If approved by U.S. EPA, the relaxation will constitute a revision to the SIP. The purpose of this notice is to invite public comment on U.S. EPA's proposed approval of the Order.

DATE: Written comments must be received on or before June 6, 1979.

ADDRESSES: Comments should be submitted to Director, Air and Hazardous Materials Division, U.S. Environmental Protection Agency, Region V, 230 South Dearborn Street, Chicago, Illinois 60604. The State Order supporting material, and public comments received in response to this notice may be inspected and copied (for appropriate charges) at this address during normal business hours.

FOR FURTHER INFORMATION CONTACT: Dave Lueck, Air and Hazardous Materials Division, U.S. Environmental Protection Agency, 230 South Dearborn Street, Chicago, Illinois 60604, (312) 353-2205.

SUPPLEMENTARY INFORMATION: Commonwealth Edison Company (Edison) operates a coal-fired steam powered electric generating station in Christian County, Illinois. The plant is commonly known as Kincaid Station.

On December 1, 1977, Edison filed a petition for variance from the emission limit for particulate matter applicable to the Kincaid Station until such time as Edison can complete construction of new control equipment. Variance is requested from Rule 203(g)(1)(B) of the State of Illinois Pollution Control Board Rules and Regulations for Air Pollution. A public hearing was held in this matter on June 1, 1978 in conformity with the notice of hearing requirements set forth in 40 CFR, Part 51.4. No citizens appeared at the hearing and the Illinois Pollution Control Board received no public comment in the matter.

On July 20, 1978, the Illinois Pollution Control Board granted Edison's variance petition. Pursuant to Section 110 of the Clean Air Act, the Administrator of the United States Environmental Protection Agency must approve the Order of the Illinois Pollution Control Board granting Edison's petition as a revision to the Illinois SIP before it may become effective. 42 U.S.C. § 7410. Today's action proposes approval of the State Order.

After efforts to improve the collection efficiency of existing pollution control equipment at Kincaid Station, Edison concluded that the installation of new control equipment would be necessary to meet the Illinois particulate emission standard. The new facilities proposed include two new electrostatic precipitators to be operated in tandem with the existing precipitators, and a single new stack through which all the Kincaid flue gases will be vented after treatment by the precipitators. Edison estimates that the construction of the new precipitators and the new stack will cost in excess of \$60 million. Engineering estimates indicate that the new precipitators should be ready for service by October 1981 and that the new stack will be completed in mid 1979.

Kincaid Station is located adjacent to Peabody Coal Company's Mine 10, which is the sole supplier of the coal used at Kincaid. In March of 1977, a coal washer was completed at Mine 10 and therefore only washed coal is now being supplied to the Kincaid Station. An indeterminate amount of unwashed coal is in the storage piles at Kincaid Station and must be disposed of. Edison estimates that there are approximately 400,000 tons of mixed washed and unwashed coal in storage which they propose to burn on a 50-50 basis with known washed coal until all of the unwashed coal in storage has been utilized. The combination of washed and unwashed coal will yield a maximum particulate emission of 0.4 lbs./MBTU.

The washed coal under existing precipitator will yield 0.3 lbs./MBTU and the washed coal utilizing the new precipitator equipment will result in an emission of no more than 0.1 lbs./MBTU. Edison therefore requested interim limits of 0.4 lbs./MBTU until the unwashed is completely utilized, estimated by Edison to be no later than July 1, 1979. Edison further requested a limitation of 0.3 lbs./MBTU's until October 31, 1981, the target date for operation of the new equipment. Subsequent to November 1, 1981, Edison will be in compliance with the regulations.

Edison alleged that the operation of the Kincaid Station has no adverse effect on total suspended particulate ambient air quality in the area. Consultants retained by Edison to evaluate the impact of particulate emission from Kincaid on ambient air quality reported their conclusions. The Consultants concluded that the contribution of the Kincaid Station to existing air quality levels of plant vicinity was very small and that operation of the station should not threaten or prevent the attainment of the ambient total suspended particulate standards in the plant vicinity. In addition, the Consultants used emissions data representative of the year 1977. Therefore, this relaxation will not consume Prevention of Significant Deterioration (PSD) increment. Testimony at the hearing indicated that there would be no problem regardless of the use of 50% unwashed coal.

Edison alleged that denial of this variance would impose substantial hardships upon Edison and its customers in the form of increased costs or power outages. In order to make up for the loss or derating of the Kincaid units, Edison would have to reserve the right to ask for power from neighboring electric utilities at substantial cost or run the risk of being unable to supply the power requirements of its customers at certain times. In addition, Edison claimed it would be faced with replacing Kincaid's output with extended use of higher cost units.

The Illinois Pollution Control Board found that under the conditions of the proposed variance the emissions from Kincaid will not prevent attainment or maintenance of air quality standards. The Board further found that denial of this variance petition would cause arbitrary and unreasonable hardship upon Edison and its customers. The Board therefore granted Edison variance from Rule 203(g)(1)(B) of the Pollution Control Board Rules and Regulations Chapter 2: Air Pollution, as applicable to

the Kincaid Station until October 31, 1981 subject to certain conditions. The Board issued the following Order along with its opinion granting the variance:

"Order"

It is the Order of the Pollution Control Board that:

1. Commonwealth Edison Company be granted variance from Rule 203(g)(1)(B) of the Board's Air Pollution Regulations for its Kincaid facility until October 31, 1981 subject to the following conditions:

A. Until March 1, 1979 particulate emissions shall be limited to a rate of no more than 0.4 lbs./MBTU of actual heat input.

B. From March 1, 1979 until March 1, 1981 emissions of particulate matter from Kincaid Unit No. 1 shall not exceed the rate of 0.3 lbs./MBTU of actual heat input.

C. From March 1, 1979 Until October 15, 1981 emissions of particulate matter from Kincaid No. 2 shall not exceed 0.3 lbs./MBTU of actual heat input.

D. Edison shall construct, install and begin operation of new particulate removal control equipment and a new chimney at its Kincaid Station during the term of this variance and shall report its progress to the Agency every three months starting September 1, 1978.

E. Within 45 days of the adoption of this Order, the Commonwealth Edison Company shall execute and forward to the Illinois Environmental Protection Agency, 2200 Churchill Road, Springfield, Illinois 62706 a Certification of Acceptance and Agreement to be bound to all terms and conditions of this Order. The 45 day period shall be held in abeyance during any period this matter is being appealed. The form of said certification shall be as follows:

Certification

I (We), _____ having read and fully understand the Order of the Illinois Pollution Control Board in PCB 77-316 hereby accept said Order and agree to be bound by all of their terms and conditions thereof.

Signed _____
Title _____
Date _____

The source has heretofore agreed to be bound by the terms of this Order.

Because this Order has been issued to a major source of particulate emissions and relaxes the standard of compliance and applicable emission limitation, it must be approved by EPA before it becomes effective as a revision to the Illinois SIP.

All interested persons are invited to submit written comments on the

proposed SIP revision. Written comments received by the date specified above will be considered in determining whether EPA may approve the revision. After the public comment period, the Administrator of EPA will publish in the *Federal Register* the Agency's final action on the Order in 40 CFR Part 52.

(42 U.S.C. 7413, 7601.)

Dated: April 23, 1979.

John McGuire,
Regional Administrator, Region B.

[FRL 1218-1]

[FR Doc. 79-14213 Filed 5-4-79; 8:45 am]

BILLING CODE 6560-01-M

[40 CFR Part 65]

State and Federal Administrative Orders Permitting a Delay in Compliance With State Implementation Plan Requirements; Proposed Approval of Delayed Compliance Order Issued by the State of Wyoming, Department of Environmental Quality to CF&I Steel Corp.

AGENCY: Environmental Protection Agency.

ACTION: Proposed Rule.

SUMMARY: EPA proposes to approve a delayed compliance order issued by the State of Wyoming, Department of Environmental Quality, to CF&I Steel Corporation, Sunrise Mine, located in Sunrise, Wyoming. The order requires CF&I Steel Corporation to bring air emissions from iron ore driers No. 1 and No. 2 at the Sunrise Mine located in Sunrise, Wyoming, into compliance with applicable regulations, contained in the Wyoming State Implementation Plan (SIP) by July 1, 1979. Because the order has been issued to a major source and permits a delay in compliance with provisions of the SIP, it must be approved by EPA before it becomes effective as a delayed compliance order under the Clean Air Act (the Act). If approved by EPA, the order will constitute an addition to the SIP. In addition, a source in compliance with an approved order may not be sued under the Federal enforcement or citizen suit provisions of the Act for violations of the SIP regulations covered by this order. The purpose of this notice is to invite public comment on EPA's proposed approval of the order as a delayed compliance order.

DATE: Written comments must be received on or before June 6, 1979.

ADDRESSES: Comments should be submitted to Director, Enforcement Division, EPA, Region VIII, 1860 Lincoln Street, Denver, Colorado 80295. The

State order, supporting material, and public comments received in response to this notice may be inspected and copied (for appropriate charges) at this address during normal business hours.

FOR FURTHER INFORMATION CONTACT:

Mrs. Cay White, Enforcement Division, EPA, Region VIII, 1860 Lincoln Street, Denver, Colorado 80295, telephone (303) 837-2361.

SUPPLEMENTARY INFORMATION:

CF&I Steel Corporation has mining operations in Sunrise, Wyoming. The order under consideration is concerned with emissions from iron ore driers No. 1 and No. 2 at the Sunrise Mine which are subject to the Wyoming Air Quality Standards and Regulations, Section 14(g). This regulation limits particulate emissions from process industries and is part of the federally-approved Wyoming State Implementation Plan. The order requires compliance with the regulations by July 1, 1979, through implementation of the following schedule for the installation of control equipment:

1. February, March, April 1979—Design Engineering.
2. March and April 1979—Fabricate auxiliaries.
3. April 1979, Final design parameters—selection of contractor.
4. April and May 1979—Receipt of equipment.
5. May 1979—Contractor installation.
6. June 1979—Compliance testing.
7. June 30, 1979—Compliance.

The source has consented to the terms of the order and has agreed to meet the order's increments during the period of this informal rulemaking. Because this order has been issued to a major source of particulate matter emissions and permits a delay in compliance with the applicable regulation, it must be approved by EPA before it becomes effective as a delayed compliance order under Section 113(d) of the Act. EPA may approve the order only if it satisfies the appropriate requirements of this subsection. EPA has preliminarily determined that the order complies with those requirements, but specifically requests public comment on those matters.

If the order is approved by EPA, source compliance with its terms would preclude Federal enforcement action under section 113 of the Act against the source for violations of the regulations covered by the order during the period the order is in effect. Enforcement against the source under the citizen suit provision of the Act (Section 304) would be similarly precluded. If approved, the order would also constitute an addition to the Wyoming SIP. Compliance with

the proposed order will not exempt the CF&I Steel Corporation from complying with applicable requirements contained in any subsequent revisions to the SIP which are approved by EPA.

All interested persons are invited to submit written comments on the proposed order. Written comments received by the date specified above will be considered in determining whether EPA may approve the order. After the public comment period, the Administrator of EPA will publish in the *Federal Register* the Agency's final action on the order in 40 CFR Part 65.

(Authority: 42 U.S.C. 7413, 7601.)

Dated: April 20, 1979.

Alan Merson,
Regional Administrator, Region VIII.

[Docket No. A-79-8; FRL 1212-8]

[FR Doc. 79-14221 Filed 5-4-79; 8:45 am]

BILLING CODE 6560-01-M

[40 CFR Part 65]

State and Federal Administrative Orders Permitting a Delay in Compliance With State Implementation Plan Requirements; Proposed Approval of an Administrative Order Issued by the Main Board of Environmental Protection to Georgia-Pacific Corp.

AGENCY: Environmental Protection Agency.

ACTION: Proposed Rule.

SUMMARY: EPA proposes to approve an administrative order issued by the Maine Board of Environmental Protection to Georgia-Pacific Corporation. The order requires the company to bring air emissions from its Chip and Saw Mill and its Kraft Mill in Woodland, Maine into compliance with certain regulations contained in the federally approved Maine State Implementation Plan (SIP) by June 30, 1979. Because the order has been issued to a major source and permits a delay in compliance with provisions of the SIP, it must be approved by EPA before it becomes effective as a delayed compliance order under the Clean Air Act (the Act). If approved by EPA, the order will constitute an addition to the SIP. In addition, a source in compliance with an approved order may not be sued under the federal enforcement or citizen suit provisions of the Act for violations of the SIP regulations covered by the Order. The purpose of this notice is to invite public comment on EPA's proposed approval of the order as a delayed compliance order.

DATE: Written comments must be received on or before June 6, 1979.

ADDRESSES: Comments should be submitted to Director, Enforcement Division, EPA, Region I, Room 2103, J.F.K. Federal Building, Boston, MA 02203. The State order, supporting material, and public comments received in response to this notice may be inspected and copied (for appropriate charges) at this address during normal business hours.

FOR FURTHER INFORMATION CONTACT: Attorney Wesley Marshall at 617/223-5600 or engineer William Torrey at 617/223-5330, both at the following address: U.S. Environmental Protection Agency, J.F.K. Federal Building, room 2103, Boston, Massachusetts 02203.

SUPPLEMENTARY INFORMATION: Georgia-Pacific Corporation operates a chip and saw mill and a Kraft Mill at Woodland, Maine. The order under consideration addresses emissions from the facilities, which are subject to Section 600 of title 38 of the Maine Revised Statutes Annotated. This section (38 M.R.S.A. § 600) limits the emission of particulates from fuel burning equipment, and is part of the federally approved Maine State Implementation Plan. The order requires final compliance with the regulation by June 30, 1979 through installation of additional equipment.

Because this order has been issued to a major source of particulate emissions and permits a delay in compliance with the applicable regulation, it must be approved by EPA before it becomes effective as a delayed compliance order under Section 113(d) of the Clean Air Act (the Act). EPA may approve the order only if it satisfies the appropriate requirements of this subsection.

If the order is approved by EPA, source compliance with its terms would preclude federal enforcement action under Section 113 of the Act against the source for violations of the regulation covered by the order during the period the order is in effect. Enforcement against the source under the citizen suit provision of the Act (Section 304) would be similarly precluded. If approved, the order would also constitute an addition to the Maine SIP.

All interested persons are invited to submit written comments on the proposed order. Written comments received by the date specified above will be considered in determining whether EPA may approve the order. After the public comment period, the Administrator of EPA will publish in the Federal Register the Agency's final action on the order in 40 CFR Part 65.

(Authority: 42 U.S.C. 7413, 7601.)

Dated: April 21, 1979.

William Adams,
Regional Administrator, Region I.
[EPL 1217-5]
[FR Doc. 79-14220 Filed 5-4-79; 8:45 am]
BILLING CODE 6560-01-M

[40 CFR Part 65]

State and Federal Administrative Orders Permitting a Delay in Compliance With State Implementation Plan Requirements; Proposed Approval of Delayed Compliance Order Issued by the State of Wyoming, Department of Environmental Quality to United States Steel Corp.

AGENCY: Environmental Protection Agency.

ACTION: Proposed Rule.

SUMMARY: EPA proposes to approve a delayed compliance order issued by the State of Wyoming, Department of Environmental Quality, to United States Steel Corporation, Western Ore Operation located near Atlantic City, Wyoming. The order requires U.S. Steel Corporation to bring emissions from the waste gas fan on lines #1 and #2 of the agglomerating process at the Western Ore Operation near Atlantic City, Wyoming, into compliance with applicable regulations contained in the Wyoming State Implementation Plan (SIP) by July 1, 1979. Because the order has been issued to a major source and permits a delay in compliance with provisions of the SIP, it must be approved by EPA before it becomes effective as a delayed compliance order under the Clean Air Act (the Act). If approved by EPA, the order will constitute an addition to the SIP. In addition, a source in compliance with an approved order may not be sued under the Federal enforcement or citizen suit provisions of the Act for violations of the SIP regulations covered by this order. The purpose of this notice is to invite public comment on EPA's proposed approval of the order as a delayed compliance order.

DATE: Written comments must be received on or before June 6, 1979.

ADDRESSES: Comments should be submitted to Director, Enforcement Division, EPA, Region VIII, 1860 Lincoln Street, Denver, Colorado 80295. The State order, supporting material, and public comments received in response to this notice may be inspected and copied (for appropriate charges) at this address during normal business hours.

FOR FURTHER INFORMATION CONTACT: Mrs. Cay White, Enforcement Division, EPA, Region VIII, 1860 Lincoln Street,

Denver, Colorado 80295, telephone (303) 837-2361.

SUPPLEMENTARY INFORMATION: U. S. Steel Corporation operates a facility known as the Western Ore Operation near Atlantic City, Wyoming. The order under consideration concerns particulate emissions from the waste gas fan on lines #1 and #2 of the agglomerating process at this facility which are subject to the Wyoming Air Quality Standards and Regulations Section 14(g). This regulation limits particulate emissions from process industries and is part of the federally approved Wyoming State Implementation Plan. The order requires compliance with the regulations by July 1, 1979, through implementation of the following schedule for the installation of control equipment:

1. November 1978-May 1979—Construction of particulate matter air pollution control equipment.

2. May-July 1, 1979—Testing of the equipment so as to bring into compliance with Section 14 (g).

The source has consented to the terms of the order and has agreed to meet the order's increments during the period of this informal rulemaking. Because this order has been issued to a major source of particulate matter emissions and permits a delay in compliance with the applicable regulation, it must be approved by EPA before it becomes effective as a delayed compliance order under Section 113(d) of the Act. EPA may approve the order only if it satisfies the appropriate requirements of this subsection. EPA has preliminarily determined that the order complies with those requirements, but specifically requests public comment on those matters.

If the order is approved by EPA, source compliance with its terms would preclude Federal enforcement action under Section 113 of the Act against the source for violations of the regulations covered by the order during the period the order is in effect. Enforcement against the source under the citizen suit provision of the Act (Section 304) would be similarly precluded. If approved, the order would also constitute an addition to the Wyoming SIP. Compliance with the proposed order will not exempt the U. S. Steel Corporation from complying with applicable requirements contained in any subsequent revisions to the SIP which are approved by EPA.

All interested persons are invited to submit written comments on the proposed order. Written comments received by the date specified above will be considered in determining

whether EPA may approve the order. After the public comment period, the Administrator of EPA will publish in the **Federal Register** the Agency's final action on the order in 40 CFR Part 65.

[Authority: 42 U.S.C. 7413, 7601.]

Dated: April 20, 1979.

Alan Merson,

Regional Administrator, Region VIII.

[Docket No. A-79-9]

[FR Doc. 79-14222 Filed 5-4-79; 8:45 am]

BILLING CODE 6560-01-M

[40 CFR Part 85]

Emission Control System Performance Warranty

AGENCY: Environmental Protection Agency.

ACTION: Proposed Rule; Correction.

SUMMARY: The Federal Register Notice for the Proposed Emission Performance Warranty Regulations which appeared on page 23784 of the **Federal Register** for Friday, April 20, 1979, incorrectly stated the closing dates for submitting written comments. In addition, the Notice omitted the times for the Public Hearings.

DATES: The following is a correct statement of the dates and addresses relevant to the emission performance warranty:

Comments will be accepted until July 6, 1979. The first hearing will be held from 9:00 to 4:30 on May 22, 1979, and continue on May 23, 1979, if necessary. The second hearing will be held from 9:00 to 4:30 on May 31, 1979, and continue on June 1, 1979, if necessary. Any persons desiring to participate in the hearings should notify EPA of his or her intention along with an outline of the points to be discussed and the time needed to discuss these points no later than 10 days prior to the hearing at which the party wishes to participate.

ADDRESSES: Send written comments to: Central Docket Section (A-130) Environmental Protection Agency, 401 M Street, S.W., Washington D.C. 20460. A person should submit his or her intention to participate in a hearing along with an outline of discussions to: Director, Mobile Source Enforcement Division (EN-340), U.S. Environmental Protection Agency, 401 M Street S.W., Washington, D.C. 20460. The first hearing will be held at the following location: General Accounting Office Auditorium, 7th Floor, 441 G Street, N.W., Washington, D.C. The second hearing will be held at the following location: Royal Court Room, Ascot

House, 1100 South Michigan Street, Chicago, Illinois.

FOR FURTHER INFORMATION CONTACT:

Mr. David Feldman, Mobile Source Enforcement Division (EN-340) Environmental Protection Agency, 401 M Street S.W., Washington, D.C. 20460 (202) 755-0298.

Dated: April 30, 1979.

Benjamin R. Jackson,

Deputy Assistant Administrator for Mobile Source and Noise Enforcement, (EN-337).

[FRL 1216-5]

[FR Doc. 79-14214 Filed 5-4-79; 8:45 am]

BILLING CODE 6560-01-M

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Health Care Financing Administration

[42 CFR Part 466]

Financing of PSRO Hospital Review Activities

AGENCY: Health Care Financing Administration (HCFA), HEW.

ACTION: Proposed Rule.

SUMMARY: This proposal sets forth a new method for reimbursing the cost of hospital review conducted under the authority of Professional Standards Review Organizations (PSROs). It applies to review of hospital care provided to patients eligible under the Medicare, Medicaid, and Maternal and Child Health and Crippled Children's (MCH-CC) programs. It would implement Sections 1861(w), 1815(b), and 1168 of the Social Security Act, as amended by Section 112 of Pub. L. 94-182.

DATE: We will consider written comments or suggestions received by July 6, 1979.

ADDRESS: Address comments to: Administrator, Health Care Financing Administration, Department of Health, Education, and Welfare, P. O. Box 2372, Washington, D.C. 20013.

In commenting, please refer to HSQ-32-P. Organizations and agencies are requested to send comments in duplicate. Comments will be available for public inspection, beginning approximately two weeks from today, in Room 5231 of the Department's offices at 330 C Street, S.W., Washington, D.C., on Monday through Friday from 8:30 a.m. to 5 p.m. (202-245-0950).

FOR FURTHER INFORMATION CONTACT: Daniel E. Nickelson, Health Standards and Quality Bureau, HCFA, Mary E. Switzer Building, Room 5127, 330 C

Street, S.W., Washington, D.C. 20201, (202-245-8717).

SUPPLEMENTARY INFORMATION:

Background

Establishment of Professional Standards Review Organizations (PSROs) was mandated by Congress in the 1972 Amendments to the Social Security Act (Pub. L. 92-603). The primary responsibilities of PSROs are to assure that health care services and items provided and paid for under Medicare, Medicaid, and the Maternal and Child Health and Crippled Children's Services Program (Title XVIII, XIX and V of the Social Security Act, respectively), are medically necessary, meet professionally recognized standards of care, and are provided at the most economical level possible consistent with quality care.

PSROs are required to review institutional care (hospitals, and long-term care facilities) and, eventually, ambulatory care. Presently, however, PSRO efforts have focused primarily on inpatient care provided in short-stay hospitals. By statute (Section 1155(e) of the Social Security Act), the PSRO may carry out its review responsibility with respect to hospital care in two ways: First, the PSRO can delegate its review responsibilities to the hospitals in its area that are capable and willing to perform such review activities (delegated review); secondly, if the PSRO finds that a hospital is not qualified or is not willing to perform certain or all review activities, the PSRO conducts those review functions for the hospital (nondelegated review). The PSROs reviewing long-term care may only delegate long-term care review if the long-term care facility (skilled nursing facility or intermediate care facility) is certified as a "distinct part" of a short-stay hospital. Otherwise, PSROs may not delegate long-term care review (Section 1155(e)(1) of the Social Security Act, 42 U.S.C. 1320c-4).

PSRO administrative budgets are funded by annual HEW appropriations in the form of grants. PSRO hospital review activities, however, are funded through a different mechanism based on Section 112 of Public Law 94-182.

Prior to this law, the method of funding for review activities was dependent on whether the hospital was delegated or nondelegated. Delegated review costs were reimbursed to the hospitals by the Medicare Trust Funds, which was then reimbursed from Titles XIX and V funds for the costs of Titles XIX and V patient review. Nondelegated review costs, payable from the HEW annual appropriations, were included as

part of the PSRO's administrative budget. Since annual appropriations were always limited, PSROs had the incentive to delegate review activities in order to conserve funds in their own operating budgets. (See Senate Report No. 94-569, 94th Congress, 1st Session, December 31, 1975, pp. 10-11).

The statute corrected this situation by requiring that the full cost of performing review for Medicare, Medicaid, and Maternal and Child Health and Crippled Children hospital patients in both delegated and nondelegated hospitals come from the Medicare Trust Funds. As was previously the case with delegated hospitals, appropriate adjustments are then made to cover the cost of delegated and nondelegated review of Titles XIX and V admissions. Delegated long-term care review is also reimbursed from Medicare Trust Funds if the long-term care institution is a "distinct part" of a delegated hospital. Hospitals that only participate in the Medicaid program are reimbursed by the PSRO.

Concern regarding the cost of PSRO hospital review has recently been raised by a number of sources, including some at the Department level, elsewhere in the Executive Branch and, most notably, in Congress. Congress acted on this concern by setting a limit on the use of Fiscal Year 1979 Medicare Trust Funds for PSRO hospital review. Additionally, these concerns have focused attention on the need for the PSRO to have the means to control delegated and nondelegated hospital review costs. This control is necessary to assure that PSRO review will become as efficient as possible. The proposed procedures for controlling PSRO review expenditures are discussed below.

Proposed New Procedures

Currently, delegated hospitals receive the total reasonable costs incurred for delegated review. Under this system, we cannot limit the total payments to the hospitals by the fiscal intermediary. Therefore, although we can limit the expenditures for nondelegated review, through the PSRO budget, we cannot assure that the total payments for PSRO review remain within the budget limitations set by the Congress.

To solve this problem we are proposing that HCFA provide each PSRO with an overall budget for the costs of hospital review in its area. Within these cost parameters, the PSRO would develop a plan, including estimated costs, for the conduct of delegated and non-delegated review.

1. Reimbursement for Delegated Review. Each delegated hospital would develop a budget based on the specific

review objectives negotiated with the PSRO and the estimated workload necessary to meet those objectives. The workload would include the estimated number of admissions and the manner in which they would be reviewed. It would include the costs for concurrent and preadmission review, and medical care evaluation studies, if these functions have all been delegated. Long-term care review that is delegated to a skilled nursing facility (SNF) or intermediate care facility (ICF) certified as a distinct part of a short-stay hospital may be included as part of the hospital's review budget if the SNF and ICF costs are included with the hospital's acute care costs on a single Medicare cost report. The negotiated budget would become a ceiling on total reimbursement to the hospital. The hospital would be reimbursed for actual costs for delegated review, not to exceed the budget ceiling. The ceiling could not be exceeded without prior approval of the PSRO, within the limits of its areawide budget.

The budget negotiations between the hospital and the PSRO would have to be concluded 30 days prior to the beginning of the hospital's cost reporting year. The PSRO would inform the hospital and the hospital's Medicare fiscal intermediary of the budget at that time.

The hospital, either monthly or quarterly, would submit a statement to its Medicare fiscal intermediary (or to the PSRO if the hospital does not participate in the Medicare program) requesting reimbursement for the delegated review. If there were a substantial change in the review process at the hospital during the cost reporting year, the negotiated budget could be modified upon approval of the PSRO, within the constraints of the areawide budget. The PSRO would inform both the hospital and the hospital's Medicare fiscal intermediary of the change at least 30 days before the effective date of the change. There would be no retroactive adjustments to the budget.

The hospital would have to maintain records and submit reports to the PSRO or the Secretary as required by the Secretary.

2. Reimbursement for Nondelegated Review. Reimbursement for nondelegated review would be based on standards analogous to those that hospitals would have to meet to be reimbursed for delegated review. The PSRO would be required to specify its review objectives, the estimated number of admissions to be reviewed and in what manner, and the costs to be incurred. This budget could not be

exceeded without prior approval from HCFA.

The PSRO would be reimbursed by the Secretary as part of the PSRO's grant under 42 CFR Part 462 unless the nondelegated hospital elected to pay the PSRO for its review activities in the hospital and receive reimbursement.

If the hospital elected to pay the PSRO, the hospital would notify the PSRO in writing. The PSRO would then develop the review plan and a review budget for the hospital. Monthly prospective payments to the PSRO would be in the amounts determined by the PSRO, consistent with its review budget at the hospital. Payment would be due on the first working day of the month. Failure to pay on time could cause the Secretary to require that payment for review of the hospital come directly to the PSRO.

Definitions

Definitions for the language used in these regulations are included in a new Part 466—PSRO Hospital Review that will be published soon by the Department. These regulations will become a Subpart E of Part 466 when they are issued in final. The definitions include the following:

"Act" means the Social Security Act (42 U.S.C. Chapter 7).

"Delegated hospital" means a hospital to which PSRO review functions are delegated.

"Hospital" means a health care institution or distinct part of a health care institution as defined in Section 1861(e)-(g) of the Act, other than a Christian Science Sanatorium operated or listed and certified by the First Church of Christ Scientist, Boston, Massachusetts.

"Intermediate care facility (ICF)" means a health care institution or distinct part of an institution that provides health related care and services to individuals who do not require hospital or skilled nursing facility care.

"Nondelegated hospital" means a hospital in which the PSRO conducts review activities using its own review procedures, and has not delegated review activities to the hospital.

"PSRO" means a Professional Standards Review Organization.

"PSRO review" means a review performed by a PSRO or by a hospital review committee to which the PSRO has delegated review functions.

"Secretary" means the Secretary of Health, Education, and Welfare or any other officer or employee of the Department to whom the pertinent authority has been delegated.

"Skilled nursing facility (SNF)" means a health care institution that is primarily engaged in providing skilled nursing care or rehabilitative services to injured, disabled, or sick persons.

42 CFR Chapter IV is amended by adding a new Part 466, Subpart E to read as follows:

PART 466—PSRO HOSPITAL REVIEW

Subparts A-D [Reserved]

Subpart E—Financing of Review Activities

Sec.

466.60 Applicability and scope.

466.61 Areawide budget and individual hospital budgets.

466.62 Reimbursement to delegated hospitals.

466.63 Reimbursement for nondelegated hospitals.

Authority: Secs. 1102, 1155, 1156, 1165, 1168, 1815(b), and 1861(w) of the Social Security Act [42 U.S.C. 1302, 1320c-4, 1320c-5, 1320c-14, 1320c-17, 1395g(b), and 1395(w)].

Subparts A-D [Reserved]

Subpart E—Financing of Review Activities

§ 466.60 Applicability and scope.

This subpart establishes requirements and procedures for financing PSRO review activities in both delegated and nondelegated hospitals. It implements Sections 1861(w), 1815(b), and 1168 of the Act.

§ 466.61 Areawide budget and individual hospital budgets.

(a) Each fiscal year, HCFA will set a total areawide PSRO hospital review budget ceiling for each PSRO designated under Part 462 of this chapter. These areawide budgets will be based on the total amount budgeted by the Congress for PSRO hospital review and the projected level of PSRO hospital review in each PSRO area.

(b) Each PSRO will then establish an annual budget ceiling for each hospital in its area, based on the projected level of review in each hospital and the areawide budget ceiling. The PSRO may modify the ceiling for any hospital during the fiscal year, so long as it does not exceed its total areawide ceiling.

§ 466.62 Reimbursement to delegated hospitals.

Reimbursement to delegated hospitals for the conduct of the PSRO review activities will be as follows:

(a) Not later than 90 days prior to the close of a hospital's cost reporting year, it must provide the PSRO an estimate of direct review expenditures for Federal program review activities for the coming cost reporting year. This estimate must

be in a format prescribed by the Secretary.

(b) Long-term care review which is delegated to a SNF or and ICF that is certified as a distinct part of a short-stay hospital may be included as part of the hospital's review budget if the SNF or ICF costs are included with the hospital's acute care costs on a single Medicare cost report.

(c) Based on the information received from the hospital and subsequent negotiations, the PSRO will set an annual budget ceiling at least 30 days prior to the next cost reporting year. The PSRO must inform the hospital and the hospital's Medicare fiscal intermediary of the annual budget ceiling.

(d) The hospital must send a statement to its Medicare fiscal intermediary (or PSRO, if it does not participate in the Medicare program), requesting reimbursement for PSRO review. This can be done on a monthly or quarterly basis.

(e) There will be no retroactive adjustments in the budget ceiling. If there is a substantial change in the review process at the hospital during a cost reporting year, the PSRO may, on its own initiative or at the request of the hospital, modify the hospital's budget ceiling (as long as it does not cause the area total to exceed the areawide ceiling). The PSRO must inform both the hospital and the hospital's Medicare fiscal intermediary (if there is one) of such change at least 30 days prior to the date it takes effect.

(f) The hospital will be reimbursed for its actual costs of performing review, up to its budget ceiling. Hospitals delegated for only some review activities will also be subject to budget ceilings. Fiscal intermediaries will be responsible for the audits and final settlements with hospitals.

(g) The hospital must maintain records, and submit reports regarding its review activities to the PSRO or the Secretary, as required by the Secretary.

§ 466.63 Reimbursement for nondelegated hospitals.

(a) A nondelegated hospital may elect to pay the PSRO for its review activities in the hospital and receive reimbursement from the Medicare and Medicaid programs.

(b) If the hospital elects to pay the PSRO:

(1) The hospital must notify the PSRO in writing of its election.

(2) Payment may commence only at the beginning of the PSRO's budget year.

(3) The hospital must make monthly prospective payments to the PSRO in the amounts determined by the PSRO,

based on the review budget established for that hospital. The hospital must assure that the PSRO receives the payment by the first working day of each month in which review activities are to be performed.

(4) The hospital's election to pay the PSRO directly may be withdrawn by the Secretary if the hospital does not make timely payments as required under paragraph (b)(3) of this section.

(c) If the hospital does not elect to pay the PSRO, the PSRO will be funded by the Secretary, as part of the PSRO's grant under Part 462 of this subchapter, based on the review budget established for that hospital.

(Catalog of Federal Domestic Assistance Program No. 13.714, Medical Assistance Program; No. 13.773, Medicare-Hospital Insurance)

Note.—The Health Care Financing Administration has determined that this document does not require the preparation of a regulatory analysis under Executive Order 12044.

Dated: April 13, 1979.

Leonard D. Schaeffer,

Administrator, Health Care Financing Administration.

Approved: April 30, 1979.

Joseph A. Califano, Jr.,

Secretary.

[FR Doc. 79-14202 Filed 15-4-79; 8:45 am]

[BILLING CODE 4110-35-M]

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

[45 CFR Ch. XI]

Improving Government Regulations; Semiannual Agenda of Regulations

AGENCY: National Foundation on the Arts and the Humanities.

ACTION: Publication of the Semiannual Agenda of Regulations (Improving Government Regulations).

SUMMARY: The President's Executive Order on Improving Government Regulations, Executive Order 12044, requires each Federal agency to publish at least twice a year a list of significant regulations under development. The Foundation plans to publish its semiannual agenda by the first Monday in May and the first Monday in November each year.

FOR FURTHER INFORMATION CONTACT:

Mr. Robert Wade, General Counsel, National Endowment for the Arts, 2401 E Street, N.W., Washington, D.C. 20506, 202-634-6588 or Mr. Joseph Schurman, General Counsel, National Endowment for the Humanities, 806 15th Street, N.W., Washington, D.C. 20506, 202-724-0367.

SUPPLEMENTARY INFORMATION:**Semiannual Agenda of Regulations**

At the present time there are no significant regulations under development or review in the Foundation itself or in its components, the Federal Council on the Arts and the Humanities, the National Endowment for the Arts, or the National Endowment for the Humanities.

Joseph D. Duffey,

Chairman, National Endowment for the Humanities, and
Chairman, Federal Council on the Arts and the Humanities.

Livingston L. Biddle,

Chairman, National Endowment for the Arts.

[FR Doc. 79-14109 Filed 5-4-79; 8:45 am]

BILLING CODE 7536-01-M

FEDERAL COMMUNICATIONS COMMISSION**[47 CFR Part 73]****Changes in the Rules Relating to Noncommercial Educational FM Broadcast Stations: Order Extending Time for Filing Comments and Reply Comments**

AGENCY: Federal Communications Commission.

ACTION: Order extending time.

SUMMARY: Action herein extends the time for filing comments and reply comments in a proceeding involving changes in the rules relating to noncommercial educational FM Broadcast Stations. Requests were filed by National Association of Broadcasters, National Public Radio and jointly by McGraw-Hill Broadcasting Company and Taft Broadcasting Company who stated the additional time was needed to prepare comments.

DATES: Comments must be filed on or before October 15, 1979, and reply comments must be filed on or before November 30, 1979.

ADDRESSES: Federal Communications Commission, Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT: Jonathan David, Broadcast Bureau, (202) 632-7792.

SUPPLEMENTARY INFORMATION:

Adopted: April 26, 1979.

Released: April 27, 1979.

In the matter of changes in the rules relating to noncommercial educational FM broadcast stations, docket No. 20735.

1. On June 7, 1978, the Commission adopted a *Further Notice of Proposed Rule Making*, 43 F.R. 27682, in the above-captioned proceeding. The dates for filing comments and reply comments

were set for January 2 and February 15, 1979, then were later extended to April 2 and May 15, 1979, respectively at 44 FR 21021 on April 9, 1979.

2. The Commission received three motions for extension of time: National Public Radio ("NPR") requested an additional six months and the National Association of Broadcasters and McGraw-Hill Broadcasting Company jointly with Taft Broadcasting Company ("NAB" and "McGraw-Taft") requested a 90-day extension beyond the date of the issuance of the Report and Order addressing the Channel 6/FM interference problem.

3. McGraw-Taft asserts that one of the major controversial issues being considered in this proceeding is the need for adequate standards to protect Channel 6 television stations from educational FM interference. It states that the Commission indicated that it had not yet resolved the issue of interference to Channel 6 reception by educational FM stations but it expected to do so in a Report and Order. McGraw-Taft notes that the Report and Order has not yet been released and until it is, parties concerned with the interference problem are not reasonably in a position to comment on the proposed Table or to propose alternative allocations within Channel 6 service areas. NAB concurs with McGraw-Taft and states that it is essential that the Report and Order proposing a resolution of basic issues relating to protection of Channel 6 television stations from educational FM interference be released prior to the date that comments are due so that parties be given an opportunity to comment on it prior to or in conjunction with the proposed Table of Assignments. NPR states that its primary concern is the protection of present public radio services and the expanded capability of public radio to extend and improve its services. It adds that it is most concerned that all interested parties have sufficient opportunity to complete the extensive technical and engineering research necessary to support their filings.

4. In an Order released April 2, 1979, the Commission stated that at the time the above requests were filed it had not made a decision as to the amount of time that should be granted. However, it noted that since action was required because of the imminence of the current expiration date, it was, on its own motion, granting a 30-day extension to May 2, and June 18, 1979, for the filing of comments and reply comments, respectively. It pointed out that before the expiration of the 30-day period it

would decide what action to take on the above pending requests.

5. The Commission's Office of the Chief Engineer is preparing a Report and Order on the Channel 6 interference considerations, which Report is expected to be ready for public release by July 15, 1979. We agree that comment on this report would be helpful in considering the issues raised in the subject *Further Notice*. Therefore, in order to provide an opportunity for comment on it in the context of the proposed Table of Assignments, we are extending the comment date 90 days from the expected date of release of this study.

6. Accordingly, it is ordered, that the requests filed by the National Association of Broadcasters, National Public Radio and jointly by McGraw-Hill Broadcasting Company and Taft Broadcasting Company are granted to the extent that the dates for filing comments and reply comments are extended to and including October 15, and November 30, 1979, respectively, and are denied in all other respects.

7. This action is taken pursuant to authority contained in Sections 4(i), 5(d)(1) and 303(r) of the Communications Act of 1934, as amended, and § 0.281 of the Commission's rules.

Federal Communications Commission.

William J. Tricarico,
Secretary.

[Docket No. 20735; FCC 79-245]

[FR Doc. 79-14140 Filed 5-4-79; 8:45 am]

BILLING CODE 6712-01-M

DEPARTMENT OF TRANSPORTATION**Materials Transportation Bureau****[49 CFR Part 178]****Shipping Container Specifications; Withdrawal of Certain Bureau of Explosives Delegations of Authority**

AGENCY: Materials Transportation Bureau, Research and Special Programs Administration, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Materials Transportation Bureau (MTB) proposes to issue an amendment to the Department's Hazardous Materials Regulations withdrawing or cancelling the remaining delegations of authority to the Bureau of Explosives (B of E) in Part 178 of 49 CFR. However, the B of E would continue to play a very important role in the testing of explosives and other hazardous materials for MTB. This action is being taken as the second step in conforming existing programs with the purposes of

the Hazardous Materials Transportation Act.

DATE: Comments must be received on or before June 30, 1979.

ADDRESS: Comments must be addressed to Dockets Branch, Materials Transportation Bureau, U.S. Department of Transportation, Washington, D.C. 20590. Five copies of comments are requested.

FOR FURTHER INFORMATION CONTACT: Darrell L. Raines, Office of Hazardous Materials Regulation, 2100 Second Street S.W., Washington, D.C. 20590, 202-755-4962.

SUPPLEMENTARY INFORMATION: On August 17, 1978, the Materials Transportation Bureau published Docket No. HM-163; Amdt. Nos. 171-41, 173-119, 178-49 (43 FR 36445). These referenced amendments constituted the first action in an overall phased program to withdraw all of the delegations of authority to the B of E in 49 CFR Parts

100-199. The MTB will continue to use the service and expertise of the B of E laboratory for the testing of explosives and other hazardous materials. Results of tests performed by the B of E will be forwarded to the MTB for review and final disposition. The preamble to the above referenced amendments clearly stated the reasons for the action taken as well as those to be considered in future rulemaking. In view of the above referenced preamble, repeating it again in this notice is not deemed necessary.

The Bureau realizes that it is necessary to provide for continuity and continued effectiveness of existing B of E approvals and authorizations for a specified transition period. Accordingly, a new section 171.19 was added earlier under Docket No. HM-163A (Amdt. No. 171-45) to provide for continued effectiveness of subject approvals and authorizations until their expiration dates or until December 31, 1984, whichever is earlier.

These proposed changes should have little or no economic impact on the private sector, consumers, State or local governments since these proposals would merely require approval from MTB instead of the B of E. Also, in some instances the requirement for MTB to receive certain reports and to witness certain tests would be deleted.

For simplicity, all paragraphs affected by these proposed amendments, which now read the same, have been grouped together with the present wording and the proposed amendment. Comments regarding this format will be appreciated and useful for future rulemaking actions under Docket HM-163.

Primary drafters of this document are Darrell L. Raines, Exemptions and Regulations Termination Branch, Office of Hazardous Materials Regulation, and George W. Tenley, Office of the Chief Counsel, Research and Special Programs Administration.

In consideration of the foregoing, 49 CFR Part 178 would be amended as follows:

Regulation affected	Present wording	Proposed amendment
§ 178.1-9(a), § 178.4-8(a), § 178.5-9(a), § 178.6-10(a), § 178.14-8(a)	(a) <i>Apparatus.</i> Standard required. Detail prints can be obtained from Bureau of Explosives.	(a) <i>Apparatus.</i> Standard required. Detail prints may be obtained from the Associate Director for HMR.
§ 178.1-9(d), § 178.4-8(d), § 178.5-9(d), § 178.6-10(d), § 178.14-8(d)	(d) <i>When required.</i> By each manufacturer, and each shipper who fills and ships new or used carboys; during each 6 months of each year, one series each year to be witnessed by representative of Bureau of Explosives; separate tests required for: (1) * * *	(d) <i>When required.</i> By each manufacturer, at intervals not to exceed 6 months; separate tests required for: (1) * * *
§ 178.1-10	Approval of veneer, plywood and laminated wood boxes.	Boxes of veneer, plywood and laminated wood.
§ 178.1-10(a)	(a) Boxes of veneer, plywood, laminated wood, or any combination thereof, which comply with §§ 178.1-1 to 178.1-10 (except § 178.1-7 (a), (c), and (d) are approved provided:	(a) Boxes of veneer, plywood, laminated wood, or any combination thereof, which comply with §§ 178.1-1 to 178.1-10 (except § 178.1-7 (a), (c), and (d) are authorized provided:
§ 178.1-10(a)(2)	(2) That complete inner packing and box specifications have been filed with and approved by the Bureau of Explosives.	(2) That these boxed carboys pass the regular test prescribed in § 178.1-9. Copy of the most recent test report must be retained until further tests are made or for five years from the test.
§ 178.1-10(a)(3)	That these boxed carboys pass the regular tests prescribed in § 178.1-9.	(3) [Delete]
§ 178.1-10(a)(4)	(4) That boxed carboys after a minimum service period of 6 months pass the test prescribed in § 178.1-9.	(4) [Delete]
§ 178.1-10(a)(5)	That a detailed report of tests prescribed under paragraph (a)(4) of this section has been filed with and accepted as satisfactory by the Bureau of Explosives.	(5) [Delete]
§ 178.4-8(g)	(g) <i>Internal pressure test.</i> Bottles shall be capable of withstanding a sustained internal pressure of 20 p.s.i. gauge for a 15-day period. Bottle manufacturer shall demonstrate to Bureau of Explosives that bottles of a proposed design will meet this test prior to start of production.	(g) <i>Internal pressure test.</i> Bottles shall be capable of withstanding a sustained internal pressure of 20 p.s.i. gauge for a 15-day period.
§ 178.6-7(a)	(a) The complete inner packing and drum specification must be filed with and approved by the Bureau of Explosives.	(a) [Delete]
§ 178.13-3(a), First sentence	(a) Carboys shall be made of polyethylene with no plasticizers or additives and have a maximum melt index value of 2.5 grams per 10 minutes as determined in accordance with method acceptable to the Bureau of Explosives.	(a) Carboys shall be made of polyethylene with no plasticizers or additives and have a maximum melt index value of 2.5 grams.
§ 178.13-4(a)(1)	(1) Specification for each size outside container must be filed by each plant prior to start of production and be approved by the Bureau of Explosives.	(1) Specifications for each size outside container must be kept on file by each manufacturer.
§ 178.21-3(a), Note 1; § 178.24-2(a), Note 1	Note 1: Properties to be obtained by a test method approved by Bureau of Explosives. Other materials may be added which shall not affect the properties specified in paragraph (a) of this section.	Note 1: Other materials may be added which shall not affect the properties specified in paragraph (a) of this section.

Regulation affected	Present wording	Proposed amendment																				
§ 178.59-16(a), Last sentence; § 178.60-20(a), Last sentence.....	In all cases, the filling material as installed in the cylinder must be approved by the Bureau of Explosives.	(a) In all cases, the filling material as installed in the cylinder must be examined by the Bureau of Explosives and approved by the Associate Director for OE.																				
§ 178.59-16(b), First sentence; § 178.60-20(b), First sentence	Porosity of filling to be 80 percent or less except that filling with a porosity in excess of 80 percent but not in excess of 92 percent, may be used when tested with satisfactory results under the supervision of the Bureau of Explosives.	(b) Porosity of filling to be 80 percent or less except that filling with a porosity in excess of 80 percent but not in excess of 92 percent, may be used when tested with satisfactory results under the supervision of the Bureau of Explosives and approved by the Associate Director for OE.																				
§ 178.59-21	<p>(a) For seamless cylinders, contracted for by the United States Navy or United States Coast Guard, made of steel commercially known as 4130X the prescribed limitations of carbon content, yield point, and elongation of steel are hereby waived provided the cylinders otherwise comply with §§ 178.59-1 to 178.59-20 and the following conditions:</p> <p>(b) The following chemical analysis is authorized. (b) [Delete]. (See Note 1.)</p> <table><tr><td>Designation:</td><td>4130X (percent)</td></tr><tr><td>Carbon</td><td>0.25/0.35.</td></tr><tr><td>Manganese</td><td>0.40/0.90.</td></tr><tr><td>Phosphorus</td><td>0.04 max.</td></tr><tr><td>Sulphur</td><td>0.05 max.</td></tr><tr><td>Silicon</td><td>0.20/0.35.</td></tr><tr><td>Chromium</td><td>0.80/1.10.</td></tr><tr><td>Molybdenum</td><td>0.15/0.25.</td></tr><tr><td>Zirconium</td><td></td></tr><tr><td>Nickel</td><td></td></tr></table> <p>Note 1: A heat of steel made under the above specification, check chemical analysis of which is slightly out of the specified range, is acceptable, if satisfactory in all other respects, provided the tolerances published by the American Iron and Steel Institute in Table 6-4 of "Supplementary Information July 1958, Alloy Steel: Semi-finished, Hot Rolled and Cold Finished Bars, July 1955," are not exceeded; or provided the variation in chemical analysis is approved by the Bureau of Explosives.</p> <p>(c) Minimum wall thickness must be such that the wall stress under interior pressure of 1,000 pounds per square inch will not exceed 18,000 pounds per square inch when calculated by the formula:</p> $S = [P(1.3D^2 + 0.4d^2)] / (D^2 - d^2)$ <p>Where: S = wall stress in pounds per square inch; P = 1,000 pounds per square inch; D = outside diameter in inches; d = inside diameter in inches.</p> <p>(d) The elongation of the steel must be at least 20 percent in 2 inches. (d) [Delete].</p> <p>(e) The test pressure under § 178.59-12 must be at least 1,000 pounds per square inch. (e) [Delete].</p> <p>(f) Flattening test: Between knife edges, wedge shaped, 60° angle, rounded to 1/2 inch radius; test 1 cylinder¹ taken at random out of each lot of 200 or less, after hydrostatic test. The cylinders must pass test without cracking to 6 times wall thickness. (f) [Delete].</p> <p>(g) Reports of manufacture and tests of the cylinder shells must include the following additional information: Chemical analysis data on manganese, chromium, molybdenum, and other alloy materials present, if any; definite statement as to the heat-treatment used. (g) [Delete].</p>	Designation:	4130X (percent)	Carbon	0.25/0.35.	Manganese	0.40/0.90.	Phosphorus	0.04 max.	Sulphur	0.05 max.	Silicon	0.20/0.35.	Chromium	0.80/1.10.	Molybdenum	0.15/0.25.	Zirconium		Nickel		
Designation:	4130X (percent)																					
Carbon	0.25/0.35.																					
Manganese	0.40/0.90.																					
Phosphorus	0.04 max.																					
Sulphur	0.05 max.																					
Silicon	0.20/0.35.																					
Chromium	0.80/1.10.																					
Molybdenum	0.15/0.25.																					
Zirconium																						
Nickel																						
§ 178.80-7(a), Footnote 1; § 178.81-7(a), Footnote 1; § 178.82-7(a), Footnote 1; § 178.83-7(a), Footnote 1; § 178.84-7(a), Footnote 1; § 178.87-7(a), Footnote 1; § 178.88-6(a), Footnote 1; § 178.90-6(a), Footnote 1; § 178.91-7(a), Footnote 1..	Rolling hoops of pliable solid rubber or other suitable material are also authorized when approved as to type and construction by the Bureau of Explosives.	Footnote 1. Rolling hoops may be of pliable solid rubber, metal, or other suitable material provided that equivalent protection to drum integrity is afforded.																				
§ 178.80-9(d), Last sentence; § 178.82-9(d), Last sentence; § 178.115-8(d), Last sentence.	Equally efficient types of closures are authorized upon demonstration and proof of satisfactory tests to representative of Bureau of Explosives.	(d) Other types of closures are authorized if they perform without failure under the tests required by this section and a record of such tests is retained during the period the closure is in use.																				

Regulation affected	Present wording	Proposed amendment
§ 178.80-14(a), § 178.82-14(a), § 178.97-12(a), § 178.99-12(a), § 178.99-12(a), § 178.110-11(a), § 178.115-13(a).	(a) Each container shall be tested, with seams under water or covered with soapsuds or heavy oil, by interior air pressure of at least 15 pounds per square inch. Equally efficient means of testing are authorized upon demonstration and proof of satisfactory tests to representative of Bureau of Explosives. Leakers shall be rejected or repaired and retested. Removable head containers not required to be tested with heads in place except that samples taken at random and closed as for use, of each type and size, must be tested at start of production and repeated every 4 months. Samples last tested to be retained until further tests are made or for 1 year, whichever period is shorter.	(a) Each container shall be tested, with seams under water or covered with soapsuds or heavy oil, by interior air pressure of at least 15 pounds per square inch. Equally efficient means of testing may be authorized upon approval by the Associate Director for OE. Leakers shall be rejected or repaired and retested without failure. Removable head containers not required to be tested with heads in place except that samples taken at random and closed as for use, of each type and size, must be tested at start of production and repeated every 4 months. Samples last tested must be retained until further tests are made or for 1 year.
§ 178.81-9(e), § 178.83-9(e), § 178.88-8(e), § 178.90-8(e)	(e) Other threaded closures may be authorized by the Bureau of Explosives upon demonstration of equal efficiency.	(e) Other types of closures are authorized if they perform without failure under the tests required by this section and a record of such tests is retained during the period the closure is in use.
§ 178.81-14(a), § 178.83-14(a), § 178.87-14(a), § 178.88-13(a), § 178.90-13(a), § 178.91-14(a), § 178.107-12(a), § 178.108-12(a), § 178.117-14(a).	(a) Each container shall be tested, with seams under water or covered with soapsuds or heavy oil, by interior air pressure of at least 15 pounds per square inch. Equally efficient means of testing are authorized upon demonstration and proof of satisfactory tests to representative of Bureau of Explosives. Leakers shall be rejected or repaired and retested.	(a) Each container shall be tested, with seams under water or covered with soapsuds or heavy oil, by interior air pressure of at least 15 pounds per square inch. Equally efficient means of testing may be authorized upon approval by the Associate Director for OE. Leakers shall be rejected or repaired and retested without failure.
§ 178.82-9(c)	(c) For closure with threaded plug or AEP, the seat (flange, etc.) for plug, or cap, must have 3 or more complete threads; two drainage holes of not over $\frac{1}{16}$ inch diameter are allowed. Plug, or cap, must have sufficient length of thread to engage 3 threads when screwed home with gasket in place. Closures of screw-thread type or closed by other positive means, of any material or design, may be authorized by the Bureau of Explosives for use, upon satisfactory proof of efficiency.	(c) For closure with threaded plug or cap, the seat (flange, etc.) for plug or cap, must have 3 or more complete threads; two drainage holes of not over $\frac{1}{16}$ inch diameter are allowed. Plug, or cap, must have sufficient length of thread to engage 3 threads when tightened with gasket in place. Other types of closures are authorized if they perform without failure under the tests required by this section and a record of such tests is retained during the period the closure is in use.
§ 178.84-14(a)	(a) Each container, with lining material applied, shall be tested, with seams under water or covered with soapsuds or heavy oil, by interior air pressure of at least 15 pounds per square inch. Equally efficient means of testing are authorized upon demonstration and proof of satisfactory tests to representative of Bureau of Explosives. Leakers shall be rejected or repaired and retested. Removable head containers not required to be tested with heads in place except that samples taken at random and closed as for use, of each type and size, every 4 months. Samples last tested to be retained until further tests are made or for 1 year, whichever period is shorter.	(a) Each container, with lining material applied, shall be tested, with seams under water or covered with soapsuds or heavy oil, by interior air pressure of at least 15 pounds per square inch. Equally efficient means of testing may be authorized upon approval by the Associate Director for OE. Leakers shall be rejected or repaired and retested without failure. Removable head containers not required to be tested with heads in place except that samples taken at random and closed as for use, of each type and size, must be tested at start of production and repeated every 4 months. Samples last tested must be retained until further tests are made or for 1 year.
§ 178.85-13(a)	(a) Each container shall be tested, with seams under water or covered with soapsuds or heavy oil, by interior air pressure of at least 100 pounds per square inch. Equally efficient means of testing are authorized upon demonstration and proof of satisfactory tests to representative of Bureau of Explosives. Leakers shall be rejected or repaired and retested.	(a) Each drum shall be tested with seams under water or covered with soapsuds or heavy oil, by interior air pressure of at least 100 pounds per square inch. Equally efficient means of testing may be authorized upon approval by the Associate Director for OE. Leakers shall be rejected or repaired and retested without failure.
§ 178.87-13(a)(3)	(3) Periodic drop tests will not be required after initial drop tests at start of manufacture, on containers of a construction in excess of minimum specification requirements approved by the Bureau of Explosives. Changes in construction (drum, lining, or closures) must also be approved by the Bureau of Explosives for use, after submission of proof as to efficiency, to continue this exemption.	(3) Periodic drop tests will not be required after initial drop tests at start of manufacture, on containers of a construction in excess of minimum specification requirements approved by the Associate Director for OE. Any change in construction of drum, lining, or closure must be approved by the Associate Director for OE.
§ 178.89-5(c)	(c) Flanged spout for filling and emptying container welded in place or attached in a manner approved by Bureau of Explosives.	(c) Flanged spout for filling and emptying container welded in place or attached in a manner approved by the Associate Director for OE.
§ 178.89-12(a)	(a) Each container shall be tested, with seams under water or covered with soapsuds or heavy oil, by interior air pressure of at least 5 pounds per square inch. Equally efficient means of testing are authorized upon demonstration and proof of satisfactory tests to representative of Bureau of Explosives. Leakers shall be rejected or repaired and retested.	(a) Each container shall be tested, with seams under water or covered with soapsuds or heavy oil, by interior air pressure of at least 5 pounds per square inch. Equally efficient means of testing may be authorized upon approval by the Associate Director for OE.
§ 178.92-9(a)	(a) Each container must be provided with safety devices approved as to type and location by the Bureau of Explosives and found to prevent the bursting of the normally charged container when it is placed in a fire. See § 173.124(a)(4) of this chapter.	(a) Each drum must have safety devices approved as to type and location by the Associate Director for OE. See § 173.124(a)(4) of this chapter.

Regulation affected	Present wording	Proposed amendment
§ 178.101-12(a)	(a) Each container shall be tested, with seams under water or covered with soapsuds or heavy oil, by interior air pressure of at least 7 pounds per square inch. Equally efficient means of testing are authorized upon demonstration and proof of satisfactory tests to representative of Bureau of Explosives. Leakers shall be rejected or repaired or retested. Removable head containers not required to be tested with heads in place except that samples taken at random and closed as for use, of each type and size, must be tested at start of production and repeated every 4 months. Samples last tested to be retained until further tests are made or for 1 year, whichever period is shorter.	(a) Each container shall be tested, with seams under water or covered with soapsuds or heavy oil, by interior air pressure of at least 7 pounds per square inch. Equally efficient means of testing may be authorized upon approval by the Associate Director for OE. Leakers shall be rejected or repaired and retested without failure. Removable head containers not required to be tested with heads in place except that samples taken at random and closed as for use, of each type and size, must be tested at start of production and repeated every 4 months. Samples last test must be retained until further tests are made for 1 year.
§ 178.109-7(a)	(a) Of screw-thread type or secured by screw-thread device; openings over 2.3" not authorized; suitable gaskets required. Vented closing devices of type approved by the Bureau of Explosives are authorized when specified by the purchaser	(a) Of screw-thread type or secured by screw-thread device; openings over 2.3" not authorized; suitable gaskets required. Vented closing devices must be approved by the Associate Director for OE.
§ 178.109-12(a)	(a) Each container shall be tested, with seams under water or covered with soapsuds or heavy oil, by interior air pressure of at least 10 pounds per square inch. Equally efficient means of testing are authorized upon demonstration and proof of satisfactory tests to representative of Bureau of Explosives. Leakers shall be rejected or repaired and retested.	(a) Each drum shall be tested, with seams under water or covered with soapsuds or heavy oil, by interior air pressure of at least 10 pounds per square inch. Equally efficient means of testing may be authorized upon approval by the Associate Director for OE. Leakers shall be rejected or repaired and retested.
§ 178.115-8(c)	(c) For closure with threaded plug or cap, the seat (flange, etc.) for plug or cap, must have 3 or more complete threads; two drainage holes of not over 1/16 inch diameter are allowed. Plug or cap, must have sufficient length of thread to engage 3 threads when screwed home with gasket in place. Threaded closures having fewer threads are authorized for containers having a capacity of 12 gallons or less when such closures are approved by the Bureau of Explosives upon proof of satisfactory tests.	(c) For closure with threaded plug or cap, the seat (flange, etc.) for plug or cap, must have 3 or more complete threads; two drainage holes of not over 1/16 inch diameter are allowed. Plug or cap, must have sufficient length of thread to engage 3 threads when tightened with gasket in place. Other types of closures are authorized if they perform without failure under the tests required by this section and a record of such tests is retained during the period the closure is in use.
§ 178.115-8(c)(1), § 178.116-8(d), § 178.118-8(c)(1)	(1) Closures of screw-thread type or closed by other positive means, of any material or design, may be authorized by the Bureau of Explosives for use, upon satisfactory proof of efficiency.	§ 178.115-8(c)(1)—[Delete]. § 178.116-8(d) and § 178.118-8(c)(1) would read: Other types of closures are authorized if they perform without failure under the tests required by this section and a record of such tests is retained during the period the closure is in use.
§ 178.116-13(a)	(a) Each container shall be tested, with seams under water or covered with soapsuds or heavy oil, by interior air pressure of at least 7 pounds per square inch for containers over 12 gallons capacity and at least 5 pounds for others. Equally efficient means of testing are authorized upon demonstration and proof of satisfactory tests to representative of Bureau of Explosives. Leakers shall be rejected or repaired and retested.	(a) Each drum shall be tested, with seams under water or covered with soapsuds or heavy oil, by interior air pressure of at least 7 pounds per square inch for containers over 12 gallons capacity and at least 5 pounds for others. Equally efficient means of testing may be authorized upon approval by the Associate Director for OE. Leakers shall be rejected or repaired and retested without failure.
§ 178.116-8(b), Last sentence	Equally efficient types of closures are authorized upon demonstration and proof of satisfactory tests to representative of Bureau of Explosives.	(b) Other types of closures are authorized if they perform without failure under the tests required by this section and a record of such tests is retained during the period the closure is in use.
§ 178.118-13(a)	(a) Each container shall be tested, with seams under water or covered with soapsuds or heavy oil, by interior air pressure of at least 7 pounds per square inch for containers over 12 gallons capacity and at least 5 pounds for others. Equally efficient means of testing are authorized upon demonstration and proof of satisfactory tests to representative of Bureau of Explosives. Leakers shall be rejected or repaired and retested. Containers not required to be tested with heads in place except that samples taken at random and closed as for use, of each type and size, must be tested at start of production and repeated every four months. Samples so tested must be retained until further tests are made.	(a) Each drum shall be tested, with seams under water or covered with soapsuds or heavy oil, by interior air pressure of at least 7 pounds per square inch for containers over 12 gallons capacity and at least 5 pounds for others. Equally efficient means of testing may be authorized upon approval by the Associate Director for OE. Leakers shall be rejected or repaired and retested without failure. Drums not required to be tested with heads in place except samples taken at random and closed as for use, of each type and size, must be tested at start of production and repeated every four months. Samples so tested must be retained until further tests are made or for a period of one year.
§ 178.119-13(a)	(a) Each container shall be tested, with seams under water or covered with soapsuds or heavy oil, by interior air pressure of at least 7 pounds per square inch. Equally efficient means of testing are authorized upon demonstration and proof of satisfactory tests. Leakers shall be rejected or repaired and retested.	(a) Each container shall be tested, with seams under water or covered with soapsuds or heavy oil, by interior air pressure of at least 7 pounds per square inch. Equally efficient means of testing may be authorized upon approval by the Associate Director for OE. Leakers shall be rejected or repaired and retested without failure.
§ 178.131-6(a), Footnote 2	Footnote 2. Equally efficient closing devices may be authorized by the Bureau of Explosives upon demonstration of their ability to withstand tests prescribed in § 178.131-11.	Footnote 2. Other types of closures are authorized if they perform without failure under the tests required by this section and a record of such tests is retained during the period the closure is in use.

Regulation affected	Present wording	Proposed amendment
§ 178.132-7(a)	(a) Closures shall be of any type that will withstand prescribed drop tests without leakage, see § 178.132-11. Openings shall not exceed 9 inches in diameter in containers of 16-gallon capacity and larger nor 8½ inches in diameter in containers less than 16-gallon capacity. Larger openings may be authorized upon demonstration and proof of satisfactory closure test to the Bureau of Explosives. Gaskets required when necessary.	(a) Closures shall be of any type that will withstand prescribed drop tests without leakage, see § 178.132-11. Openings shall not exceed 9 inches in diameter in containers of 16-gallon capacity and larger nor 8½ inches in diameter in containers less than 16-gallon capacity. Larger openings may be used when approved by the Associate Director for OE.
§ 178.133-6(b)(1)	(1) Resin should have a maximum melt index value of 1.8 plus 0.4 per 10 minutes, and shall have a minimum average molecular weight of 21,000, as determined in accordance with methods acceptable to the Bureau of Explosives.	(1) Resin should have a maximum melt index value of 1.8 plus 0.4 per 10 minutes, and shall have a minimum average molecular weight of 21,000.
§ 178.138-7(a)	(a) Of screw-thread type or secured by screw-thread device; openings over 2.3 inches not authorized; suitable gaskets required; head openings only permitted. Vented closing devices of type approved by the Bureau of Explosives are authorized when specified by the purchaser.	(a) Of screw-thread type or secured by screw-thread device; openings over 2.3 inches not authorized; suitable gaskets required; head openings only permitted. Vented closing devices must be approved by the Associate Director for OE.
§ 178.182-2(b)	(b) Specifications for the outside container must be filed with an approval by the Bureau of Explosives.	(b) [Deleted]. Add paragraph (b) to § 178.182-3(b) to read: (b) Records of tests performed under this specification must be retained by the manufacturer for a period of one year following discontinuance of production.
§ 178.205-37(d)	(d) Tests to be conducted by or for each plant assembling and filling boxes at the initial start of production and must be repeated at intervals of four months thereafter; initial tests must be witnessed by a representative of the Bureau of Explosives. Samples last tested must be dated with date of test and must be retained until subsequent tests are conducted. Empty boxes with liners may be shipped to a central point for assembling, filling and testing in which case the Bureau of Explosives must be advised of test location.	(d) Tests to be conducted by or for each plant assembling and filling boxes at the initial start of production and at intervals of four months thereafter. Samples last tested must be dated with date of test and must be retained until further tests are made.
§ 178.211-3(a)(1)(v)	(v) Other perforated or die cut areas of a size and location as authorized in writing by the Bureau of Explosives or Board of Transport Commissioners for Canada.	(v) Other perforated or die cut areas of a size and location may be used when approved by the Associate Director for OE.
§ 178.214-8(a), Last sentence.	Boxes having handholes are authorized when approved by the Bureau of Explosives.	(a) Boxes having handholes may be used when approved by the Associate Director for OE.
(a) Specification for each type of container manufactured (under the specification) must be filed with and approved by the Bureau of Explosives. Changes in construction (container and closure) differing from specification thus filed must be approved before authorized for use.		(a) [Delete].
§ 178.224-3(a)	(a) Specification for each type of drum manufactured (under this specification) shall be filed with the Bureau of Explosives. Changes in construction (drum and closure) differing from specification thus filed must be approved by the Bureau of Explosives before authorized for use.	(a) [Delete].
§ 178.236-2(e)	(e) Conformance of sacks with paper strength requirements shall be established by comparing the sums of the test values for all the walls of the new and unused sack with the sums of the respective strength values specified in paragraphs (a) and (b) of this section for the different walls of the sack by a method acceptable to the Bureau of Explosives.	(e) Conformance of sacks with paper strength requirements shall be established by comparing the sums of the test values for all the walls of the new and unused sack with sums of the respective strength values specified in paragraphs (a) and (b) of this section for the different walls of the sack in accordance with Uniform Freight Classification (UFC), Rule 40, or National Motor Freight Classification (NMFC) Item 200.
§ 178.237-2(e), § 178.238-2(e), § 178.239-2(e)	(e) Conformance of sacks with paper strength requirements shall be established by comparing the sums of the test values for all the walls of the new and unused sack with the sums of the respective strength values specified in paragraphs (a) and (b) of this section for the respective papers specified for the different walls of the sack by a method acceptable to the Bureau of Explosives.	(e) Conformance of sacks with paper strength requirements shall be established by comparing the sums of the test values for all the walls of the new and unused sack with the sums of the respective strength values specified in paragraphs (a) and (b) of this section for the respective papers specified for the different walls of the sack in accordance with Uniform Freight Classification (UFC), Rule 40, or National Motor Freight Classification (NMFC) Item 200.
§ 178.255-8(a)	(a) Safety devices are to be as required, subject to approval of the Bureau of Explosives, by shipping regulations.	(a) Safety devices must be approved by the Associate Director for OE.

(49 U.S.C. 1804; 49 CFR 1.53, App. A. to Part 1, and paragraph (a)(4) of App. A, Part 106.)

The Materials Transportation Bureau has determined that this notice will not result in a major economic impact under the terms of Executive Order 12044 and DOT implementing procedures (43 FR 9582). A regulatory evaluation is available in the public docket.

Issued in Washington, D.C., on April 27, 1979.

Alan I. Roberts,

Associate Director for Hazardous Materials Regulation, Materials Transportation Bureau.

[FR Doc. 79-13964 Filed 5-4-79; 8:46 am]

BILLING CODE 4910-60-M

Notices

Federal Register

Vol. 44, No. 89

Monday, May 7, 1979

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.

CIVIL RIGHTS COMMISSION

Alaska 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 Alaska Advisory Committee (SAC) of the Commission will convene at 5:30 pm and will end at 7:00 pm, on May 25, 1979, at the United Bank Alaska, 645 G Street, Anchorage, Alaska.

Persons wishing to attend this open meeting should contact the Committee Chairperson, or the Northwestern Regional Office of the Commission, 915 Second Avenue, Room 2852, Seattle, Washington 98174.

The purpose of the meeting is program planning.

This meeting will be conducted pursuant to the provisions of the Rules and Regulations of the Commission.

Dated at Washington, D.C., May 1, 1979.

John I. Binkley,
Advisory Committee Management Officer.
[FR Doc. 79-14184 Filed 5-4-79; 8:45 am]

BILLING CODE 6335-01-M

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 4:00 pm and will end at 6:00 pm, on May 23, 1979, at 34½ Beacon Street, Boston, Massachusetts.

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, New York 10007.

The purpose of this meeting is to discuss program planning.

This meeting will be conducted pursuant to the provisions of the Rules and Regulations of the Commission.

Dated at Washington, D.C., May 1, 1979.

John I. Binkley,
Advisory Committee Management Officer.
[FR Doc. 79-14185 Filed 5-4-79; 8:45 am]
BILLING CODE 6335-01-M

Washington Advisory Committee; Amendment

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 Washington Advisory Committee (SAC) of the Commission, published Friday, April 13, 1979 (FR Doc. 79-11548) on page 22139 is hereby amended in the third paragraph which begins with "The purpose" * * * The end of that paragraph should read * * * and the Port of Tacoma. The place, time and date will remain the same.

Dated at Washington, D.C., May 2, 1979.

John I. Binkley,
Advisory Committee Management Officer.
[FR Doc. 79-14186 Filed 5-4-79; 8:45 am]
BILLING CODE 6335-01-M

DEPARTMENT OF COMMERCE

National Bureau of Standards

Voluntary Product Standard Action of Withdrawal

In accordance with § 10.12 of the Department's "Procedures for the Development of Voluntary Product Standards" (15 CFR Part 10), notice is hereby given of the withdrawal of Voluntary Product Standard PS 32-70, "Hinged Interior Wood Door Units."

This withdrawal action is being taken for the reason that PS 32-70 is adequately covered by the National Sash and Door Jobbers Association's standard 1-79, "NSDJA's Recommended Product Standard 1-79 for Interior Pre-Hung Door Units," and duplication is inappropriate and not in the public interest. This action is taken in furtherance of the Department's announced intentions as set forth in the public notice appearing in the *Federal Register* of March 20, 1979, (44 FR 16951) to withdraw this standard.

The effective date for the withdrawal of this standard will be (July 6, 1979 notice in the *Federal Register*). This withdrawal action terminates the authority to refer to this standard as a voluntary standard developed under the Department of Commerce procedures.

Ernest Ambler,
Director.

May 1, 1979.

[FR Doc. 79-14145 Filed 5-4-79; 8:45 am]
BILLING CODE 3510-13-M

National Oceanic and Atmospheric Administration

South Atlantic Fishery Management Council's Scientific and Statistical Committee and Billfish Advisory Subpanel; Public Meetings

AGENCY: National Marine Fisheries Service, NOAA.

SUMMARY: The South Atlantic Fishery Management Council was established by Section 302 of the Fishery Conservation and Management Act of 1976 (Pub. L. 94-265) and the Council has established a Scientific and Statistical Committee (SSC) and a Billfish Advisory Subpanel (AP) which will meet separately to review the Billfish Fishery Management Plan.

DATES: The AP will meet on Wednesday, May 16, 1979, at 1:30 p.m. and adjourn on Thursday, May 17, 1979, at approximately 12 noon. The SSC will meet on Thursday, May 17, 1979, at 1:30 p.m. and adjourn on Friday, May 18, 1979, at approximately 12 noon. The meetings are open to the public.

ADDRESS: The meetings will take place at the South Atlantic Fishery Management Headquarters, Charleston, South Carolina.

FOR FURTHER INFORMATION CONTACT: South Atlantic Fishery Management Council, 1 Southpark Circle, Suite 306, Charleston, South Carolina 29407, Telephone: (803) 571-4366.

Dated: May 1, 1979.

Jack W. Gehringer,
Deputy Assistant Administrator for Fisheries.
[FR Doc. 79-14075 Filed 5-4-79; 8:45 am]
BILLING CODE 3510-22-M

Office of the Secretary

Advisory Panel for the South Atlantic Fishery Management Council; Notice of Renewal

In accordance with the provisions of the Federal Advisory Committee Act, 5 U.S.C. App. (1976), and the Office of Management and Budget Circular A-63 of March 1974, the Secretary of Commerce has determined that the renewal of the Advisory Panel for the South Atlantic Fishery Management Council (SAFMC) is in the public interest in connection with the performance of duties imposed on the Department by law.

The Advisory Panel for the South Atlantic Fishery Management Council was established on April 27, 1977 pursuant to Section 302(g)(2) of the Fishery Conservation and Management Act of 1976, Public Law 94-265 (16 U.S.C. 1852). The Panel is to provide the Council on a continuing basis, advice on assessments and specifications contained in the fishery management plan for each fishery within the Council's geographical area of concern; the preparation and submission of certain reports to the Secretary of Commerce or to the Council; and other necessary duties as may be required to carry out Council functions under the Act.

The Advisory Panel's membership will continue to be composed of persons actually engaged in the harvest of, or knowledgeable and interested in the conservation and management of, a given fishery. It will also continue with an authorized geographically balanced representation of not more than 150 members, and will operate in compliance with the provisions of the Federal Advisory Committee Act.

Copies of the Panel's revised Charter will be filed with appropriate committees of the Congress, and with the Library of Congress.

Inquiries or comments may be addressed to the Executive Director, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, U.S. Department of Commerce, Washington, D.C. 20235.

Dated: May 1, 1979.

Guy W. Chamberlin, Jr.,
Acting Assistant Secretary for Administration.
[FR Doc. 79-14183 Filed 5-4-79; 8:45 am]
BILLING CODE 3510-17-M

Commerce Technical Advisory Board; Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act, as amended, 5 U.S.C. App. (1976) notice is

hereby given that the Commerce Technical Advisory Board will hold a meeting on Thursday, May 31, 1979 from 8:00 a.m. until 5:00 p.m. and on Friday, June 1, 1979 from 8:30 a.m. until 12 o'clock noon at 8100 34th Avenue, South, Minneapolis, Minnesota.

The Board was established to study and evaluate the technical activities of the Department of Commerce and recommend measures to increase their value to the business community.

Tentative agenda items include:

1. Presentation on PLATO (Programmed Logic for Automatic Teaching Operations).
2. Presentation of Final Study of Federal Policy on Entrepreneurship of Technology-Based Industries.
3. Report on CTAB Study of STI Policies.
4. Report on Development of Human Resources for Technological Innovation.
5. Status Report on Domestic Policy Review of Industrial Innovation.

The meeting will be open to public observation. The public may submit written statements or inquiries to the Chairman before or after the meeting. A limited number of seats will be available to the public and to the press on a first-come, first-served basis.

Copies of minutes and materials distributed will be made available for reproduction following certification by the Chairman, in accordance with the Federal Advisory Committee Act, in Room 3867, U.S. Department of Commerce, Washington, D.C. 20230.

Further information may be obtained from Mrs. Florence S. Feinberg, Administrator, Room 3867, U.S. Department of Commerce, Washington, D.C. 20230. Telephone (202) 377-5065.

Jordan J. Baruch,
Assistant Secretary for Science and Technology.
April 30, 1979.

[FR Doc. 79-14182 Filed 5-4-79; 8:45 am]

BILLING CODE 3510-18-M

Privacy Act of 1974; Adoption of Additional System of Records and Changes to Existing Systems

On January 16, 1979 the Department of Commerce gave notice (44 FR 3308) that it proposed to (1) add a system of records entitled Secretarial Correspondence File, COMMERCE/DEPT.—22; (2) revise a Department-wide system to include National Bureau of Standards records; and (3) amend the safeguards section of another Department-wide system. The purpose of this notice is to adopt these changes in final form.

1. The purpose of the system COMMERCE/DEPT.—22 is to furnish the Executive Secretariat with data that identify each item of correspondence and that provide the status of the reply. The Executive Secretariat is the central coordinating staff for reviewing the correspondence addressed to the Secretary of Commerce, Under Secretary, or Assistant Secretary for Congressional Affairs.

During the recent conversion process from a manual to an automated system, a review of the Executive Secretariat office procedures and of record categories indicated that the system of records may contain personal information, particularly in a case where the correspondent seeks assistance to resolve a personal matter. Therefore, in light of the new retrieval capabilities of the automated system, all Secretarial correspondence and related records will be maintained in the adopted Privacy Act system of records.

2. The Department Mailing List system, COMMERCE/DEPT.—19, is amended to include National Bureau of Standards (NBS) carpool locator records.

NBS maintains an automated carpool locator system of records that contains information on individuals who voluntarily submit applications to form carpools. The purpose of the system is to assist NBS employees in identifying other individuals who are interested in carpool membership.

3. The safeguards section of the system of records entitled: Freedom of Information and Privacy Request Records—COMMERCE/DEPT.—21, is amended to clarify that such records may be made publicly available under the Freedom of Information Act.

A letter dated January 5, 1979 transmitted a new system report for DEPT.—22 and a description of the changes to DEPT.—19 to the Congress and the Office of Management and Budget as required by the Privacy Act. Interested persons were invited to submit written data, views, or arguments on these systems, as well as on the revision to DEPT.—21, before February 15, 1979. No comments were received in response to the notice.

Therefore, the Department adopts the additional system and the amendments to the existing systems effective March 17, 1979. Because the complete text of these three systems, as revised, was published in the Federal Register on January 16, 1979, and the systems are adopted without further change, there is no need to republish at this time.

Authority: 5 U.S.C. 552a, Sec. 3, Privacy Act of 1974 (Pub. L. 93-579, 88 Stat. 1896).

Dated: April 30, 1979

Guy W. Chamberlin, Jr.,

Acting Assistant Secretary for Administration

[FR Doc. 79-14071 Filed 5-4-79; 8:45 am]

BILLING CODE 3510-17-M

Travel Service

Travel Advisory Board; Meeting

On April 16, 1979, notice was given in the *Federal Register* (74 FR, Page 22503), that the Travel Advisory Board would meet on May 17, 1979. Notice is hereby given that the Travel Advisory Board meeting will begin at 9:30 a.m., in Room 4830 of the Main Commerce Building, 14th & Constitution Avenue, N.W., Washington, D.C. 20230.

Established in July, 1968, the Travel Advisory Board consists of senior representatives of 15 U.S. travel industry segments who are appointed by the Secretary of Commerce.

Members advise the Secretary of Commerce and Assistant Secretary of Commerce for Tourism on policies and programs designed to accomplish the purposes of the International Travel Act of 1961, as amended, and the Act of July 19, 1940, as amended.

Agenda items are as follows:

1. USTS' FY 1980 Budget.
2. DRV Annual Convention—November 1979 (German Travel Agents Association)
- ABTA Annual Convention—November 1979 (British Travel Agents).
3. Traveler Cheque Promotion.
4. Knoxville Expo '82.
5. U.S. Mexico Consultative Mechanism Tourism Working Party.
6. Result of WTO Executive Council Meeting.
7. Latest information on possible meeting with Soviet Union.
8. USTS involvement in triangular tourism development—Egypt/Israel/USA.
9. FY 1979 Research Program.

A limited number of seats will be available to observers from the public and the press. The public will be permitted to file written statements with the Committee before or after the meeting. To the extent time is available, the presentation of oral statements will be allowed.

Sue Barbour, Travel Advisory Board Liaison Officer, of the United States Travel Service, Room 1858, U.S. Department of Commerce, Washington, D.C. 20230, (telephone (202) 377-4752) will respond to public requests for information about the meeting.

Jeanne Westphal,

Acting Assistant Secretary for Tourism.

[FR Doc. 79-14163 Filed 5-4-79; 8:45 am]

BILLING CODE 3510-11-M

COUNCIL ON ENVIRONMENTAL QUALITY

Progress Report on Agency Implementing Procedures Under The National Environmental Policy Act

May 3, 1979.

AGENCY: Council on Environmental Quality, Executive Office of the President.

ACTION: Information Only: Publication of Progress Report on Agency Implementing Procedures Under The National Environmental Policy Act.

SUMMARY: In response to President Carter's Executive Order 11991, on November 29, 1978, the Council on Environmental Quality issued regulations implementing the procedural provisions of the National Environmental Policy Act ("NEPA"). (43 FR 55978-56007; 40 CFR 1500-08.) Section 1507.3 of the regulations provides that each agency of the Federal Government shall adopt procedures to supplement these regulations by July 30, 1979. The Council has indicated to Federal agencies its intention to publish a progress report on agency efforts to develop "implementing procedures", as they are called. The purpose of this progress report, which appears below, is to provide an update on where agencies stand in this process and to inform interested persons of when to expect the publication of proposed procedures for their review and comment.

FOR FURTHER INFORMATION CONTACT: Nicholas C. Yost, General Counsel, Council on Environmental Quality, 722 Jackson Place, N.W., Washington, D.C. 20006; 202-395-5750.

Progress Report on Agency Implementing Procedures Under The National Environmental Policy Act

At the direction of President Carter (Executive Order 11991), on November 29, 1978, the Council on Environmental Quality issued regulations implementing the procedural provisions of the National Environmental Policy Act ("NEPA"). These regulations appear at Volume 43 of the *Federal Register*, pages 55978-56007 and Volume 40 of the Code of Federal Regulations, Sections 1500-1508. Their purpose is to reduce paperwork and delay associated with the environmental review process and to foster environmental quality through better decisions under NEPA.

Section 1507.3 of the NEPA regulations provides that each agency of the Federal government shall adopt procedures to supplement the regulations. The purpose of agency

"implementing procedures," as they are called, is to translate the broad standards of the Council's regulations into practical action in Federal planning and decisionmaking. Agency procedures will provide government personnel with additional, more specific direction for implementing the procedural provisions of NEPA, and will inform the public and State and local officials of how the NEPA regulations will be applied to individual Federal programs and activities.

The NEPA regulations themselves take effect on July 30, 1979 (with exceptions for certain highway and community development programs). It is imperative that final agency implementing procedures also be adopted by that date. Failure to do so would represent a violation of Section 1507.3 of the regulations. It could also raise more general concerns about the adequacy of an agency's compliance with NEPA.

In the course of developing implementing procedures, agencies are required to consult with the Council and to publish proposed procedures in the *Federal Register* for public review and comment. Proposed procedures must be revised as necessary to respond to the ideas and suggestions made during the comment period. Thereafter, agencies are required to submit the proposed final version of their procedures for 30 days review by the Council for conformity with the Act and the NEPA regulations. After making such changes as are indicated by the Council's review, agencies are required to promulgate their final procedures by July 30.

To ensure that these steps are completed on time, the Council recommended that agencies publish proposed procedures for comment in April. Because many agencies were unable to meet this deadline, the Chairman wrote the heads of numerous Federal agencies underscoring the Council's concern that agency procedures be adopted by July 30, 1979. The Chairman also indicated the Council's intention to publish a progress report on agency implementing procedures in the *Federal Register*.

That progress report appears below. Its purpose is to provide an update on agency efforts to develop procedures and to inform interested persons of when to expect the publication of proposed procedures for their review and comment. The Council hopes that concerned members of the public will review these procedures to insure that the reforms required by President Carter and by the Council's regulations are implemented. Agencies preparing

implementing procedures are listed under one of the following three categories:

1. On Schedule

This category includes agencies whose proposed procedures have either appeared in the **Federal Register** or been transmitted to the **Federal Register** for publication.

2. Good Progress

This category includes agencies which have developed a draft of implementing procedures as a basis for consultation with the Council. It is expected that these agencies will publish proposed procedures in the **Federal Register** during the month of May.

3. Limited Progress

This category includes agencies which have not yet produced a draft of procedures as a basis for consultation with the Council.

Category #1: On Schedule

Department of Agriculture
Forest Service
Soil Conservation Service
Central Intelligence Agency
Federal Maritime Administration
National Aeronautics and Space Administration

Category #2: Good Progress

Action
Advisory Council on Historic Preservation
Agency for International Development (State)
Animal and Plant Health Inspection Service (Agriculture)
Department of Defense
Air Force
Corps of Engineers (Civil Works)
Department of Energy
Federal Energy Regulatory Commission
Environmental Protection Agency
Export-Import Bank
Federal Communications Commission
Federal Trade Commission
General Services Administration
Department of Health, Education and Welfare
Department of the Interior
Bureau of Indian Affairs
Bureau of Land Management
Bureau of Mines
Bureau of Reclamation
Fish and Wildlife Service
Geological Survey
Heritage Conservation and Recreation Service
National Park Service
Department of Justice
National Capitol Planning Commission
Nuclear Regulatory Commission
Postal Service
Rural Electrification Administration (Agriculture)
Tennessee Valley Authority
Department of Transportation
Federal Aviation Administration
Federal Highway Administration
Federal Railroad Administration
Urban Mass Transportation Administration

Veteran's Administration
Category #3: Limited Progress¹
Arms Control and Disarmament Agency
Army (Defense)
Civil Aeronautics Board
Coast Guard (Transportation)
Department of Commerce
Community Services Administration
Consumer Product Safety Commission
Department of Housing and Urban Development
Farmers Home Administration (Agriculture)
Interstate Commerce Commission
Department of Labor
Marine Mammal Commission
National Highway Traffic Safety Administration (Transportation)
National Science Foundation
Navy (Defense)
Overseas Private Investment Corporation
Pennsylvania Avenue Development Corporation
Securities and Exchange Commission
Department of State
Department of Treasury

The development of agency implementing procedures is a critical stage in Federal efforts to reform the NEPA process. These procedures must, of course, be consistent with the Council's regulations and provide the means for reducing paperwork and delay and producing better decisions in agency planning and decisionmaking.

Interested persons will have the opportunity to make their suggestions for improving agency procedures when they are published in the **Federal Register** in proposed form. Broad public participation at this crucial juncture could go a long way toward ensuring that the goals of the NEPA regulations are widely implemented in the day-to-day activities of government.

Nicholas C. Yost,
General Counsel.

[FR Doc. 79-14349 Filed 5-7-79; 8:45 am]

BILLING CODE 3125-01-M

DEPARTMENT OF JUSTICE

Council on the Role of Courts; Establishment

In accordance with the provisions of the Federal Advisory Committee Act (Pub. L. No. 92-463), as amended (Pub. L. No. 94-409), the Attorney General has determined that the establishment of the Council on the Role of Courts is in the public interest in accordance with the duties imposed on the Department of Justice by law.

¹ Progress at some agencies has been limited by special circumstances such as minimal experience with NEPA and other factors that require more extensive consultation with the Council. These agencies include the Federal Reserve System, Federal Deposit Insurance Corporation, Federal Home Loan Bank Board, National Credit Union Administration, Farm Credit Administration, and the Water Resources Council.

The Council will assist the Department of Justice's Office for Improvements in the Administration of Justice (OIAJ) in developing research projects aimed at devising solutions to pressing problems of the American court system. The Council will afford OIAJ access to the collective expertise of a diverse body of judges, law school professors, and attorneys who share OIAJ's concern with improving the fit between the institutional capabilities of courts and the functions they are called upon to perform. The issues the Council is expected to address include the following:

(1) What standards or criteria should be used to determine what types of cases should or should not be in courts?

(2) What are the categories of cases currently most troublesome to courts, and what institutional adjustments are called for in response?

(3) In what areas should access to courts be expanded and/or restricted?

(4) What are the sectors of court business that would benefit most from empirical examination?

Answers to any and all of these questions will help point the way to optimal allocation of OIAJ research funds. They should also assist the Office in its ongoing effort to develop strategies for improving the administration of civil and criminal justice in the federal courts.

The Council will hold an estimated total of six meetings, at a rate of three per year. Its duties will be solely advisory in nature. Membership will be limited to a maximum of twenty-eight individuals, designated by the Assistant Attorney General of the Office for Improvements in the Administration of Justice.

Pursuant to OMB Circular No. A-63 (Revised), the General Services Administration has authorized, for good cause shown, the filing of the Council's charter less than fifteen days subsequent to the publication of this notice.

Persons interested in commenting on the establishment of the Council on the Role of Courts, or in obtaining further information, are requested to forward written submissions to Mr. Harry A. Scarr, Administrator, Federal Justice Research Program, U.S. Department of Justice, Washington, D.C. 20530.

Harry A. Scarr,

Administrator, Federal Justice Research Program.

[FR Doc. 79-14373 Filed 5-4-79; 10:18 am]

BILLING CODE 4410-01-M

DEPARTMENT OF DEFENSE**Department of the Air Force****USAF Scientific Advisory Board; Meeting**

April 30, 1979.

The USAF Scientific Advisory Board Aeronautics Panel will meet on May 23 and 24, 1979 at Wright-Patterson Air Force Base, Ohio from 8:30 a.m. to 5:00 p.m. each day. The purpose of the meeting is to review the F-107 engine development program.

The meeting concerns matters listed in Section 552b(c) of Title 5, United States Code, specifically subparagraph (1) thereof, and accordingly, will be closed to the public.

For further information contact the Scientific Advisory Board Secretariat at (202) 697-8845.

[FR Doc. 79-14171 Filed 5-4-79; 8:45 am]

Carol M. Rose,

Air Force Federal Register Liaison Officer.

BILLING CODE 3910-01-M

Department of the Army**Armed Forces Discharge Review/Correction Boards Reading Room; Operating Procedures**

In FR Doc. 77-30712, published in the Federal Register (42 FR 56147) on October 21, 1977, the Department of the Army announced the establishment of the Armed Forces Discharge Review/Correction Boards Reading Room on the public concourse of the Pentagon. The Reading Room was established in accordance with the Stipulation of Dismissal in the lawsuit entitled *Urban Law Institute of Antioch College, Inc., et al. v. Secretary of Defense, et al.*

Notice is hereby given that the policy stated in 42 FR 56147 for the distribution of documents and assessment of fees by the Reading Room has been revised as follows:

1. Decisional Documents

a. Visitors to the Reading Room may reproduce individual case documents without charge on reproduction equipment located in the Reading Room.

b. Case documents will be provided by mail, subject to the following restrictions:

(1) The number of case documents which may be provided by mail, without charge, is limited to no more than 25 individual cases per requesting individual or organization each 30 days. A fee of \$.10 per page will be charged for all documents provided in excess of this limitation.

(2) Requests for case documents should identify the documents being requested by the specific case number contained in the index. Research service in response to mail requests will not be provided by the Reading Room staff.

(3) Mail requests for case documents will be processed in the order they are received. The Reading Room staff will attempt to respond to requests for case documents within 30 calendar days after receipt of the request. In addition, if an applicant or counsel states in the request that the material is needed for a hearing scheduled on a specific date, a priority effort will be made to provide the case documents before that date.

2. Index of Decisions

a. A current copy of the index of decisions is available at the Reading Room at all times for use by visitors.

b. The index is available for sale either at the Reading Room or by mail.

c. The index consists of an initial publication (August 1977) and supplements published at 90-day intervals thereafter. The index is available for sale in one of the following formats:

(1) Total index (initial publication and all quarterly supplements to date).

(2) Specific segments (e.g., initial publication only, 1st and 2nd supplements only, latest supplement only, etc.).

(3) Specific pages from one or more segments.

d. The initial index publication and each supplement contain two distinct parts. Part I is a listing of cases by case number within board groupings (e.g., all Army Discharge Review Board cases). Part II is a listing of cases according to the issues addressed in particular cases.

e. Whenever all or a portion of the index is provided to a requester, a copy of a current Subject/Category Listing will be provided to enable the user to translate numerical codes used in the index for "Reason for Discharge" and "Issues Addressed". No fee will be assessed for the listing.

3. Local Requests

Mail Requests from individuals or organizations located within the Washington, D.C. metropolitan area for either case documents or the index will not be honored.

4. Fees

Fees for the index will be assessed as follows:

a. Microfiche—\$5.00 for the first microfiche and \$.10 for each additional microfiche provided.

b. Paper Copy—no charge for first 20 pages and \$.10 for each additional page provided.

If fees are to be assessed, the requester will be advised of the amount and the appropriate form of payment. Receipt of payment is required prior to providing requested documents. Requests for fee waiver will be considered on a case-by-case basis. A request for waiver of fees for paper copy will not normally be granted if the microfiche index is offered at no charge.

5. Mailing Address

Mail Requests for case documents or the index should be signed by the requester, dated, and mailed to: Director, DA Military Review Boards Agency, ATTN: SFBA (Reading Room), Room 1E520, The Pentagon, Washington, D.C. 20310.

6. Regulations

a. Requests made pursuant to 32 CFR 70.5(b)(9)(v) for regulations of a military department may be sent to the address provided in paragraph 5, above. The Reading Room is the proper recipient only of requests made under 32 CFR 70.5(b)(9)(v).

b. All requests for regulations received by the Reading Room will be reviewed and referred expeditiously to the appropriate activity of the military department concerned for action.

For further information contact: LTC James M. Danley, Military Assistant, DA Military Review Boards Agency, 202-695-5704.

Dated: April 30, 1979.

Francis X. Plant,

Director, DA Military Review Boards Agency.

[FR Doc. 79-14155 Filed 5-4-79; 8:45 am]

BILLING CODE 3710-08-M

Corps of Engineers**Intent To Prepare a Draft Environmental Impact Statement (DEIS); Cottonwood Creek Project, in Shasta and Tehama Counties, Calif.**

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

ACTION: Notice of Intent to prepare a draft environmental impact statement (DEIS).

SUMMARY: 1. *Action.*—The project consists of two multiple-purpose reservoirs to provide flood control, municipal and industrial water supply, irrigation, recreation, and anadromous fishery enhancement. Dutch gulch Lake would be constructed on the mainstem at a capacity of 900,000 acre-feet and

Tehama Lake would be constructed on the south fork at a capacity of 700,000 acre-feet.

2. *Alternatives.*— Alternatives studied include: No action; headwater reservoir plan; and several combinations of headwater reservoirs and reservoirs at the authorized sites. Other alternatives, including reservoirs located outside the Cottonwood Creek basin, local flood protection projects, ground water development in Cottonwood Creek basin, and Sacramento River diversion and offstream storage plans, were studied but excluded from further consideration because they would be economically infeasible, locally unacceptable, out-of-basin projects that would not address problems and needs in the Cottonwood Creek basin, or featured in other multiple-purpose plans.

3. *Scoping of the DEIS.*—The scoping process has been substantially completed. In January 1977, a notice of initiation of study, containing a description of the project, and overview of the present studies, study schedule, a description of interagency coordination and public involvement program, maps, and the request for comments, was sent to all agencies and individuals known to have an interest in the project. Since then, two formal public meetings, each preceded by an informal public workshop, have been held in the area. Other agencies are kept informed through bi-monthly interagency coordination meetings held alternately in Sacramento and Red Bluff. Throughout the coordination outlined above, agency and public input has and continues to be received to help identify significant and non-significant issues regarding the project; therefore, no separate scoping meeting is being scheduled. The continuing public coordination has resulted in identification of the significant issues listed below:

Damage to anadromous fish resources in Cottonwood Creek and Sacramento River.

Damage to wildlife resources in Cottonwood Creek basin, and downstream along Sacramento River.

Increases of temperature and turbidity in Sacramento River.

Decrease in spawning gravels entering in Sacramento River.

Impact on archeological, historical, and paleontological resources.

Land use changes in Cottonwood Creek basin and downstream along Sacramento River.

Sociological and Economic changes in Cottonwood Creek basin.

Project area employment.

Future water supply needs in the local area.

Changes to environment in Sacramento-San Joaquin Delta and in State Water Project Services areas.

All interested parties are invited to call or write to suggest what additional issues are significant which should be discussed in detail in the DEIS and which issues are not significant enough for detailed study.

4. *Estimated Date of DEIS.*—A draft environmental impact statement is expected to be circulated for public review in February 1980.

ADDRESS: Questions about the proposed action and DEIS can be answered by: Mr. Merritt Rice, Planning Engineer, Sacramento District, Corps of Engineers, 650 Capitol Mall, Sacramento, California 95814, telephone (916) 440-3557 (FTS 448-3557).

Dated April 17, 1979.

Donald M. O'Shei,

Colonel, CE, District Engineer.

[FR Doc. 79-14076 Filed 5-4-79; 8:45 am]

BILLING CODE 3710-GH-M

Intent To Prepare a Draft Environmental Impact Statement (DE); Sacramento River Deep Water Ship Channel, in Yolo, Solano, and Contra Costa Counties, Calif.

AGENCY: U.S. Army Corps of Engineers, Department of Defense.

ACTION: Notice of Intent to prepare a draft environmental impact statement (DEIS).

SUMMARY: 1. *Proposed action.*—The proposed project consists of deepening the existing deep water ship navigation channel. Existing depth is 30 feet below mean lower low water, and the proposed new depth will be 35 feet. The increased depth will permit increased movement of goods by ship to and from the Port of Sacramento in worldwide trade. Recreation, fish and wildlife habitat, and wetland improvements at sites of dredged material disposal are also proposed.

2. *Alternatives.*—Alternative methods for increasing movement of goods have been studied and found less economically and/or environmentally beneficial. Alternatives include: no action; increased use of LASH (lighter-aboard-ship) barges; and increased use of intermodal transportation (use of terminal facilities in the San Francisco Bay area and other west coast ports).

3. *Scoping of the DEIS.*— Scoping of the DEIS has been completed. Planning for the investigation leading to the proposal to deepen the existing ship channel began in 1971 as a result of resolutions by the Committee on Public

Works, House of Representatives, dated 10 June 1968 and 11 December 1969. Public meetings were held in 1971 and 1976; several agencies with varied environmental expertise participated throughout the investigation; and an EIS/Working Paper was circulated for public review in 1976. Thus, the previous public meetings and public review of environmental documents have already resulted in an adequate scoping process. The most significant environmental concern has been the possibility of increased salinity in the Bay-Delta estuary from a deepened channel, and mitigation needed to combat this. Another issue has been fish and wildlife habitat damage and mitigation for this. Consultant studies on salinity and assistance from State and Federal fish and wildlife agencies have recently been obtained.

4. *Estimated date of DEIS.*—A draft environmental impact statement is expected to be circulated for public review in June 1979.

ADDRESS: Questions about the proposed action and DEIS can be answered by: Mr. Mark Capik, Planning Engineer, Sacramento District, Corps of Engineers, 650 Capitol Mall, Sacramento, CA 95814, telephone (916) 440-3369 (FTS 448-3369).

Dated: April 27, 1979.

Donald M. O'Shei,

Colonel, CE, District Engineer.

[FR Doc. 79-14077 Filed 5-4-79; 8:45 am]

BILLING CODE 3710-GH-M

Intent To Prepare a Draft Environmental Impact Statement; Avon to Stockton Portion of the San Francisco Bay to Stockton, Calif. (John F. Baldwin and Stockton Ship Channels) Project, in San Joaquin and Contra Costa Counties, Calif.

AGENCY: U.S. Army Corps of Engineers, Department of Defense.

ACTION: Notice of Intent to prepare a draft environmental impact statement (DEIS).

SUMMARY: 1. *Action.*—The project consists of deepening the existing deep water ship navigation channel. Existing depth is 30 feet below mean lower low water, and the new depth will be 35 feet. The increased depth will permit increased movement of goods by ship to and from the Port of Stockton and intermediate shipping points of Antioch, Pittsburg, and Port Chicago in the worldwide trade. Recreation, fish and wildlife habitat, and wetland improvements at sites of dredged material disposal are also included.

2. *Alternatives.*—Alternative methods for increasing movement of goods have been studied and found less economically and/or environmentally beneficial. Alternatives include: no action; increase use of LASH (lighter-aboard-ship) barges; deepen the Sacramento River Deep Water Ship Channel and route cargo to the Port of Sacramento; and route cargo requiring deeper draft vessels to ports in the San Francisco Bay area.

3. *Scoping of the DEIS.*—Scoping of the DEIS has been completed. Advanced planning and design of the project has been underway since 1967 after the project was authorized for construction by Congress in 1965. An EIS on rock bank protection for control of ship wave-wash erosion at selected sites was filed with the Council on Environmental Quality on 11 October 1971. Construction was initiated in 1971 with placement of the bank protection. Remaining construction was deferred for further design and environmental studies. An EIS/working paper was circulated for public review early in 1976, and a DEIS was circulated for public review later in 1976 with the result that further environmental studies were conducted. Thus, the previous environmental documents and considerable public coordination generated thereby has already resulted in an adequate scoping process. The most significant environmental concern has been the possibility of increased salinity in the Bay-Delta estuary from a deepened channel, and mitigation needed to combat this. Another issue has been fish and wildlife habitat damage and mitigation for this. Consultant studies on salinity and assistance from State and Federal fish and wildlife agencies have been obtained in recent studies.

Estimated Date of DEIS.—A new draft environmental impact statement is expected to be circulated for public review in September 1979.

ADDRESS: Questions can be answered by: Mr. Mark Capik, Planning Engineer, Sacramento District, Corps of Engineers, 650 Capitol Mall, Sacramento, CA 95814, telephone (916) 440-3369 (FTS-448-3369).

Dated: April 25, 1979.

Donald M. O'Shel,

Colonel, CE, District Engineer.

[FR Doc. 79-14078 Filed 5-4-79; 8:45 am]

BILLING CODE 3710-GH-M

DEPARTMENT OF ENERGY

Rocky Flats Plant Site; Trespassing on DOE Property

Correction

FR Doc. published at page 22145 in the issue of Friday, April 13, 1979 was corrected on page 24625 in the issue of Thursday, April 26, 1979. In the last line of paragraph 4 of the correction on page 24625 (April 26, 1979), the word "Adjouins" should read "adjoins".

BILLING CODE 1505-01-M

Federal Energy Regulatory Commission

California, Resources Agency, et al.; Notice of Determination by a Jurisdictional Agency Under the Natural Gas Policy Act of 1978

April 27, 1979.

On April 19, 1979, the Federal Energy Regulatory Commission received notices from the jurisdictional agencies listed below of determinations pursuant to 18 CFR 274.104 and applicable to the indicated wells pursuant to the Natural Gas Policy Act of 1978.

State of California, Resources Agency Division of Oil and Gas

FERC Control Number: JD79-5421

API Well Number: 111-20783

Section of NGPA: 103

Operator: Continental Oil Company

Well Name: Grubb No. 367

Field: San Miguelito

County: Ventura

Purchaser: Pacific Lighting Service Co.

Volume: 16.1 MMcf.

FERC Control Number: JD79-5422

API Well Number: 11120778

Section of NGPA: 103

Operator: Continental Oil Company

Well Name: Grubb No. 366

Field: San Miguelito

County: Ventura

Purchaser: Pacific Lighting Service Co.

Volume: 59.9 MMcf.

FERC Control Number: JD79-5423

API Well Number: 11120758

Section of NGPA: 103

Operator: Continental Oil Company

Well Name: Grubb No. 365

Field: San Miguelito

County: Ventura

Purchaser: Pacific Lighting Service Co.

Volume: 36.1 MMcf.

FERC Control Number: JD79-5424

API Well Number: 111-20763

Section of NGPA: 103

Operator: Continental Oil Company

Well Name: Grubb No. 364

Field: San Miguelito

County: Ventura

Purchaser: Pacific Lighting Service Co.

Volume: 26.3 MMcf.

FERC Control Number: JD79-5425

API Well Number: 111-20806

Section of NGPA: 103

Operator: Continental Oil Company

Well Name: Grubb No. 300

Field: San Miguelito

County: Ventura

Purchaser: Pacific Lighting Service Co.

Volume: 0 MMcf.

FERC Control Number: JD79-5426

API Well Number: 111-20792

Section of NGPA: 103

Operator: Continental Oil Company

Well Name: Grubb No. 299

Field: San Miguelito

County: Ventura

Purchaser: Pacific Lighting Service Co.

Volume: 7.3 MMcf.

FERC Control Number: JD79-5427

API Well Number: 111-20836

Section of NGPA: 103

Operator: Continental Oil Company

Well Name: Grubb No. 202

Field: San Miguelito

County: Ventura

Purchaser: Pacific Lighting Service Co.

Volume: 4.4 MMcf.

FERC Control Number: JD79-5428

API Well Number: 111-20754

Section of NGPA: 103

Operator: Continental Oil Company

Well Name: Grubb No. 99

Field: San Miguelito

County: Ventura

Purchaser: Pacific Lighting Service Co.

Volume: 3.3 MMcf.

FERC Control Number: JD79-5429

API Well Number: 111-20767

Section of NGPA: 103

Operator: Continental Oil Company

Well Name: Grubb No. 298

Field: San Miguelito

County: Ventura

Purchaser: Pacific Lighting Service Co.

Volume: 2.9 MMcf.

The applications for determination in these proceedings together with a copy or description of other materials in the record on which such determinations were made are available for inspection, except to the extent such material is treated as confidential under 18 CFR 275.206, at the Commission's Office of Public Information, Room 1000, 825 North Capitol Street, N.E., Washington, D.C. 20426.

Persons objecting to any of those final determinations may, in accordance with 18 CFR 275.203 and 18 CFR 275.204, file a protest with the Commission on or before May 22, 1979. Please reference the FERC Control Number in any correspondence concerning a determination.

Kenneth F. Plumb,

Secretary.

[FR Doc. 79-14186 Filed 5-4-79; 8:45 am]

BILLING CODE 6450-01-M

Central Illinois Public Service Co.; Notice of Filing

May 1, 1979.

The filing Company submits the following:

Take notice that on April 27, 1979, Central Illinois Public Service Company (CIPS) tendered for filing proposed Third Revisions to Service Schedules B & C to Interconnection Agreement dated May 2, 1972, with Southern Illinois Power Cooperative (SIPC). The effective date of the proposed revisions is July 1, 1979.

CIPS indicates that said revised agreement revises the reservation charges for Short-Term Non-Firm and Firm Power transactions.

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 should be filed on or before May 22, 1979. 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.

[Docket No. ER 79-336]
[FR Doc. 79-14189 Filed 5-4-79; 8:45 am]
BILLING CODE 6450-01-M

Central Louisiana Electric Co.; Notice of Filing

May 1, 1979.

The filing Company submits the following:

Take notice that on April 27, 1979, Central Louisiana Electric Company (CLECO) tendered for filing a letter agreement with the City of Opelousas, Louisiana (CITY), dated March 22, 1979, which provides for the Sale by CLECO to the CITY of replacement energy.

CLECO states that the replacement energy is scheduled surplus power and energy to be provided from its generating units, which are larger and more efficient than those of the CITY. CLECO further states that the generating of replacement energy by CLECO for the CITY will conserve approximately 388,000 MMBTU of fuel annually.

CLECO proposes an effective date of March 27, 1979, and therefore requests

waiver of the Commission's notice requirements.

According to CLECO copies of this filing were served upon the CITY and upon the Louisiana Public Service Commission.

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 Sections 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 May 22, 1979. 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 the public inspection.

Kenneth F. Plumb,
Secretary.

[Docket No. ER79-335]
[FR Doc. 79-14190 Filed 5-4-79; 8:45 am]
BILLING CODE 6450-01-M

Consumers Power Co.; Notice of Tariff Change

May 1, 1979.

The filing Company submits the following:

Take notice that Consumers Power Company (Consumers Power) on April 26, 1979, tendered for filing Amendment No. 1 to the Facilities Agreement dated March 1, 1973 among Consumers Power Company, The Detroit Edison Company (Detroit Edison) and The Toledo Edison Company. The Commission previously designated this Facilities Agreement as Consumers Power Company Rate Schedule FERC No. 35.

Consumers Power states that Amendment No. 1 to the Facilities Agreement changes the scheduled in-service date of Detroit Edison's Lulu Station from on or about September 1, 1978 to on or about September 1, 1997, as Detroit Edison's forecasts of load growth and system requirements have changed since March 1, 1973, the date of the Facilities Agreement. Consumers Power states further that Lulu Station is presently being planned by Detroit Edison for installation with long-range generation additions scheduled in 1997.

Any person desiring to be heard or to protest said amendment 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 Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8 and 1.10). All such petitions of protests should be filed on or before May 21, 1979. 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 Amendment No. 1 are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[Docket No. ER79-330]
[FR Doc. 79-14191 Filed 5-4-79; 8:45 am]
BILLING CODE 6450-01-M

Equitable Gas Co.; Notice of Application

May 1, 1979.

Take notice that Equitable Gas Company ("Equitable"), on April 30, 1979, filed an Application for permission to file cost-of-service support for a major rate increase in the transportation rate for Carnegie Natural Gas Company ("Carnegie") in the form prescribed for minor rate increases under Section 154.63(3) and for a waiver of the major rate increase requirements contained in Section 154.63(f), Statements A, B, C, D, E, F, G, H, I, J, K, O, P and Q. The additional revenues resulting from said increase in the transportation rate for Carnegie accounts for approximately one-tenth of one (1) percent of Equitable's total sales.

Equitable states that copies of this Application have been served on Carnegie Natural Gas Company.

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, DC 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protest should be filed on or before May 17, 1979. 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.

[Docket No. RP79-65]

[FR Doc. 79-14192 Filed 5-4-79; 8:45 am]

BILLING CODE 6450-01-M

Geological Survey, et. al.; Notice of Determination by a Jurisdictional Agency Under the Natural Gas Policy Act of 1978

April 27, 1979.

On April —, 1979, the Federal Energy Regulatory Commission received notices from the jurisdictional agencies listed below of determinations pursuant to 18 CFR 274.104 and applicable to the indicated wells pursuant to the Natural Gas Policy Act of 1978.

U. S. Geological Survey

FERC Control Number: JD79 5389
API Well Number: 30045061260000
Section of NGPA: 108
Operator: El Paso Natural Gas Company
Well Name: Bolack C 8
Field: Blanco, South-Pictured Cliffs Gas
County: San Juan
Purchases: El Paso Natural Gas Company
Volume: 2.6 MMcf.

FERC Control Number: JD79 5390
API Well Number: 30-045-22512
Section of NGPA: 103
Operator: El Paso Natural Gas Company
Well Name: Mudge 6A
Field: Blanco
County: San Juan
Purchases: El Paso Natural Gas Company
Volume: 2.6 MMcf.

FERC Control Number: JD79 5391
API Well Number: 30045210870000
Section of NGPA: 108
Operator: El Paso Natural Gas Company
Well Name: Hardie 7
Field: Blanco Pictured Cliffs Gas
County: San Juan
Purchases: El Paso Natural Gas Company
Volume: 15.0 MMcf.

FERC Control Number: JD79 5392
API Well Number: 30045075510000
Section of NGPA: 108
Operator: El Paso Natural Gas Company
Well Name: Johnston
Field: Blanco-Mesaverde Gas
County: San Juan
Purchases: El Paso Natural Gas Company
Volume: 7.3 MMcf.

FERC Control Number: JD79 5393
API Well Number: 30045211730000
Section of NGPA: 108
Operator: El Paso Natural Gas Company
Well Name: Day A 16
Field: Blanco, South-Pictured Cliffs Gas
County: San Juan
Purchases: El Paso Natural Gas Company
Volume: 14.6 MMcf.

FERC Control Number: JD79 5394
API Well Number: 30045210270000
Section of NGPA: 108
Operator: El Paso Natural Gas Company

Well Name: Neil #14 PC
Field: Blanco, South-Pictured Cliffs Gas
County: San Juan
Purchases: El Paso Natural Gas Company
Volume: 13.9 MMcf.

FERC Control Number: JD79 5395
API Well Number: 300452111560000
Section of NGPA: 108
Operator: El Paso Natural Gas Company
Well Name: Mudge 35 PC
Field: Blanco, South-Pictured Cliffs Gas
County: San Juan
Purchases: El Paso Natural Gas Company
Volume: 13.5 MMcf.

FERC Control Number: JD79 5396
API Well Number: 30045072880000
Section of NGPA: 108
Operator: El Paso Natural Gas Company
Well Name: Lackey B 7
Field: Aztec-Pictured Cliffs Gas
County: San Juan
Purchases: El Paso Natural Gas Company
Volume: 10.0 MMcf.

FERC Control Number: JD79 5397
API Well Number: 30-045-22399
Section of NGPA: 103
Operator: El Paso Natural Gas Company
Well Name: Fields 2A
Field: Blanco
County: San Juan
Purchases: El Paso Natural Gas Company
Volume: 1297 MMcf.

FERC Control Number: JD79 5398
API Well Number: 30-045-22756
Section of NGPA: 103
Operator: El Paso Natural Gas Company
Well Name: Barnes 9A
Field: Blanco
County: San Juan
Purchases: El Paso Natural Gas Company
Volume: 474 MMcf.

FERC Control Number: JD79 5399
API Well Number: 30-045-22773
Section of NGPA: 103
Operator: El Paso Natural Gas Company
Well Name: Mudge 3A (Pictured Cliffs)
Field: Blanco
County: San Juan
Purchases: El Paso Natural Gas Company
Volume: 160 MMcf.

FERC Control Number: JD79 5400
API Well Number: 30-045-22773
Section of NGPA: 103
Operator: El Paso Natural Gas Company
Well Name: Mudge 3A (Mesaverde)
Field: Blanco
County: San Juan
Purchases: El Paso Natural Gas Company
Volume: 333 MMcf.

FERC Control Number: JD79 5401
API Well Number: 30-045-22798
Section of NGPA: 103
Operator: El Paso Natural Gas Company
Well Name: Vandewart A #3-A
Field: Blanco
County: San Juan
Purchases: El Paso Natural Gas Company
Volume: 290 MMcf.

FERC Control Number: JD79 5402
API Well Number: 30-045-22748
Section of NGPA: 103
Operator: El Paso Natural Gas Company
Well Name: Warren 2-A

Field: Blanco
County: San Juan
Purchaser: El Paso Natural Gas Company
Volume: 236 MMcf.

FERC Control Number: JD79 5403
API Well Number: 30-045-22796
Section of NGPA: 103
Operator: El Paso Natural Gas Company
Well Name: Sunray #1-A
Field: Blanco
County: San Juan
Purchaser: El Paso Natural Gas Company
Volume: 466 MMcf.

FERC Control Number: JD79 5404
API Well Number: 30-045-22797
Section of NGPA: 103
Operator: El Paso Natural Gas Company
Well Name: Sunray #2-A
Field: Blanco
County: San Juan
Purchaser: El Paso Natural Gas Company
Volume: 505 MMcf.

FERC Control Number: JD79 5405
API Well Number: 30-045-22710
Section of NGPA: 103
Operator: El Paso Natural Gas Company
Well Name: Day A 2-A
Field: Blanco
County: San Juan
Purchaser: El Paso Natural Gas Company
Volume: 182 MMcf.

FERC Control Number: JD79 5406
API Well Number: 30-045-22364
Section of NGPA: 103
Operator: El Paso Natural Gas Company
Well Name: Roelofs 2-A
Field: Blanco
County: San Juan
Purchaser: El Paso Natural Gas Company
Volume: 232 MMcf.

FERC Control Number: JD79 5407
API Well Number: 30-045-22717
Section of NGPA: 103
Operator: El Paso Natural Gas Company
Well Name: Hughes 4-A
Field: Blanco
County: San Juan
Purchaser: El Paso Natural Gas Company
Volume: 288 MMcf.

FERC Control Number: JD79 5408
API Well Number: 30-045-22450
Section of NGPA: 103
Operator: El Paso Natural Gas Company
Well Name: Riddle C 3A
Field: Blanco
County: San Juan
Purchaser: El Paso Natural Gas Company
Volume: 298 MMcf.

FERC Control Number: JD79 5409
API Well Number: 30-045-22427
Section of NGPA: 103
Operator: El Paso Natural Gas Company
Well Name: Jacques 1A
Field: Blanco
County: San Juan
Purchaser: El Paso Natural Gas Company
Volume: 321 MMcf.

FERC Control Number: JD79 5410
API Well Number: 30-045-22510
Section of NGPA: 103
Operator: El Paso Natural Gas Company
Well Name: Mudge 11A
Field: Blanco

County: San Juan
 Purchaser: El Paso Natural Gas Company
 Volume: 415 MMcf.
 FERC Control Number: JD79 5411
 API Well Number: 30045061430000
 Section of NGPA: 108
 Operator: El Paso Natural Gas Company
 Well Name: Bolack C 7
 Field: Blanco, South-Pictured Cliffs Gas
 County: San Juan
 Purchaser: El Paso Natural Gas Company
 Volume: 3.0 MMcf.

The applications for determination in these proceedings together with a copy or description of other materials in the record on which such determinations were made are available for inspection, except to the extent such material is treated as confidential under 18 CFR 275.206, at the Commission's Office of Public Information, Room 1000, 825 North Capitol Street, N.E., Washington, D.C. 20426.

Persons objecting to any of those final determinations may, in accordance with 18 CFR 275.203 and 18 CFR 275.204, file a protest with the Commission on or before May 22, 1979. Please reference the FERC Control Number in any correspondence concerning a determination.

Kenneth F. Plumb,
 Secretary.
 [FER Doc. 79-14187 Filed 5-4-79; 8:45 am]
 BILLING CODE 6450-01-M

Ohio Power Co.; Notice of Tariff Change

May 1, 1979.

The filing Company submits the following:

Take notice that Ohio Power Company, on April 27, 1979, tendered for filing proposed changes in its FERC Electric Service Rate Schedule No. 18, applicable to service to Wheeling Electric Company. The proposed changes would increase revenues from jurisdictional sales and service by \$8,216,000, based on the 12-month period ending December 31, 1979. Ohio Power Company proposes that the rates and charges and terms and conditions of service revised by this filing become effective June 26, 1979.

Copies of the filing were served upon Wheeling Electric Company and the Public Service Commission of West Virginia, Capital Building, Charleston, West Virginia.

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 May 21, 1979. 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.

[Docket No. ER79-332]
 [FER Doc. 79-14193 Filed 5-4-79; 8:45 am]
 BILLING CODE 6450-01-M

Pacific Power & Light Co.; Notice of Amended Rate Schedule Filing

May 1, 1979.

The filing Company submits the following:

Take Notice that Pacific Power & Light Company (Pacific) on April 26, 1979, tendered for filing, in accordance with Section 35.13 of the Commission's Regulations, a rate schedule establishing charges for emergency transfer service to Central Electric Cooperative, Inc., for the United States of America, Bonneville Power Administration (BPA).

Pacific requests waiver of the Commission's notice requirements to permit this rate schedule to become effective November 30, 1979, which it claims is the date of commencement of service.

Copies of the filing were supplied to BPA.

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 Sections 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 May 21, 1979. 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.

[Docket No. ER79-331]
 [FER Doc. 79-14194 Filed 5-4-79; 8:45 am]
 BILLING CODE 6450-01-M

Tennessee Gas Pipeline Co., a Division of Tenneco, Inc.; Notice of Application

April 23, 1979.

Take notice that on April 10, 1979, Tennessee Gas Pipeline Company, A Division of Tenneco Inc. (Applicant), P.O. Box 2511, Houston, Texas 77001, filed in Docket No. CP79-260 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the transportation of natural gas for Consolidated Edison Company of New York, Inc. (Con Ed), one of Applicant's existing customers, to be purchased from National Fuel Gas Distribution Corporation (National Distribution) for the purpose of supplanting imported fuel oil used in the generating stations which are exempt from the provisions of the Powerplant and Industrial Fuel Act of 1978, all as more fully set forth in the application which is on file with the Commission and open to public inspection.¹

It is indicated that the volumes to be purchased by Con Ed and transported by Applicant would be made available to Applicant by National Distribution through its affiliate, National Fuel Gas Supply Corporation (National Supply) in Potter County, New York, or, when required by operating conditions, at other existing interconnections between Applicant and National Supply as they may agree upon. Applicant would deliver equivalent volumes to Con Ed, or for its account, to Transcontinental Gas Pipe Line Corporation (Transco) at an existing interconnection in Bergen County, New Jersey, or, when required by operating conditions, at other existing interconnections between Applicant and Transco as they may agree to and/or to Con Ed at an existing delivery point in Westchester County, New York.

Applicant proposes to transport up to a total of 15,000,000 Mcf of gas per year, during each April 1 through October 31 period, with peak day and average day volumes being approximately 75,000 Mcf and 65,000 Mcf, respectively. Applicant proposes an initial term of one year with the expectation of a request for renewal for an additional year's authorization.

It is indicated that Applicant will charge 9.60 cents per Mcf of gas delivered to Transco for Con Ed's account and 10.18 cents per Mcf for gas delivered directly to Con Ed.

¹ The application was initially tendered for filing on April 10, 1979; however, the fee required by Section 159.1 of the regulations under the Natural Gas Act (18 CFR 159.1) was not paid until April 18, 1979; thus, filing was not completed until the latter date.

Any person desiring to be heard or to make any protest with reference to said application should on or before May 15, 1979, 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 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 or its designee 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.

Lois D. Casbell,
Acting Secretary.

[Docket No. CP79-260]

[FR Doc. 79-14195 Filed 5-4-79; 8:45 am]

BILLING CODE 6450-01-M

Upper Peninsula Power Co.; Notice of Filing

May 1, 1979.

The filing Company submits the following:

Take notice that on April 27, 1979, Upper Peninsula Power Company (UPPCO) tendered for filing an Agreement dated April 2, 1979 amending the contract between UPPCO and the City of Escanaba, Michigan (Escanaba) dated January 4, 1956.

UPPCO states that under this agreement, most power and energy delivered from UPPCO's system to Escanaba will be returned to UPPCO in

kind from Escanaba's own generating station. Where Escanaba is unable to return all such energy in kind, it will pay UPPCO the same amount as it would have paid for energy generated in its own generating station, except that, in certain circumstances, UPPCO's currently effective rate for wholesale service to electric utilities (WR-1) will be applied.

UPPCO has requested waiver of the notice requirements of Section 35.3 of the Commission's regulations in order to permit the April 2, 1979 Agreement to become effective as of June 1, 1978. UPPCO has also requested waiver of the requirement that sales and revenue calculations be prepared.

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 May 22, 1979. 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.

[Docket No. ER79-334]

[FR Doc. 79-14196 Filed 5-4-79; 8:45 am]

BILLING CODE 6450-01-M

West Penn Power Co.; Notice of Certification

May 1, 1979.

Take notice that Presiding Judge Michel Levant on March 12, 1979 certified to the Commission a settlement agreement in these proceedings. The Judge indicates that it appears that all parties support the settlement. The terms of the settlement would increase annual revenues from the Borough of Chambersburg, Pennsylvania by approximately \$145,000 and would increase revenues from Metropolitan Edison by approximately \$1,500, according to the Judge. The terms would also make some changes in the terms and conditions of service of Allegheny Electric Cooperative with respect to modification of maximum loads at delivery points, and the availability of voltage not previously specified at certain delivery points.

Any person desiring to be heard or to protest said filing should file a protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8 and 1.10). All such protests should be filed on or before May 18, 1979. Protests 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.

[Docket No. ER78-446]

[FR Doc. 79-14197 Filed 5-4-79; 8:45 am]

BILLING CODE 6450-01-M

Western Gas Interstate Co.; Notice of Proposed Changes in FERC Gas Tariff

May 1, 1979.

Take notice that on April 30, 1979, Western Gas Interstate Company, ("Western") tendered for filing proposed changes in its FERC Gas Tariff to be effective on June 1, 1979, consisting of the following tariff sheets.

Thirteenth revised Sheet No. 3A, Original Volume 1

Third Revised Sheet No. 1A, Original Volume 2

The proposed changes would increase revenues from jurisdictional sales and transportation based upon the twelve-month period ending December 31, 1978, as adjusted. Such revenue increase is exclusive of increases in purchased gas costs which will occur prior to the rates involved becoming effective and which would otherwise be recovered through the purchased gas adjustment clause provisions of Western's tariff.

Western states that the principal reasons for the proposed rate increase are: (1) increase in overall rate of return necessary to maintain its financial integrity; (2) increases in plant and related cost of service items; (3) increases in cost of materials, supplies, wages, services, and other operating expenses necessary to maintain and operate its pipelines system and appurtenances; (4) increase in working capital; and (5) increases in taxes other than income.

Western further states that in light of current uncertainties of the costs for transmission and compression by others, Western has included in the instant Notice of Rate Change "Alternative Tariff Sheets" which reflect the basic deficiency of \$1,234,092 and includes 33.12¢/Mcf average

transmission and compression by others cost under its Rate Schedule G-R in Original Volume No. 1 and Under Rate Schedules T-2 and T-3 of Original Volume No. 2. Pro Forma Tariff Sheets are also included to reflect proposed Section 21, "Transmission and Compression of Gas by Others Adjustment Provision" under General Terms and Conditions contained in Original Volume No. 1. Western requests that the "Alternative Revised Tariff Sheets" be made effective subject to the express condition that, thereafter, Western be permitted to file revisions to such tariff sheets from time to time to reflect changes in the cost of transmission and compression of gas by others resulting from variations in the volume of gas transported and from changes in the tariff prices of other natural gas companies for transmission and compression of gas.

Western states that there are other changes in its tariff in the sheets tendered but that these changes are either minor word changes for clarification, updating of required information, or changes required to bring such sheets into conformity with the proposed rates.

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 Section 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 May 17, 1979. 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.

[Docket No. RP79-66]

[FR Doc. 79-14198 Filed 5-4-79; 8:45 am]

BILLING CODE 6450-01-M

Subcommittee on Ex Parte and Separation of Functions of the Advisory Committee on Revision of Rules of Practice and Procedure; Meeting

May 2, 1979.

Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92-463, 86 Stat. 770), notice is hereby given that the Subcommittee on Ex Parte and Separation of Functions of the

Advisory Committee on Revision of Rules of Practice and Procedure will meet Tuesday, May 15, 1979 from 2 p.m. to 5 p.m., at the Federal Energy Regulatory Commission, North building, 825 North Capitol Street, N.E., Room 3200, Washington, D.C.

The purpose of the subcommittee meeting is to continue discussion on a staff proposal on revising the Federal energy Regulatory Commission's rules on ex parte and separation of functions.

The meeting is open to the public. A transcript of the meeting will be available for public review and copying at FERC's Office of Public Information, Room 1000, 825 North Capitol Street, N.E., between the hours of 8:30 a.m. and 5:00 p.m. Monday through Friday except Federal holidays. In addition, any person may purchase a copy of the transcript from the reporter.

Kenneth F. Plumb,
Secretary.

[FR Doc. 79-14176 Filed 5-4-79; 8:45 am]

BILLING CODE 6450-01-M

Office of the Special Counsel for Compliance

Exxon Co., U.S.A.; Consent Order

I. Introduction

Pursuant to 10 CFR 205.199], the Office of the Special Counsel of the Department of Energy (DOE) hereby gives Notice of a Consent Order which was executed between Exxon Company, U.S.A. (Exxon) and the DOE on January 26, 1979. In accordance with that Section, DOE will receive comments with respect to this Consent Order. Although DOE has signed and tentatively accepted this Consent Order, DOE may, after consideration of comments received, withdraw its acceptance and, if appropriate, attempt to negotiate an alternative Consent Order.

II. Consent Order

Exxon is a refiner engaged in the production of crude oil, in refining, and in the marketing of petroleum products subject to DOE regulations.

Exxon historically recorded its foreign crude oil acquisition in its financial records at the time title passed to Exxon (the "purchase" method). However, on its FEO-96 forms and supporting schedules, Exxon through December 1974 reported foreign crude oil costs based on "runs-to-stills" adjusted annually for changes during the period in its LIFO (last in, first out) inventory of imported crude oil. In January 1975 Exxon changed its reporting basis from

a "runs-to-stills" basis to a strict purchase basis, in order to more accurately reflect costs. That change necessitated a conforming change in the May 1973 cost from a "runs-to-stills" basis to a strict purchase basis for the reporting period August 1973 through December 1974. When Exxon made this conforming adjustment on a current FEO-96 it used an incorrect, understated May 1973 foreign crude oil cost. In order to correct this procedural problem, Exxon recalculated the cost available for pass-through for the period August 1973 through December 1977, using the "purchase" method for the entire period. The recalculation resulted in an overstatement of \$3.980 million of total foreign and domestic crude oil increased cost available for pass-through.

Exxon has voluntarily made a "bank" adjustment on line 30 of the August 1978 EIA-14 to offset the \$3.980 million overstatement to line 27.

In resolution of the issue raised, DOE and Exxon executed a Consent Order on January 25, 1979, the significant terms of which are as follows:

1. In consideration of Exxon's actions regarding the aforementioned adjustments, DOE agrees that Exxon will be deemed to be presently in compliance with 10 CFR 212.83 regarding the facts set forth herein; and that it would not be in the public interest to take any additional remedial action against Exxon with respect to this matter. Provided, however, that DOE reserves the right to take further remedial action with respect to the above mentioned understatement of recoveries if DOE determines that any of the information used to compute the same is not in accordance with the aforementioned terms and conditions of this agreement, or with applicable DOE regulations and rulings. Provided further that should it be found that the adjustment described herein, when reflected in the reporting period to which it applies, and whether combined with other adjustments, would appear to result in over-recovery of legitimate costs or prices in excess of maximum allowable prices, both parties reserve the right to take further action pertaining to the over-recovery of legitimate costs or prices in excess of maximum allowable prices.

2. This Consent Order shall be a final order by the DOE having the same force and effect as a Remedial Order issued pursuant to 10 CFR 205.199B, 43 FR 1930 (January 13, 1978).

3. The provisions of 10 CFR 205.199] including the publication of this Notice, are applicable to the Consent Order.

III. Submission of Written Comments

Interested persons are invited to comment in writing to Mr. Bill Eaton, Deputy Director, Southwest District, Office of the Special Counsel, Department of Energy, One Allen Center, Suite 660, 500 Dallas Avenue, Houston, Texas 77002. Copies of this Consent Order may be received free of charge by written request to this same address or by calling 713-226-5421.

Comments should be identified on the outside of the envelope and on documents submitted with the designation, "Comments on Exxon Consent Order." All comments received by 4:30 p.m. CST, on or before June 6, 1979, will be considered by DOE in evaluating the Consent Order.

Any information or data which, in the opinion of the person furnishing it, is confidential must be identified as such and submitted in accordance with the procedures outlined in 10 CFR 205.9(f).

Issued in Washington, D.C. April 10, 1979.

Paul L. Bloom,
Special Counsel for Compliance.

(Case No. 630R00189)

[FR Doc. 79-14223 Filed 5-4-79; 8:45 am]

BILLING CODE 6450-01-M

Commonwealth of Kentucky; Submission of State Plan for Certification of Pesticide Applicators

In accordance with the provisions of Section 4(a)(2) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended in 1972, 1975, and 1978 (92 Stat. 819; 7 U.S.C. 136 et seq.) and 40 CFR Part 171 (39 FR 36446, October 9, 1974) and 40 FR 11698 (March 12, 1975), the Honorable Julian M. Carroll, Governor of the Commonwealth of Kentucky, has submitted a State Plan for Certification of Commercial and Private Applicators of Restricted Use Pesticide to the Environmental Protection Agency (EPA) for approval on a contingency basis. Contingent approval is being requested pending promulgation of final regulations implementing the Kentucky Pesticide Use and Application Act of 1972, and the Kentucky Pesticides Control Act of 1974. Copies of the laws and proposed regulations are attached to the Plan.

Notice is hereby given of the intention of the Regional Administrator, EPA, Region IV, to approve this Plan on a contingency basis.

A summary of this Plan follows. The entire Plan, together with all attached appendices (except for sample examinations) may be examined during normal business hours at the following locations.

Pesticides Section, Department of Natural Resources and Environmental Protection, Pine Hill Plaza, U.S. 60, Frankfort, Kentucky 40601, 502/564-7274.

Pesticides Branch, U.S. Environmental Protection Agency, 345 Courtland Street, N.E., Room 204, Atlanta, Georgia 30308, 404/881-3222.

Federal Register Section, Program Support Division, Office of Pesticide Programs, EPA, Room 401, East Tower, Waterside Mall, 401 M Street, S.W., Washington, D.C. 20460, 202/755-4854.

Summary of Kentucky State Plan

The Kentucky Department of Natural Resources and Environmental Protection has been designated the State Lead Agency and has been authorized to cooperate with and enter into formal agreements with other agencies and/or educational institutions for purposes of implementing the Kentucky Pesticides Use and Application Act of 1972 (KRS 217B), and the Kentucky Pesticide Control Act of 1974 (KRS 217).

The Pesticides Section is the organization of the Kentucky Department of Natural Resources and Environmental Protection charged with the responsibility for unification of the Plan into a workable unit for the purpose of carrying out the provisions of FIFRA, Section 4, and Kentucky statutes related to pesticide application.

Formal agreements have been between the Kentucky Department of Natural Resources and Environmental Protection, Kentucky Department of Agriculture, and the Cooperative Extension Service, College of Agriculture, University of Kentucky.

The functions and responsibilities of the Kentucky Department of Natural Resources and Environmental Protection will be the testing, certification, and licensing of all private and commercial applicators, enforcement of Chapters 217 and 217B, Kentucky statutes and coordination of the State Plan.

The Kentucky Department of Agriculture's meat analysis laboratory will conduct pesticide product label verification analysis and residue analysis.

The Cooperative Extension Service will train Kentucky's applicators. The training will be in the form of oral, audio-visual, and slide-tape presentations accompanied by study guide pamphlets. All involved Extension personnel will be certified by the Department of Natural Resources and Environmental Protection in the Demonstration and Research category.

The Pesticides Section will work closely with other Divisions within the Department, such as the Division of Forestry, Water Resources, and Water

Quality, in the administration of its responsibilities.

Legal authority for Kentucky's Certification Program is contained in the following laws:

1. Kentucky Pesticides Use and Application Act of 1972, KRS 217B.
2. Kentucky Pesticides Control Act of 1974, KRS 217.

Copies of the above laws are attached to the Plan. Regardless of which law an applicator is certified under, he will be subjected to the same standards, testing, record keeping provisions, criminal prohibitions, and other requirements imposed by Federal regulations.

The Plan indicates that the State Lead Agency and cooperating agencies have sufficient personnel and funds necessary to carry out the proposed programs.

The State estimates that 4,500 commercial applicators and 80,000-100,000 private applicators will need to be certified. Certification credentials for certified applicators will be supplied in the form of a wallet size card identifying the applicator and indicating whether certification is limited or covers all restricted-use pesticides.

An annual report will be submitted to EPA by the State Lead Agency on or before September 30th of each year, as well as special reports as required.

Kentucky will adopt the ten categories of commercial applicators listed in 40 CFR 171.3. In addition, category 7, Industrial, Institutional, Structural, and Health Related Pest Control will contain four subcategories as follows:

1. Structural Pest Control
2. Structural Fumigation Pest Control
3. Wood-destroying Organism Pest Control
4. General Pest Control

In order to become certified, commercial applicators must pass a written examination covering the standards of competency for the appropriate category(s), as well as the general standards for all categories (40 CFR 171.4 and 171.6). Aerial applicators will be required to demonstrate competence in specified areas within individual categories, in addition to general and specific category standards.

The Cooperative Extension Service will furnish training for all ten categories and the Kentucky Department of Natural Resources and Environmental Protection will test those individuals in the ten categories.

The initial training sessions were conducted prior to October 1976, and were held in several areas of the State in order to most effectively reach the persons of the State desiring to attend.

The programs consisted of two phases, a general (core) phase and a specific category phase and required two to three days for completion. Follow-up programs and competency maintenance programs will be instituted as the need arises.

The Department of Natural Resources and Environmental Protection will issue proper credentials for certification upon assurance that an applicant has successfully completed the competency requirements for each category in which the applicant desires to become certified.

Private applicators (agricultural commodity producers) will be certified by satisfactorily completing a training course conducted by County Extension Agents.

County Extension Agents will be trained by Extension and Lead Agency specialists and certified by the Lead Agency. They, in turn, will hold instructional sessions for prospective private applicators using the EPA core manual as a basis for instruction. Following presentations of the training program, a discussion of the training materials will take place to determine how thoroughly the information has been absorbed by the applicators in attendance. Upon completion of the training by the private applicator, a certification competency statement shall be signed by the instructor and forwarded to the Department. Certification credentials shall then be transmitted to the applicator by the Department. Passage of a written competency test is an alternate means of certification.

For non-readers, the trainers will employ an oral procedure to assess competence with regard to the prescribed standards. In those cases, certification will be limited to the pesticide or pesticides for which the applicant is able to demonstrate competency. The applicant will also be counseled as to sources of advice and guidance necessary for the safe and proper use of each pesticide related to his certification. Following the oral training session, the prospective applicator will be questioned orally by the trainer. A competency statement will be signed by the trainer and forwarded to the Department. Slides and other visual aids will be employed in the training.

There are no Indian Reservations within the Commonwealth of Kentucky.

The Commonwealth of Kentucky does not, at present, reciprocate, but, the

issue of reciprocity may be addressed at some future date.

Other regulatory activities listed in the State Plan which will supplement the Kentucky certification program are state registration, inspection; and sampling of pesticide products. Testing may also be done for detection of pesticide residues in crops, feeds, and soils. All dealers of restricted-use pesticides will be tested, certified, and licensed by the Department of Natural Resources and Environmental Protection. Records are required to be kept and are subject to inspection by the Department.

Kentucky will certify its applicators on a five-year basis. Commercial applicators and pest control operators are required to attend their respective spray schools at least two years in the five-year certification period. Area meetings are held throughout the State during the winter months for public relations and informational purposes. Private applicator competency will be maintained by materials transmitted through County Agents and field inspections on a county level.

Public Comments

Interested persons are invited to submit written comments on the proposed State Plan for the Commonwealth of Kentucky to the Chief, Pesticides Branch, Region IV, Environmental Protection Agency, Room 204, 345 Courtland Street, N.E. Atlanta, Georgia 30308. The comments must be received on or before June 7, 1979 and should bear the identifying notation OPP-42054. All written comments filed pursuant to this notice will be available for public inspection at the above mentioned location from 8:30 A.M. to 3:30 P.M., Monday through Friday.

Dated: April 24, 1979.

John C. White,
Regional Administrator, EPA, Region IV
[FRL 1218-S; OPP 42054]
[FR Doc. 79-14210 Filed 5-4-79; 8:45 am]
BILLING CODE 6560-01-M

ENVIRONMENTAL PROTECTION AGENCY

Ambient Air Monitoring Reference and Equivalent Methods; Reference Method Designation Bendix Model 8101-B Oxides of Nitrogen Analyzer

Notice is hereby given that the EPA, in accordance with 40 CFR Part 53 (40 FR 7044, February 18, 1975, 41 FR 52694, December 1, 1976), has designated another reference method for the

measurement of ambient concentrations of nitrogen dioxide (NO₂). The new reference method is an automated method (analyzer) which utilizes the measurement principle (gas phase chemiluminescence) and calibration procedure specified in Appendix F of 40 CFR Part 50, as amended on December 1, 1976 (41 FR 52688). This NO₂ analyzer (Model 8101-B) was previously manufactured by the Bendix Corporation, but is no longer in production and is not currently available. The impetus for designating this method is based on the substantial number of these analyzers still in use by EPA and state and local environmental agencies, the readily designatable configuration and performance of the analyzer, and the availability of suitable test data on the analyzer previously acquired by EPA. Although initiated by EPA under 40 CFR 53.7, the designation is made with the complete cooperation of the Environmental and Process Instruments Division of the Bendix Corporation.

The method is identified as follows:

RFNA 0479-038, "Bendix Model 8101-B Oxides of Nitrogen Analyzer", operated on a 0-0.5 ppm range with a Teflon sample filter installed on the sample inlet line and with the following post-manufacture modifications:

1. Ozone generator and reaction chamber input-output tubing modification per Bendix Service Bulletin 8101B-2;

2. The approved converter material;

3. The revised and EPA-approved operation and service manual.

These items are mandatory and must be obtained from the Bendix Corporation.

The analyzer may be operated with or without any of the following optional modifications:

1. Perma Pure dryer/ambient air modification;

2. Valve cycle time modification;

3. Zero potentiometer centering modification per Bendix Service Bulletin 8101B-1;

4. Reaction chamber vacuum gauge modification.

A test analyzer representative of this method has been tested by EPA in accordance with the test procedures specified in 40 CFR Part 53 as amended on December 1, 1976 (41 FR 52694). After reviewing the results of these tests and other information, EPA has determined, in accordance with Part 53, that this method should be designated as a reference method. The information will

be kept on file at the EPA address shown below and will be available for inspection to the extent consistent with 40 CFR Part 2 (EPA's regulations implementing the Freedom of Information Act).

As a reference method, this method is acceptable for use by States and other control agencies for purposes of § 51.17(a) of 40 CFR Part 51 ("Requirements for Preparation, Adoption, and Submittal of Implementation Plans") as amended on February 18, 1975 (40 FR 7042) and December 1, 1976 (41 FR 52688). For such purpose, the method must be used in strict accordance with the approved operation or instruction manual provided with the method and subject to any limitations (e.g., operating range) specified in the applicable designation (see description of the method above). User modifications of a designated method used for purposes of § 51.17(a), other than those specified in the method identification, are permitted only with prior approval of EPA, as provided in Part 53; see 40 CFR 51.17(a)(f) (41 FR 11255).

Owners of Bendix Model 8101-B analyzers should note that such analyzers require certain modifications to achieve designated status. These modifications include both hardware changes to the analyzer and a revised operation and instruction manual. The Bendix Corporation has agreed to provide both the mandatory modifications and the optional modifications for a reasonable period of time at reasonable cost. Alternatively, Bendix will supply appropriate modification kits for installation by analyzer owners. Users of the Model 8101-B analyzer should contact the Bendix Corporation, Environmental and Process Instruments Division, P.O. Box 831, Lewisburg, WV 24901 to determine what modifications are necessary to upgrade their analyzers to designated status, and to determine the cost and availability of such services. In many cases, the mandatory modifications may have already been made; however, the revised operation and instruction manual will still be necessary.

Designation of this reference method will provide assistance to the States in establishing and operating their air quality surveillance systems under 40 CFR 51.17(a). Additional information concerning this action may be obtained by writing to the Director, Environmental Monitoring and Support Laboratory, Department E (MD-77), U.S. Environmental Protection Agency,

Research Triangle Park, North Carolina 27711.

Stephen J. Gage,

Assistant Administrator for Research and Development.

May 2, 1979.

[FRL 1218-8]

[FR Doc. 79-14207 Filed 5-4-79; 8:45 am]

BILLING CODE 6560-01-M

Amendment to Experimental Use Permit

On Tuesday, April 17, 1979 (44 FR 22807), information appeared pertaining to the issuance of an experimental use permit, No. 677-EUP-15, to Diamond Shamrock Corporation. At the request of the company, that permit has been amended to increase the quantity of the fungicide chlorothalonil by 959.1 pounds (for a total of 38,172.1 pounds), and to add the State of Wyoming to the program. (PM-21, Room: E-305, Telephone: 202/755-2562).

Dated: April 27, 1979.

Douglas D. Camp,

Director, Registration Division,

[OPP 50418A; FRL 1218-3]

[FR Doc. 79-14212 Filed 5-4-79; 8:45 am]

BILLING CODE 6560-01-M

Issuance of Experimental Use Permits

The Environmental Protection Agency (EPA) has issued experimental use permits to the following applicants. Such permits are in accordance with, and subject to, the provisions of 40 CFR Part 172, which defines EPA procedures with respect to the use of pesticides for experimental purposes.

No. 4090-EUP-21. Gulf Oil Co., Merriam, Kansas 66202. This experimental use permit allows the use of the remaining supply of approximately 88.8 pounds (the amount previously authorized) of the herbicide 2-(1,3,3-trimethylureido)-1,3,4-thiadiazole-5-N,N-dimethyl sulfonamide on non-crop areas to evaluate control of general vegetation; this use was authorized in a previous experimental use permit. A total of 18.5 acres is involved; the program is authorized only in the States of Alabama, Arkansas, California, Georgia, Illinois, Iowa, Kansas, Kentucky, Maine, Michigan, Minnesota, Nebraska, New Jersey, New York, North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, Texas, Virginia, and Washington. The experimental use permit period is also extended, and the permit is now effective from March 2, 1979 to March 2, 1980. (PM-23, Room: E-351, Telephone: 202/755-1397).

No. 8730-EUP-6. Herculite Products, Inc., New York, New York 10010. This experimental use permit allows the use of 164 pounds of the insecticide gossypure on cotton to evaluate control of pink bollworm. A total of 3,730 acres is involved; the program is authorized only in

the States of Arizona and California. The experimental use permit is effective from April 3, 1979 to April 3, 1980. A permanent exemption from the requirement of a tolerance for residues of the active ingredient in or on cotton has been established (40 CFR 180.1043). (PM-17, Room: E-229, Telephone: 202-426-9245).

No. 2224-EUP-14. Mobil Chemical Company, Richmond, Virginia 23261. This experimental use permit allows the use of the remaining supply of approximately 64 pounds (the amount previously authorized) of the herbicide bifenox on flue-cured and burley tobacco to evaluate control of broadleaf weeds. A total of 0.7 of the original 32 acres is involved; the program is authorized in the States of Florida, Georgia, Kentucky, North Carolina, South Carolina, and Virginia. The experimental use permit is effective from March 29, 1979 to March 29, 1980. (PM-25, Room E-301, Telephone: 202/755-2196).

Interested parties wishing to review the experimental use permits are referred to the designated Product Manager (PM), Registration Division (TS-767), Office of Pesticide Programs, EPA, 401 M Street, S.W., Washington, D.C. 20460. The descriptive paragraph for each permit contains a telephone number and room number for information purposes. It is suggested that interested persons call before visiting the EPA Headquarters Office, so that the appropriate permit may be made conveniently available for review purposes. The files will be available for inspection from 8:30 a.m. to 4:00 p.m. Monday through Friday.

(Section 5 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended in 1972, 1975, and 1978 (92 Stat. 819; 7 U.S.C. 136))

Dated April 18, 1979.

Douglas D. Camp,

Acting Director, Registration Division,

[FRL 1218-4; OPP-50421]

[FR Doc. 79-14211 Filed 5-4-79; 8:45 am]

BILLING CODE 6560-01-M

Issuance of Experimental Use Permits

The Environmental Protection Agency (EPA) has issued experimental use permits to the following applicants. Such permits are in accordance with, and subject to, the provisions of 40 CFR Part 172, which defines EPA procedures with respect to the use of pesticides for experimental purposes.

No. 42634-EUP-2. U.S. Department of Agriculture, Washington, D.C. 20250. This experimental use permit allows the use of 61 pounds of the insecticide 1-(8-methoxy-4,8-dimethyl-nonyl)-4-(1-methylethyl) benzene on non-crop areas to evaluate control of imported fire ants. A total of 2,560 acres is involved; the program is authorized only in the State of Louisiana.

The experimental use permit is effective from April 5, 1979 to April 5, 1980. (PM-17, Room: E-229, Telephone: 202/755-9425)
 No. 538-EUP-9. O.M. Scott & Sons, Marysville, Ohio 43040. This experimental use permit allows the use of 87 pounds of the fungicide 3-(3,5-dichlorophenyl)-N-(1-methyl-2-oxo-1-imidazolidinyl)carboxamide on turfgrass to evaluate control of the turfgrass diseases, brown patch dollar spot, Fusarium patch, leaf spot, red leaf spot, and red thread. A total of 404,000 square feet is involved; the program is authorized only in the States of Indiana, Kentucky, Massachusetts, Pennsylvania, Ohio, Oregon, and Washington. This program was authorized in a previous experimental use program which was effective from July 12, 1978 to July 12, 1979. It is now authorized until November 12, 1979. (PM-21, Room: E-305, Telephone: 202/755-2562)

No. 1471-EUP-49. Elanco Products Company, Indianapolis, Indiana 46206. This experimental use permit allows the use of 10,500 pounds of the herbicide tebuthiuron on sugarcane to evaluate control of various weeds. A total of 11,617 acres is involved; the program is authorized only in the States of Florida, Louisiana, and Texas. The experimental use permit is effective from March 26, 1979 to March 26, 1981. A temporary tolerance for residues of the active ingredient in or on sugarcane has been established. Food additive regulations for residues of the active ingredient in syrup, molasses and bagasse have also been established (21 CFR 193.415). (PM-25, Room: E-301, Telephone: 202/755-2196)

Interested parties wishing to review the experimental use permits are referred to the designated Product Manager (PM), Registration Division (TS-767), Office of Pesticide Programs, EPA, 401 M Street, S.W., Washington, D.C. 20460. The descriptive paragraph for each permit contains a telephone number and room number for information purposes. It is suggested that interested persons call before visiting the EPA Headquarters Office, so that the appropriate permit may be made conveniently available for review purposes. The files will be available for inspection from 8:30 a.m. to 4:00 p.m. Monday through Friday.

(Section 5 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended in 1972, 1975, and 1978 [92 Stat. 819; 7 U.S.C. 136])

Douglas D. Campt,
 Director, Registration Division.

[FRL 1219-2, OPP-30425]

[FR Doc. 79-14206 Filed 5-4-79; 8:45 am]

BILLING CODE 6560-01-M

Pesticide Products Containing 2-(2,4,5-trichlorophenoxy) propionic acid (silvex) and 2,4,5-trichlorophenoxy acetic acid (2,4,5-T); Objections and Request for Hearing

Notice is hereby given, pursuant to § 164.8 of the rules of practice (40 CFR 164.8) issued under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended (7 U.S.C. 136 et seq.), that objections and requests for a hearing were filed by, the Secretary of Agriculture of the United States and sixty-five (65) other parties, including manufacturers and formulators of pesticide products containing 2-(2,4,5-trichlorophenoxy) propionic acid (silvex) and 2,4,5-trichlorophenoxy acetic acid (2,4,5-T) in connection with the Administrator's notice of intent to cancel the forestry, rights-of-way, and pasture registrations for 2,4,5-T dated February 28, 1979, (44 FR 15893) and to the Administrator's notice of intent to cancel certain registrations of pesticide products containing silvex, dated February 28, 1979, (44 FR 15917) or both. These proceedings have been consolidated for hearing by order of the Chief Administrative Law Judge dated April 24, 1979.

For information concerning the issues involved and other details of these proceedings, interested persons are referred to the dockets of these proceedings on file with the Hearing Clerk, Environmental Protection Agency, Room 3708, Waterside Mall, 401 M Street, S.W., Washington, D.C. 20460. (202/755-5443).

Edward B. Finch,
 Administrative Law Judge.
 May 2, 1979.

[FRL 1218-2, Docket No. 415, et al.]
 [FR Doc. 79-14215 Filed 5-4-79; 8:45 am]
 BILLING CODE 6560-01-M

Filing of Pesticide/Feed Additive Petitions

Pursuant to sections 408(d)(1) and 409(b)(5) of the Federal Food, Drug, and Cosmetic Act, the Environmental Protection Agency (EPA) gives notice that the following petitions have been submitted to the Agency for consideration.

PP 9F2186. Dow Chemical Co., P.O. Box 1706, Midland, MI 48640. Proposes that 40 CFR 180.342 be amended by establishing tolerance limitations for residues of the insecticide chlorpyrifos [O,O-diethyl O-(3,5,6-trichloro-2-pyridyl) phosphorothioate] in or on the raw agricultural commodities peanuts at 0.5 part per million (ppm), peanut hulls and forage at 15.0 ppm, and peanut hay at 20.0 ppm. The proposed

analytical method for determining residues is by gas chromatography utilizing a hydrogen flame ionization detector. PM12. (202/426-9425)

PP 9F2189. BASF Wyandotte Corp., 100 Cherry Hill Rd., P.O. Box 181, Parsippany, NJ 07054. Proposes that 40 CFR 180 be amended by establishing tolerance limitations for residues of the plant regulator N,N-dimethylpiperidinium chloride in or on the raw agricultural commodities:

Commodity:	Part per million
Eggs, milk.....	0.05
Meat, fat and meat byproducts of cattle, goats, hogs, horses, and sheep.....	0.10
Cottonseed.....	1.50
Cotton forage.....	3.00

The proposed analytical method for determining residues is by gas chromatography using nitrogen specific NPD detector. PM25. (202/755-2196)

FAP 9H5215. BASF Wyandotte Corp. Proposes that 21 CFR 561.197 be amended by establishing a regulation permitting residues of the plant regulator N,N-dimethylpiperidinium chloride in or on the animal feed cottonseed meal with a tolerance limitation of 2.5 ppm. PM25.

Interested persons are invited to submit written comments on these petitions to the Federal Register Section, Program Support Division (TS-757), Office of Pesticide Programs, EPA, Rm. 401, East Tower, 401 M St., SW, Washington, DC 20460. Inquiries concerning these petitions may be directed to the designated Product Manager (PM) Registration Division (TS-767), Office of Pesticide Programs, at the above address, or by telephone at the numbers cited. Written comments should bear a notation indicating the petition number to which the comments pertain. Comments may be made at any time while a petition is pending before the Agency. All written comments filed pursuant to this notice will be available for public inspection in the office of the Federal Register Section from 8:30 a.m. to 4 p.m. Monday through Friday.

Dated: April 30, 1979.

Douglas D. Campt,
 Director, Registration Division.
 [FRL 1219-1, PF-128]
 [FR Doc. 79-14205 Filed 5-4-79; 8:45 am]
 BILLING CODE 6560-01-M

FEDERAL DEPOSIT INSURANCE CORPORATION

EDP Examination, Scheduling, and Report Distribution; Amendment to Policy Statement

AGENCY: Federal Deposit Insurance Corporation.

ACTION: Amendment to Policy Statement.

SUMMARY: Amends Policy statement to reduce burdensome paperwork requirement by requiring mandatory distribution of report comments to serviced banks only when conditions noted at an EDP servicer could adversely or materially affect the serviced institution.

EFFECTIVE DATE: April 30, 1979.

FOR FURTHER INFORMATION CONTACT:

Joseph Jennings, Review Examiner, Automation Section, Federal Deposit Insurance Corporation, Washington, D.C. 20429, 202-389-4351.

Amendment to Interagency EDP Examination, Scheduling, and Report Distribution Policy Statement

In June, 1978, the Board of Directors of the Federal Deposit Insurance Corporation, the Federal Home Loan Bank Board, the Federal Reserve Board, and the Comptroller of the Currency adopted an Interagency EDP Examination Policy Statement. This policy established procedures for joint or rotated examinations of data centers that provided services to more than one class of financial institution and it provided for distribution of report comments to all serviced institutions. The Policy Statement was published in the *Federal Register* on June 14, 1978 (43 FR 25739).

The joint or rotated examination program is functioning, but the dissemination of report comments has generated a considerable amount of paperwork. In an attempt to lessen the quantity of paperwork, the agencies have agreed to amend the mandatory distribution requirement to serviced banks in favor of distribution only when the conditions noted at a servicer could adversely or materially affect the serviced institution. These changes affect only Section III—Report Distribution Policies and Procedures, and the attached supersedes the original section.

Accordingly, effective April 30, 1979, the Policy Statement adopted by the Federal Deposit Insurance Corporation on June 9, 1978 is amended to read as follows:

III. Report Distribution Policies and Procedures

A. Distribution of report comments to all insured serviced institutions will be made only when the conditions noted at a servicer could adversely or materially affect the serviced institutions. The regional/district office of the examining agency (in the case of joint examinations, the authoring agency) has sole responsibility for notifying the management of the data center of its

intent to distribute report comments. Such notification will only be provided in the cover letter transmitting the completed report to the data center.

B. The examining agency (in the case of joint examinations, the authoring agency) will furnish all other affected agencies (at the regional or district level) a copy of the completed report, a complete list of serviced institutions, and an outline of any request for corrective action. If the receiving agency feels additional follow-up is warranted, it will immediately request the initiating agency to do so.

C. When it is determined that report distribution is required, each affected agency will be responsible for reproducing and distributing the report comments to its serviced institutions. A transmittal letter will be used to advise each recipient that the comments are for their internal use only, are not to be construed to satisfy audit requirements, and remain the confidential property of the sending agency. A written receipt will be obtained from each recipient.

These procedures do not affect existing distribution agreements with State agencies. However, no State agency shall distribute report comments to any serviced institution without the expressed consent of the examining agency conducting the examination. The agency conducting the examination will be the only one permitted to provide nonparticipating State authorities copies of the report. In the case of joint examinations, participation by State agencies and report distribution to those State agencies will be decided on an individual basis (at the district or regional level) by the participating Federal agencies.

D. Regardless of the distributing agency, whenever report comments are to be distributed to serviced institutions they will be limited to the examiner's conclusions, recommendations, and comments. Matters of a proprietary or competitive nature relating to the servicer will be excluded from report comments prepared for distribution to serviced institutions, but will be contained in the report provided to the servicer and other Federal agencies. Requests for additional information will be considered on an individual basis. Each agency with serviced institutions will have access to examiner work papers in addition to the complete report (including confidential sections).

E. In cases where the servicer does not respond to corrective action requests, it may be necessary to report the status of uncorrected deficiencies to the serviced institutions. However, the regulatory agencies of all serviced

institutions must first agree on the need for such distribution.

By order of the Board of Directors, April 23, 1979.

Federal Deposit Insurance Corporation.

Hoyle L. Robinson,

Acting Executive Secretary

[FR Doc. 79-14225 Filed 5-4-79; 8:45 am]

BILLING CODE 6714-01-M

FEDERAL MARITIME COMMISSION

Louis Dreyfus Corp. et al.; Filing of Complaint

Correction

In FR Doc. 79-13389, published at page 25509, on Tuesday, May 1, 1979, in the second column, after the signature the Docket No. should be added as follows: "[Docket No. 79-45]."

BILLING CODE 1505-01-M

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 May 1, 1979. 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 FCC 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 May 25, 1979, and should be addressed to Mr. John M. Lovelady, Assistant Director, Regulatory Reports Review, United States General Accounting Office, Room 5106, 441 G Street, NW, Washington, DC 20548.

Further information may be obtained from Patsy J. Stuart of the Regulatory Reports Review Staff, 202-275-3532.

Federal Communications Commission

The FCC requests clearance of a new, voluntary, single-time Letter of Inquiry and sample format for Costs and Revenues Involved in Production of Television Programs (1977-1978 Season).

The Network Inquiry Special Staff of the FCC is charged with the responsibility of examining the relationship between the three commercial television networks and the suppliers of network television programs. Part of this task involves an examination of the costs and revenues associated with production of such programs of the 1977-1978 television season. The Network Inquiry Special Staff will be requesting a summary production budget for a typical series episode with a sample format of detailed categories of production budget with dollar amounts deleted. Additionally, the Staff is requesting a statement of total revenues received from all sources and total expenses associated with production and distribution of each series. The FCC estimates 47 suppliers of network programs will be asked to report and that each response will take approximately 3½ hours to complete.

Norman F. Heyl,

Regulatory Reports Review Officer.

[FR Doc. 79-14164 Filed 5-4-79; 8:45 am]

BILLING CODE 1610-01-M

GENERAL SERVICES ADMINISTRATION

Privacy Act of 1974; New Systems of Records

AGENCY: General Services
Administration.

ACTION: Notification of new systems of
records.

SUMMARY: The purpose of this document is to give notice, pursuant to the provisions of the Privacy Act of 1974, 5 U.S.C. 552a, of the existence of two new systems of records that are being maintained by GSA. The Federal Property Resources Service (FPRS) was established as a result of a reorganization. FPRS is maintaining two systems of records which consist of records that were previously a part of other GSA systems of records. As these records were a part of systems previously reported in the *Federal Register*, a new system report was not filed with the Speaker of the House, the President of the Senate, and the Office of Management and Budget.

DATES: Any interested party may submit written comments regarding the proposal. To be considered, comments must be received on or before June 6, 1979. The new systems of records shall become effective as proposed without further notice on June 6, 1979, unless comments are received which would result in a contrary determination.

ADDRESS: Address comments to General Services Administration (BR), Washington, DC 20405.

FOR FURTHER INFORMATION CONTACT: Mr. William Hiebert, Records Management Branch, Paperwork Management Division, (202) 566-0673.

Background

A change in the organization of GSA on July 18, 1978, resulted in the establishment of a new Federal Property Resources Service to carry out the utilization and disposal functions for real and personal property and stockpile material. Transferred to the new service from other GSA organizational elements were records subject to the provisions of the Privacy Act. These included:

a. The records from the system of records, Hazardous Materials Exposure History System GSA/FSS (42 FR 47778). These records are now being included as a part of the new system of records, Hazardous Materials Exposure History System GSA/FPRS-2.

b. The employee related records on those employees transferred from other GSA organizational elements to the Federal Property Resources Service. These records were previously part of the following systems of records: Employee Related Files GSA/PBS-1 (42 FR 47760), Office-level Employee Records GSA/FPA-6 (42 FR 47760), and Employee Related Files GSA/FSS-8 (42 FR 47779). These records are now being included as part of the new system of records, Employee Related Files GSA/FPRS-1.

The proposed new systems of records are as follows:

GSA/FPRS-1 (23-00-0106)

SYSTEM NAME:

Employee related files.

SYSTEM LOCATION:

All or portions of the records are maintained at the division or branch levels of the various Federal Property Resources Service offices located in Crystal Square Building 5, Arlington, VA; General Services Building, 18th and F Streets NW., Washington, DC; and at regional office locations and stockpile depots at the addresses listed in the appendix following the notice GSA/FPRS-2.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Current and former employees of the Federal Property Resources Service and applicants or potential applicants for employment.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records consist of a variety of documents accumulated by operating officials and supervisors in administering personnel matters for or about employees. The following types of records are representative of the system: Records on equal employment opportunities; performance appraisals, potential performance appraisals, and supporting documents; promotion records; applications, resumes, and biographical and employment history documents; emergency locator and notification documents containing name, address, home telephone, and emergency contacts; employee training, counseling, and development documents; position descriptions; management and classification documents; records on awards; security clearance records; leave, pay, and time and attendance records; emergency duty rosters; team, and task force participation rosters and documents; Congressional files relating to employee relief bills; staffing information, including organizational rosters for both Central Office and regional personnel; retirement data; medical certifications for granting parking permits to handicapped; indebtedness complaints records; news releases; duty station assignments records; photographs; personnel plans; travel records; employee record cards containing summary information; and injuries and occupational disease records.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Federal Property and Administrative Services Act of 1949, as amended (63 Stat. 377); Title 5 U.S.C. generally; Title 31 U.S.C. generally; and Executive Order 9397.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

The routine uses of these records are to the Office of Personnel Management in connection with recruitment activities and evaluation survey programs; to the Department of Labor in connection with settlement and adjudication of labor-management disputes; and additional routine uses as described in the appendix following the GSA notices.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Paper records in file folders and card files and printouts.

RETRIEVABILITY:

Alphabetically by individual's name.

SAFEGUARDS:

Buildings employ security guards and records are maintained in areas accessible only to authorized personnel of FPRS. Any records containing information, the unauthorized disclosure of which could result in substantial harm, embarrassment, inconvenience, or unfairness to the individual, are filed in lockable cabinets.

RETENTION AND DISPOSAL:

Disposition of records shall be in accordance with the HB, GSA Records Maintenance and Disposition System (OAD P 1820.2).

SYSTEM MANAGER AND ADDRESS:

Director, Program Support Office (DA), Federal Property Resources Service, 18th and F Streets NW., Washington, DC. Mailing address: General Services Administration (DA), Washington, DC 20405.

NOTIFICATION PROCEDURES:

Individuals may obtain information about whether they are part of this system of records from the supervisor of the activity that the individual is or was employed with. If not known, general inquiries should be made to the systems manager.

RECORD ACCESS PROCEDURES:

Requests from individuals to access records should be addressed to the officials cited above. In person requests may also be made during normal business hours at each location listed in the appendix following the notice GSA/FPRS-2. For written requests, the individual should provide full name, address, and telephone number; approximate dates and places of employment; and any other information which the individual believes would facilitate locating the record. For personal visits, the individual should be able to provide some acceptable identification such as a driver's license or employment identification card. Only general inquiries may be made by telephone.

CONTESTING RECORD PROCEDURES:

GSA rules for contesting records and for appealing initial determinations are contained in 41 CFR 105-64.

RECORD SOURCE CATEGORIES:

Information in this system of records is obtained from the individual, personnel forms, Congressional inquiries, committees, agency officials, third parties submitting indebtedness

complaints, applications from individuals applying for positions, and doctors for individuals requesting handicapped parking permits.

GSA/FPRS-2 (23-00-0107)**SYSTEM NAME:**

Hazardous materials exposure history system.

SYSTEM LOCATION:

Records are maintained at the GSA/FPRS stockpile depots at the addresses shown in the appendix following this notice.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Personnel working or visiting storage areas containing hazardous materials.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records consist of the daily dosage of radiation received and hourly exposure to dangerous levels of asbestos. The records are primarily used by officers and employees of the agency who have a need for the records in the performance of their duties.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Occupational Safety and Health Act of 1970, as amended (84 Stat. 1590).

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Information on exposure readings is provided to the regulatory agencies charged with the responsibilities for regulating the handling of hazardous materials. Additional routine uses are contained in the appendix following the GSA notices.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**STORAGE:**

Paper forms.

RETRIEVABILITY:

Filed alphabetically by individual's name.

SAFEGUARDS:

Buildings employ security guards and records are maintained in areas accessible only to authorized personnel of FPRS.

RETENTION AND DISPOSAL:

Disposition of records shall be in accordance with the HB, GSA Records Maintenance and Disposition System (OAD P 1820.2).

SYSTEM MANAGER AND ADDRESS:

Assistant Commissioner, Office of Property Management (DM), Crystal Square Building 5, Arlington, VA. Mailing address: General Services Administration (DM), Washington, DC 20406.

NOTIFICATION PROCEDURES:

Individuals may obtain information about whether they are part of this system of records from the director of the applicable activity that the individual is or was employed with. If not known, general inquiries should be made to the system manager.

RECORD ACCESS PROCEDURES:

Requests from individuals to access records should be addressed to the official cited above. In person requests may also be made during normal business hours at each location listed in the appendix following this notice. For written requests, the individual should provide full name, address, telephone number, period of employment, and the position held to assist the office in locating the record. For personal visits, the individual should be able to provide some acceptable identification such as driver's license or employee identification card. Only general inquiries may be made by telephone.

CONTESTING RECORD PROCEDURES:

GSA rules for contesting records and for appealing initial determinations are contained in 41 CFR 105-64.

RECORD SOURCE CATEGORIES:

Information in this system of records is obtained from film badges, dosimeters, other instrumentation, work logs, and medical examinations.

Appendix—GSA/FPRS Location Addresses**Regional Offices**

Region 1: John W. McCormack, Post Office and Courthouse, Post Office Square, Boston, Massachusetts 02109.

Region 2: 28 Federal Plaza, New York, New York 10007.

Region 3: 7th and D Streets SW., Washington, D.C. 20407.

Region 4: 1776 Peachtree Street NW., Atlanta, Georgia 30309.

Region 5: 230 South Dearborn Street, Chicago, Illinois 60604.

Region 6: 1500 E. Bannister Road, Kansas City, Missouri 64131.

Region 7: 89 Taylor Street, Fort Worth, Texas 76102.

Region 8: Building 41, Denver Federal Center, Denver, Colorado 80225.

Region 9: 525 Market Street, San Francisco, California 94105.

Region 10: GSA Center, Auburn, Washington 98002.

GSA/FPRS Stokpile Depots

GAS/FPRS Baton Rouge Depot, 2695 N. Sherwood Forest Drive, Baton Rouge, LA 70810.

GSA-FPRS Federal Service Center (C/D), 4747 Eastern Avenue, Building 1, Bell, CA 90201.

GSA-FPRS Bethlehem Depot, Bethlehem, PA 18015.

GSA-FPRS Belle Mead Depot, Belle Mead, NJ 08502.

GSA-FPRS Binghamton Depot, Binghamton, NY 13901.

GSA-FPRS Casad Depot, New Haven, IN 46774.

GSA-FPRS Depot, The Federal Depot, Clearfield, UT 84016.

GSA-FPRS Curtis Bay Depot, Baltimore, MD 21226.

GSA-FPRS Dayton Depot, 2400 West Dorothy Lane, Dayton, OH 45439.

GSA-FPRS Erie Depot, P.O. Box 344, Port Clinton, OH 43452.

GSA-FPRS Forth Worth Depot, 819 Taylor Street, Fort Worth, TX 76102.

GSA-FPRS Gadsden Depot, P.O. Box 918, Hammond, IN 46325.

GSA-FPRS Marion Depot, P.O. Box 348, Marion, OH 43302.

GSA-FPRS Building 7050, P.O. Box 6, Mira Loma, CA 91752.

GSA-FPRS New Bedford Depot, King Street and Nash Road, New Bedford, MA 02745.

GSA-FPRS Point Pleasant Depot, 2601 Madison Avenue, Point Pleasant, WV 25550.

GSA-FPRS Scotia Depot, Scotia, NY 12302.

GSA-FPRS Sharonville Depot, P.O. Box 41131, Cincinnati, OH 45241.

GSA-FPRS Somerville Depot, Somerville, NJ 08876.

GSA-FPRS Depot, Rough and Ready Island, Building 606, Stockton, CA 95203.

GSA-FPRS Topeka Depot, Building 301, Topeka, KS 66601.

GSA-FPRS Warren Depot, Warren, OH 44482.

GSA-FPRS Buffalo Depot (Address all mail to the Sharonville Depot).

GSA-FPRS Marietta Depot (Address all mail to Region 3).

GSA-FPRS Terre Haute Depot (Address all mail to the Sharonville Depot).

GSA-FPRS Voorheesville Depot (Address all mail to the Scotia Depot).

Dated: April 26, 1979.

Janice K. Mendenhall,

Controller-Director of Administration.

[FR Doc. 79-14070 Filed 5-4-79; 8:45 am]

BILLING CODE 6820-34-M

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education

Advisory Council on Developing Institutions Meeting

The Advisory Council on Developing Institutions, established under Title III of the Higher Education Act of 1965 as amended, will meet May 23, 1979, from 9:00 a.m. to 4:00 p.m., in Room 3000 (the

small conference room), Federal Office Building 6, 400 Maryland Avenue SW., Washington, D.C. 20202.

Notice is hereby given, pursuant to section 10(a)(2) of the Federal Advisory Committee Act (P.L. 92-463), that a public meeting of the Subcommittee on the Annual Report of the Advisory Council on Developing Institutions will be held May 23, 1979, from 9:00 a.m. to 4:00 p.m., in Room 3000 (the small conference room), Federal Office Building 6, 400 Maryland Avenue, S.W., Washington, D.C. 20202.

The Advisory Council on Developing Institutions was established by Title III of the Higher Education Act of 1965, as amended. The Council is governed by the provisions of Part D of the General Education Provisions Act and of the Federal Advisory Committee Act (P.L. 92-463). The Council shall assist the Commissioner in identifying the characteristics of developing institutions through which the purpose of Title III may be achieved, and in establishing the priorities and criteria to be used in making grants under section 304(a) of that Title.

The meeting of the Subcommittee shall be open to the public.

The Proposed agenda includes:

- (1) The preparation of the first draft of the Annual Report for 1979.
- Other administrative matters and related business.

Records shall be kept in the form of the Council's Annual Report. Copies of the Annual Report will be available at a later date to the public at the Office of the Director of the College and University Unit, BHCE, located in ROB-3, Room 3036, 7th and D Streets, S.W.

Signed at Washington, D.C. on April 30, 1979.

Preston Valien,

Office of Education Delegate to the Council.

[FR Doc. 79-14173 Filed 5-4-79; 8:45 am]

BILLING CODE 4110-02-M

National Advisory Council on the Education of Disadvantaged Children; Meeting Relocated/Site Visits Postponed

This notice is to amend the notice of the meeting of the National Advisory Council on the Education of Disadvantaged Children which appeared in the Federal Register on Friday, April 27, 1979, on page 24936. The Council meeting which was scheduled to be held in Portland, Oregon on May 18 and 19, 1979, will now be held at 425-13th Street, N.W., Suite 1012, Washington, D.C., on the same dates. The site visits which were to be held on May 17 have been postponed indefinitely.

The National Advisory Council on the Education of Disadvantaged Children is established under section 148 of the Elementary and Secondary Education Act (20 U.S.C. 2411) to advise the President and the Congress on the effectiveness of compensatory education to improve the educational attainment of disadvantaged children.

The entire meeting will be open to the public. For any additional information regarding the above meeting, please contact Mrs. Lisa Haywood at 202/724-0114.

Signed at Washington, D.C. on May 2, 1979.

Gloria B. Strickland,

Acting Executive Director.

[FR Doc. 79-14144 Filed 5-4-79; 8:45 am]

BILLING CODE 4110-02-M

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of Assistant Secretary for Housing

Urban Initiatives Anti-Crime Program; Selected Public Housing Agencies With Less Than 1250 Units in Total Management

AGENCY: U.S. Department of Housing and Urban Development (HUD).

ACTION: Notice

SUMMARY: The Department is announcing a competition among Public Housing Agencies (PHAs) with less than 1250 units in total management. Interested PHAs will be asked to submit preliminary applications with basic information on crime rates, tenant characteristics and building characteristics. A limited number of PHAs then will be approved to submit full applications. Full applications will require comprehensive anti-crime proposals which address tenant activities, services, youth employment, security hardware, law enforcement, area-wide public/private partnership and improved PHA management of public safety programming. A total of \$4.25M has been set aside by HUD and the Department of Labor (DOL). Other Federal agencies may co-target additional resources after (up to ten) sites are selected.

FOR FURTHER INFORMATION CONTACT:

Assistant Secretary for Housing.

Attention: Mr. Lynn A. Curtis.

Telephone: (202) 755-2980. (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION:**I. Policy and Purpose**

The Housing Act of 1937 states as a goal the provision of "decent, safe and sanitary" housing for every American family.

As part of President Carter's National Urban Policy, the Department of Housing and Urban Development (HUD) has directly addressed the goal of safety—through a comprehensive policy on crime prevention in public housing.

That policy has been further articulated, developed and refined by the Public Housing Security Demonstration Act of 1978.

The Urban Initiatives Anti-Crime Program announced in this Notice represents a synthesis and implementation of the Presidential Urban Policy and the Congressional security mandate.

The Program establishes a partnership among Federal agencies, Public Housing Agencies (PHAs), tenants and local governments. It recognizes that anti-crime programming must be tailored to the problems of individual communities.

This Notice invites PHAs with less than 1250 total public housing units in management to compete for awards. City-wide and county-wide PHAs are included. A separate Notice is announcing a competition among PHAs with 1250 or more total units in management.

Through a national competition, selected PHAs in different locations will receive awards. The PHAs must have serious crime and vandalism problems that can be substantially reduced by a comprehensive anti-crime program. PHAs must show evidence of a commitment and administrative capability for the successful implementation of such a program.

II. Funding Available

There is a total of \$4.25M in FY 1979 funding available for the competition announced in this Notice.

The available resources are modernization loan authority from HUD, Community Development Block Grant (CDBG) discretionary funds from HUD, and Department of Labor (DOL) funds for youth employment and training provided under Youth Community Conservation and Improvement Projects (YCCIP).

The total amount available is distributed as follows:

HUD FY 1979 modernization loan authority	\$2.85M
HUD FY 1979 CDBG discretionary funds	\$.30M
DOL FY 1979 YCCIP youth employment and training funds	\$1.10M
Total	\$4.25M

The amount of the modernization loan authority is an approximation. The exact amount will vary according to the Minimum Loan Interest Rate.

The size of awards from this total will range from \$.25M to \$1.00M, depending on need and the number of units in the housing project(s) targeted by the PHA. The application can be PHA-wide, but PHAs are encouraged to target on housing projects and buildings with the greatest need. The project(s) or building(s) chosen must have at least 100 public housing units in management.

A local match of at least 10 percent of the total budget requested in a PHA's application also will be required. The match must involve noncapital, nonhardware funding and/or in-kind services.

After awards are made, additional programs and funds may be co-targeted by the following Federal agencies: The Law Enforcement Assistance Administration (LEAA), ACTION, the Community Services Administration (CSA), the Economic Development Administration (EDA), the Department of Health, Education and Welfare (HEW), the Department of Interior, and the Fire Administration.

III. Preliminary Applications

Interested PHAs shall submit three copies of a Preliminary Application to the Director, Urban Initiatives Anti-Crime Program, Suite 6230, U.S. Department of Housing and Urban Development, 451 Seventh Street, S.W., Washington, D.C. 20410, by Friday, May 18, 1979 C.O.B. (5:30 PM Eastern Time).

Each Preliminary Application must include the following information:

1. For the overall law enforcement reporting area encompassed by the local government (e.g., city, town, or county, the official rate per 100,000 populations) in calendar year 1977 of the following crimes reported by the local law enforcement agency to the Uniform Crime Reporting Division of the Federal Bureau of Investigation:

Murder
 Forcible rape
 Robbery
 Aggravated assault
 Burglary
 Larceny-theft
 Motor vehicle theft
 Violent crime (the total of murder, forcible rape, robbery and aggravated assault)
 Property Crime (the total of burglary, larceny-theft, and motor vehicle theft)
 Crime Index Total (the total of violent crime and property crime)

2. For the geographically smaller law enforcement reporting areas in which the PHA's housing projects are located (all units under management), the same information as in Item 1. For example, if crime is reported by police precinct, then the PHA shall list crime rates just for the precincts in which its public housing projects are located. The PHA shall identify those precincts and list crime rates for all of them combined. Thus, if precincts 1, 3 and 7 were identified, the rate for murder would be the sum total in those three places.

If there are no geographically smaller law enforcement reporting areas, this should be stated.

3. A letter signed by the head of the local law enforcement agency (e.g., Police Chief or Sheriff) certifying that the information supplied in Items 1 and 2 is accurate. (Note: This will be independently validated by HUD.)

4. The percentage of families receiving Aid for Dependent Children out of the total resident population managed by the PHA.

5. The percentage of elderly (65 and over) residents out of the total population.

6. For all units in management by the PHA, the percentages of highrise, walk up, and row house units.

7. A list of the number of housing projects in management by the PHA, the number of buildings in each project, and the number of units in each building.

8. A one page, single-spaced statement signed by the Executive Director of the PHA indicating the crime problem, what might be proposed to address the problem and the approximate amount of funding that would be requested from HUD and DOL.

IV. Timetable

After HUD receives Preliminary Applications on May 18, 1979, the following timetable will be followed:

(1) Monday 21 May to Wednesday 23 May. PHAs will be notified whether they have been approved or disapproved for proceeding from a Preliminary Application to a Full Application.

Only some applicants will be allowed to proceed to a Full Application. Details of the procedure for Full Applications will be given to approved PHAs. Approved PHAs will be asked to address the Program Areas in the Appendix to this Notice.

(2) Friday, May 25 to Wednesday, June 6. Regional conferences will be held in San Francisco, Calif., Chicago, Ill. and Washington, D.C., to provide technical assistance to PHAs proceeding with Full Applications. Details on the

conferences will be supplied to these PHAs.

(3) *Monday, July 2.* Full Applications will be due by C.O.B. (5:30 P.M., Eastern Time).

(4) *Friday, July 13.* PHAs will be notified whether they have been approved or disapproved as Semifinalists. Only some PHAs which submit Full Applications will be approved as Semifinalists.

(5) *Monday, July 16 to Friday, August 10.* Over this period, HUD will critique Semifinalist Applications through telephone conference calls or in-person meetings with PHAs. PHAs will be given the opportunity to revise their Applications. Concurrence by local (e.g., city or county) government will be required.

(6) *Friday, August 24.* PHAs will be notified whether they have been approved or disapproved for awards. Only some Semifinalists will be approved. Up to ten awards will be made.

If needed, HUD reserves the right to alter these dates, subject to prior notification of all parties involved.

V. Sustainability

The Anti-Crime Program will make one-time awards. When salaries of personnel are requested, they can be funded for one year. Award winners will be required to demonstrate future sustainability.

VI. The Role of Tenants

HUD will require that the recognized tenant organization play a significant role in the application process and, should an award be made, the administration of the Program. For purposes of this Program, a "tenant organization" can include anything from a loosely-structured tenant activity group to a formally organized association with adopted by-laws.

VII. A-95 and Environmental Waivers

A-95 procedures shall be required for Semifinalists.

A finding of inapplicability under the National Environmental Policy Act has been made and is on file with the rules docket clerk. This Notice does not set standards.

Issued at Washington, D.C., April 26, 1979.

Lawrence B. Simons,
Assistant Secretary for Housing Federal Housing Commission.

ATTACHMENT

Program Areas

1. PHA Responsibilities

1.1 *Improved PHA Management of Crime Prevention—Including More and Better Trained PHA Controlled Public Safety and Community Service Officers*

For example:

Appointment of a highly qualified public safety coordinator for the Anti-Crime Program—who can relate to all of the below strategies, gain the support of other local agencies, and report directly to the PHA Director.

Increased use of higher quality PHA public safety officers, guards and community service representatives—using a standard curriculum that teaches both crime deterrence and human service troubleshooting sensitive to tenant needs.

Improvement of relations between PHA public safety personnel and police.

Improvement of PHA-tenant screening and eviction policies in response to anti-social behavior.

Improvement in the targeting of programs to specific tenant families and individuals associated with crime.

Implementation of a training program for project managers and maintenance foremen to teach them to identify and remedy potential security problems.

Maintenance of property at high levels—which may, for example, reduce vandalism of vacant projects for spare parts.

More attention to the exterior personalization of buildings to facilitate tenant social interaction, pride and stake.

Facilitation of tenant anti-crime organization.

1.2 *Rehabilitation of Facilities to House Anti-Crime Activities and Improvement of Physical Design to Make Buildings and Spaces Harder Targets*

For example:

Expansion and rehabilitation of on-site project and nearby neighborhood physical facilities to house employment, social, police and public safety anti-crime services.

Improvement of T.V. and other surveillance, as well as indoor and outdoor lighting.

Improvement of lobby access control and devices to facilitate tenant communication with police, public

safety officers and community service representatives.

Improvement of locks, peepholes, door/window protection, and alarms.

Changes in physical design, spatial and circulation patterns, differentiated space, landscaping and fencing, and unit clustering to create defensible space, better protect tenants and allow them more control over their turf.

2. Programs by and for Tenants

2.1 *More and Improved Tenant Organization Against Crime—Including Patrols, Surveillance, Education and Training of Tenants in their Roles and Responsibilities*

For example:

Increased tenant cohesion and organization around crime prevention issues.

Implementation of "turf reclamation" and a sense of territoriality through community service organizers.

Expanded use of block/floor/lobby watches for surveillance.

Improvement of tenant-police relations and implementation of neighborhood conflict resolution forums.

Increased use of tenant anti-crime media campaigns, traveling crime prevention vans, educational workshops, crime reporting campaigns, and Operation Identification stenciling.

Inclusion of tenants in the planning and implementation of the entire Anti-Crime Program.

Provision of technical assistance and training to help tenants organize anti-crime efforts.

2.2 *Increased Full and Part-Time Employment of Tenants—Especially for Youths and Especially for Anti-Crime Activities In and Around the Project*

Summary

Examples are as follows:

Overall emphasis on "bridge" employment, training and counseling that moves away from illegal activities or legal "secondary market" jobs and towards legal "primary market" jobs.

Implementation of successful strategies used in the Job Corps.

Increased employment of tenants as community service officers, public safety officers, and lobby monitors.

Improved training and counseling for tenant community service officers, public safety officers and guards—including sensitivity to the needs, values and life-styles of tenants.

Increased training and employment of tenants to lead organized tenant anti-crime efforts and to increase tenant cohesion.

Increased training and employment of tenants in anti-crime and related services—including activities like recreation, education, and cultural pursuits that help bring tenants together.

Increased training and employment of tenants to install security hardware, make related capital improvements and architectural changes, and help maintain and rehab PHA property.

2.3 *More and Improved Services To Combat Crime or Assist Victims/Witnesses*

For example:

Increased services that operate to directly reduce crime—especially alcohol abuse, drug abuse, crisis intervention and youth programs.

Increased services that operate to assist victims/witnesses—including special programs for the elderly, single female household heads, victims of sexual abuse, and victims of child abuse.

Increased neighborhood justice center, legal, mediation/arbitration and restitution services.

Increased employment, child care, recreational, cultural, educational, financial and medical services.

More assistance in securing police, property return and general criminal justice services.

Improved coordination with Victim Compensation Boards.

Improved police training in victim/witness services.

Provision of technical assistance and training of outside professional staff and qualified tenants to administer these services.

3. *Local Government and Private Sector Responsibilities*

3.1 *Increased Use of Better Trained City Police Officers*

Summary

Examples are as follows:

Increased use of city police assigned to foot patrols, "verticale" patrols, family crisis intervention teams and two person team policing—with at least one partner having a cultural awareness of the tenant population and its needs.

Improved academy training of police assigned to projects—so that they are both crime deterrents and human service troubleshooters accepted into and knowledgeable of the tenant community network.

Improved relations among PHA public safety personnel, police and tenants—including improved reporting of crime, possibly through special hotlines.

Implementation of precinct stations in projects.

Rationale

The Police Department is under the control of the Mayor, but law enforcement is so crucial for the HUD Anti-Crime Program that it needs to be broken out separately.

In addition, although PHA controlled and contracted public safety forces really are a management responsibility (see Section 1.1), they are discussed here because such forces are so closely tied to the police.

The traditional rationale for police in general is that they deter crime and apprehend criminals. This also is the basic rationale for PHA forces.

3.2 *Stronger Linkages with Programs from City Hall and Other Sources Which Co-target on the Project and the Surrounding Neighborhoods—Residential, Recreational, Commercial and Industrial*

Summary

Examples are as follows:

Initiation by City Hall of comprehensive targeted anti-crime planning, coordination, funding and implementation that complements programs in specific housing projects with efforts in nearby residential, recreational, commercial and industrial areas.

Increased anti-crime targeting and coordination from programs under local government and control—like Community Development Block Grants, CETA Prime Sponsor job slots, and criminal justice services.

Increased anti-crime targeting and coordination from neighborhood organizations.

Increased anti-crime targeting and coordination from business and industry, including the provision of employment opportunities.

Increased anti-crime targeting and coordination from city level offices of Federal agencies—like CSA and ACTION.

Increased anti-crime targeting and coordination from state agencies—for example, to gain HEW Title XX and LEAA State Planning Agency funds.

Increased anti-crime targeting and coordination with Federal discretionary programs—like HUD Neighborhood Development Organization (NDO) grants, HUD Neighborhood Strategy Area (NSA) grants, HUD Urban Development Action Grants (UDAG), HUD Section 701 planning grants, Economic Development Administration

(EDA) grants, and Department of Interior Urban Parks grants.

[Docket No. N-79-925]

[FR Doc. 79-14150 Filed 5-4-79; 8:45 am]

BILLING CODE 4210-01-M

Urban Initiatives Anti-Crime Program; Selected Public Housing Agencies With 1250 or More Units in Total Management

AGENCY: U.S. Department of Housing and Urban Development (HUD).

ACTION: Notice.

SUMMARY: The Department is announcing a competition among Public Housing Agencies (PHAs) with 1250 or more units in total management. Applicants will be asked to prepare comprehensive anti-crime proposals which address tenant activities, services, youth employment, security hardware, law enforcement, area-wide public-private partnerships and improved PHA management of public safety programming. A total of \$26M has been set-aside by HUD and the Department of Labor (DOL). Other Federal agencies may co-target additional resources after (up to twenty) sites are selected.

FOR FURTHER INFORMATION CONTACT:

Assistant Secretary for Housing, Attention: Mr. Lynn A. Curtis. Telephone: (202) 755-2980. (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION:

I. Policy and purpose

The Housing Act of 1937 states as a goal the provision of "decent, safe and sanitary" housing for every American family.

As part of President Carter's National Urban Policy, the Department of Housing and Urban Development (HUD) has directly addressed the goal of safety—through a comprehensive policy on crime prevention in public housing.

That policy has been further articulated, developed and refined by the Public Housing Security Demonstration Act of 1978.

The Urban Initiatives Anti-Crime Program announced in this Notice represents a synthesis and implementation of the Presidential Urban Policy and the Congressional security mandate.

The Program establishes a partnership among Federal agencies, Public Housing Agencies (PHAs), tenants and local government. It recognizes that anti-crime programming must be tailored to the unique needs and problems of individual communities.

This Notice invites PHAs with 1250 or more total public housing units in management to compete for funds. A separate Notice is announcing a competition among PHAs with less than 1250 units in management.

A National competition will select specific housing projects among PHAs in different locations. The housing projects must have serious crime and vandalism problems that can be substantially reduced by a comprehensive anti-crime program. The PHAs must show evidence of commitment and administrative capability for the successful implementation of such a program in the specific housing projects. Application and selection procedures are contained in this Notice.

II. Eligibility

A. *Total Units in Management.* The competition announced in this Notice is limited to PHAs with 1250 or more total public housing units in management. These can include city-wide and county-wide PHAs.

B. *Project Specific Applications.* The actual awards will not be PHA wide, but project specific. PHAs are asked to target on one public housing project. It can be family, elderly, or mixed in terms of age grouping. Applications that encompass more than one project will be considered—if the projects are contiguous to one another and if it can be demonstrated that comprehensive crime prevention for these projects is appropriate for whatever geographic area is covered.

The project(s) chosen must have a total of at least 200 public housing units in management. The project(s) must also have some form of tenant organization—which, for purposes of this program, can include anything from a loosely structured tenant activity group to a formally organized association with adopted by-laws.

C. *Sustainability.* This program represents a one time award. When salaries of personnel are requested, they can be funded for no more than one year. Applicant PHAs must demonstrate future sustainability of the Program as proposed.

III. Total Funding Available and Upper Limits to Budgets Proposed by PHAs

There is a total of \$26M in FY 1979 funding available for the competition announced in this Notice.

A. *Distribution of Funding Available.* The available resources are modernization loan authority from the Department of Housing and Urban Development (HUD), HUD Community Development Block Grant (CDBG)

discretionary funds and Department of Labor (DOL) funds for youth employment and training provided under Youth Community Conservation and Employment Projects (YCCIP).

The total amount available is distributed as follows:

HUD FY 1979 modernization loan authority	\$17.15M
HUD FY 1979 CDBG discretionary funds	1.95M
DOL FY 1979 YCCIP youth employment-training funds	6.90M
Total	\$26.00M

The amount of modernization loan authority is an approximation. The exact amount will vary according to the Minimum Loan Interest Rate.

B. *Upper Limits to Budgets Proposed by PHAs.* HUD and DOL will not set down rules on what proportion of a total funding request shall consist of HUD modernization funds, what proportion HUD CDBG discretionary funds, and what proportion DOL YCCIP youth employment and training funds.

However, PHAs must address the Program Areas listed in Section IV, and this will effect the distribution of funding from different sources.

In terms of the maximum total amount to the Federally funded awards requested by a PHA in an application, the following guidelines shall be followed:

If the project(s) targeted for the anti-crime program contain—	The total Federal amount requested shall be—
200 to 1,000 units	Up to \$.50M
1,001 to 2,000 units	Up to \$1.00M
2,001 to 3,000 units	Up to \$2.00M
3,001 to 4,000 units	Up to \$3.00M
4,001 + units	Up to \$4.00M

These are upper limits. An applicant PHA can request less than the maximum.

HUD and DOL reserve the right to adjust the size of awards on a case-by-case basis.

C. *Upper Limits to Budgets Proposed When The Project(s) Have Received Urban Initiative Rehab/Management Awards.* A project which has received an Urban Initiative Rehab/Management award can be (but is not required to be) proposed by a PHA for an Anti-Crime award.

However, if an Urban Initiative Rehab/Management housing project is proposed, Urban Initiative Anti-Crime modernization funds will not be available for new modernization loan authority. Instead, HUD will require that some of the Urban Initiative Rehab/Management modernization funds already awarded be applied to the Anti-Crime Program.

Hence, Anti-Crime applications targeted on Rehab/Management housing projects can only request HUD CDBG

discretionary and DOL YCCIP youth employment and training funds—but such applications must present a comprehensive plan that includes some of the Rehab/Management modernization funds for physical security.

In terms of the total size of the award (for HUD CDBG plus DOL YCCIP funds) requested by a PHA in such an application, the following guidelines shall be followed:

If the project(s) targeted for the anti-crime program contain—	The total Federal amount requested shall be—
200 to 1,000 units	Up to \$1.7M
1,001 to 2,000 units	Up to \$3.3M
2,001 to 3,000 units	Up to \$6.7M
3,001 to 4,000 units	Up to \$1.00M
4,001 + units	Up to \$1.33M

D. *Other Sources of Funds.* In addition to the \$26M of Federal funds announced in this Notice, other Federal funds later may be co-targeted to semifinalists in the competition, and at least 10 percent of the total budget proposed in an application shall be *noncapital* and *nonhardware* local matching funds and/or in-kind services. This is explained in Section V.

IV. Program Areas

In response to widespread crime and fear of crime in public housing, HUD sponsored a series of conferences and reviews in 1978 to assemble the most knowledgeable anti-crime strategies based on the most recent information. On September 12 and 13, PHA officials, tenants and security directors were asked for recommendations at a conference in Washington, D.C. On October 2 and 3, other practitioners and experts were asked for their recommendations at another Washington, D.C. conference. HUD staff and an outside contractor also systematically reviewed what has and has not been successful—drawing on the TPP experience as well as many other programs.

The consensus from all of these perspectives was that no single approach has the answer to reducing crime in and around public housing. But there was agreement that a comprehensive approach must be taken in which the PHA, tenants and local authorities are equal partners in addressing both short run symptoms and long run causes. Broadly speaking, the most frequently proposed Program Areas were as follows:

1. PHA Responsibilities

Program Area 1.1 *Improved PHA Management of Crime Prevention—including More and Better Trained PHA Controlled Public Safety and Community Service Officers.*

Program Area 1.2 *Rehabilitation of Facilities to House Anti-Crime Activities and Improvement of Physical Design to Make Buildings and Spaces Harder Targets*

2. Programs By and For Tenants

Program area 2.1 *More and Improved Tenant Organization Against Crime—Including Patrols, Surveillance, Education and Training of Tenants in Their Roles and Responsibilities*

Program area 2.2 *Increased Full and Part-Time Employment of Tenants—Especially for Youths and Especially for Anti-Crime Activities In and Around the Project*

Program area 2.3 *More and Improved Services to Combat Crime or Assist Victims/Witnesses*

3. Local Government and Private Sector Responsibilities

Program area 3.1 *Increased Use of Better Trained City Police Officers*

Program area 3.2 *Stronger Linkages with Programs from the Office of the Chief Executive Official of Local Government and Other Sources Which Co-Target on the Project and the Surrounding Neighborhoods—Residential, Recreational, Commercial and Industrial*

Issued along with this Notice is the HUD Urban Initiatives Anti-Crime Guidebook. The Anti-Crime Guidebook gives the rationale for each of the preceding Program Areas, suggestions on what has worked in the past and evaluations of exemplary efforts.

PHAs are advised to familiarize themselves with the Anti-Crime Guidebook and to submit a comprehensive application. A comprehensive application must address each of the above Program Areas—1.1, 1.2, 2.1, 2.2, 2.3, 3.1, and 3.2.

V. Ways To Address the Program Areas

The Program Areas outlined in Section IV and detailed in the Anti-Crime Guidebook accompanying this Notice can be addressed in a number of ways. In its application, a PHA can:

A. Request funds from the \$17.15M HUD modernization loan authority set-aside. (HUD will advise semifinalists on specific application requirements.)

B. Request funds from the \$1.95M HUD CDBG discretionary set-aside. (HUD will advise semifinalists on specific application requirements.)

C. Request funds from the \$6.90M DOL YCCIP youth employment and training set-aside. (DOL will advise semifinalists on specific application requirements.)

D. Demonstrate a plan for implementing programs from other Federal agencies—which may co-target

additional funds after HUD and DOL designate semifinalist awardees.

E. Include a local match of appropriate *noncapital and nonhardware programs* equal to at least 10 percent of the total budget proposed.

NOTE: this is a requirement, not an option.

F. Demonstrate that some Program Areas already are addressed by ongoing efforts in the targeted project(s). Such efforts should already be in place and require no new financing.

G. Propose managerial and organizational changes which do not require new funding.

In other words, a PHA might address some Program Areas through requests for HUD and DOL funds, some by suggesting how other Federal agencies might later co-target funds, some through the required minimum 10 percent local nonhardware match, some through activities already ongoing or security items in place, and some through managerial changes.

More than one of these ways of addressing the Program Areas might be applied to any one Program Area. For example, both Federal and local resources might be proposed for tenant anti-crime activity (Program Area 2.1), services (Program Area 2.2), or comprehensive area-wide links and public/private partnerships (Program Area 3.2).

It will help clarify the Program to review more carefully each of these ways (A through G) to address the Program Areas:

A. *Funds from the \$17.15 HUD modernization loan authority set-aside.* The HUD modernization loan authority must be used to address Program Area 1.2 (rehabilitation of facilities and physical design for target hardening).

Eligible modernization activities are set forth in 24 CFR Part 868 and the *HUD Low Income Modernization Program Handbook 7485.9*.

Based on these regulations, the Anti-Crime Guidebook which accompanies this Notice suggests the kinds of modernization uses that are encouraged in the Program.

One such use is to rehabilitate public housing units physically so that they can house anti-crime activities—e.g., tenant crime prevention centers, social service and youth centers, runaway and halfway houses, job training centers, PHA security force headquarters, and police precinct stations on the project grounds. The purchase of new furniture or non-expendable equipment for such facilities also is an eligible modernization work item in *Handbook 7485.9*.

Other uses described in the Anti-Crime Guidebook include target hardening (windows, doors, locks, lighting, fencing, etc.), lobby access control, television surveillance, changes in circulation patterns, and redesign to create defensible space. Such uses translate directly into eligible modernization work items. Appendix 1 of *Handbook 7485.9* lists some, though not all, of such security-related work items. The numbers shown here are the numbers from the longer list of items in the *Handbook*:

14. Installation of new windows and doors.

25. Installation or replacement of cathodic protection systems.

29. Initial installation of fire and smoke detection and control equipment.

30. Initial installation of security equipment, including dead-bolt door locks, security screens, peep holes, electronic crime detection equipment, radio equipment, yard lighting, etc.

32. Installation of new mailboxes.

36. Construction of new sidewalks, exterior steps and stoops, driveways, etc.

38. Installation of traffic and parking barriers.

44. Development of outdoor recreational facilities and improvement of existing playground areas.

48. Landscaping, including planting of new trees and shrubs.

49. Installation of functional art items, such as visually appealing water fountains which serve as sprinkling or wading pools for children; artistically designed tot lots and playgrounds equipped with fantasy animal characters or objects; decorative trash receptacles that encourage usage; etc.

50. Initial purchase or replacement of nonexpendable equipment.

52. Architectural, engineering, and other consultant fees necessary to plan, design, and implement all or part of the modernization work.

53. Studies to determine the feasibility of proposed work and extent of needed work.

54. Salaries of technical and non-technical PHA personnel assigned full-time or part-time to the modernization program.

Regular modernization processing requirements as set forth in 24 CFR Part 868 and *Handbook 7485.9* will be modified in the following ways for the Anti-Crime Program:

1. The modernization preliminary application shall be incorporated as part of the Anti-Crime Program application that the PHA makes in response to this Notice.

2. The Anti-Crime Program application shall be sent to HUD Central Office with a copy to the Manager of the HUD Area Office.

3. The HUD Area Office will make comments and recommendations to HUD Central Office on each Anti-Crime application, including modernization. The Area Office will review all proposed modernization work items for eligibility and review the budget for these items.

4. Based in part on Area Office recommendations, HUD Central Office will determine semifinalists and then finalists, as described in Section VI, below.

5. After Anti-Crime awards are made, the modernization Joint Field Review will be conducted by both Central Office and Area Office staff. The PHA then will submit a Modernization Final Application to the HUD Area Office, with a copy to HUD Central Office.

6. As part of the approval of the overall Anti-Crime Work Plan which award winners will be required to submit, HUD Area Offices will approve Modernization Final Applications—subject to concurrence by HUD Central Office.

B. Funds from the \$1.95M HUD CDBG discretionary set-aside. This funding may address some activity in parts of Program Areas 1.1 (PHA management, public safety personnel and planning), 2.1 (tenant anti-crime programs), 2.2 (services), 3.1 (police) and 3.2 (comprehensive area-wide links and public/private partnerships). It also is meant to cover some supervisory personnel and training needed in various Program Areas.

See the Anti-Crime Guidebook for suggestions and evaluations of activities in these Program Areas.

PHAs shall work with local government in requesting CDBG discretionary funding. HUD will advise semifinalist PHAs on more specific application requirements and eligible items that pertain, in keeping with activity allowable in discretionary CDBG programs. For PHAs which reach the semifinalist stage, an application shall be made for these funds by the local government. For PHAs which receive awards, the grantee for the CDBG funds shall be the local government—which shall target the funds on the PHA.

C. Funds from the \$6.90M DOL YCCIP Youth Employment and Training Set-Aside. This \$6.90M covers jobs for youth living in housing projects receiving anti-crime awards.

1. The activity covered by these funds shall operate under the same rules as

DOL formula-funded YCCIP projects, governed by P.L. 95-524, Title IV, Part A, Subpart A.

The YCCIP legislation encourages labor intensive employment for improvements of lasting value to the community. This should be work which otherwise would not be undertaken at the time by existing public programs.

2. In terms of the Program areas laid out in this Notice, the YCCIP funding addresses Program Area 2.3 (project youth employment). Whenever possible, the jobs provided shall be used to carry out activities in the other Program Areas. In effect, the YCCIP legislation places an emphasis on employing and training project youths in the physical rehabilitation, security-related modernization and other activity of Program Area 1.2.

However, the YCCIP legislation can also allow for employing and training project youths as PHA management security guards or public safety assistants in Program Area 1.1; staff for tenant-related anti-crime activity in Program Area 2.1, staff and paraprofessionals for services in Program Area 2.2; staff to assist police in Program Area 3.1; and staff to work with local government and other organizations in Program Area 3.2.

See the Anti-Crime Guidebook for suggestions on and evaluations of such youth employment programs.

3. Eligible job recipients must be aged 16 to 21, unemployed or underemployed and live in the housing project(s) targeted for the Anti-Crime Program.

4. The upper limit on the number of job slots that a PHA may request is 100. One job slot covers 12 months of work at 35 hours per week. A slot can be applied to more than one person over the 12 months and to full or part time employment. For example, one slot might be applied to one person working full time for six months and then another working full time for six months. Or the slot might be taken by two persons working part time over 12 months, etc.

Each participant shall be limited to a maximum enrollment of 12 months with no more than two terminations and reenrollments, provided age eligibility is met at the time of each reenrollment.

5. In terms of how the total amount requested by a PHA for YCCIP programming can be distributed:

At least 85 percent of the funds shall be used for participant wages and fringe benefits, unless adequate justification is provided in the proposal.

No more than 10 percent may be used by applicants for administrative costs.

Any remaining funds may be used for project related training of participants, project supervisors, service to participants, and for the acquisition, lease, or rental of materials, equipment, and supplies.

The PHA shall provide relevant employment, classroom and on-the-job training, professional supervision and work development. The objective is to transfer skills to later jobs with the PHA or other public or private employers in labor market sectors where there is a demand.

6. An initial orientation period of approximately one week should be provided. Training must be directly related to a participant's job. Where school youth are served, they must be in a structured combination work and education program. Educational agencies are to be encouraged to award academic credit for the competencies that participants gain from their employment.

7. Each project shall have an adequate number of skilled supervisors. There shall be at least the ratio of one full-time supervisor to every 12 youths, unless satisfactory justification for another ratio is provided. Supervisors shall have the skills needed to carry out the project and shall be able to instruct participants in those skills.

8. PHAs are encouraged to coordinate with the local labor movement (e.g., the local labor council) and may want to contact the local CETA prime sponsor for suggestions.

9. Further guidelines will be given to semifinalist PHAs.

D. Plans for implementing programs from other Federal agencies—which may co-target additional funds after HUD and DOL designate semifinalist awardees. The Law Enforcement Assistance Administration (LEAA), ACTION, the Community Services Administration (CSA), the Economic Development Administration (EDA), the Department of Health, Education and Welfare (HEW), the Interior Department, and the Fire Administration may co-target additional funds once semi-finalist and finalist award winners are determined by HUD.

These agencies cannot make a formal financial commitment at this time. However, the following summarizes the programs which the agencies may later co-target.

If a PHA is interested in any of these programs, its interest should be specified in the application—along with the kind of activity that would be implemented.

More complete procedures for applying for the following programs will be disseminated to PHAs which show

an interest in them and reach the semifinalist stage of the competition:

1. **LEAA.** LEAA may co-target several discretionary grant programs—including the Community Anti-Crime Program (summarized in Appendix 1) and the Comprehensive Crime Prevention Program (summarized in Appendix 2). These efforts address Program Areas 2.1 (tenant anti-crime activities), 2.2 (services), 3.1 (links with the police), and 3.2 (area-wide links and public/private partnerships).

The new LEAA Victim/Witness Program presently is being formulated and may be co-targeted. Interested PHAs are advised to review the victim/witness illustrations in the Anti-Crime Guidebooks under Program Area 2.2 (services) and make proposals accordingly.

In addition, LEAA and ACTION soon will announce a new crime prevention program which may include tenant/community anti-crime activities, as well as city-wide anti-crime coalitions. Details of this program are not yet available. However, PHAs with an interest are encouraged to include in their proposals the possibility of working with the LEAA-ACTION effort. More information will be supplied to PHAs which make this inclusion and reach the semifinalist stage.

2. **ACTION.** Independent of the new LEAA-ACTION crime prevention program, ACTION may co-target VISTA volunteers (see Appendix 3 for a description) in Program Areas 2.1 (tenant anti-crime), 2.2 (services), 3.1 (linkages with police) and 3.2 (linkages with neighborhood organizations).

3. **CSA.** CSA may provide small supplements to Community Action Agencies (CAAs) with activities co-targeted on housing projects receiving awards. Those activities may address Program Areas 2.1 (tenant anti-crime activities), 2.2 (services), and 3.2 (linkages with neighborhood organizations). PHAs are encouraged to contact CAAs and write them into applications.

4. **EDA.** Activities proposed by PHAs in coordination with local government that include a significant economic development component may qualify for EDA assistance, subject to the availability of funds. Much of such assistance is limited to geographical areas designated by EDA. Program Area 3.2 (area-wide linkages and public/private partnerships) would be addressed.

5. **HEW.** HEW may co-target funds through the Alcohol, Drug Abuse and Mental Health Administration (ADAMHA), the Administration on

Aging (AoA), and the Administration on Children, Families and Youth (ACYF). The funds generally address Program Area 2.2 (services).

ADAMHA may consider funding, professional staff and technical assistance for ongoing, new and innovative treatment and prevention programs. They would be directed at alcohol abuse, drug abuse and mental illness and targeted on the special needs of persons living in public housing. Such services may be physically located in or near public housing projects receiving Anti-Crime awards. Applicants are encouraged to provide descriptions of program needs for alcohol abuse, drug abuse and mental health programs as part of their overall Anti-Crime application. In developing these descriptions, applicants are encouraged to discuss their needs with State and local alcohol, drug abuse and mental health agencies and professionals.

In keeping with the provisions of the Older Americans Act of 1978, AoA may consider the location of multi-purpose senior centers in some housing projects receiving Anti-Crime awards. This would be done through agreements with local Aging agencies. AoA may consider service and technical assistance funding for such centers.

ACYF administers the Runaway Youth Act, which provides shelter, services and technical assistance for runaway or homeless youth. Where feasible, ACYF will encourage the development of working relationships among its grantees and the youth and service activities of the Anti-Crime Program. Where feasible, ACYF may participate in the delivery of technical assistance. It will attempt to locate its programs in PHA facilities and HUD-owned inner city properties.

6. **Interior Department.** Through Interior's Heritage Conservation and Recreation Service (HCRS), funds from the Urban Park Program may be co-targeted to neighborhoods nearby public housing projects receiving awards. Such funding would require careful coordination between the PHA and the Office of the Chief Executive of the local government. (See Appendix 4 for questions and answers on the program.) This would address Program Area 2.2 (services, including recreation) and Program Area 3.2 (area-wide linkages, including nearby places of recreation).

More generally, HCRS will be included in the Anti-Crime Program decision-making process on all recreational facilities.

7. **Fire Administration.** In keeping with the provisions of P.L. 43-498, the Fire Administration may target technical

assistance, as available, on arson prevention and control in and around public housing sites receiving Anti-Crime awards.

E. *A local match of appropriate nonhardware programs equal to at least 10 percent of the total budget proposed.*

NOTE: This is a requirement, not an option. Consistent with the President's National Urban Policy and the Public Housing Security Demonstration Act of 1978, the Anti-Crime Program seeks local partnerships among tenants, PHA officials, other local officials and the private sector. To demonstrate such cooperation, a local match is required equal to at least 10 percent of the total budget proposed in the application.

The match *cannot* cover physical modernization, rehab, hardware and related items under Program Area 1.2. The match *must* cover activities, professional and supervisory staff, salaries and related items under any of the other Program Areas—1.1, 2.1, 2.2, 2.3, 3.1, and 3.2.

The match can consist of local funds, local services and transfers of staff to work on the Program.

In order to emphasize flexibility and imaginative leveraging of diverse local resources, HUD will only illustrate what might be matched. Examples include Community Development Block Grant funds under the control of the Chief Executive Officer of the local government; dollar and staff contributions by the police, other local government, foundations, and profit or nonprofit organizations; and salaries of professionals hired for the Program to work on community-tenant anti-crime, social and human services, employment training, employment supervision, police, other criminal justice and planning activities.

PHA funds—e.g., operating subsidies—also can be used. However, for purposes of meeting the 10 percent match requirement, such funds must be for new anti-crime programs, not ongoing anti-crime programs.

F. *Program Areas already addressed by ongoing efforts in the targeted project(s). Such efforts should be in place and require no new financing. Some targeted housing projects may already have efforts in place that address one or more Program Areas. If this can be demonstrated, then the PHA, if it so chooses, needn't necessarily initiate any new activity in this Program Area. For example, a project may already have adequate security hardware—so it might forego new efforts in Program Area 1.2 and concentrate on the other Program Areas.*

(Note that ongoing programs can be used to satisfy the requirements that the PHA include activities for each Program Area—but cannot be used to satisfy the 10 percent local match.)

G. Proposed managerial and organizational changes which do not require new funding. Some Program Areas—in particular Program Area 1.1 (improved PHA public safety management) may be partially or wholly addressed by organizational and related improvements that reallocate existing PHA resources or alter existing procedures without costing more money. See the Anti-Crime Guidebook for suggestions.

VI. Critical Dates

The critical dates and periods of time for the competition are as follows. If needed, HUD reserves the right to alter the dates, subject to prior notification of all parties involved:

1. *Announcement of Competition:* Monday, April 30, 1979. All eligible PHAs will be sent the Notice.

2. *Regional Conferences:* Friday, May 18 to Friday, June 1. The purpose of each one-day conference, held in a different part of the country, will be to provide technical assistance and answer questions on how to fill out the application. PHAs are encouraged but not required to attend. If they do, they are required to have at least one PHA and one tenant representative. Representatives from local government and the police department also are encouraged to attend. Attendees must pay their own expenses.

Each conference will include a 9:00 a.m. to 12 noon and a 2:00 p.m. to 5:00 p.m. question/answer session. *There will be no other notification of the conferences.* Times and places are as follows:

Washington, D.C. On Friday, May 18, 1979. For PHAs in HUD Region III (Philadelphia). In Room 10233 (Departmental Conference Room) of HUD Headquarters, 451 Seventh Street, S.W., Washington, D.C.

New York, New York. On Wednesday, May 23, 1979. For PHAs in Regions I (Boston) and II (New York). In Room 305C, 26 Federal Plaza, New York, 10007.

San Francisco, California. On Thursday, May 24, 1979. For PHAs in HUD Regions VIII (Denver), IX (San Francisco), and X (Seattle). At 215 Fremont Street, San Francisco, California. (Signs in the lobby will designate a room.)

Chicago, Illinois. On Tuesday, May 29, 1979. For PHAs in HUD Regions V (Chicago), VI (Ft. Worth) and VII (Kansas City). In Room 2025, 300 South Wacker Drive, Chicago, Illinois.

Atlanta, Georgia. On Friday, June 1, 1979. For PHAs in HUD Region IV (Atlanta). In the

auditorium of the Richard B. Russell Building, 75 Spring Street, Atlanta, Georgia.

3. *Preliminary Competition Deadline:* Friday, June 22, 1979, COB (5:30 p.m., Eastern Time). In addition to the PHA, tenants must be involved in developing grant applications. Representatives from the Office of the Chief Executive Officer of the local governing body and the police department also must be involved. Applications should be sent to: Director, Urban Initiatives Anti-Crime Program, Suite 6230, U.S. Department of Housing and Urban Development, 451 Seventh Street, S.W., Washington, D.C. 20410. A copy must be sent concurrently to the appropriate HUD Area Office Manager.

4. *Review of Preliminary Applications by HUD:* Saturday, June 23 to Thursday, July 12, 1979. Assisted by recommendations from the Area Offices, a Central Office Review Committee will evaluate all proposals.

5. *Notification of Semifinalists:* Friday, July 13, 1979. By telephone and letter, HUD will designate some PHAs as semifinalists and inform the others that their applications have not been approved. *The designation of semifinalists will not assure an award. Only some of the semifinalists are likely to receive awards.* Appointments will be made with semifinalists to review their proposals with Central Office staff.

6. *Technical Assistance Feedback by HUD to Semifinalists:* Monday, July 16 to Friday, July 27, 1979. By telephone conference call or through a meeting in Washington, D.C., HUD Central Office staff and staff from other involved Federal agencies will critique the application of each semifinalist PHA. PHA, tenant and other representatives who come to Washington must pay their own way.

7. *Revised Application Submitted by Semifinalists:* Monday, July 30 to Friday, August 10, 1979. Each semifinalist PHA will have 14 days after the technical assistance feedback session to submit a revised application. Revisions are not required. The decision to revise is up to the PHA, based on the HUD critique. *Submission of a revised application will not assure an award.*

8. *Notification of Awards:* Friday, August 24, 1979. By telephone and letter, HUD will designate some semifinalists as award winners and inform others that their applications have not been approved. Up to 20 awards will be made. An application may be approved at a different level of funding from that proposed by the PHA.

Award "approval" is tentative—subject to the satisfaction of technical

processing requirements. Funds cannot be drawn upon until Work Plans are approved for award winners. (A PHA's winning application will become its "Work Plan" subject to further refinement.)

For HUD modernization, funds may not be requisitioned against the approved modernization cost until all modernization requirements are met and the ACC has been executed.

Similarly, all requirements for HUD CDBG discretionary funds, DOL YCCIP youth employment and training funds, and funds from any other participating agencies must be met for Work Plan approval.

9. *Refinement and Approval of Work Plans:* Monday, August 27 to Friday, December 28, 1979. Over this time, site visits will be made to award winners by a technical assistance group composed of HUD Central and Area Office staff and other Federal agency staff. These site visits will incorporate the Joint Field Reviews required in modernization application processing.

The group making the site visits will work with a local Anti-Crime Oversight Team. Every award winner shall organize an Anti-Crime Oversight Team—with representatives from HUD Central Office (CO), the HUD Area Office, the PHA, the tenant organization, the Office of the local government's Chief Executive, the Police chief's office, and any other public or private contributors to the program. The PHA representative shall be the Anti-Crime Program Public Safety Coordinator.

In places already receiving Urban Initiative Rehab/Management grants, the Anti-Crime Oversight Team will be the existing MAP Team—plus the Program Public Safety Coordinator, a representative from the police, and a representative from any other contributor to the program.

The technical assistance group from HUD CO and other Federal agencies will propose to the Anti-Crime Oversight Team refinements in the Work Plan. If there are disagreements, negotiations will seek a compromise solution.

Revised Work Plans also will include Modernization Final Applications.

As part of the refinement of the Work Plan, an agreement must be reached on the exact amount of funds designated for tenant anti-crime activities (Program Area 2.1). The PHA must agree to establish an imprest fund for these monies and to advance each month a specified amount to the recognized tenant organization, which shall then administer all activities under Program Area 2.1.

All HUD CDBG discretionary funds will require concurrence by the Chief Executive of the local government.

Final approval of the Work Plan shall be made by the HUD Assistant Secretary for Housing in consultation with the PHA Board of Commissioners and other appropriate individuals. The Assistant Secretary for Housing shall have the authority to modify the level of funding, modify the kind of programs, or rescind an award if, at a later date, an agreement cannot be reached on a Work Plan.

It is anticipated that some award winners may be ready to proceed almost immediately with their Work Plans—while others may require more time to demonstrate that they can actually implement that they have proposed on paper, have assessed all the housing project's vulnerabilities, and have a local Anti-Crime Oversight Team that can function effectively.

10. Hotline Open for Questions: Monday, April 30 to Friday, December 28, 1979. Throughout this entire process, HUD CO staff will answer questions. Call 202-755-2980 or 202-755-6460. *These are not toll free numbers.*

VII. Administration and Monitoring

After the Work Plan is approved, the Program and its funding shall be administered on a day-to-day basis by the PHA, with the Anti-Crime Public Safety Coordinator having the lead and reporting directly to the PHA Executive Director.

When programs and funding are co-targeted by Federal agencies other than HUD and DOL, and when these Federal agencies retain administrative control, the Anti-Crime Public Safety Coordinator shall be responsible for integrating all activities.

All tenant anti-crime activities under Program Area 2.1 that may be financed through HUD CDBG discretionary funding shall be administered by the recognized tenant organization, through the PHA's monthly imprest fund described in Section VI.

The PHA shall have ultimate administrative authority, but shall be guided by the recommendations of the Anti-Crime Oversight Team. All major decisions shall be cleared with the Team.

The PHA shall submit Quarterly Reports to HUD CO on the Program. The Reports must first be cleared and revised according to the recommendations of the Anti-Crime Oversight Team.

For modernization, the HUD Area Office will have customary authority to approve requisitions.

In addition, HUD CO Anti-Crime Program Staff shall carefully monitor PHA activities and accounts—through site visits (accompanied by other Federal agency staff), standard monitoring requirements, and consultation with Area Office staff. As needed, HUD CO will require programmatic and budget modifications over the course of the Program.

VIII. Tenant Involvement and Civil Rights Requirements

All participating PHAs must comply with applicable laws pertaining to equal opportunity, as set forth in 24 CFR Section 868.4, and involve tenants in the planning and administration of the Program, as set forth in 24 CFR Section 868.5.

The recognized tenant organization shall play a significant role in the preparation of the application, refinement of the Work Plan and administration of the Program. The application must demonstrate such involvement.

The recognized tenant organization shall be represented on the Anti-Crime Oversight Team and shall administer tenant anti-crime activities under Program Area 2.1. Funds for these activities shall be advanced each month by the PHA to the recognized tenant organization through the imprest fund described in Section VI.

IX. Technical Assistance During Program Implementation.

Section VI specifies the technical assistance available from HUD and other agencies during the application process.

Over this time, PHAs and tenants are encouraged to consult with and gain technical assistance from various other entities—like local and state government, the police department, other Federal agencies and other public and private groups.

No consulting or technical assistance fees during this application period before awards are announced can be charged to the HUD Anti-Crime Program or entered into the Program budget as part of the application.

Technical assistance is an eligible work item according to Appendix 1 of *Handbook 7485.9*, which identifies:

Architecture, engineering, and other consultant fees necessary to plan, design, and implement all or part of the modernization work.

To the extent that technical assistance for implementation of a comprehensive anti-crime effort is not permitted under *Handbook 7485.9*, HUD will allow PHAs to request up to \$10,000 more in technical assistance (from the

HUD CDBG discretionary funds available for the Anti-Crime Program).

HUD reserves the right to decide on, revise and adjust all requests for technical assistance.

As stated in Section V.C.5., at least 65 percent of the total DOL YCCIP funds applied for must be used for participant wages/benefits and no more than 10 percent for PHA administrative costs. Remaining funds may be used for "training of participants, project supervisors, and service to participants," among other items. Such activities address forms of technical assistance.

Technical assistance also may be available during implementation from other Federal agencies involved in the Anti-Crime Program. However, applicants should not at this time request technical assistance from other agencies as a budget line item.

X. Evaluation

An evaluation by an outside, independent contractor will be commissioned to assess the Program. HUD CO will finance the evaluation with funds in addition to the set-aside for the actual program.

XI. Submission Requirements

In order not to overburden PHA staffs in preparing proposals for the Program, HUD requests applications not longer than 20 pages. Supplementary material can be included in Appendices. Three copies of the application must be received by COB on Friday, June 22, 1979. They should be sent to: Director, Urban Initiatives Anti-Crime Program, Suite 6230, U.S. Department of Housing and Urban Development, Washington, D.C. 20410. An additional copy should be sent concurrently to the Manager of the appropriate HUD Area Office.

Each application must include the following information:

1. A brief description of the housing project(s) chosen—location, age, number of units in management, design, whether family or elderly or mixed, vacancy and turnover rates, rehabilitation and modernization needed, management and social problems, and plans already underway to improve the situation. If available, maps and pictures would be helpful.

2. To the extent possible, a brief profile of the tenants in the project chosen—including income distribution, unemployment rates (especially for ages 16–21), sex distribution, race distribution, percent of persons on AFDC, and percent of single parent families.

3. A brief description of relevant characteristics of the surrounding neighborhood and the city as a whole, including unemployment rates. If available, maps and pictures would be helpful.

4. To the extent that information is available, a profile of crime rates in the project, the surrounding neighborhood, and the city as a whole. The relevant crimes are vandalism to dwelling units, associated property, and automobiles; physical assaults; sexual assaults; robbery; gang violence; drug abuse (sales, distribution and use); burglary; purse snatching; larceny; and auto theft. If available, maps showing crime patterns would be helpful.

5. A proposal that responds to the identified problems in a comprehensive way, identifies specific crimes that will be targeted in the Program and addresses each of the Program Areas outlined in Section IV and detailed in the Program Guidebook. Describe how each Program Area will be addressed, as explained in Section V of the Notice. Conclude with a summary of how everything proposed fits together in a complementary, reinforcing comprehensive way.

6. A summary of past PHA anti-crime experience. Append program writeups, if available.

A description of the PHA staff resources to be used in planning and implementing the Program. Identify by name and title the present PHA staff member or to-be-hired staff member who will serve as Public Safety Coordinator for the entire Program. This will be the official PHA contact—responsible directly to the PHA Director. Demonstrate why the Public Safety Coordinator has the ability and experience to relate to all the Program Areas—management, hardware, tenants, services, employment, police and PHA security personnel, and area-wide links.

8. A resolution by the PHA Board of Commissioners in support of the application.

9. A statement on how the proposal could be sustained in the future if Federal support were not available.

10. A description of how tenants, including but not limited to organized tenant groups, will participate in the effort. Include a letter from leaders of the valid and recognized tenant organization that demonstrates resident support for the proposed effort. Include the name and title of the official tenant representative for the Program. Describe the level of tenant organization in the housing project(s) and the experience of the tenant organization with anti-crime activities. Specify present PHA financial, organizational and other support for effective tenant participation. Describe how the tenant organization will directly control tenant anti-crime activities under Program

Area 2.1 and will receive monthly advances from the PHA imprest fund, as described in Section VI.

11. A letter from the Chief Executive Officer of the (city, county, or other) local governing body approving the overall proposal, stating that it is consistent with the local Community Development Plan, and concurring on any HUD CDBG discretionary funding proposed.

12. A description of how the Chief Executive Officer of the local government, the police, other local government, and other public and private organizations will participate in the Program—through new funding, in-kind contributions and coordination.

13. A preliminary budget, with the total amount of Federal funds requested (HUD modernization, HUD CDBG discretionary and DOL YCCIP). The total shall be no greater than the limits set forth in Section III. For further guidance on the DOL YCCIP budget, see Appendix 5.

For modernization funds, a preliminary estimate is required for every work item proposed.

Do not include in the budget requests for funds from any of the Federal programs reviewed under Section V, Part D (even though the narrative of your proposal may express an interest in such programs).

In addition, at least 10 percent of the total budget should be a local match of nonhardware activity, as explained in Section V, Part E. This local match should be broken out from the items for Federal funding.

XII. Selection Criteria

All applications will be reviewed by a Proposal Review Committee composed of staff from HUD and DOL Headquarters in consultation with appropriate HUD Area Offices. The selection criteria are as follows:

1. Evidence that the project has serious crime and vandalism problems and vulnerabilities which can be addressed by the proposal.

2. Demonstration of an innovative, practical and comprehensive proposal by the PHA. Demonstration that the Program Areas outlined in Section IV and detailed in the Anti-Crime Guidebook are systematically addressed in a complementary and reinforcing way. *Even if proposals must later be scaled down or modified, there is a premium at this stage on forward-looking, creative plans grounded on past successes.*

3. Past and present anti-crime experience of the PHA and competence of the Public Safety Coordinator who

will have day-to-day administrative responsibility.

4. General management and staff capability of the PHA. PHAs with previous anti-crime modernization or TPP experience will be judged on their performance. PHAs without previous experience will be judged on their potential.

5. Evidence that a valid and recognized tenant organization exists. Evidence that tenants have been systematically involved in the planning of the application and will be involved in the Work Plan refinement and administration of the Program, as specified in Section VIII, should an award be made.

6. Evidence that the Chief Executive Officer, the police, other local government, and other public and private organizations have intentions to commit new funds and/or new in-kind contributions to the Program—and that all parties involved can work well with the PHA. Consideration of the tentative amount and quality of the local match. Inclusion of a letter from the Chief Executive Officer of the local government.

7. Evidence that the proposal can be sustained through other sources in the future.

8. Evidence that preliminary budget and job descriptions are appropriate, feasible, and within funding constraints.

XIII. Approval/Disapproval Actions

The HUD Assistant Secretary for Housing shall have final authority for approving and disapproving applications, taking into consideration recommendations of HUD and DOL Headquarters and Field Office staff. Other HUD Assistant Secretaries will co-sign as appropriate. An application may be approved at a different level of funding from that proposed by the PHA. Approval shall not be construed as precluding HUD from requiring modification of the approach or specifics described in the application.

By August 24, 1979, the HUD Assistant Secretary for Housing will evidence his approval or disapproval of each application by signing a letter to each PHA which submitted an application.

XIV. A-95 and Environmental Waivers

A-95 reviews shall not be required for preliminary applications, but will be required of semifinalist PHAs which request CDBG discretionary funds.

A finding of inapplicability under the National Environmental Policy Act has been made and is on file with the Rules Docket Clerk. This Notice does not set standards.

[Authority: Section 207 of the Housing and Community Development Amendments of 1978, P.L. 95-557, 92 Stat. 2080; Section 7(d) of the Department of HUD Act, 42 U.S.C. 3535(d)].

Issued at Washington, D.C., April 26, 1979.

Lawrence B. Simons,

Assistant Secretary for Housing—Federal Housing Commissioner.

Appendix 1

Community Anti-Crime Program Law Enforcement Assistance Administration

Appendix 1 excerpts descriptions of the Community Anti-Crime (CAC) Program of the Law Enforcement Assistance Administration (LEAA) originally published in the *LEAA Guide for Discretionary Grant Programs*, September 30, 1978.

Objective. To assist community organizations, neighborhood groups and individual citizens to become actively involved in activities designed to prevent crime, reduce the fear of crime, and contribute to neighborhood revitalization.

(1) To establish NEW community and neighborhood based anti-crime organizations and groups which can mobilize neighborhood residents to conduct crime prevention activities.

(2) To strengthen and/or expand existing community and neighborhood based anti-crime organizations and assist existing organizations involved in community improvement efforts to develop anti-crime programs.

(3) To develop improved understanding and cooperation of crime prevention activities among criminal justice officials and neighborhood residents.

(4) To integrate neighborhood anti-crime efforts with appropriate community development activities.

Contact. For further information about the Program, contact the Office of Community Anti-Crime Programs, Law Enforcement Assistance Administration, Washington, D.C. 20531 (202/376-3985).

Appendix 2

Comprehensive Crime Prevention Program Law Enforcement Assistance Administration

Appendix 2 excerpts descriptions of the Comprehensive Crime Prevention Program of the Law Enforcement Assistance Administration (LEAA) originally published in the *LEAA Guide for Discretionary Programs*, September 30, 1978.

Objective. To test the effect of establishing well-planned, comprehensive, multifaceted crime prevention programs in medium size

local jurisdictions (150,000 to 500,000 population) through:

(1) Coordinating available criminal justice and noncriminal justice governmental resources (e.g., social service agencies, schools, housing agencies, employment services, juvenile advocacy programs and services) in a concentrated crime prevention effort; and

(2) Enlisting and integrating business, industry, citizen, civic and neighborhood organizations, and other private resources in a coordinated crime prevention effort with criminal justice and noncriminal justice governmental resources in a local jurisdiction.

Contact. For further information on the program, contact the Office of Community Anti-Crime Programs, Law Enforcement Assistance Administration, Washington, D.C. 20531 (202/376-3694).

Appendix 3

Volunteer in Service to America Program, ACTION

Appendix 3 briefly describes the Volunteers in Service to America (VISTA) Program.

Objective. VISTA supplements efforts of community organizations to eliminate poverty and poverty-related human, social, and environmental problems by enabling persons from all walks of life and all age groups to perform meaningful and constructive service as volunteers in situations where the application of human talent and dedication may help the poor to overcome the handicaps of poverty and poverty-related problems and secure opportunities for self-advancement.

Uses and Restrictions. VISTA provides full-time full-year volunteers at the request of community groups to work with low-income people to build their capacity for self-improvement through cooperative action to meet the basic human needs of the poor. Volunteers are assigned to sponsoring organizations which develop project goals and direct and supervise their activities. As part of sponsoring organizations, VISTA Volunteers assist the poor in the process of determining their individual and group needs. Once these needs are clearly established, the volunteer helps identify how and from where these needs can be met, and helps develop techniques for achieving community established goals.

Members of the poor community must actively participate in the development and implementation of the program. Low-income locally-recruited volunteers may be assigned to serve in their home communities, in teams with nationally-

recruited specialist volunteers. Projects must be responsive to the needs and desires of the people who are to benefit from them to be funded by VISTA. Volunteers are not to displace employed workers, nor shall an agency supervising any volunteer program receive compensation for services of volunteers. Volunteers are not to be viewed as a permanent presence, but should accomplish their goals by leaving behind a program that can be carried on by the local community. Volunteers are not to be involved in religious, pro- or anti-labor, or political activities.

Appendix 4

Urban Park and Recreation Recovery Program Heritage Conservation and Recreation Service Department of Interior

Appendix 4 contains some questions and answers about the Urban Park Program of the Heritage Conservation and Recreation Service (HCRC).

What is the Urban Park Program? The Urban Park and Recreation Recovery Program is a new Federal program designed to provide grant funds to cities to revitalize their park and recreation facilities. The program is intended to conserve existing resources and retrieve reduced opportunities for enjoying the urban environment. The new program will be managed through a partnership of local, State, and Federal interests. It will also encourage the involvement of local neighborhood organizations and community groups.

What Types of Activity May Be Funded? Funds are available under three types of grants:

Rehabilitation grants are for rebuilding, remodeling, expanding, or developing existing outdoor or indoor recreation areas and facilities. Rehabilitation grants provide 70 percent of a project's costs.

Innovation grants are for personnel, facilities, equipment, supplies, and services designed to demonstrate innovative and cost-effective ways of augmenting park and recreation opportunities at the neighborhood level. Innovation grants provide 70 percent of a project's cost. Not more than 10 percent of total program funds awarded annually may be for innovation grants.

Recovery action program grants are for program planning and development, such as assessing resources and needs and coordinating involvement. Recovery action program grants provide 50 percent of a project's costs, and are not eligible for extra Federal dollars to match State contributions.

Will the Program Work with Other Federal Urban Programs? The Urban Park and Recreation Recovery Program will contribute to the Nation's total urban recovery effort by working with other Federal and State agencies that administer programs affecting urban areas. These programs are in a variety of fields including housing, urban development, employment, transportation, community services, voluntary action, and natural resources management.

Appendix 5

Sample Budget, Youth Community Conservation and Improvement Projects, Department of Labor

Appendix 5 may help applicant PHAs by providing a sample budget for Youth Community Conservation and Improvement Projects (YCCIP). For simplicity, the illustration is for a YCCIP component for \$1.00M as part of a comprehensive anti-crime application. This does not necessarily mean that DOL and HUD expect all applications to be for this amount. See the Notice for guidelines on requested total YCCIP funding and distribution of line items within an overall request.

	Amount	Function	Items
Percent:			
65.....	\$650,000	1. Participants.....	Wages, benefits, expenses.
15.....	150,000	2. Work-Site Supervisors.....	Wages, benefits, expenses.
3.....	30,000	3. Job-Related Training.....	Materials, equipment services.
5.....	50,000	4. Work-Site Support.....	Materials, equipment supplies.
2.....	20,000	5. Supportive Services for Participants.....	Personal services, etc.
10.....	100,000	6. Administration.....	Direct program costs.
Total.....	\$1,000,000		

This assumes the minimum amount allowed for participants' benefits and the maximum for administration. Assumed are \$2.65/hr wages and 17% for fringe benefits and expenses. This would fund a minimum of 100 participant/years in 9 crews of eleven. Local projects will be encouraged to better these resources—for example, through the use of "public service employees" under other CETA title as supervisors.

[Docket No. N-79-928]

[FR Doc. 79-14140 Filed 5-4-79; 8:45 am]

BILLING CODE 4210-01-M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

Bering Sea-Norton Sound Outer Continental Shelf (Tentative Sale No. 57); Call for Nominations of and Comments on Areas for Oil and Gas Leasing

Correction

In FR Doc. 79-13296, appearing in the issue of Monday, April 30, 1979, on page 25274, make the following corrections:

(1) The heading should be corrected to read as it appears above by adding the "(Tentative Sale No. 57)".

(2) In the last column, under the undesignated center head "Use of Information From Call", the first

paragraph, the second line, insert the word "with" between "along" and "the".

BILLING CODE 1505-01-M

Lakeview District Office, Oregon; Restriction of Use of Motorized Vehicles on National Resource Lands

Notice is hereby given that use of motorized vehicles on specified public lands in the Black Hills of Lake County, Oregon, is restricted in accordance with the provisions of 43 CFR Parts 6010.4. This restriction does not apply to emergency, law enforcement, and Federal, or other Government vehicles while being used for official or emergency purposes, or vehicles authorized by permit or contract.

The areas affected by this designation and restriction notice are located approximately four miles south of Christmas Valley, Oregon. The legal description of the closed lands is:

Township 28 South, Range 17 East,

Willamette Meridian,

Sec. 2, W½, E½ lying west of existing BLM road*

Sec. 3, all.*

Sec. 4, E½E½, lying east of BLM vehicle trail.

Sec. 10, E½NW¼ and NE¼ lying north of natural drainage.

*Except existing BLM roads providing access to interior of area. The areas and access corridors will be posted by signs on the boundaries and at common points of vehicular access.

Sec. 11, N½ lying north of natural drainage. Approximate Total Acres 1,740

Closure of this area is necessary to protect three plant species and their habitats: Cusick's buckwheat (*Eriogonum cusickii*), scapose silene (*Silene scaposa* var. *lobata*), and dwarf cork-seed (*Rhysoperus plurijugus*). The status of these threatened species is being reviewed by the U.S. Fish and Wildlife Service in compliance with the Endangered Species Act of 1973 (Pub. L. 93-205).

The restriction is effective from now until November 1, 1980, or until the current planning in the High Desert Resource Area is completed. The planning is expected to be completed by January 1, 1980. Maps showing the areas described above are available at the Bureau of Land Management, Lakeview District Office, 1000 South 9th Street, (P.O. Box 151), Lakeview, Oregon 97630.

Dated: April 30, 1979.

Richard A. Gerity,

District Manager

[FR Doc. 79-14079 Filed 5-4-79; 8:45 am]

BILLING CODE 4310-84-M

North Atlantic Outer Continental Shelf; Call for Nominations of and Comments on Areas for Oil and Gas Leasing

Correction

In FR Doc. 79-12890, appearing on page 24643, in the issue for Thursday, April 26, 1979, in the description of blocks withdrawn, insert the following block numbers in numerical order: 595 and 709.

BILLING CODE 1505-01-M

Wyoming; Application

April 26, 1979.

Notice is hereby given that pursuant to Section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185), the Montana-Dakota Utilities Co., of Bismarck, North Dakota filed an application for a right-of-way to construct a 4 inch pipeline for the purpose of transporting natural gas across the following described public lands:

Sixth Principal Meridian, Wyoming

T. 39 N., R. 93 W.,
Sec. 23, SE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 26, NW $\frac{1}{4}$ NW $\frac{1}{4}$.

The proposed pipeline will transport natural gas from their Moncrief #23-1 well located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ section 23, southwesterly to tie into Montana-Dakota Utilities Co.'s existing gathering system located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ section 26, T. 39 N., R. 93 W., Fremont County, Wyoming.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved and, if so, under what terms and conditions.

Interested persons desiring to express their views should do so promptly. Persons submitting comments should include their name and address and send them to the District Manager, Bureau of Land Management, 1300 Third Street, P. O. Box 670, Rawlins, Wyoming 82301.

Harold G. Stinchcomb,
Chief, Branch of Lands and Minerals Operations.

[Wyoming 67825]
[FR Doc. 79-14080 Filed 5-4-79; 8:45 am]
BILLING CODE 4310-84-M

Wyoming; Application

April 25, 1979.

Notice is hereby given that pursuant to Section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185), the Cities Service Gas Company of Oklahoma City, Oklahoma filed an application for a right-of-way to construct a 4 $\frac{1}{2}$ inch pipeline and related facilities for the purpose of transporting natural gas across the following described public lands:

Sixth Principal Meridian, Wyoming

T. 21 N., R. 99 W.,
Sec. 26, NW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 34, NW $\frac{1}{4}$ NW $\frac{1}{4}$.

The proposed pipeline will transport natural gas from the Klabzuba 1-23 well located in the SW $\frac{1}{4}$ of section 23, in a

southwesterly direction to a point of connection with their gathering line in the SW $\frac{1}{4}$ of section 33, T. 21 N., R. 99 W., Sweetwater County, Wyoming.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved and, if so, under what terms and conditions.

Interested persons desiring to express their views should do so promptly. Persons submitting comments should include their name and address and send them to the District Manager, Bureau of Land Management, Highway 187 N., P.O. Box 1869, Rock Springs, Wyoming 82901.

Harold G. Stinchcomb,
Chief, Branch of Lands and Minerals Operations.

[Wyoming 67847]
[FR Doc. 79-14081 Filed 5-4-79; 8:45 am]
BILLING CODE 4310-84-M

Wyoming; Application

April 26, 1979.

Notice is hereby given that pursuant to Section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185), the Cities Service Gas Company of Oklahoma City, Oklahoma filed an application for a right-of-way to construct one each, 4 $\frac{1}{2}$, 8 $\frac{3}{4}$, and 12 $\frac{3}{4}$ inch pipelines and three 6 $\frac{3}{4}$ inch pipelines for the purpose of transporting natural gas across the following described public lands:

Sixth Principal Meridian, Wyoming

T. 18 N., R. 93 W.,
Sec. 2, lots 7, 8, 10, 11, 12 and 13;
Sec. 10, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 16, NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$.

The six proposed pipelines will transport natural gas from wells to various points of connection with Cities Service Gas Company's existing gathering lines in the area all within T. 18 N., R. 93 W., Carbon County, Wyoming.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved and, if so, under what terms and conditions.

Interested persons desiring to express their views should do so promptly. Persons submitting comments should include their name and address and send them to the District Manager, Bureau of Land Management, 1300 Third

Street, P.O. Box 670, Rawlins, Wyoming 82301.

Harold G. Stinchcomb,
Chief, Branch of Lands and Minerals Operations.

[Docket No. Wyoming 67846]
[FR Doc. 79-14082 Filed 5-4-79; 8:45 am]
BILLING CODE 4310-84-M

Wyoming; Application

April 26, 1979.

Notice is hereby given that pursuant to Section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185), the Cities Service Gas Company of Oklahoma City, Oklahoma filed an application for a right-of-way to construct a 4 $\frac{1}{2}$ inch pipeline for the of transporting natural gas across the following described public lands:

Sixth Principal Meridian, Wyoming

T. 19 N., R. 92 W.,
Sec. 6, NE $\frac{1}{4}$ SW $\frac{1}{4}$.

The proposed pipeline will transport natural gas from a point in NE $\frac{1}{4}$ SW $\frac{1}{4}$ section 6, in a northerly direction to a point of connection with Cities Service Gas company's gathering line all within T. 19 N., R. 92 W., Carbon County, Wyoming.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved and, if so, under what terms and conditions.

Interested persons desiring to express their views should do so promptly.

Persons submitting comments should include their name and address and send them to the District manager, Bureau of Land Management, 1300 Third Street, P.O. Box 670, Rawlins, Wyoming 82301.

Harold G. Stinchcomb,
Chief, Branch of Lands and Minerals Operations.

[Wyoming 67645]

[FR Doc. 79-14083 Filed 5-4-79; 8:45 am]

BILLING CODE 4310-84-M

Wyoming; Application

April 26, 1979.

Notice is hereby given that pursuant to Section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185), the Northwest Pipeline Corporation of Salt Lake City, Utah filed an application for a right-of-way to construct a 4½ inch O.D. buried pipeline as an addition to their Moxa Arch Gathering System for the purpose of transporting natural gas across the following described public lands:

Sixth Principal Meridian, Wyoming

T. 18 N., R. 112 W.,
Sec. 4, lot 1.

The proposed pipeline will transport natural gas from the Champlin 149 Amoco H-1 well located in the N½NW¼ of section 3 T. 18 N., R. 112 W., to a point of connection with an existing pipeline located in the W½NW¼ of section 33 T. 19 N., R. 112 W., all within Uinta County, Wyoming.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved, and if so, under what terms and conditions.

Interested persons desiring to express their views should do so promptly. Persons submitting comments should include their name and address and send them to the District Manager, Bureau of Land Management, P.O. Box 1869, Highway 187 N., Rock Springs, Wyoming 82901.

Harold G. Stinchcomb,
Chief, Branch of Lands and Minerals Operations.

[Wyoming 67367]

[FR Doc. 79-14084 Filed 5-4-79; 8:45 am]

BILLING CODE 4310-84-M

Bureau of Reclamation

Contract Negotiations With the Santiam Water Control District; Availability of the Proposed Contract for Public Review and Comment

The Department of the Interior, through the Bureau of Reclamation, is in the final stages of negotiating a contract

with the Santiam Water Control District, Stayton, Oregon. The purpose of the proposed contract is to provide the district with a supplemental agricultural water supply. The proposed contract is written pursuant to the Reclamation Project Act of 1939 (53 Stat. 1187) and the Flood Control Act of 1944 (58 Stat. 887).

The district requires a supplemental water supply to serve approximately 231 irrigable acres in 16 ownerships. Water service will be made available from the Willamette Basin Project constructed and operated by the Corps of Engineers. Section 8 of the Flood Control Act of 1944 authorizes the Secretary of the Interior to market water from Corps of Engineers' reservoirs for agricultural use.

The proposed contract will make available a maximum annual water supply of 496 acre-feet. The initial water rate will be \$1.00 per acre-foot which is adjustable every 5 years. The term of the proposed contract is 40 years. The district must furnish its own facilities to divert and distribute the water and must obtain a diversion permit from the State of Oregon.

For further information, please contact Mr. Martin Fabricius, Agricultural Economist, Division of Water, Power, and Lands, attention code 440, 550 West Fort Street—Box 043, Boise, Idaho, telephone No. (208) 384-1162. Copies of the proposed contract form are available at the Bureau of Reclamation offices in Boise, Idaho, and in Salem, Oregon. A period of 30 days from the date of this publication will be allowed for receipt of written comments from the public. Comments should be addressed to the Regional Director, attention 440, Bureau of Reclamation, at the address shown above. All written correspondence concerning the proposed contract is available to the general public pursuant to the terms and procedures of the Freedom of Information Act (80 Stat. 383), as amended.

Dated: April 26, 1979.

R. Keith Higginson,

Commissioner of Reclamation.

[FR Doc. 79-13712 Filed 5-4-79; 8:45 am]

BILLING CODE 4310-09-M

Contract Negotiations With the Hidalgo County Water Improvement District No. 2; Availability of the Proposed Contract for Public Review and Comment

The Department of the Interior, through the Bureau of Reclamation, is in the final stages of negotiating a repayment contract with the Hidalgo

County Water Improvement District No. 2, San Juan, Texas. The proposed contract will provide for repayment of a loan not to exceed \$16,100,000 which will be used for major rehabilitation work on the district's water distribution system.

The district encompasses approximately 71,000 acres of irrigable land near San Juan, Texas. Major portions of the district's water distribution system are antiquated or dangerously deteriorated. The district proposes to replace and relocate two major pumping plants, line 7.1 miles of canal, install 55.3 miles of pipe laterals and 500 feet of siphons, purchase operation and maintenance equipment, and construct office and storage facilities.

For further information and copies of the proposed contract, please contact Mr. Ira M. Stevens, Repayment and Economics Branch; Division of Water, Land, and Power; Bureau of Reclamation, Herring Plaza Box H-4377, Amarillo, Texas 79101, telephone No. (806) 376-2445.

Comments on the proposed contract will be received on or before June 6, 1979. All written correspondence concerning the proposed contract is available to the general public pursuant to the terms and procedures of the Freedom of Information Act (80 Stat. 383), as amended.

Dated: April 26, 1979.

R. Keith Higginson,

Commissioner of Reclamation.

[FR Doc. 79-13714 Filed 5-4-79; 8:45 am]

BILLING CODE 4310-09-M

Contract Negotiations With the Pioneer Water Co. California; Availability of the Proposed Contract for Public Review and Comment

The Bureau of Reclamation has completed the negotiation of a proposed amandatory contract between the United States and the Pioneer Water Company, Porterville, California, for a loan to construct a Small Reclamation Project. The major purpose of the proposed contract is to provide a cost escalation loan of \$530,000 to assist in financing the completion of the surface-water distribution system initiated with an earlier loan of \$467,000. The proposed contract was prepared pursuant to the Small Reclamation Projects Act of 1956 (70 Stat. 1044), as amended.

The original loan application of the Pioneer Water Company, prepared in 1968, was approved by the Secretary of the Interior on October 7, 1969. The original loan repayment contract was

executed on March 5, 1971, and is identified as contract No. 14-06-200-5305A. The cost escalation since the loan application was prepared has resulted in the company being unable to complete the construction program as originally planned. The total estimated cost of the project is now \$1,186,000, consisting of a district contribution of \$189,000 and a loan amount of \$997,000. There will be no change in the construction contemplated under the original application. The supplemental loan application was approved on December 7, 1978.

Pioneer Water Company is located just below Success Dam on the Tule River, about 65 miles south of Fresno, California. The company's water supply is derived from a decreed water right to 72 cubic feet per second of the flows of Tule River.

The original and supplemental loan will be repaid in 35 annual installments, the first which shall become due on February 1 of the year next following the year in which the company construction program is completed. Copies of the proposed contract and further information can be obtained by contacting the Regional Director, Mid-Pacific Region, Bureau of Reclamation, Attention A. J. Thayer, 2800 Cottage Way, Sacramento, California 95825, telephone No. (916) 484-4498.

All written comments on the contract must be received by the Regional Director on or before June 6, 1979. A summary of all written comments received will be submitted to the Secretary of the Interior for consideration prior to approval or disapproval of the contract.

Dated: April 26, 1979.

R. Keith Higginson,

Commissioner of Reclamation.

[FR Doc. 79-13713 Filed 5-4-79; 8:45 am]

BILLING CODE 4310-09-M

Fish and Wildlife Service

Receipt of Application for Permit

Notice is hereby given that an Applicant has applied in due form for an amendment to permit PRT 2-1609 to authorize placing tags on all sea otters taken under the authority of this permit. This application has been submitted as authorized by the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361-1407), and the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR Part 18).

1. Applicant:

a. Name: Dr. G. L. Kooyman.

- b. Address: Scripps Institution of Oceanography, University of California—San Diego, La Jolla, California 92093.
2. Type of Permit: Scientific research.
3. Name and Number of Animals: Sea otter (*Enhydra lutris*) 30.
4. Type of Activity: Tagging with Temple tags attached to web of hind flipper.
5. Location of Activity: Alaska and coastal water adjacent thereto.
6. Period of Activity: Through December 31, 1979.

The purpose of this application is to more permanently mark sea otters that are captured during the exercise of the authorization of this permit so that they can be later identified by other researchers doing long-term studies.

Concurrent with the publication of this notice in the Federal Register the Federal Wildlife Permit Office is forwarding copies of this application to the Marine Mammal Commission and the Committee of Scientific Advisors.

The application has been assigned file number PRT 2-1609A. Written data or views, or requests for copies of the complete application or for a public hearing on this application should be submitted to the Director, U.S. Fish and Wildlife Service (WFO), Washington, D.C. 20240, on or before June 6, 1979. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this particular application would be appropriate. The holding of such hearing is at the discretion of the Director.

All statements and opinions contained in this application are summaries of those of the Applicant and do not necessarily reflect the views of the United States Fish and Wildlife Service.

Documents submitted in connection with the above application are available for review during normal business hours in Room 601, 1000 N. Glebe Rd., Arlington, Virginia.

Dated: April 30, 1979.

Larry LaRochelle,

Acting Chief, Permit Branch, Federal Wildlife Permit Office.

[FR Doc. 79-14156 Filed 5-4-79; 8:45 am]

BILLING CODE 4310-55-M

Endangered Species Permit; Receipt of Application

Applicant: Robert J. Behnke, Dept. of Fishery & Wildlife, Colorado State University, Fort Collins, Colorado 80523.

The applicant requests a permit to take (capture) and release Colorado River squawfish (*Ptychocheilus lucius*) and humpback chub (*Gila cypha*) in the Yampa River, Colorado, for scientific purposes.

Humane care and treatment during transport has been indicated by the applicant.

Documents and other information submitted with this application are available to the public during normal business hours in Room 601, 1000 N. Glebe Road, Arlington, Virginia, or by writing to the Director, U.S. Fish and Wildlife Service (WFO), Washington, D.C. 20240.

This application has been assigned file number PRT 2-4132. Interested persons may comment on this application by submitting written data, views, or arguments to the Director at the above address on or before June 6, 1979. Please refer to the file number when submitting comments.

Dated: May 1, 1979.

Donald G. Donahoo,

Chief, Permit Branch, Federal Wildlife Permit Office, U.S. Fish and Wildlife Service.

[FR Doc. 79-14156 Filed 5-4-79; 8:45 am]

BILLING CODE 4310-55-M

Threatened Species Permit; Receipt of Applications

The applicants listed below wish to apply for Captive Self-Sustaining Population permits authorizing the purchase and sale in interstate commerce, for the purpose of propagation, those species of pheasants listed in 50 CFR 17.11 as T(C/P). Humane shipment and care in transit is assured.

These applications and supporting documents are available to the public during normal business hours in Room 601, 1000 N. Glebe Road, Arlington, Virginia, or by writing to the Director, USFWS, WFO, Washington, D.C. 20240. Interested persons may comment on these applications on or before June 6, 1979, by submitting written data, views, or arguments to the Director at the above address.

Applicant: Wilma M. L. Crawford, (PRT 2-4158), Rt. 4, box 336, Cumberland, Maryland 21502.

Applicant: Clifford Riggle (PRT 2-4156), RFD 1, Leland, Iowa 50453.

Please refer to the individual applicant and the appropriately assigned PRT 2- number when submitting comments.

Dated: April 26, 1979.

Donald G. Donahoo,

Chief, Permit Branch, Federal Wildlife Permit Office.

[FR Doc. 79-14157 Filed 5-4-79; 8:45 am]

BILLING CODE 4310-55-M

Endangered Species Permit; Receipt of Application

Applicant: San Antonio Zoological Gardens and Aquarium, 3903 N St. Mary's St., San Antonio, Texas 78212.

The applicant requests a permit to export one male clouded leopard (*Neofelis nebulosa*) to the Zoologischer Garten Dresden, Dresden, East Germany, for zoological exhibition and enhancement of propagation.

Humane care and treatment during transport has been indicated by the applicant.

Documents and other information submitted with this application are available to the public during normal business hours in Room 601, 1000 N. Glebe Road, Arlington, Virginia, or by writing to the Director, U.S. Fish and Wildlife Service (WPO), Washington, D.C. 20240.

This application has been assigned file number PRT 2-4147. Interested persons may comment on this application by submitting written data, views, or arguments to the Director at the above address on or before June 6, 1979. Please refer to the file number when submitting comments.

Dated: April 27, 1979.

Larry LaRochelle,

Acting Chief, Permit Branch, Federal Wildlife Permit Office, U.S. Fish and Wildlife Service.

[FR Doc. 79-14158 Filed 5-4-79; 8:45 am]

BILLING CODE 4310-55-M

Endangered Species Permit; Receipt of Application

Applicant: Wisconsin Department of Natural Resources, State Office Building, 3550 Mormon Coulee Road, La Crosse, Wisconsin 54601.

The applicant requests a permit to conduct surveys of Higgin's eye pearly mussel (*Lampsilis higginsii*), pink mucket pearly mussel (*Lampsilis orbiculata*), fat pocketbook pearly mussel (*Potamilus capax*), and any other endangered species encountered, taking vouchers of live specimens and salvaging dead ones to ascertain the presence of these species in pools 9-11 of the Mississippi and lower Wisconsin Rivers.

Humane care and treatment during transport has been indicated by the applicant.

Documents and other information submitted with this application are available to the public during normal business hours in Room 601, 1000 N. Glebe Road, Arlington, Virginia, or by writing to the Director, U.S. Fish and Wildlife Service (WPO), Washington, D.C. 20240.

This application has been assigned file number PRT 2-4077. Interested persons may comment on this application by submitting written data, views, or arguments to the Director at the above address on or before June 6, 1979. Please refer to the file number when submitting comments.

Dated: May 1, 1979.

Donald G. Donahoe,

Chief, Permit Branch, Federal Wildlife Permit Office, U.S. Fish and Wildlife Service.

[FR Doc. 79-14180 Filed 5-4-79; 8:45 am]

BILLING CODE 4310-55-M

COUNCIL ON THE ROLE OF COURTS

Fields of Antitrust, Torts, and Decedents' Estates; Meeting

Pursuant to section 10 of the Federal Advisory Committee Act (Pub. L. No. 92-463, 86 Stat. 770), as amended (Pub. L. No. 94-409, section 5(c), 90 Stat. 1247), notice is hereby given that the Council on the Role of Courts will meet in Washington, D.C. on May 18, 1979. The Council was advised only recently of the possible applicability of the Act to its proceedings, and as a result was unable to provide the full fifteen days notice prior to the meeting. The meeting, scheduled to begin at 9:00 a.m., will be held at the Federal Judicial Center, 1520 H Street, N.W.

The meeting will deal with the role of courts in the fields of antitrust, torts, and decedents' estates. The meeting will be open to the public, and minutes of the proceedings will be made available upon request. Minutes from the organizational session of the Council, held in New Orleans, Louisiana, on January 5 and 6, 1979, are also available. Additional information may be obtained from Mr. Harry A. Scarr, Administrator, Federal Justice Research Program, Department of Justice, Washington, D.C. 20530, phone: (202) 633-4016.

Harry A. Scarr,

Administrator, Federal Justice Research Program.

[FR Doc. 79-14374 Filed 5-4-79; 10:18 am]

BILLING CODE 4410-01-M

LEGAL SERVICES CORPORATION

Grants and Contracts

April 27, 1979.

The Legal Services Corporation was established pursuant to the Legal Services Corporation Act of 1974, Pub. L. 93-355 88 Stat. 378, 42 U.S.C. 2996-2996f, as amended, Pub. L. 95-222 (December 28, 1977). Section 1007(f) provides: "At least 30 days prior to the approval of

any grant application or prior to entering into a contract or prior to the initiation of any other project, the Corporation shall announce publicly . . . such grant, contract or project."

The Legal Services Corporation hereby announces publicly that it is considering the grant application submitted by: East Texas Legal Services in Nacogdoches, Texas to serve Chambers, Liberty, Hardin, Tyler, Jasper, Newton, Houston, Sabine, Shelby, Panola, Marian, Upshur, Camp, Wood, VanZandt, Henderson, Anderson and Rains Counties.

Interested persons are hereby invited to submit written comments or recommendations concerning the above application to the Regional Office of the Legal Services Corporation at: Legal Services Corporation, Denver Regional Office, 1726 Champa Street, Suite 500, Denver, CO 80202.

Alice Daniel,

Acting President.

[FR Doc. 79-14085 Filed 5-4-79; 8:45 am]

BILLING CODE 6820-35-M

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

NASA Advisory Council (NAC) Aeronautics Advisory Committee; Meeting

The Informal Ad Hoc Advisory Subcommittee on Operating Systems and Safety of the NAC Aeronautics Advisory Committee will meet May 30-31, 1979, in Room 225, Building 1219 (Headquarters Building) NASA Langley Research Center, Hampton, Virginia. The meeting will be open to the public up to the seating capacity of the room (approximately 50 persons including the Subcommittee members and participants).

The Subcommittee was established to assist the NASA in identifying specific needs and objectives for improving the operational effectiveness and safety of transport aircraft which will depend on further research and technology in the several underlying technical disciplines, and to advise the NASA on the appropriateness and adequacy of its current and planned programs in this area. The Chairperson is Mr. J. D. Smith and there are 9 members of the Subcommittee.

Agenda

May 30, 1979

8:30 a.m.—Introductory Remarks

9:00 a.m.—NASA Review of Industry

Participation in the Terminal Configured Vehicle Program

- 9:15 a.m.—NASA Review of the Evolution of Display Research in the Terminal Configured Vehicle Program
- 10:15 a.m.—NASA/FAA Status Report on Cockpit Display of Traffic Information
- 12:30 p.m.—NASA Research Simulation Facilities
- 1:45 p.m.—NASA Human Factors Research in Cockpit Displays
- 2:45 p.m.—NASA Use of Oculometer in Cockpit Research
- 3:15 p.m.—NOAA Overview of Weather Data in the Cockpit
- 4:00 p.m.—NASA Review of Avionic and Controls Program Planning

May 31, 1979

- 8:00 a.m.—NASA Special Reports on Related Activities
- 8:45 a.m.—Committee Member Report on Airport Pavement Performance Evaluation
- 10:15 a.m.—Tour of Related Research Facilities at Langley Research Center
- 1:00 p.m.—Committee Discussion and Formulation of Recommendations
- 5:00 p.m.—Adjourn

For further information contact Mr. Kenneth E. Hodge, Executive Secretary of the Informal Ad Hoc Subcommittee on Operating Systems and Safety, Code RJT, NASA Headquarters, Washington, DC 20546 (202/755-3000).

May 1, 1979.

Arnold W. Frutkin,

Associate Administrator for External Relations.

[Notice (79-50)]

[FR Doc. 79-14148 Filed 5-4-79; 8:45 am]

BILLING CODE 7510-01-M

NATIONAL COMMISSION ON THE INTERNATIONAL YEAR OF THE CHILD

Subcommittee and Full Commission Meetings

The National Commission serves as the focal point for the observance of all International Year of the Child activities in the country, and for all United States cooperation on International Year of the Child observances with other countries. It will provide a forum of examining the fundamental needs of children; it will create a better understanding of the needs of children, both in the United States and abroad; it will encourage and/or coordinate Federal, state, and local programs to meet these needs; and it will write a report to the President on its activities and findings, including recommendations of future actions relating to the well-being of children.

Subcommittee Meeting

The National Commission's subcommittees will hold open meetings at the times and locations cited below. Attendance is limited by the space available. Anyone wishing to attend

must call Benedict Latteri, 202/376-2435, by May 11, 1979 for the Media subcommittee meeting and by May 15, 1979 for the remaining subcommittee meetings.

a) Media Subcommittee will meet at the offices of the U.S. Committee for UNICEF, 331 East 38th Street, New York City, New York, from 1:00 p.m. to 5:00 p.m., on May 16, 1979.

b) Children's Involvement Subcommittee will meet at the National Commission's Office, 600 E Street, N.W., 5th Floor, Washington, D.C., from 12:00 p.m. to 4:00 p.m., on May 24, 1979.

c) Human Services Subcommittee will meet at the New Executive Office Building, 726 Jackson Place, N.W., Washington, D.C., Room 2010, from 12:00 p.m. to 4:00 p.m., on May 24, 1979

d) Corporate, Labor, and Professional Involvement Subcommittee will meet at the New Executive Office Building, 726 Jackson Place, N.W., Room 8103, Washington, D.C., from 1:00 p.m. to 4:00 p.m., on May 24, 1979.

e) State and Local Involvement Subcommittee will meet at the National Commission's Office, 600 E Street, N.W., 5th Floor, Washington, D.C., from 4:30 p.m. to 6:30 p.m., on May 24, 1979.

Full Commission Meeting:

The full Commission will meet at 9:00 a.m. to 3:30 p.m. on Friday, May 25, 1979 in the New Executive Office Building, Room 2010. The New Executive Office Building is located at 726 Jackson Place, N.W. Call Benedict J. Latteri for any additional information 202/376-2435).

Benedict J. Latteri,

Administrative Officer, National Commission on the International Year of the Child.

[FR Doc. 79-14200 Filed 5-4-79; 8:45 am]

BILLING CODE 6820-49-M

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

Advisory Committee

Humanities Panel; Meeting

May 1, 1979.

Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92-463, as amended), notice is hereby given that the following meetings of the Humanities Panel will be held at 806 15th Street, N.W., Washington, D.C. 20506:

1. Date: May 25, 1979. Time: 9 a.m. to 5:30 p.m. Room: 1134. Purpose: To review Research Collection Program applications submitted to the National Endowment for the Humanities for projects beginning after October 1, 1979.

2. Date: May 31—June 1, 1979. Time: 9 a.m. to 5:30 p.m. Room: 1023-1025. Purpose: To review Elementary and Secondary Education Program applications submitted to the National Endowment for the Humanities for projects beginning after October 1, 1979.

3. Date: June 4, 1979. Time: 9 a.m. to 5:30 p.m. Room: 1023-1025. Purpose: To review Elementary and Secondary Education Program applications submitted to the National Endowment for the Humanities for projects beginning after October 1, 1979.

Because the proposed meetings will consider financial information and disclose information of a personal nature the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, pursuant to authority granted me by the Chairman's Delegation of Authority to Close Advisory Committee Meetings, dated January 15, 1978, I have determined that the meetings would fall within exemptions (4) and (6) of 5 U.S.C. 552b(c) and that it is essential to close these meetings to protect the free exchange of internal views and to avoid interference with operation of the Committee.

It is suggested that those desiring more specific information contact the Advisory Committee Management Officer, Mr. Stephen J. McCleary, 806 15th Street, N.W., Washington, D.C. 20506, or call 202-724-0367.

Stephen J. McCleary,

Advisory Committee, Management Officer.

[FR Doc. 79-14111 Filed 5-4-79; 8:45 am]

BILLING CODE 7536-01-M

NATIONAL SCIENCE FOUNDATION

Advisory Committee for Policy Research and Analysis and Science Resources Studies; Changed Meeting

The Advisory Committee for Policy Research and Analysis and Science Resources Studies is holding a meeting in Washington on May 10 and 11, 1979. The meeting times of the open and closed sessions have been reversed on May 11, 1979 and are as follows:

Friday, May 11, 1979

8:30-9:45 a.m.—Subcommittee Meetings (open session)

Postcensal Survey (Room 1242)

Industrial Innovation and R & D Statistics (Room 1224)

9:45-11:00 a.m.—Subcommittee Meetings (open session)

Output Indicators (Room 1242)

Public Sector Innovation (Room 1224)

11:00-12:00—Subcommittee Reports (Room 1242, open session)

12:00-1:30 p.m.—Lunch

1:30-2:45 p.m.—Presentation of Proposal Oversight Report (Room 1242, closed session)

2:45-4:00 p.m.—Discussion of PRA/SRS Strategic Plans (Room 1242, closed session)

Dr. Charles Falk, SRS
Dr. Alden Bean, PRA
Dr. Melvin Kranzberg, Closing Remarks

The original Notice appeared in the *Federal Register* on April 20, 1979, volume #44, No. 78, page 23606.

M. Rebecca Winkler,
Committee Management Coordinator.

May 2, 1979.

[FR Doc. 79-14166 Filed 5-4-79; 8:45 am]

BILLING CODE 7555-01-M

NUCLEAR REGULATORY COMMISSION

Commonwealth Edison Co.; Proposed Issuance of Amendments to Facility Operating Licenses

The Nuclear Regulatory Commission (the Commission) is considering the issuance of amendments to Facility Operating License Nos. DPR-39 and DPR-48 issued to Commonwealth Edison Company (the licensee) for operation of the Zion Station Units 1 and 2 (the facility) located in Zion, Illinois.

The amendments will involve changes to the common Technical Specifications for both Zion Units 1 and 2 to increase the total peaking factor limit, F_Q , from 1.86 to 1.93.

Prior to issuance of the proposed license amendments, the Commission will have made the findings required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations.

By June 6, 1979, the licensee may file a request for a hearing and any person whose interest may be affected by this proceeding may file a request for a hearing in the form of a petition for leave to intervene with respect to the issuance of the amendments to the subject facility operating licenses. Petitions for leave to intervene must be filed under oath or affirmation in accordance with the provisions of Section 2.714 of 10 CFR Part 2 of the Commission's regulations. A petition for leave to intervene must set forth the interest of the petitioner in the proceeding, how that interest may be affected by the results of the proceeding, and the petitioner's contentions with respect to the proposed licensing action. Such petitions must be filed in accordance with the provisions of this *Federal Register* Notice and Section 2.714 of 10 CFR, and must be filed with the Secretary of the Commission, U. S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention:

Docketing and Service Section by the above date. A copy of the petition and/or request for a hearing should be sent to the Executive Legal Director, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555 and to Mr. Phillip P. Steptoe, Isham, Lincoln and Beale, One First National Plaza, Chicago, Illinois 60690, the attorney for the licensee.

A petition for leave to intervene must be accompanied by a supporting affidavit which identifies the specific aspect or aspects of the proceeding as to which intervention is desired and specifies with particularity the facts on which the petitioner relies as to both his interest and his contentions with regard to each aspect on which intervention is requested. Petitions stating contentions relating only to matters outside the Commission's jurisdiction will be denied.

All petitions will be acted upon by the Commission or licensing board designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel. Timely petitions will be considered to determine whether a hearing should be noticed or another appropriate order issued regarding the disposition of the petitions.

In the event that hearing is held and a person is permitted to intervene, he becomes a party to the proceeding and has a right to participate fully in the conduct of the hearing. For example, he may present evidence and examine and cross-examine witnesses.

For further details with respect to the action, see the application for amendments dated March 22, 1979, which is available for inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. and at the Zion-Benton Public Library District, 2600 Emmaus Avenue, Zion, Illinois 60099.

Dated at Bethesda, Maryland, this 27th day of April 1979.

For the Nuclear Regulatory Commission.

A. Schwencer,
Chief, Operating Reactors Branch No. 1, Division of Operating Reactors.

[Docket Nos. 50-295 and 50-304]

[FR Doc. 79-13950 Filed 5-4-79; 8:45 am]

BILLING CODE 7590-01-M

Draft Regulatory Guides; Issuance and Availability

The Nuclear Regulatory Commission has issued for public comment drafts of a proposed revision to a guide and a related new guide in its Regulatory Guide Series together with drafts of their associated value/impact statements. 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.

Proposed Revision 3 to Regulatory Guide 1.35 entitled "Inservice Inspection of Ungrouted Tendons in Prestressed Concrete Containments" and temporarily identified by its task number, SC 810-4, describes a basis for developing an appropriate inservice inspection and surveillance program for ungrouted tendons in prestressed concrete containment structures of light-water-cooled reactors. The related guide is entitled "Determining Prestressing Forces for Inspection of Prestressed Concrete Containments," and its task number is SC 807-4. It describes in greater detail, as a supplement to Regulatory Guide 1.35, guidance for determining the prestressing forces to be used in the inservice inspection and surveillance program.

These draft guides and their associated value/impact statements are being issued to involve the public in the early stages of the development of a regulatory position in this area. They have not received complete staff review, have not been reviewed by the NRC Regulatory Requirements Review Committee, and do not represent an official NRC staff position.

Public comments are being solicited on all drafts, the guides (including any implementation schedule) and their draft value/impact statements. Comments on the draft value/impact statements should be accompanied by supporting data. Comments on all drafts should be sent to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Branch, by June 22, 1979.

Although a time limit is given for comments on these drafts, comments and suggestions in connection with (1) items for inclusion in guides currently being developed or (2) improvements in all published guides are encouraged at any time.

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 draft guides or the latest revision of published guides (which may

be reproduced) or for placement on an automatic distribution list for single copies of future guides or draft guides in specific divisions should be made in writing to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Technical Information and Document Control. Telephone requests cannot be accommodated. Regulatory guides are not copyrighted, and Commission approval is not required to reproduce them.

(5 U.S.C. 552(a))

Dated at Rockville, Maryland this 30th day of April 1979.

For the Nuclear Regulatory Commission.

Guy A. Ariotto,

Director, Division of Engineering Standards, Office of Standards Development.

[FR Doc. 79-14154 Filed 5-4-79; 8:45 am]

BILLING CODE 7590-01-M

George V. Taplin, M.D.; Filing of Petition for Rule Making

Notice is hereby given that Dr. George V. Taplin, Division of Nuclear Medicine, University of California, Los Angeles, California, has filed with the Nuclear Regulatory Commission a petition for rule making dated March 28, 1979, requesting the Commission to amend its regulation "Human Uses of Byproduct Material," 10 CFR Part 35.

On February 20, 1979 the Commission published in the *Federal Register* (44 FR 10358), effective March 22, 1979, amendments to its regulation 10 CFR Part 35, to permit physicians greater latitude, when they use certain low risk diagnostic radiopharmaceuticals, by no longer designating the FDA authorized clinical procedures. However, the amendments require the physicians to follow the package insert regarding chemical and physical form, route of administration and dosage range when they perform clinical procedures that have not been approved by FDA. These restrictions do not apply if the physicians perform the FDA approved clinical procedures that are listed in the package insert.

The petitioner requests that the Commission reconsider and rescind the requirement that physicians must use an approved radiopharmaceutical strictly in accord with the manufacturers' package insert.

The petitioner states that:

This change is in direct opposition to the current objectives of both the NRC and FDA which permit physicians to use approved drugs according to their best knowledge and judgment and in the interest of the patient. In my opinion this new regulation will hinder the development of new safe applications of

approved drugs especially in the case of Technetium labeled DTPA and prevent its widespread use as a routine lung imaging agent in the diagnosis of pulmonary embolism.

The petitioner states also that:

My specific disagreement with this new restriction is that it would preclude the use of Technetium 99m DTPA as an aerosol by inhalation for lung imaging. This application and route of administration provide the physician with additional useful medical information while exposing the patient to lower levels of radiation and from the approved applications for brain and kidney imaging wherein doses from 5 to 20 mCi per examination are administered intravenously

Enclosed with the petition are reprints of two pertinent articles by Dr. George V. Taplin and Dr. Sawtantra K. Chopra.

A copy of the petition for rule making is available for public inspection in the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. A copy of the petition may be obtained by writing the Division of Rules and Records at the below address.

All persons who desire to submit written comments or suggestions concerning the petition for rule making should send their comments to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Branch by July 6, 1979.

For further information contact: Gerald L. Hutton, Division of Rules and Records, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, telephone: 301-492-7086.

Dated at Washington, D.C. this 30th day of April 1979.

For the Nuclear Regulatory Commission.

Samuel J. Chilk,
Secretary of the Commission.

[Docket No. PRM-35-1]

[FR Doc. 79-13952 Filed 5-4-79; 8:45 am]

BILLING CODE 7590-01-M

Nebraska Public Power District; Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 55 to Facility Operating License No. DPR-46, issued to Nebraska Public Power District, which revised the Technical Specifications for operation of the Cooper Nuclear Station, located in Nemaha County, Nebraska. The amendment is effective as to the date of its issuance.

The amendment modifies the Technical Specifications to: (1) permit

operation of the facility during Cycle 5 with 112 exposed 7x7 fuel assemblies loaded with the initial core replaced with an equivalent number of fresh 8x8R fuel assemblies, designed and fabricated by the General Electric Company (GE) and (2) revise limits based on transient and accident analysis for the Cycle 5 core loading.

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 Section 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 January 31, 1979 and supplemented March 22 and April 16, 1977, (2) Amendment No. 55 to License No. DPR-46, 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, N.W., Washington, D.C. and at the Auburn Public Library, 118-15th Street, Auburn, Nebraska 68305. A single 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, Maryland this 27th day of April 1979.

For the Nuclear Regulatory Commission.

Thomas A. Ippolito,

Chief,

Operating Reactors Branch No. 3, Division of Operating Reactors.

[Docket No. 50-298]

[FR Doc. 79-14152 Filed 5-4-79; 8:45 am]

BILLING CODE 7590-01-M

Wisconsin Public Service Corp. (Kewaunee Nuclear Power Plant); Hearing

In the Matter of Wisconsin Public Service Corp. (Kewaunee Nuclear Power Plant).

Wisconsin Public Service Corporation, Green Bay, Wisconsin, is the holder of License No. DPR-43 which authorizes the company to operate the Kewaunee Nuclear Power Plant. The license was issued originally on December 21, 1973, and will expire on August 6, 2008.

On July 19, 1978, the Acting Director of Inspection and Enforcement, pursuant to Section 234 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2282), and 10 CFR 2.205 of the Commission's regulations, served on the Licensee a Notice of Violation, together with a Notice of Proposed Imposition of Civil Penalties. The Notice of Proposed Imposition of Civil Penalties, incorporating by reference the Notice of Violation, alleged that the Licensee was responsible for three separate items of noncompliance which were violations of the Commission's regulations and license conditions and set forth the civil penalty to be assessed for each violation. These alleged violations were based on the results of an inspection of licensed activities on May 3-5 and 18 and June 5, 1978, particularly with regard to a personnel exposure that occurred in the reactor cavity on May 2, 1978.

The Licensee sent an answer dated August 10, 1978, to the Notice of Proposed Imposition of Civil Penalties. In response to the Licensee's answer, the Acting Director of Inspection and Enforcement withdrew one item of noncompliance and served the Licensee with an amended Notice of Violation and amended Notice of Proposed Imposition of Civil Penalties by letter dated December 7, 1978. The Licensee responded to the amended Notices in a letter dated January 2, 1979. After due consideration of the Licensee's response, the Acting Director issued an Order Imposing Civil Penalties on February 22, 1979, in the total amount of seven thousand dollars (\$4,000 for Item 1 and \$3,000 for Item 2). By letter dated March 15, 1979, the Licensee requested a hearing.

Pursuant to the Atomic Energy Act of 1954, as amended, and the regulations in Title 10, Code of Federal Regulations, Part 2, notice is hereby given that a hearing will be held before Administrative Law Judge Ivan W. Smith, at a time and place to be set by Judge Smith.

The issues for Judge Smith to consider and decide shall be:

(a) Whether the Licensee committed violations of the technical specifications of License No. DPR-43 designated as Items 1 and 2 in the Notice of Violation issued to Licensee; and

(b) Whether the Order Imposing Civil Penalties as it relates to Items 1 and 2 in the Notice should be sustained.

A prehearing conference will be held by Judge Smith at a date and place to be set by him, to consider pertinent matters in accordance with the Commission's Rules of Practice. The date and place of hearing will be set at or after the prehearing conference and noticed in the **Federal Register**.

Pursuant to 10 CFR 2.705, an answer to this Notice may be filed by the Licensee not later than May 28, 1979.

Required papers may be filed by mail or telegram addressed to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC, 20555, Attention: Chief, Docketing and Service Branch or by delivery to the Commission's Public Document Room, 1717 H Street, NW., Washington, DC, 20555. A copy of papers filed should also be sent to the Executive Legal Director, U.S. Nuclear Regulatory Commission, Washington, DC, 20555.

Pending further order of Judge Smith, parties are required to file, pursuant to the provisions of 10 CFR 2.708, an original and twenty (20) conformed copies of each such paper with the Commission. Pursuant to 10 CFR 2.785, the Commission authorizes an Atomic Safety and Licensing Appeal Board to exercise the authority and perform the review functions which would otherwise be exercised and performed by the Commission. The Appeal Board will be designated pursuant to 10 CFR 2.787, and notice as to membership will be published in the **Federal Register**.

Dated at Washington, DC, this 30 day of April 1979.

For the Nuclear Regulatory Commission,
Samuel J. Chilk,
Secretary of the Commission.

[Docket No. 50-305; License No. DPR-43]
[FR Doc. 79-13951 Filed 5-4-79; 8:45 am]
BILLING CODE 7590-01-M

OFFICE OF MANAGEMENT AND BUDGET

Agency Forms Under Review

Background

When executive departments and agencies propose public use forms, reporting, or recordkeeping requirements, the Office of Management and Budget (OMB) reviews and acts on those requirements under the Federal Reports Act (44 U.S.C., Chapter 35). Departments and agencies use a number of techniques including public hearings to consult with the public on significant reporting requirements before seeking

OMB approval. OMB in carrying out its responsibility under the Act also considers comments on the forms and recordkeeping requirements that will affect the public.

List of Forms Under Review

Every Monday and Thursday OMB publishes a list of the agency forms received for review since the last list was published. The list has all the entries for one agency together and grouped into new forms, revisions, or extensions. Each entry contains the following information:

The name and telephone number of the agency clearance officer;
The office of the agency issuing this form;
The title of the form;
The agency form number, if applicable;
How often the form must be filled out;
Who will be required or asked to report;
An estimate of the number of forms that will be filled out;
An estimate of the total number of hours needed to fill out the form; and
The name and telephone number of the person or office responsible for OMB review.

Reporting or recordkeeping requirements that appear to raise no significant issues are approved promptly. In addition, most repetitive reporting requirements or forms that require one half hour or less to complete and a total of 20,000 hours or less annually will be approved ten business days after this notice is published unless specific issues are raised; such forms are identified in the list by an asterisk (*).

Comments and Questions

Copies of the proposed forms and supporting documents may be obtained from the agency clearance officer whose name and telephone number appear under the agency name. Comments and questions about the items on this list should be directed to the OMB reviewer or office listed at the end of each entry.

If you anticipate commenting on a form but find that time to prepare will prevent you from submitting comments promptly, you should advise the reviewer of your intent as early as possible.

The timing and format of this notice have been changed to make the publication of the notice predictable and to give a clearer explanation of this process to the public. If you have comments and suggestions for further improvements to this notice, please send them to Stanley F. Morris, Deputy Associate Director for Regulatory Policy and Reports Management, Office of

Management and Budget, 726 Jackson Place, Northwest, Washington, D.C. 20503.

Department of Agriculture

Agency Clearance Officer—Donald W. Barrowman—447-6202.

Revisions

Farmer's Home Administration

* Appraisal Report—Farm Tract

FmHA 422-1

On occasion

Applicants, Lenders 60,000 Responses; 6,000 hours

Charles A. Ellett, 395-5080.

Food and Nutrition Service

Part 235 State Administrative Expense

On occasion

State Educational Agencies 171

Responses: 114 hours

Charles A. Ellett, 395-5080

Food and Nutrition Service

Regulations (7 CFR 250) Donation of Food Commodities for use in U.S.

FNS-51

On occasion

State distri. agencies for child nutrition programs, 1,020 responses; 10,080 hours

Charles A. Ellett, 395-5080

Food and Nutrition Service

Report of Child Nutrition Operations

FNS-10 Monthly

State educational agencies, 672 responses; 672 hours,

Charles A. Ellett, 395-5080

Food and Nutrition Service

Annual Report of Meal Service in Schools

FNS-47

Annually

State educational agencies, 56 responses; 630 hours

Charles A. Ellett, 395-5080

Extensions

Food and Nutrition Service

Nutrition Education and Training Program (REGS)

FNS-42

Quarterly

State agencies and FNS regional offices, 280 responses; 1,008 hours

Charles A. Ellett, 395-5080

Food and Nutrition Service

Procedure for Requesting Technical Assistance When Establishing, Maintaining and Expanding Food Service Facilities in Schools

On occasion

Public and private schools 120 responses; 240 hours

Charles A. Ellett, 395-5080

Department of Energy

Agency Clearance Officer—Albert H. Linden—566-9021

New Forms

Information Requirements for Implementing Section 405 of FUA ERA-322

on occasion

Electric powerplants, 200 responses; 40,000 hours

Jefferson B. Hill, 395-5867

Information Requirements for Regulations to Grant Temporary Public Interest

ERA-316R

On occasion

Powerplants 1,400, responses; 4,200 hours

Jefferson B. Hill, 395-5867

Department of Health, Education, and Welfare

Agency Clearance Officer—Peter Gness—245-7488

New Forms

Health Services Administration

Needs Assessment for Natural Family Planning

Single time

Title X grantees, 731 responses; 240 hours

Richard Eisinger, 395-3214

Department of Housing and Urban Development

Agency Clearance Officer—John T. Murphy—755-5190

New Forms

Policy Development and Research

Minority and Women-Owned Research Contractor Survey

Single time

Minority and women-owned research contractors, 500 responses; 165 hours

Arnold Strasser, 395-5080

Extensions

Housing Production and Mortgage

Credit

* Application for Title I Contract of Insurance

FH-21

On occasion

Title I, lenders 7,000, responses; 1,400 hours

Arnold Strasser, 395-5080

Housing Production and Mortgage Credit

Title I Loan Reporting Manifest FH-4

On occasion

Banks, savings and loans, credit unions, lenders, 300,000 responses; 30,000 hours

Arnold Strasser, 395-5080

Department of Labor

Agency Clearance Officer—Philip M. Oliver—523-6341

Extensions

Employment and Training

Administration

In-Season Farm Labor Report

ETA 223 Monthly

St. agen. for agr. rept. areas and crop act. mtg. cov. req., 1,900 responses; 1,900 hours

Arnold Strasser, 395-5080

Stanley E. Morris,

Deputy Associate Director for Regulatory Policy and Reports Management.

[FR Doc. 79-14253 Filed 5-4-79; 8:45 am]

BILLING CODE 3110-01-M

PRESIDENTIAL COMMISSION ON WORLD HUNGER

Subcommittee Meetings

Meetings of the Domestic, Agriculture Policy, Consumer and Nutrition and the International Policy Subcommittees scheduled for May 8, 1979 and May 18, 1979, respectively (44 FR 24661, April 26, 1979) have been cancelled.

Donald B. Harper,

Administrative Officer, Presidential Commission on World Hunger.

[FR Doc. 79-14110 Filed 5-4-79; 8:45 am]

BILLING CODE 6020-97-M

SECURITIES AND EXCHANGE COMMISSION

American Stock Exchange, Inc. et al.; Filing of Proposed Rules Changes and Order Approving Proposed Rules Changes

April 27, 1979

In the Matter of:

American Stock Exchange, Inc., 86 Trinity Place, New York, New York 10006 (SR-Amex-79-6);

Chicago Board Options Exchange, Incorporated, LaSalle at Jackson, Chicago, Illinois 60604 (SR-CBOE-79-4);

Midwest Stock Exchange, Incorporated, 120 South LaSalle Street, Chicago, Illinois 60603 (SR-MSE-79-11);

Pacific Stock Exchange Incorporated, 618 South Spring Street, Los Angeles, California 90014 (SR-PSE-79-3);

Philadelphia Stock Exchange, Inc., 17th Street & Stock Exchange Place, Philadelphia, Pennsylvania 19103 (SR-Phlx-79-4).

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78(s)(b)(1) (the "Act"), notice is hereby given that the American Stock Exchange, Inc. ("Amex"); the Chicago Board Options Exchange, Incorporated

("CBOE"); the Midwest Stock Exchange, Incorporated ("MSE"); the Pacific Stock Exchange Incorporated ("PSE"); and the Philadelphia Stock Exchange, Incorporated ("Phlx") (collectively referred to as "the options exchanges"), filed with the Commission copies of proposed rule changes to permanently permit options transactions to be effected on the options exchanges until 4:10 p.m. New York time.¹ The proposed rule changes also provide that an options exchange may complete one trading rotation in any class of options contracts, even though completion of the rotation would result in the effecting of transactions on the exchange after 4:10 p.m. New York time, if: (1) trading in the underlying security opens or re-opens after 3:45 p.m. New York time, and (2) promptly thereafter, and before 4:10 p.m. New York time, the options exchange commences an opening or re-opening rotation in the corresponding options class. In addition, the rule change proposals filed by the CBOE, MSE and PSE delete from the rules of these exchanges references to closing rotations conducted after the close of regular trading each day.²

The purpose of the proposed rule changes is to continue, on a permanent basis, an existing experiment involving uniform daily closing hours and uniform closing procedures among the options exchanges. This experimental program was approved by the Commission by order dated October 18, 1978 (the "October Order")³ and was commenced on October 23, 1978. The experiment initially was scheduled to terminate on February 28, 1979, but was extended through April 28, 1979, by order of the Commission.⁴ The proposals also are for the purpose of providing a limited exception to the uniform closing time in situations where a trading rotation in an options class is initiated as a result of the opening or reopening of trading in the primary market for the underlying security at or near the close of trading.

The Commission finds that the proposed rule changes are consistent

with the requirements of the Act and the rules and regulations thereunder applicable to national securities exchanges and, in particular, with the requirements of Section 6 of the Act. This Section requires, among other things, that the rules of national securities exchanges be designed to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and to protect investors and the public interest; and not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

The Commission originally approved the uniform closing hours experiment because of its concerns that daily closing rotations as conducted by some of the options exchanges, and the resulting disparity in closing hours among the options exchanges, might not be in the public interest or consistent with the promotion of just and equitable principles of trade. For the same reasons, the Commission also published for comment proposed Securities Exchange Act Rules 9b-3, 9b-4(A), and 9b-4(B) addressing these issues.⁵

To assist the Commission in resolving these issues, the options exchanges monitored the final ten minutes of trading during the trial period and submitted to the Commission the results of their monitoring efforts.⁶ The Commission has evaluated these reports, along with the comments received on proposed Rules 9b-3, 9b-4(A), and 9b-4(B), in connection with its determination that the rule change proposals filed by the options exchanges are consistent with the requirements of the Act.

The Commission believes that the six-month trial period has provided ample opportunity for the options exchanges and other interested persons to comment on the issues underlying these rule change proposals. The Commission,

therefore, finds good cause for approving the proposed rule changes prior to the thirtieth day after the date of publication of notice of filing thereof.

Interested persons are invited to submit written data, views and arguments concerning the submissions within 21 days from the date of this publication. Persons desiring to make written comments should file six copies thereof with the Secretary of the Commission, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549. Reference should be made to File Nos. SR-Amex-79-6; SR-CBOE-79-4; SR-MSE-79-11; SR-PSE-79-3; and SR-Phlx-79-4.

Copies of the submissions, all subsequent amendments, and all written submissions which are filed with the Commission with respect to the proposed rule changes, and of all written communications relating to the proposed rule changes between the Commission and any person, other than those which may be withheld from the public in accordance with the provisions of 5 U.S.C. §552, will be available for inspection and copying at the Commission's Public Reference Room, 1100 L Street, N.W., Washington, D.C.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act, that the proposed rule changes referenced above be, and they hereby are, approved.

For the Commission, by the Division of Market Regulation pursuant to delegated authority.

George A. Fitzsimmons,
Secretary.

[Rel. No. 15765; SR-Amex-79-6 etc.]
[FR Doc. 79-14177 Filed 5-4-79; 8:45 am]
BILLING CODE 8010-01-M

Jersey Central Power and Light Co.; Proposed Issuance and Sale of Preferred Stock and Request for Exemption From Competitive Bidding

April 27, 1979

In the Matter of JERSEY CENTRAL POWER & LIGHT CO., Madison Avenue at Punch Bowl Road, Morristown, New Jersey 07960.

Notice is hereby given that Jersey Central Power & Light Company ("Jersey Central"), an electric utility subsidiary of General Public Utilities Corporation ("GPU"), a registered holding company, has filed with this Commission an application pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating Section 6(b) of the Act and Rule 50(a)(5) promulgated thereunder as applicable to the proposed transaction. All interested persons are referred to the application, which is summarized below,

¹ The CBOE's rule proposal provides that options transactions may be effected on the Exchange until ten minutes after the normal time set for the close of trading on the primary exchange listing the underlying stocks. The closing time for such primary exchange currently is 4:00 p.m. New York time.

² A closing rotation is a procedure used to close trading in an options class by providing for bids and offers to be made, and orders to be executed, one series at a time. Prior to October 23, 1978, the CBOE, MSE and PSE conducted such rotations after the close of regular options trading each day.

³ Securities Exchange Act Release No. 15241 (October 18, 1978), 43 FR 49867 (October 25, 1978). No comments were received.

⁴ Securities Exchange Act Release No. 15593 (February 28, 1979), 44 FR 12525 (March 7, 1979). No comments were received.

⁵ Securities Exchange Act Release No. 15503 (January 17, 1979), 44 FR 4703 (January 23, 1979). Proposed Rule 9b-3 under the Act would prohibit any national securities exchange from conducting or employing any trading rotation in options if, during the rotation (with respect to options series in such class not yet called), new orders could not be placed on the limit order book or existing orders could not be cancelled or replaced. Proposed Rules 9b-4(A) and (b-4(B) are alternative proposals which would prohibit exchange-listed options trading after 4:00 p.m. and 4:10 p.m. New York time, respectively. The comment period for these rule proposals expired February 21, 1979. Seven comments were received.

⁶ Consistent with the policies of the Division of Market Regulation, during the final two months of the trial period, the options exchanges also monitored the effects of the limited exception to the 4:10 p.m. closing time. During this time, circumstances permitting use of the exception have not arisen on any of the options exchanges.

for a complete statement concerning the proposed transaction.

Jersey Central proposes to issue and sell up to an aggregate stated value of \$60,000,000 of cumulative preferred stock ("Preferred Stock"), all shares of which will have the same stated value of either \$25 or \$100 per share. None of the shares of the Preferred Stock may be redeemed before five years after date of issuance if such redemption is for the purpose of refunding them through the use, directly or indirectly, of borrowed funds or the issuance of other preferred stock having a lower effective cost than the effective dividend cost of the Preferred Stock. Other terms of the Preferred Stock, including the dividend rate and an expected mandatory redemption provision designed to retire all the Preferred Stock within a period of years, will be supplied by amendment.

The net proceeds from the sale of the Preferred Stock will be used to pay all or a portion of Jersey Central's short-term bank loans outstanding at the date of sale and to reimburse its treasury for funds previously expended therefrom. Jersey Central requests an exemption from the competitive bidding requirements of Rule 50 pursuant to Rule 50(a)(5). It refers to the nuclear accident at Unit No. 2 of the Three Mile Island nuclear generating station ("TMI-2"), which accident occurred on March 28, 1979. Jersey Central owns an undivided 25% interest in TMI-2, the remainder being owned by Pennsylvania Electric Company (25%) and Metropolitan Edison Company (50%), associate companies of Jersey Central.

Expenditures for the clean-up and repair of TMI-2 and the purchase of replacement energy will subject the GPU system, including Jersey Central, to a serious cash drain for an indeterminable period. In view of these uncertain and exceptional conditions, Jersey Central believes that competitive bidding for its preferred stock is not now feasible.

Jersey Central believes that it may be possible to effect such sales through private placement or a negotiated public offering, or both. Jersey Central proposes to explore with a group of prospective underwriters the prospects for such private or public offering and, among other things, to obtain their recommendations for the sequence and size of such sales. It is hereby authorized to do so.

The fees and expenses to be incurred in connection with the proposed transaction will be supplied by amendment. It is stated that the Board of Public Utilities of the State of New Jersey has jurisdiction over the proposed transaction and that no other state

commission and no federal commission, other than this Commission, has jurisdiction thereover.

Notice is further given that any interested person may, not later than May 21, 1979, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail upon the applicant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application, as filed or as it may be amended, may be granted as provided in Rule 23 of the General Rules and Regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice 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 Corporate Regulation, pursuant to delegated authority.

George A. Fitzsimmons,
Secretary.

[Rel. No. 21021: 70-6297]

[FR Doc. 79-14179 Filed 5-4-79; 8:45 am]

BILLING CODE 8010-01-M

Midwest Stock Exchange, Inc.; Filing of Proposed Rule Change and Order Approving Proposed Rule Change

April 27, 1979

In the Matter of The Midwest Stock Exchange, Incorporated, Suite 1200, 120 South LaSalle Street, Chicago, Illinois 60603.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78(s)(b)(1) (the "Act"), notice is hereby given that on April 23, 1979, the Midwest Stock Exchange, Incorporated ("MSE") filed with the Commission copies of a proposed rule change which permits the MSE, upon a determination that it is in the interest of maintaining a fair and orderly market or for the protection of investors, to make application to the Commission to strike from trading and listing any class or

series of options contracts not exclusively traded on the MSE even though all options contracts in that class or series have not expired.

The proposed change would amend MSE Article XVI, Rule 4, to include the following: Notwithstanding the foregoing provisions, whenever the Exchange determines in the interest of maintaining a fair and orderly market or for the protection of investors that a class or series of option contracts previously approved for Exchange option transactions and not exclusively traded on the Exchange should no longer be approved, the Exchange may make application to the Securities and Exchange Commission to strike from trading and listing such class or series of option contracts.

Interested persons are invited to submit written data, views and arguments concerning the submission within 21 days from the date of this publication. Persons desiring to make written comments should file six copies thereof with the Secretary of the Commission, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549. Reference should be made to File No. SR-MSE-79-10.

Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change which are filed with the Commission, and of all written communications relating to the proposed rule change between the Commission and any person, other than those which may be withheld from the public in accordance with the provisions of 5 U.S.C. § 522, will be available for inspection and copying at the Commission's Public Reference Room, 1100 L Street, N.W., Washington, D.C.

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to exchanges on which standardized options are trading, and in particular, the requirements of Section 6 and the rules and regulations thereunder.

The Commission finds good cause for approving the proposed rule change prior to the thirtieth day after the date of publication of notice of filing thereof. The Commission understands that the proposed rule change is intended to facilitate the MSE's application to the Commission to strike from trading and listing American Express Company call options, which are traded on the Chicago Board Options Exchange, Incorporated ("CBOE") and the American Stock Exchange, Inc.

("Amex") as well as on the MSE, and thereby facilitate the orderly implementation of the pending combination of the options markets of the MSE and the CBOE.¹

It is therefore ordered, pursuant to Section 19(b)(2) of the Act, that the proposed rule change referenced above be, and it hereby is, approved.

For the Commission, by the Division of Market Regulation pursuant to delegated authority.

George A. Fitzsimmons,
Secretary.

April 27, 1979.

[Rel. No. 34-15766; SR-MSE-79-10]

[FR Doc. 79-14181 Filed 5-4-79; 8:45 am]

BILLING CODE 8010-01-M

May 1, 1979.

Rogers & Wells Profit-Sharing Plan; Filing of Application for an Order Pursuant to Section 3(a)(2) of the Securities Act of 1933 Exempting From the Provisions of Section 5 of the Act Interests or Participations in the Rogers & Wells Profit-Sharing Plan

In the matter of the Rogers & Wells Profit-Sharing Plan, 1666 K Street N.W., Washington, D.C. 20006.

Notice is hereby given that Rogers & Wells (hereinafter referred to as "Applicant" or "Firm"), a law firm organized as a partnership under the laws of the District of Columbia, on March 5, 1979, filed an application for an exemption from the registration requirements of the Securities Act of 1933 ("Act") for participations or interests issued in connection with the Rogers & Wells Profit-Sharing Plan ("Plan"). All interested persons are referred to that document, which is on file with the Commission, for the facts and representations contained therein, which are summarized below.

Established in 1977, the Plan provides benefits for its participants distributable upon retirement, disability or death. Partners and employees of the Firm who are 25 years old and have completed at least six months of service are eligible to participate in the Plan. The maximum annual contribution made by the Firm on behalf of each eligible participant is 7 percent of the portion of his compensation which exceeds the Social Security taxable wage base or such lesser integration level as may be determined by the Firm. The Firm may determine in any year to contribute a lesser amount or to make no contributions. Participants are not required to contribute to the Plan, but are permitted to make voluntary

contributions which, in general, may not exceed an average of 10 percent of their compensation, as defined in the Plan.

The Plan is of the type commonly referred to as a "Keogh" plan, which covers persons (Applicant's partners) who are employees within the meaning of Section 401(c)(1) of the Internal Revenue Code of 1954, as amended ("Code"), and, therefore, the exemption provided by Section 3(a)(2) of the Act for interests or participations in employee benefit plans would appear to be inapplicable to the Plan. Section 3(a)(2) of the Act provides, however, that the Commission may exempt from the provisions of Section 5 of the Act any interest or participation issued in connection with a stock bonus to pension, profit-sharing, or annuity plan which covers employees, some or all of whom are employees within the meaning of Section 401(c)(1) of the Code, if and to the extent that the Commission determines this to be 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.

The Internal Revenue Service has by letter dated August 17, 1978 determined that the Plan meets the requirements for qualification under Section 401(a) of the Code.

Applicant states that the assets of the Plan are held by the Trustees, who are three partners in the Firm, pursuant to the terms of the Plan and Affiliation Agreement, which together constitute the Trust. The Trustees may purchase insurance policies on the life of a participant, upon his request, so long as the aggregate of premiums paid on the policies on the life of a participant does not exceed certain specified percentages of the aggregate Firm contributions to his account. Any contributions not invested in insurance policies are retained in the investment fund, which the Trustees are authorized to invest, subject to the direction of the Firm as Plan Administrator, in such manner as they deem advisable. The Trustees have invested the fund in the general account of the New England Life Insurance Company, which has a guaranteed minimum rate of interest, currently 9 percent. The Trustees must maintain separate accounts for Firm contributions made on behalf of each participant and any contributions made by a participant.

Applicant states that the Firm, as Plan Administrator, has full authority, in its discretion, to direct the Trustees in the investments of the Trust. The participant has no right to direct the Plan Administrator as to the manner in which

his account shall be invested. In addition, as Plan Administrator, the Firm is responsible for the day-to-day administration of the Plan.

Applicant contends that the reason for excluding Keogh plans from the exemption generally afforded by Section 3(a)(2) was concern that such an exemption might be used to mass-market Keogh plans to unsophisticated self-employed persons.

Applicant submits that the elements about which Congress expressed concern are absent in this instance, and that therefore an exemption would be appropriate. The Plan covers employees of a single employer, which is a law firm engaged in furnishing legal services of a type which necessarily involves financially sophisticated and complex matters. The risks associated with the sale of multi-employer plans are therefore absent. Applicant states, as it can be assumed that the Firm is able to represent adequately its interests and those of its employees. Moreover, the Firm exercises both fiduciary and administrative responsibilities in connection with the Plan.

In addition, the Plan is subject to the fiduciary standards and the full reporting and disclosure requirements of the Employees' Retirement Income Security Act of 1974 ("ERISA").

Applicant concludes that for the foregoing reasons, granting the requested exemption would be 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 May 28, 1979, 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 should 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 Applicants 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. An order disposing of the application will be issued as of course following May 28, 1979, unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons

¹ Securities Exchange Act of 1934 Release No. 15762 (April 24, 1979).

who request a hearing, or advice 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.

[Rel. No. 6065; 18-4]

[FR Doc. 79-14180 Filed 5-4-79; 8:45 am]

BILLING CODE 8010-01-M

**Schnader, Harrison, Segal & Lewis;
Filing of Application Pursuant to
Section 3(a)(2) of the Securities Act of
1933 for an Order Exempting From the
Provisions of Section 5 Interests or
Participations in Connection With the
H.R. 10 Retirement Plan**

In the Matter of H.R. 10 Retirement
Plan of Schnader, Harrison, Segal &
Lewis, 1719 Packard Building,
Philadelphia, PA 19102.

Errata

Page 2 of the above-captioned Notice erroneously stated that Applicant's contribution is 1.5% of participant's compensation in excess of \$17,000 instead of 1.5% of compensation not in excess of \$17,000 and 8.5% of compensation in excess of \$17,000.

George A. Fitzsimmons,
Secretary.

[Rel. No. 6061; 18-17]

[FR Doc. 79-14178 Filed 5-4-79; 8:45 am]

BILLING CODE 8010-01-M

**SELECT COMMISSION ON
IMMIGRATION AND REFUGEE POLICY**

Open Meeting

The Select Commission on Immigration and Refugee Policy will hold its first meeting on Tuesday, May 22, 1979, at 2:00 p.m. in Room 2010 of the New Executive Office Building, 726 Jackson Place, Washington, D.C. The agenda will consist of preliminary organizational and business matters including appointment of a staff director.

The meeting will be open to the public with seating available for approximately 60 persons. A section will be reserved for the media. Written statements may be filed with the Commission before or after the meeting.

The Select Commission on Immigration and Refugee Policy was created by Public Law 95-412, signed October 5, 1978. The Commission is charged with a comprehensive review of

U.S. immigration laws, policies, and procedures. Membership on the Commission includes four Cabinet members, four members of the House Committee on the Judiciary, four members of the Senate Committee on the Judiciary, and four members appointed by the President, including former Governor Reubin Askew, Chairman. Upon completion of its work, the Commission will submit its recommendations to the Congress and the President.

Inquiries may be addressed to: Select Commission on Immigration and Refugee Policy, Suite 636, Safeway Building, 521 12th Street, N.W., Washington, D.C. 20530. Telephone: 202-724-7482.

Dated: May 2, 1979.

Joan Arrowsmith,
Interim Coordinator,
[FR Doc. 79-14172 Filed 5-4-79; 8:45 am]
BILLING CODE 4510-23-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Informal Airspace Meeting

AGENCY: New England Regional Office, Federal Aviation Administration (FAA), Department of Transportation (DOT).

SUBJECT: Notice is hereby given that a public informal airspace meeting will be held by the FAA at the Hilton Hotel, Logan International Airport, East Boston, Massachusetts, on Thursday, May 31, 1979, at 7:00 p.m.

The purpose of this meeting is to give interested persons the opportunity to comment on a proposal to revise the Boston, Massachusetts, Terminal Control Area (TCA).

The rationale for this proposal is addressed in full in Federal Aviation Administration (FAA) Notice 78-19 published in the *Federal Register* on January 4, 1979, (44 FR 1322) (Docket No. 18605; Notice No. 78-19). Any person may obtain a copy of this Notice by submitting a request to the Federal Aviation Administration, Office of Public Affairs, Attention: Public Information Center, APA-430, 800 Independence Avenue, S.W., Washington, D.C. 20591, or by calling (202) 426-8058.

The public is invited to attend this informal airspace meeting to present facts pertinent to the safe and efficient use of navigable airspace as it relates to the proposal.

Comments may also be submitted in writing at this meeting or within five days thereafter addressed to the

following: Operations, Procedures and Airspace Branch, ANE-530, Federal Aviation Administration, Air Traffic Division, 12 New England Executive Park, Burlington, Massachusetts 01803.

FOR FURTHER INFORMATION: Contact Mr. William Keepers, Chief, Logan International Airport Traffic Control Tower (ATCT), FAA, East Boston, Massachusetts 02128, Telephone (617) 567-2828. Office hours: 8:00 a.m. to 4:30 p.m.

Issued on April 27, 1979.

Donald L. Turner,
Chief, Operations, Procedures and Airspace Branch,
[FR Doc. 79-13874 Filed 5-4-79; 8:45 am]
BILLING CODE 4910-13-M

DEPARTMENT OF THE TREASURY

Office of the Secretary

Public Debt Series—No. 9-79

The Secretary of the Treasury announced on May 1, 1979, that the interest rate on the notes designated Series A-1989, described in Department Circular—Public Debt Series—No. 9-79, dated April 26, 1979, will be 9¼ percent. Interest on the notes will be payable at the rate of 9¼ percent per annum.

Paul H. Taylor,
Fiscal Assistant Secretary.

Supplementary Statement

The announcement set forth above does not meet the Department's criteria for significant regulations and, accordingly, may be published without compliance with the Departmental procedures applicable to such regulations.

[FR Doc. 79-14161 Filed 5-4-79; 8:45 am]
BILLING CODE 4810-40-M

**INTERSTATE COMMERCE
COMMISSION**

Permanent Authority Decision-Notice

April 19, 1979.

The following applications are governed by Special Rule 247 of the Commission's *Rules of Practice* (49 CFR § 1100.247). These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission on or before June 6, 1979. Failure to file a protest, within 30 days, will be considered as a waiver of opposition to the application. A protest under these rules should comply with Rule 247(e)(3) of the Rules of Practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of

protestant's interest in the proceeding, (as specifically noted below), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. A protestant should include a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and describe in detail the method—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one copy of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or upon applicant if no representative is named. If the protest includes a request for oral hearing, such request shall meet the requirements of section 247(e)(4) of the special rules and shall include the certification required in that section.

On cases filed on or after March 1, 1979, petitions for intervention either with or without leave are appropriate.

Section 247(f) provides, in part, that an applicant which does not intend timely to prosecute its application shall promptly request that it be dismissed, and that failure to prosecute an application under the procedures of the Commission will result in its dismissal.

If applicant has introduced rates as an issue it is noted. Upon request an applicant must provide a copy of the tentative rate schedule to any protestant.

Further processing steps will be by Commission notice, decision, or letter which will be served on each party of record. *Broadening amendments will not be accepted after the date of this publication.*

Any authority granted may reflect administratively acceptable restrictive amendments to the service proposed below. Some of the applications may have been modified to conform to the Commission's policy of simplifying grants of operating authority.

We find: With the exceptions of those applications involving duly noted problems (e.g., unresolved common control, unresolved fitness questions, and jurisdictional problems) we find, preliminarily, that each common carrier applicant has demonstrated that its proposed service is required by the public convenience and necessity, and that each contract carrier applicant qualifies as a contract carrier and its proposed contract carrier service will be consistent with the public interest and

the transportation policy of 49 U.S.C. § 10101. Each applicant is fit, willing, and able properly to perform the service proposed and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the Commission's regulations. Except where specifically noted this decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

In those proceedings containing a statement or note that dual operations are or may be involved we find, preliminarily and in the absence of the issue being raised by a protestant, that the proposed dual operations are consistent with the public interest and the transportation policy of 49 U.S.C. § 10101 subject to the right of the Commission, which is expressly reserved, to impose such conditions as it finds necessary to insure that applicant's operations shall conform to the provisions of 49 U.S.C. § 10930(a) [formerly section 210 of the Interstate Commerce Act].

In the absence of legally sufficient protests, filed on or before June 6, 1979 (or, if the application later becomes unopposed), appropriate authority will be issued to each applicant (except those with duly noted problems) upon compliance with certain requirements which will be set forth in a notification of effectiveness of this decision-notice. To the extent that the authority sought below may duplicate an applicant's existing authority, such duplication shall not be construed as conferring more than a single operating right.

Applicants must comply with all specific conditions set forth in the grant or grants of authority within 90 days after the service of the notification of the effectiveness of this decision-notice, or the application of a non-complying applicant shall stand denied.

By the Commission, Review Board Number 2, Members Boyle, Eaton, and Liberman.

H. G. Homme, Jr.,
Secretary.

MC 200 (Sub-334F), filed February 5, 1979. Applicant: RISS INTERNATIONAL CORPORATION, a Delaware corporation, 903 Grand Ave., Kansas City, MO 64106. Representative: Ivan E. Moody (same address as applicant). To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over regular routes, transporting (1) *catalogs, magazines, and printed paper*, and (2) *materials and supplies* used in the manufacture and distribution of the commodities named

in (1) above, (except commodities in bulk), serving (a) Effingham, IL, as an intermediate point on U.S. Hwy 40, (b) Salem, IL, as an intermediate point on U.S. Hwy 50, and (c) Mt. Vernon, IL, as an off-route point, all in connection with applicant's otherwise authorized regular-route operations. (Hearing site: Kansas City, MO.)

MC 35320 (Sub-186F), filed January 30, 1979. Applicant: T.I.M.E.-DC, INC., P.O. Box 2250, Lubbock, TX 79408. Representative: Kenneth G. Thomas (same address as applicant). To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over regular routes, transporting *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, those requiring special equipment, ammunition, and components of ammunition), serving the facilities of Middletown Manufacturing Co., Division of Leggett and Platt, Inc., at or near Simpsonville, KY, as an off-route point in connection with applicant's otherwise authorized regular-route operations. (Hearing site: Louisville, KY, or Washington, DC.)

MC 35320 (Sub-187F), filed January 30, 1979. Applicant: T.I.M.E.-DC, INC., P.O. Box 2550, Lubbock, TX 79408. Representative: Kenneth G. Thomas (same address as applicant). To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over regular routes, transporting *general commodities* (except those of unusual value, classes A and B explosives, ammunition, ammunition parts, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the facilities of Klotz International, Inc., at or near Maryville, TN, as an off-route point in connection with carrier's otherwise authorized regular-route operations. (Hearing site: Knoxville, TN, or Washington, DC.)

MC 35320 (Sub-188F), filed January 30, 1979. Applicant: T.I.M.E.-DC, INC., P.O. Box 2550, Lubbock, TX 79408. Representative: Kenneth G. Thomas (same address as applicant). To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over regular routes, transporting *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, those requiring special equipment, ammunition, and components of ammunition), serving the facilities of Hapco, at or near Abingdon, VA, as an

off-route point in connection with applicant's otherwise authorized regular-route operations. (Hearing site: Knoxville, TN, or Washington, DC.)

MC 35320 (Sub-189F), filed January 29, 1979. Applicant: T.I.M.E.-DC, INC., P.O. Box 2550, Lubbock, TX 79408. Representative: Kenneth G. Thomas (same address as applicant). To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over regular routes, transporting *general commodities* (except those of unusual value, classes A and B explosives, ammunition, ammunition parts, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the facilities of Ship Shop, Inc., at or near Maryville, TN, as an off-route point in connection with carrier's otherwise authorized regular-route operations. (Hearing site: Knoxville, TN, or Washington, DC.)

MC 35320 (Sub-190F), filed January 29, 1979. Applicant: T.I.M.E.-DC, INC., P.O. Box 2550, Lubbock, TX 79408. Representative: Kenneth G. Thomas (same address as applicant). To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over regular routes, transporting *general commodities* (except those of unusual value, classes A and B explosives, ammunition, ammunition parts, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the facilities of Schlegal Tennessee, Inc., at or near Maryville, TN, as an off-route point in connection with carrier's otherwise authorized regular-route operations. (Hearing site: Knoxville, TN, or Washington, DC.)

MC 35320 (Sub-196F), filed January 30, 1979. Applicant: T.I.M.E.-DC, INC., P.O. Box 2550, Lubbock, TX 79408. Representative: Kenneth G. Thomas (same address as applicant). To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over regular routes, transporting *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, those requiring special equipment, ammunition, and components of ammunition), serving the facilities of The Columbus McKinnon Corp., at or near Damascus and Abingdon, VA, as off-route points in connection with applicant's otherwise authorized regular-route operations. (Hearing site: Knoxville, TN, or Washington, DC.)

MC 48221 (Sub-22F), filed January 29, 1979. Applicant: W. N. MOREHOUSE

TRUCK LINE, INC., 4010 Dahlman Avenue, Omaha, NE 68107. Representative: Richard E. Closner, Suite 610, 7171 Mercy Road, Omaha, NE 68106. To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *meats, meat products and meat byproducts, and articles distributed by meat-packing houses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from points in IA (except Glenwood and Sioux City), to Denver, CO. (Hearing site: Omaha, NE.)

MC 52921 (Sub-32F), filed January 29, 1979. Applicant: RED BALL, INC., P.O. Box 520, Sapulpa, OK 74066. Representative: Wilburn L. Williamson, Suite 615 East, The Oil Center, 2601 Northwest Expressway, Oklahoma City, OK 73112. To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting (1) *paper and paper products*, from Monroe, LA, to points in OK; and (2) *materials, supplies, and equipment* used in the manufacture and distribution of paper and paper products (except commodities in bulk), from points in OK, to Monroe, LA. (Hearing site: Oklahoma City, OK.)

MC 61231 (Sub-135F), filed January 25, 1979. Applicant: EASTER ENTERPRISES, INC., d.b.a. ACE LINES, INC., P.O. Box 1351 Des Moines, IA 50305. Representative: William L. Fairbank, 1980 Financial Center, Des Moines, IA 50309. To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *iron and steel articles*, from Granite City, IL, to points in CO, MN, MT, UT, and WY. (Hearing site: St Louis, MO.)

MC 68100 (Sub-23F), filed January 24, 1979. Applicant: D. P. BONHAM TRANSFER, INC., 318 South Adeline, P.O. Drawer G, Bartlesville, OK 74003. Representative: Larry E. Gregg, 641 Harrison Street, Topeka, KS 66603. To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting (1) *building materials* (except commodities in bulk), from the facilities of the Celotex Corporation, at or near Marrero, LA, to points in the United States (except AK and HI); and (2) *materials and supplies* used in the manufacture and distribution of the commodities named in (1) above (except commodities in bulk), in the reverse direction. (Hearing site: New Orleans, LA.)

MC 75320 (Sub-211F), filed January 26, 1979. Applicant: CAMPBELL SIXTY-SIX EXPRESS, INC., P.O. Box 807, Springfield, MO 65801. Representative: John A. Crawford, 17th Floor, Deposit Guaranty Plaza, P.O. Box 22567, Jackson, MS 39205. To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting (1) *rubber and rubber products*, from the facilities of Denman Rubber Manufacturing Co., at or near Leavittsburg, OH, to points in AL, AR, IA, KS, LA, MS, MO, NE, OK, TN, and TX; and (2) *materials, equipment, and supplies* used in the manufacture of rubber and rubber products (except commodities in bulk), in the reverse direction. (Hearing site: Cleveland, OH.)

MC 87730 (Sub-29F), filed January 18, 1979. Applicant: R.W. BOZEL TRANSFER, INC., 4500 Hollins Ferry Rd., Baltimore, MD 21227. Representative: Maurice S. Bozel, 303 Felton Road, Lutherville, MD 21093. To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *frozen foodstuffs*, from the facilities of American Home Foods, Division of American Home Products Corporation, at or near Milton, PA, to points in DE, MD, VA, WV, and DC. (Hearing site: Baltimore, MD, or Philadelphia, PA.)

MC 95540 (Sub-1079F), filed February 5, 1979. Applicant: WATKINS MOTOR LINES, INC., 1144 West Griffin Road, P.O. Box 1636, Lakeland, FL 33802. Representative: Benjy W. Fincher (same address as applicant). To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *new furniture*, as described in Appendix II to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, from points in NC and VA, to points in the United States (except AK and HI). (Hearing site: Charlotte, NC, or Washington, DC.)

MC 115730 (Sub-61F), filed December 6, 1978. Applicant: THE MICKOW CORP., An Indiana Corporation, P.O. Box 1774, 531 S.W. Sixth St., Des Moines, IA 50306. Representative: Cecil L. Goettsch, 1100 Des Moines Building, Des Moines, IA 50309. To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting (1) *fabricated metal products and iron and steel articles*, between Shenandoah, IA, Corsicana, TX, Dublin, GA, Wooster, OH, and Chicago, IL, and (2) *fabricated metal products*, from the points named

in (1) above, to those points in the United States in and east of MT, WY, CO, and NM, restricted to the transportation of traffic originating at or destined to the plantsites of Farmaster Division of Wicks Corp. (Hearing site: Des Moines, IA, or Chicago, IL.)

MC 116371 (Sub-15F), filed January 30, 1979. Applicant: LIQUID CARGO LINES LIMITED, P.O. Box 269, Clarkson, Ontario, Canada L5J 2Y4. Representative: Wilhelmina Boersma, 1600 First Federal Building, 1001 Woodward Avenue, Detroit, MI 48226. To operate as a *common carrier*, by motor vehicle, in foreign commerce only; over irregular routes, transporting *sulfonic acid*, in bulk, in tank vehicles, from Detroit and Port Huron, MI, to the facilities of Witco Chemical, at Chicago, IL. (Hearing site: Detroit, MI, or Buffalo, NY.)

MC 119741 (Sub-141F), filed January 30, 1979. Applicant: GREEN FIELD TRANSPORT COMPANY, INC., 1515 Third Avenue, N.W., P.O. Box 1235, Fort Dodge, IA 50501. Representative: D. L. Robson (same address as applicant). To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *meats, meat products and meat byproducts, and articles distributed by meat-packing houses*, as described in sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from the facilities of Swift & Company, at or near East St. Louis, IL, to points in IA, KS, MO, and NE. (Hearing site: Chicago, IL.)

MC 119741 (Sub-142F), filed January 30, 1979. Applicant: GREEN FIELD TRANSPORT COMPANY, INC., 1515 Third Avenue, N.W., P.O. Box 1235, Fort Dodge, IA 50501. Representative: D. L. Robson (same address as applicant). To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *foodstuffs* (except commodities in bulk, in tank vehicles), from the facilities of Green Bay Canning Corp., at Green Bay, WI, to points in IA, KS, MO, NE, ND, OK, and SD. (Hearing site: Green Bay, WI.)

MC 121060 (Sub-91F), filed January 30, 1979. Applicant: ARROW TRUCK LINES, INC., P.O. Box 1416, Birmingham, AL 35201. Representative: William P. Jackson, Jr., 3426 N. Washington Blvd., P.O. Box 1240, Arlington, VA 22210. To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes,

transporting (1) *iron and steel articles*, from the facilities of United States Steel Corporation, at or near (a) Gary, IN, and (b) Joliet, Waukegan, and South Chicago, IL, to points in AL, AR, FL, GA, KY, LA, MO, MS, NC, SC, and TN, and (2) *materials, equipment, and supplies* used in the manufacture and distribution of the commodities named in (1) above, (except commodities in bulk), in the reverse direction. (Hearing site: Chicago, IL.)

MC 125470 (Sub-42F), filed January 29, 1979. Applicant: MOORE'S TRANSFER, INC., P.O. Box 1151, R.R. 4, Norfolk, NE 68701. Representative: Lavern R. Holdeman, 521 South 14th St., Suite 500, P.O. Box 81849, Lincoln, NE 68501. To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *irrigation systems, and equipment, materials, and supplies* used in the manufacture and distribution of irrigation systems, between the facilities of Lindsay Manufacturing Co., at or near Columbus, Lindsay, and Newman Grove, NE, on the one hand, and, on the other, points in the United States (except AK, HI, and NE), restricted to the transportation of traffic originating at or destined to the named facilities. (Hearing site: Omaha or Norfolk, NE.)

MC 127820 (Sub-11F), filed January 30, 1979. Applicant: TRANS-SERVICE, INC., 1943 South Lawn Extension, Coschocton, OH 43812. Representative: Taylor C. Burneson, 1631 Northwest Professional Plaza, Columbus, OH 43220. To operate as a *contract carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting (1) *building materials and asbestos fibre cement pipe*, from the facilities of Johns-Manville Sales Corp., at or near Waukegan, IL, to points in NY, OH, PA, and WV, and (2) *insulation board*, from the facilities of Johns-Manville Perlite Corp., at or near Rockdale, IL, to points in NY, OH, PA, and WV, under continuing contracts in (1) with Johns-Manville Sales Corp., of Oak Brook, IL, and in (2) with Johns-Manville Perlite Corp., of Rockdale, IL. (Hearing site: Columbus, OH, or Chicago, IL.)

MC 135070 (Sub-31F), filed January 29, 1979. Applicant: JAY LINES, INC., P.O. Box 30180, Amarillo, TX 79120. Representative: Gailyn L. Larsen, P.O. Box 82816, Lincoln, NE 68501. To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting (1) *air conditioning and heating duct work and registers*; and (2) *equipment, materials, and supplies* used in the installation of

the commodities named in (1) above, from the facilities of Goodman Manufacturing Corp., at or near Houston, TX, to points in the United States (except AK and HI). (Hearing site: Houston or Amarillo, TX.)

Note.—Dual operations may be involved.

MC 142941 (Sub-32F), filed January 22, 1979. Applicant: SCARBOROUGH TRUCK LINES, INC., 1313 N. 25th Ave., Phoenix, AZ 85009. Representative: Lewis P. Ames, 111 W. Monroe, 10th Floor, Phoenix, AZ 85003. To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *meats, meat products and meat byproducts, and articles distributed by meat-packing houses*, as described in sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the facilities of John Morrell & Co., at or near (a) Estherville and Sioux City, IA, and (b) Worthington, MN, to points in CA, restricted to the transportation of traffic originating at the named facilities. (Hearing site: Chicago, IL, or Milwaukee, WI.)

MC 142941 (Sub-33F), filed January 22, 1979. Applicant: SCARBOROUGH TRUCK LINES, INC., 1313 N. 25th Ave., Phoenix, AZ 85009. Representative: Lewis P. Ames, 111 W. Monroe, 10th Floor, Phoenix, AZ 85003. To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *foodstuffs*, (except commodities in bulk), in vehicles equipped with mechanical refrigeration, from points in CA, IL, NY, OR, PA, WA, and WI, to St. Paul, MN. (Hearing site: St. Paul, MN, or Phoenix, AZ.)

MC 142941 (Sub-35F), filed February 6, 1979. Applicant: SCARBOROUGH TRUCK LINES, INC., 1313 N. 25th Ave., Phoenix, AZ 85009. Representative: Lewis P. Ames, 111 W. Monroe, 10th Floor, Phoenix, AZ 85003. To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *foodstuffs*, (except commodities in bulk), in vehicles equipped with mechanical refrigeration, from points in CO, MN, NE, and WI, to Salt Lake City, UT. (Hearing site: Salt Lake City, UT, or Phoenix, AZ.)

MC 142941 (Sub-37F), filed February 9, 1979. Applicant: SCARBOROUGH TRUCK LINES, INC., 1313 N. 25th Ave., Phoenix, AZ 85009. Representative: Lewis P. Ames, 111 W. Monroe, 10th Floor, Phoenix, AZ 85003. To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *canned*

foods, from points in CA, to the facilities of Owatonna Canning Company, at Owatonna, MN. (Hearing site: Minneapolis, MN, or Chicago, IL.)

MC 142980 (Sub-2F), filed January 29, 1979. Applicant: PROCESSING TRANSPORTATION, INC., P.O. Box 68 (Tanners Church Road), Conley, GA 30027. Representative: Mark C. Ellison, P.O. Box 872, Atlanta, GA 30301. To operate as a *contract carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *plastic bags*, from College Park, GA, to points in AL, FL, GA, KY, LA, MS, NC, OH, SC, TN, and VA, under continuing contract(s) with Dixie Bag Company, of College Park, GA. (Hearing site: Atlanta, GA.)

MC 145441 (Sub-18F), filed January 29, 1979. Applicant: A.C.B. TRUCKING, INC., P.O. Box 5130, North Little Rock, AR 72119. Representative: E. Lewis Coffey (same address as applicant). To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *insulators, insulator components, electrical wiring, and pottery*, from LeRoy, NY, to points in AZ, AR, CA, CO, FL, ID, KS, LA, NV, NM, OK, OR, TX, UT, and WA. (Hearing site: Buffalo, NY, or Little Rock, AR.)

Note.—Dual operations may be involved.

MC 145910 (Sub-2F), filed January 25, 1979. Applicant: LAURENCE A. MESSAM, d.b.a. RITTMAN PARCEL DELIVERY, P.O. Box 363, Rittman, OH 44270. Representative: John L. Alden, 1396 West Fifth Avenue, P.O. Box 12241, Columbus, OH 43212. To operate as a *contract carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *plastic articles, and materials, equipment, and supplies* used in the manufacture of plastic articles, (except commodities in bulk), between the facilities of Imperial Plastics, Inc., at or near Rittman, OH, on the one hand, and, on the other, points in AL, AR, CO, DE, GA, IA, IL, IN, KS, KY, LA, MD, MS, MO, MI, NC, NJ, NY, OH, OK, PA, SC, TN, TX, VA, WV, and DC, under continuing contract(s) with Imperial Plastics, Inc., of Rittman, OH. (Hearing site: Columbus, OH, or Washington, DC.)

MC 146071 (Sub-1F), filed January 30, 1979. Applicant: DEETZ TRUCKING, INC., P.O. Box 2, Strum, WI 54770. Representative: Ronald V. Dreckman, P.O. Box 306, Whitehall, WI 54773. To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *meats, meat products and meat byproducts, and articles*

distributed by meat-packing houses, as described in sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, (except hides and commodities in bulk), from the facilities of Huron Dressed Beef, Inc., at or near Huron, SD, to points in WI. (Hearing site: Eau Claire or Madison, WI.)

MC 146231F, filed January 26, 1979. Applicant: SEATON SMITHSON FLEGEL and JERRY DEAN FLEGEL, d.b.a. S. S. FLEGEL TRUCKING, Route 1, Box 867, Prineville, OR 97754. Representative: Lawrence V. Smart, Jr., 419 N.W. 23rd Avenue, Portland, OR 97210. To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *wood products and lumber*, between points in Jefferson, Deschutes, Crook, Grant, Union, and Baker Counties, OR, on the one hand, and, on the other, points in Shasta, Tehama, and Lassen Counties, CA, Yakima, Okanogan, Klickitat, and Walla Walla Counties, WA, and Canyon, Payette, and Ada Counties, ID. (Hearing site: Portland, OR.)

[Volume No. 39]

[FR Doc. 79-13662 Filed 5-4-79; 8:45 am]

BILLING CODE 7035-01-M

Permanent Authority Application Decision Notice

Correction

In FR Doc. 78-33798 appearing at page 56981 in the issue of Tuesday, December 5, 1978, the following changes should be made.

1. On page 56986, second column, third paragraph, the Sub number for MC 110525 should read, "Sub-1267F".

2. On page 56989, third column, second complete paragraph, the sub number for MC 134355 should read, "Sub-37F".

3. On page 56992, first column, eleventh line, the designation State "NY" should be inserted between "NJ" and "OH" under MC 139498.

4. On page 56993, third column, second complete paragraph, the MC number reading "144279" should read, "144297".

5. On page 56995, first column, first complete paragraph, the MC number preceding Sub-255F should read, "MC 1515".

[Decisions Volume No. 51]

BILLING CODE 1505-01-M

Permanent Authority Applications; Decision-Notice

Correction

In FR Doc. 79-12715 appearing at page 24217 in the issue of April 24, 1979, Make the following corrections on page 24220:

(1) In the second column, change "MC 114273 (Sub-545TA)" to read "MC 114273 (Sub-545F)".

(2) In the third column, change "MC 115093 (Sub-17TA)" to read "MC 115093 (Sub-17F)".

(3) Also in the third column, change "MC 115162 (Sub-448TA)" to read "MC 115162 (Sub-448F)".

BILLING CODE 1505-01-M

Permanent Authority Applications; Decision-Notice

The following applications are governed by Special Rule 247 of the Commission's *Rules of Practice* (49 CFR §1100.247). These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after the date notice of the application was published in the *Federal Register*. Failure to file a protest, within 30 days, will be considered as a waiver of opposition to the application. A protest under these rules should comply with Rule 247(e)(3) of the Rules of Practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding, (as specifically noted below), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. A protestant should include a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and describe in detail the method—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one copy of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or upon applicant if no representative is named. If the protest includes a request for oral hearing, such request shall meet the requirements of section 247(e)(4) of the special rules and shall include the certification required in that section.

On cases filed on or after March 1, 1979, petitions for intervention either with or without leave are appropriate.

Section 247(f) provides, in part, that an applicant which does not intend timely to prosecute its application shall promptly request that it be dismissed, and that failure to prosecute an application under the procedures of the Commission will result in its dismissal.

If applicant has introduced rates as an issue it is noted. Upon request an applicant must provide a copy of the tentative rate schedule to any protestant.

Further processing steps will be by Commission notice, decision, or letter which will be served on each party of record. *Broadening amendments will not be accepted after the date of this publication.*

Any authority granted may reflect administratively acceptable restrictive amendments to the service proposed below. Some of the applications may have been modified to conform to the Commission's policy of simplifying grants of operating authority.

We Find: With the exceptions of those applications involving duly noted problems (e.g., unresolved common control, unresolved fitness questions, and jurisdictional problems) we find, preliminarily, that each common carrier applicant has demonstrated that its proposed service is required by the public convenience and necessity, and that each contract carrier applicant qualifies as a contract carrier and its proposed contract carrier service will be consistent with the public interest and the transportation policy of 49 U.S.C. § 10101. Each applicant is fit, willing, and able properly to perform the service proposed and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the Commission's regulations. Except where specifically noted this decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

In those proceedings containing a statement or note that dual operations are or may be involved we find, preliminarily and in the absence of the issue being raised by a protestant, that the proposed dual operations are consistent with the public interest and the transportation policy of 49 U.S.C. § 10101 subject to the right of the Commission, which is expressly reserved, to impose such conditions as it finds necessary to insure that applicant's operations shall conform to the provisions of 49 U.S.C. § 10930(a)

[formerly section 210 of the Interstate Commerce Act].

In the absence of legally sufficient protests, filed within 30 days of publication of this decision-notice (or, if the application later becomes unopposed), appropriate authority will be issued to each applicant (except those with duly noted problems) upon compliance with certain requirements which will be set forth in a notification of effectiveness of this decision-notice. To the extent that the authority sought below may duplicate an applicant's existing authority, such duplication shall not be construed as conferring more than a single operating right.

Applicants must comply with all specific conditions set forth in the grant or grants of authority within 90 days after the service of the notification of the effectiveness of this decision-notice, or the application of a non-complying applicant shall stand denied.

By the Commission, Review Board Number 1, members Boyle, Eaton, and Liberman.

H.G. Homme, Jr.,
Secretary.

MC 13087 (Sub-48F), filed February 5, 1979. Applicant: STOCKBERGER TRANSFER & STORAGE, INC., 524 Second Avenue S.W., Mason City, IA 50401. Representative: Thomas E. Leahy, Jr., 1980 Financial Center, Des Moines, IA 50309. To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *meats, meat products, and meat byproducts, and articles* distributed by meat-packing houses, as described in sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, (except hides and commodities in bulk), from the facilities of John Morrell & Co. at or near Estherville, IA, to points in IN, IL, MN, MO, and WI, restricted to the transportation of traffic originating at the above named facilities. (Hearing site: Chicago, IL, or Minneapolis, MN.)

MC 18037 (Sub-9F), filed February 2, 1979. Applicant: CHAS. LEVY CIRCULATING CO., a corporation, 1200 N. Branch St., Chicago, IL 60622. Representative: Carl L. Steiner, 39 S. LaSalle St., Chicago, IL 60603. To operate as a *contract carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *magazines*, from Detroit, MI, to points in IL, IN, IA, KY, OH and WI, under continuing contract(s) with Look Magazine, Incorporated of New York, NY. (Hearing site: Chicago, IL.)

MC 21866 (Sub-111F), filed February 1, 1979. Applicant: WEST MOTOR

FREIGHT, INC., 740 S. Reading Avenue, Boyertown, PA 19512. Representative: Alan Kahn, 1920 Two Penn Center Plaza, Philadelphia, PA 19102. To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting (1) *printing presses*, and (2) *materials, parts, and supplies* used in the manufacture of printing presses, (except commodities in bulk), from the facilities of Graphic Systems, division of Rockwell International Corporation, at points in Berks County, PA, on the one hand, and, on the other, those points in the United States in and east of ND, SD, NE, CO, OK, and TX (except Pennsylvania). (Hearing site: Washington, DC, or Philadelphia, PA.)

MC 27817 (Sub-152F), filed February 1, 1979. Applicant: H. C. GABLER, INC., R. D. #3, P.O. Box 220, Chambersburg, PA 17201. Representative: Christian V. Graf, 407 North Front Street, Harrisburg, PA 17101. To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *such commodities* as are dealt in by grocery and food business houses, (except commodities in bulk), from the facilities of The Pillsbury Company, at or near Mechanicsburg, PA, to points in DE, MD, NJ, NY, OH, VA, WV, and DC, restricted to the transportation of traffic originating at the named facilities and destined to the indicated destinations. (Hearing site: Washington, DC or Harrisburg, PA.)

MC 29886 (Sub-360F), filed December 12, 1978, previously noticed in the FR issue of March 15, 1979. Applicant: DALLAS & MAVIS FORWARDING CO., INC., An Indiana Corporation, 4314 39th Ave., Kenosha, WI 53142. Representative: Albert P. Barber (same address as applicant). To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting (1) *material handling equipment, winches, compaction and road making equipment, rollers, mobile cranes, and highway freight trailers*, and (2) *parts, attachments, and accessories* for the commodities named in (1) above, (except commodities in bulk), between the facilities of Hyster Company, at or near (a) Danville and Kewanee, IL, (b) Crawfordsville, IN, and (c) Berea, KY, on the one hand, and, on the other, points in CT, DE, IN, MA, MD, ME, MI, NH, NJ, NY, OH, PA, RI, VA, VT, WV, and DC, restricted to the transportation of traffic originating at or destined to the named facilities. (Hearing site: Washington, DC, or Atlanta, GA.)

Note.— This republication is to include PA as a destination point.

MC 41406 (Sub-114F), filed February 5, 1979. Applicant: ARTIM TRANSPORTATION SYSTEM, INC., 7105 Kennedy Avenue, Hammond, IN 46323. Representative: Wade H. Bourdon (same address as applicant). To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *iron and steel articles* from the facilities of United States Steel Corporation at or near (a) Gary, IN, and (b) Joliet and South Chicago, IL, to points in Kenosha, Milwaukee, and Racine Counties, WI, restricted to the transportation of traffic originating at the named facilities. (Hearing site: Chicago, IL, or Washington, DC.)

MC 41406 (Sub-115F), filed February 5, 1979. Applicant: ARTIM TRANSPORTATION SYSTEM, INC., 7105 Kennedy Avenue, Hammond, IN 46323. Representative: Wade H. Bourdon (same address as applicant). To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *iron and steel articles*, from the facilities of A. J. Gerrard and Company at or near Florence, AL, to the facilities of A. J. Gerrard and Company at or near DesPlaines, IL. (Hearing site: Chicago, IL, or Washington, DC.)

MC 41406 (Sub-116F), filed February 5, 1979. Applicant: ARTIM TRANSPORTATION SYSTEM, INC., 7105 Kennedy Avenue, Hammond, IN 46323. Representative: Wade H. Bourdon (same address as applicant). To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *iron and steel articles*, between Cleveland, OH, on the one hand, and, on the other, points in AL, FL, GA, KY, LA, MN, MO, NC, OK, SC, SD, TN, TX, and VA. (Hearing site: Cleveland, OH, or Chicago, IL.)

MC 41406 (Sub-117F), filed February 2, 1979. Applicant: ARTIM TRANSPORTATION SYSTEM, INC., 7105 Kennedy Avenue, Hammond, IN 46323. Representative: Wade H. Bourdon (same address as applicant). To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting (1) *steel, metal castings, and forgings*, from points in Chippewa County, MI, to points in the United States (except AK and HI), and (2) equipment, materials, and supplies used in the manufacture of the commodities named in (1) above, in the reverse direction. (Hearing site: Chicago, IL, or Detroit, MI.)

MC 41706 (Sub-20F), filed January 30, 1979. Applicant: TOSE, INC., 424 W. Fourth Street, Bridgeport, PA 19405. Representative: Anthony C. Vance, 1307 Dolly Madison Blvd., McLean, VA 22101. To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over regular routes, transporting *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), (1) between New Haven, CT, and Seekonk, MA; from New Haven over Interstate Hwy 95 to Providence, RI, then over U.S. Hwy 44 to Seekonk, and return over the same route, serving the intermediate point of Providence, RI, (2) between Easton, PA, and Port Jervis, NY; (a) over PA Hwy 611, and (b) from Easton over U.S. Hwy 22 to PA Hwy 33 to East Stroudsburg, then over U.S. Hwy 209 to Port Jervis, and return over the same route, serving all intermediate points, (3) between Penns Grove, NJ, and Philadelphia, PA; from Penns Grove over U.S. Hwy 130 to junction U.S. Hwy 40, then over U.S. Hwy 40 and the Delaware Memorial Bridge to junction DE Hwy 9, then over DE Hwy 9 to junction U.S. Hwy 13, and then over U.S. Hwy 13, to Philadelphia, and return over the same route, serving all intermediate points, (4) between Camden, NJ, and Phillipsburg, NJ; from Camden over U.S. Hwy 30 to junction PA Hwy 611 and Philadelphia, PA, (a) then over PA Hwy 611 to Easton, PA, then over U.S. Hwy 22 to Phillipsburg, and return over the same route, serving all intermediate points, (b) then over U.S. Hwy 309 to Allentown, PA, then over U.S. Hwy 22 to Phillipsburg, and return over the same route, serving all intermediate points, (5) between Pottstown, PA, and Allentown, PA; from Pottstown over PA Hwy 100 to junction PA Hwy 29, then over PA Hwy 29 to Allentown, and return over the same route, serving all intermediate points, and (6) between Pottstown, PA, and junction NY Hwy 52 and U.S. Hwy 209; from Pottstown, over PA Hwy 100 to junction PA Route 9, then over PA Route 9 to junction U.S. Hwy 6, then over U.S. Hwy 6 to junction U.S. Hwy 209, then over U.S. Hwy 209 to junction NY Hwy 52, and return over the same route, serving no intermediate points, for operating convenience only. (Hearing site: Philadelphia, PA, or Washington, DC.)

No. MC 42487 (Sub-902F), Filed February 2, 1979. Applicant: CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175

Linfield Drive, Menlo Park, CA 94025. Applicant's Representative: V. R. Oldenburg, P. O. Box 3062, Portland, OR 97208. To operate as a *common carrier* by motor vehicle, in interstate or foreign commerce, transporting *general commodities* except classes A and B explosives, household goods as defined by the Commission, commodities in bulk, assembled automobiles, and machinery which because of size or weight requires special equipment. Serving the facilities of A.B. Chance Company, subsidiary of Emerson Electric Co. at Centralia, MO, as an off-route point in connection with carrier's otherwise authorized regular route operations. (Hearing site: St. Louis, MO.)

MC 60157 (Sub-27F), filed February 5, 1979. Applicant: C. A. WHITE TRUCKING COMPANY, a corporation, 5327 N. Central Expressway, Suite 310, Dallas, TX 75205. Representative: Bernard H. English, 6270 Firth Road, Fort Worth, TX 76116. To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *pipe*, from the facilities of Jones & Laughlin Steel Corporation at or near Gainesville, TX, to points in IN, IL, NE, MI, KS, TN, WI, AL, MS, NM, MN, NC, FL, and GA. (Hearing site: Dallas or Fort Worth, TX.)

MC 69116 (Sub-218F), filed February 5, 1979. Applicant: SPECTOR INDUSTRIES, INC., d/b/a SPECTOR FREIGHT SYSTEM, 1050 Kingery Highway, Bensenville, IL 60106. Representative: Edward G. Bazelon, 39 S. LaSalle Street, Chicago, IL 60603. To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, transporting *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the facilities of Dow Chemical Co., at Midland, MI, as an off-route point in connection with carrier's otherwise authorized regular-route operations. (Hearing site: Chicago, IL.)

MC 100666 (Sub-427F), filed January 25, 1979. Applicant: MELTON TRUCK LINES, INC., P.O. Box 7666, Shreveport, LA 71107. Representative: Wilburn L. Williamson, Suite 615-East, The Oil Center, 2601 Northwest Expressway, Oklahoma City, OK 73112. To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting: *lumber and lumber products*, from the facilities of Tolleson Lumber Co. at or near Perry and Fitzgerald, GA to those points in the United States in and east of NM, CO,

NE, ND and SD. (Hearing site: Dallas, TX.)

MC 100666 (Sub-431F), filed February 5, 1979. Applicant: MELTON TRUCK LINES, INC., P.O. Box 7666, Shreveport, LA 71107. Representative: Wilburn L. Williamson, Suite 615-East, The Oil Center, 2601 Northwest Expressway, Oklahoma City, OK 73112. To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *metal and metal articles*, from the facilities of South Carolina Steel Corp., at or near Greenville, SC, to points in AL, AR, DE, GA, KY, LA, MD, MS, MO, NC, TN, TX, VA, and WV. (Hearing site: Dallas, TX.)

MC 102616 (Sub-972F), filed January 25, 1979. Applicant: COASTAL TANK LINES, INC. 250 North Cleveland-Massillon Road, Akron, OH 44313. Representative: David F. McAllister (same address as applicant). To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *petroleum pitch*, in bulk, in tank vehicles, from Catlettsburg, KY, to points in AL, AR, CT, DE, FL, GA, IA, IL, IN, LA, MD, MA, MI, MN, MS, MO, NH, NJ, NY, NC, OH, PA, RI, SC, TN, VT, WI, WV, and DC. (Hearing site: Washington DC or Chicago, IL.)

MC 107496 (Sub-1184F), filed January 30, 1979. Applicant: RUAN TRANSPORT CORPORATION, 666 Grand Avenue, Des Moines, IA 50309. Representative: E. Check, P.O. Box 855, Des Moines, IA 50304. To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *liquid chemicals*, in bulk, from St. Joseph, MO., to points in the United States (except AK and HI). (Hearing site: Des Moines, IA or Kansas City MO.)

MC 107496 (Sub-1185F), filed January 30, 1979. Applicant: RUAN TRANSPORT CORPORATION, 666 Grand Avenue, Des Moines, IA 50309. Representative: E. Check, P.O. Box 855, Des Moines, IA 50304. To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *vegetable oil*, in bulk, from points in IA, to points in IL. (Hearing site: Des Moines, IA or Chicago, IL.)

MC 107496 (Sub-1186F), filed February 2, 1979. Applicant: RUAN TRANSPORT CORPORATION, 666 Grand Avenue, Des Moines, IA 50309. Representative: E. Check, P.O. Box 855, Des Moines, IA 50304. To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *liquid fertilizer*, in bulk, from Chaffee, MO., to points in AR, IL,

KY, MO, and TN. (Hearing site: Des Moines, IA or Kansas City, MO.)

MC 112617 (Sub-420F), filed January 26, 1979. Applicant: LIQUID TRANSPORTERS, INC., 1202 Fern Valley Road, P.O. Box 21395, Louisville, KY 40221. Representative: Charles R. Dunford (same address as applicant). To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting (1) *crude light oil of coal tar*, in bulk, in tank vehicles, from Hamilton and Middletown, OH, to Catlettsburg, KY, and (2) *petroleum, and petroleum products*, in bulk, in tank vehicles, from Catlettsburg, KY, to points in IN and OH. (Hearing site: Louisville, KY or Washington, DC.)

MC 113406 (Sub-10F), filed February 1, 1979. Applicant: DOT LINES, INC., 1000 Findlay Road, Lima, OH 45802. Representative: Paul F. Beery, 275 E. State Street, Columbus, OH 43215. To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *automobile parts*, between Cleveland and Lima, OH, on the one hand, and, on the other, Louisville, KY. (Hearing site: Columbus, OH, or Washington, DC.)

MC 113666 (Sub-149F), filed January 29, 1979. Applicant: FREEPORT TRANSPORT, INC., 1200 Butler Road, Freeport, PA 16229. Representative: D. R. Smetanick (same address as applicant). To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting (1) *zinc, zinc oxide, zinc dust, lead sheet, metallic cadmium, zinc dross, zinc residue, and zinc skimmings*, and (2) *materials, equipment and supplies* used in the production of zinc and zinc oxide, between Josephstown, PA, on the one hand, and, on the other points in the United States (except AK and HI). (Hearing site: Pittsburgh, PA or Washington, DC.)

MC 114457 (Sub-474F), filed February 1, 1979. Applicant: DART TRANSIT COMPANY, a corporation, 2102 University Avenue, St. Paul, MN 55114. Representative: James H. Wills (same address as applicant). To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *containers, container closures, and materials* used in the manufacture and distribution of containers (except commodities in bulk), from Baltimore, MD and Chicago, IL, to Fort Madison, IA. (Hearing site: Baltimore, MD or St. Paul, MN.)

MC 115496 (Sub-114F), filed February 5, 1979. Applicant: LUMBER

TRANSPORT, INC., P.O. Box 111, Cochran, GA 31041. Representative: Virgil H. Smith, Suite 12, 1587 Phoenix Boulevard, Atlanta, GA 30349. To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *expanded uthertane panels and expanded plastic materials*, from Dallas, TX, and Greer, SC, to those points in the United States in and east of TX, AR, MO, IL, and WI. (Hearing site: Atlanta, GA, or Dallas, TX.)

MC 115826 (Sub-376F), filed January 25, 1979. Applicant: W. J. DIGBY, INC., 6015 East 58th Ave., Commerce City, CO 80022. Representative: Howard Gore (same address as applicant). To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce over irregular routes, transporting (1) *foodstuffs*, from the facilities used by Miami Margarine Co., at or near Albert Lea, MN, to points in the United States, (except points in AK, HI, ME, MN, NH, ND, SD and VT), restricted to the transportation of traffic originating at the named origin facilities and destined to the indicated destinations; and (2) *meat, from Waterloo, IA, to points in NM*. (Hearing site: Denver, CO.)

MC 115826 (Sub-391F), filed February 4, 1979. Applicant: W. J. DIGBY, INC., 6015 East 58th Avenue, Commerce City, CO 80022. Representative: Howard Gore (same address as applicant). To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *meats, meat products, and meat byproducts*, and *articles* distributed by meat-packing houses, as described in section A and C of Appendix I to the Report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, (except hides and commodities in bulk), from the facilities of Wilson Foods Corporation at or near Cedar Rapids, Cherokee, and Des Moines, IA, to points in CO, restricted to the transportation originating at the named facilities and destined to the indicated destinations. (Hearing site: Denver, CO.)

MC 117686 (Sub-239F), filed February 5, 1979. Applicant: HIRSCHBACH MOTOR LINES, INC., P.O. Box 417, Sioux City, IA 51102. Representative: George L. Hirschbach (same address as applicant). To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *chain saws, snow-throwers, garden equipment, lawn equipment, turf equipment, and golf course care equipment*, from the facilities of The Toro Company at or near (a) Windom, and Minneapolis, MN, and (b) Tomah,

WI, to points in AL, AR, FL, GA, KY, LA, MN, NC, SC, and TN, restricted to the transportation of traffic originating at and destined to the named points. (Hearing site: Minneapolis, MN, or Chicago, IL.)

Note.—Dual operations may be involved.

MC 119777 (Sub-354F), filed January 11, 1979. Applicant: LIGON SPECIALIZED HAULER, INC., Highway 85-East, Madisonville, KY 42431. Representative: Carl U. Hurst, P.O. Drawer "L", Madisonville, Ky 42431. To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting (1) *roofing, shingles*, and (2) *accessories* for the commodities in (1) above from Stephens and Camden, AR, to points in AL, LA, OK, KY, MS, TN and TX. (Hearing site: Little Rock, AR or Memphis, TN.)

Note.—Dual operations may be involved.

MC 119777 (Sub-359F), filed February 5, 1979. Applicant: LIGON SPECIALIZED HAULER, INC., Madisonville, KY 42431. Representative: Carl U. Hurst, P.O. Box Drawer "L", Madisonville, Ky 42431. To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting (1) *manganese ore, manganese oxide*, and *soil compounds*, from El Paso, TX, Rosiclare, IL, and Philadelphia, PA, to points in the United States (except AK and HI), and (2) *materials, equipment, and supplies* used in the manufacture and distribution of the commodities named in (1) above, in the reverse direction. (Hearing site: Houston or Dallas, TX.)

Note.—Dual operations may be involved.

MC 123407 (Sub-535F), filed February 1, 1979. Applicant: SAWYER TRANSPORT, INC., South Haven Square, U.S. Hwy 6, Valparaiso, IN 46383. Representative: H. E. Miller, Jr. (same address as applicant). To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *refrigerated ice dispensers*, in bags, *metal telephone booths, space heaters*, and *cooking stoves*, between Belleville and Evansville, IL, on the one hand, and, on the other, points in the United States (except AK, HI, and IL). (Hearing site: St. Louis, MO.)

MC 123407 (Sub-536F), filed February 5, 1979. Applicant: SAWYER TRANSPORT, INC., South Haven Square, U.S. Hwy 6, Valparaiso, IN 46383. Representative: H. E. Miller, Jr. (same address as applicant). To operate as a *common carrier*, by motor vehicle,

in interstate or foreign commerce, over irregular routes, transporting *buildings* knocked down or in sections, and *building parts*, from Dallas, TX, to points in AR, AZ, KS, LA, MO, MS, NM, and OK. (Hearing site: Dallas, TX.)

MC 123407 (Sub-540F), filed February 1, 1979. Applicant: SAWYER TRANSPORT, INC., South Haven Square, U.S. Hwy 6, Valparaiso, IN 46383. Representative: H. E. Miller, Jr. (same address as applicant). To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *buildings*, from Houston, TX, to points in AR, LA, OK, WY, KS, MS, NM, AZ, CA, CO, WA, OR, and UT. (Hearing site: Houston, TX.)

MC 123407 (Sub-541F), filed February 5, 1979. Applicant: SAWYER TRANSPORT, INC., South Haven Square, U.S. Hwy 6, Valparaiso, IN 46383. Representative: H. E. Miller, Jr. (same address as applicant). To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting (1) *construction materials*, and (2) *materials, equipment, and supplies* used in the manufacture and distribution of construction materials, between points in the United States (except AK and HI), restricted in (1) above to the transportation of traffic originating at the facilities of the Celotex Corporation, and restricted in (2) above to the transportation of traffic destined to the above named facilities. (Hearing site: Washington, DC, or Chicago, IL.)

MC 123407 (Sub-543F), filed February 1, 1979. Applicant: SAWYER TRANSPORT, INC., South Haven Square, U.S. Hwy 6, Valparaiso, IN 46383. Representative: H. E. Miller, Jr. (same address as applicant). To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *buildings*, from Spanish Fork, UT, to points in the United States (except AK and HI). (Hearing site: Houston, TX.)

MC 123407 (Sub-545F), filed February 6, 1979. Applicant: SAWYER TRANSPORT, INC., South Haven Square, U.S. Hwy 6, Valparaiso, IN 46383. Representative: H. E. Miller, Jr. (same address as applicant). To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting (1) *aluminum and zinc die castings, plastic injection moldings, doors and windows*, and (2) *materials and supplies* used in the manufacture and distribution of the commodities named in (1) above, (a) from St. Paul, MN, and Rice Lake and

Turtle Lake, WI, to points in the United States (except LA, MS, AR, GA, NC, IL, IA, MO, and TN), and (b) from points in the United States (except LA, NY, MI, OH, PA, VA, MO, TN, and IL), to the origins in (a) above. (Hearing site: St. Paul, MN.)

MC 124236 (Sub-94F), filed February 5, 1979. Applicant: CHEMICAL EXPRESS CARRIERS, INC., 1200 Simons Building, Dallas, TX 75201. Representative: Sam Hallman, 4555 First National Bank Building, Dallas, TX 75202. To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *cement*, from Pryor, OK, to points in AR. (Hearing site: Dallas, TX, or Tulsa, OK.)

MC 124887 (Sub-67F), filed February 1, 1979. Applicant: SHELTON TRUCKING SERVICE, INC., Route 1, Box 230, Altha, FL 32421. Representative: Sol H. Proctor, 1101 Blackstone Building, Jacksonville, FL 32202. To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting (1) *refractories, magnesite, magnesite products, limestone, and limestone products*, from the facilities of Basic, Inc., at or near Maple Grove and Bettsville, OH, to points in TN, NC, SC, AL, FL, TX, VA and GA, and (2) *magnesite and magnesite products*, from Port St. Joe, FL, to those points in the United States in and east of ND, SD, NE, KS, OK and TX. (Hearing site: Jacksonville or Tallahassee, FL.)

MC 127187 (Sub-48F), filed February 5, 1979. Applicant: FLOYD DUENOW, INC., 1728 Industrial Park Blvd., Fergus Falls, MN 56537. Representative: James B. Hovland, 414 Gate City Building, P.O. Box 1680, Fargo, ND 58107. To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *agricultural chemicals* (except in bulk, in tank vehicles), from Great Falls, MT, (1) to points in CO, IA, ID, KS, MN, MO, NE, ND, OH, OR, SD, WA, and WI, and (2) to ports of entry on the international boundary line between the United States and Canada at points in MT. (Hearing site: Fargo, ND.)

MC 128616 (Sub-26F), filed February 6, 1979. Applicant: GELCO COURIER SERVICES, INC., P.O. Box 1975, St. Paul, MN 55111. Representative: Sally G. Galway (same address as applicant). To operate as a *contract carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *commercial papers, documents, and written instruments*, as are used in the business of banks and banking institutions, (except currency and negotiable securities), (1) between

those points in IN on and south of U.S. Hwy 40 and points in Jefferson and Daviess Counties, KY, and (2) between Cincinnati, OH, on the one hand, and, on the other points in KY, under continuing contract(s) with banks and banking institutions. (Hearing site: Louisville, KY, or Indianapolis, IN.)

MC 133566 (Sub-129F), filed February 5, 1979. Applicant: GANGLOFF & DOWNHAM TRUCKING COMPANY, INC., P.O. Box 479, Logansport, IN 46947. Representative: Thomas J. Beener, Suite 4959, One World Trade Center, New York, NY 10048. To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *meats, meat products, and meat byproducts*, and *articles* distributed by meat-packing houses, as described in sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, (except hides and commodities in bulk), from the facilities used by Fischer Packing Co., a subsidiary of Wilson Foods Corporation, at Louisville, KY, to points in CT, DE, ME, MD, MA, NH, NJ, NY, PA, RI, VT, VA, and DC, restricted to the transportation of traffic originating at the named origins and destined to the indicated destinations. (Hearing site: Dallas, TX, or Kansas City, MO.)

MC 133566 (Sub-130F), filed February 5, 1979. Applicant: GANGLOFF & DOWNHAM TRUCKING COMPANY, INC., P.O. Box 479, Logansport, IN 46947. Representative: Thomas J. Beener, Suite 4959, One World Trade Center, New York, NY 10048. To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *malt liquor*, from Trenton, NJ, to points in MI, IL, IN, TN, OH, KY, IA, MN, WI, NE, KS, MO, GA, and FL. (Hearing site: New York, NY.)

MC 134286 (Sub-94F), filed February 5, 1979. Applicant: ILLINI EXPRESS, INC., P.O. Box 1564, Sioux City, IA 51102. Representative: Julie Humbert (same address as applicant). To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *foodstuffs* (except in bulk), from the facilities of Vlassic Foods, Inc., at or near Memphis, Bridgeport, and Imlay City, MI, to points in ND, SD, NE, KS, NM, IA, MO, WI, IL, IN, OH, MI, PA, A and NY. (Hearing site: Sioux City, IA, or Denver, CO.)

MC 134477 (Sub-323F), filed February 2, 1979. Applicant: SCHANNO TRANSPORTATION, INC., 5 West Mendota Road, West St. Paul, MN 55118.

Representative: Robert P. Sack, P.O. Box 6010, West St. Paul, MN 55118. To operate as a *common carrier*, by motor vehicles, in interstate or foreign commerce, over irregular routes, transporting *cleaning and washing compounds, buffing and polishing compounds, textile softener, lubricants, hypochlorite solution, deodorants, disinfectants, paints, plastic bags, and filters*, (except commodities in bulk), from the facilities of Economics Laboratory, Inc. at or near Joliet, IL, to points in CO, IA, MO, NE, and SD. (Hearing site: St. Paul, MN.)

MC 135797 (Sub-178F), filed February 5, 1979. Applicant: J. B. HUNT TRANSPORT, INC., P.O. Box 200, Lowell, AR 72745. Representative: Paul R. Bergant (same address as applicant). To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *pallets*, from Fayetteville, AR, to points in IA, KS, MO, OK, and TX. (Hearing site: Little Rock, AR.)

MC 136786 (Sub-147F), filed February 5, 1979. Applicant: ROBCO TRANSPORTATION, INC., 4333 Park Avenue, Des Moines, IA 50321. Representative: William L. Libby, 7525 Mitchell Road, Eden, Prairie, MN 55343. To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting (1) *meats, meat products, and meat byproducts*, and *articles* distributed by meat-packing houses, as described in sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), and (2) *foodstuffs* (except the commodities described in (1) above), in mixed loads with the commodities named in (1) above, from the facilities of Oscar Mayer & Co., Inc., at (a) Beardstown, IL, and (b) points in IA, to points in PA, NJ, NY, NC, MD, SC, and VA. (Hearing site: Minneapolis, MN, or Madison, WI.)

MC 138946 (Sub-12F), filed February 1, 1979. Applicant: MARKET TRANSPORT, LTD., 33 NE Middlefield Road, Portland, OR 97211. Representative: Mick I. Goyak, 555 Benjamin Franklin Plaza, One SW Columbia, Portland, OR 97528. To operate as a *contract carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *empty containers*, from Portland and Beaverton, OR, to Winters, CA, under continuing contract(s) with Columbia Distributing Co. Maletis, Inc., and Portland Distributing Co., both of

Portland, OR. (Hearing site: Portland, OR, or San Francisco, CA.)

Note.—Dual operations may be involved.

MC 139006 (Sub-8F), filed February 1, 1979. Applicant: RAPIER SMITH, R. R. 5, Loretto Road, Bardstown, KY 40004. Representative: Robert H. Kinker, 314 West Main Street, P.O. Box 464, Frankfort, KY 40602. To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *wooden barrels*, (1) between Pekin, IL, and Overpeck, OH, (2) from Lebanon, KY, to Tullahoma, TN, and (3) from Tullahoma, TN, to points in KY. (Hearing site: Cincinnati, OH.)

MC 140277 (Sub-10F), filed February 2, 1979. Applicant: VAN ZEE EXPRESS, LTD., 1612 North Cliff, Sioux Falls, SD 57103. Representative: M. Mark Menard, P.O. Box 480, Sioux Falls, SD 57101. To operate as a *contract carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *bags, envelopes, packets, pouches, wrappers and bag ties*, from Sioux Falls, SD, to Baltimore, MD, South Plainfield, NJ and points in Kansas and Oklahoma, under continuing contract(s) with American Western Corporation of Sioux Falls, SD. (Hearing site: Sioux Falls, SD or Sioux City, IA.)

MC 140717 (Sub-13F), filed January 25, 1979. Applicant: JULIAN MARTIN, INC., P.O. Box 3348 (Highway 25 West), Batesville, AR 72501. Representative: Theodore Polydoroff, Suite 301, 1307 Dolley Madison Blvd., McLean, VA 22101. To operate as a *contract carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *meats, meat products and articles distributed by meat packing houses as defined in Sections A and C of Appendix I to the report in the Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the facilities of Swift & Co. at (a) Rochelle and St. Charles, IL; (b) Glenwood, Des Moines, Marshalltown and Sioux City, IA; and (c) Grand Island, NE, to points in CA, AZ, UT, OR, WA and NV, under continuing contracts with Swift & Co. of Chicago, IL. (Hearing site: Chicago, IL.)

Note.—Dual operations may be involved.

MC 141167 (Sub-6F), filed January 25, 1979. Applicant: LANGDON TRANSPORTATION, INC., 5202 Industry Avenue, Pico Rivera, CA 90660. Representative: Milton W. Flack, 4311 Wilshire Blvd., Suite 300, Los Angeles, CA 90010. To operate as a *contract carrier, by motor vehicle in interstate or*

foreign commerce, over irregular routes, transporting (1) plastic articles (except commodities in bulk), from the facilities of Amoco Container Company, at La Mirada, CA, to points in the United States (except AK, CA and HI); (2) materials, equipment and supplies, used in the manufacture of the commodities named in (1) above, (except commodities in bulk and those requiring special equipment), (a) between the facilities of Amoco Container Company, at La Mirada, CA, Orlando, FL, Monroe, GA, Seymour, IN, Mora and St. Paul, MN, Langhorne, PA, Beech Island, SC, and Chippewa Falls, WI; and (b) from Tarpon Springs, FL, New Hyde Park, NY, Greer, SC, and Arlington, TX, to the facilities of Amoco Container Company, at La Mirada, CA, all of the services in (1) and (2) above to be performed under continuing contract(s) with Amoco Container Company at La Mirada, CA. (Hearing: Los Angeles, CA.)

MC 142857 (Sub-3F), filed February 5, 1979. Applicant: MCC TRANSPORTATION CO., INC., 1311 West Seventh Street, Little Rock, AR 72201. Representative: Mark J. Andrews, Suite 1000, 1660 L Street, NW, Washington, DC 20036. To operate as a contract carrier, by motor vehicle, in interstate or foreign commerce, over irregular routes, (1) unfrozen bakery products, from the facilities of Meyer's Bakeries, Inc., at or near Blytheville and Hope, AR, to points in the United States (except AK and HI), and (2) equipment, materials, and supplies used in the manufacture and distribution of the commodities named in (1) above, (except commodities in bulk) and flour, in bulk, in the reverse direction, under continuing contract(s) with Meyer's Bakeries, Inc., of Little Rock, AR. CONDITION: Prior or coincidental cancellation at applicant's written request of permit in MC-142857 Sub 1 issued December 18, 1977. (Hearing site: Washington, DC, or Little Rock, AR.)

MC 143267 (Sub-48F), filed January 22, 1979. Applicant: CARLTON ENTERPRISES, INC., 4588 State Route 82, Mantua, OH 44255. Representative: Neal A. Jackson, 1155 15th Street, N.W., Washington, DC 20005. To operate as a common carrier, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting plastic drain channels and gratings for plastic drain channels, from the facilities of ACO Drain Incorporated at or near Chardon, OH, to those points in the United States in and east of MN, IA, MO, KS, OK, and TX. (Hearing site: Cleveland, OH, or Washington, DC.)

MC 143616 (Sub-15F), filed February 2, 1979. Applicant: M & S TRANSPORT LINES, INC., P.O. Box 417, Sultana, CA 93666. Representative: Dwight L. Koerber, Jr., 805 McLachlen Bank Building, 666 Eleventh Street, NW, Washington, DC 20001. To operate as a contract carrier, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting wire and steel coil, from Hope, AR, to points in the United States (except AK, HI, and AR), under continuing contract(s) with Hope Wire Products of Hope, AR. (Hearing site: Washington, DC.)

Note.—Dual operations may be involved.

MC 143616 (Sub-16F), filed February 2, 1979. Applicant: M & S TRANSPORT LINES, INC., P.O. Box 417, Sultana, CA 93666. Representative: Dwight L. Koerber, Jr., 805 McLachlen Bank Building, 666 Eleventh Street, N.W., Washington, DC 20001. To operate as a contract carrier, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting materials and supplies used in the manufacture of tractor trailer hitches, (except commodities in bulk), between points in the United States under continuing contract(s) with (1) Holland Pacific Hitch Company of Milpitas, CA, (2) Holland Hitch Company, (3) Holland Hitch Forwarding Company, (4) Holland Atlant Hitch Company, (5) Holland Hitch of Texas Company, (6) Holland Wire Products Company, (7) Holland Hitch of Canada Company, and (8) Holland Hitch R.V.E. Condition: Applicant must submit additional evidence on its status as a contract carrier under the criteria set forth in Ex Parte No. MC-119 Policy Statement Regarding the "Rule of Eight" in contract carrier applications served January 8, 1979. (Hearing site: San Francisco, CA, or Washington, DC.)

Note.—Dual operations may be involved.

MC 144117 (Sub-29F), filed February 5, 1979. Applicant: T. L. C. LINES, INC., 1666 Fabick Drive, P.O. Box 1090, Fenton, MO 63026. Representative: Jack H. Blanshan, Suite 200, 205 West Touhy Avenue, Park Ridge, IL 60068. To operate as a common carrier, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting foodstuffs (except frozen foods, and commodities in bulk), in vehicles equipped with mechanical refrigeration, from the facilities of Hershey Chocolate Company, Div. of Hershey Foods Corp., at Derry Township, (Dauphin County) PA, and the facilities of Y & S Candies, Inc. at East Hempfield Township, (Lancaster County) PA, to points in AZ, CA, CO, ID,

MT, NV, NM, OR, UT, WA, and WY, restricted to the transportation of traffic originating at the named origin facilities. (Hearing site: Pittsburgh or Philadelphia, PA.)

MC 144716 (Sub-1F), filed February 1, 1979. Applicant: M. D. NELSEN, d.b.a. NELSEN TRANSPORTATION COMPANY, Newman Grove, NE 68758. Representative: Steven K. Kuhlmann, P.O. Box 82028, Lincoln, NE 68501. To operate as a common carrier, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting iron and steel articles, from the facilities of Norfolk Iron & Metal Company, at or near Norfolk, NE, to points in CO, IL, IN, IA, KS, MI, MN, MO, MT, ND, OK, SD, UT, WI, and WY. (Hearing site: Omaha, NE.)

MC 145317 (Sub-3F), filed February 1, 1979. Applicant: QUALITY SERVICE TANK LINES, INC., 9022 Perrin Beitel, San Antonio, TX 78217. Representative: Charles E. Munson, 500 West Sixteenth St., P.O. Box 1945, Austin, TX 78767. To operate as a common carrier, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting cement, in bulk, from points in Nueces County, TX, to points in LA, AR, and OK. (Hearing site: Corpus Christi or Dallas, TX.)

MC 145837 (Sub-2F), filed February 1, 1979. Applicant: WIRT TRANSPORT CO., 400 Martin Street, Bay City, MI 48706. Representative: Martin J. Leavitt, 22375 Haggerty Road, P.O. Box 400, Northville, MI 48167. To operate as a contract carrier, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting fly ash, from the facilities of the Consumers Power Company at Essexville, West Olive, Erie, Lansing and Muskegon, MI, to points in IL, IN, and OH, under continuing contract(s) with Consumers Power Company of Jackson, MI. (Hearing site: Washington, DC, or Chicago, IL.)

MC 145877 (Sub-1F), filed January 26, 1979. Applicant: DAVID L. HUSTED, d.b.a. COMMUNITY CAB COMPANY, 709½ N. Mead St., St. Johns, MI 48879. Representative: David L. Husted (same address as applicant). To operate as a contract carrier, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting automotive parts, between the facilities of Federal Mogul Corp. at St. Johns, MI, on the one hand, and, on the other, points in OH, IN, IL, IA, and MI, under a continuing contract(s) with Federal Mogul Corp. of St. Johns, MI. (Hearing site: Lansing, MI or Detroit, MI.)

MC 146177 (Sub-2F), filed February 2, 1979. Applicant: DEAN W. KRUIZE, d.b.a. KRUIZE TRUCKING, Route #1, Sibley, IA 51249. Representative: Edward A. O'Donnell, 1004—29th Street, Sioux City, IA 51104. To operate as a *contract carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *feed and feed ingredients*, from the facilities of Farmland Industries, Inc., at or near Corson, SD, to the facilities of Farmers Co-Op Elevator of Sibley, at or near Sibley, IA, under continuing contract(s) with Farmers Co-Op Elevator of Sibley, IA.

[Decision Volume No. 45]

[FR Doc. 79-14241 Filed 5-4-79; 8:45 am]

BILLING CODE 7035-01-M

Sunshine Act Meetings

Federal Register

Vol. 44, No. 89.

Monday, May 7, 1979

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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1

CIVIL AERONAUTICS BOARD.

[M-216 Amdt. 2; May 2, 1979]

Notice of deletion of item from the May 3, 1979 meeting agenda.

TIME AND DATE: 10 a.m., May 3, 1979.

PLACE: Room 1027, 1825 Connecticut Avenue NW., Washington, D.C. 20428.

SUBJECT: 3. Docket 35093, Exemption application of Deutsche Lufthansa Aktiengesellschaft (BIA, OGC, BPDA, BLJ).

STATUS: Open.

PERSON TO CONTACT: Phyllis T. Kaylor, the Secretary (202) 673-5068.

SUPPLEMENTARY INFORMATION: BIA's proposed draft order would have granted Lufthansa and exemption and delineated a policy on 402 exemptions for future application. Since the policy statement should receive more thorough consideration than the timing of the Lufthansa item would allow, Item 3 should be deleted from the May 3, 1979 agenda. Lufthansa's exemption—without a policy statement—was granted by BIA under delegated authority since existing policy affecting it is clear. The proposed 402 exemption policy will be sent to the Board in a few days, as an information memorandum. Accordingly, the following Members have voted that agency business requires the deletion of Item 3 to the May 3, 1979 agenda and that no earlier announcement of this deletion was possible:

Chairman Marvin S. Cohen

Member Richard J. O'Melia
Member Elizabeth E. Bailey
Member Gloria Schaffer

[S-904-79 Filed 5-3-79; 3:35 pm]

BILLING CODE 6320-01-M

2

CIVIL AERONAUTICS BOARD.

[M-216 Amdt. 3; May 2, 1979]

Notice of deletion of item from the May 3, 1979 meeting agenda.

TIME AND DATE: 10 a.m., May 3, 1979.

PLACE: Room 1027, 1825 Connecticut Avenue NW., Washington, D.C. 20428.

SUBJECT: 13. Docket 29789, Houston/New Orleans-Yucatan Route Proceeding (memo 6382-F., OGC).

STATUS: Open.

PERSON TO CONTACT: Phyllis T. Kaylor, the Secretary (202) 673-5068.

SUPPLEMENTARY INFORMATION: Item 13 is being deleted from the May 3, 1979 agenda because Chairman Cohen needs additional time to review the case. Accordingly, the following Members have voted that agency business requires the deletion of Item 13 to the May 3, 1979 agenda and that no earlier announcement of this deletion was possible:

Chairman Marvin S. Cohen
Member Richard J. O'Melia
Member Elizabeth E. Bailey
Member Gloria Schaffer

[S-905-79 Filed 5-3-79; 3:35 pm]

BILLING CODE 6320-01-M

3

CONSUMER PRODUCT SAFETY COMMISSION.

Agenda

TIME AND DATE: 10 a.m., Wednesday, March 28, 1979.

LOCATION: Room 456, Westwood Tower, 5401 Westbard Avenue, Bethesda, Md.

STATUS: Open to the public—

Matters To Be Discussed

1. *Benzidine Dyes; Petition CP 79-1.*—The staff will brief the Commission on issues related to the possible carcinogenicity of certain benzidine-type dyes. In November, 1978, Artist Craftsmen of New York, Inc. and others, petitioned the Commission to ban benzidine-type dyes. The Commission plans to consider this petition at its April 5 meeting.

2. *Briefing on Chain Saw Voluntary Standard Development.*—The staff will brief the Commission on the status of efforts by the Chain Saw Manufacturers Association to develop a voluntary safety standard to

address risks associated with "kickback" of chain saws. The Commission has been participating in CSMA's standards development process.

3. *Briefing on Teratology Project.*—The staff will brief the Commission on possible teratological reproductive problems associated with room deodorizers and room odorizers.

Agenda approved March 16, 1979.

CONTACT PERSON FOR ADDITIONAL

INFORMATION: Sheldon D. Butts, Assistant Secretary, suite 300, 1111 18th Street NW., Washington, D.C. 20207 (202) 634-7700.

[S-883-79 Filed 5-3-79; 8:56 am]

BILLING CODE 6355-01-M

4

CONSUMER PRODUCT SAFETY COMMISSION.

Revised Agenda¹

TIME AND DATE: 9:30 a.m., Thursday, March 29, 1979.

LOCATION: Third floor hearing room, 1111 18th Street NW., Washington, D.C.

STATUS: Open to the public—

Matters To Be Discussed

1. *Television Receivers: Fire Containment.*—In November, 1977, the commission terminated part of its standards development proceeding for television receivers. At that time, the Commission also extended until April 30, 1979 the time for developing a safety standard addressing fire hazards associated with televisions or withdrawing the proceeding. At this meeting, the Commission will consider extending the development time in order for the staff to continue its examination of subpoenaed data on televisions.

2. *Asbestos.*—The staff and Commission will discuss information which CPSC has on asbestos, as well as information on the actions other agencies are taking. In July, 1977, the Commission granted, in part, a petition in which the Health Resource Group asked the Commission to take action on certain asbestos containing products. At this meeting, the Commission will consider the other portions of that petition, HP 77-9.

In addition, based on new information it has received, the Commission will discuss the obtaining of further information on asbestos that may be present in some hand-held hair dryers.

CONTACT PERSON FOR ADDITIONAL INFORMATION: Sheldon D. Butts,

¹ Agenda approved March 16. Agenda revised March 27, with the addition of the second paragraph of Item 2.

Assistant Secretary, suite 300, 1111, 18th Street NW., Washington, D.C. 20207 (202) 634-7700.

[S-884-79 Filed 5-3-79; 8:58 am]

BILLING CODE 6355-01-M

5

CONSUMER PRODUCT SAFETY COMMISSION.

Revised Agenda¹

TIME AND DATE: 2 p.m., Friday, March 30, 1979.

LOCATION: Eight floor conference room, 1111 18th Street NW., Washington, D.C.

STATUS: Closed to the public—

Carcinogen Policy Litigation

The staff and Commission will continue their discussion of issues related to this case, *Dow Chemical v. CPSC* (Civil Action 78-1166, W.D. La., 1979). The Commission held other meetings on this matter March 1, 7, 15 and 22, closed under exemption 10: litigation).

CONTACT PERSON FOR ADDITIONAL

INFORMATION: Sheldon D. Butts, assistant Secretary, suite 300, 1111, 18th Street NW., Washington, D.C. 20207 (202) 634-7700.

[S-885-79 Filed 5-3-79; 8:45 am]

BILLING CODE 6355-01-M

6

CONSUMER PRODUCT SAFETY COMMISSION.

Revised Agenda¹

TIME AND DATE: Commission briefing, 10 a.m., Wednesday, April 4, 1979.

LOCATION: Room 456, Westwood Towers, 5401 Westbard Avenue, Bethesda, Md.

STATUS: Part open, part closed—A. Open to the public:

Matters To Be Discussed

1. *Briefing on Emerging Hazards: Home Wiring Systems.*—The staff will brief the Commission on its recommendation that the Commission establish a priority project on the hazards of residential fires associated with electrical wiring or components.

B. Closed in part to the public—Open in part:

2. *Briefing on Benzene Ban.*—In May, 1978, the Commission proposed to ban benzene as an ingredient or contaminant in consumer products. At this meeting, the staff will brief the Commission on options for Commission action on the proposal. The Commission has voted to close portions of this briefing under exemption 9: possible significant frustration of agency action.

¹ Agenda approved March 23, 1979. Time changed March 29, from 10 a.m. to 2 p.m.

² Agenda approved March 23, 1979. Agenda revised March 30 to change the order of the items, and to close portions of the Benzene Ban discussion.

CONTACT PERSON FOR ADDITIONAL

INFORMATION: Sheldon D. Butts, Assistant Secretary, suite 300, 1111, 18th Street NW., Washington, D.C. 20207 (202) 634-7700.

[S-886-79- Filed 5-3-79; 8:58 am]

BILLING CODE 6355-01-M

7

CONSUMER PRODUCT SAFETY COMMISSION.

Revised Agenda¹

TIME AND DATE: 9:30 a.m., Thursday, April 5, 1979.

LOCATION: Third floor hearing room, 1111 18th Street NW., Washington, D.C.

STATUS: Open to the public.

Matters To Be Discussed

1. *Possible Substantial Product Hazard: Crib Rails, ID 78-92, -98, and -99.*—The staff has recommended that the Commission accept and monitor the corrective action plans in this matter involving possible hazards associated with plastic teething rails for cribs. The corrective action has been implemented by Okla Homer Smith Furniture, the manufacturer, and by Sears, Roebuck & Co. and Montgomery Ward & Co., who sold the cribs.

2. *Possible Substantial Product Hazard: Bench Grinders, ID 78-78, -110, -111, -112, and -113 (OS 646).*—The staff has recommended that the Commission accept and monitor the corrective action plans in this matter involving certain six-inch bench grinders manufactured by McGraw-Edison, and sold by Montgomery Ward & Co., J. C. Penney, Inc., K-Mart Corp., and Western Auto.

3. *Possible Substantial Product Hazard: Refrigerator/Freezer Defrost Timers, ID 79-1, and -4.*—The staff has recommended that the Commission accept and monitor the corrective action plans in this matter involving a possible shock hazard associated with certain timers for refrigerator/freezers. Mallory manufactured the timers, which are used in refrigerator/freezers sold by Sears, Roebuck & Co.

4. *Possible Substantial Product Hazard: Automatic Fire and Burglar Control Corp., fire and burglar alarm, ID 78-11 (OS 643).*—The staff has recommended that the Commission accept and monitor the corrective action plan meant to correct a possible fire hazard associated with certain fire and burglar alarms manufactured by this firm.

5. *Final PPPA Exemption: Cholestyramine.*—In February, 1974, the Commission proposed to exempt anhydrous cholestyramine in powder form from child-resistant packaging requirements of the Poison Prevention Packaging Act. At that time, the Commission also stayed the special packaging requirement for the drug. At this meeting, the Commission will consider a final exemption for the drug.

CONTACT PERSON FOR ADDITIONAL

INFORMATION: Sheldon D. Butts,

Assistant Secretary, Office of the Secretary, suite 300, 1111 18th Street NW., Washington, D.C. 20207, (202) 634-7700.

[S-887-79 Filed 5-3-79; 8:58 am]

BILLING CODE 6355-01-M

8

CONSUMER PRODUCT SAFETY COMMISSION.

Revised Agenda¹

TIME AND DATE: 9:30 a.m., Wednesday, April 11, 1979.

LOCATION: Third floor hearing room, 1111 18th Street NW., Washington, D.C.

STATUS: Part open, part closed—A. Open to the public.

Matters to be Considered

1. *Briefing on Export Regulation.*—The staff will brief the Commission on a proposed regulation to implement requirements for notifying the Commission before export of items that do not comply with CPSC standards and regulations. The staff and Commission will discuss the possible need to reconsider existing Commission policies in light of the Commission's reauthorization act of 1978, and in light of possible formulation of a government-wide policy on the export of noncomplying items.

2. *Briefing on Asbestos in Hair Dryers.*—The staff will report to the Commission on the status of actions it is taking with regard to possible hazards associated with asbestos in hand-held hair dryers. The staff met with manufacturers and retailers of hair dryers in a public meeting April 5.

B. Closed to the public.

3. *Briefing on Civil Penalty Matter, Case Project No. 782218; CA 79-9.*—The staff will brief the Commission on actions it proposes to take on this enforcement matter. Closed under exemption 10: possible civil action.

CONTACT PERSON FOR ADDITIONAL

INFORMATION: Sheldon D. Butts, Assistant Secretary, suite 300, 1111 18th Street NW., Washington, D.C. 20207 (202) 634-7700.

[S-888-79 Filed 5-3-79; 8:58 am]

BILLING CODE 6355-01-M

¹ Agenda approved March 30. Revised April 10, with the deletion of the Briefings on a Uniform Safety Alert Symbol, and the addition of the Briefings on Asbestos in Hair Dryers, and on the Civil Penalty Matter. In voting to add these items, the Commission determined that agency business requires consideration of the items without seven days advance notice.

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CONSUMER PRODUCT SAFETY COMMISSION.**Revised Agenda¹****TIME AND DATE:** 9:30 a.m., Thursday, April 12, 1979.**LOCATION:** Third floor hearing room, 1111 18th Street NW., Washington, D.C.**STATUS:** Open to the public.**Matters to be Discussed**

1. *Emerging Hazards: Home Wiring Systems.*—The Commission will consider a staff recommendation that it establish a priority project on the hazards of home fires associated with electrical wiring or components. The staff briefed the Commission on this matter on April 4.

2. *CB Antennas.*—The Commission will consider issues related to a possible standard for Citizens' Band base-station antennas and television antennas. In June, 1978, the Commission issued labeling regulations to warn of possible electrocution hazards associated with these antennas. The staff briefed the Commission on this matter February 28, 1979.

3. *Benzene Ban.*—In May, 1978, the Commission proposed to ban benzene as an ingredient or contaminant in consumer products. At this meeting, the Commission will consider options for actions on that proposal. The staff briefed the Commission on this matter April 4.

CONTACT PERSON FOR ADDITIONAL INFORMATION: Sheldon D. Butts, Assistant Secretary, suite 300, 1111 18th Street NW., Washington, D.C. 20207 (202) 634-7700.

[S-889-79 Filed 5-3-79; 8:58 am]

BILLING CODE 6355-01-M

10

CONSUMER PRODUCT SAFETY COMMISSION.**TIME AND DATE:** 9:30 a.m., Wednesday, April 18, 1979.**LOCATION:** Third floor hearing room 1111 18th Street NW., Washington, D.C.**STATUS:** Open to the public.**Matters To Be Discussed**

1. *Briefing on Boston Burn Demonstration Project.*—CPSC staff and staff from Project Burn Prevention will brief the Commission on Phase III of a four-year study meant to reduce the burn injury rate in Boston through an experimental program designed to promote preventive and emergency behavior.

2. *Briefing on Status of Older Projects.*—The staff will brief the Commission on its analysis of older, non-priority projects not on the Commission's Operating Plan, and will make recommendations for realigning the list of projects under CPSC consideration.

CONTACT PERSON FOR ADDITIONAL INFORMATION: Sheldon D. Butts, Assistant Secretary, suite 300, 1111 18th

¹ Agenda approved March 30, 1979; revised April 3 to add item on CB Antennas (previously scheduled for April 5).

Street NW., Washington D.C. 20207 (202) 634-7700.

Agenda approved April 10, 1979.

[S-890-79 Filed 5-3-79; 8:58 am]

BILLING CODE 6355-01-M

11

CONSUMER PRODUCT SAFETY COMMISSION.**Revised Agenda¹****TIME AND DATE:** Commission meeting, 9:30 a.m., Thursday, April 19, 1979.**LOCATION:** Third floor hearing room, 1111 18th Street NW., Washington, D.C.**STATUS:** Part open, part closed—A. Open to the public.**Matters To Be Discussed**

1. *Export Regulation.*—The Commission and staff will discuss implementation of requirements for notifying the Commission before export of items that do not comply with CPSC standards and regulations. The Commission will also consider the possible need to reexamine existing policies in light of the Commission's 1978 Reauthorization act, and in light of possible formulation of a government-wide policy on the export of noncomplying items. The staff briefed the Commission on this matter April 11.

2. *Hair Dryers/Asbestos: Status Briefing.*—The staff will report to the Commission on the status of actions it is taking with regard to possible hazards associated with asbestos in hand-held hair dryers.

B. Partly open, partly closed to the public.

3. *Amusement Ride Activities: Summer of 1979.*—The staff will brief the Commission on actions the staff plans to take during the summer of 1979 to help reduce injuries associated with amusement rides. The staff will also discuss issues related to ongoing litigation involving amusement rides; This latter portion will be closed to the public (closed under exemption 10: litigation).

C. Closed to the public.

4. *Aluminum Wiring Litigation.*—The staff and Commission will discuss legal issues related to this case involving aluminum wiring (*CPSC v. Anaconda*, Civil Action #78-1054 and 78-1070, DC Cir.). Closed under exemption 10: litigation.

CONTACT PERSON FOR ADDITIONAL INFORMATION: Sheldon D. Butts, Assistant Secretary, Office of the Secretary, suite 300, 1111 18th Street NW., Washington, D.C. 20207 (202) 634-7700.

[S-891-79 Filed 5-3-79; 8:58 am]

BILLING CODE 6355-01-M

¹ Agenda approved April 10, 1979. Agenda revised April 13, with the addition of items 2 and 3. Agenda revised April 17 with the addition of item 4. In adding these items, the Commission determined that agency business requires considering these matters without seven days advance notice.

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CONSUMER PRODUCT SAFETY COMMISSION.**TIME AND DATE:** 9:30 a.m. (10 a.m., April 27), Wednesday, April 25, Thursday, April 26, and Friday, April 27 (if needed).**LOCATION:** Third floor hearing room, 1111 18th Street NW., Washington, D.C.**STATUS:** Open to the public.**Matters To Be Discussed**

Operating Plan.—The Commission and staff will discuss issues related to CPSC's Operating Plan for Fiscal Year 1980.

CONTACT PERSON FOR ADDITIONAL INFORMATION: Sheldon D. Butts, Assistant Secretary, suite 300, 1111 18th Street NW., Washington, D.C. 20207 (202) 634-7700.

Agenda approved April 13, 1979.

[S-892-79 Filed 5-3-79; 8:58 am]

BILLING CODE 6355-01-M

13

CONSUMER PRODUCT SAFETY COMMISSION.**Revised Agenda¹****TIME AND DATE:** 10 a.m., Thursday, May 3, 1979.**LOCATION:** Room 456, Westwood Towers, 5401 Westbard Avenue, Bethesda, Md.**STATUS:** Open to the public.**Matters To Be Considered**

1. *Hair Dryers/Asbestos.*—The staff will report to the Commission on the status of actions it is taking to deal with possible hazards associated with asbestos in hand-held hair dryers.

2. *Operating Plan.*—The Commission and staff will discuss the Evaluation Program, as part of the continuing consideration of CPSC's Operating Plan for Fiscal Year 1980. The Commission previously discussed the Operating Plan at meetings on April 25, 26 and 27.

CONTACT PERSON FOR ADDITIONAL INFORMATION: Sheldon D. Butts, Assistant Secretary, suite 300, 1111 18th Street NW., Washington, D.C. 20207 (202) 634-7700.

[S-893-79 Filed 5-3-79; 8:58 am]

BILLING CODE 6355-01-M

14

FEDERAL COMMUNICATIONS COMMISSION.**TIME AND DATE:** 9:30 a.m., Thursday, May 3, 1979.

¹ Agenda revised April 30 to add item 1. The Commission previously revised the agenda April 27, by deciding to consider the Operating Plan at this meeting, rather than considering the previously-scheduled Selection of Toxicological Advisory Board (TAB) members, which will be rescheduled.

PLACE: Room 856, 1919 M Street NW., Washington, D.C.

STATUS: Closed Commission meeting following the special open meeting.

MATTER TO BE CONSIDERED:

Agenda, Item Number, and Subject

General—1—Proposed agreement between the United States and Mexico concerning the use of the frequencies in the 470-512 and 806-890 MHz bands for land mobile purposes along the U.S./Mexican border.

This meeting may be continued the following work day to allow the Commission to complete appropriate action.

Additional information concerning this meeting may be obtained from the FCC Public Affairs Office, telephone number (202) 632-7260.

Issued: May 2, 1979.

[S-895-79 Filed 5-3-79; 10:55 am]

BILLING CODE 6712-01-M

15

FEDERAL COMMUNICATIONS COMMISSION.

TIME AND DATE: 9:30 a.m., Tuesday, May 8, 1979.

PLACE: Room 856, 1919 M Street NW., Washington, D.C.

STATUS: Special open Commission meeting.

MATTER TO BE CONSIDERED:

Agenda, Item Number, and Subject

Broadcast—1—Notice of Inquiry concerning Deregulation of Commission Rules.

Broadcast—2—Notice of Proposed Rulemaking concerning Deregulation of Large Radio Markets.

This meeting may be continued the following work day to allow the Commission to complete appropriate action.

Additional information concerning this meeting may be obtained from the FCC Public Affairs Office, telephone number (202) 632-7260.

Issued: May 2, 1979.

[S-6712-01 Filed 5-3-79; 10:55 am]

BILLING CODE 6712-01-M

16

FEDERAL ELECTION COMMISSION

DATE AND TIME: 10 a.m., Thursday, May 10, 1979.

PLACE: 1325 K Street, NW., Washington, D.C.

STATUS: Portions of this meeting will be open to the public and portions will be closed.

MATTERS TO BE CONSIDERED:

Portions open to the public

Setting of dates for future meetings.
Correction and approval of minutes.
Advisory opinions:

Draft AO 1979-13 A. Pearce Godley, Chairman, Raymond International, Inc., Employees Political Action Committee (RayPAC).

Draft AO 1979-14 H. K. Hawkins, State Chairman, American Party in Georgia.
1980 Elections and related matters.
Pending Legislation: Response to request from Senate Rules Committee re S. 623.
Ethics in Government Act: Proposed procedures disclosure reports FEC personnel (continued from May 3, 1979).
Budget execution report.
Appropriations and budget.
Response to Senate Rules and Administration request on authorization.
Classification actions.
Routine administrative matters.

Portions closed to the public
(following open session).

Compliance, litigation, personnel, labor/management relations, audits continued from the meetings of April 11, 19, 25, 26, and May 3.

PERSON TO CONTACT FOR INFORMATION:
Mr. Fred S. Eiland, Public Information Officer, 202-523-4065.

[S-903-79 Filed 5-3-79; 3:31 pm]

BILLING CODE 6715-01-M

17

FEDERAL ENERGY REGULATORY COMMISSION.

TIME AND DATE: 10 a.m., May 9, 1979.

PLACE: Hearing room A, 825 North Capitol Street NE., Washington, D.C. 20426.

STATUS: Open.

MATTERS TO BE CONSIDERED: Agenda.

Note.—Items listed on the agenda may be deleted without further notice.

CONTACT PERSON FOR MORE

INFORMATION: Kenneth F. Plumb, Secretary (202) 275-4166.

This is a list of matters to be considered by the Commission. It does not include a listing of all papers relevant to the items on the agenda however, all public documents may be examined in the Office of Public Information.

Power Agenda—291st Meeting, May 9, 1979, Regular Meeting (10 a.m.)

CAP-1. Docket No. ER79-213, Public Service Co. of Indiana.
CAP-2. Docket No. ER78-186, Pacific Gas & Electric Co.
CAP-3. Docket No. ER79-258, Duke Power Co.
CAP-4. Docket Nos. ER76-828 and EL78-18, Nantahala Power & Light Co., et al.

CAP-5. Docket No. ER78-515, The Montana Power Co.
CAP-6. Docket No. ER78-388, Missouri Power & Light Co.
CAP-7. Docket No. ER78-76, Southern Co. Services, Inc.
CAP-8. Docket No. ER78-522, Virginia Electric & Power Co.
CAP-9. Docket No. ES79-30, Interstate Power Co.
CAP-10. Project No. 2800, Lawrence Hydroelectric Associates and Essex Co.

Miscellaneous Agenda—291st Meeting, May 9, 1979, Regular Meeting

CAM-1. Docket No. RA79-24, Exxon Co. U.S.A.
CAM-2. Docket No. RO79-13, Chester P. Dolley & Atlantic Oil Co.
CAM-3. Docket No. RA79-19, Lundry-Thagard Oil Co.
CAM-4. Docket No. RA79-13, Martin Exploration Co.

Gas Agenda—291st Meeting, May 9, 1979, Regular Meeting

CAG-1. Docket No. RP75-98, McCulloch Interstate Gas Corp.
CAG-2. Docket No. RP73-3 (PGA 77-3a) and RP73-3 (PGA 78-3), Transcontinental Gas Pipe Line Corp.
CAG-3. Docket No. RP79-64, Florida Gas Transmission Co.
CAG-4. Docket Nos. RP79-53 and RP79-54, Arkansas Louisiana Gas Co.; Docket No. RP79-42, Columbia Gas Transmission Corp.; Docket No. RP79-47, Consolidated Gas Supply Corp.; Docket No. RP79-37, El Paso Natural Gas Co.; Docket No. RP79-35, Florida Gas Transmission Co.; Docket No. RP79-43, Michigan Wisconsin Pipe Line Co.; Docket No. RP79-32, Mid Louisiana Gas Co.; Docket No. RP79-38, Natural Gas Pipeline Co. of America; Docket No. RP79-41, Northern Natural Gas Co.; Docket No. RP79-34, Panhandle Eastern Pipe Line Co.; Docket No. RP79-45, Sea Robin Pipeline Co.; Docket No. RP79-48, Southern Natural Gas Co.; Docket No. RP79-52, Tennessee Gas Pipeline; Docket No. RP79-40, Texas Eastern Transmission Corp.; Docket No. RP79-31, Texas Gas Transmission Corp.; Docket No. RP79-33, Trunkline Gas Co.; Docket No. RP79-46, Transcontinental Gas Pipe Line Corp.; Docket No. RP79-44, United Gas Pipe Line Co.
CAG-5. Docket No. RP77-98, Natural Gas Pipeline Co. of America.
CAG-6. Docket No. AR64-2, Texaco, Inc. & Tennessee Gas Pipeline Co., a Division of Tenneco Inc.
CAG-7. Docket Nos. CS76-64, et al., B. S. Phillips, et al.
CAG-8. Docket No. CI78-816, Exxon Corp.
CAG-9. Docket No. CI79-91, Texas Gas Exploration Corp.
CAG-10. Docket Nos. CS71-181 et al., Herman Lang (Herman Lang & Raymond Brown d.b.a. L & B Oil & Gas Co., et al.).
CAG-11. Docket Nos. CI61-1621 et al., Prosper Energy Corp. et al.
CAG-12. Docket No. G-11809, Marathon Oil Co. (Operator) et al.
CAG-13. Docket No. CP79-179, Columbia Gulf Transmission Co.

- CAG-14. Docket No. CP79-42, SBA Robin Pipeline Co. & Transcontinental Gas Pipeline Corp.
- CAG-15. Docket No. CP79-157, Greak Lakes Gas Transmission Co.
- CAG-16. Docket No. CP77-383 (phase II), Panhandle Eastern Pipe Line Co.; Docket No. CP77-423 (phase II), Colorado Interstate Gas Co.; Docket No. CP79-19, Mountain Fuel Supply Co.
- CAG-17. Docket No. CP77-241, Bluebonnet Gas Corp.
- CAG-18. Docket No. CP79-189, Michigan Wisconsin Pipeline Co. and Trunkline Gas Co.
- CAG-19. Docket No. CP79-78, Panhandle Eastern Pipe Line Co. & Trunkline Gas Co.
- CAG-20. Docket No. CP78-45, Transcontinental Gas Pipe Line Corp.

Power Agenda—292nd Meeting, May 9, 1979, Regular Meeting

I. Licensed project matters

- P-1. Project No. 516 and Docket No. E-7791, South Carolina Electric & Gas Co.
- P-2. Project No. 2808, Maine Hydroelectric Development Corp.

II. Electric rate matters

- ER-1. Docket No. ER79-70, Detroit Edison Co.
- ER-2. Docket No. ER79-150, Southern California Edison Co.
- ER-3. Docket No. ER79-97, Tuscon Gas & Electric Co.

Miscellaneous Agenda—292nd Meeting, May 9, 1979, Regular Meeting

- M-1. Docket No. RM79-6, Procedures governing the collection and reporting of information associated with the cost of providing electric service.
- M-2. Proposed rulemaking for calculation of the working cash component of working capitol allowance for electric utilities.
- M-3. Reserved.
- M-4. Reserved.
- M-5. Docket No. RM79-5, Proposed rule of energy relating to protection of essential agricultural uses from curtailment of natural gas deliveries by interstate pipeline.
- M-6. Docket No. RM79-21, Regulations implementing the alternate fuel cost ceiling on incremental pricing under the Natural Gas Policy Act of 1978.
- M-7. Report of the Alaskan Delegate on the system design inquiry.

Gas Agenda—292nd Meeting, May 9, 1979, Regular Meeting

I. Producer Matters

- CI-1. Docket No. CS78-509, J. Walter Duncan, Jr., et al.

Kenneth P. Plumb,
Secretary.

[S-886-79 Filed 5-3-79; 11:07 a.m.]

BILLING CODE 6450-01-M

18

FEDERAL ENERGY REGULATORY COMMISSION.

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: Published April 30, 1979; 44 FR 25351.

PREVIOUSLY ANNOUNCED TIME AND DATE OF MEETING: 10 a.m. May 2, 1979.

CHANGE IN THE MEETING: The following item has been added:

Item Number, Docket Number and Company

CP-5. CI75-45 *et al.*, Tenneco Oil Co. et al.

Kenneth P. Plumb,

Secretary.

[S-890-79; Filed 5-3-79; 11:07 am]

BILLING CODE 6450-01-M

19

FEDERAL HOME LOAN BANK BOARD.

TIME AND DATE: At the conclusion of the open meeting to be held at 9:30 a.m., May 3, 1979.

PLACE: 1700 G Street NW., Sixth floor, Washington, D.C.

STATUS: Closed meeting.

CONTACT PERSON FOR MORE

INFORMATION: Franklin O. Bolling (202-377-6677).

MATTERS TO BE CONSIDERED:

Consideration of 1978 W-2 Distribution.

Announcement is being made at the earliest practicable time.

No. 235, May 3, 1979.

[S-902-79 Filed 5-3-79; 2:50 pm]

BILLING CODE 6720-01-M

20

FEDERAL MARITIME COMMISSION.

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: April 27, 1979; 44 FR 21954.

PREVIOUSLY ANNOUNCED TIME AND DATE OF THE MEETING: 10 a.m., May 3, 1979.

CHANGE IN THE MEETING: Addition of the following item to the open session:

9. Proposed domestic tariff circular letter.

[S-882-79 Filed 5-3-79; 8:50 am]

BILLING CODE 6730-01-M

21

NUCLEAR REGULATORY COMMISSION.

TIME AND DATE: May 2, 3, and 10, 1979.

PLACE: Commissioners' Conference Room, 1717 H St., N.W., Washington, D.C.

STATUS: Open and closed (changes).

MATTERS TO BE CONSIDERED:

Wednesday, May 2; 1:30 p.m.

1. The meeting titled "Discussion of Upgrade Rule and Supporting Guidance" was

postponed. The meeting titled "Discussion of S-3 Rulemaking" was delayed from 10:30 a.m. to 1:30 p.m.

Thursday, May 3; 9:30 a.m.

1. The briefing on Offsite Radiation Levels at Three Mile Island and Interagency Radiological Assistance Program will begin at 9:30 a.m. instead of 10:30 a.m. as previously announced.

2. At 10:30 a.m., the Commission will hold a briefing on Status of Maine Yankee—Actions Required by Show Cause Order of 3/13/79 (approximately 1 hour, public meeting).

Thursday, May 3; 1:30 p.m.

1. Continuation of discussion of S-3 Rulemaking (approximately 1½ hours, public meeting).

2. Discussion of format for Executive Branch Analysis (approximately 1 hour, public meeting—portions will be closed—Exemption 1). (Rescheduled from 10:30 a.m.)

Thursday, May 10; 2:00 p.m.

1. Discussion of actions related to Three Mile Island (approximately 2½ hours, public meeting).

Additional Information

The Commission voted 5-0 on April 30, that pursuant to 5 U.S.C. 552b(e)(1) and § 9.107(a) of the Commission's Rules, that Commission business required that the Discussion of S-3 Rulemaking, held on May 2, be held on less than one week's notice to the public. Prompt discussion was required to permit consideration of this important issue.

CONTACT PERSON FOR MORE

INFORMATION: Roger Tweed (202) 634-1410.

Roger M. Tweed,

Office of the Secretary.

[S-900-79 Filed 5-3-79; 1:42 pm]

BILLING CODE 7590-01-M

22

OVERSEAS PRIVATE INVESTMENT CORPORATION

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: S-817-79 Filed 4-25-79; 12:25 p.m.

PREVIOUSLY ANNOUNCED TIME AND DATE OF THE MEETING: 9 a.m., Tuesday May 1, 1979.

CHANGE IN THE MEETING: Additional Agenda Item for the Open Session.

The Chairman of the OPIC Board is, ex officio, the Administrator of AID. Due to the resignation of Governor John J. Gilligan, AID Administrator and the anticipated interim period prior to the nomination and confirmation of a succeeding AID Administrator, it will be necessary to designate an Acting Chairman of the OPIC Board to perform certain official duties. Accordingly, the OPIC Board approved the designation of

the Honorable J. Bruce Llewellyn, President of OPIC, as Acting Chairman of the OPIC Board, until the assumption of office by the Chairman, ex officio. This action was taken during the meeting of May 1, 1979 with no opportunity for prior notification.

CONTACT PERSON FOR MORE

INFORMATION: Elizabeth A. Burton, Corporate Secretary, 202-632-1839.

Elizabeth A. Burton,

May 1, 1979.

[S-901-79 Filed 5-3-79; 2:44 pm]

BILLING CODE 3210-01-M

23

PAROLE COMMISSION: National Commissioners (the Commissioners presently maintaining offices at Washington, D.C. Headquarters).

TIME AND DATE: Thursday, May 3, 1979, at 9:30 a.m.

PLACE: Room 828, 320 First Street, N.W., Washington, D.C. 20537.

STATUS: Closed pursuant to a vote to be taken at the beginning of the meeting.

MATTER TO BE CONSIDERED: Referrals from Regional Commissioners of approximately 15 cases in which inmates of Federal prisons have applied for parole or are contesting revocation of parole or mandatory release.

CONTACT PERSON FOR MORE

INFORMATION: A. Ronald Peterson, Analyst; (202) 724-3094.

[S-897-79 Filed 5-3-79; 10:56 am]

BILLING CODE 4410-01-M

24**SECURITIES AND EXCHANGE COMMISSION.**

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: [44 FR 24692 April 26, 1979].

STATUS: Closed meeting.

PLACE: Room 825, 500 North Capitol Street, Washington, D.C.

DATE PREVIOUSLY ANNOUNCED: Monday, April 23, 1979.

CHANGES IN MEETING: Additional item.

The following additional item was considered at a closed meeting held on Wednesday, May 2, 1979, at 4:30 p.m.

Regulatory matter regarding financial institution.

Commissioners Loomis, Evans, Pollack, and Karmel determined that Commission business required the above change and that no earlier notice thereof was possible.

May 2, 1979.

[S-894-79 Filed 5-3-79; 9:25 am]

BILLING CODE 8010-01-M

Reader Aids

Federal Register

Vol. 44, No. 89

Monday, May 7, 1979

INFORMATION AND ASSISTANCE

Questions and requests for specific information may be directed to the following numbers. General inquiries may be made by dialing 202-523-5240.

Federal Register, Daily Issue:

- 202-783-3238 Subscription orders (GPO)
202-275-3054 Subscription problems (GPO)
"Dial-a-Reg" (recorded summary of highlighted documents appearing in next day's issue):
202-523-5022 Washington, D.C.
312-663-0884 Chicago, Ill.
213-688-6694 Los Angeles, Calif.
202-523-3187 Scheduling of documents for publication
523-5240 Photo copies of documents appearing in the Federal Register
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- 523-3419
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- 523-5233 Executive Orders and Proclamations
523-5235 Public Papers of the Presidents, and Weekly Compilation of Presidential Documents

Public Laws:

- 523-5266 Public Law Numbers and Dates, Slip Laws, U.S.
-5282 Statutes at Large, and Index
275-3030 Slip Law Orders (GPO)

Other Publications and Services:

- 523-5239 TTY for the Deaf
523-5230 U.S. Government Manual
523-3408 Automation
523-4534 Special Projects

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AGENCY PUBLICATION ON ASSIGNED DAYS OF THE WEEK

The following agencies have agreed to publish all documents on two assigned days of the week (Monday/Thursday or Tuesday/Friday).

This is a voluntary program. (See OFR NOTICE FR 32914, August 6, 1976.)

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
CSA	MSPB*/OPM*		CSA	MSPB*/OPM*
	LABOR			LABOR
	HEW/FDA			HEW/FDA

Documents normally scheduled for publication 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 January 1, 1979, the Merit Systems Protection Board (MSPB) and the Office of Personnel Management (OPM) will publish on the Tuesday/Friday schedule. (MSPB and OPM are successor agencies to the Civil Service Commission.)

REMINDERS

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

Rules Going Into Effect Today

HEALTH, EDUCATION, AND WELFARE DEPARTMENT

Food and Drug Administration—

- 20655 4-6-79 / Mallic acid; GRAS status
- 20676 4-6-79 / Medical devices; impact-resistant lenses in eyeglasses and sunglasses
- 20659 4-6-79 / Method for griseofulvin content determination in antibiotic drug products
- 20656 4-6-79 / Succinic acid; GRAS status

HOUSING AND URBAN DEVELOPMENT DEPARTMENT

Office of Assistant Secretary for Community Planning and Development—

- 20994 4-6-79 / Community development block grants; requirements for lump sum drawdown of funds for property rehabilitation financing

INTERSTATE COMMERCE COMMISSION

- 12426 3-7-79 / Commission; special dockets proceedings

TREASURY DEPARTMENT

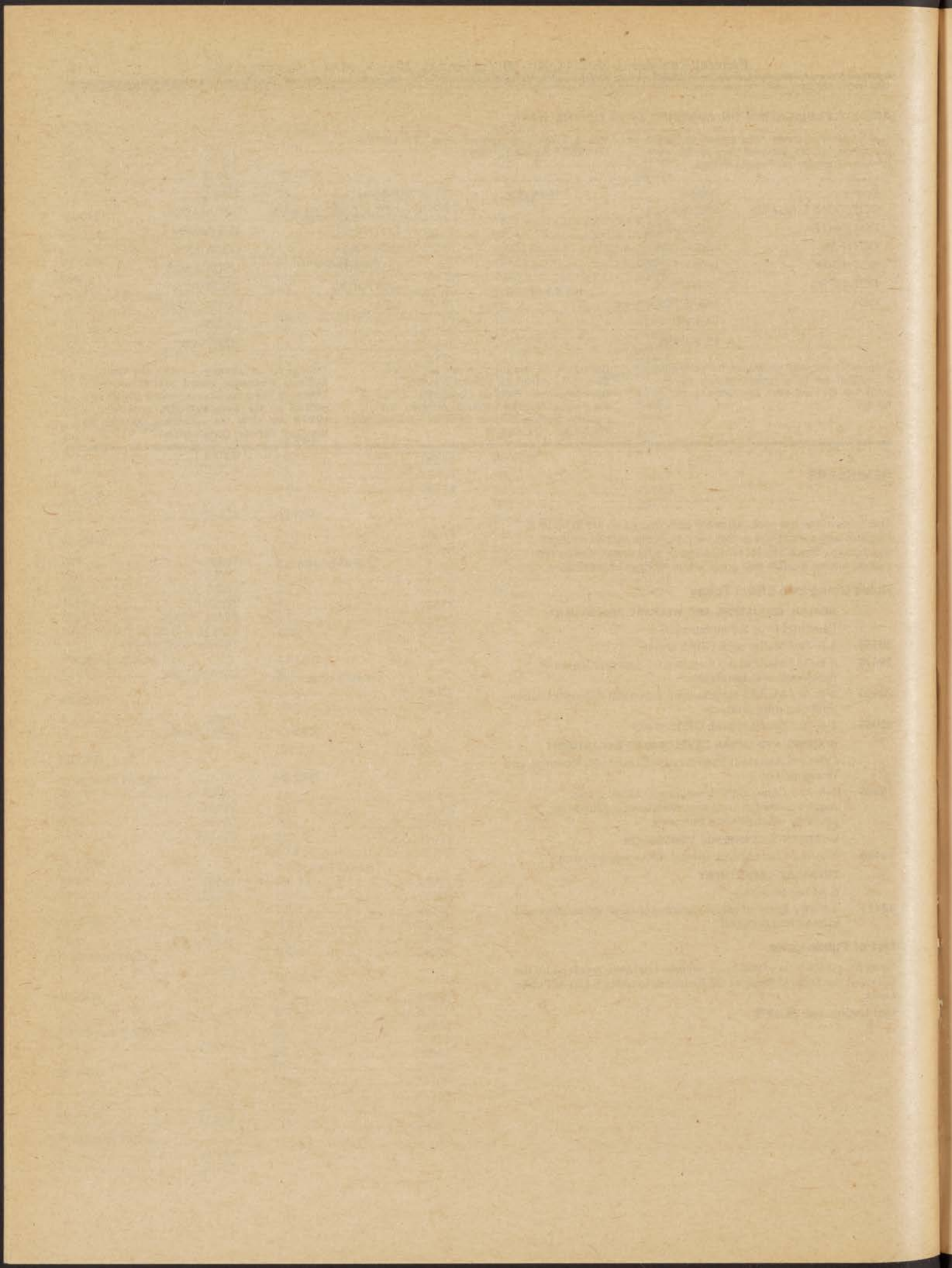
Customs Service—

- 12411 3-7-79 / Entry of certain articles of steel; documents and information required

List of Public Laws

Note: No public bills which have become law were received by the Office of the Federal Register for inclusion in today's List of Public Laws.

Last Listing Apr. 24, 1979



CODE OF FEDERAL REGULATIONS

Revised as of October 1, 1971

Volume 1

Volume 1

22.50

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Title 42 - Public Health

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Title 42 - Public Health

Part 42.25 - Public Health

CODE OF FEDERAL REGULATIONS

(Revised as of October 1, 1978)

Quantity	Volume	Price	Amount
_____	Title 42—Public Health (Parts 400 to End)	\$5.50	\$ _____
_____	Title 43—Public Lands: Interior (Part 1 to 999)	4.25	_____
_____	Title 43—Public Lands: Interior (Part 1000 to End)	6.50	_____
_____	Title 46—Shipping (Parts 30 to 40)	3.25	_____
_____	Title 46—Shipping (Parts 156-165)	4.25	_____
_____	Title 46—Shipping (Parts 166 to 199)	3.00	_____
		Total Order	\$ _____

[A Cumulative checklist of CFR issuances for 1979 appears in the first issue of the Federal Register each month under Title 1. In addition, a checklist of current CFR volumes, comprising a complete CFR set, appears each month in the LSA (List of CFR Sections Affected)]

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