9-8-80
Vol. 45 No. 175
Pages 59135-59296

federal register

Monday
September 8, 1980

Highlights

59135 **National Forest Products Week** Presidential proclamation

59154 **Relocation Assistance** DOT/Sec'y publishes regulations regarding relocation assistance and land acquisition for federal and federally assisted programs; effective 7-1-80

59137 **Gasoline** DOE/ERA adjusts lower and upper tier crude oil price ceiling to reflect impact of inflation; effective 9-1-80

59198 **Clean Air** EPA announces availability of guidance for State implementation plan

59290 **Head Start** HHS/HDSO proposes policy manual amendments; comments by 10-8-80 (Part III of this issue)

59232 **Grant Programs** LSC solicits proposal to provide *pro bono* legal services to the poor

59147 **Housing** HUD/FHC publishes interim regulations regarding mortgage insurance and interest reduction payment for rental projects; effective 10-1-80; comments by 11-7-80

59149 **Housing** HUD publishes interim regulations regarding additional assistance program for projects with HUD-insured and HUD-held mortgages; effective 10-1-80, comments by 11-7-80

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Questions and requests for specific information may be directed to the telephone numbers listed under INFORMATION AND ASSISTANCE in the READER AIDS section of this issue.

Highlights

59256 **Navigation** DOT/FAA proposes microwave landing system requirements for non-federal navigational facilities; comments by 11-7-80 (Part II of this issue)

59189 **Agricultural Lands** CEQ gives notice of analysis of impacts on prime and unique agricultural lands in implementing the National Environmental Policy Act

59175 **Immigration** State amends and clarifies proposal relating to validity, termination and replacement of visa; comments by 10-31-80

59145 **Housing** HUD/FHC publishes interim rule regarding rent supplement payments; effective 10-1-80

59143 **Highway Safety** DOT/NHTSA/FHA establishes new requirements for authority and function of State highway safety agencies; effective 10-1-80

59143 **Procurement Standards** CSA amends policy statement governing grantee procurement standards; effective 10-8-80

59161 **Pipelines** DOT/MTB publishes regulations regarding testing highly volatile liquid pipelines; effective 10-8-80

59166 **Pipelines** DOT/RSPA publishes regulation reducing time and cost of hydrostatic testing; effective 9-8-80

59248 **Sunshine Act Meetings**

Separate Parts of This Issue

59256 **Part II, DOT/FAA**
59290 **Part III, HHS/HDSO**
59295 **Part IV, DOT/FAA**

Contents

Federal Register
Vol. 45, No. 175
Monday, September 8, 1980

The President
PROCLAMATIONS
59135 National Forest Products Week (Proc. 4790)

Executive Agencies

Actuaries, Joint Board for Enrollment
NOTICES
59183 Renewal of enrollment

Administrative Committee of the Federal Register
See Federal Register Office.

Agriculture Department
See Foreign Agricultural Service.

Army Department
RULES
59150 Panama Canal Zone employees; elimination of tax allowance

Civil Aeronautics Board
NOTICES
Hearings, etc.:
59183 Standard foreign fare level establishment
59186 Senior Executive Service Performance, Review Board; additional appointments

Commerce Department
See also National Oceanic and Atmospheric Administration
NOTICES
Committees; establishment, renewals, terminations, etc.:
59188 Senior Executive Service Performance Review Board; establishment and membership
59188 Technical Advisory Committees

Community Services Administration
RULES
Uniform standards:
59153 Grants procurement

Defense Department
See also Army Department.
NOTICES
Meetings:
59192 Science Board task forces

Economic Regulatory Administration
RULES
Petroleum allocation and price regulations:
59137 Crude oil price ceilings; lower and upper tier; adjustment to reflect inflation impact
NOTICES
Remedial orders:
59193 Glaser Gas, Inc.

Energy Department
See Economic Regulatory Administration; Federal Energy Regulatory Commission.

Environmental Protection Agency
RULES
Air quality planning purposes; designation of areas:
59150 Pennsylvania
Water pollution; effluent guidelines for point source categories:
59152 Sugar processing facilities; correction
PROPOSED RULES
Air quality implementation plans; approval and promulgation; various States, etc.:
59180 California
59178 Idaho
59178 Indiana; extension of time
59177 Nevada
Air quality planning purposes; designation of areas:
59179 New Mexico
59179 Oklahoma
NOTICES
Air pollution control:
59198 Clean Air Act; state implementation plans, guidance
Air quality implementation plans; approval and promulgation:
59199 Ohio; sulfur dioxide emission limitations, enforcement policy
Pesticide registration, cancellation, etc.:
59196 AMDRO-20 Insecticide, etc.; correction
Pesticides; temporary tolerances:
59196 Fisons Inc.; bendiocarb; correction
Toxic and hazardous substances control:
59196, 59199, 59200 Premanufacture notices receipts (3 documents)
59201 Premanufacture notification requirements; test marketing exemption approvals
Water quality standards, State; navigable waters; adoptions and approvals:
59202 North Carolina; correction

Environmental Quality Council
NOTICES
59189 National Environmental Policy Act, implementation; impacts on prime or unique agricultural lands, analysis; memorandum to agency heads

Federal Aviation Administration
RULES
Air traffic operating and flight rules:
59141 Instrument approach procedures, standard
Airworthiness directives:
59138, 59141 Hiller (2 documents)
59139 Piper
PROPOSED RULES
Air carriers certification and operations:
59295 Flight attendants; seating requirements during taxi; extension of time
59256 Navigational facilities, non-Federal; microwave landing system requirements
59174 Transition areas

NOTICES
59242 Exemption petitions; summary and disposition
Meetings:
59243 Aeronautics Radio Technical Commission

Federal Energy Regulatory Commission
NOTICES
Hearings, etc.:
59193 Central Illinois Light Co.
59193 Central Illinois Public Service Co.
59193 Iowa Public Service Co.
59194 Mitco Pipeline Co.
59194 Ohio Power Co. (2 documents)
59195 Southern Co. Services, Inc.
59195 Wisconsin Electric Power Co. (2 documents)

Federal Highway Administration
RULES
59143 State highway safety agencies; authority and function requirements; improvement of Statewide programs
PROPOSED RULES
Motor carrier safety regulations:
59177 Financial responsibility, minimum levels; advance notice; correction
NOTICES
Environmental statements; availability, etc.:
59244 Bibb County, Ga.; intent to prepare
59243 Ripley County, Ind.; intent to prepare
59244, 59245 Spokane, Wash.; intent to prepare (2 documents)
Meetings:
59245 Outdoor Advertising and Motorist Information National Advisory Committee

Federal Home Loan Bank Board
NOTICES
Applications, etc.:
59202 First Federal Savings & Loan Association of Niles
59248 Meetings; Sunshine Act (2 documents)

Federal Housing Commissioner—Office of Assistant Secretary for Housing
RULES
Mortgage and loan insurance programs:
59145 Rent supplement payments; interim rule and request for comments
59147 Rental projects; insurance and interest reduction; interim

Federal Maritime Commission
NOTICES
Energy and environmental statements; availability, etc.:
59202 Port Authority of New York and New Jersey and Maersk Container Service Co., Inc.; 25-year lease of marine terminal

Federal Mine Safety and Health Review Commission
NOTICES
59248 Meetings; Sunshine Act

Federal Register Office
PROPOSED RULES
Improving Government regulations:
59174 Regulatory agenda

Federal Reserve System
NOTICES
Applications, etc.:
59202 Catoosa Bancshares, Inc.
59202 Dominion Banqueshares Ltd.
59203 First Paullina Bancorp
59203 First Schulenburg Financial Corp.
59203 Security Bancorp, Inc.

Fish and Wildlife Service
RULES
Hunting:
59171, 59172 Lacreek National Wildlife Refuge, S. Dak. (2 documents)

Foreign Agricultural Service
NOTICES
59183 Potato (white or Irish) production; 1980 estimate

General Accounting Office
NOTICES
59203 Regulatory reports review; proposals, approvals, violations, etc. (CAB)

Health, Education, and Welfare Department
See Health and Human Services Department.

Health and Human Services Department
See Health Care Financing Administration; Human Development Services Office; National Institutes of Health; Social Security Administration.

Health Care Financing Administration
RULES
Medicare:
59153 Internship and residency programs; reimbursement for costs; correction

Housing and Urban Development Department
See also Federal Housing Commissioner—Office of Assistant Secretary for Housing.
RULES
Low income housing:
59149 Rent adjustments (Section 8); formula or contract; interim rule and request for comments

Human Development Services Office
NOTICES
59290 Head Start Agencies; arbitration procedure for resolution of conflicts with Policy Groups; policy manual amendment

Interior Department
See also Fish and Wildlife Service; Land Management Bureau.
NOTICES
Committees; establishment, renewals, terminations, etc.:
59210 Senior Executive Service Performance Review Board; Historic Preservation Advisory Council; membership

Interstate Commerce Commission
RULES
Rail carriers:
59168 Boxcars and gondolas, incentive per diem charges; elimination

59169 Boxcars and gondolas, incentive per diem funds use
Railroad car service orders; various companies:
59167 Burlington Northern Inc.
59168 Chicago, Rock Island and Pacific Railroad Co. (2 documents)
NOTICES
59211 Hearing assignments
59248 Meetings; Sunshine Act
Motor carriers:
59226, 59227 Permanent authority applications (2 documents)
59228–59230 Permanent authority applications; correction (3 documents)
59212 Temporary authority applications (2 documents)
Railroad freight rates and charges; various States, etc.:
59231 Texas

Justice Assistance, Research and Statistics Office
NOTICES
Meetings:
59232 Criminal Justice National Minority Advisory Council

Justice Department
See Justice Assistance, Research, and Statistics Office.

Land Management Bureau
NOTICES
Closure of public lands:
59208 California
Meetings:
59210 Oil Shale Task Force
Motor vehicles, off-road, etc.; area closures:
59208 Alaska
Withdrawal and reservation lands, proposed, etc.:
59210 Alaska

Legal Services Corporation
NOTICES
59232 Corporation funds used to provide *pro bono* legal services to poor people

Management and Budget Office
NOTICES
59233 Agency forms under review

National Highway Traffic Safety Administration
RULES
59143 State highway safety agencies; authority and function requirements; improvement of statewide programs
NOTICES
Meetings:
59245 Calendar of public meetings
59247 Pedestrian impact protection

National Institutes of Health
NOTICES
Meetings:
59204 Aging Institute, National; Scientific Counselors Board
59206 Aging National Advisory Council
59205 Allergy and Immunology Study Section et al.
59207 Arthritis, Metabolism, and Digestive Diseases National Advisory Council
59204 Cancer Institute, National; Scientific Counselors Board
59206 Dental Research National Advisory Council
59207 Environmental Health Services National Advisory Council
59206 Epilepsy Advisory Committee
59207 General Medical Sciences National Advisory Council
59204 National Library of Medicine; Board of Regents

National Oceanic and Atmospheric Administration
RULES
Fishery conservation and management:
59172 Alaska Salmon
NOTICES
Fishery conservation and management:
59187 Eastern Bering Sea and Northeast Pacific Ocean; trawl fisheries and herring gillnet fishery; reduction of salmon caught by foreign groundfish trawlers
Marine mammal permit applications, etc.:
59187 Davis, Randall
59187 Hall, Dr. Nicholas R., et al.
59187 National Marine Mammal Laboratory

National Transportation Safety Board
NOTICES
59248 Meetings; Sunshine Act

Navajo and Hopi Indian Relocation Commission
PROPOSED RULES
59175 Commission operations and relocation procedures: Life estate leases; award

Nuclear Regulatory Commission
NOTICES
Applications, etc.:
59233 Florida Power & Light Co.
Environmental statements; availability, etc.:
59232 Conoco, Inc.; Sand Rock Mill Project; Campbell County, Wyo.
Meetings:
59232 Reactor Safeguards Advisory Committee
Reports; availability, etc.:
59233 Human engineering guide to control room evaluation; draft; extension of time

Research and Special Programs Administration, Transportation Department
RULES
Pipeline safety:
59166 Hydrostatic testing liquid pipelines
59161 Interstate pipeline facilities; highly volatile liquids; testing
59161 Pipe manufacture and welding; seams on adjacent pipe lengths

Securities and Exchange Commission
NOTICES
Hearings, etc.:
59235 Cedar Coal Co. et al.
59237 Indiana & Michigan Electric Co.
59238 Kemper Income & Capital Preservation Fund, Inc., et al.
59240 Louisiana Power & Light Co.

59241 Middle South Utilities, Inc.
59241 Southern Co.

Social Security Administration
RULES
Supplemental security income:
59143 State supplementary payments; cost-of-living increases to recipients; limitations on State Costs for hold-harmless States; correction

State Department
PROPOSED RULES
59175 Visas; validity, termination, and replacement

Transportation Department
See also Federal Aviation Administration; Federal Highway Administration; National Highway Traffic Safety Administration; Research and Special Programs Administration, Transportation Department.
RULES
59154 Relocation assistance and land acquisition for Federal and federally assisted programs; moving expense allowance schedule; individuals and families

MEETINGS ANNOUNCED IN THIS ISSUE

DEFENSE DEPARTMENT
Office of the Secretary—
59192 Defense Science Board Task Force on ECM, 10-3-80

HEALTH AND HUMAN SERVICES DEPARTMENT
National Institutes of Health—
59206 Aging National Advisory Council, 10-15 through 10-17-80
59207 Arthritis, Metabolism, and Digestive Dieases National Advisory Council, 10-15 through 10-17-80
59204 Board of Regents of the National Library of Medicine, 10-9 and 10-10-80
59204 Board of Scientific Counselors, 10-30 and 10-31-80
59204 Board of Scientific Counselors, Division of Cancer Treatment, 10-2 and 10-3-80
59206 Dental Research National Advisory Council, 10-23 and 10-24-80
59205 Division of Research Grants, Study Sections, October and November, 1980
59207 Environmental Health Sciences National Advisory Council, 10-6 and 10-7-80
59206 Epilepsy Advisory Committee, 10-23 and 10-24-80
59207 General Medical Sciences National Advisory Council, 10-16 and 10-17-80

INTERIOR DEPARTMENT
Bureau of Land Management—
59210 Oil Shale Task Force, 9-19-80

JUSTICE DEPARTMENT
Research and Statistics Office—
59232 National Minority Advisory Council on Criminal Justice, 9-26 and 9-27-80

NUCLEAR REGULATORY COMMISSION
59232 Reactor Safeguards Advisory Committee, Ad Hoc Subcommittee, 9-19 and 9-20-80

TRANSPORTATION DEPARTMENT
Federal Aviation Administration—
59243 Radio Technical Commission for Aeronautics, Special Committee 145 on Digital Avionics Software, 9-30 through 10-2-80
Federal Highway Administration—
59245 National Advisory Committee on Outdoor Advertising and motorist information, 9-25 and 9-26-80
National Highway Traffic Safety Administration—
59245 Calendar of Public Meetings; September, 1980 through October, 1981
59247 Pedestrian Impact Protection, 10-9-80

CFR PARTS AFFECTED IN THIS ISSUE

A cumulative list of the parts affected this month can be found in the Reader Aids section at the end of this issue.

1 CFR
Proposed Rules:
Ch. I 59174

3 CFR
Proclamations:
4790 59135

10 CFR
212 59137

14 CFR
39 (3 documents) 59138–59141
97 59141
Proposed Rules:
71 59174
121 59295
171 59256

20 CFR
416 59143

22 CFR
Proposed Rules:
41 59175

23 CFR
1251 59143

24 CFR
215 59145
236 59147
886 59149

25 CFR
Proposed Rules:
700 59175

35 CFR
253 59150

40 CFR
81 59150
409 59152
Proposed Rules:
Ch. I 59180
52 (3 documents) 59177, 59178
81 (2 documents) 59179

42 CFR
405 59153

45 CFR
1050 59153
1068 59153

49 CFR
25 59154
195 (3 documents) 59161–59166
1033 (3 documents) 59167, 59168
1036 (2 documents) 59168, 59169
Proposed Rules:
Ch. III 59177

50 CFR
32 (2 documents) 59171, 59172
674 59172

Federal Register
Vol. 45, No. 175
Monday, September 8, 1980

Presidential Documents

Title 3—

The President

Proclamation 4790 of September 4, 1980

National Forest Products Week, 1980

By the President of the United States of America

A Proclamation

The vast, unforgettable forests of America have always been one of our most precious treasures. Today, we have some 740 million acres of woodland—roughly one-third of the Nation's land area. This vast resource provides many of the products we depend upon—lumber for our homes, paper for recording our thoughts, fuel for heating and cooking, and the basic elements of thousands of other products.

Seventy-five years ago, the Forest Service was created within the United States Department of Agriculture to help conserve and protect America's forestlands. The dedicated men and women of this agency can be proud of their accomplishments. The science of forestry has made great strides. Today, researchers are finding ways to speed the growth of trees; discovering new methods for protecting forests from fire, insects, and disease; and developing production methods for more fully utilizing our wood resources. New methods for extracting energy from wood are also under development to help solve the Nation's energy problems.

Progress is also being made in the effort to ensure that adequate areas of our forests are preserved in their natural state for the enjoyment and benefit of Americans both now and in the future. Congress is now considering my recommendations for classifying an additional 15.4 million acres as wilderness within the National Forest System. These lands, in addition to the wilderness already created by Congress, will preserve the pristine quality of more than 30 million acres of National Forest.

While our forests continue to meet our demands for wood and recreation today, careful management is needed if they are to continue to do so in the future. All of us need to become more aware of the role woodlands play, directly and indirectly, in our lives. We must strive to improve our small woodlots as well as our large, professionally managed, public and private forests.

In order to promote awareness and to recognize the efforts of the thousands of men and women who have devoted their lives to managing this valuable resource, the Congress has designated the third week in October as National Forest Products Week.

NOW, THEREFORE, I, JIMMY CARTER, President of the United States of America, do hereby proclaim the week of October 19 through October 25, 1980, as National Forest Products Week and ask all Americans to demonstrate their appreciation of the value of forests through suitable activities.

IN WITNESS WHEREOF, I have hereunto set my hand this fourth day of September, in the year of our Lord nineteen hundred and eighty, and of the Independence of the United States of America the two hundred and fifth.

Jimmy Carter

[FR Doc. 80-27639
Filed 9-4-80; 4:14 pm]
Billing code 3195-01-M

Rules and Regulations

Federal Register
Vol. 45, No. 175
Monday, September 8, 1980

DEPARTMENT OF ENERGY

Economic Regulatory Administration

10 CFR Part 212

Mandatory Petroleum Price Regulations; Adjustments to Lower and Upper Tier Crude Oil Price Ceilings To Reflect Impact of Inflation

AGENCY: Economic Regulatory Administration, Department of Energy.

ACTION: Final rule.

SUMMARY: The Economic Regulatory Administration (ERA), of the Department of Energy (DOE) hereby issues Crude Oil Price Schedule No. 20 which provides for monthly increases in the ceiling prices for lower tier and upper tier crude oil to take into account the impact of inflation. This action will result in estimated first sale prices for the months of September, October, and November 1980 of $6.56, $6.62, and $6.68 per barrel (lower tier) and $14.65, $14.77 and $14.90 per barrel (upper tier), respectively.

EFFECTIVE DATE: September 1, 1980.

FOR FURTHER INFORMATION CONTACT:
William L. Webb (Office of Public Information), Economic Regulatory Administration, 2000 M Street, N.W., Room B110, Washington, D.C. 20461, 202-653-4055.
Charles P. Little (Crude Oil Pricing Branch), Economic Regulatory Administration, 2000 M Street, N.W., Room 6128, Washington, D.C. 20461, 202-653-3459.
Ben McRae (Office of General Counsel), Department of Energy, 1000 Independence Avenue, S.W., Washington, D.C. 20585, 202-252-6739.

SUPPLEMENTARY INFORMATION:

A. *Introduction*
B. *Crude Oil Price Schedule No. 20*

A. Introduction

On May 30, 1980, we issued Crude Oil Price Schedule No. 19 (45 FR 38038, June 6, 1980), which continued the crude oil pricing policy of permitting the prices for lower tier and upper tier crude oil to increase to adjust for the impact of inflation. This policy will continue during the period of September 1980 through September 1981 as we gradually decontrol domestic crude oil. Accordingly, we are issuing Crude Oil Price Schedule No. 20 which provides for lower tier and upper tier crude oil during the months of September, October and November 1980 to take into account the impact of inflation.

B. Crude Oil Price Schedule No. 20

Under Crude Oil Price Schedule No. 20, the August 1980 lower tier ceiling price (the May 15, 1973 posted price plus $2.81 per barrel, resulting in an average first sale price of approximately $6.50 per barrel), and the August 1980 upper tier ceiling price (the September 30, 1975 posted price plus $1.86, resulting in an average first sale price of approximately $14.53 per barrel), are adjusted for inflation for September, October and November 1980, based on the first revision of the GNP deflator published on August 19, 1980, which reflects an annual rate of inflation of 10.6 percent.

1. Lower tier ceiling prices

Adjustments to ceiling prices for lower tier crude oil and the approximate average first sale prices pursuant to those ceiling prices in September, October and November 1980, are determined pursuant to the following methodology:

A. ERA has computed a monthly adjustment factor of .00843 which when applied over a twelve-month period yields an effective annual rate of adjustment of 10.6 percent.
B. September 1980 adjustment=(6.50) (.00843) per barrel $.055 per barrel rounded to $.06 per barrel
C. October 1980 adjustment=($6.50 + .06) (.00843) per barrel = $0.55 per barrel rounded to $.06 per barrel
D. November 1980 adjustment=($6.50 + .06 + .06) (.00843) per barrel = $0.56 per barrel rounded to $.06 per barrel

Based upon the monthly adjustments computed above, estimated average lower tier ceiling prices for the months of September, October and November 1980 are computed as follows:

September 1980=$6.50 + $.06 = $6.56
October 1980=$6.56 + $.06 = $6.62
November 1980=$6.62 + $.06 = $6.68

Using an average highest posted field price on May 15, 1973, of $3.69 per barrel and the monthly adjustments as computed above, lower tier prices for the next 3 months have been determined as follows:

Month	Ceiling price	Price [1]
September 1980	May 15, 1973 highest posted field price plus $2.87.	$6.56
October 1980	May 15, 1973 highest posted field price plus $2.93.	$6.62
November 1980	May 15, 1973 highest posted field price plus $2.99.	$6.68

[1] Estimated average first sale price.

Upper tier ceiling prices

Adjustments to ceiling prices for upper tier crude oil and the approximate average first sale prices pursuant to those ceiling prices in September, October and November 1980 are determined pursuant to the following methodology:

A. Adjustement factor (explained above)=.00843
B. September 1980 adjustment=($14.53)(.00843) per barrel=$.122 per barrel rounded to $.12 per barrel
C. October 1980 adjustment=($14.53 + .12) (.00843) per barrel = $.124 per barrel rounded to $.12 per barrel
D. November 1980 adjustment=($14.53 + .12 + .12) (.00843) per barrel = $.125 per barrel rounded to $.13 per barrel.

Based upon monthly adjustments computed above, estimated average upper tier ceiling prices for the months of September, October and November 1980, are computed as follows:

September 1980=$14.53 + $.12 = $14.65
October 1980=$14.65 + $.12 = $14.77
November 1980=$14.77 + $.13 = $14.90

Using an average highest posted field price on September 30, 1975 of $12.67 per barrel and the monthly adjustments as computed above, upper tier prices for the next 3 months have been determined as follows:

Month	Ceiling price	Price [1]
September 1980	September 30, 1975 highest posted field price plus $1.98.	$14.65
October 1980	September 30, 1975 highest posted field price plus $2.10.	14.77
November 1980	September 30, 1975 highest posted field price plus $2.23.	14.90

[1] Estimated average first sale price.

(Emergency Petroleum Allocation Act of 1973, Pub. L. 93-159 as amended, Pub. L. 93-511, Pub. L. 94-99, Pub. L. 94-133, Pub. L. 94-163, and Pub. L. 94-385; Federal Energy Administration Act of 1974, Pub. L. 93-275, as amended, Pub. L. 94-385; Energy Policy and Conservation Act, Pub. L. 94-163, as amended, Pub. L. 94-385; E.O. 11790, 39 FR 23185; Department of Energy Organization Act, Pub. L. 95-91; E.O. 12009, 42 FR 46267)

In consideration of the foregoing, Part 212 of Chapter II of Title 10 of the Code of Federal Regulations is amended as set forth below, effective September 1, 1980.

Issued in Washington, D.C., August 29, 1980.

Hazel R. Rollins,

Administrator, Economic Regulatory Administration.

Section 212.77 is amended in the Appendix to add Schedule No. 20 of Monthly Price Adjustments, as follows:

§ 212.77 Adjustments to ceiling prices.

* * * * *

Appendix

* * * * *

Schedule No. 20 of Monthly Price Adjustments Effective Sept. 1, 1980

Month	Lower Tier May 15, 1973 posted price [1] (plus)	Upper Tier Sept. 30, 1975 posted price [2] (plus)
1976:		
February	1.35	−1.32
March	1.38	−1.25
April	1.41	−1.18
May	1.45	−1.11
June	1.48	−1.05
July	1.48	−1.05
August	1.48	−1.05
September	1.48	−1.05
October	1.48	−1.05
November	1.48	−1.05
December	1.48	−1.05
1977:		
January	1.48	−1.25
February	1.48	−1.25
March	1.48	−1.70
April	1.48	−1.70
May	1.48	−1.70
June	1.48	−1.70
July	1.48	−1.70
August	1.48	−1.70
September	1.51	−1.44
October	1.54	−1.18
November	1.57	−.92
December	1.59	−.87
1978:		
January	1.61	−.82
February	1.63	−.77
March	1.66	−.71
April	1.69	−.65
May	1.72	−.59
June	1.75	−.52
July	1.78	−.45
August	1.81	−.38
September	1.86	−.28
October	1.91	−.17
November	1.96	−.06
December	1.99	.01
1979:		
January	2.02	.08
February	2.05	.15
March	2.09	.23
April	2.13	.31

Schedule No. 20 of Monthly Price Adjustments Effective Sept. 1, 1980—Continued

Month	Lower Tier May 15, 1973 posted price [1] (plus)	Upper Tier Sept. 30, 1975 posted price [2] (plus)
May	2.17	.39
June	2.21	.48
July	2.25	.57
August	2.29	.66
September	2.33	.76
October	2.37	.86
November	2.41	.96
December	2.45	1.05
1980:		
January	2.49	1.14
February	2.53	1.23
March	2.57	1.33
April	2.61	1.43
May	2.66	1.53
June	2.71	1.64
July	2.76	1.75
August	2.81	1.86
September	2.87	1.98
October	2.93	2.10
November	2.99	2.23

[1] The price referred to in 10 CFR 212.73(b)(1) or in 212.73(c)(1), 212.73(c)(3), and 212.73(c)(4).
[2] The price referred to in 10 CFR 212.74(b)(1).

This schedule of monthly price adjustments was issued by the Economic Regulatory Administration on August 29, 1980, pursuant to 10 CFR 212.77. It restates without change the lower and upper tier price ceilings applicable to crude oil produced and sold in the months of February 1976 through August 1980, as determined under 10 CFR 212.73, 212.74, and 212.77. Both lower tier and upper tier ceiling prices, which were increased under Schedule No. 19 effective June 1, 1980, are further increased as indicated in this schedule, effective September 1, 1980.

This schedule is effective only through November 30, 1980.

[FR Doc. 80-27477 Filed 9-5-80; 8:45 am]

BILLING CODE 6450-01-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 80-WE-40-AD; Amdt. 39-3907]

Hiller Model UH-12 Series Helicopters; Airworthiness Directives

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD) which requires inspection and replacement, if necessary, of rotor drive system torsional coupling on Hiller Model UH-12 Series helicopters. The AD is needed to prevent loss of power to the rotor system attributed to fatigue failure of the coupling.

DATES: Effective September 8, 1980. Compliance schedule—As prescribed in the body of the AD.

ADDRESSES: The applicable service information may be obtained from: Hiller Aviation, 2075 West Scranton Avenue, Porterville, California 93275.

Also, a copy of the service information may be reviewed at, or a copy obtained from:

Rules Docket in Room 916, FAA
800 Independence Avenue, S.W.
Washington, D.C. 20591,
or
Rules Docket in Room 6W14, FAA
Western Region
15000 Aviation Boulevard
Hawthorne, California 90261.

FOR FURTHER INFORMATION CONTACT: Robert T. Razzeto, Executive Secretary, Airworthiness Directive Review Board, Federal Aviation Administration, Western Region, P.O. Box 92007, World Way Postal Center, Los Angeles, California. Telephone (213) 536-6351.

SUPPLEMENTARY INFORMATION: There have been reports of failures of torsional couplings (P/N 21046) on Hiller Model UH-12 Series helicopters These failures are the result of overtorqueing the six nuts which clamp the upper and lower torsional coupling segments, and could result in failure of the mechanical drive system to transmit power. Since this condition is likely to exist or develop on other helicopters of the same type design, an airworthiness directive is being issued which requires inspection and replacement, if necessary, of rotor drive torsional couplings on Hiller Model UH-12 Series helicopters.

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

Adoption of the Amendment

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

Hiller Aviation: Applies to Models UH-12E and UH-12E (4 place) series helicopters certificated in all categories (including military Models H-23F and OH-23G).

Compliance required as indicated, unless already accomplished.

To prevent possible loss of driving torque to the helicopter rotor system accomplish the following:

(a) Within 300 hours' time in service from the effective date of this AD and thereafter at intervals not to exceed 300 hours' additional time in service since the last such inspection, inspect the rotor drive torsional coupling P/N 20146 for general condition and for adequacy of clamp-up per paragraphs 2.D, 2.E and 2.F of Hiller Aviation Service Bulletin SB UH-12-21-1 dated August 4, 1980 (hereinafter referred to as SB UH-12-21-1).

(b) If torsional coupling is found to be servicable, reinstall per paragraph 2.G and 2.H of SB UH-12-21-1 and revert to the repetitive inspection schedule of paragraph (a) of this AD.

(c) If torsional coupling installation does not meet the inspection requirements of paragraph (a) of this AD, replace with like serviceable part(s) and revert to the repetitive inspection schedule of paragraph (a) of this AD.

(d) Special flight permits may be issued in accordance with FAR 21.197 and 21.199 to operate helicopters to a base for the accomplishment of inspections required by this AD.

(e) Alternative inspections, modifications or other actions which provide an equivalent level of safety may be used when approved by the Chief, Aircraft Engineering Division, FAA Western Region.

This amendment becomes effective September 8, 1980.

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

Note.—The FAA has determined that this document involves a final regulation which is not considered to be significant under Executive Order 12044 as implemented by DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979).

Issued in Los Angeles, Calif. on August 22, 1980.

H. C. McClure,

Acting Director, FAA Western Region.

[FR Doc. 80-27176 Filed 9-5-80; 8:45 am]

BILLING CODE 4910-13-M

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14 CFR Part 39

[Docket No. 80-SO-46, Amdt. No. 39-3908]

Piper Model PA-28R Series Airplanes; Airworthiness Directives

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new Airworthiness Directive (AD) which requires inspection and modification, as necessary, of the mufflers and muffler shrouds on certain Piper Model PA-28R series airplanes. The AD is prompted by reports of worn through and broken mufflers which could result in carbon monoxide entering the cabin through the cabin heating system.

DATES: Effective September 12, 1980. Compliance required within the next 50 hours time in service after the effective date of this AD unless already accomplished.

ADDRESSES: The applicable service bulletin may be obtained from Piper Aircraft Corporation, 820 E. Bald Eagle Street, Lockhaven, Pennsylvania 17745.

A copy of the service bulletin is also contained in the Rules Docket, Room 275, Engineering and Manufacturing Branch, FAA, Southern Region, 3400 Norman Berry Drive, East Point, Georgia.

FOR FURTHER INFORMATION CONTACT: R. C. Padgett, Engineering and Manufacturing Branch, FAA, Southern Region, P.O. Box 20636, Atlanta, Georgia 30320, telephone (404) 763-7435.

SUPPLEMENTARY INFORMATION: There have been reports of worn through and broken mufflers caused by loose fitting muffler shroud end plates on certain Piper Model PA-28R series airplanes. This condition can result in carbon monoxide entering the cabin through the cabin heating system. Since this condition is likely to exist or develop in other airplanes of the same type design, an Airworthiness Directive is being issued which requires the inspection of mufflers and muffler shrouds for loose fit or excessive wear and maintenance action as necessary on certain Piper Model PA-28R series airplanes.

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

Adoption of the Amendment

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

Piper Aircraft Corporation. Applies to Model PA-28R-180 serial numbers 28R-30002 through 28R-7130013; Model PA-28R-200 serial numbers 28R-35001 through 28R-7635545; PA-28R-201 serial numbers 28R-7737001 through 28R-7837317; and PA-28RT-201 serial numbers 28R-7918001 through 28R-8018088 airplanes certificated in all categories.

Compliance required within the next 50 hours time in service after the effective date of this AD unless already accomplished.

To prevent possible leakage of carbon monoxide into the cabin, accomplish the following:

(a) Remove upper and lower engine cowling.

(b) Remove and discard clips on muffler shroud end plates shown on Figure 1.

(c) Inspect for movement between the muffler shroud end plates and the muffler pipes.

(d) If there is no relative movement, the muffler assembly is acceptable and no modification is necessary.

(e) If relative movement is observed, accomplish the following:

(1) Remove and disassemble the muffler and shroud assembly from the engine and inspect all parts for wear and cracking. Repair or replace as necessary.

Note.—During the inspection required in (1), direct particular attention to the muffler shroud end plates and the mating area of contact on the muffler tubes.

(2) Rework the end plates to provide a 0.030 inch minimum gap between the plates after assembly as shown in figures 1 and 2.

(3) Slot the two 0.141 inch holes in the top of the shroud assembly to allow the screws to be installed without causing deformation of the shroud skin.

(4) Install the two screws holding the shroud assembly on the bottom side of the muffler prior to installing the strap clamps but do not tighten until the top screws are in place.

(5) Install the strap clamps, tightening to a torque of 25 to 30-inch pounds.

(6) Install and tighten the two top screws then tighten the bottom screws.

(7) Inspect the muffler and shroud assembly for tightness. If relative motion still exists between the muffler pipes and the muffler shroud end plates, repeat steps (1) through (6) until any relative motion is eliminated.

(8) Reinstall the muffler assembly in the aircraft using new exhaust gaskets, Lycoming part number 65321, and torque exhaust stack nuts to 120 to 170-inch pounds.

(f) Make an appropriate maintenance record entry.

An equivalent method of compliance may be approved by the Chief, Engineering and Manufacturing Branch, Federal Aviation Administration, Southern Region.

Note.—Piper Service Bulletin No. 691, dated August 6, 1980, pertains to this subject.

This amendment becomes effective September 12, 1980.

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

Note.—The FAA 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). A copy of the final evaluation prepared for this action is contained in the regulatory docket. A copy of it may be obtained by contacting the person identified above under the caption "For Further Information Contact."

Issued in East Point, Ga., on August 25, 1980.

Louis J. Cardinali,

Director, Southern Region.

BILLING CODE 4910-13-M

FIGURE 1.

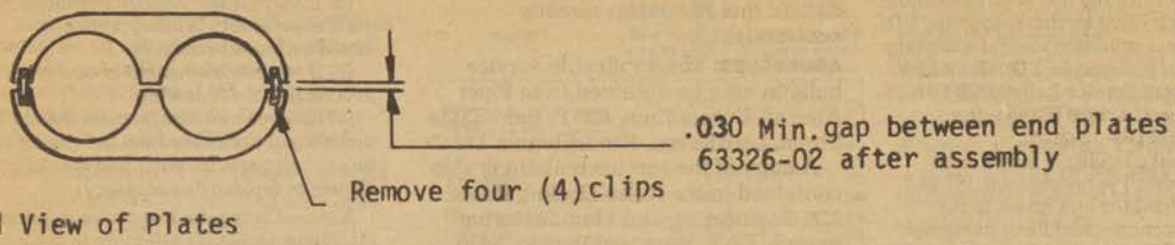
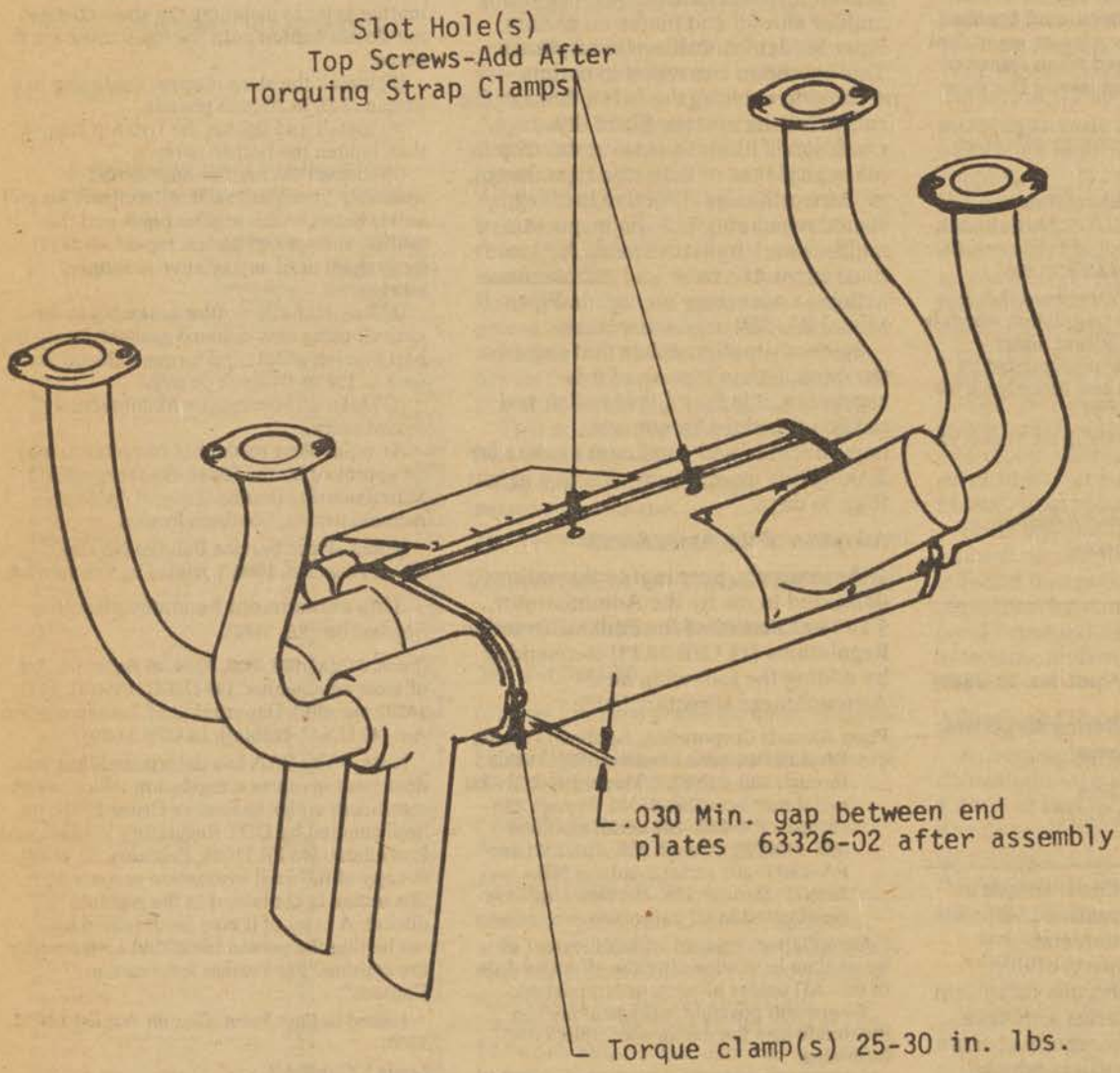


FIGURE 2.



[FR Doc. 80-27174 Filed 9-5-80; 8:45 am]
BILLING CODE 4910-13-C

14 CFR Part 39

[Docket No. 80-NW-28-AD; Amdt. 39-3910]

Airworthiness Directives: Hiller UH-12D and UH-12E as Modified by Soloy Conversions, Ltd.; STC Nos. SH177WE and SH178WE Respectively

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new Airworthiness Directive (AD) that requires replacement of the engine output coupling shaft to prevent excessive torsional stresses which could lead to engine, transmission, or driveline failure resulting in loss of power to the rotor drive system. This AD is prompted by investigations which show that certain combinations of engine and torquemeter gear induce steady-state torsional vibrations which exceed the engine manufacturer's approved installation limits.

DATES: Effective Date: October 11, 1980. Compliance: As indicated in the body of the AD.

ADDRESSES: The Soloy Service Bulletin specified in this directive may be obtained upon request to: Soloy Conversions, Ltd., Post Office Box 60, Chehalis, Washington 98532. This document may also be examined at FAA Northwest Region, 9010 East Marginal Way South, Seattle, Washington 98108.

FOR FURTHER INFORMATION CONTACT: Daniel I. Cheney, Propulsion Section, ANW-214, Engineering and Manufacturing Branch, FAA Northwest Region, 9010 East Marginal Way South, Seattle, Washington 98108 (206) 767-2520.

SUPPLEMENTARY INFORMATION: A Notice of Proposed Rule Making (NPRM) was published in the **Federal Register** on June 30, 1980, (45 FR 43790) proposing to require replacement of the engine output coupling shaft. This action was prompted by recent testing with an instrumented helicopter drive shaft where torsional vibrations were discovered which exceeded the engine manufacturer's approved installation limits for the engine. Subsequent investigations indicated the problem to be with certain undefined characteristics of the torquemeter gear used in combination with the Soloy Part Number 560-2408-2 drive shaft. This gear is found mainly on Detroit Diesel Allison (DDA) 250-C20B engines but which may also be found on 250-C20 engines.

The replacement drive shaft required by this AD reduces these torsional vibrations to acceptable levels. This action is necessary to preclude engine, transmission, or driveline failure and the resultant loss of power.

Public Participation

Interested persons were invited to comment on the proposed rule. The National Transportation Safety Board (NTSB) commented favorably on the proposed AD. No adverse comments were received.

Adoption of the Amendment

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

Hiller Aviation: Applies to Hiller UH-12D and UH-12E (including 4-place) helicopters certificated in all categories which have been converted to turbine power under Soloy Conversions, Ltd. Supplemental Type Certificates SH177WE or SH178WE.

Compliance required within 500-hours operating time or 180 days, whichever occurs first, after the effective date of this AD.

To prevent engine, transmission, or driveline failure and the resultant loss of power, replace Soloy Part Number 560-2408-2 engine output coupling shaft with Soloy Part Number 660-2408-3 shaft in accordance with Soloy Service Bulletin Number 12-560 dated May 21, 1980, or later FAA Approved revisions.

Equivalent methods of compliance may be used when approved by the Chief, Engineering and Manufacturing Branch, FAA Northwest Region, 9010 East Marginal Way South, Seattle, Washington 98108.

The manufacturer's specifications and procedures identified and described in this directive are incorporated herein and made a part hereof pursuant to 5 U.S.C. 552(a)(1).

All persons affected by this directive who have not already received these documents from the manufacturer, may obtain copies upon request to Soloy Conversions, Ltd., Post Office Box 60, Chehalis, Washington 98532. These documents may also be examined at FAA Northwest Region, 9010 East Marginal Way South, Seattle, Washington 98108.

This amendment becomes effective October 11, 1980.

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

Note.—The FAA has determined that this document involves a regulation which is not considered to be significant under the provisions of Executive Order 12044 and as implemented by Department of Transportation Regulatory Policies and Procedures (44 FR 11034; February 26, 1979.

Issued in Seattle, Wash., on August 27, 1980.

Charles R. Foster,

Director, Northwest Region.

Note.—The incorporation by reference provisions in the document were approved by the Director of the Federal Register on June 19, 1967.

[FR Doc. 80-27175 Filed 9-5-80; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 97

[Docket No. 20668; Amdt. No. 1172]

Standard Instrument Approach Procedures; Miscellaneous Amendments

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment establishes, amends, suspends, or revokes Standard Instrument Approach Procedures (SIAPs) for operations at certain airports. These regulatory actions are needed because of the adoption of new or revised criteria, or because of changes occurring in the National Airspace System, such as the commissioning of new navigational facilities, addition of new obstacles, or changes in air traffic requirements. These changes are designed to provide safe and efficient use of the navigable airspace and to promote safe flight operations under instrument flight rules at the affected airports.

DATES: An effective date for each SIAP is specified in the amendatory provisions.

ADDRESSES: Availability of matters incorporated by reference in the amendment is as follows:

For Examination

1. FAA Rules Docket, FAA Headquarters Building, 800 Independence Avenue SW., Washington, D.C. 20591;
2. The FAA Regional Office of the region in which the affected airport is located; or
3. The Flight Inspection Field Office which originated the SIAP.

For Purchase

Individual SIAP copies may be obtained from:

1. FAA Public Information Center (APA-430), FAA Headquarters Building, 800 Independence Avenue SW., Washington, D.C. 20591; or
2. The FAA Regional Office of the region in which the affected airport is located.

By Subscription

Copies of all SIAPs, mailed once every 2 weeks, may be ordered from Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. The annual subscription price is $135.00.

FOR FURTHER INFORMATION CONTACT: Donald K. Funai, Flight Procedures and Airspace Branch (AFO-730), Aircraft Programs Division, Office of Flight Operations, Federal Aviation Administration, 800 Independence Avenue SW., Washington, D.C. 20591; telephone (202) 426-8277.

SUPPLEMENTARY INFORMATION: This amendment to Part 97 of the Federal Aviation Regulations (14 CFR Part 97) prescribes new, amended, suspended, or revoked Standard Instrument Approach Procedures (SIAPs). The complete regulatory description of each SIAP is contained in official FAA form documents which are incorporated by reference in this amendment under 5 U.S.C. 552(a), 1 CFR Part 51, and § 97.20 of the Federal Aviation Regulations (FARs). The applicable FAA Forms are identified as FAA Forms 8260-3, 8260-4 and 8260-5. Materials incorporated by reference are available for examination or purchase as stated above.

The large number of SIAPs, their complex nature, and the need for a special format make their verbatim publication in the **Federal Register** expensive and impractical. Further, airmen do not use the regulatory text of the SIAPs, but refer to their graphic depiction on charts printed by publishers of aeronautical materials. Thus, the advantages of incorporation by reference are realized and publication of the complete description of each SIAP contained in FAA form document is unnecessary. The provisions of this amendment state the affected CFR (and FAR) sections, with the types and effective dates of the SIAPs. This amendment also identifies the airport, its location, the procedure identification and the amendment number.

This amendment to Part 97 is effective on the date of publication and contains separate SIAPs which have compliance dates stated as effective dates based on related changes in the National Airspace System or the application of new or revised criteria. Some SIAP amendments may have been previously issued by the FAA in a National Flight Data Center (FDC) Notice to Airman (NOTAM) as an emergency action of immediate flight safety relating directly to published aeronautical charts. The circumstances which created the need for some SIAP amendments may require making them effective in less than 30 days. For the remaining SIAPs, an effective date at least 30 days after publication is provided.

Further, the SIAPs contained in this amendment are based on the criteria contained in the U.S. Standard for the Terminal Instrument Approach Procedures (TERPs). In developing these SIAPs, the TERPs criteria were applied to the conditions existing or anticipated at the affected airports. Because of the close and immediate relationship between these SIAPs and safety in air commerce, I find that notice and public procedure before adopting these SIAPs is unnecessary, impracticable, or contrary to the public interest and, where applicable, that good cause exists for making some SIAPs effective in less than 30 days.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, Part 97 of the Federal Aviation Regulations (14 CFR Part 97) is amended by establishing, amending, suspending, or revoking Standard Instrument Approach Procedures, effective at 0901 G.m.t. on the dates specified, as follows:

1. By amending § 97.23 VOR-VOR/DME SIAPs identified as follows:

* * * Effective October 30, 1980:

Immokalee, FL—Immokalee, VOR Rwy 18, Original
Miami, FL—Miami Int'l, VOR Rwy 30, Amdt. 3
Naples, FL—Naples Muni, VOR Rwy 4, Original
Naples, FL—Naples Muni, VOR Rwy 22, Original
Pensacola, FL—Pensacola Regional, VOR Rwy 7, Original
Tallahassee, FL—Tallahassee Muni, VOR Rwy 18, Amdt. 6
Tifton, GA—Henry Tift Myers, VOR Rwy 27, Amdt. 4
Tifton, GA—Henry Tift Myers, VOR Rwy 33, Amdt. 6
Cleveland, MS—Cleveland Muni, VOR-A, Amdt. 5
Pembina, ND—Pembina Muni, VOR Rwy 33, Original
Portsmouth, OH—Greater Portsmouth Regional, VOR/DME-A, Amdt. 2
Martinsville, VA—Blue Ridge, VOR-B, Amdt. 3
Martinsville, VA—Blue Ridge, VOR/DME Rwy 30, Original

* * * Effective October 16, 1980:

Eufaula, AL—Weedon Field, VOR Rwy 18, Amdt. 4
Pahokee, FL—Palm Beach County Glades, VOR Rwy 17, Amdt. 8
Campbellsville, KY—Taylor County, VOR/DME-A, Amdt. 3
Louisville, KY—Standiford Field, VOR Rwy 29 (TAC), Amdt. 15
Hallock, MN—Hallock Muni, VOR/DME Rwy 31, Amdt. 3
West Point, MS—McCharen Field, VOR-A, Amdt. 1
West Point, MS—McCharen Field, VOR/DME-B, Amdt. 1
Fargo, ND—Hector Field, VOR Rwy 35, Amdt. 9
Harrisburg, PA—Capital City, VOR Rwy 12, Amdt. 14, cancelled
Morristown, TN—Moore-Murrell, VOR Rwy 5, Amdt. 3, cancelled

* * * Effective October 2, 1980:

Kankakee, IL—Greater Kankakee, VOR Rwy 4, Amdt. 3
Kankakee, IL—Greater Kankakee, VOR Rwy 22, Amdt. 3
Westland, MI—National, VOR-A, Amdt. 4, cancelled
Jamestown, ND—Jamestown Muni, VOR Rwy 12, Amdt. 5
Jamestown, ND—Jamestown Muni, VOR Rwy 30, Amdt. 6

2. By amending § 97.25 SDF-LOC-LDA SIAPs identified as follows:

* * * Effective October 30, 1980:

Miami, FL—Miami Intl, LOC/DME Rwy 30, Amdt. 1
Tallahassee, FL—Tallahassee Muni, LOC BC Rwy 18, Amdt. 12

* * * Effective October 16, 1980:

Fargo, ND—Hector Field, LOC BC Rwy 17, Amdt. 9
Morristown, TN—Moore-Murrell, SDF Rwy 5, Original
Bremerton, WA—Kitsap County, LOC BC Rwy 1, Amdt. 2

* * * Effective October 2, 1980:

Decatur, IL—Decatur, LOC BC Rwy 24, Amdt. 6
Grand Forks, ND—Grand Forks Intl, LOC BC Rwy 17, Amdt. 5
Jamestown, ND—Jamestown Muni, LOC/DME BC Rwy 12, Amdt. 3
Portland, OR—Portland Intl, LOC BC Rwy 10L, Amdt. 11

3. By amending § 97.27 NDB/ADF SIAPs identified as follows:

* * * Effective October 30, 1980:

Cullman, AL—Folsom Field, NDB Rwy 19, Original
Tallahassee, FL—Tallahassee Muni, NDB Rwy 36, Amdt. 15
Gainesville, GA—Lee Gilmer Memorial, NDB Rwy 4, Amdt. 4
Tifton, GA—Henry Tift Myers, NDB Rwy 33, Amdt. 8
Cleveland, MS—Cleveland Muni, NDB Rwy 17, Amdt. 3
Portsmouth, OH—Greater Portsmouth Regional, NDB Rwy 36, Original
Martinsville, VA—Blue Ridge, NDB-A, Amdt. 3
Racine, WI—Horlick-Racine, NDB Rwy 4, Original
Racine, WI—Harlick-Racine, NDB Rwy 22, Amdt. 1, cancelled

* * * Effective October 16, 1980:

West Palm Beach, FL—Palm Beach International, NDB Rwy 9L, Amdt. 15
Campbellsville, KY—Taylor County, NDB Rwy 5, Amdt. 1

Louisville, KY—Standiford Field, NDB Rwy 29, Amdt. 12
Fargo, ND—Hector Field, NDB Rwy 17, Amdt. 10
Memphis, TN—Memphis Intl, NDB Rwy 35R, Amdt. 5

* * * Effective October 16, 1980:

Morristown, TN—Moore-Murrell, NDB Rwy 5, Original
Morristown, TN—Moore-Murrell, NDB Rwy 5, Amdt. 4, cancelled
Bremerton, WA—Kitsap County, NDB Rwy 1, Amdt. 10

* * * Effective October 2, 1980:

Decatur, IL—Decatur, NDB Rwy 6, Amdt. 2
Jamestown, ND—Jamestown Muni, NDB Rwy 30, Amdt. 4
Portland, OR—Portland Intl, NDB Rwy 28L, Amdt. 1
Portland, OR—Portland Intl, NDB Rwy 28R, Amdt. 8
Troutdale, OR—Portland-Troutdale, NDB-A, Amdt. 6

4. By amending § 97.29 ILS-MLS SIAPs identified as follows:

* * * Effective October 30, 1980:

Tallahassee, FL—Tallahassee Muni, ILS Rwy 36, Amdt. 18

* * * Effective October 16, 1980:

West Palm Beach, FL—Palm Beach International, ILS Rwy 9L, Amdt. 17
Lexington, KY—Blue Grass, ILS Rwy 22, Amdt. 2
Fargo, ND—Hector Field, ILS Rwy 35, Amdt. 27
Florence, SC—Florence City-County, ILS Rwy 9, Amdt. 11
Bremerton, WA—Kitsap County, ILS Rwy 19, Amdt. 7

* * * Effective October 2, 1980:

Pocatello, ID—Pocatello Muni, ILS Rwy 21, Amdt. 21
Decatur, IL—Decatur, ILS Rwy 6, Amdt. 9
Kankakee, IL—Greater Kankakee, ILS Rwy 4, Original
Grand Forks, ND—Grand Forks Intl, ILS Rwy 35, Amdt. 4
Jamestown, ND—Jamestown Muni, ILS Rwy 30, Amdt. 4
Portland, OR—Portland Intl, ILS Rwy 28R, Amdt. 10

5. By amending § 97.31 RADAR SIAPs identified as follows:

* * * Effective October 16, 1980:

Lexington, KY—Blue Grass, RADAR-1, Amdt. 5
Gulfport, MS—Gulfport-Biloxi Rgnl, RADAR-1, Amdt. 2
Walls, MS—Twinkle Town, RADAR-1, Amdt. 2
Fargo, ND—Hector Field, RADAR-1, Amdt. 4

* * * Effective October 2, 1980:

Portland, OR—Portland Intl, RADAR 1, Amdt. 21, cancelled

6. By amending § 97.33 RNAV SIAPs identified as follows:

* * * Effective October 30, 1980:

Portsmouth, OH—Greater Portsmouth Regional, RNAV Rwy 18, Amdt. 2

* * * Effective October 16, 1980:

West Point, MS—McCharen Field, RNAV Rwy 36, Amdt. 1
Fargo, ND—Hector Field, RNAV Rwy 13, Amdt. 3
Bremerton, WA—Kitsap County, RNAV Rwy 1, Amdt. 4

(Secs. 307, 313(a), 601, and 1110, Federal Aviation Act of 1958 [49 U.S.C. 1348, 1354(a), 1421, and 1510]; sec. 6(c), Department of Transportation Act [49 U.S.C. 1655(c)]; and 14 CFR 11.49(b)(3))

Note.—The FAA 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 Washington, D.C., on August 29, 1980.

John S. Kern,

Acting Chief, Aircraft Programs Division.

Note.—The incorporation by reference in the preceding document was approved by the Director of the Federal Register on May 12, 1969.

[FR Doc. 80-27172 Filed 9-5-80; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Social Security Administration

20 CFR Part 416

Pass Along of Federal Supplemental Security Income Benefit Cost-of-Living Increases to Recipients of State Supplementary Payments; Limitations on State Costs for Hold-Harmless States

Correction

In FR Doc. 80-24862 appearing at page 54742 in the issue for Monday, August 18, 1980, in § 416.2096(c)(5), on page 54750 (first column), in the second line, the word "afer" should read "after".

BILLING CODE 1505-01-M

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

Federal Highway Administration

23 CFR Part 1251

[Docket No. 79-10; Notice 3]

State Highway Safety Agency

AGENCIES: National Highway Traffic Safety Administration (NHTSA), Federal Highway Administration (FHWA), DOT.

ACTION: Final rule.

SUMMARY: This rule establishes new requirements for the authority and function of State highway safety agencies. The intent of these requirements is to improve the management of highway safety programs on a Statewide basis by upgrading the role of the central highway safety agencies. This program is listed in the Catalogue of Federal Domestic Assistance (CFDA) as the State and Community Highway Safety Program, CFDA No. 20.600, Part III of OMB Circular No. A-95 (revised) applies.

EFFECTIVE DATE: The effective date for implementation of the rule is October 1, 1980.

FOR FURTHER INFORMATION CONTACT: NHTSA: Adele Spielberger, Office of State Program Assistance, 202-426-1760, or FHWA: James Rummel, Office of Highway Safety, 202-426-2131. Office hours for NHTSA and FHWA are from 7:45 a.m. to 4:15 p.m. Eastern Time, Monday through Friday. All offices are located at 400 Seventh Street, S.W., Washington, D.C. 20590.

SUPPLEMENTARY INFORMATION: As originally enacted, the Highway Safety Act of 1966 (Pub. L. 89-564) provided that the Governor of each State was to be responsible for the State's highway safety programs. Without reducing the responsibility of the Governor, amendments to the Act have directed the exercise of that responsibility through a State agency. The first step in this direction was taken in the Highway Safety Act of 1970, which provided that the responsibility of the Governor was to be exercised "through a State agency which shall have adequate powers and be suitably equipped and organized" to carry out the program (sec. 203, Pub. L. 91-605, 84 Stat. 1741; 23 U.S.C. 402(b)(1)(A)).

In conjunction with the review of the Highway Safety Program Standards mandated by the Highway Safety Act of 1976 (Pub. L. 94-280, 90 Stat. 451), the

Department of Transportation submitted a report to Congress in which it pointed to the need for improvement in the status of the offices administering the State highway safety programs. In response to this report, and on the basis of its own examination of the highway safety program, the House Committee on Public Works and Transportation prepared an amendment to the State agency provisions of the Act. As enacted, this amendment made it clear that the State agency was to be a State "highway safety" agency (sec. 207(b)(1), Pub. L. 95–599, 92 Stat. 2731).

In explaining the addition of "highway safety" to the State agency requirement, the Committee dwelt at length on the need to have one central authority responsible for a State's highway safety program. In the Committee's view, the intent of the amendment was to ensure that program responsibilities presently fragmented and diffused among several different State agencies be brought together and coordinated by a single State agency with explicit authority for highway safety programs (H.R. Rep. No. 95–1485, at 49).

Notices of Proposed Rulemaking

To carry out the intent of the Highway Safety Act of 1978 with respect to State highway safety agencies, NHTSA and FHWA issued two notices of proposed rulemaking.

The first notice, published on June 21, 1979, (44 FR 36204) drew a number of adverse comments. The authority proposed for the highway safety agencies by the June 21 proposal received a number of strong protests, particularly from those State agencies, such as the Highway Patrol, State Police, and State Highway Departments, that have traditionally played an independent role in highway safety matters. Of particular concern was the authority of the State agency to "coordinate" highway safety programs in the State by reviewing and commenting on highway safety programs of other State agencies prior to implementation of such programs. Many commentors expressed doubts about the capability of the existing highway safety agencies to undertake such a coordinating role. No one supported the increased staff for the safety agencies that would be necessary if the proposed authority were to be effectively exercised.

In response to the objections to the first notice, a second proposed rule was published on December 6, 1979, prescribing a more limited role for the safety agencies. The revised proposal was based largely on an alternative proposal submitted by the National Association of Governors Highway Safety Representatives. As revised, the section proposed that the State agencies be authorized to keep themselves informed about highway safety programs administered by other State and local agencies and to assist the other agencies in developing and carrying out highway safety programs. The "coordinating" role would be carried out by having the safety agency report to the Governor periodically on the effectiveness of highway safety activities in the State, including State and locally-funded activities, as well as those that are federally-funded. The oversight thus exercised would therefore resemble that of a staff agency rather than that of an operating agency, and would not involve either the expanded staff (the review would be on a selective basis) or the delays (the review would not precede implementation) that could result from the first proposal.

The second notice also shortened and simplified the section prescribing the functions of the highway safety agencies. As revised, the list of functions closely resembled those suggested by the National Association of Governors Highway Safety Representatives. The "management" functions were confined to the section 402 funded aspects of the safety agencies' responsibility. With respect to other State and local agencies, the State highway safety agency would act in a supportive, not a managerial capacity. The functions relating to the collection of statistics, which met with objections in the first notice, were limited by the second notice to statistics for the agencies' own purposes, not for the purposes of NHTSA and FHWA. In the final rule, the direction to collect statistics has been deleted while the requirement to assess the performance of the program has been retained and, thus emphasized.

Comments

The majority of commentors to the second notice reacted favorably to the proposed rule, with several noting that the second notice had resolved the objections they had had to the first notice. Those who objected to the second notice stated that the current procedures were adequate and should not be changed (North Carolina DOT, Minnesota Department of Public Safety); that the proposed rule was unnecessary for those States with adequate laws (Washington Department of Licensing); that making Highway Safety Plan approval contingent on compliance with the rule would add another layer of requirements (Oklahoma Department of Public Safety); and that the evaluation function was being adequately performed, either by other agencies or by the legislature's oversight committees (Oklahoma Department of Public Safety, Minnesota Department of Public Safety). By far the largest number of objections were directed at the basic concept of the highway safety agency as an agency with the authority to review and comment on other agencies' highway safety programs, regardless of the funding source for those programs. To these commentors, review was seen as a means of Federal control and intervention in the affairs of State government (see, e.g., the comments from the Colorado State Patrol and the California Highway Patrol). In its most extreme form, this concern was expressed by the Massachusetts Department of Motor Vehicles as the belief that the rulemaking "has as its underlying theme the complete Federal absorption of highway safety programs."

A number of the objections to the proposal could not be met except by retracting the proposal, a course that would violate the intent of the Highway Safety Act of 1978. A highway safety agency whose scope was limited to reviewing federally-funded programs would not serve the purposes intended by Congress when it directed the establishment of the highway safety agencies. The elements of the second notice have therefore been incorporated into the final rule with only minor changes.

In response to a comment that the provision of technical assistance under §§ 1251.3 (c) and (d) could be duplicative of other agencies' assistance (Ohio DOT), a phrase has been added to § 1251.3(c) to make it clear that the highway safety agency can operate as a clearinghouse when assistance is available from other agencies, rather than provide such assistance itself. This would help alleviate the highway safety agency staffing problem noted by several comments. In response to additional comments concerning the duplication of forms (Ohio DOT), it will be the policy under the final rule to use existing procedures and forms wherever possible. Where existing procedures provide for annual review of highway safety programs, such as the annual evaluation report for the Highway Safety Improvement Program cited by the West Virginia Department of Highways, such procedures can be relied on by the safety agencies in their periodic evaluation of safety programs.

The functions of monitoring and auditing, proposed as § 1251.4(f), have been separated into two sections, with the monitoring function described in

greater detail in paragraph (f). In keeping with the objectives of Attachment P of Office of Management and Budget Circular A-102, paragraph (g) requires the State to assure that an independent audit is performed both of the Highway Safety Agency and of any use of 402 funds by a subrecipient.

Several comments expressed concern about the lack of implementing instructions for the rule (Washington Traffic Safety Commission, Washington Department of Transportation) and about the need for procedures in the rule to grant exceptions beyond the proposed effective date (National Association of Governors Highway Safety Representatives). The Federal agencies anticipate that most States will be able to comply with the provisions of §§ 1251.3 and 1251.4 in a timely manner.

As stated in § 1251.2 of the rule, approval of a State's Highway Safety Plan will depend upon the State's compliance with §§ 1251.3 and 1251.4. Any difficulties that a State might encounter in meeting the October 1 effective date should be brought to the attention of the FHWA/NHTSA regional offices. Any intractable timing problems, such as those caused by a need for legislation, can be taken into account and a schedule devised and approved for complete compliance with the rule.

In consideration of the foregoing, Part 1251 is added to Title 23, Code of Federal Regulations, to read as set forth below:

Note.—The National Highway Traffic Safety Administration and the Federal Highway Administration have determined that this document is a nonsignificant regulation under the regulatory policies and procedures established by the Department of Transportation (44 FR 11034). The anticipated impact of this regulation is so minimal that a full regulatory evaluation is not required.

Issued on: September 2, 1980.

Joan Claybrook,

Administrator, National Highway Traffic Safety Administration.

John S. Hassell, Jr.,

Federal Highway Administrator.

PART 1251—STATE HIGHWAY SAFETY AGENCY

Sec.

1251.1 Purpose.
1251.2 Policy.
1251.3 Authority.
1251.4 Functions.

Authority: 23 U.S.C. 402; 23 U.S.C. 315; 49 CFR 1.48 and 1.50.

§ 1251.1 Purpose.

The purpose of this Part is to prescribe the minimum authority and functions of the State Highway Safety Agency established in each State by the Governor under the authority of the Highway Safety Act (23 U.S.C. 402).

§ 1251.2 Policy.

In order for a State to receive funds under the Highway Safety Act, the Governor shall exercise his or her responsibilities through a State Highway Safety Agency that has "adequate powers and is suitably equipped and organized to carry out the program to the satisfaction of the Secretary." 23 U.S.C. 402(b)(1)(A). Accordingly, it is the policy of this Part that approval of a State's Highway Safety Plan will depend upon the State's compliance with §§ 1251.3 and 1251.4 of this Part.

§ 1251.3 Authority.

Each State Highway Safety Agency shall be authorized to:

(a) Develop and implement a process for obtaining information about the highway safety programs administered by other State and local agencies.

(b) Periodically review and comment to the Governor on the effectiveness of highway safety plans and activities in the State regardless of funding source.

(c) Provide or facilitate the provision of technical assistance to other State agencies and political subdivisions to develop highway safety programs.

(d) Provide financial and technical assistance to other State agencies and political subdivisions in carrying out highway safety programs.

§ 1251.4 Functions.

Each State Highway Safety Agency shall:

(a) Develop and prepare the Highway Safety Plan prescribed by Volume 102 of the Highway Safety Program Manual (23 CFR 1204.4, Supplement B), based on evaluation of highway accidents and safety problems within the State.

(b) Establish priorities for highway safety programs funded under 23 U.S.C. 402 within the State.

(c) Provide information and assistance to prospective aid recipients on program benefits, procedures for participation, and development of plans.

(d) Encourage and assist local units of government to improve their highway safety planning and administration efforts.

(e) Review the implementation of State and local highway safety plans and programs, regardless of funding source, and evaluate the implementation of those plans and programs funded under 23 U.S.C. 402.

(f) Monitor the progress of activities and the expenditure of section 402 funds contained in the State's approved Highway Safety Plan.

(g) Assure that independent audits are made of the financial operations of the State Highway Safety Agency and of the use of section 402 funds by any subrecipient.

(h) Coordinate the State Highway Safety Agency's Highway Safety Plan with other Federally and non-Federally supported programs relating to or affecting highway safety.

(i) Assess program performance through analysis of data relevant to highway safety planning.

[FR Doc. 80-27293 Filed 9-5-80; 8:45 am]
BILLING CODE 4910-59-M

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of Assistant Secretary for Housing—Federal Housing Commissioner

24 CFR Part 215

[Docket No. R-80-842]

Rent Supplement Payments

AGENCY: Department of Housing and Urban Development (HUD), Assistant Secretary for Housing—Federal Housing Commissioner.

ACTION: Interim rule.

SUMMARY: This Interim Rule implements Section 203(a) (1) and (2) of the Housing and Community Development Amendments of 1979 by redefining "income" to make the tenant eligibility consistent with those of the Section 8 Program for Housing Assistance to Low and Moderate Income Persons. The change is intended to simplify processing under the various programs by making uniform the definitions of eligibility and adjusted income.

EFFECTIVE DATE: October 1, 1980.

COMMENTS DUE DATE: November 7, 1980.

ADDRESS: Comments should be sent to the Rules Docket Clerk, Office of General Counsel, Room 5218, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, D.C. 20410. Each comment should include the commentor's name and address, and must refer to the docket number indicated in the heading of the document. A copy of each communication will be available for public inspection during regular business hours at the above address.

FOR FURTHER INFORMATION CONTACT: James J. Tahash, Director, Program Planning Division, Office of Multifamily Housing Management and Occupancy, Department of Housing and Urban Development, Washington, D.C. 20410,

(202) 426-8730. This is not a toll-free number.

SUPPLEMENTARY INFORMATION: The purpose of this rule is to implement section 203(a) (1) and (2) of the HCD Amendments of 1979, which changed the definition of qualified tenant in section 101 of the Housing and Urban Developmenmt Act of 1965 to: Any individual or family having an income which would qualify such individual or family for assistance under section 8 of the United States Housing Act of 1937, except that such term shall also include any individual or family who was receiving assistance under this section on the day preceding the date of the enactment of the Housing and Community Development Amendments of 1979; and defined the term "income" to mean income as determined under section 8 of the United States Housing Act of 1937. In addition, section 203 eliminated the noneconomic criteria contained in section 101 of the Housing and Urban Development Act of 1965.

The Department is not implementing sections 203 (3) and (4) of the Housing and Community Development Amendments of 1979 at this time. Section 203(3) deletes section 101(e)(1)(B) of the Housing and Urban Development Act of 1965, which requires the Secretary to issue a certificate as to the noneconomic criteria for admission to, and continued occupancy in, rent supplement units, and inserts a provision requiring the Secretary to issue a certificate as to whether the individual or family was occupying substandard housing or was involuntarily displaced at the time assistance was being sought. Section 203(4) adds a new subsection (k) to section 101 providing for a priority to individuals or families who are occupying substandard housing or who are involuntarily displaced at the time they are seeking rent supplement assistance. The Department is presently formulating a definition of "involuntarily displaced" for other program requirements. Since the Department wants the definition to be consistent for all purposes, it was determined that sections 203 (3) and (4) should not be implemented until the Department has arrived at an acceptable definition. As soon as the definition has been developed, this interim rule will be amended by another interim rule amending Part 215 to provide for a priority to individuals and families who were occupying substandard housing or were involuntarily displaced at the time they were seeking rent supplement assistance.

The Secretary has determined that it is urgent to make this rule effective as soon as possible, as it affects positively the eligibility of prospective tenants under the section 101 Rent Supplement Program. These amendments will not adversely affect any individuals or families now participating in the Rent Supplement Program. Since providing an opportunity for public comment on this rule prior to its effective date would delay it for a substantial period of time, the Secretary has found that such rulemaking procedure would be contrary to the public interest. Accordingly, the amendment is being published as an interim rule to become effective as provided above, with a 60-day public comment period following this publication.

The Department will evaluate the comments received on this amendment prior to formulating its final regulation.

The Department has determined that an Environmental Impact Statement is not required with respect to this rule. The finding of inapplicability in accordance with HUD's Environmental procedures is available for inspection at the Office of the Rules Docket Clerk, at the above address. This rule is not listed in the Department's semiannual agenda of significant rules, published pursuant to Executive Order 12044.

PART 215—RENT SUPPLEMENT PAYMENTS

Accordingly, 24 CFR Part 215 is amended as follows:

1. The Table of Content is revised to read as follows:

215.1. Definitions.
215.5. Scope of rent supplement assistance.
215.10. Projects eligible for benefits.
215.15. Eligible housing owner.
215.20. Qualified tenant.
215.21. Adjusted income (annual income after allowances).
215.25. Certificate of eligibility.
215.30. Provisions applicable to cooperative members.
215.35. Term of contract.
215.40. Maximum annual project payments under contract.
215.45. Maximum payments under contract for each tenant.
215.50. Time of payment under contract.
215.55. Recertification of income under contract.
215.60. Hardship cases.
215.65. Tenant occupancy limitations.
215.70. Form of lease.
215.75. Housing owner's obligation under contract to report tenant income increase.
215.80. Change in tenant income status.

Authority: Section 101(g) of the Housing and Urban Development Act of 1965, as amended (12 U.S.C. 1701s).

2. Section 215.20 is revised to read as follows:

§ 215.20 Qualified tenant.

(a)(1) An individual or family whose annual income does not exceed 80 percent of the median income for the area, as determined by HUD with adjustments for smaller or larger families, except that HUD may establish income limits higher or lower than 80 percent of the median for the area on the basis of its findings that such variations are necessary because of the prevailing levels of construction costs, unusually high or low incomes, or other factors.

(2) An individual or family who was a qualified tenant under the Rent Supplement Program pursuant to Section 101 of the Housing and Urban Development Act of 1965, on the day preceding the effective date of the publication of this rule.

(b) The benefits of the rent supplement payments are available only to an individual or a family renting a dwelling unit in a project owned by an eligible housing owner or occupying such a dwelling unit as a cooperative member.

(c) For purposes of determining Annual Income, the income shall be determined in accordance with paragraph (d) of this section, except that where an individual or family has Net Assets in excess of $5,000, income shall include the actual amount of income, if any, derived from all of the Net Assets or 10 percent of the value of all such assets, whichever is greater. For purposes of this section, Net Assets means value of equity in real property, savings, stocks, bonds, and other forms of capital investment. The value of necessary items such as furniture and automobiles shall be excluded.

(d) Except as provided in paragraph (e) of this section, all payments from all sources received by the individual or family head (even if temporarily absent) and each additional member of the household who is not a Minor shall be included in the Annual Income. Income shall include, but not be limited to:

(1) The gross amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses;

(2) The net income from operation of a business or profession or from rental of real or personal property (for this purpose, expenditures for business expansion or amortization of capital indebtedness shall not be deducted to determine the net income from a business);

(3) Interest and dividends;

(4) The full amount of periodic payments received from Social Security,

annuities, insurance policies, retirement funds, pensions, disability or death benefits and other similar types of periodic receipts;

(5) Payments in lieu of earnings, such as unemployment and disability compensation, workmen's compensation and severance pay (but see paragraph (e)(3) of this section);

(6) Public Assistance. If the Public Assistance payment includes an amount specifically designated for shelter and utilities which is subject to adjustment by the Public Assistance Agency in accordance with the actual cost of shelter and utilities, the amount of Public Assistance income to be included as income shall consist of:

(i) The amount of the allowance or grant exclusive of the amount specifically designated for shelter and utilities, plus

(ii) The maximum amount which the Public Assistance Agency could be fact allow for the individual or family for shelter and utilities,

(7) Periodic and determinable allowances, such as alimony and child support payments, and regular contributions or gifts received from persons not residing in the dwelling;

(8) All regular pay, special pay and allowances of a member of the Armed Forces (whether or not living in the dwelling) who is an individual or head of a family or spouse (but see paragraph (e)(5) of this section).

(e) The following items shall not be considered as income:

(1) Casual, sporadic or irregular gifts;

(2) Amounts which are specifically for or in reimbursement of the cost of medical expenses;

(3) Lump-sum additions to assets, such as inheritances, insurance payments (including payments under health and accident insurance and workmen's compensation), capital gains and settlement for personal or property losses (but see paragraph (c) of this section);

(4) Amounts of educational scholarships paid directly to the student or to the educational institution, and amounts paid by the Government to a veteran for use in meeting the costs of tuition, fees, books and equipment. Any amounts of such scholarships, or payments to veterans, not used for the above purposes of which are available for subsistence are to be included in income;

(5) The special pay to an individual or head of a family who is in the service, away from home and exposed to hostile fire;

(6) Relocation payments made pursuant to title II of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970;

(7) Foster child care payments;

(8) The value of coupon allotments for the purchase of food pursuant to the Food Stamp Act of 1964 which is in excess of the amount actually charged the eligible household;

(9) Payments received pursuant to participation in the following volunteer programs under the ACTION Agency;

(i) National Volunteer Antipoverty Programs which include VISTA, Service Learning Programs and Special Volunteer Programs,

(ii) National Older American Volunteer Programs for persons aged 60 and over, which include Retired Senior Volunteer Programs, Foster Grandparent Program, Older American Community Services Program, and National Volunteer Program to assist Small Business Experience, Service Corps of Retired Executives (SCORE) and Active Corps of Executives (ACE).

(f) If the circumstances are such that it is not feasible reasonably to anticipate a level of income over a 12-month period, a shorter period may be used subject to a redetermination at the end of such period.

(g) Whenever the Commissioner determines that a project, because of its location or other considerations, could ordinarily be expected to substantially serve the family needs of military personnel who are serving on active duty and who meet the income requirements established by the Commissioner, such preference for occupancy shall be afforded to the family of such military personnel as the Commissioner determines is appropriate.

3. A new § 215.21 is added to read as follows:

§ 215.21 Adjusted income. (Annual income after allowances)

Annual income as defined in § 215.20 less the following:

(a) $300 for each Minor member of the Family household (excluding foster children) other than the Family head or spouse, who is under 18 years of age or is a full-time student.

(b) Medical expenses which exceed 3 percent of the Annual Income and which are to be anticipated during the 12-month period for which the Annual Income is computed, and which are not covered by insurance (however, premiums for such insurance may be included as medical expenses).

(c) Unusual expenses paid by the Family for the care of Minors under 13 years of age or for the care of disabled or handicapped Family household members, but only where such care is necessary to enable a Family member to be gainfully employed, and the amount allowable as Unusual Expenses shall not exceed the amount of income from such employment.

4. Section 215.45 is revised to read as follows:

§ 215.45 Maximum payments under contract for each tenant.

The rent supplement contract shall provide that the payment on behalf of a qualified tenant shall be that amount by which the rent approved by the Commissioner for the unit exceeds one-fourth of the tenant's adjusted income, or exceeds any Public Assistance Payment for housing if such allowance is larger than one-fourth of the tenant's adjusted income.

Issued at Washington, D.C., July 24, 1980.

Lawrence B. Simons,

Assistant Secretary for Housing, Federal Housing Commissioner.

[FR Doc. 80-27474 Filed 9-5-80; 8:45 am]

BILLING CODE 4210-01-M

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24 CFR Part 236

[Docket No. R-80-841]

Mortgage Insurance and Interest Reduction Payment for Rental Projects

AGENCY: Department of Housing and Urban Development (HUD), Assistant Secretary for Housing—Federal Housing Commissioner.

ACTION: Interim rule.

SUMMARY: This Interim Rule implements Section 203 (b) and (c) of the Housing and Community Development Amendments of 1979 by redefining "income" to make the tenant eligibility consistent with those of the Section 8 Program for Housing Assistance to Low and Moderate Income Persons. The change is intended to simplify processing under the various programs by making uniform the definitions of eligibility and adjusted income.

DATES: Effective date: October 1, 1980.

Comments due date: November 7, 1980.

ADDRESS: Comments should be sent to the Rules Docket Clerk, Office of General Counsel, Room 5218, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, D.C. 20410. Each comment should include the commentor's name and address and must refer to the docket number indicated in the heading of this document. A copy of each communication will be available for public inspection during regular business hours at the above address.

FOR FURTHER INFORMATION CONTACT: James J. Tahash, Director, Program Planning Division, Office of Multifamily Housing Management and Occupancy, Department of Housing and Urban Development, Washington, D.C. 20410, (202) 426-8730. This is not a toll free number.

SUPPLEMENTARY INFORMATION: The change made to Section 236 by Section 203 of the Housing and Community Development Amendments of 1979 was the change in Section 236(m) concerning the definition of income. For the purposes of this section, the term "income" means income as determined under Section 8 of the United States Housing Act of 1937.

The Secretary has determined that it is urgent to make this rule effective as soon as possible, as it affects the eligibility of prospective tenants under Section 236, Mortgage Insurance and Interest Reduction Payment for Rental Projects. This rule will not adversely affect any individuals or families now participating in the Section 236 program. Since providing an opportunity for public comment on this rule prior to its effective date would delay it for a substantial period of time, the Secretary has found that such rulemaking procedure would be contrary to the public interest. Accordingly, the amendment is being published as an interim rule to become effective as provided above, with a 60-day public comment period following this publication. The Department will evaluate the comments received on this amendment prior to formulating its final regulations.

The Department has determined that an Environmental Impact Statement is not required with respect to this rule. The finding of inapplicability in accordance with HUD's Environmental procedures is available for inspection at the Office of the Rules Docket Clerk, at the above address. This rule is not listed in the Department's semiannual agenda of significant rules, published pursuant to Executive Order 12044.

Accordingly, 24 CFR 236.2 is amended by revising paragraphs (a)-(c), the introductory clause of (d) and (e); and by adding paragraphs (i)-(k). Such provisions read as follows:

§ 236.2 Definitions used in this subpart.

As used in this subpart, the following terms shall have the meaning indicated:

(a) *Qualified tenant.* (1) An individual or family whose annual income does not exceed 80 percent of the median income for the area, as determined by HUD with adjustment for smaller or larger Families, except that HUD may establish income limits higher or lower than 80 percent of the median for the area on the basis of its findings that such variations are necessary because of the prevailing levels of construction costs, unusually high or low incomes, or other factors.

(2) The benefits of the interest reduction payments are available only to an individual or a family renting a dwelling unit in a project owned by an eligible housing owner or occupying such a dwelling unit as a cooperative member.

(b) Annual Income shall be determined in accordance with paragraph (b)(1) of this section, except that where an individual or family has Net Assets in excess of $5,000, income shall include the actual amount of income, if any, derived from all of the Net Assets or 10 percent of the value of all such assets, whichever is greater. For purposes of this section, Net Assets means value of equity in real property, savings, stocks, bonds, and other forms of capital investment. The value of necessary items such as furniture and automobiles shall be excluded.

(1) Except as provided in paragraph (b)(2) of this section all payments from all sources received by the individual or Family head (even if temporarily absent) and each additional member of the household who is not a Minor shall be included in the Annual Income. Income shall include, but not be limited to:

(i) The gross amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses;

(ii) The net income from operation of a business or profession or from rental of real or personal property (for this purpose, expenditures for business expansion or amortization of capital indebtedness shall not be deducted to determine the net income from a business);

(iii) Interest and dividends;

(iv) The full amount of periodic payments received from social security, annuities, insurance policies, retirement funds, pensions, disability or death benefits and other similar types of periodic receipts;

(v) Payments in lieu of earnings, such as unemployment and disability compensation, workmen's compensation and severance pay (but see paragraph (b)(2)(iii) of this section);

(vi) *Public Assistance.* If the Public Assistance payment includes an amount specifically designated for shelter and utilities which is subject to adjustment by the Public Assistance Agency in accordance with the actual cost of shelter and utilities, the amount of Public Assistance income to be included as income shall consist of:

(A) The amount of the allowance or grant exclusive of the amount specifically designated for shelter and utilities, plus

(B) The maximum amount which the Public Assistance Agency could in fact allow for the individual or Family for shelter and utilities;

(vii) Periodic and determinable allowances, such as alimony and child support payments, and regular contributions or gifts received from persons not residing in the dwelling;

(viii) All regular pay, special pay and allowances of a member of the Armed Forces (whether or not living in the dwelling) who is an individual or head of a Family or spouse (but see paragraph (b)(2)(v) of this section).

(2) The following items shall not be considered as income:

(i) Casual, sporadic or irregular gifts;

(ii) Amounts which are specifically for or in reimbursement of the cost of medical expenses;

(iii) Lump-sum additions to assets, such as inheritances, insurance payments (including payments under health and accident insurance and workmen's compensation); capital gains and settlement for personal or property losses (but see paragraph (b) of this section);

(iv) Amounts of educational scholarships paid directly to the student or to the educational institution, and amounts paid by the Government to a veteran for use in meeting the costs of tuition, fees, books and equipment. Any amounts of such scholarships, or payments to veterans, not used for the above purposes of which are available for subsistence are to be included in income;

(v) The special pay to an individual or head of a Family who is in the service, away from home and exposed to hostile fire;

(vi) Relocation payments made pursuant to Title II of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970;

(vii) Foster child care payments;

(viii) The value of coupon allotments for the purchase of food pursuant to the Food Stamp Act of 1964 which is in excess of the amount actually charged the eligible household;

(ix) Payments received pursuant to participation in the following volunteer programs under the ACTION Agency:

(A) National Volunteer Antipoverty Programs which include VISTA, Service Learning Programs and Special Volunteer programs.

(B) National Older American Volunteer programs for persons aged 60 years and over which include Retired

Senior Volunteer Programs, Foster Grandparent Program, Older American Community Services Programs, and National Volunteer Program to Assist Small Business Experience, Service Corps of Retired Executive (SCORE) and Active Corps of Executives (ACE).

(3) If the circumstances are such that is not feasible reasonably to anticipate a level of income over a 12-month period, a shorter period may be used subject to a redetermination at the end of such period.

(c) *Adjusted Income.* Annual Income less the following:

(1) $300 for each Minor member of the Family Household (excluding foster children) other than the Family head or spouse, who is under 18 years of age or is a full-time student.

(2) Medical expenses which exceed 3 percent of the Annual Income and which are to be anticipated during the 12-month period for which the Annual Income is computed, and which are not covered by insurance (however, premiums for such insurance may be included as medical expenses).

(3) Unusual expenses paid by the Family for the care of Minors under 13 years of age or for the care of disabled or handicapped Family household members, but only where such care is necessary to enable a Family member to be gainfully employed, and the amount allowable as Unusual Expenses shall not exceed the amount of income from such employment.

(d) Handicapped means a person who has an impairment which:

* * * * *

(e) *Minor.* A member of the Family household (excluding foster children) other than the Family head or spouse, who is under 18 years of age or is a full-time student.

* * * * *

(i) *Adjusted Monthly Income.* One-twelfth of Adjusted Income as defined in § 236.2(c).

(j) *Public Assistance.* Welfare or other payments to families or individuals, based on need, which are made under programs funded, separately or jointly, by Federal, State, or local governments.

(k) Family means two or more persons related by blood, marriage, or operation of law, who occupy the same dwelling or unit.

(Sec. 236 of the National Housing Act, as amended (12 U.S.C. 1715z-1))

Issued at Washington, D.C. July 24, 1980.

Lawrence B. Simons,

Assistant Secretary for Housing, Federal Housing Commissioner.

[FR Doc. 80-27471 Filed 9-5-80; 8:45 am]

BILLING CODE 4210-01-M

24 CFR Part 886

[Docket No. R-80-850]

Low Income Housing; Additional Assistance Program for Projects with HUD-Insured and HUD-Held Mortgages

AGENCY: Department of Housing and Urban Development.

ACTION: Interim rule and request for comments.

SUMMARY: This interim rule would give HUD, under the Section 8 Program, the option of either applying a rent formula based on data supplied by the project owners or utilizing contract rents. The Department under this program provides tenant assistance to the owners by paying a part of the contract rents on behalf of the eligible tenant. Contract rent is the rental income necessary to maintain the projects' physical and financial viability. The resulting flexibility should enable HUD to provide sufficient rents in appropriate cases and thereby prevent deterioration of the property and potential foreclosures.

DATE: Effective date: October 1, 1980.

This amendment to the regulations expires September 30, 1981 unless extended by notification in this publication.

Comment due date November 7, 1980.

ADDRESS: The Department is soliciting comments from the public prior to issuing a final rule. All written comments on the rule should refer to Docket No. R-80-850 and should be submitted to the Rules Docket Clerk, Room 5218, Office of the General Counsel, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, D.C. 20410. All written comments made in connection with this subpart will be available for public inspection during normal business hours at this office. All comments received will be considered by the Department in preparation of the final rule.

FOR FURTHER INFORMATION CONTACT: James J. Tahash, Director, Program Planning Division, Office of Multifamily Housing Management and Occupancy, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, D.C. 20410, (202) 426-8730. This is not a toll free number.

SUPPLEMENTARY INFORMATION: This section applies to adjustments of the dollar amount stated in the Contract as the Maximum Unit Rent. The Contract Rents approved by HUD will only be affected by this amendment when the Maximum Unit Rent as adjusted by the Automatic Annual Adjustment Factor is less than the unit rent determined to be necessary by HUD in applying its rent formula. In that case, if HUD determines that it is necessary to protect the project viability, then the Contract Rents as determined by the HUD rent formula shall prevail. This regulation in no way prohibits the Department from adjusting the Maximum Unit Rent with the Automatic Annual Adjustment Factor or the Special Additional Adjustment Factor if it is determined that the use of these adjustment factors are more appropriate for the particular project involved than using the HUD rent formula.

In no event shall the tenant's portion of the rent be affected by this regulation.

The Secretary has determined that it is necessary to make this rule effective as soon as possible, since numerous project owners are having difficulty maintaining the viability of their projects due to insufficient Automatic Annual Adjustment Factors. Without this amendment, defaults, assignments and foreclosures will increase drastically, adversely affecting the insurance funds. Since providing an opportunity for public comment on this rule prior to its effective date would delay it for a substantial period of time, the Secretary has found that such rulemaking procedure would be contrary to the public interest. Accordingly, the amendment is being published as an interim rule to become effective as provided above, on October 1, 1980, with a 60 day public comment period following this publication.

The Department will evaluate the comments received on this amendment prior to formulating its final regulation.

The Department has determined that an Environmental Impact Statement is not required with respect to this rule. The finding of inapplicability in accordance with HUD's environmental procedures is available for inspection at the Office of the Rules Docket Clerk, at the above address. This rule is not listed in the Department's semiannual agenda of significant rules, published pursuant to Executive Order 12044.

Accordingly, 24 CFR 886.112 is amended by revising the introductory text and paragraphs (a) and (b) to read as follows:

§ 886.112 Rent adjustments.

This section applies to adjustments of the dollar amount stated in the Contract as the Maximum Unit Rent. It does not apply to adjustments in rents payable to Owners as required by HUD in connection with its mortgage insurance and/or lending functions.

(a) Funding of Adjustments. Housing Assistance Payments will be made in increased amounts commensurate with

Contract Rent adjustments up to the maximum annual amount of housing assistance payments specified in the Contract pursuant to § 886.108(b).

(b) Annual Adjustments. The contract rents may be adjusted annually, or more frequently, at HUD's option, either (1) on the basis of a written request for a rent increase submitted by the owner and properly supported by substantiating evidence, or (2) by applying, on each anniversary date of the contract, the applicable Automatic Annual Adjustment Factor most recently published by HUD in the **Federal Register** in accordance with 24 CFR Part 888, Subpart B. Published Automatic Annual Adjustment Factors will be reduced appropriately by HUD where utilities are paid directly by Families. If HUD requires that the owner submit a written request, HUD, within a reasonable time, shall approve a rental schedule that is necessary to compensate for any increase in taxes (other than income taxes) and operating and maintenance costs over which owners have no effective control, or shall deny the increase stating the reasons therefor. Increases in taxes and maintenance and operating costs shall be measured against levels of such expenses in comparable assisted and unassisted housing in the area to ensure that adjustments in the Contract Rents shall not result in material differences between the rents charged for assisted and comparable unassisted units. Contract Rents may be adjusted upward or downward as may be appropriate; however, in no case shall the adjusted rents be less than the contract rents on the effective date of the contract.

* * * * *

(Sec. 7(d), Department of Housing and Urban Development Act (42 U.S.C. 3535(d); Sec. 5(b) of the United States Housing Act of 1937 (42 U.S.C. 1437c(b); Sec. 8 of the United States Housing Act of 1937 (42 U.S.C. 1437b)])

Issued at Washington, D.C., July 25, 1980.

Lawrence B. Simons,

Assistant Secretary for Housing—Federal Housing Commissioner.

[FR Doc. 80-26822 Filed 9-5-80; 8:45 am]

BILLING CODE 4210-01-M

DEPARTMENT OF DEFENSE

Department of the Army

35 CFR Part 253

Regulations of the Secretary of the Army; Compensation and Allowances

AGENCY: Secretary of the Army.

ACTION: Final rule.

SUMMARY: Effective September 30, 1979 the tax allowances was eliminated for employees of Federal agencies in the Republic of Panama hired after that date. By this action the tax allowance is eliminated for all other employees of such agencies.

EFFECTIVE DATE: These amendments to 35 CFR Part 253 are effective the first day of the first pay period beginning after October 1, 1980.

ADDRESS: Department of the Army, Washington, D.C. 20310.

FOR FURTHER INFORMATION CONTACT: Colonel Robert D. Banning, Office of the Assistant Secretary of the Army (CW), Washington, D.C. 20310; telephone (202) 695-1370.

Adoption of Amendments

Accordingly, effective the first day of the first pay period beginning after October 1, 1980, the following amendments to title 35, Code of Federal Regulations are adopted:

§ 253.102 [Amended]

1. Section 253.102 is amended by striking the comma after the word "employees", inserting the word "and" in place thereof, and striking the words "and the tax allowance,".

§ 253.131 [Amended]

2. Section 253.131(a) is amended by striking the second sentence thereof.

3. Section 253.133 is amended by revising the first sentence to read as follows:

§ 253.133 United States citizen employees.

The rates of pay for United States citizen employees shall be the base salary or wage rate plus the differential prescribed by § 253.135. * * *

* * * * *

§ 253.134 [Amended]

4. Section 253.134 is amended by striking the text of the section in its entirety, by striking the caption "Tax allowance" and by designating the section as reserved.

§ 253.135 [Amended]

5. Section 253.135(a) is amended by revising the first sentence to read as follows:

(a) An overseas, tropical differential for U.S. citizen employees who qualify under the provisions of paragraph (b) of this section shall be fixed by the head of each department in an amount equal to 15 percent of the compensation established under § 253.131. * * *

6. Section 253.135(b)(4) is amended to read as follows:

* * * * *

(b) * * *

(4) An employee may be paid tropical differential only to the extent that such payment, when combined with his compensation established under § 253.131, does not exceed the current rate of step 5, GS-17, of the General Schedule set out in 5 U.S.C. 5332(a).

7. Section 253.135(c) is amended by correcting the spelling of the words "solely" (erroneously printed "soley") and "established" (erroneously printed "setablished").

8. Section 253.156(c) is amended to read as follows:

§ 253.156 Pay savings.

* * * * *

(c) If for any employee the elimination of the tax allowance prescribed prior to October 1, 1980 by section 253.134 of this part would result in a decrease in base salary or wage rate, such employee shall, pending individual raises or general increases in base salary or wage rates which will fully offset the pay decreases attributable to the elimination of the tax allowance, continue to receive the rate of pay to which he was entitled immediately prior to the effective date of such elimination.

9. The table of contents of Part 253 is amended by designating § 253.134 as reserved.

Michael Blumenfeld,

Assistant Secretary of the Army (Civil Works).

[FR Doc. 80-27500 Filed 9-5-80; 8:45 am]

BILLING CODE 3640-01-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 81

[FRL 1598-6]

Designation of Areas for Air Quality Planning Purposes; Section 107 Designations—Pennsylvania

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: This notice announces final designation of air quality attainment status in the Allentown-Bethlehem-Easton Air Basin with respect to total suspended particulates (TSP). EPA has determined that the proper TSP designation is "does not meet primary standards". This designation affects only two persons that challenged the earlier nonattainment designation.

EFFECTIVE DATE: October 8, 1980.

ADDRESSES: Copies of the written and oral public hearing testimony are available for public inspection during

normal business hours at the following locations:

Air, Toxics and Hazardous Materials Division, U.S. Environmental Protection Agency, Region III, Curtis Building, 10th Floor, 6th & Walnut Streets, Philadelphia, PA 19106.

Public Information Reference Unit, Room 2922, EPA Library, U.S. Environmental Protection Agency, 401 M Street, S.W., Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT: Mr. Harold A. Frankford (3AH12), Air Programs Branch, Air, Toxics and Hazardous Materials Division, U.S. Environmental Protection Agency, Region III, 6th & Walnut Streets, 10th Floor, Curtis Building, Philadelphia, PA 19106, telephone (215) 597-8392.

SUPPLEMENTARY INFORMATION:

I. Background

The 1977 Amendments to the Clean Air Act added Section 107(d) which directed each State, within 120 days after the Amendments were enacted, to submit to the Administrator a list describing the National Ambient Air Quality attainment status for all areas within the State. The Administrator was then required to promulgate the State lists, with any necessary modifications, as a final rule within sixty days of their submittal.

On December 5, 1977, the Commonwealth of Pennsylvania submitted to EPA a list of air quality attainment designations. For total suspended particulates (TSP), the designations were based on either modeling data or monitoring data. In its list of designations, the Commonwealth of Pennsylvania designated the Allentown-Bethlehem-Easton Air Basin, the Harrisburg Air Basin, the City of Sharon and City of Farrell as nonattainment areas for primary TSP standards.

On March 3, 1978, 43 FR 8962, the Administrator published Pennsylvania's designations as final agency action effective immediately, and solicited comments in the 60-day period following publication.

On May 1, 1978, the Bethlehem Steel Corporation and the Sharon Steel Corporation filed petitions for review in the United States Court of Appeals for the Third Circuit challenging the Administrator's March 3, 1978 designations of the Allentown-Bethlehem-Easton Air Basin, the Harrisburg Air Basin, the City of Farrell, and the City of Sharon as nonattainment areas. The Third Circuit decided April 25, 1979 that the Administrator lacked good cause to dispense with the Administrative Procedure Act's requirements of prior notice and an opportunity to comment and the Court remanded the matter to the Administrator with its instructions "* * * that the Administrator shall forbear from applying to Sharon and Bethlehem any of the requirements of sanctions imposed on nonattainment areas by the 1977 amendments to the Clean Air Act until the Administrator shall have conducted a limited legislative hearing in which he gives these two companies the required statutory notice and opportunity for participation and comments as provided by the APA, 5 U.S.C. 553 (1976)." *Sharon Steel Corp.* v. *EPA*, 597 F.2d 377, 381-82 (1979).

II. Public Hearings

On May 25, 1979, EPA published a notice, 44 FR 30338, of public hearings which were held on June 25, 1979 and June 28, 1979, in Philadelphia and Pittsburgh, respectively, for the purpose of allowing the Bethlehem Steel Corporation, Sharon Steel Corporation and other interested persons the opportunity to comment on EPA's nonattainment designations for these areas. The Administrator provided for a ten-day period following each public hearing during which written comments could be submitted.

III. Evaluation of Written and Oral Testimony

A. *Allentown-Bethlehem-Easton Air Basin.* At the June 25, 1979 public hearing, the Bethlehem Steel Corporation submitted testimony in favor of redesignating the Allentown-Bethlehem-Easton Air Basin, with the exception of Northampton Borough, as attainment for TSP. The company argued that the redesignation should be made based on the following information:

1. The Bethlehem East monitor (which has recorded violations of primary TSP standards) is improperly located in that it is located near a roadway, too close to a wall, and in close proximity to a fuel oil stack located on the same building roof.

2. "Higher than normal" deposits of vanadium (a trace element associated with the combustion of fuel oil) have been found on the filter of the monitor, which suggests that the emissions from the fuel oil stack has an undue influence on this site.

3. Fugitive TSP emissions from ongoing construction activity in the vicinity of the monitoring site have been influencing the air quality data. In addition, construction that had taken place during 1977 on the roof of the building where the monitor is located influenced the data as well.

4. A monitoring network operated by Bethlehem Steel showed no violations of either the primary or secondary TSP standards for the year ending July, 1977.

5. Although a nonattainment monitor located in the air basin (Northampton Borough) has recorded violations of primary TSP standards, other monitoring sites located in the same general direction as the Northampton monitor but close to the Bethlehem Steel facility show attainment. Therefore, the nonattainment monitor is being influenced by sources located closer to Northampton Borough, and thus the nonattainment area should be limited to that area, rather than the entire air basin. Bethlehem Steel supports this argument by citing similar redesignations that have been accepted by EPA.

The Pennsylvania Department of Environmental Resources (DER) also submitted testimony both at the public hearing and during the public comment period. The State argued that the nonattainment designations should not be revised based on the following:

1. The Bethlehem East monitoring site is located properly, and therefore the primary nonattainment violations of the TSP standard recorded at this site should be considered valid. On days when construction activity took place on the roof, the monitor samples were invalidated. In addition, the probable effect of having this site located to close to a wall would be a reduction of the impact from source contributions on the monitor.

2. Modeling studies performed by DER show at least violations of the secondary TSP standards throughout the air basin.

3. The violations in the air basin represent an urban problem, so that the problem of attaining standards is not solely related to individual point sources, but are more characteristic of urban development where a multitude of small sources contribute to TSP violations. Similarly, it would be difficult to break up the boundaries within the air basin.

4. The nonattainment monitor in Northampton Borough is not attributed to Bethlehem Steel. However, two monitors operated by Bethlehem Steel which had recorded violations of TSP standards were discontinued.

EPA has reviewed both the oral and written testimony presented at the June

25, 1979 public hearing or submitted during the written comment period.

EPA also has reviewed the latest air quality data available from the State. Where questions of validity of the monitoring sites were raised, EPA performed a microscopy analysis of the filters. Based on the above mentioned evaluation, EPA responds to the points mentioned by the commentors:

1. EPA has determined that the modeling data submitted by the State is valid in its assumptions, and therefore, the air basin should at least remain nonattainment for the secondary TSP standard.

2. EPA has also determined that the Bethlehem East monitor is considered to be valid monitor for assessing ambient TSP levels in the Bethlehem area. EPA has reached this conclusion based on an optical microscopy analysis of samples drawn from fifteen randomly selected filters collected from the Bethlehem East monitor and which represent observations between May 5, 1978 and April 27, 1979, including three observations collected during the construction period. This analysis concluded that "emissions from various operations of an iron and steel processing complex were identified as the main causes of elevated TSP levels at the TSP monitoring site (Bethlehem East) adjacent to the complex." Of the 15 samples, two represented days on which the secondary 24-hour TSP standard (150 μ/m^3) was exceeded. An analysis of the filters collected on these two days (one of which was collected during the construction period) revealed that particle types from industrial iron and steel processing emission made up significant portions of the TSP sample and were "most directly responsible for the TSP standard excursions." The analysis further concludes that "oil combustion sources were not major causes of elevated TSP levels at this site." The analysis also concludes that the slag particles found on the filters is primarily from a slag handling operation rather than traffic-related or construction-related fugitive emissions.

In view of the fact that EPA considers the Bethlehem East monitor site to be valid, the air quality data collected from this site can be used to assess the proper designation status with respect to TSP.

3. EPA policy states that the most recently available eight quarters (two years) of TSP data would be used. The most recently available air quality data, which covers all of calendar years 1978 and 1979, shows a violation of the annual primary TSP standard (75 μ/m^3) at three sites in the Allentown-Bethlehem Easton Air Basin: Bethlehem East, Northampton and Nazareth.

4. While EPA has approved Section 107 redesignations which reduce the size of a nonattainment area, the Administrator believes that a size reduction of this primary TSP nonattainment area (currently the entire air basin) is not warranted because of the fact that violations of the annual primary TSP standard have been recorded at three different sites within the air basin, each located several miles from the others.

EPA Actions

Based on the Administrator's evaluation of the testimony received at both the June 25, 1979 public hearing and the subsequent written comment period, EPA designates the Allentown-Bethlehem-Easton Air Basin as a primary nonattainment area for TSP as it affects the petitioners in *Bethlehem Steel Corp.* v. *EPA* effective October 8, 1980. The existing designation of nonattainment of primary TSP standards as to all other persons is not affected by this action.

Under Section 307(b)(1) of the Clean Air Act, judicial review of (this action) is available only by the filing of a petition for review in the United States Court of Appeals for the appropriate circuit within 60 days of September 8, 1980. Under Section 307(b)(2) of the Clean Air Act, the requirements which are the subject of today's notice may *not* be challenged later in civil or criminal proceedings brought by EPA to enforce these requirements.

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." I have reviewed this regulation and determined that it is a specialized regulation not subject to the procedural requirements of Executive Order 12044.

Therefore the effectiveness of § 81.339 is reaffirmed as it applies to the listing for "Allentown, Bethlehem, Easton Air Basin" in the table entitled "Pennsylvania–TSP".

(Sections 107(d), 171(2), 301(a), of the Clean Air Act, As Amended (42 U.S.C. 7407(d), 7501(2), 7601(a))

Dated: September 2, 1980.

Douglas M. Costle,

Administrator.

[FR Doc. 80-27508 Filed 9-5-80; 8:45 am]

BILLING CODE 6560-01-M

40 CFR Part 409

[FRL 1598-7]

Sugar Processing Point Source Category; Effluent Limitations Guidelines; Correction

AGENCY: Environmental Protection Agency.

ACTION: Notice of Correction.

SUMMARY: EPA is correcting a coding error in the November 6, 1979, **Federal Register** (44 FR 64080) notice of final BPT effluent limitations for the Hilo-Hamakua Coast of the Island of Hawaii Raw Cane Sugar Processing Subcategory.

FOR FURTHER INFORMATION CONTACT: Mark L. Mjoness, Effluent Guidelines Division (WH-552), Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460, Telphone (202) 426-2554.

Correction

In the **Federal Register** notice published on November 6, 1979, (44 FR 64080), five stars should have been printed directly above the table containing the final BPT effluent limitations. The stars indicate that only the table beneath them is to be changed in § 409.62 of the Code of Federal Regulations. The inclusion of the five stars provides that paragraphs (a) and (b) of § 409.62 will not be deleted from publication in the Code of Federal Regulations. Paragraphs (a) and (b) of § 409.62 have previously been published in the **Federal Register** and therefore are not being reproduced at this time.

The final regulations for § 409.62 should read:

§ 409.62 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

* * * * *

Effluent characteristics	Maximum for any 1 day		Average of daily values for 30 consecutive days shall not exceed	
	kg	lb	kg	lb
	kkg gross cane	1000 lb gross cane	kkg gross cane	1000 lb gross cane
BOD5	No limitations		No limitations	
TSS	9.9	9.9	3.6	3.6
pH	No limitations		No limitations	

Dated: August 29, 1980.

Eckardt C. Beck,

Assistant Administrator for Water and Waste Management.

[FR Doc. 80-27509 Filed 9-5-80; 8:45 am]

BILLING CODE 6560-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Care Financing Administration

42 CFR Part 405

Medicare Program; Reimbursement for Costs of Approved Internship and Residency Programs

Correction

In FR Doc. 80-23370, appearing at page 51783, in the issue of Tuesday, August 5, 1980, make the following correction:

On page 51786, third column, in the fourth line of the second paragraph below: *"Application to Medicaid Payments"*, the reference to paragraphs "(d)(2)" should have read "(b)(2)".

BILLING CODE 1505-01-M

COMMUNITY SERVICES ADMINISTRATION

45 CFR Parts 1050 and 1068

Procurement Standards

AGENCY: Community Services Administration.

ACTION: Final amendment to a rule.

SUMMARY: The Community Services Administration (CSA) is amending its policy statement governing grantee procurement standards (45 CFR 1050, Subpart P) published in the **Federal Register** on April 28, 1980. CSA has determined that there is a need for Federal oversight of separate business entities established by its grantees. CSA's goals in amending the rule are to assure that the assets of these separate business entities remain in the community, that their hiring and procuring practices are consistent with federal standards, that their activities are subject to public scrutiny and that business-like financial management practices are observed.

EFFECTIVE DATE: October 8, 1980.

FOR FURTHER INFORMATION CONTACT: Timothy P. McTighe, Community Services Administration, Office of Community Action, 1200 19th Street, N.W., Washington, D.C. 20506; telephone (202) 254-5047; teletypewriter (202) 254-6218.

SUPPLEMENTARY INFORMATION: On June 5, 1980, CSA published in the **Federal Register** a proposed amendment to its policy statement governing grantee procurement standards. We received two responses to the proposed amendment. One respondent asks whether the amendment applies only to contractors doing business with the procuring party or to any non-Federal account of a grantee's which "does business" with the organization's Federal grants. The amendment itself applies only to the contracts for the procurement of goods and services. It does not apply to intra-agency billings so long as they take place within the same corporate entity and are not formalized in a contract. But this question, let us add, requires a more complete answer. If a grantee has a non-Federal account which "does business" with its Federal grants, any money which is paid to the non-Federal account in excess of actual costs is considered program income, as defined in Subpart E of Part 1050. CSA determines whether the program income will be reprogrammed by the grantee or will be deducted from the Federal share of the grant.

The second respondent remarks that sole-source contracts made between state associations and other CSA grantees should not require prior CSA approval even if they exceed $5,000 in a twelve-month period. If prior approval for such contracts is required, the respondent continues, it should be required only once if the relationship is to continue on a yearly basis. The need for prior approval of contracts exceeding $5,000 in a twelve-month period was not the subject of the amendment, but is provided for in OMB Circular A-110, which CSA implemented in its policy statement adopted on April 28, 1980. This requirement is more liberal than CSA's previous policy on sole-source contracts. CSA maintains the need to review *all* sole-source contracts for the procurement of goods and services which are expected to exceed $5,000 in a twelve-month period.

The amendment is adopted as proposed, with minor changes in language. We thank those two people who took the time to comment on the proposed amendment.

At the same time, CSA is deleting Subpart 1068.41, Standard Form for Professional or Technical Services to a Community Action Program. This Subpart by oversight was not removed when Subpart P to Part 1050 was adopted on April 28, 1980.

Authority: Sec. 602, 78 Stat. 530; 42 U.S.C. 2942.

Robert S. Landmann,

Acting Director.

1. 45 CFR 1050.160 is amended by § 1050.160-8(h) to read as follows:

§ 1050.160 [Amended]

* * * * *

(h) Any proposed sole source contract, or proposed contract where only one bid or proposal is received by a nongovernmental procuring party, shall be subject to prior approval by the appropriate CSA administering office if the aggregate expenditure for all items procured from the contractor will exceed $5,000 in a 12-month period. In addition, for any procurement contract in which payment will be made by the procuring party in whole or in part with Title II grant funds, if the proposed contractor does the major part of its business with the procuring party and/or if the proposed contractor is a firm established or controlled by a member or members of the procuring party's staff or board, CSA approval will be based on, but not be limited to, the following:

(1) Evidence that the proposed contractor is a non-profit corporation whose income and assets would, in event of failure of the procuring party, continue to be used to benefit low-income individuals;

(2) Evidence that the hiring and procurement policies of the proposed contractor include the same prohibitions against nepotism and conflict of interest as those found in 160-6 of this subpart;

(3) Inclusion in the contract of a provision that the management, financial, and procurement records of the proposed contractor must be made available for inspection and examination to those parties and on the same basis as required for private nonprofit grantees in Subpart D of this Part;

(4) Submission by the proposed contractor of an audited revenue and expenditures statement and balance sheet dated within the last twelve months; and

(5) Submission of supporting documentation that the prices being charged are competitive with prices being charged for similar items and/or services by other businesses.

§§ 1068.41-1, 1068.41-2, 1068.41-3, and Appendix A [Deleted]

2. Part 1068 is amended by deleting Subpart 1068.41, Standard Form for Professional or Technical Services to a Community Action Program, §§ 1068.41-1, 1068.41-2, and 1068.41-3 and

Appendix A to Subpart 1068.41 in their entirety.

[FR Doc. 80-27188 Filed 9-5-80; 8:45 am]

BILLING CODE 6315-01-M

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

49 CFR Part 25

Relocation Assistance and Land Acquisition for Federal and Federally Assisted Programs; Schedule of Moving Expense Allowances; Individuals and Families

AGENCY: Department of Transportation.

ACTION: Final rule.

SUMMARY: The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 provides that a displaced individual or family may elect to be paid for moving expenses on the basis of a moving expense schedule. This document updates the moving expense schedules to reflect changes made in certain States.

EFFECTIVE DATE: July 1, 1980.

FOR FURTHER INFORMATION CONTACT: John Murnane, Relocation Assistance Division, Office of Right-of-Way (202-426-0156); or Reid Alsop, Office of the Chief Counsel (202-426-0800), Federal Highway Administration, 400 Seventh Street, SW., Washington, D.C. 20590. Office hours Monday-Friday from 7:45 a.m. to 4:15 p.m. ET.

SUPPLEMENTARY INFORMATION: Section 202(b) of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, Pub. L. 91-646, 84 Stat. 1894, provides that a displaced individual or family may elect to be paid for moving expenses on the basis of a moving expense schedule. To ensure statewide uniformity among all agencies operating under the Act, General Services Administration Regulations, 41 CFR Part 101-6, provide in 101-6.105-1 that the schedule shall be maintained by the respective State highway departments, and approved and disseminated by the Federal Highway Administration.

The regulations of the Office of the Secretary, 49 CFR 25.153, implementing the Uniform Act, direct the Federal Highway Administration to establish and maintain the moving expense schedule in Appendix A to Part 25 of Title 49 and to update it semi-annually. The purpose of this amendment is to revise the current schedule, which was published on July 12, 1979 (44 FR 40641) to reflect changes in the moving expense schedules of the following States:

Table I—Personalty—Alabama, Florida, Georgia, Kentucky, Minnesota, Mississippi, New Hampshire, New Mexico, North Carolina, Puerto Rico, Rhode Island, South Carolina, South Dakota, Texas, Vermont, and Washington.

Table II—Mobile Homes—Alabama, Florida, Georgia, Kentucky, Mississippi, New Mexico, North Carolina, South Carolina, South Dakota, Vermont, and Washington.

(Catalog of Federal Domestic Assistance program Number 20.205, Highway Reserach, Planning, and Construction. The provisions OMB Circular No. A-95 regarding State and local clearinghouse review of Federal and federally assisted programs and projects apply to this program)

(42 U.S.C. 4601 *et seq.;* 41 CFR 101-6.105-1; 49 CFR 25.153)

Note.—The Federal Highway Administration has determined that this document does not contain a significant regulation according to the criteria established by the Department of Transportation pursuant to Executive Order 12044. The impact of this amendment is so minimal as to not require preparation of a full regulatory evaluation.

Issued on: August 28, 1980.

John S. Hassell, Jr.,

Federal Highway Administrator.

BILLING CODE 4910-22-M

Appendix A

Title 49--Transportation
Table I--Personalty

State	Occupant provides furniture: Number of rooms of furniture 1	2	3	4	5	6	7	8	9	10	Occupant does not provide furniture: First room	Each additional room
Alabama[1]	90	140	190	240	290	300					(See end of table)	
Alaska	75	150	200	250	275	300					15	15
Arizona	50	100	150	200	250	300					25	15
Arkansas	70	110	150	190	230	270	300				40	20
California	75	100	150	200	250	300					25	15
Colorado	120	180	240	300							30	20
Connecticut	50	90	140	170	230	260	300				15	15
Delaware	60	100	140	180	220	260	300				25	15
District of Columbia	100	135	170	210	250	290	300				35	15
Florida	75	120	165	210	255	300					25	25
Georgia	100	140	180	220	260	300					40	10
Guam	48	85	120	168	205	240	300				10	10
Hawaii	65	100	135	175	215	255	295	300			45	30
Idaho	60	100	140	180	220	260	300				20	10
Illinois	50	100	150	200	250	300					25	15
Indiana	50	100	150	200	250	300					25	15
Iowa	75	140	195	240	275	300					30	12
Kansas	60	120	180	240	300						30	10
Kentucky	65	130	195	260	300						35	25
Louisiana	60	100	140	180	220	260	300				40	15
Maine	50	90	125	150	175	200	225	250	275	300	15	10
Maryland	80	110	145	185	230	275	300				20	10
Massachusetts	60	130	150	190	225	250	275	300			25	15
Michigan	65	130	180	240	300						50	10
Minnesota	75	150	200	250	300						30	15
Mississippi	100	150	200	250	300						50	25
Missouri	50	100	150	200	250	300					25	10
Montana	60	100	140	180	220	260	300				35	20
Nebraska	50	100	150	200	250	300					30	10
Nevada	50	100	150	200	250	300					25	15
New Hampshire	100	150	190	230	270	300					25	15
New Jersey	80	140	195	245	300						25	15
New Mexico[2]	138	205	271	300							(See end of table)	
New York	80	130	175	215	250	275	300				25	15
North Carolina	70	110	160	210	260	300					40	30
North Dakota	75	125	150	200	250	275	300				30	15
Ohio	50	100	150	200	250	300					30	10
Oklahoma	95	135	175	215	255	300					40	15
Oregon	60	120	180	240	300						20	20
Pennsylvania	60	115	170	230	285	300					25	25
Puerto Rico	75	120	165	210	255	300					25	25
Rhode Island	70	140	210	250	275	300					25	10
South Carolina	105	180	220	300							30	10
South Dakota	100	150	200	250	300						50	15
Tennessee	75	100	150	200	250	300					25	15
Texas	95	135	175	215	255	300					50	25
Utah	75	100	130	155	180	210	240	270	300		25	15
Vermont	100	150	190	230	270	300					25	15
Virginia	60	100	140	180	220	260	300				40	10
Virgin Islands	105	150	195	240	275	300					35	35
Washington	100	150	200	250	300						25	25
West Virginia[3]	60	100	140	180	220	260	300				25	10
Wisconsin	60	120	170	220	260	300					30	15
Wyoming	60	120	180	240	260	300					40	20

[1]Furnished units including sleeping rooms. Occupant does not own furniture.

First Room	2 Rooms	3 Rooms	4 Rooms	5 Rooms	6 Rooms	Each Additional Room
$30	$50	$75	$95	$120	$140	$15

[2]Furnished units including sleeping rooms. Occupant does not own furniture.

First Room	2 Rooms	3 Rooms	4 Rooms	5 Rooms	6 Rooms	7 Rooms	8 Rooms	9 Rooms
$59	$113	$140	$169	$196	$224	$252	$279	$300

to a maximum of $300

[3]Where occupant does not provide furniture, allowance for 2 rooms is $40.

Table II--Mobile Homes

State	Miles (Kilometres) More than	Miles (Kilometres) But not more than	Area--Square Feet (Square Metres) More than	Area--Square Feet (Square Metres) But not more than	Width--Feet (Metres) More than	Width--Feet (Metres) But not more than	Allowance Dollars
Alabama			0 (0)	200 (18.6)			165
			200 (18.6)	400 (37.2)			225
			400 (37.2)	600 (55.8)			285
			600 (55.8)				300
Alaska	All Trailers						300
Arizona			0 (0)	300 (27.9)			150
			300 (27.9)	400 (37.2)			200
			400 (37.2)	500 (46.5)			250
			500 (46.5)				300
Arkansas					0 (0)	12 (3.7)	200
					12 (3.7)	14 (4.3)	250
					14 (4.3)		300
California[1]					0 (0)	8 (2.4)	(see 1-end of table)
					8 (2.4)		
Colorado[2]							(see 2-end of table)
Connecticut[3]					0 (0)	8.5 (2.6)	100
					8.5 (2.6)	10.5 (3.2)	150
					10.5 (3.2)	12.5 (3.8)	200
					12.5 (3.8)		250
Delaware			0 (0)	400 (37.2)			100
			400 (37.2)	600 (55.8)			150
			600 (55.8)	800 (74.4)			200
			800 (74.4)	1,000 (93)			250
			1,000 (93)				300
Florida	All Trailers						300
Georgia			0 (0)	400 (37.2)			125
			400 (37.2)	500 (46.5)			185
			500 (46.5)	600 (55.8)			245
			600 (55.8)				300
Guam			0 (0)	300 (27.9)			130
			300 (27.9)	400 (37.2)			180
			400 (37.2)	500 (46.5)			210
			500 (46.5)	600 (55.8)			240
			600 (55.8)	700 (65.1)			270
			700 (65.1)				300
Hawaii			0 (0)	300 (27.9)			130
			300 (27.9)	400 (37.2)			180
			400 (37.2)	500 (46.5)			210
			500 (46.5)	600 (55.8)			240
			600 (55.8)	700 (65.1)			270
			700 (65.1)				300
Idaho			0 (0)	200 (18.6)			100
			200 (18.6)	400 (37.2)			150
			400 (37.2)	600 (55.8)			200
			600 (55.8)	800 (74.4)			250
			800 (74.4)				300
Illinois	0 (0)	24 (38.6)			0 (0)	8.5 (2.6)	100
					8.5 (2.6)	10.5 (3.2)	150
					10.5 (3.2)	12.5 (3.8)	200
					12.5 (3.8)		250
	24 (38.6)	50 (80.5)			0 (0)	8.5 (2.6)	150
					8.5 (2.6)	10.5 (3.2)	200
					10.5 (3.2)	12.5 (3.8)	250
					12.5 (3.8)		300

See footnotes at end of table.

Table II--Mobile Homes

State	Miles (Kilometres) More than	Miles (Kilometres) But not more than	Area--Square Feet (Square Metres) More than	Area--Square Feet (Square Metres) But not more than	Width--Feet (Metres) More than	Width--Feet (Metres) But not more than	Allowance Dollars
Indiana					0 (0)	8.5 (2.6)	150
					8.5 (2.6)	10.5 (3.2)	185
					10.5 (3.2)	12.5 (3.8)	250
					12.5 (3.8)		300
Iowa	0 (0)	25 (40.2)			0 (0)	8 (2.4)	130
					8 (2.4)	10 (3)	150
					10 (3)	12 (3.7)	180
					12 (3.7)		230
	25 (40.2)	50 (80.5)			0 (0)	8 (2.4)	140
					8 (2.4)	10 (3)	170
					10 (3)	12 (3.7)	200
					12 (3.7)		300
Kansas			0 (0)	200 (18.6)			80
			200 (18.6)	400 (37.2)			160
			400 (37.2)	600 (55.8)			240
			600 (55.8)				300
Kentucky[4]					0 (0)	8 (2.4)	285
					8 (2.4)		300
Louisiana					0 (0)	10 (3)	175
					10 (3)	12 (3.7)	200
					12 (3.7)	14 (4.3)	250
					14 (4.3)		300
Maine					0 (0)	8 (2.4)	150
					8 (2.4)	10 (3)	200
					10 (3)	12 (3.7)	250
					12 (3.7)		300
Maryland			0 (0)	200 (18.6)			110
			200 (18.6)	400 (37.2)			140
			400 (37.2)	600 (55.8)			165
			600 (55.8)	800 (74.4)			195
			800 (74.4)	1,000 (93)			220
			1,000 (93)	1,200 (111.6)			250
			1,200 (111.6)				300
Massachusetts			0 (0)	200 (18.6)			80
			200 (18.6)	400 (37.2)			140
			400 (37.2)	600 (55.8)			200
			600 (55.8)				300
Michigan					0 (0)	8 (2.4)	145
					8 (2.4)	10 (3)	230
					10 (3)	12 (3.7)	280
					12 (3.7)		300
Minnesota[4]					0 (0)	8 (2.4)	200
					8 (2.4)		300

See footnotes at end of table.

Table II--Mobile Homes

	Miles (Kilometres) More than	Miles (Kilometres) But not more than	Area--Square Feet (Square Metres) More than	Area--Square Feet (Square Metres) But not more than	Width--Feet (Metres) More than	Width--Feet (Metres) But not more than	Allowance Dollars
Mississippi			0 (0)	300 (27.9)			200
			300 (27.9)	400 (37.2)			250
			400 (37.2)				300
Missouri			0 (0)	200 (18.6)			100
			200 (18.6)	400 (37.2)			150
			400 (37.2)	600 (55.8)			200
			600 (55.8)	800 (74.4)			250
			800 (74.4)				300
Montana[4]					0 (0)	10 (3)	150
					10 (3)	12 (3.7)	200
					12 (3.7)	14 (4.3)	225
					14 (4.3)		275
Nebraska			0 (0)	400 (37.2)			100
			400 (37.2)	600 (55.8)			150
			600 (55.8)	800 (74.4)			200
			800 (74.4)	1,000 (93)			250
			1,000 (93)				300
Nevada			0 (0)	400 (37.2)			150
			400 (37.2)	500 (46.5)			200
			500 (46.5)	600 (55.8)			250
			600 (55.8)				300
New Hampshire	All Mobile Homes						300
New Jersey			0 (0)	200 (18.6)			100
			200 (18.6)	400 (37.2)			150
			400 (37.2)	600 (55.8)			200
			600 (55.8)	800 (74.4)			250
			800 (74.4)				300
New Mexico[4,5]	0 (0)	20 (32.2)			0 (0)	8.5 (2.6)	188
					8.5 (2.6)	10.5 (3.2)	244
					10.5 (3.2)	12.5 (3.8)	252
					12.5 (3.8)		300
	20 (32.2)	50 (80.5)			0 (0)	8.5 (2.6)	212
					8.5 (2.6)	10.5 (3.2)	252
					10.5 (3.2)	12.5 (3.7)	272
					12.5 (3.7)		300
New York			0 (0)	300 (27.9)			150
			300 (27.9)	500 (46.5)			200
			500 (46.5)	700 (65.1)			250
			700 (65.1)				300
North Carolina[4,6]					0 (0)	12 (3.7)	200
					12 (3.7)		300
North Dakota			0 (0)	200 (18.6)			125
			200 (18.6)	400 (37.2)			175
			400 (37.2)	600 (55.8)			225
			600 (55.8)	800 (74.4)			275
			800 (74.4)				300

See footnotes at end of table.

Subtitle A--Office of the Secretary of Transportation App. A

Table II--Mobile Homes

State	Miles (Kilometres) More than	Miles (Kilometres) But not more than	Area--Square Feet (Square Metres) More than	Area--Square Feet (Square Metres) But not more than	Width--Feet (Metres) More than	Width--Feet (Metres) But not more than	Allowance Dollars
Ohio[4]	0 (0)	10 (16)	0 (0)	320 (29.8)			130
			320 (29.8)	500 (46.5)			150
			500 (46.5)	840 (78.1)			170
			840 (78.1)	1,120 (104.2)			205
			1,120 (104.2)				250
	10 (16)	25 (40.2)	0 (0)	320 (29.8)			135
			320 (29.8)	500 (46.5)			155
			500 (46.5)	840 (78.1)			190
			840 (78.1)	1,120 (104.2)			220
			1,120 (104.2)				275
	25 (40.2)	50 (80.5)	0 (0)	320 (29.8)			145
			320 (29.8)	500 (46.5)			165
			500 (46.5)	840 (78.1)			200
			840 (78.1)	1,120 (104.2)			250
			1,120 (104.2)				300
Oklahoma					0 (0)	10 (3)	250
					10 (3)		300
Oregon			0 (0)	200 (18.6)			100
			200 (18.6)	600 (55.8)			200
			600 (55.8)				300
Pennsylvania			0 (0)	300 (27.9)			130
			300 (27.9)	500 (46.5)			225
			500 (46.5)	800 (74.4)			275
			800 (74.4)				300
Rhode Island					0 (0)	8 (2.4)	225
					8 (2.4)	10 (3)	250
					10 (3)	12 (3.7)	275
					12 (3.7)		300
South Carolina[4]					0 (0)	10 (3)	175
					10 (3)	12 (3.7)	200
					12 (3.7)	14 (4.3)	250
					14 (4.3)		300
South Dakota	All Trailers						300
Tennessee[2]					0 (0)	10 (3)	100
					10 (3)		150
Texas					0 (0)	8.5 (2.6)	175
					8.5 (2.6)	10.5 (3.2)	235
					10.5 (3.2)	12.5 (3.8)	270
					12.5 (3.8)		300
Utah[4]	0 (0)	10 (16)			0 (0)	8 (2.4)	125
					8 (2.4)	10 (3)	145
					10 (3)	12 (3.7)	165
					12 (3.7)		200
	10 (16)	25 (40.2)			0 (0)	8 (2.4)	125
					8 (2.4)	10 (3)	155
					10 (3)	12 (3.7)	175
					12 (3.7)		225

See footnotes at end of table.

App. A

Subtitle A--Office of the Secretary of Transportation

Table II--Mobile Homes

State	Miles (Kilometres) More than	Miles (Kilometres) But not more than	Area--Square Feet (Square Metres) More than	Area--Square Feet (Square Metres) But not more than	Width--Feet (Metres) More than	Width--Feet (Metres) But not more than	Allowance Dollars
Utah--Continued	25 (40.2)	50 (80.5)	.....	.....	0 (0)	8 (2.4)	150
			.....	.....	8 (2.4)	10 (3)	160
			.....	.....	10 (3)	12 (3.7)	190
			.....	.....	12 (3.7)	.....	250
Vermont[7]	All Trailers						300
Virginia			0 (0)	200 (18.6)	.....	.....	150
			200 (18.6)	400 (37.2)	.....	.....	200
			400 (37.2)	600 (55.8)	.....	.....	250
			600 (55.8)	800 (74.4)	.....	.....	300
Washington	All Trailers						300
West Virginia			0 (0)	300 (27.9)	.....	.....	100
			300 (27.9)	450 (41.9)	.....	.....	150
			450 (41.9)	550 (51.2)	.....	.....	225
			550 (51.2)	.....	.....	.....	300
Wisconsin			.....	.....	0 (0)	8 (2.4)	150
			.....	.....	8 (2.4)	10 (3)	200
			.....	.....	10 (3)	12 (3.7)	250
			.....	.....	12 (3.7)	.....	300
Wyoming[4]			.....	.....	0 (0)	8.5 (2.6)	135
			.....	.....	8.5 (2.6)	10.5 (3.2)	165
			.....	.....	10.5 (3.2)	12.5 (3.8)	210
			.....	.....	12.5 (3.8)	.....	300

[1]Width to 8' (2.4 m) Length 40' (12.2 m).....$200
Length 40' (12.2 m).....$300
Width over 8' (2.4 m) Length 40' (12.2 m).....$300
Length 40'+ (12.2 m).....$300

[2]Under 8' (2.4 m) x 40' (12.2 m) - Unskirted $150
Over 8' (2.4 m) x 40' (12.2 m) - $300

[3]Plus $50 for expandable trailer.

[4]$300 for double trailer.

[5]Escort fee included.

[6]Personalty Only

Width-------	Under 10 feet (3 m)	10 feet (3 m)	12 feet (3.7 m) and over	Doubles
	$60	$70	$100	$175

[7]$50 for extras.

[FR Doc. 80-27466 Filed 9-5-80; 8:45 am]
BILLING CODE 4910-22-C

Research and Special Programs Administration

49 CFR Part 195

[Amdt. No. 195-19; Docket No. OPSO-48]

Seams on Adjacent Pipe Lengths

AGENCY: Materials Transportation Bureau (MTB).

ACTION: Final rule.

SUMMARY: This final rule revokes § 195.218 which requires that seams on adjacent pipe lengths be offset. This action is taken because the pipe manufacture and welding technology has advanced sufficiently to make the requirement of this section unnecessary.

EFFECTIVE DATE: September 8, 1980.

FOR FURTHER INFORMATION CONTACT: Frank Robinson, (202) 426-2392.

SUPPLEMENTARY INFORMATION: On September 21, 1977, MTB issued a notice of proposed rulemaking (Notice 77-6, 42 FR 48900) proposing to revoke § 195.218, "Welding: Seam Offset." The notice invited comments from interested persons concerning the need to offset weld seams on adjacent pipe lengths as required by § 195.218. MTB initiated this rulemaking proceeding as a result of waivers granted to the Alyeska Pipeline Service Company. Information provided in support of the waivers demonstrated that technological advances in pipe manufacture and welding have minimized the likelihood of weld failure due to residual stresses and have, therefore, made unnecessary the requirement to offset adjacent longitudinal weld seams.

Seven commenters responded to the notice. Six industry commenters, including the American Petroleum Institute and the American National Standards Committee B-31, concurred with MTB's proposed revocation of the offset requirement of § 195.218 for the same reasons given in the notice.

One dissenting industry commenter argued that removal of § 195.218 is not warranted in all cases because much of the pipe that could be installed may not have been manufactured according to the latest technology. This commenter stated that the Alyeska pipeline was built to a specification which included requirements for ductility and notch toughness of weld and pipe metals in the arctic environment. However, Notice 77-6 was not issued on the basis that line pipe available for use in liquid service throughout the U.S. would have material characteristics similar to those on the Alaskan pipeline. Rather, the notice was predicated on the fact that pipe manufacturing and welding technology has advanced in the area of ductility to the point where § 195.218 is no longer necessary. This statement is as true for Grade B pipe, made to standard API 5L, as it is for the higher strengths and grades of pipe. Each of the normally followed API standards for pipe manufacture, API 5L and 5LX, provides for a level of ductility that is high enough to remove the potential, under normal operating conditions, of weld seam failure and propagation that § 195.218 was intended to prevent. Although Grade B pipe may be more brittle under cold conditions than the higher grades of pipe, due to its higher transition temperature from a ductile to brittle condition, § 195.102 requires the carrier to select component materials for the temperature environment in which the component will be used to assure that structural integrity is not impaired. For these reasons, the MTB believes it is not necessary to maintain the requirement to offset weld seams on Grade B pipe or other pipe.

In view of the cost savings that will result from the revocation of this regulation the effective date of this final rule is September 8, 1980.

In consideration of the foregoing, 49 CFR Part 195 is amended as follows:

§ 195.218 [Revoked]

1. By revoking § 195.218 "Welds: Seams Offset."

2. By deleting § 195.218 from the table of sections. (Hazardous Liquid Pipeline Safety Act of 1979 (Title II of Pub. L. 96-219, November 30, 1979); 49 CFR 1.53 and Appendix A of Part 1).

Issued in Washington, D.C., on September 2, 1980.

L. D. Santman,

Director, Materials Transportation Bureau.

[FR Doc. 80-27220 Filed 9-5-80; 8:45 am]

BILLING CODE 4910-60-M

49 CFR Part 195

[Amdt. 195-17; Docket No. PS-55]

Testing Highly Volatile Liquid Pipelines

AGENCY: Materials Transportation Bureau (MTB).

ACTION: Final rule.

SUMMARY: This final rule provides that onshore "interstate pipeline facilities" (as that term is defined in the Hazardous Liquid Pipeline Safety Act of 1979) constructed before January 8, 1971, may not transport highly volatile liquids (HVL) unless they have been hydrostatically tested in accordance with Subpart E of Part 195 or do not operate at a pressure that exceeds 80 percent of any test or operating pressure which has been held for four continuous hours. This rule reduces the potential for severe HVL pipeline accidents caused by latent material and construction defects.

EFFECTIVE DATE: October 8, 1980, except that a longer compliance period is set forth in the final rule for pipelines in HVL service before September 8, 1980.

FOR FURTHER INFORMATION CONTACT: Frank Robinson, 202-426-2392.

SUPPLEMENTARY INFORMATION: Accident reports on file with the MTB show that HVL pipelines have caused a substantially higher percentage of deaths, injuries, and property damage than hazardous liquid pipelines carrying less volatile commodities. The record of hazardous liquid pipeline accidents reported on Form DOT-7000-1 from 1968 through 1977 shows that although HVL pipeline accidents comprise only 10 percent of the total number of accidents involving liquid pipelines, the HVL pipeline accidents caused 66 percent of the deaths, 50 percent of the injuries, and 30 percent of the property damage. These statistics clearly illustrate that an HVL spill presents a much higher risk to safety than spills of other hazardous liquids. This higher potential for damage is due to the fact that when HVL is released to the atmosphere, it forms a gas cloud, which is a markedly different and more insidious hazard than that presented by spills of less volatile liquids.

A definition of a highly volatile liquid has been adopted under Part 195 in Amendment 195-15, Docket PS-51 (44 FR 41197, July 16, 1979), but is repeated here for clarity: a "highly volatile liquid" or "HVL" is "a commodity which will form a vapor cloud when released to the atmosphere and which has a vapor pressure exceeding 276 kpa (40 psia) at 37.8°C (100°F)."

Inside the pipeline, HVL will remain a liquid as long as the pressure is higher than the vapor pressure of the liquid. If a pipeline rupture occurs and the pressure is reduced to atmospheric pressure, some of the liquid will immediately vaporize to a gas. The remainder will turn to gas as it picks up heat from its surroundings. The gas forms a cloud that will move downhill or downwind depending on the terrain, type of liquid involved, and atmospheric conditions. Because it is generally heavier than air, the rapidly expanding gas cloud will tend to hug the ground as it continues to migrate. If a source of ignition is encountered, a petroleum gas cloud will burn or explode. In the case of the lighter anhydrous ammonia vapor, the

greatest danger is that of toxicity or asphyxiation. For either commodity, the hazards are severe.

Analysis of the hazardous liquid pipeline accidents reported on Form DOT-7000-1 shows that one-tenth of the accidents during the years 1968 through 1977 were caused by defective pipe seams, defective girth welds, and defective pipe materials. These types of defects could have been found during an original hydrostatic test.

MTB's further review of 2,883 of these accident reports selected from submissions between 1968 and the first quarter of 1977 showed that 1,364 (47 percent) of the pipelines involved had not been hydrostatically tested. While not all the reports examined involved HVL pipelines, MTB finds it reasonable to conclude that a substantial number of HVL pipelines have not been hydrostatically tested in order to remove potentially harmful latent material and construction defects.

The value of an adequate hydrostatic test is well stated in the study "Transportation of Highly Volatile, Toxic, or Corrosive Liquids by Pipeline" (DOT/OPSO/75/06) by Battelle Columbus Laboratories.
On page 52, this study states:

"The ultimate test for basic structural integrity of a pipeline is the field hydrostatic test * * * within thousands of miles of pipelines tested to a stress level of 90 percent of SMYS, or more, and subsequently operated at a stress level of 72 percent of SMYS there have been no ruptures resulting from original manufacturing or construction defects. This operating experience strongly suggests that of all the steps an operator can take to ensure that his pipeline is initially free of harmful defects, high-pressure hydrostatic testing in the field (to 90 percent of SMYS or more) is the only one that has demonstrated a successful track record. The benefits of such testing are accrued in rehabilitation testing of existing lines, as well as in new pipelines."

Viewed in another way, this information shows that material and construction defects left undiscovered by an initial test have not proven to be harmful if the pipeline is operated at a stress level no higher than 80 percent of the level achieved during the test.

Prior to this final rule, pipelines constructed before January 8, 1971 (the effective date of Subpart E of Part 195), were not required by Federal regulation to be qualified for use by hydrostatic testing. Although qualification testing of existing pipelines was proposed in Notice 68-4 (33 FR 10213), the proposal was withdrawn when Part 195 was adopted (34 FR 15473), primarily on cost benefit grounds. In view of the HVL accident record and the potential for catastrophic accidents, the MTB now believes, however, that either hydrostatically testing onshore HVL pipelines to 1.25 times maximum operating pressure or limiting actual operating stress level to 80 percent of the level achieved by testing or by previous operations is essential to minimize the risk of failures due to material or construction defects.

This final rule requires, therefore, as a condition of operation in HVL service, that onshore steel pipelines constructed before January 8, 1971, be hydrostatically tested in accordance with Subpart E of part 195 or operated at not more than 80 percent of a previous maximum test or operating pressure held for four or more hours.

A notice of proposed rulemaking (NPRM) was published in the **Federal Register** on November 13, 1978 (43 FR 52504), proposing a requirement to hydrostatically test all onshore HVL pipelines in accordance with Subpart E which have not been previously tested to 1.25 times their maximum operating pressure for at least 24 hours. Several issues were raised in the NPRM, and comments were solicited regarding these issues. The issues, the comments, the responses to the comments, and the development of the final rule follow:

Need for Testing HVL Pipelines Which Have Not Been Tested

Three industry commenters contested the need for hydrostatic testing of untested HVL pipelines, pointing to the relatively small number of deaths and injuries and relatively small amounts of property damage caused by HVL pipelines in relation to other modes of transportation as support for their position. The MTB does not believe that a review of past accidents alone provides an adequate basis for predicting the potential for and effects of future HVL pipeline accidents. A significant pipeline spill of HVL in a populated region could cause a major disaster that would dwarf any previous HVL pipeline accident. It is this inordinate potential for damage, together with the record of past accidents illustrating the hazardous nature of an HVL, that leads the MTB to conclude that accidental spills of HVL are a serious risk to public safety. This final rule reduces that risk by eliminating the harmful effects of latent material and construction defects.

Untested HVL Pipelines Which Have Not Leaked

Two industry commenters recommended that untested HVL pipelines which have never leaked need not be tested until a leak occurs, arguing that a pipeline which has been in service several years without leaks most likely has no latent material or construction defects.

In contrast, the American Petroleum Institute (API), the National Transportation Safety Board (NTSB), and one major carrier recommended that all untested HVL pipelines be tested regardless of leak history, arguing that the leak history of a pipeline does not necessarily indicate the potential for future failures. The MTB agrees with this view because of its knowledge of accidents wherein pipelines failed after a period of satisfactory service. For this reason, the final rule applies to all untested HVL pipelines regardless of leak history.

Test Pressure

The API, the B31.4 Subcommittee on Liquid Petroleum Transportation Piping of the American Society of Mechanical Engineers (ASME) Code Committee on Pressure Piping, and one industry commenter recommended that HVL pipelines previously tested to 110 percent of the maximum operating pressure (MOP) not be retested to 125 percent of the MOP, arguing that the requirement to retest would disrupt normal deliveries and would present additional hazards to the carriers' personnel during the testing period. None of these commenters argued that testing to 110 percent of MOP was adequate to ensure safety.

Three industry commenters and the NTSB recommended that all HVL pipelines not previously tested to 1.25 times MOP be required to be tested to that level, arguing that testing to 1.25 times MOP is essential to ensure safety. The MTB agrees with this view and cites the following statement from the Battelle study "Transportation of Highly Volatile, Toxic or Corrosive Liquids by Pipeline" as support for this position:

"A hydrostatic proof test to 125 percent of MOP is essential to demonstrate the initial structural integrity of a line * * *. Additional evidence documented in the literature shows that natural gas pipelines tested to 125 percent of MOP have much better performance records, from the standpoint of original manufacturing or construction defects, than those * * * not tested to pressure levels significantly in excess of their operating pressure. Furthermore, research on the long term behavior of defects under load indicates that through slow growth at constant load * * * pipe defects can be extended to critical size and cause ruptures at loads of 6 to 10 percent below levels they had previously endured without failing. Hence, margins of less than 110 percent of MOP are unsafe and provide no real assurance that existing defects will not fail in service. On the other hand as experience has shown, a margin of 125 percent of MOP produces excellent serviceability."

The Battelle study goes on to recommend that MTB "reconsider requiring a field pressure test to 125 percent of MOP on existing pipeline systems which have not been tested in this manner."

Prior to 1966, the B31.4 code required testing only to 110 percent of MOP for newly constructed pipelines. Since 1966, the B31.4 code has required testing to 125 percent of MOP in recognition of the necessity to test to this pressure level to ensure safety.

One of the industry commenters who recommended testing to 125 percent of MOP initiated a program in 1975 to retest all its HVL pipelines not previously tested to this level, even though the pipelines had been previously tested to meet the current industry code at the time of construction. This commenter, a major carrier of HVL commodities, stated:

"Our retesting experience shows that pipe defects which cause operating problems are eliminated by testing to 1.25 times the maximum operating pressure. Also, this same experience shows that maximum pressure reversal encountered during testing was 15 percent. Therefore, the 1.25 times maximum operating pressure test results in reducing the chances of future failures [due to latent materials and construction defects] to zero. This future zero failure possibility is also confirmed by our operating experience on lines that were tested to 1.25 times the maximum operating pressure."

In view of the research and industry experience quoted in the Batelle study, the requirement of the B31.4 code since 1966, and the comments from industry and the NTSB, the MTB believes that the minimum level of pressure to test pipelines to ensure safety is 1.25 times the MOP. The final rule has been written accordingly. An exception is not provided for pipelines previously tested to 1.10 times the MOP because the record shows this level is not high enough to ensure future operating safety.

Adequate Test Hold Period To Ensure Safety

The NPRM proposed that existing HVL pipelines which had not been tested to 125 percent of MOP for 24 hours be pressure tested in accordance with Subpart E, which requires that the test pressure be held for 24 hours. Most of the commenters disagreed with the 24-hour hold period both as a means to determine which HVL pipelines must be retested and as part of the test required under Subpart E. Most of the commenters argued that a 24-hour hold period was more than necessary to ensure safety.

One industry commenter recommended a 2-hour hold period, arguing that a 2-hour hold period is sufficient to ensure safety.

Five industry commenters recommended an 8-hour hold period, arguing that an 8-hour hold period is adequate to ensure pipeline integrity. These commenters pointed to the 8-hour hold period in Part 192 for natural gas pipelines and the 1974 edition of the B31.4 code for petroleum pipelines as support for their recommendation. These commenters further argued that an 8-hour hold period in lieu of the proposed 24-hour hold period would (1) permit the operator to perform the tests during daylight hours thereby making the test procedures less hazardous, (2) be much less costly, and (3) minimize the time pipelines being tested are out of service.

The API, the B31.4 Subcommittee, and one industry commenter recommended a 4-hour hold period in lieu of the proposed 24-hour period. These commenters argued that a 4-hour hold period was adequate to prove the integrity of a pipeline system. These commenters argued that the 24-hour hold period was initially developed as an industry standard because of the inability to explain the failures which occurred during the hold period and the belief that 24 hours was more than sufficient time to expose defects that might later fail in service. These commenters argued that subsequent research and industry experience have demonstrated that the 24-hour hold period is not necessary to prove the integrity of the pipeline system. References cited supporting this view were: "Pressure Reversal Failures," *Oil and Gas Journal*, January 13, 1975; "Background Behind Proposed Test Pressure Hold Period of Two Hours" developed by Battelle and presented to the ANSI B31.8 Transmission and Compressor Station Sub-group, April 8, 1970; "Hydrostatic Testing Pipelines in Place" *Oil and Gas Journal*, December 2, 1968; and "High Pressure Hydrostatic Testing Eliminates More Line Pipe Defects" *Oil and Gas Journal*, July 11, 1966. Further, the B31.4 Subcommittee stated that although the current edition of the B31.4 code requires an 8-hour hold period at 125 percent of internal design pressure, that requirement will be changed in the next edition. The new requirement in the B31.4 code will include a strength test, consisting of a 4-hour hold period at 125 percent of internal design pressure where all of the pressurized components can be visually inspected, plus, in addition to the strength test, a leak test, consisting of a 4-hour hold period at not less than 110 percent of internal design pressure where the pressurized components cannot be visually inspected.

In view of the above information which demonstrates that a strength test as short as 4 hours is adequate to ensure safety and the pending change in the B31.4 code, the MTB has adopted prior field pressure testing to 1.25 times the MOP for 4 hours as a determinant of which HVL pipelines are to be hydrostatically tested under Subpart E.

Rulemaking Concerning Test Hold Period in Subpart E

As a separate matter, the API submitted a petition (P3) on March 12, 1979, to reduce the test hold period in Subpart E, arguing that a shorter hold time is adequate to ensure safety and would reduce the cost of testing. The API recommended that the test in Subpart E be reduced from 24 hours at 125 percent of MOP to a two part test, consisting of a strength test at 125 percent of internal design pressure for 4 hours where pipeline components can be visually inspected plus, in addition to the strength test, a leak test at 110 percent of internal design pressure for four hours where the pipeline components cannot be visually inspected.

The API petition cited the same references included in its comments to the notice in this docket as support for its petition. In further support of its petition, the API also cited the pending change to the B31.4 code to indicate the industry is responsive to the information contained in the referenced research reports.

As a result of the information contained in the cited research, industry experience, and the comments to the notice in this docket concerning testing HVL pipelines, all of which supports a reduced hold period, together with the obvious cost reductions resulting from a reduced hold period and the lack of any information demonstrating that a 24-hour hold period is necessary to ensure safety, a notice of proposed rulemaking has been published (45 FR 16230, March 13, 1980), proposing to change the test requirements in Subpart E. The notice proposes requirements for a strength test to 125 percent of MOP for 4 hours for pipelines which are visually inspected and an additional leak test to 110 percent of MOP for 4 hours for those pipelines which are not visually inspected. The MTB believes these new test requirements will significantly reduce the time to test and reduce the cost of testing while maintaining adequate safety. The publication of the final rule reducing the test hold period for all pipelines subject to Part 195 is imminent and will be completed before

HVL carriers have to commence any testing as a result of the final rule in this docket.

Appropriate Test Records

One industry commenter recommended that any record of past testing offered by the carrier as evidence that proper testing had been performed should be acceptable because there is no requirement in Part 195 to retain records made prior to the effective date of Subpart E, January 8, 1971. Another industry commenter suggested that the actual pressure device charts should be acceptable. Four industry commenters recommended that records which demonstrate the appropriate pressure has been applied and held for an adequate time should suffice as adequate records. These four commenters argued that detailed test records were not commonly kept prior to the effective date of Subpart E and, as a result, such detailed records are not available, although the pipelines were adequately tested. Further, these same commenters argued that in the transfer of ownership of pipelines, only summary statements of these data are transferred rather than detailed records. Four additional industry commenters recommended that certification by an officer of the carrier be acceptable as proof of testing when other proof of testing is not available.

The MTB recognizes that prior to January 8, 1971, there was no requirement in Part 195 to keep detailed records nor was there an industry standard concerning test records in common use and, as a result, test records vary in content and in detail. The MTB does not believe, however, that a mere transfer statement or current certification should qualify as proof of prior testing, as there should be no doubt about the efficacy of prior tests in determining whether a pipeline must be tested. Although detailed records of the type prescribed by section 195.310 are not required, the MTB believes that test records made at the time of test in sufficient detail to demonstrate that the pipeline has been tested to 1.25 times the maximum operating pressure for four continuous hours are necessary to prove the integrity of the pipeline. Thus, the final rules require carriers who wish to demonstrate that pipelines have been previously tested to 125 percent of MOP to use recording charts or logs made at the time the test was conducted.

Reduction in Operating Pressure and Use of Previous Operating Pressure

The final rule provides as an alternative to testing under Subpart E, the option of reducing a pipeline's MOP to 80 percent of its previous hydrostatic test pressure held for four or more hours. Similarly, a reduction in MOP to 80 percent of a previous operating pressure held for four or more hours will also meet the requirement of this final rule since the same pressure level is achieved in the pipeline, whether during test or actual operation. Both of these options provide the 1.25 safety margin between test and MOP proposed in the notice. These options do not apply, however, to pipelines constructed before January 8, 1971, that are converted to HVL service under § 195.5, since hydrostatic testing is mandatory under that section. In either case, the new MOP must be controlled within the limits prescribed by § 195.406. In the event a reduction in MOP is utilized as an alternative to testing under Subpart E, the carrier shall provide charts or logs in sufficient detail made at the time the previous pressure was achieved and held for four continuous hours. Utilization of a previous test pressure or previous operating pressure to establish MOP is prescribed in a new § 195.406(a)(5). The MTB believes these provisions will be attractive to carriers with HVL pipelines which have not been tested or have not been tested to 125 percent of the current MOP, but have been operated satisfactorily by providing means whereby these HVL pipelines can continue in service at a reduced MOP and avoid the cost of testing.

Test Medium

Although the notice did not specifically mention the use of test mediums other than water, § 195.306(b) provides for the use of liquid petroleum that does not vaporize rapidly as a test medium in lieu of water under certain circumstances. Use of such a medium might be attractive to those carriers who have a supply of liquid petroleum readily available and to those multi-commodity pipelines that transport such a commodity.

One industry commenter recommended that the final rule provide for the use of an inert gas as a test medium in lieu of water. The recommendation was not adopted in the final rule because (1) inert gas is compressible, and its use as a test medium poses the hazard of failure by a propagating sinusoidal brittle fracture that is avoided by the use of water, and (2) the use of inert gas as a test medium would be feasible in only very few instances, and in such instances, approval for the use of inert gas can be sought by filing with MTB a waiver application under section 203 of the Hazardous Liquid Pipeline Safety Act of 1979.

Effect on Environment

The effect on the environment of testing HVL pipelines was not raised as an issue in the notice nor did it become an issue in the comments.

The MTB is aware that some effect on the environment will be caused by installing scraper traps necessary to accomplish the testing. However, this effect will be confined to the pipeline right-of-way and will be minimal. The MTB is also aware that disposing of test water which is contaminated with petroleum products can be troublesome. However, because separators, skimmers, and other reliable equipment are available to perform this task, the MTB does not believe disposal of test water will be a serious problem.

Time for Compliance

Five industry commenters recommended a five-year compliance period for the existing HVL pipelines constructed before January 8, 1971. Three industry commenters recommended three years as the appropriate time for compliance. In support of these recommendations, these commenters argued that a substantial time for compliance would be necessary because (1) pipelines would have to be tested in segments to avoid the need to shut down an entire system, (2) testing can only be performed in the summer months in northern regions of the country, (3) disruption of services must be minimized to avoid creating commodity shortages, and (4) substantial planning and scheduling must be done before the actual testing can commence. The NTSB recommended that the testing be completed within one year, arguing that the risk to the public justifies the short testing period.

The MTB does not believe that the testing requirement can be completed within one year and questions the feasibility of attempting to complete the testing requirement within three years. The MTB believes that: substantial planning, scheduling, and budgeting must be done prior to testing; revisions to pipeline systems such as installation of valves, pig-traps, etc., must be designed and equipment procured and installed where necessary; revisions to the pipeline systems as well as the actual testing must be coordinated with normal pipeline operations to minimize the time pipelines are out of service and to minimize the impact on users of the commodities transported; and the actual testing must be performed in a manner to minimize risks to the public and

pipeline personnel that can be caused by testing. For these reasons, the MTB believes a five-year period to comply with the testing requirement is appropriate for existing pipelines in HVL service. The five-year period is reflected in the new § 195.302(b). To assure compliance within the five-year period, planning and scheduling or reduction in MOP must be completed by Sept. 15, 1981, and at least 50 percent of required testing must be done by Sept. 15, 1983.

Under section 195.302(b), steel onshore liquid pipelines constructed before January 8, 1971, that are to begin HVL service would have to be hydrostatically tested or meet the MOP limitation of § 195.406(a)(5) before transporting HVL, or before the effective date, whichever is later.

Use of Electronic Detection

One industry commenter recommended that electronic detection to locate latent material and construction defects be provided as an alternative to hydrostatic testing for those HVL pipelines which do not have a history of leaks or ruptures due to defective pipe or welds. Three industry commenters, the API, the NTSB, and one individual recommended that electronic detection not be provided as an alternative to hydrostatic testing, arguing that electronic detection techniques will detect anomalies in the pipe wall but will not determine the strength of the pipeline. The MTB believes that the pipeline integrity must be ensured as a result of the testing requirement and that electronic detection will not ensure pipeline integrity. Therefore, use of electronic detection is not provided as an alternative to hydrostatic testing in the final rule.

Occasional Transport of HVL

Four industry commenters recommended that carriers who occasionally transport HVL in a pipeline be exempted from compliance with the proposed rule, arguing that the testing requirement would be burdensome for occasional carriers and that they would choose to discontinue transporting HVL rather than comply with the testing requirements. Among these commenters, there was no consensus for a definition of an occasional carrier. One commenter recommended that carriers transporting HVL equal to 75% or more of the throughput be subject to the rule while another commenter recommended that 33% or more of throughput be the appropriate dividing line, while yet another recommended that 25% or more of throughput be so classified. None of the commenters argued that a spill from a pipeline transporting HVL on an occasional basis would present a lesser hazard than a spill from a dedicated HVL pipeline. The API recommended that no distinction be made between pipelines which are in continuous or intermittent HVL service, but recognized that the testing requirement could cause some carriers to discontinue transporting HVL. The NTSB recognized that a proportionately greater economic burden would be borne by occasional carriers than by carriers who have pipelines dedicated to HVL service, but argued that the hazardous nature of HVL makes testing all HVL pipelines imperative. The MTB agrees with the NTSB assessment because the nature of the hazard presented by an accidental spill of HVL is the same regardless of whether the pipeline is an occasional carrier of HVL or is dedicated to HVL service; hence, the final rule applies to all HVL carriers. The MTB believes the five-year compliance period in the final rule together with the shorter test hold period for identifying pipelines subject to the final rules and the options of reducing MOP will lessen the economic impact sufficiently to permit occasional carriers to continue transporting HVL.

Cost of Compliance

Two industry commenters argued that compliance with the proposed rule would require substantial expense in shutting down the pipeline systems in addition to the actual costs of testing. The MTB believes that the cost of testing to comply with the final rule will be much less than that envisioned by these commenters for several reasons: First, the final rule permits five years for compliance which the MTB believes is sufficient time to plan an orderly testing program that will avoid most of the costs associated with loss of throughput. Second, the final rule provides for a 4-hour hold period in identifying pipelines to be tested instead of the 24-hour period required by the proposed rule, which will require fewer pipelines to be tested. Third, an NPRM was published, proposing to reduce the hold period in Subpart E from 24 hours to 8 hours, or under certain conditions 4 hours. When the proposal becomes a final rule, the shorter hold period will greatly reduce the cost associated with actual testing. Fourth, only those segments of HVL pipelines that have not been tested to 125 percent of MOP must be tested to comply with the final rule. Fifth, carriers will have the option of testing to 125 percent of MOP under Subpart E or reducing the current MOP to 80 percent of the pressure to which the pipeline has been tested or operated. This option might be especially attractive for those pipelines that have been tested to 110 percent of design pressure, as was required by the B31.4 code prior to 1966, and those carriers who do not choose to maintain current MOP by retesting under Subpart E. Finally, carriers will have the option of using liquid petroleum which does not vaporize rapidly in lieu of water as provided in section 195.306. This option might be attractive to those pipelines in multi-commodity service and for testing during the winter months.

One commenter, a major carrier of liquefied petroleum gas and anhydrous ammonia who initiated an extensive program in 1975 to test all its HVL pipelines to 125 percent of MOP, argued that the testing requirement will reap benefits that can pay for the cost of testing. This experience notwithstanding, the MTB believes that the five-year compliance period, the shorter test hold period for identifying pipelines subject to the final rules, the prospect of a shorter hold time for testing under Subpart E, and the options to reduce maximum operating pressure in lieu of conducting a testing program will reduce the cost of compliance such that a major cost to the industry will not result.

The API, the B31.4 Subcommittee on Liquid Petroleum Transportation Piping, and one industry commenter argued that the few accidents on HVL pipelines which would be prevented by hydrostatic testing would be outweighed by the costs involved, but failed to support their argument with computations of costs or benefits.

The Final Evaluation in the docket estimates the annualized cost of this final rule to be $638,000 over a 20-year period. The value of the benefits in lives saved, injuries prevented, and property damage prevented is estimated to be $722,000 a year over the same period. Thus, the benefits outweigh the costs by a ratio of 1.13:1.

The MTB believes the actual benefits will be greater than the estimated benefits because the estimated value of the benefits is based solely on historical accident data over the past decade and does not include the effects of a catastrophic type of accident like that which occurred near Edmonton, Alberta, Canada, on March 2, 1979. Although no fatalities were experienced in that accident, 19,000 persons were evacuated to avoid the hazard created by a spill of LPG. Considering the uncertainties inherent in any attempt to quantify the benefit of preventing a catastrophic accident, the potential for the large loss in lives and property, together with the favorable cost benefit ratio based only

on historical data, the MTB believes the cost of the final rule is warranted as an investment in public safety.

In view of the foregoing, Part 195 of Title 49 of the Code of Federal Regulations is amended as follows:

1. By revising § 195.300 to read as follows:

§ 195.300 Scope.

This subpart prescribes minimum requirements for hydrostatic testing of newly constructed steel pipeline systems; existing steel pipeline systems that are relocated, replaced, or otherwise changed; and onshore steel pipeline systems constructed before January 8, 1971, that transport highly volatile liquids. However, this subpart does not apply to movement of pipe covered by §195.424.

2. In § 195.302, by redesignating paragraph (b) as paragraph (c) and adding a new paragraph (b) to read as follows:

§ 195.302 General requirements.

* * * * *

(b) No person may transport a highly volatile liquid in an onshore steel pipeline constructed before January 8, 1971, unless the pipeline has been hydrostatically tested in accordance with this subpart or, except for pipelines subject to § 195.5, its maximum operating pressure is established under § 195.406(a)(5). Pipelines that were in highly volatile liquid service before September 8, 1980 must meet this requirement according to the following schedule:

(1) Planning and scheduling of hydrostatic testing or actual reduction in maximum operating pressure to meet § 195.406(a)(5) must be completed before Sept. 15, 1981; and

(2) Hydrostatic testing must be completed before Sept. 15, 1985, with at least 50 percent of the testing completed before Sept. 15, 1983.

* * * * *

3. By adding § 195.406(a)(5) as follows:

§ 195.406 Maximum operating pressure.

(a) * * *

(5) In the case of onshore HVL pipelines constructed before January 8, 1971, that have not been tested under Subpart E of this part, 80 percent of the test pressure or highest operating pressure to which the pipeline was subjected for four or more continuous hours that can be demonstrated by recording charts or logs made at the time the test or operations were conducted. (See § 195.302(b) for a compliance schedule for pipelines in HVL service before September 8, 1980.

* * * * *

(Hazardous Liquid Pipeline Safety Act of 1979 (Title II of Pub. L. 96-129, November 30, 1979, 93 Stat. 1003); 49 CFR 1.53(a) and Appendix A to Part 1)

Issued in Washington, D.C., on September 2, 1980.

L. D. Santman,

Director, Materials Transportation Bureau.

[FR Doc. 80-27217 Filed 9-5-80; 8:45 am]

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49 CFR Part 195

[Amdt. 195-18; Docket PS-63]

Transportation of Liquids by Pipeline; Hydrostatic Testing

AGENCY: Materials Transportation Bureau (MTB).

ACTION: Final rule.

SUMMARY: This final rule reduces the time and cost of hydrostatic testing in light of studies which show that the currently required 24-hour hydrostatic hold period is unnecessary. A two part test is prescribed for hydrostatically testing liquid pipelines: A strength test of at least 4 hours' duration at a pressure equal to 125 percent or more of the maximum operating pressure is prescribed for all hazardous liquid pipelines subject to Part 195; additionally, a leak test for four hours or more at a pressure equal to 110 percent or more of the maximum operating pressure is prescribed for those pipelines which are not visually inspected for leakage while under the strength test.

DATE: Because this final rule relaxes an existing requirement, resulting in substantial cost savings, the effective date of the final rule is September 8, 1980, for hazardous liquid pipelines currently subject to Part 195. Upon reissuance of Part 195 under the authority of the Hazardous Liquid Pipeline Safety Act of 1979 (Title II of Pub. L. 96-129, November 30, 1979) and in accordance with the notice of proposed rulemaking in this docket, the effective date of this final rule for intrastate liquid pipelines not now subject to Part 195 will be announced.

FOR FURTHER INFORMATION CONTACT: Frank Robinson, 202-426-2392.

SUPPLEMENTARY INFORMATION: A notice of proposed rulemaking (NPRM) was published March 13, 1980 (45 FR 16230), proposing to reduce the 24-hour hydrostatic hold period in § 195.302(c) for all hazardous liquid pipelines. (After publication of the NPRM, § 195.302(b) was renumbered § 195.302(c).) Section 195.302(c) requires that hydrostatic tests be maintained for at least 24 hours without leakage. The MTB believed this requirement was more than adequate to ensure pipeline safety and resulted in greater testing costs than were necessary.

The purpose of a hydrostatic test is to ensure that a pipeline will not later fail in service due to latent material or construction defects. Broadly defined, the hydrostatic test is the maintenance of water pressure above the maximum operating pressure (MOP) under no-flow conditions for a fixed period of time. The hydrostatic test precludes later rupture or leak due to latent material or construction defects by causing these potentially harmful defects to surface during the test period.

The 24-hour hold period for hydrostatic testing evolved as an industry safety practice before it could be explained why failures occurred during the hold period. Further, there was no distinction made between testing the pipeline for strength and testing the pipeline for leakage.

In recent years, scientific research and industry experience have demonstrated that the 24-hour hold period is not necessary to ensure pipeline integrity and that a distinction can be made between a strength test and a leak test. Some of that research and experience was discussed in the NPRM.

Response to the Notice and Development of Final Rule

Nine oil and gas companies, the American Petroleum Institute (API), the Chemical Manufacturers Association (CMA), the Interstate Natural Gas Association of America (INGAA), the Offshore Operators Committee (OOC), the B31.4 Code Section Committee for Liquid Petroleum Transportation of the American Society of Mechanical Engineers, and the National Transportation Safety Board (NTSB) commented on the NPRM. None of the commenters argued that the proposed rule to reduce the hydrostatic test period was not adequate to ensure pipeline safety and most commenters agreed that reduced costs of testing would result.

The INGAA, the OOC, and three oil and gas companies recommended modifying the language of the proposed rule so that prescribed test pressures and hold periods would be clearly stated as minimum requirements in order to avoid the possibility of the rules being interpreted as maximum permissible standards. Further, although these commenters agreed that the rules as proposed are adequate to ensure safety, they argued that there can be other reasons for testing to higher pressures or maintaining longer hold

periods than those prescribed in the proposed rule. For example, thermal effects on the test water and pipe being tested can require a hold period longer than 4 hours to be certain that pressure has stabilized. Additionally, as a practical matter, it may be necessary to raise the pressure to a point above the test level to be certain that the desired test pressure has been achieved throughout the length of pipeline under test.

Although the proposed rule was intended to establish minimum testing standards, the MTB agrees with the commenters that there is a need to more clearly state the rule to avoid ambiguity. The MTB further agrees with the commenters that there can be cases wherein it may be advisable to exceed the prescribed pressures and hold periods while conducting the testing, and the rule should provide for these cases. As a result, the qualifying phrases "at least" and "or more" have been added to § 195.302(c) in the final rule with reference to the prescribed test pressures and hold periods.

The OOC recommended that offshore pipelines be tested to 125 percent of MOP for two hours instead of the proposed four hour strength test at 125 percent of MOP, and the four hour leak test at 110 percent of MOP where not visually inspected for leakage during the strength test. The OOC argued that the research report cited in the notice "Background Behind Proposed Test Pressure Hold Period of 2 Hours" by G. M. McClure provides ample justification for the two hour hold period. The MTB is not prepared at this time to further reduce the testing requirements for offshore pipelines below the levels proposed, because: (1) the reduction in the test hold period proposed in the notice is consistent with the cited research as well as industry experience reflected in the B31.4 code and the API petition (P3); (2) the proposed reduction in the test hold period will provide most of the economic advantages of short period testing; and (3) four hours, or perhaps more, is required to discover leaks that may be present.

The NTSB recommended that criteria for the test procedure and monitoring equipment be prescribed, arguing that improved procedures and monitoring equipment will be required to assure compliance with the regulations. No evidence has been presented to show that a shorter test period will require substantially different procedures or equipment than a test of longer duration, and even where differences exist, MTB feels confident that the records required by § 195.310 will continue to assure that a proper test has been conducted. Consequently, no further regulations concerning test procedures or test equipment have been included in the final rule.

Several of the commenters commended the MTB for revising the pipeline safety regulations as technology for testing develops and for taking positive steps to reduce the cost of testing. The MTB estimates that testing costs will be reduced by 30 percent resulting in a $12,000,000 annual savings to the industry.

In view of the foregoing, the MTB amends 49 CFR Part 195 by revising § 195.302(c) to read as follows:

§ 195.302 General requirements.

* * * * *

(c) The test pressure for each hydrostatic test conducted under this section must be maintained throughout the part of the system being tested for at least 4 continuous hours at a pressure equal to 125 percent, or more, of the maximum operating pressure and, in the case of a pipeline that is not visually inspected for leakage during test, for at least an additional 4 continuous hours at a pressure equal to 110 percent, or more, of the maximum operating pressure.

The MTB has determined that this document does not contain a major proposal requiring preparation of a regulatory analysis under DOT procedures. Also, because of the estimated cost savings, a full Final Evaluation is not needed.

(Hazardous Liquid Pipeline Safety Act of 1979 (Title II of Pub. L. 96-129, November 30, 1979, 93 Stat. 1003); 49 CFR 1.53(a), Appendix A to Part 1)

Issued in Washington, D.C., on September 3, 1980.

L. D. Santman,

Director, Materials Transportation Bureau.

[FR Doc. 80-27479 Filed 9-5-80; 8:45 am]

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INTERSTATE COMMERCE COMMISSION

49 CFR Part 1033

[Amendt. No. 6 to S.O. No. 1289]

Burlington Northern Inc. Authorized To Operate Over Tracks of Union Pacific Railroad Co. at Sterling, Colo.

AGENCY: Interstate Commerce Commission.

ACTION: Amendment No. 6 to Service Order No. 1289.

SUMMARY: Service Order No. 1289 authorizes the Burlington Northern Inc., to operate over tracks of Union Pacific Railroad Company at Sterling, Colorado. This amendment extends the expiration date of Service Order No. 1289 until 11:59 p.m., October 31, 1980, permitting the Commission time to consider Burlington Northern's petition pending under F.D. 29357F without interruption of the temporary authority.

EFFECTIVE: 11:59 p.m., August 31, 1980, and continuing in effect until 11:59 p.m., October 31, 1980, unless modified, amended, or vacated by order of this Commission.

FOR FURTHER INFORMATION CONTACT: M. F. Clemens, Jr., 202-275-7840.

SUPPLEMENTARY INFORMATION:

Decided: August 21, 1980.

Upon further consideration of Service Order No. 1289 (42 FR 63423; 43 FR 24694, 56671; 44 FR 31982; 45 FR 26965 and 36415), and good cause appearing therefor:

It is ordered,

§ *1033.1289 Burlington Northern Inc. authorized to operate over tracks of Union Pacific Railroad Company at Sterling, Colorado,* Service Order No. 1289 is amended by substituting the following paragraph (f) for paragraph (f) thereof:

(f) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., October 31, 1980, unless modified, amended or vacated by order of this Commission.

Effective date. This amendment shall become effective at 11:59 p.m., August 31, 1980.

This action is taken under the authority of 49 U.S.C. 10304-10305 and 11121-11126.

A copy of this amendment shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association. Notice of this amendment shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D.C., and by filing a copy with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board, members Joel E. Burns, Robert S. Turkington, and William F. Sibbald, Jr.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 80-27461 Filed 9-5-80; 8:45 am]

BILLING CODE 7035-01-M

49 CFR Part 1033

[Amdt. No. 1 to Third Revised S.O. No. 1435]

Various Railroads Authorized To Use Tracks and/or Facilities of the Chicago, Rock Island and Pacific Railroad Co.

AGENCY: Interstate Commerce Commission.

ACTION: Amendment No. 1 to Third Revised Service Order No. 1435.

SUMMARY: Throughout the Chicago, Rock Island Pacific Railroad Company (RI) rail network there are numerous locations where the RI and other railroads had conducted joint operations by the use of RI owned tracks and/or facilities. The use of these tracks and/or facilities is essential to the continued operations of the other railroads. Third Revised Service Order No. 1435 grants authority to various railroads to use such RI tracks and/or facilities, as listed in Appendix A to this order.

This amendment to Third Revised Service Order No. 1435 extends the expiration date until 11:59 p.m., November 30, 1980.

EFFECTIVE DATE: 11:59 p.m., August 31, 1980, and continuing in effect until 11:59 p.m., November 30, 1980.

FOR FURTHER INFORMATION CONTACT: M. F. Clemens, Jr., (202) 275-7840.

SUPPLEMENTARY INFORMATION:

Decided: August 21, 1980.

Upon further consideration of Third Revised Service Order No. 1435 (45 FR 18004, 23701, 26331, 37845 and 40599), and good cause appearing therefor:

It is ordered, § 1033.1435 *Various railroads authorized to use tracks and/or facilities of the Chicago, Rock Island and Pacific Railroad Company, debtor (William M. Gibbons, trustee),* Third Revised Service Order No. 1435 is amended by substituting the following paragraph (h) for paragraph (h) thereof:

(h) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., November 30, 1980, unless otherwise modified, amended, or vacated by order of this Commission.

Effective date. This amendment shall become effective at 11:59 p.m., August 31, 1980.

This action is taken under authority of 49 U.S.C. 10304–10305 and 11121–11126.

A copy of this amendment shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and car hire agreement under the terms of that agreement and upon the American Short Line Railroad Association. Notice of this amendment shall be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing a copy with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board, members Joel E. Burns, Robert S. Turkington, and William F. Sibbald, Jr.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 80-27462 Filed 9-5-80; 8:45 am]

BILLING CODE 7035-01-M

49 CFR Part 1033

[Amendment No. 2 to Service Order No. 1464]

Railroads Required To Hold Empty Chicago, Rock Island and Pacific Railroad Co., Debtor (William M. Gibbons, Trustee) Freight Equipment Bearing Reporting Marks RI, ROCK, ROCX and WOV

AGENCY: Interstate Commerce Commission.

ACTION: Amendment No. 2 to Service Order No. 1464.

SUMMARY: Service Order No. 1464 requires various railroads to hold empty Chicago, Rock Island and Pacific Railroad Company, Debtor, (William M. Gibbons, Trustee) Freight Equipment. Railroads must not place such equipment for loading and will hold such cars without car hire charges. Railroads holding such equipment shall provide the Rock Island Trustee with a complete listing of such cars by initial, number, and location. Carriers holding such equipment, upon receipt of disposition from the RI Trustee, forward those cars in accordance with the disposition furnished.

This amendment to Service Order No. 1464 extends this expiration date until 11:59 p.m., November 30, 1980.

EFFECTIVE: 11:59 p.m., August 31, 1980, and continuing in effect until 11:59 p.m., November 30, 1980.

FOR FURTHER INFORMATION CONTACT: M. F. Clemens, Jr. (202) 275-7840.

SUPPLEMENTARY INFORMATION:

Decided: August 21, 1980.

Upon further consideration of Service Order No. 1464 (45 FR 25811 and 45 FR 38059), and good cause appearing therefor:

It is ordered, § *1033.1464 Service Order No. 1464 (Railroads Required To Hold Empty Chicago, Rock Island and Pacific Railroad Company, Debtor (William M. Gibbons, Trustee) Freight Equipment Bearing Reporting Marks RI, ROCK, ROCX and WOV).*

Service Order No. 1464 is amended by substituting the following paragraph (h) for paragraph (h) thereof:

(h) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., November 30, 1980, unless otherwise modified, amended or vacated by order of this Commission.

Effective date. This amendment shall become effective at 11:59 p.m., August 31, 1980.

(49 U.S.C. 10304–10305 and 11121–11126)

A copy of this amendment shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and car hire agreement under the terms of that agreement and upon the American Short Line Railroad Association. Notice of this amendment shall be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing a copy with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board, members Joel E. Burns, Robert S. Turkington and William F. Sibbald, Jr.

Agatha L. Mergenovich

Secretary.

[FR Doc. 80-27460 Filed 9-5-80; 8:45 am]

BILLING CODE 7035-01-M

49 CFR Part 1036

[Ex Parte No. 252 (Sub-5) [1]

Elimination of Incentive Per Diem Charges

AGENCY: Interstate Commerce Commission.

ACTION: Elimination of Final Rules.

SUMMARY: The Interstate Commerce Commission is eliminating its incentive per diem (IPD) rules governing the imposition of charges on boxcars and gondolas. Effective August 31, 1980, the regulations concerning the earning of IPD (49 CFR 1036.1, 1036.2, 1036.6, and 1036.7) are eliminated. The regulations concerning the use of accumulated IPD funds will remain in effect to June 30, 1982. The Commission is taking this action because conditions and other programs have eliminated the need for IPD and because of IPD's undesirable consequences. Eliminating IPD should improve utilization, lower costs and accord carriers more freedom in their operations.

[1] This proceeding embraces Ex Parte No. 334, *Car Compensation-Basic Per Diem Charges,* Ex Parte No. 252 (Sub-1), *Incentive Per Diem Charges (1968) and XF Cars,* and Ex Parte No. 252 (Sub-2), *Incentive Per Diem Charges-Gondolas.*

EFFECTIVE DATE: August 31, 1980.

ADDRESSES: Copies of the Commission's decision are available from: Office of the Secretary, Room 2229, Interstate Commerce Commission, Washington, DC 20423. (800) 424-5230.

FOR FURTHER INFORMATION CONTACT: Richard Felder, 202-275-7693.

SUPPLEMENTARY INFORMATION: This rulemaking was instituted to examine whether incentive per diem (IPD) charges on boxcars and gondolas should be eliminated, maintained or modified, 44 FR 71848 (December 12, 1979). Our notice requested public comment on (1) the effectivenss of the IPD program for plain boxcars, and plain gondolas, (2) IPD's effect on rail car shortages, fleet size, and railroad system efficiency, and (3) whether the IPD program should be eliminated or modified based on the full implementation of the revised car-hire formula adopted in Ex Parte No. 334, *Car Service Compensation-Basic Per Diem Charges.*

Having completed our review, we have concluded that the Commission's IPD rules prescribed in 49 CFR 1036 should be eliminated.

Our conclusion was based on a 3 part analysis. We decided that (1) the increase in the basic per diem rates prescribed in Ex Parte No. 334, *Car Service Compensation-Basic Per Diem Charges,* has eliminated the need for an incentive element to encourage equipment acquisition, (2) IPD has had undesirable consequences on railroad resource allocation and operations, including equipment utilization, and (3) long and short run supply conditions for each IPD car do not warrant continued application of IPD.

A final decision on proposed regulations governing the use of earmarked IPD funds is being issued simultaneously with this decision, EX Parte No. 252 (Sub-3) *Use of Incentive Per Diem Funds.*

Accordingly, the elimination of IPD shall be accomplished in two stages. First, effective August 31, 1980, the incentive per diem regulations concerning the earning of IPD (§§ 1036.1, 1036.2, 1036.6, and 1036.7) shall be eliminated. Secondly, in order to insure an orderly and proper disposition of earmarked IPD funds, §§ 1036.3, 1036.4, and 1036.5 shall remain in effect to June 30, 1982.

This proceeding does not appear to affect significantly either the quality of the human environment or conservation of energy resources.

(49 U.S.C. 10321 and 11122 and 5 U.S.C. 553)

Decided: August 14, 1980.

By the Commission. Chairman Gaskins, Vice Chairman Gresham, Commissioners Stafford, Clapp, Trantum, Alexis, and Gilliam. Vice Chairman Gresham and Commissioner Clapp concurring in the result. Commissioner Stafford dissenting with a separate expression.

Agatha L. Mergenovich,

Secretary.

§§ 1036.1, 1036.2, 1036.6 and 1036.7 [Removed]

Accordingly, 49 CFR Chapter X is amended by removing §§ 1036.1, 1036.2, 1036.6 and 1036.7.

Commissioner Stafford, Dissenting

I would retain the IPD program for the immediate future with a review of the program's usefulness to take place in the next 6 months to two years.

My primary concern is that the majority's decision to act now denies us the opportunity to consider the effects of several directly related proceedings. The first proceeding is Ex Parte No. 334, *Car Service Compensation—Basic Per Diem Charges,* decided some 14 months ago. While the basic per diem was raised considerably, this does not *per se* mean that no need exists for a continued incentive to purchase freight cars. Indeed, with inflation rampaging at 14 percent or more a year, the basic per diem cost of capital rate by itself is simply going to be unappealing to investors. Moreover, we recently adopted Ex Parte No. 334 (Sub-4), *Order to Show Cause For Granting Railroads Flexibility in Setting Per Diem Levels.* This proceeding permits carriers to lower per diem levels on short notice to alleviate spot car surpluses. Conversely, the charges could go back to their original levels—again on short notice—once the surplus had abated. By eliminating IPD, we are cutting back on the percentage range the carriers may adjust their per diem charges.

Another proceeding of lesser consequence is Ex Parte No. 252 (Sub-3), *Use of Incentive Per Diem Funds.* These final rules further free up the use of IPD funds for a broader range.

In sum, the foregoing proceedings have substantial effects on the future necessity of IPD. Before eliminating IPD all together, why not allow a reasonable time for these changes to take effect?

There is another problem with the "timeliness" of this proceeding—the recession. It is undisputed that the current economic downturn is at least partially responsible for the current "car surplus". I would agree that in times of car surpluses the need for IPD is questionable. But this surplus is illusionary in two respects. First, there are always going to be shortages of cars at certain places at certain times—such as grain hopper cars at harvest. Second, once the recession is ended so will the car surplus. I again must question whether basic per diem will be appealing by itself to investors.

My final concern is strictly an equitable one. Several years ago when we were faced with extreme shortages, IPD served its purpose well. The necessary investment in rail cars was made. Some of these investors were financiers with no particular other interest in railroads. I think it irrelevant who made the investment, the fact is it was made and now to substantially reduce the value of that investment is not my sense of fair play.

[FR Doc. 80-27524 Filed 9-5-80; 8:45 am]

BILLING CODE 7035-01-M

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49 CFR Part 1036

[Ex Parte No. 252 (Sub-3)]

Use of Incentive Per Diem Funds

AGENCY: Interstate Commerce Commission.

ACTION: Final rules.

SUMMARY: The proposed regulations to expand the uses of incentive per diem (IPD) funds earned on boxcars and gondolas are adopted except for one modification. The rules governing the imposition of IPD charges on boxcars and gondolas are being eliminated by a rule published elsewhere in this issue. The regulations concerning the use of IPD funds including these final rules (49 CFR 1036.3, 1036.4, and 1036.5) shall remain in effect to June 30, 1982 to insure the proper and orderly expenditure of accumulated IPD funds.

EFFECTIVE DATE: The final rules shall take effect October 8, 1980.

FOR FURTHER INFORMATION CONTACT: Richard B. Felder, 202-275-7693.

SUPPLEMENTARY INFORMATION: On April 11, 1980, we issued an interim decision in this proceeding at 362 I.C.C. 723 (1980) with notice published in the **Federal Register** on April 29, 1980 (45 FR 28380). We proposed to amend our incentive per diem (IPD) regulations (49 CFR Part 1036) to allow: the use of IPD funds upon Commission approval on a matching basis for projects that directly improve utilization of cars in short supply; funds earned on one type of IPD car to be drawn down on another IPD car; funds used for major repairs that place bad order cars on line; and, under certain circumstances, a second nonequity to be an assumption of the initial nonequity lease. Our April decision asked for comments from parties on the proposed regulations. We received nine comments and no replies.

Upon consideration of the comments, the proposed regulations are adopted except for one revision. 49 CFR 1036.4(c) is amended by deleting the sentence:

"This assumption can only be done once per lease."

This decision will not significantly affect either the quality of the human environment or conservation of human resources.

This notice is issued pursuant to authority of 49 U.S.C. 10321 and 11122 (the Interstate Commerce Act) and 5 U.S.C. 553 and 559 (the Administrative Procedure Act).

Decided: August 14, 1980.

By the Commission, Chairman Gaskins, Vice Chairman Gresham, Commissioners Stafford, Clapp, Trantum, Alexis, and Gilliam. Commissioner Clapp dissenting in part with a separate expression. Commissioner Trantum concurred, except that he supported removal of the matching requirement for projects that directly improve IPD car utilization.

Agatha L. Mergenovich

Secretary.

Commissioner Clapp, Dissenting in Part

In my partial dissent to the interim decision, I disagreed with the majority's conclusion that no matching fund requirement should be imposed regarding the use of IPD for major repairs. I remain of the same view.

The requirement is retained for use of IPD for projects that improve car utilization and the majority again fails even to attempt to resolve the resulting inconsistency. As I have previously stated, the purpose of a matching fund requirement is to ensure that carriers do not use IPD for projects that would ordinarily be paid for with general funds. If imposition of the requirement serves this purpose in one instance, and I believe it does, it should also be efficacious in the other. Thus, the public interest demands, in my view, that the requirement be made applicable to major repairs.

Sections 1036.4 and 1036.5 are revised to read as follows:

§ 1036.4 Use of funds on boxcars.

(a) The net credit balances resulting from incentive per diem settlements on boxcars, which are earmarked in accordance with § 1036.3, may be drawn down in whole or in part at any time by the carrier to build, lease equivalent of purchase, or purchase, in whole or in part, new or rebuilt unequipped boxcars for general service (boxcars), XF cars, or gondola cars described in § 1036.1: *Provided,* The carrier has in the same calendar year built, leased, or purchased its 1964–68 average acquisitions of boxcars and made up any arrearage in having failed to maintain such average each year this order is in effect. Earmarked funds may also be used in whole or in part to lease any number of new or rebuilt boxcars, XF cars or gondolas described in § 1036.1 in which the carrier is not acquiring an equity interest: *Provided,* The carrier has in the same calendar year leased its 1964–68 average number of boxcars and made up any arrearage in having failed to maintain such an average each year the order is in effect. Earmarked funds may be used in whole or in part to rebuild any number or portion of boxcars, XF cars or gondolas described in § 1036.1: *Provided,* The carrier has in the same calendar year rebuilt its 1964–68 average number of such boxcars and made up any arrearage in having failed to maintain such average each year the order is in effect. Incentive funds may also be used for major repairs that equal at least 25% of the cost of a new car of the same kind and class at that time if this expenditure results in placing a bad order car on line. Incentive funds cannot be used for ordinary repair and maintenance.

(b) As an alternative, the net credit balances resulting from incentive per diem settlements on boxcars, which are earmarked in accordance with § 1036.3, may be drawn down in whole or in part at any time by the carrier to build, lease equivalent of purchase, purchase, or lease in which a carrier is not acquiring an equity interest, in whole or in part, new or rebuilt boxcars, XF cars or gondolas described in § 1036.1, or rebuild any number or portion of those cars: *Provided,* The carrier has in the same calendar year built, leased, purchased, nonequity leased, or rebuilt its 1964–68 average number of boxcars and made up any arrearage in having failed to maintain such average each year this order is in effect. A carrier may, as another alternative, draw down earmarked funds in whole or in part, to build, lease, purchase, or nonequity lease new or rebuilt boxcars, XF cars, or gondolas or rebuild those cars provided, as a minimum, it matches the earmarked funds it will use to obtain those cars with an equal amount of its own funds. To facilitate the change to the aggregate test period from the previous three separate test periods, the effective date of the aggregate test period is August 8, 1977 and on that date all previous test period arrearages will be eliminated for the aggregate test period.

(c) Nonequity leases for unequipped boxcars for general service and XF boxcars must be at least 10 years in duration and, in connection with such leases, earmarked funds must not be used for the cost of maintenance nor on leases entered into prior to January 1, 1975. In a lessee's default in a non-equity lease, the second lease shall be considered an assumption of the initial lease for IPD purposes and the IPD in the second non-equity lease shall be considered new, if the term of the second lease equals the remainder of the defaulted lease.

(d) Net balances on Canadian-owned cars may be drawn down without regard to prior acquisitions, but where the designee is a class I United States carrier such drawdowns shall not affect that carrier's accumulation of arrearages.

(e) XF cars—the net credit balances resulting from incentive per diem settlements on XF cars, which are earmarked in accordance with § 1036.3, may be drawn down in whole or in part at any time by the carrier to build, lease equivalent of purchase, nonequity lease, purchase in whole or in part, or rebuild XF cars, unequipped boxcars, or gondolas. The carrier, as a minimum, must match the earmarked funds with an equal amount of its own funds. Incentive funds may also be used for major repairs that equal at least 25% of the cost of a new car of the same kind and class at that time if this expenditure results in placing a bad order car on line. Incentive funds may not be used for ordinary repair and maintenance.

(f) All earmarked funds that have accrued since the inception of the incentive per diem program must be put to use within 18 months after the end of the calendar year in which the funds are collected and result in a net credit balance for the building, rebuilding, leasing, purchasing, or nonequity leasing of general service, unequipped boxcars described in § 1036.1 for addition to such carrier's or designee's fleet in accordance with this part. Upon a showing of good cause an application, including a showing that the parties to the proceeding herein have been notified by the carrier of such application, may be made to the Commission for waiver of the said 18-month period, which may, in the Commission's discretion, be granted after consideration of all views regarding the application. If the earmarked funds are not used within the 18-month period, they may be voluntarily surrendered to Rail Box whose establishment and operation was approved in *American Rail Box Car Co.—Pooling,* 347 I.C.C. 862. If the carrier fails within the stated period to put to use collected earmarked funds which result in a net credit balance, has not obtained relief from that requirement, and has not surrendered such funds to Rail Box, the Commission will investigate the matter to determine what, if any, corrective action is warranted. Appropriate corrective action would include section 16(12) remedies among others.

(g) Carriers may make temporary investment in unexpended funds in Government bonds or other liquid securities. Such securities must be readily convertible to cash so that funds remain available for boxcar purchases. Interest earned must become part of the earmarked fund.

(h) As used in this section, "build," "rebuild," "lease," or "purchase" refer to

a commitment to build, rebuild, lease, or purchase which results in the acquisition of a car on line ready for use within 10 months from the date of commitment, except that in extraordinary cases beyond the control of the carrier or the car supplier, a car that is delivered after 10 months from the date of commitment may qualify if approved by the Bureau of Accounts of this Commission.

(i) Upon application to the Commission, common carriers by railroad who have either adequate car supplies or good cause for not purchasing additional incentive per diem cars described in § 1036.1 from funds earned on those cars, may apply to the Commission to permit expenditure of such funds, on a matching basis, for projects that can be shown to improve directly the utilization of any of the car types earning incentive per diem.

§ 1036.5 Use of funds generated on gondola cars.

The net credit balances resulting from incentive per diem settlements generated on general service unequipped gondola cars described in § 1036.1, which are earmarked in accordance with § 1036.3, may be drawn down in whole or in part at any time by the carrier, or designee of a Canadian railroad, to build, lease equivalent to purchase, lease (nonequity), purchase in whole or in part, or rebuild unequipped gondolas, unequipped boxcars and XF cars as described in § 1036.1. The nonequity leases must be entered into after January 1, 1977, be at least 10 years in duration, and in connection with such leases, earmarked funds must not be used for the cost of maintenance. Upon application to the Commission, common carriers by railroad which have either adequate car supplies or good cause for not purchasing additional incentive per diem cars described in § 1036.1 from funds earned on those cars, may apply to the Commission to permit expenditure of such funds on a matching basis, for projects that can be shown to directly improve the utilization of any of the car types earning incentive per diem. Earmarked funds must be put to use within 30 months after the end of the calendar year in which the funds are collected. Failure to spend 85 percent of the incentive per diem funds within the 30-month time period by a carrier will result in that carrier not being allowed to earn incentive per diem charges on its unequipped gondola cars until such earmarked funds have been expended. Incentive funds may also be used for major repairs that equal at least 25% of the cost of a new car of the same kind and class at that time if this expenditure results in placing a bad order car on line. Incentive funds cannot be used for ordinary repair and maintenance.

[FR Doc. 80-27525 Filed 9-5-80; 8:45 am]
BILLING CODE 7035-01-M

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 32

Opening of Wildlife Management Areas 10, 11, and 12 to Public Pheasant Hunting; Lacreek National Wildlife Refuge

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Special regulation.

SUMMARY: The Director has determined that the opening of parts of the Lacreek National Wildlife Refuge to public hunting of cock pheasants is compatible with the objectives for which the area was established, will utilize a renewable natural resource, and will supply additional recreational opportunities to the public. These special regulations describe the conditions under which pheasant hunting will be permitted on portions of Lacreek National Wildlife Refuge.

DATES: October 18, 1980 through December 14, 1980 and December 27, 1980 through December 31, 1980.

FOR FURTHER INFORMATION CONTACT: Refuge Manager, Lacreek National Wildlife Refuge, Martin, South Dakota 57551 or Telephone 605-685-6508.

SUPPLEMENTARY INFORMATION:

General

The Refuge Recreation Act of 1962 (16 U.S.C. 460K) authorizes the Secretary of the Interior to administer this area for public recreation as an appropriate incidental or secondary use only to the extent that it is practicable and not inconsistent with the primary objectives for which the area was established. In addition, the Refuge Recreation Act requires (1) that such recreational use will not interfere with the primary purpose for which the area was established, and (2) that funds are available for the development, operation, and maintenance of permitted forms of recreation.

The recreational use authorized by these regulations will not interfere with the primary purpose for which the Lacreek National Wildlife Refuge was established. This determination is based upon consideration of the Service's Final Environmental Statement on the Operation of the National Wildlife Refuge System published in November 1976. Funds are available for the administration of the recreational activities permitted by these regulations.

§ 32.22 Special regulations; hunting ring-necked pheasant; for individual wildlife refuge areas.

Public hunting of cock ring-necked pheasants on the Lacreek National Wildlife Refuge, South Dakota, is permitted in those parts of Wildlife Management Areas 10, 11, and 12 (3,850 acres) delineated on maps available at designated registration stations and Refuge Headquarters. Hunting shall be according to State and Federal Regulations governing the hunting of cock pheasants subject to the following special conditions:

a. Hunters must check in and check out each day.

b. A special daily permit is required and must be in possession while hunting. The permits are available at self-service registration stations.

c. Motor vehicle use is restricted to designated access roads and parking areas.

d. Parking is permitted only in designated parking areas.

e. Discharging of firearms from, upon, or across any public roadway, or within 50 feet of the center line of any public roadway, or within the confines of parking areas, is prohibited.

f. Hunting with the aid of a motor vehicle is prohibited. No person may discharge a firearm within .5 miles of any motor vehicle available for his transportation unless that vehicle is parked in a designated parking area.

The provisions of this special regulations supplements the regulations which govern hunting on wildlife refuge areas generally, which are set forth in Title 50 Code of Federal Regulations, Part 32, and are effective through December 31, 1980. The public is invited to offer suggestions and comments at any time.

The U.S. Fish and Wildlife Service has determined that this document does not contain a major proposal requiring preparation of an Economic Impact

Statement under Executive Order 11949 and OMB Circular A–107.

Dated: August 29, 1980.

Rolf H. Kraft,

Refuge Manager, Lacreek National Wildlife Refuge, Martin, South Dakota.

[FR Doc. 80–27510 Filed 9–5–80; 8:45 am]

BILLING CODE 4310–55–M

50 CFR Part 32

Opening of Wildlife Management Areas 10, 11, and 12 to Public Sharptailed Grouse Hunting; Lacreek National Wildlife Refuge

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Special regulation.

SUMMARY: The Director has determined that the opening of parts of the Lacreek National Wildlife Refuge to public hunting of sharp-tailed grouse is compatible with the objectives for which the area was established, will utilize a renewable natural resource, and will supply additional recreational opportunities to the public. These special regulations describe the conditions under which sharp-tailed grouse hunting will be permitted on portions of Lacreek National Wildlife Refuge.

DATES: October 18, 1980 through December 7, 1980.

FOR FURTHER INFORMATION CONTACT: Refuge Manager, Lacreek National Wildlife Refuge, Martin, South Dakota 57551 or Telephone 605–685–6508.

SUPPLEMENTARY INFORMATION:

General

The Refuge Recreation Act of 1962 (16 U.S.C. 460k) authorizes the Secretary of the Interior to administer this area for public recreation as an appropriate incidental or secondary use only to the extent that it is practicable and not inconsistent with the primary objectives for which the area was established. In addition, the Refuge Recreation Act requires (1) that such recreational use will not interfere with the primary purpose for which the area was established, and (2) that funds are available for the development, operation, and maintenance of permitted forms of recreation.

The recreational use authorized by these regulations will not interfere with the primary purpose for which the Lacreek National Wildlife Refuge was established. This determination is based upon consideration of the Service's Final Environmental Statement on the Operation of the National Wildlife Refuge System published in November 1976. Funds are available for the administration of the recreational activities permitted by these regulations.

§ 32.22 Special regulations; hunting sharp-tailed grouse; for individual wildlife refuge areas.

Public hunting of sharp-tailed grouse on the Lacreek National Wildlife Refuge, South Dakota, is permitted in those parts of Wildlife Management Areas 10, 11, and 12 (3,850 acres) delineated on maps available at designated registration stations and Refuge Headquarters. Hunting shall be according to State and Federal Regulations governing the hunting of sharp-tailed grouse subject to the following special conditions:

a. The opening day for the sharp-tailed grouse season shall be October 18, 1980, a date more restrictive than State regulations.

b. Hunters must check in and check out each day.

c. A special daily permit is required and must be in possession while hunting. The permits are available at self-service registration stations.

d. Motor vehicle use is restricted to designated access roads and parking areas.

e. Parking is permitted only in designated parking areas.

f. Discharging of firearms from, upon, or across any public roadway, or within 50 feet of the center line of any public roadway, or within the confines of parking areas, is prohibited.

g. Hunting with the aid of a motor vehicle is prohibited. No person may discharge a firearm within .5 miles of any motor vehicle available for his transportation unless that vehicle is parked in a designated parking area.

The provisions of these special regulations supplements the regulations which govern hunting on wildlife refuge areas generally, which are set forth in Title 50 Code of Federal Regulations, Part 32, and are effective through December 31, 1980. The public is invited to offer suggestions and comments at any time.

The U.S. Fish and Wildlife Service has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11949 and OMB Circular A–107.

Dated: August 29, 1980.

Rolf H. Kraft,

Refuge Manager, Lacreek National Wildlife Refuge, Martin, South Dakota.

[FR Doc. 80–27511 Filed 9–5–80; 8:45 am]

BILLING CODE 4310–55–M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 674

Alaska Salmon Fishery

AGENCY: National Oceanic and Atmospheric Administration (NOAA)/ Commerce.

ACTION: Final regulations.

SUMMARY: This document makes final those proposed regulations, published on May 21, 1980 (45 FR 34020), which would implement the 1980 amendment to the fishery management plan (FMP) for the High Seas Salmon Fishery off the Coast of Alaska East of 175° East Longitude. That FMP amendment was implemented by emergency regulations on May 20, 1980 (45 FR 33638). With the exception of incorporating one minor procedural change, these final regulations are identical to those emergency regulations published on May 20 and the proposed regulations published on May 21.

EFFECTIVE DATE: September 3, 1980, at 0001 hours Pacific Daylight Time (PDT).

FOR FURTHER INFORMATION CONTACT: Mr. Robert W. McVey, Director, Alaska Region, National Marine Fisheries Service, P.O. Box 1668, Juneau, Alaska 99802, Telephone: (907) 586–7221.

SUPPLEMENTARY INFORMATION: On May 2, 1980, the Assistant Administrator for Fisheries, NOAA, approved, with the exception of one provision, the 1980 amendment to the fishery management plan (FMP) for the "High Seas Salmon Fishery off the Coast of Alaska East of 175° East Longitude." This FMP amendment had been prepared by the North Pacific Fishery Management Council, pursuant to the Fishery Conservation and Management Act of 1976 (the Act), as amended, 16 U.S.C. 1801, *et seq.* Regulations proposed to implement the approved portion of the amendment were published on May 21, 1980 (45 FR 34020), with a public comment period ending on July 14, 1980. In accordance with section 305(e) of the Act, the FMP was implemented by emergency regulations published on May 20, 1980 (45 FR 33638). The preamble to the emergency regulations discussed several aspects of the amendment. That discussion is not repeated here. With the exception of incorporating a minor procedural change to § 674.22 of the regulations that was inadvertently omitted when the emergency regulations were published, these final regulations are identical to those emergency regulations.

The procedural change in § 674.22 merely provides that field orders become effective at the time the order is filed for publication with the **Federal Register** rather than the time the order is published in the **Federal Register**.

Response to Comments

Most of the comments received pertained to that portion of the amendment which was disapproved. Those comments were directed not to regulations, but to the plan as amended. The practical effect of that disapproval was a continuation of hand trolling in the fishery conservation zone (FCZ), which the State of Alaska opposed.

1. Disapproval of the Proposed Ban on Hand Trolling in the FCZ.

Comment: Persons opposed to hand trolling in the FCZ contended that hand trolling could result in overfishing in the FCZ and complicates the enforcement of the State's ban in its coastal waters.

Response: The Assistant Administrator, in disapproving the hand trolling restriction, found that it was inconsistent with National Standard No. 4 of the Act. The restriction would have excluded from the FCZ fishery some people who had historically fished in that zone, while allowing other individuals (power trollers) to continue to do so. The agency determined that no legitimate conservation or management purpose is served by such differing treatment of fishermen in the FCZ. A notice of availability of the final Supplemental Environmental Impact Statement for the FMP amendment was published on July 25, 1980 (45 FR 49665).

A final regulatory analysis as required under Executive Order 12044 for the FMP and 1980 amendment has been prepared, and is available from the Director, Alaska Region.

The Assistant Administrator for Fisheries, for good cause, finds that further opportunity for public comment prior to the effective date of these regulations is impracticable, unnecessary, and contrary to the public interest, and that there is good cause for these regulations to take effect on the date specified herein. That finding is based upon the following:

1. It would not be in the interest of the resource to delay further in implementing these regulations; and

2. These regulations are almost identical to those in effect since mid-May, and therefore the fishermen are familiar with them.

Dated this 3rd day of September 1980, at Washington, D.C.

Robert K. Crowell,

Deputy Executive Director, National Marine Fisheries Service.

(16 U.S.C. 1801 *et seq.*)

50 CFR 674 is amended as follows:

§ 674.4 [Amended]

1. Amend § 674.4(a)(5) by changing "1980" to "1981."

2. Amend § 674.21 *Catch Limitations* by revising paragraph (a) (1) and (2), (c) and by adding paragraph (d) as follows:

§ 674.21 Catch limitations.

(a) *Size Restrictions.*

(1) *Minimum size limit*—(i) *Chinook Salmon.* Only chinook salmon 28 inches or more in length may be retained.

(ii) *Other Salmon.* There is no minimum size limit for sockeye, coho, pink or chum salmon.

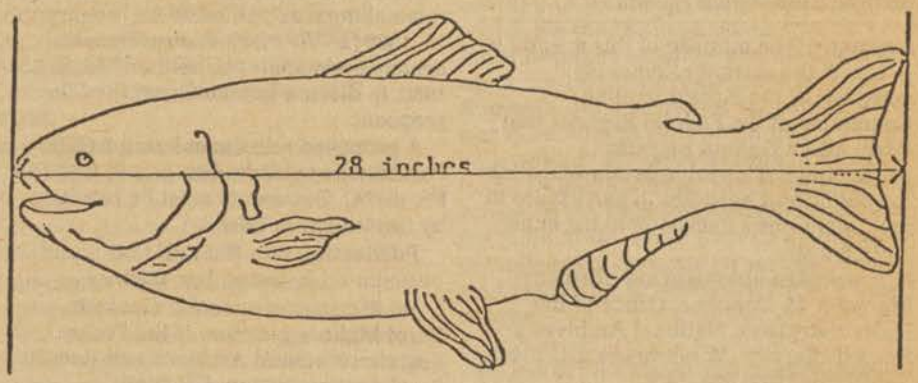
(2) *Method of Measurement.* For purposes of paragraph (1)(i) of this subsection, a chinook salmon is measured in a straight line passing over the pectoral fin, from the tip of the snout to the tip of the tail in its natural open position (see figure 1).

* * * * *

(c) *Landing Requirements.* All chinook or coho salmon taken in the management area must be landed with heads on.

(d) *Possession Prohibited.* The possession or retention of species of salmon in the management area or portion thereof which has been closed to the taking of such species of salmon, by vessels engaged in commercial fishing, is prohibited.

3. Change figure 1 to appear as follows:



4. Amend § 674.22 by revising (b)(1)(i) as follows:

§ 674.22 Time and Area closures.

* * * * *

(b) Field Orders—(1) Contents.

* * * * *

(i) It is filed for publication with the **Federal Register.**

* * * * *

5. Amend sec. 674.24 by adding paragraph (a)(2)(ii) to read as follows:

§ 674.24 Gear restrictions.

(a) * * *

(2) * * * (i) [Reserved]

(ii) Vessels engaged in commercial fishing for salmon may not fish more than four lines south of a line beginning at the intersection of the inner boundary of the FCZ and the latitude of Cape Spencer at 58°12′08″ N. lat., thence west along said latitude to 138°00′ W. long., thence south along said longitude to 58°00′ N. lat., thence west along said latitude to the intersection of the outer boundary of the FCZ and 58°00′ N. lat. North of the line described above, such vessels may not fish more than six lines. All vessels engaged in commercial fishing for salmon must not have more than six gurdies mounted and in operational condition.

* * * * *

[FR Doc 80-27475 Filed 9-4-80; 8:45 am]

BILLING CODE 3510-22-M

Proposed Rules

Federal Register
Vol. 45, No. 175
Monday, September 8, 1980

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.

ADMINISTRATIVE COMMITTEE OF THE FEDERAL REGISTER

1 CFR Ch. I

Improving Government Regulations; Semiannual Agenda

AGENCY: Administrative Committee of the Federal Register.

ACTION: Semiannual agenda.

SUMMARY: The purpose of this agenda is to report the current rulemaking activities of the Administrative Committee of the Federal Register that might affect Federal Register publications. This information will allow the public and agencies to participate in the Committee's decisionmaking at an early stage.

FOR FURTHER INFORMATION CONTACT: Margaret M. Donohoe, Office of the Federal Register, National Archives and Records Service, Washington, DC 20408, Telephone (202) 523-3408.

SUPPLEMENTARY INFORMATION: In response to President Carter's Executive order on improving Government regulations, the Administrative Committee of the Federal Register published this agenda (E.O. 12044). The regulations issued by the Administrative Committee of the Federal Register govern the Federal Register publications and are contained in Title 1 of the Code of Federal Regulations (CFR).

Previous agendas were published on January 8, 1979, at 44 FR 1802, July 9, 1979, at 44 FR 40070 and March 10, 1980, at 45 FR 15183.

The Committee at present has one rulemaking in progress concerning the identification of subjects in agency regulations. A discussion of that rulemaking follows.

Identification of Subjects in Agency Regulations

Description

The Committee is proposing to require agencies to identify major topics and categories of persons affected in their regulations in standard terms derived from the Federal Register Thesaurus of Indexing Terms and the Standard Industrial Classification Manual. Increased public involvement and need for information on regulations has led to the need for more comprehensive indexes and information services for the Federal Register and Code of Federal Regulations (CFR). Having agencies identify the subjects in their regulations that affect or are of interest to them. It would also help the Office of the Federal Register (OFR) provide more effective information services to the public directly and through published finding aids.

Status

An advance notice of proposed rulemaking was published on January 15, 1980 (45 FR 2998). A meeting with agency personnel was held on March 18, 1980, to discuss implementation of the proposal.

A proposed rule amendment 1 CFR Part 18 was published on July 9, 1980 (45 FR 46328). Comments must be received by September 8, 1980.

Publication of a final rule is anticipated in December 1980.

For Further Information Contact: Carol Mahoney, Office of the Federal Register, National Archives and Records Service, Washington, DC 20408, Telephone (202) 523-5266.

Although other improvements to the Federal Register system are being considered which may result in amending existing regulations contained in 1 CFR Ch. I, the proposed rule on identification of subjects in agency regulations is the only rulemaking anticipated during the next six months.

Martha B. Girard,

Acting Secretary, Administrative Committee of the Federal Register.

[FR Doc. 80-27472 Filed 9-5-80; 8:45 am]

BILLING CODE 1505-02-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 80-WE-15]

Proposed Alteration of Transition Area, Placerville, Calif.

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice proposes to alter a portion of the 700-foot transition area at Placerville, California, so as to provide controlled airspace for instrument procedures at the Placerville Airport.

DATE: Comments must be received on or before October 2, 1980.

ADDRESSES: Send comments on the proposal in triplicate to Director, Federal Aviation Administration, Attn: Chief, Airspace and Procedures Branch, AWE-530, 15000 Aviation Boulevard, Lawndale, California 90261. A public docket will be available for examination in the Office of the Regional Counsel, Federal Aviation Administration, 15000 Aviation Boulevard, Lawndale, California 90261, telephone: (213) 536-6270.

FOR FURTHER INFORMATION CONTACT: Thomas W. Binczak, Airspace and Procedures Branch, Air Traffic Division, Federal Aviation Administration, 15000 Aviation Boulevard, Lawndale, California 90261, telephone: (213) 536-6182.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the Airspace Docket Number and be submitted in triplicate to the Chief, Airspace and Procedures Branch, Federal Aviation Administration, 15000 Aviation Boulevard, Lawndale, California 90261. All communications received on or before October 2, 1980, 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 received will be available both before and after the closing date for comments in the Rules Docket for examination by interested persons.

Availability of NPRM

Any person may obtain a copy of this notice of proposed rule making (NPRM) by submitting a request to the Federal Aviation Administration, Chief, Airspace and Procedures Branch, AWE-530, 15000 Aviation Boulevard, Lawndale, California 90261, or by calling

(213) 536-6180. Communications must identify the notice 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 applications procedures.

Drafting Information

The principal authors of this document are Thomas W. Binczak, Air Traffic Division and DeWitte T. Lawson, Jr., Esquire, Regional Counsel, Western Region.

The Proposal

The FAA is considering an amendment to Subpart G of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) that would alter the Placerville, California 700-foot transition area. This action will provide controlled airspace protection for IFR operations at the Placerville Airport.

The Proposed Amendment

Accordingly, the Federal Aviation Administration proposes to amend Subpart G, § 71.181 (45 FR 445) of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) by adding the following:

71.181 *Placerville, Calif.*

Delete period following * * * "southwest of the VOR" and add "and within four miles each side of the Hangtown VOR 197° radial extending from four mile radius area to eleven miles south of the VOR."

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

Note.—The FAA has determined that this document 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 Los Angeles, Calif., on August 22, 1980.

H. C. McClure,

Acting Director, Western Region.

[FR Doc. 80-27173 Filed 9-5-80; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF STATE

Bureau of Consular Affairs

22 CFR Part 41

[Docket No. SD-155]

Validity, Termination, and Replacement of Visa

AGENCY: Department of State.

ACTION: Proposed rulemaking.

SUMMARY: This rule would amend and clarify the regulations in section 41.122 relating to termination of the validity of a nonimmigrant visa by a consular or immigration officer in those cases where the page on which the visa was issued has been physically removed from an expired passport.

DATES: Written comments received by the Department prior to October 31, 1980 will be considered.

ADDRESS: Written comments should be addressed to the Director, Office of Legislation, Regulations and Advisory Assistants, Visa Services, Bureau of Consular Affairs, Washington, D.C. 20520.

FOR FURTHER INFORMATION CONTACT: Gerald M. Brown, Chief, Legislation and Regulations Division, Bureau of Consular Affairs, Department of State, Washington, D.C. 20520, 202-632-1900.

SUPPLEMENTARY INFORMATION: Increasing numbers of nonimmigrant aliens have been presenting at the time of their applications for admission visas which have been physically removed from passports issued to them earlier and affixed to subsequently issued passports. In many instances, there is no method by which immigration inspectors at ports-of-entry can identify the applicant for admission as the alien to whom the visa was issued. This is particularly true in the cases of bearer(s) stamp visas now in use pursuant to section 41.124(d)(1). These amendments provide that a visa that has been physically removed from the passport in which it was originally issued is invalid and is to be physically cancelled by a consular or immigration officer to whom it is presented.

1. In § 41.122(e) the word "or" in subparagraph (6) is deleted; the period at the end of subparagraph (7) is substituted by a semicolon followed by the word "or" and a new subparagraph (8) is added to read:

§ 41.122 Validity, termination and replacement of visa.

* * * * *

(e) *Termination of validity by consular or immigration officer.* * * *

(8) The visa has been physically removed from the passport in which it was originally issued.

* * * * *

2. In § 41.122(f) subparagraph (1), after "United States," the phrase "the visa has been physically removed from the passport in which it was originally issued, or" is inserted.

3. In § 41.122(f) subparagraph (2) is revised to read:

§ 41.122 Validity, termination and replacement of visa.

* * * * *

(f) *Termination of validity prior to alien's journey to the United States.* * * *

(2) Upon learning that a visa has been physically removed from the passport in which it was originally issued or upon a finding of ineligibility pursuant to paragraph (f)(1) of this section, the consular officer shall, if possible, physically cancel such visa. If the consular officer is unable to physically cancel the visa he shall give notice of the termination of validity to the master, commanding officer, agent, owner, charterer, or consignee of the carrier or transportation line on which it is believed that the alien intends to travel to the United States and shall promptly submit to the Department a full report of the facts of any case in which a finding of ineligibility to receive a visa has been made pursuant to paragraph (f)(1) of this section.

* * * * *

(Sec. 104, 66 Stat. 174; 8 U.S.C. 1104; Section 109(b)(1), 91 Stat. 847)

Dated: August 26, 1980.

Barbara M. Watson,

Assistant Secretary for Consular Affairs.

[FR Doc. 80-27467 Filed 9-5-80; 8:45 am]

BILLING CODE 4710-06-M

NAVAJO AND HOPI INDIAN RELOCATION COMMISSION

25 CFR Part 700

Commission Operations and Relocation Procedures; Establishment of Regulations Regarding "Life Estates"

AGENCY: Navajo and Hopi Indian Relocation Commission.

ACTION: Proposed rule.

SUMMARY: The Commission is issuing proposed standards and procedures to govern the award of life estate leases to members of the Hopi and Navajo Tribes who have been displaced because of relocation. This rule sets forth application and disability determination procedures. These regulations are required under section 30(b) of the

Navajo and Hopi Indian Relocation Amendments Act of 1980.

DATES: Comments must be received on or before September 26, 1980. A hearing will be scheduled on or about September 13, 1980.

ADDRESS: Send comments to Paul M. Tessler, CFR Liaison Officer, Navajo and Hopi Indian Relocation Commission, 2717 N. Steves Blvd., Bldg. A, Flagstaff, Arizona 86001. The hearing will be held at the Tuba City Community Center, Tuba City, Arizona.

FOR FURTHER INFORMATION CONTACT: Paul M. Tessler, (602) 779-3311, ext. 1376, FTS: 261-1376.

SUPPLEMENTARY INFORMATION: On July 8, 1980, the Navajo and Hopi Indian Relocation Amendments Act of 1980, (25 U.S.C. 640-d, Pub. L. 96-305), hereinafter referred to as the "Amendments Act", was approved. The "Amendments Act" requires the Commission to promulgate certain regulations concerning Life Estates within ninety (90) days of its enactment (i.e.: by October 8, 1980). For this reason, these proposed rules are not intended to be exhaustive. It is anticipated that additional rules further outlining procedures regarding such matters as fencing of Life Estates, access to Life Estates by visitors and family, appeal procedures, and Life Estate Leases will be promulgated in the near future.

Because of the time constraints imposed by the Amendments Act, The Commission has been required to adopt a shorter than usual comment period which requires comments to be received on or before September 26, 1980. A public hearing will be scheduled on or about September 13, 1980, on the reservation to assure full public input.

Section 700.17(a) of the proposed rule is concerned with the content of the application for Life Estate Leases. After adoption of a final rule, the Commission will prepare an appropriate application form and make it available immediately upon its approval.

Section 700.17(b) of the proposed rule is concerned with the determination of disability as it relates to eligibility for Life Estates. The Commission has adopted the Veteran's Administration definition of "disability" for purpose of the proposed rule for several reasons; the severe time constraints imposed by the Amendments Act; Senate Report No. 96-373 may require the Commission to use the Veteran's Administration schedule for rating disabilities, and last, it may be expeditious to the disability examination process to use the Veteran's Administration standards because many physicians are familiar with such standards.

Section 700.17(c) of the proposed rule concerns grouping and awarding of Life Estate Leases. This section adopts the language of the Amendments Act.

The principal author is William G. Lavell, Field Solicitor, Valley Bank Center, Suite 2080, 201 N. Central Avenue, Phoenix, Arizona 85073.

Accordingly, 25 CFR 700.17 is proposed to read as follows:

§ 700.17 Life estate leases.

The following standards and procedures shall govern the awarding of Life Estate Leases:

(a) *Filing of Applications for Life Estate Lease.* Applications for Life Estate Leases shall be filed at the Commission's office in Flagstaff, AZ, not later than April 1, 1981, unless extended by the Commission for not more than 180 (one-hundred and eighty) days, for good cause. Application shall be made on an approved Commission form known as "Application for Life Estate Lease" and shall contain the following information:

(1) Name, address, birthdate, social security number, census number of the head of household and his/her spouse, and date of marriage, if married. The head of household who applies for a Life Estate Lease shall be known as the "applicant".

(2) Applicant's Quad Map location.

(3) Name, birthdate, census number, and social security number of the applicant's minor, dependent children.

(4) The nature of the applicant's disability, if any, and the names and addresses of those persons or hospitals which have treated applicant within the past five (5) years.

(5) The name(s) and address(es) of the person(s), if any, who presently cares for and resides with the applicant.

(6) A statement indicating the nature, extent, and term of the care, if any, provided to the applicant by the person(s) named in paragraph (a)(5) of this section.

(7) Applications shall be accompanied, wherever possible, with documentation such as Birth Certificates, Baptismal Records, Tribal Records, Family Census Cards, Marriage Certificates, Tax Returns, and such other documentation required by the Commission.

(b) *Determinations of disability.* The Commission shall determine disability pursuant to an opinion rendered by a physician or physicians selected and approved by the Commission. Such determinations shall be governed by the following procedures:

(1) Each applicant who claims entitlement to a Life Estate, by virtue of a disability, shall submit with his/her application, a certificate from a physician(s) approved by the Commission indicating the physician's opinion of applicant's disability from 0% (zero percent) to 100% (one-hundred percent) in accordance with paragraph (b)(2) of this section.

(2) For purposes of this subsection, "disability" shall be defined from the Veteran's Administration definition at 38 U.S.C. shall be used to rank applicant's disabilities.

(c) Grouping and Awarding of Applications for Life Estate Leases. Upon receipt of application filed pursuant to this section, the Commission shall group and award Life Estate Leases in the following manner:

(1) Applicants who are determined to be at least 50 percent (50%) disabled as certified by a physician approved by the Commission. Such applicants shall be ranked in the order of the severity of their disability.

(2) Applicants who are not at least 50 percent (50%) disabled shall be ranked in order of their age with the oldest listed first and the youngest listed last; PROVIDED that, if any applicant physically resides in Quarter Quad Numbers 78 NW, 77 NE, 77 NW, 55 SW, or 54 SE, as designated on the Quarter Quad Maps of the Former Joint Use Area prepared by the Bureau of Indian Affairs Field Administrative Office, such applicant shall be given priority over another applicant of equal age.

(3) Applicants who did not, as of December 22, 1974, and continuously, thereafter, maintain a separate place of abode and actually remain domiciled on Hopi partitioned lands, and who, but for this subsection would be required to relocate, shall be rejected by the Commission.

(4) Applicants who were not at least forty-nine (49) years of age on December 22, 1974, *or* are not at least 50 percent (50%) disabled, shall also be rejected by the Commission.

(5) The Commission shall award Life Estate Leases to not more than one-hundred and twenty (120) Navajo applicants and not more than ten (10) to Hopi applicants with first priority being given to applicants listed pursuant to paragraph (c)(1) of this section and the next priority being given to applicants listed pursuant to paragraph (c)(2) of this section, in order of such listing.

(Pub. L. 96-305, 94 Stat. 929, 25 U.S.C. 640-d)

Roger Lewis,

Vice-Chairman, Navajo and Hopi Indian Relocation Commission.

[FR Doc. 80-27588 Filed 9-5-80; 8:45 am]

BILLING CODE 4310-HB-M

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

49 CFR Ch. III

[BMCS Docket No. MC-94; Notice No. 80-8]

Minimum Levels of Financial Responsibility for Motor Carriers

Correction

In FR Doc. 80-26353, appearing on page 57676, in the issue of Thursday, August 28, 1980, make the following corrections:

On page 57676, third column, fourth line from the bottom, the figure "$75,000" should have read "$750,000". In the eleventh line from the bottom, the word "interstate" should have read "intrastate".

BILLING CODE 1505-01-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[FRL 1599-5]

Approval and Promulgation of Implementation Plans; Nevada State Implementation Plan Revision

AGENCY: Environmental Protection Agency.

ACTION: Notice of Proposed Rulemaking.

SUMMARY: Revisions to the Nevada Revised Statutes and the Nevada Air quality Regulations 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 rescind all of the indirect (complex) source regulations contained in the Nevada SIP.

On October 16, 1979 (44 FR 59561), EPA proposed to approve the revisions. Due to the decision in *Manchester Environmental Coalition v. U.S. Environmental Protection Agency,*——F.2d——(No. 79-4062, 2d Cir. dec. December 6, 1979), which specified that rescission of an indirect source review program should be based on attainment and maintenance of the National Ambient Air Quality Standards (NAAQS), the EPA has reevaluated the proposed action. In this notice EPA proposes to approve the rescission of Nevada's indirect source review program since the State's nonattainment area plans are proposed to be conditionally approved.

The EPA invites public comments on these revisions especially as to their consistency with the Clean Air Act.

DATES: Comments may be submitted up to November 7, 1980.

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 are available for public inspection during normal business hours at the EPA Region IX Office at the above address and at the following locations:

Department of Conservation and Natural Resources, 201 South Fall Street, Carson City, NV 89710.

Public Information Reference Unit, Room 2404 (EPA Library), 401 "M" Street, SW, Washington, D.C. 20460.

FOR FURTHER INFORMATION CONTACT: Douglas Grano, Chief, Regulatory Section, Air Technical Branch, Air and Hazardous Materials Division, Environmental Protection Agency, Region IX, (415) 556-2938.

SUPPLEMENTARY INFORMATION: On October 16, 1979 (44 FR 59561), EPA proposed to approve revisions to the Nevada SIP which would remove all indirect source review regulations. The Governor submitted the revisions on December 29, 1978 and July 24, 1979. A complete list of the rules being proposed are contained in the October 16, 1979 notice.

An indirect source review program (ISRP) provides for the preconstruction review of such facilities as shopping centers, sports complexes, and apartment developments, which induce or attract significant traffic. The purpose of this program is to ensure that the substantial increase in traffic resulting from the construction of such facilities will not cause violations of the NAAQS for transportation related pollutants.

EPA's proposed action was based on the view that Section 110(a)(5)(A)(iii) of the Clean Air Act, as amended, permits a State to rescind its ISRP so long as the State complies with the procedural requirements in Section 110. During the 60 day comment period, EPA received comments opposing the proposed approval as well as comments favoring it.

On December 6, 1979 the U.S. Court of Appeals in *Manchester Environmental Coalition v. U.S. Environmental Protection Agency,* ——— F. 2d ——— (No. 79-4062, 2d Cir. dec. December 6, 1979), held that Section 110(a)(5)(A)(iii) requires the Agency to ensure that a State's SIP revision rescinding an ISRP meets both the procedural and substantive requirements of Section 110. The Court held that before deciding whether to approve such a rescission, EPA must also consider whether the rescission would render the SIP inadequate to attain and maintain the NAAQS. Accordingly, EPA has reevaluated the October 16, 1979 proposed action to determine the impact on the NAAQS.

The Clean Air Act requires States to submit a nonattainment area plan (NAP) for those areas which are not attaining the NAAQS. The State of Nevada has submitted NAPs for the areas of the State which are not attaining the NAAQS for transportation related pollutants.

Since the remainder of the State is attaining and maintaining these NAAQS, EPA has determined that the control strategies currently in effect in these areas are adequate even without the ISRP. This determination is substantiated by the fact that these areas have been attaining and maintaining these NAAQS even though the State rescinded and has not enforced its ISRP since January 17, 1977.

As discussed elsewhere in today's **Federal Register,** EPA has determined that the strategies for attaining and maintaining the NAAQS contained in the NAPs meet the requirements of the Clean Air Act with Certain minor deficiencies. EPA is proposing to approve the State's NAPs with the condition that the minor deficiencies be corrected by a specified deadline.

Since the NAPs are basically consistent with the requirements of the Clean Air Act, and provide for the attainment and maintenance of the NAAQS, EPA concludes that the rescission of the ISRP for these areas would not render the Nevada SIP inadequte to attain and maintain the NAAQS. Therefore, EPA proposes to approve the rescission of Nevada's ISRP.

To accommodate equitably all competing interests during the period of transition to the revised Nevada plan, the agency is deferring implementation of a broad scale permit program. However, where a would-be permit applicant can show that it would suffer undue hardship as a result of protracted delay in plan approval and revision, the agency will accept a permit application on a case-by-case basis. This interim approach protects the rights of regualted parties without intruding wastefully or unreasonably into the State's air quality management program.

The State of Nevada has certified that the public hearing requirements of 40 CFR 51.4 have been satisfied.

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 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 November 7, 1980, will be considered. Comments received will be available for public inspection at the EPA Region IX Office 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(a)(2) of the Clean Air Act and 40 CFR Part 51, Requirements for Preparation, Adoption, and Submittal of State Implementation Plans. EPA has determined that this action is "specialized" and therefore, not subject to the procedural requirements of Executive Order 12044.

(Secs. 110, and 301(a), Clean Air Act as amended (42 U.S.C. 7410, 7601(a))

Dated: June 20, 1980.

Paul DeFalco,

Regional Administrator.

[FR Doc. 80-27486 Filed 9-5-80; 8:45 am]

BILLING CODE 6560-01-M

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40 CFR Part 52

[FRL-1599-3]

Indiana State Implementation Plan; Extension of Comment Period

AGENCY: U.S. Environmental Protection Agency.

ACTION: Proposed rulemaking, notice of extension of comment period.

SUMMARY: The U.S. EPA is giving notice that the comment period for the notice of proposed rulemaking on the Indiana State Implementation Plan (SIP) revision to control particulate emissions from iron and steel process sources in the State of Indiana published July 3, 1980 (45 FR 45314), has been extended from August 4, 1980 to October 17, 1980.

DATE: Comments are now due on or before October 17, 1980.

FOR FURTHER INFORMATION CONTACT: Docket Clerk, Air Enforcement Branch, Enforcement Division, U.S. Environmental Protection Agency, 230 South Dearborn Street, Chicago, Illinois 60604, (312) 353-2082.

SUPPLEMENTARY INFORMATION: This notice extends the period for submitting comments on the notice published July 3, 1980 (45 FR 45314) proposing rulemaking on revisions to Indiana's SIP. These revisions pertain to the control of particulate emissions from iron and steel process sources in the State of Indiana.

United States Steel Corporation, Jones & Laughlin Steel Corporation and Youngstown Sheet & Tube Company, by their attorney, on July 17, 1980, requested a 25 day extension of time for filing their comments regarding U.S. EPA's proposed action on the revisions. In addition, the State of Indiana, Air Pollution Control Board, on July 22, 1980, requested a 60-day extension of time for filing their comments. On July 23, 1980, Bethlehem Steel Corporation requested a 60-day extension of time for filing their comments.

U.S. EPA has decided that the extension of the public comment period is appropriate and the comment period is hereby extended to October 17, 1980.

Dated: August 29, 1980.

John McGuire,

Regional Administrator.

[FR Doc. 80-27520 Filed 9-5-80; 8:45 am]

BILLING CODE 6560-01-M

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40 CFR Part 52

[FRL 1599-2]

Approval and Promulgation of Implementation Plans; Proposed Revisions Idaho State Implementation Plan

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of availability and advance notice of proposed rulemaking.

SUMMARY: EPA announces today receipt of the Silver Valley Sulfur Dioxide (SO_2) Control Strategy and sulfur dioxide regulation for the Bunker Hill smelter as revisions to the Idaho State Implementation Plan. The public is invited to submit written comments to the record. A Notice of Proposed Rulemaking describing these revisions and the action that EPA intends to take regarding the proposed revisions will be published in the **Federal Register** at a later date. A second comment period for submittal of written comments will extend for thirty (30) days after the publication of the Notice of Proposed Rulemaking.

DATE: Preliminary comments on the proposed revisions will be accepted by EPA until such time as EPA proposes its decision on the Idaho State Implementation Plan. Subsequent to such proposal, EPA will again invite public comment on the proposed revisions to the Idaho SIP.

ADDRESSES: The revisions may be examined during normal business hours at the following locations:

Central Docket Section (10A-80-Z)2, West Tower Lobby, Gallery I, 401 M Street, SW., Washington, D.C. 20460.

Air Programs Branch, Environmental Protection Agency, Region 10, 1200 Sixth Avenue, Seattle, WA 98101.

State of Idaho, Department of Health And Welfare, 450, W. State Street, Boise, Idaho 83720.

COMMENTS SHOULD BE ADDRESSED TO: Laurie M. Kral, Air Programs Branch, Environmental Protection Agency, 1200 Sixth Avenue M/S 629, Seattle, WA 98101.

FOR FURTHER INFORMATION CONTACT: Michael J. Schultz, Air Programs Branch M/S 625, Environmental Protection Agency 1200 Sixth Avenue, Seattle, WA 98101, Telephone No. (206) 442-1226, (FTS) 399-1230.

SUPPLEMENTARY INFORMATION: Section 172 of the Clean Air Act, as amended in August 1977, requires that states submit revisions to their implementation plans by January 1, 1979 to provide for the attainment of the national ambient air quality standards (NAAQS) in areas designated nonattainment.

On March 3, 1978 [43 FR 8984] EPA designated certain areas in Idaho as nonattainment. Subsequently, EPA published specific guidance for an approvable Part D SIP. This guidance is described in a General Preamble on April 4, 1979, **Federal Register** [44 FR 20372] and supplemented in the **Federal Register** on July 2, 1979 [44 FR 38583], August 28, 1979 [44 FR 50371], September 17, 1979 [44 FR 53761], and November 23, 1979 [44 FR 67182]. This guidance is incorporated by reference and will not be restated here.

The purpose of this Notice is to call the public's attention to the fact that the Silver Valley Sulfur Dioxide Control Strategy and sulfur dioxide regulation for the Bunker Hill smelter have been formally submitted to EPA and are available for public inspection at the locations listed above. The public is encouraged to submit written comments regarding the proposed revisions and thus participate in this rulemaking activity.

Those interested may wish to first read the General Preamble for proposed rulemaking published by the EPA on April 4, 1979 [44 FR 20372] and supplemented in the **Federal Register** on July 2, 1979 [44 FR 38532], August 28, 1979 [44 FR 50371], September 17, 1979 [44 FR 53761], and November 23, 1979 [44 FR 67132] which identifies the major

considerations that will guide EPA's evaluation of SIP revisions. A more detailed description of these revisions will be published in the **Federal Register** at a later date as part of a Notice of Proposed Rulemaking.

(Sec. 110 and 172 of the Clean Air Act, 142 U.S.C. 7410 and 75021)

Dated: August 28, 1980.

Donald P. Dubois,

Regional Administrator.

[FR Doc. 80-27478 Filed 9-5-80; 8:45 am]

BILLING CODE 6560-01-M

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40 CFR Part 81

[FRL 1598-4]

State of New Mexico: Designation of Areas for Air Quality Planning Purposes

AGENCY: Environmental Protection Agency (EPA)

ACTION: Proposed rule.

SUMMARY: The New Mexico Environmental Improvement Division (NMEID) has requested that EPA change the existing, nonattainment designation for carbon monoxide (CO) for the Santa Fe area to attainment.

EPA has reviewed the requested redesignation which is based upon the evaluation of the CO data collected in Santa Fe for the period 1977–1979. This notice proposes approval of the revisions to the air quality attainment designations for New Mexico and solicits public comment on this proposed action.

DATES: Comments must be received on or before October 8, 1980.

ADDRESSES: Submit comments to: Air Program Branch, Environmental Protection Agency, Region 6, 1201 Elm Street, Dallas, Texas 75270.

FOR FURTHER INFORMATION CONTACT: Jerry Stubberfield, Chief, Implementation Plan Section, Air and Hazardous Materials Division, Environmental Protection Agency, Region 6, Dallas, Texas 75270, (214) 767–1518.

SUPPLEMENTARY INFORMATION:

Background

Section 107(d) of the Clean Air Act, amended in 1977 directed each State to submit to the Administrator a list of identifying areas within the State and their status with regard to attainment of the National Ambient Air Quality Standards (NAAQS). On March 3, 1978, at 43 FR 9016, the Administrator promulgated nonattainment designations for the State of New Mexico for CO and other pollutants. These designations were effective immediately and public comment was solicited. On September 11, 1978, at 43 FR 40412, in response to comments received, the Administrator revised and amended certain of the original designations.

Section 107(d)(5) of the Act allows a State to revise and resubmit, as appropriate an amended list to the Administrator. The State of New Mexico proposed to amend its list by redesignating the Santa Fe area to attainment status for CO and on November 15, 1979, submitted the revisions to the EPA.

Redesignation of the Santa Fe Area

In Air Quality Control Region (AQCR) 157, the Santa Fe area is designated as nonattainment for primary CO standards in the Code of Federal Regulations (40 CFR 81.333). The Santa Fe area is under consideration for revision from nonattainment to attainment. A review of the information supporting redesignation was based upon the evaluation of the CO data collected during the period 1977–1979. The NMEID presents highest and second highest values for both one-hour and eight-hour averages. As indicated in the chart below, the 2nd high eight hour CO average at the site has decreased to levels below NAAQS. Levels in Santa Fe have not exceeded the one-hour NAAQS in the past. From 1977 to 1979 the averages ranged as follows:

Carbon Monoxide Values for Santa Fe, 1977–79

Year	1-h per average		8-h per average	
	High	Second high (ppm)	High	Second high (ppm)
1977	16.5	16.5	9.7	8.9
1978	13.5	12.0	6.7	5.9
1979	15.5	15.0	6.7	6.6
Standard		35		9

The table illustrates that no violations of either the eight-hour or the one-hour standard have occurred in the most recent eight quarters of data available. Therefore, EPA, proposes to redesignate the Santa Fe area from nonattainment to attainment.

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." I have reviewed this regulation and determined that it is a specialized regulation not subject to the procedural requirements of Executive Order 12044.

This notice of proposed rulemaking is issued under the authority of Section 107(d) of the Clean Air Act, as amended, 42 U.S.C. 7407(d).

Dated: August 8, 1980.

Frances E. Phillips,

Acting Regional Administrator.

[FR Doc. 80-27485 Filed 9-5-80; 8:45 am]

BILLING CODE 6560-01-M

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40 CFR Part 81

[FRL-1598-3]

State of Oklahoma: Designation of Areas for Air Quality Planning Purposes

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Oklahoma State Department of Health has requested that EPA change the existing nonattainment designation for ozone for Cleveland County to attainment.

EPA has reviewed the requested redesignation which is based upon four years of ambient data, 1976–1979 and the first quarter of 1980 data. This notice proposes approval of the revisions to the air quality attainment designations for Oklahoma and solicits public comment on this proposed action.

DATES: Comments must be received on or before October 8, 1980.

ADDRESSES: Submit comments to: Air Program Branch, Environmental Protection Agency, Region 6, 1201 Elm Street, Dallas, Texas 75270.

FOR FURTHER INFORMATION CONTACT: Jerry Stubberfield, Chief, Implementation Plan Section, Air and Hazardous Materials Division, Environmental Protection Agency, Region 6, Dallas, Texas 75270, (214) 767–1518.

SUPPLEMENTARY INFORMATION:

Background

Section 107(d) of the Clean Air Act, amended in 1977 directed each State to submit to the Administrator a list of identifying areas within the State and their status with regard to attainment of the National Ambient Air Quality Standards (NAAQS). On March 3, 1978, at 43 FR 9027, the Administrator promulgated nonattainment designations for the State of Oklahoma for ozone and other pollutants. These designations were effective immediately and public comment was solicited. On September 11, 1978, at 43 FR 40412, in response to comments received, the Administrator revised and amended certain of the original designations.

Section 107(d)(5) of the Clean Air Act allows a State to revise and resubmit as appropriate an amended list of areas to the Administrator. On February 8, 1979, EPA promulgated a revised ozone standard that raised the level of the standard from 0.08 ppm to 0.12 ppm. Based upon this revised standard the State of Oklahoma has amended its list, thus correcting the original designation of the Cleveland County area from nonattainment to attainment.

Redesignation of Cleveland County

In Air Quality Control Region (AQCR) 184, the Cleveland County area is designated as nonattainment for the primary ozone standard in the Code of Federal Regulations (40 CFR 81.337). The Cleveland County area is under consideration for revision from nonattainment to attainment based upon EPA's revised ozone standard from 0.08 ppm to 0.12 ppm. A review of the information supporting redesignation indicates that the expected number of exceedances per calendar year equals zero at this site. The following is a summary of ozone daily maxima at the site in Cleveland County, Oklahoma:

Ozone Daily Maxima Data (1976–80) for Cleveland County

Year	Daily maximum 1st (ppm)	1-hr Conc's 2d (ppm)	Exceedances of the NAAQS [1]
76	0.102	.094	0
77	.115	.112	0
78	.123	.103	0
79	.103	.091	0
80 (1st qtr)	.093	.072	0

[1] To exceed the NAAQS. concentrations must exceed 0.125 ppm. Annual exceedances=0.

Based upon the above data, EPA proposes to redesignate the Cleveland County area from nonattainment to attainment.

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." I have reviewed this regulation and determined that it is a specialized regulation not subject to the procedural requirements of Executive Order 12044.

This notice of proposed rulemaking is issued under the authority of Section 107(d) of the Clean Air Act, as amended, 42 U.S.C. 7407–(d).

Dated: August 8, 1980.

Frances E. Phillips,

Acting Regional Administrator.

[FR Doc. 80-27484 Filed 9-5-80; 8:45 am]

BILLING CODE 6560-01-M

40 CFR Ch. I

[FRL 1600-3]

Federal Assistance Limitations; State of California

AGENCY: Environmental Protection Agency.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice proposes to limit certain federal funding assistance for specific areas in the State of California. These limitations apply to funds provided under the Clean Air Act, the Clean Water Act, and the Surface Transportation Assistance Act. This action is being taken pursuant to Sections 176(a) and 316(b) of the Clean Air Act, because the State of California has failed to submit or make a reasonable effort to submit a nonattainment area plan revision that considers each of the elements in Section 172 of the Clean Air Act, 42 U.S.C. 7502. If finalized, this action may impact as much as $850 million in federal assistance for the State of California in fiscal year 1981. EPA invites public comment on this action.

DATES: Comments may be submitted up to 45 days following the date of publication of this notice (October 23, 1980). (The normal 30-day comment period provided under the Section 176(a) procedures has been extended to 45 days because of the controversial nature of this proposed action.)

ADDRESSES: Comments may be sent to: Regional Administrator, Attn: Air and Hazardous Materials Division, Planning Branch, Program Development Section (A–2–1), Environmental Protection Agency, 215 Fremont Street, San Francisco, CA 94105.

EPA has established a rulemaking Docket, 9A–80–1, containing all the information for the proposed rulemaking, which is available for public inspection during normal business hours at EPA Region IX Office at the above address.

In addition, copies of this notice and support information are available for public inspection during normal business hours at the following locations:

California Air Resources Board, 1102 "Q" Street, Sacramento, CA 95812.

Public Information Reference Unit, Room 2404 (EPA Library), 401 M Street SW., Washington, D.C. 20460.

FOR FURTHER INFORMATION CONTACT: Wayne Blackard, Chief, Program Development Section, Planning Branch (A–2), Environmental Protection Agency, Region IX, 215 Fremont Street, San Francisco, CA 94105, telephone: (415) 556–6048, ext: 2937.

SUPPLEMENTARY INFORMATION:

Background

In 1977 Congress amended the Clean Air Act, 42 U.S.C. 7401 *et seq.*, to address the serious health problem posed by the states' failure to attain the national ambient air quality standards. While extending the deadline for attaining these standards to December 31, 1982, Congress required those states with nonattainment problems to submit by January 1, 1979 a nonattainment area plan (NAP) revision to its state implementation plan (SIP). This NAP must be designed to correct the deficiencies in the existing plans and insure that the new attainment deadlines will be reached. (Sections 172(a)(1) and 172(b)(1)–(10), 42 U.S.C. 7502(a)(1) and 7052(b)(1)–(10).) In addition, for those areas with serious ozone (O_3) or carbon monoxide (CO) problems that can demonstrate that even with the implementation of all reasonable available control measures they could not attain the O_3 or CO standards by the end of 1982, Congress allowed EPA upon request of a state to extend the attainment deadline for O_3 and CO beyond 1982 and up to December 31, 1987. (Section 172(a)(2), 42 U.S.C. 7502(a)(2).)

In return for this extension for O_3 and CO, Congress required the requesting state to submit additional measures in its 1979 NAP. (Section 172(b)(11), 42 U.S.C. 7502(b)(11).)

One such additional measure was a schedule for implementation of a vehicle emission control inspection and maintenance (I/M) program along with certification that the state has legal authority to go forward and implement and enforce that program.[1] (Sections 172(b)(10) and 172(b)(11)(b), 42 U.S.C. 7502(b)(10) and 7502(b)(11)(b).)

The basic statutory, regulatory and policy criteria for EPA's review of the 1979 NAP have been summarized and discussed in the General Preamble for Proposed Rulemaking on Approval of Plan revisions for Nonattainment Areas (44 FR 20372, April 4, 1979) and its supplements (44 FR 38583, July 2, 1979; 44 FR 50371, August 28, 1979; 44 FR 53761, September 17, 1979; and 44 FR 67182, November 23, 1979).

To insure that federal funds do not further exacerbate the already serious nonattainment problem and to encourage state cooperation, Congress provided that in certain situations federal funds that would finance or were

[1] The state must also show in its 1979 NAP that it is committed to implement and enforce an I/M program, has adequate resources to do so, and that the program once implemented will meet a minimum standard of effectiveness. Sections 172(b)(2), (7) and (10), 42 U.S.C. 7502(b)(2), (7) and (10).

related to pollution generating activities such as roads or new sewage treatment works would be withheld unless there was an acceptable NAP in place to deal with the air pollution problem or, at a minimum, unless the state was making reasonable efforts to develop such a plan. Specifically Congress adopted Section 176(a), 42 U.S.C. 7506(a) which provides:

(a) The Administrator shall not approve any projects or award any grants authorized by this Act and the Secretary of Transportation shall not approve any projects or award any grants under title 23, United States Code, other than for safety, mass transit, or transportation improvement projects related to air quality control region—

(1) in which any national primary ambient air quality standard has not been attained,

(2) where transportation control measures are necessary for the attainment of such standard, and

(3) where the Administrator finds after July 1, 1979, that the Governor has not submitted an implementation plan which considers each of the elements required by section 172 or that reasonable efforts toward submitting such an implementation plan are not being made (or, after July 1, 1982, in the case of an implementation plan revision required under section 172 to be submitted before July 1, 1982).

On April 10, 1980, after prior notice and public comment, EPA published its final policies and procedures governing imposition of the Section 176(a) funding restrictions. (45 FR 24692.) In this notice EPA stated that the geographic applicability of Section 176(a) will be the applicable air quality control region; however, EPA would consider applying the limitations to a smaller area if the purpose of the limitations could thereby be better served. (45 FR 24695.) The notice also discussed what adequate consideration of all the required elements in Section 172 would entail, pointing out that the state has an affirmative duty to investigate and compile data on the required elements, analyze that data, and consider and incorporate the required elements into the SIP in a manner consistent with the intent and purposes of the Act. (45 FR 24695.)

With respect to the reasonable effort requirement, the notice states that if a state made a good faith effort, judged on a case-by-case basis, to consider all of the Section 172 elements, then the funding limitations would not be imposed. (45 FR 24695.)

Finally, the notice outlines the procedures to be followed in imposing the funding limitations under Section 176(a). These include a notice by letter to the state and affected political entities followed by a 30 day negotiating period, followed by a formal notice of proposed rulemaking with 30-day comment period followed by a final action. In addition, a Section 307(d) type docket will be established for the rulemaking. The other administrative procedures provided for under Section 307(d) do not apply to this rulemaking, however, because this is not an action listed or designated by the Administrator under Section 307(d)(1). (42 U.S.C. 7607(d)(11).) Normal notice and comment procedures provided for under the Administrative Procedure Act, 5 U.S.C. 551 *et seq.* will govern this action.

In addition to Section 176(a), Congress also added Section 316(b) to the Clean Air Act which allows the Administrator to withhold, condition or restrict funds for the construction of sewage treatment works if he determines that a state does not have an approved SIP or that the approved SIP does not provide for the increased emissions resulting directly or indirectly from the operation of that facility. (Section 316(b), 42 U.S.C. 7616(b).) The EPA policy for implementing Section 316(b) was published in the **Federal Register** on August 11, 1980 (45 FR 53382).

Facts

For purposes of attaining clean air California has divided itself into fourteen air basins, six of which, or portions thereof, are urban areas of greater than 200,000 which have been designated nonattainment for either O_3 or CO and have requested an extension of the attainment deadline for those pollutants beyond 1982. These areas are:

Nonattainment area	Pollutant for which an extension of the attainment date is requested
South coast air basin	O_3, CO
San Francisco Bay area air basin	O_3, CO
San Diego air basin	O_3, CO
Ventura County portion of the south central coast air basin.	O_3
Sacramento metropolitan area	O_3
Fresno County portion of San Joaquin Valley air basin.	O_3, CO

Under the Clean Air Act, the NAPs for these areas, which must include the required elements of an I/M program, were to have been submitted to EPA by January 1, 1979 and EPA was to have acted upon them by July 1, 1979. As of July 1, 1979, however, California had not submitted a NAP for any of the above-listed air basins. Subsequent to July 1, 1979, the State has submitted NAPs for the areas in question and has included an I/M program in each of the plans. The State has failed, however, to certify in its NAPs, as required under Section 172(b)(10), that it has legal authority to implement and enforce an I/M program. Because of this critical deficiency EPA found it necessary to propose to disapprove the O_3 and CO portions of the NAPs for the San Diego (44 FR 57110, Oct. 4, 1979), South Coast (45 FR 21271, April 1, 1980) and San Francisco Bay Area (45 FR 21282, April 1, 1980) air basins and intend to propose similar action for the remaining basins requiring I/M.

The California legislature considered in depth in 1978 and again in 1979 and 1980 various bills to provide legal authority for implementation and enforcement of an annual I/M program. In fact, a bill to provide authority for an I/M program has been before the California legislature for each year since at least 1975. In January 1980 a bill that could have provided legal authority passed the California Senate but failed to be voted out of a key Assembly committee in early June of this year. Other bills, in the California Assembly, that have had extensive hearings and could have been the basis for adequate legal authority, have not been passed by the legislature.

On June 16, 1980, almost one year after the July 1, 1979 deadline, EPA informed California by letter to the Governor that because of the State's failure to certify adequate legal authority for I/M, EPA was beginning the procedures for imposing the funding limitations under Sections 176(a) and 316(b) by starting the 30-day negotiating period. Between June 16 and the date of this notice EPA officials have met with numerous state and local officials, and representatives from business, labor and environmental groups in an effort to resolve this problem. In addition, EPA extended this negotiation period to September 1, because of assurances of legislative support and because of the ongoing consideration of potentially acceptable legal authority. This extension has expired however and California has still not adopted adequate I/M authority.

EPA Proposed Findings

For the air basins listed above California has failed to submit NAPs that include a certification of I/M legal authority. As explained above, Section 172(b)(10) requires such a certification for each of the above listed basins and lack of such certification means that a critical element of Section 172 has not been considered. Therefore, the Agency hereby proposes to find that for each of these air basins California has not submitted a NAP that considers each of the required elements of Section 172.

Moreover, at the present time it appears that California is no longer making reasonable effort to submit plans for these air basins that consider

each of the Section 172 elements. The state legislature has had numerous opportunities to adopt the needed I/M legal authority. Also, more than a year and a half has passed since California was to have submitted NAPs that included such legal authority. These facts, plus the continuing health threat posed by the nonattainment problem in these air basins, appear to indicate that California is not making reasonable efforts to submit acceptable NAPs.

Finally, under section 316(b) funds for sewage treatment facilities may be withheld when, among other things, a state does not have an approved SIP. Since California does not have approved SIPs for these air basins and, again considering the continuing health hazard posed by the nonattainment problem in these basins, EPA proposes to withhold funds for construction of sewage treatment facilities in the above listed air basins.

Effect of Proposed Rulemaking

EPA proposes in this notice to limit certain types of federal assistence in the air basins previously mentioned. Upon final rulemaking the Secretary of Transportation shall not approve any projects or award any grants under the Surface Transportation Assistance Act (23 U.S.C. 101 *et seq.*) except for safety, mass transit, or transportation improvement projects related to air quality improvement or maintenance. It is estimated that this restriction could affect approximately $450 million of funding to the affected areas for federal government fiscal year 1981.

Also affected potentially will be the award of certain air grants authorized under the Clean Air Act (42 U.S.C. 7401 *et seq.*), including section 105 grants, to local air quality control districts. These funds could amount to approximately $5 million in the affected areas during fiscal year 1981.

Finally, EPA will also withhold certain grants for the construction of sewage treatment works available under section 201(g) of the Clean Water Act (33 U.S.C. 1251 *et seq.*) to municipalities, sanitation districts, or other eligible grantees located in the affected basins. The EPA Regional Administrator may fund a specific project if he finds that it is needed for relief of an immediate public health hazard and will not expand useable treatment capacity by more than one million gallons per day. In addition, the EPA Regional Administrator may fund a project which will improve treatment capability, but will not expand capacity for future growth. These funding limitations could amount to approximately $390 million for fiscal year 1980/1981.

The following table indicates potential fiscal year 1981 Federal assistance funds affected by this action:

Affected area	Transportation projects	Sewage treatment works	Air grants	Total
South Coast Air Basin	$200,000,000	$143,000,000	$1,500,000	$344,500,000
San Francisco Bay Area Air Basin	160,000,000	164,000,000	700,000	324,700,000
San Diego Air Basin	50,000,000	61,000,000	500,000	111,500,000
Ventura County portion of South Central Coast Air Basin	25,000,000	7,000,000	200,000	32,200,000
Sacramento Metropolitan Area	16,000,000	10,000,000	100,000	26,100,000
Fresno County portion of San Joaquin Valley Air Basin	6,000,000	4,000,000	200,000	10,200,000
Air Resources Board			2,000,000	2,000,000
Total	457,000,000	389,000,000	5,200,000	851,200,000

Negotiation Period

The following is a summary of actions taken by EPA including and subsequent to the identification of the areas where the federal assistance limitations referenced in this notice will apply:

June 16, 1980

• Notification of initiation of § 176(a) procedures provided by letter to the Governor of California and the Regional Administrator of the Federal Highway Administration, Region IX.

• Regional Administrator of EPA, Region IX and the Regional Representative of the Secretary of the Department of Transportation met with representatives of the following:

Office of the Governor
California Air Resources Board
Cal Trans
California State Water Resources Control Board
Office of Mayor, City of Los Angeles
Office of the Mayor, City of San Diego
Southern California Association of Governments
Southern California League of Cities
Los Angeles City Council
Office of the Mayor, City of Long Beach
City of Yorba Linda
San Diego County Board of Supervisors
Comprehensive Planning Organization of San Diego

June 17, 1980

• Regional Administrator of EPA, Region IX and the Region IX Regional Representative of the Secretary of the Department of Transportation met with representatives of government, industry and public interest groups including the following:

California Association of Sanitation Agencies*
California Council of Governments
County Supervisors Association of California
Metropolitan Transportation Commission
League of California Cities
Bay Area Council
California Manufacturers Association
California Building Industry Association
California Chamber of Commerce
California Labor Federation [2]
Associated General Contractors of California [2]
League of Women Voters
California Lung Association
Sierra Club
Common Cause

June 27 and July 1, 1980

• Regional Administrator of EPA, Region IX, notified by letter 384 elected officials in the six affected areas of the initiation of procedures to implement Sections 176(a) and 316(b).

July 1, 1980

• Regional Administrator of EPA, Region IX, notified Federal Agencies by letter of the initiation of procedures to implement Section 176(a) and 316(b).

August 15, 1980

• Administrator of EPA, extended comment period to September 1, 1980.

As previously stated, this notice provides for a 45-day public comment period during which continued negotiation with the state is possible.

After the close of the comment period and evaluation of public comments, if no resolution is reached, EPA will publish a Notice of Final Rulemaking in the **Federal Register**, imposing the federal assistance limitations. The limitations would be effective upon publication of the Notice of Final Rulemaking.

In order to remove the limitations on federal assistance, once they are established, EPA must publish a Notice of Proposed Rulemaking in the **Federal Register** and allow for a 45-day public comment period regarding such action. After evaluation of public comments, if EPA decides to remove the limitations, EPA must publish a Notice of Final Rulemaking which authorizes rescission of the federal assistance limitations. The limitations, however, would remain in effect until publication of the notice of final rulemaking.

EPA has determined that this action is "specialized" and therefore, not subject to the procedural requirements of Executive Order 12044.

Secs. 110, 172, 176(a), 301, and 316 of the Clean Air Act as amended (42 U.S.C. §§ 7410, 7502, 7506(a), 760(a), and 7616).

Dated: September 2, 1980.

Sheila M. Prindiville,

Acting Regional Administrator.

[FR Doc. 80-27640 Filed 9-5-80; 8:45 am]

BILLING CODE 6560-01-M

[2] Invited but did not attend.

Notices

Federal Register
Vol. 45, No. 175
Monday, September 8, 1980

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.

JOINT BOARD FOR THE ENROLLMENT OF ACTUARIES

Renewal of Enrollment

Enrolled Actuaries Whose Enrollment Status Expires in February 1981 Should Advise the Executive Director If They Do Not Receive a Renewal Application. Under § 901.11(a) (20 CFR 901.11(a)) of the regulations governing individuals enrolled to perform actuarial services under the Employee Retirement Income Security Act of 1974, enrollment is valid for a period of five years. Renewal of enrollment is available to enrolled actuaries provided an application for renewal is made within six months before the date of the expiration of enrollment. The records of the Executive Director, Joint Board for the Enrollment of Actuaries, disclose that the enrollment of a number of enrolled actuaries will expire within the next six months. Forms for renewal are being sent those persons in early September. If they wish to retain their enrollment status, they are required to execute the application form and return it to the Executive Director. Because of a great number of address changes and enrolled actuaries' failure to notify the Executive Director of them, it is possible some forms will be sent to wrong addresses. Consequently, those enrolled actuaries whose enrollment status expires in February 1981 who have not received the renewal application by early October, should notify the Executive Director of this fact. The date of enrollment is shown on the enrollment certificate. The correct mailing address is: Joint Board for the Enrollment of Actuaries, c/o Department of the Treasury, Washington, D.C. 20220.

Dated: September 3, 1980.

Leslie S. Shapiro,

Executive Director.

[FR Doc. 80-27425 Filed 9-5-80; 8:45 am]

BILLING CODE 4810-25-M

DEPARTMENT OF AGRICULTURE

Foreign Agricultural Service

Estimate With Respect to 1980 White or Irish Potato Production

AGENCY: Foreign Agricultural Service.

ACTION: Estimate with respect to 1980 white or Irish potato production.

Headnote 2 of Subpart A of Part 8 of Schedule 1 of the Tariff Schedules of the United States (TSUS) provided that, if for any calendar year the production in the United States of white or Irish potatoes, including seed potatoes, according to the estimate of the Department of Agriculture made as of September 1, is less than 21 billion pounds, an additional quantity of potatoes equal to the amount by which such estimated production is less than 21 billion pounds shall be added to the 45 million pounds for which duty at 37.5 cents per 100 pounds is provided by TSUS item 137.25 for the 12-month period beginning September 15.

The estimate of the Department of Agriculture, made as of September 1, 1980, is that for the calendar year 1980 the production in the United States of white or Irish potatoes, including seed potatoes, will exceed 21 billion pounds.

Issued at Washington, D.C., this 3rd day of September 1980.

Thomas R. Hughes,

Administrator.

[FR Doc. 80-27488 Filed 9-5-80; 8:45 am]

BILLING CODE 3410-10-M

CIVIL AERONAUTICS BOARD

[Order 80-8-178; Dockets 37554 and 36448]

Establishment of Standard Foreign Fare Level and Petition by Air Transport Association of America Regarding International Passenger Fares

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 29th day of August, 1980.

In the matter of Establishment of the standard foreign fare level (Docket 37554); Petition to amend Part 399 regarding International Passenger Fares by the Air Transport Association of America (Docket 36448).

The International Air Transportation Competition Act (IATCA), P.L. 96-192, requires that the Board establish a Standard Foreign Fare Level (SFFL) by adjusting the SFFL base [1] periodically by percentage changes in actual operating costs per available seat-mile (ASM). The SFFL thus computed becomes the benchmark for measuring the statutory no-suspend zone similar to the zone of reasonableness established by the Airline Deregulation Act and set forth in section 1002(d) of the Federal Aviation Act of 1958 (the Act). Order 80-2-69 established the first interim SFFL and subseqent Order 80-7-134, established the currently effective SFFL effective through September 30, 1980.

The SFFL for travel commencing October 1, 1980, will be established for a two-month period, and, alternatively, for a four-month period—October through January—thus, lending stability to the airline fare structure.

In establishing the SFFL for the period commencing October 1, we have projected non-fuel costs, based on the year ended June 30, 1980, and we have adjusted fuel prices to reflect the experienced monthly rate of fuel cost escalation. Our analysis has examined the change in non-fuel costs both on a quarterly and an annual basis, and in the absence of compelling reasons to do otherwise, we are continuing our policy of relying on annual data. As we have stated before, twelve-month data are more reliable because quarterly results can be completely distorted, and in the absence of unusual circumstances annual data provide a preferable base.

4-month SFFL

In establishing the SFFL for the four month period commencing October 1, 1980, we have projected non-fuel costs, based on the year ended June 30, 1980, and we have adjusted fuel prices to reflect the experienced monthly rate of fuel cost escalation. Our calulations measure inflation from January 1, 1980 to December 1, 1980, the midpoint of the October-January projection period, for the three rate-making entities: Atlantic, Latin America, and Pacific.

The four-month average of April-July fuel cost increases produces the following rate of escalation: 1.16 cents per gallon in the Atlantic; .99 cents a for gallon in Latin America; and 1.76 cents per gallon in the Pacific. The resulting projections are fuel prices of 113.39 cents in the Atlantic; 100.87 cents in

[1] As defined in section 1002(j)(7) of the Federal Aviation Act of 1958.

Latin America; and 115.29 cents in the Pacific at December 1, 1980.

Consequently, based on our calculations, we find the projected cost adjustment factor to be 17.06 percent in the Atlantic, 23.72 percent in Latin America, and 16.67 percent in the Pacific, over the October 1, 1979, level. (See Appendix B.) This results in an increase over the August 1, 1980, fares of 2.82 percent in the North Atlantic, 3.15 percent in Latin America, and 1.49 percent in the Pacific.

2-Month SFFL

As above, our calculations, based on the year ended June 30, 1980, measure inflation from January 1, 1980 to November 1, 1980, the midpoint of the Octobe–November projection period, for the three rate-making entities. The rates of escalation for fuel are the same and result in fuel price projections of 112.23 cents in the Atlantic; 99.88 cents in Latin America; and 113.53 cents in the Pacific at November 1, 1980. Based on our calculations, we find the projected cost adjustment factor to be 16.25 percent in the Atlantic; 22.51 percent in Latin America; and 15.76 percent in the Pacific, resulting in an increase over the August 1, 1980, fares of 2.11 percent in the Atlantic, 2.14 percent in Latin America, and .70 percent in the Pacific.

Carriers should note that we will issue a revised two-month SFFL effective December 1, but those implementing the four-month projection may not take the December 1 revision.

On August 24, 1979, the Air Transport Association (ATA) petitioned for rulemaking in Docket 36448. The petition asked the Board to amend 14 CFR Part 399 to establish for international fares a base level, a method for updating it, and a zone of flexibility. On February 15, 1980, we deferred action on the petition because the issues could be affected by pending legislation. With the enactment of the IATCA, Congress has now established a fare flexibility scheme for international fares that is much like the one in the petition. We are therefore denying the petition.

Accordingly, pursuant to sections 102, 204(a), 403, 801, and 1002(j) of the Federal Aviation Act of 1958, as amended:

1. Effective October 1, 1980, fares may be increased by the following adjustment factors over the October 1, 1979, level:

	4 Month	2 Month
Atlantic	1.1706	1.1625
Latin America	1.2372	1.2251
Pacific	1.1667	1.1576

2. The petition of the Air Transport Association in Docket 36448 is denied.

3. We shall serve a copy of this order upon all U.S. certificated air carriers and all foreign air carriers; and

4. We shall publish the order in the **Federal Register.**

By the Civil Aeronautics Board.[2]

Phyllis T. Kaylor,

Secretary.

[2] All Members concurred.

Appendix A.—*International Normal Fare Adjustment Factor by Entity to Nov. 1, 1980, Over Oct. 1, 1979, Fare Level*

	International entity [1]		
	Atlantic	Latin America	Pacific [10]
Year ended June 1980:			
Total operating expense [2] (000)	$2,665,556	$1,803,524	$1,210,124
Less: Property and Mail	332,625	176,866	196,160
Nonscheduled [3]	86,471	35,866	2,745
Transport related [4]	133,531	25,831	14,205
Passenger operating expense	2,112,929	1,564,959	997,014
Passenger fuel cost [5]	648,039	446,237	338,413
Passenger nonfuel cost	1,464,890	1,118,722	658,601
Scheduled service ASM's (000)	37,852,276	25,678,858	20,395,348
Nonfuel operating expense per ASM	$0.03870	$0.04357	$0.03229
Fuel expense per ASM	.01712	[9].01792	.01659
Total expense per ASM	.05582	[10].06149	.09888
Year ended June 1979:			
Total operating expense [2] (000)	$2,091,633	$1,399,476	$881,444
Less: Property and Mail	270,801	159,822	156,700
Nonscheduled [3]	122,725	42,668	6,840
Transport related [4]	123,335	23,915	15,365
Passenger operating expense	1,574,772	1,173,071	702,539
Passenger fuel cost [5]	318,928	243,890	156,645
Passenger nonfuel cost	1,255,844	929,181	545,894
Scheduled service ASM's (000)	34,512,258	25,056,174	17,486,191
Nonfuel operating expense per ASM	$0.03639	$0.03863	$0.03122
Fuel expense per ASM	.00924	.01062	.00896
Total expense per ASM	.04563	.04925	.04018
Percent change in nonfuel operating expense per ASM	6.35	12.79	3.43
Projected change in nonfuel, Jan 1 to Nov. 1, 1980 (percent)	5.26	10.55	2.85
Estimated change in fuel cost, year ended June 1980, average to Nov. 1, 1980 [6] (percent)	23.89	21.42	30.09
Nonfuel operating expense per ASM at Nov. 1, 1980 [7]	$0.04074	$0.04817	$0.03321
Fuel expense per ASM at Nov. 1, 1980 [7]	.02121	.02176	.02158
Total expense per ASM at Nov. 1, 1980	.06195	.06993	.05479
Total expense per ASM at Oct. 1, 1979	$0.05329	$0.05708	$0.04733
Cost adjustment factor [8] (percent)	16.25	22.51	15.76
Change from prior SFFL (percent)	2.11	2.14	.70
Prior SFFL adjustment factor (percent)	13.85	19.94	14.96

[1] Includes following carriers: For Atlantic BN/DL/NA/NW/PA/TW; for Latin America AA/BN/CO/DL/EA/PA/WA/NA; for Pacific BN/CO/NW/PA.

[2] Total operating expense for all operations and service.

[3] Total nonscheduled revenues times 0.95 assuming charter operations would only be conducted at profit.

[4] Total transport-related expense, less any excess of expense over total transport-related revenues.

[5] Total fuel cost, scheduled service, times complement of rate of freight expense to total operating expense.

[6] Estimated average cost per gallon for the carriers at Nov. 1, 1980, divided by the year ended June 1980.

[7] Operating expense per ASM for the year ended June 1980 times projected change.

[8] Projected operating expense per ASM at Nov. 1, 1980, divided by operating expense for Oct. 1, 1979.

[9] Fuel expense for the Latin American entity excluding U.S.-Puerto Rico/Virgin Islands service. Passenger fuel cost for the entity less Puerto Rico/Virgin Islands is $309,477 and $166,677 for the year ended June 1980 and 1979 respectively. Available seat miles less Puerto Rico/Virgin Islands is 17,272,225 and 15,700,752 for the 1980 and 1979 annual periods respectively.

[10] Annual figures do not include NW for the first quarter to compensate for 1978 strike.

International Normal Fare Adjustment Factor by Entity for 2-Month Ratemaking Period Oct. 1–Nov. 30, 1980

	International entity		
	Atlantic	Latin America	Pacific
Average fuel cost per gallon (in cents): Year ending June 30, 1980	90.59	82.26	87.27
Month (in cents):			
April	103.83	93.19	100.98
May	105.61	94.48	102.11
June	107.97	94.74	105.09
July	108.17	96.41	107.37
Average monthly change over prior month (in cents):			
April	.28	.75	.66
May	1.78	1.29	1.13
June	2.36	.26	2.98
July	.20	1.67	2.28
4-month average	1.16	.99	1.76
Projected fuel cost (in cents):			
July 1980 price	108.17	96.41	107.37
Estimated July 15–Nov. 1, 1980	4.06	3.47	6.16
Total	112.23	99.88	113.53
Percent change over base: year ending June 30, 1980	23.89	21.42	30.09

Appendix B.—*International Normal Fare Adjustment Factor by Entity to Dec. 1, 1980, Over Oct. 1, 1979, Fare Level*

	International entity [1]		
	Atlantic	Latin America	Pacific [10]
Year ended June 1980:			
Total operating expense [2] (000)	$2,665,556	$1,803,524	$1,210,124
Less: Property and mail	332,625	176,868	196,160
Nonscheduled [3]	86,471	35,866	2,745
Transport related [4]	133,531	25,831	14,205
Passenger operating expense	2,112,929	1,564,959	997,014
Passenger fuel cost [5]	648,039	446,237	338,413
Passenger nonfuel cost	1,464,890	1,118,722	658,601
Scheduled service ASM's (000)	37,852,276	25,678,858	20,395,348
Non-fuel operating expense per ASM	$0.03870	$0.04357	$0.03229
Fuel expense per ASM	.01712	[9].01792	.01659
Total expense per ASM	.05582	.06149	.04888
Year ended June 1979:			
Total operating expense [2] (000)	$2,091,633	$1,399,476	$881,444
Less: Property and mail	270,801	159,822	156,700
Non-scheduled [3]	122,725	42,668	6,840
Transport related [4]	123,335	23,915	15,365
Passenger operating expense	1,574,772	1,173,071	702,539
Passenger fuel cost [5]	318,928	243,890	156,645
Passenger non-fuel cost	1,255,844	929,181	545,894
Scheduled service ASM's (000)	34,512,258	24,056,174	17,486,191
Non-fuel operating expense per ASM	$0.03639	$0.03863	$0.03122
Fuel expense per ASM	.00924	[9].01062	.00896
Total expense per ASM	.04563	.04925	.04018
Percent change in non-fuel operating expense per ASM	6.35	12.79	3.43
Projected change in non-fuel, Jan. 1 to Dec. 1, 1980 (percent)	5.81	11.66	3.14
Estimated change in fuel cost, year ended June 1980, average to Dec. 1, 1980 [6] (percent)	25.17	22.62	32.11

Appendix B.—*International Normal Fare Adjustment Factor by Entity to Dec. 1, 1980, Over Oct. 1, 1979, Fare Level—Continued*

	International entity [1]		
	Atlantic	Latin America	Pacific [10]
Non-fuel operating expense per ASM at Dec. 1, 1980 [2]	$0.04095	$0.04865	$0.03330
Fuel expense per ASM at Dec. 1, 1980 [3]	.02143	.02197	.02192
Total expense per ASM at Dec. 1, 1980	.06238	.07062	.05522
Total expense per ASM at Oct. 1, 1979	$0.05329	$0.05708	$0.04733
Cost adjustment factor [8] (percent)	17.06	23.72	16.67
Change from prior SFFL (percent)	2.82	3.15	1.49
Prior SFFL adjustment factor (percent)	13.85	19.94	14.96

[1] Includes following carriers: For Atlantic BN/DL/NA/NW/PA/TW; for Latin America AA/BN/CO/DL/EA/PA/WA/NA; for Pacific BN/CO/NW/PA.

[2] Total operating expense for all operations and service.

[3] Total nonscheduled revenues times 0.95 assuming charter operations would only be conducted at profit.

[4] Total transport-related expense, less any excess of expense over total transport-related revenues.

[5] Total fuel cost, scheduled service, times complement of rate of freight expense to total operating expense.

[6] Estimated average cost per gallon for the carriers at Dec. 1, 1980, divided by the year ended June 1980.

[7] Operating expense per ASM for the year ended June 1980 times projected change.

[8] Projected operating expense per ASM at Dec. 1, 1980, divided by operating expense for Oct. 1, 1979.

[9] Fuel expense for the Latin American entity excluding U.S.-Puerto Rico/Virgin Islands service. Passenger fuel cost for the entity less Puerto Rico/Virgin Islands is $309,477 and $166,677 for the year ended June 1980 and 1979 respectively. Available seat miles less Puerto Rico/Virgin Islands is 17,272,225 and 15,700,752 for the 1980 and 1979 annual periods respectively.

[10] Annual figures do not include NW for the first quarter to compensate for 1978 strike.

International Normal Fare Adjustment Factor by Entity for 4-Month Ratemaking Period Oct. 1, 1980–Jan. 31, 1981

	International entity		
	Atlantic	Latin America	Pacific
Average fuel cost per gallon (in cents): Year ending June 30, 1980	90.59	82.26	87.27
Month (in cents):			
April	103.83	93.19	100.98
May	105.61	94.48	102.11
June	107.97	94.74	105.09
July	108.17	96.41	107.37
Average monthly change over prior month (in cents):			
April	.28	.75	.66
May	1.78	1.29	1.13
June	2.36	.26	2.98
July	.20	1.67	2.28
4-month average	1.16	.99	1.76
Projected fuel cost (in cents):			
July 1980 price	108.17	96.41	107.37
Estimated July 15–Dec. 1, 1980	5.22	4.46	7.92
Total	113.39	100.87	115.29
Percent change over base: Year ending June 30, 1980	25.17	22.62	32.11

[FR Doc. 80-27281 Filed 9-5-80; 8:45 am]

BILLING CODE 6320-01-M

Additional Appointments to Senior Executive Service Performance Review Board

Two additional members are being appointed to the CAB's Performance Review Board as first announced in the **Federal Register** on February 13, 1980 (45 FR 9758). The additional members are: Ivars V. Mellups and Anthony F. Toronto.

For further information contact: D. D. Lundell, Assistant Director, Work Force Management, Civil Aeronautics Board. (202) 673-5503.

Dated at Washington, D.C., September 3, 1980.

Michael Sherwin,

Director, Office of Human Resources.

[FR Doc. 80-27656 Filed 9-5-80; 8:45 am]

BILLING CODE 6320-01-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Marine Mammals; Issuance of Permit

On July 29, 1980, Notice was published in the **Federal Register** (45 FR 50378), that an application had been filed with the National Marine Fisheries Service by the National Marine Mammal Laboratory, Northwest and Alaska Fisheries Center, National Marine Fisheries Service, 7600 Sand Point Way N.E., Building 32, Seattle, Washington 98115, for a permit to take one skin/blubber biopsy from up to 120 bowhead whales (*Balaena mysticetus*) for the purpose of scientific research.

Notice is hereby given that on August 29, 1980, and as authorized by the provisions of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361–1407) and the Endangered Species Act of 1973 (16 U.S.C. 1531–1543) the National Marine Fisheries Service issued a Scientific Research Permit to the National Marine Mammal Laboratory for the above taking subject to certain conditions set forth therein.

Issuance of this Permit as required by the Endangered Species Act of 1973 is based on a finding that such permit: 1) was applied for in good faith; 2) will not operate to the disadvantage of the endangered species which is the subject of the permit; and 3) will be consistent with the purposes and policies set forth in Section 2 of the Endandered Species Act of 1973. The Permit is available for review in the following offices:

Assistant Administrator for Fisheries, National Marine Fisheries Service, 3300 Whitehaven Street NW., Washington, D.C.; and

Regional Director, National Marine Fisheries Service, Alaska Region, P.O. Box 1668, Juneau, Alaska 99802.

Dated: August 29, 1980.

Robert K. Crowell,

Deputy Executive Director, National Marine Fisheries Service.

[FR Doc. 80-27489 Filed 9-5-80; 8:45 am]

BILLING CODE 3510-22-M

Marine Mammals; Modification of Permit

Notice is hereby given that pursuant to the provisions of § 216.33(d) and (e) of the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR Part 216), the Scientific Research Permit No. 93 issued to Dr. Nicholas R. Hall and Dr. William W. Dawson, Department of Ophthalmology, College of Medicine, University of Florida, Gainesville, Florida 32610, on May 8, 1975 (40 FR 21507), as modified February 16, 1978, June 2, 1978, and June 13, 1979, is modified in the following manner:

Section B–9 has been changed to read, "this Permit is valid with respect to the taking authorized herein until December 31, 1982."

This modification is effective on September 8, 1980. The Permit, as modified, is available for review in the following offices:

Assistant Administrator for Fisheries, National Marine Fisheries Service, 3300 Whitehaven Street, N.W., Washington, D.C.; and

Regional Director, National Marine Fisheries Service, Southeast Region, Duval Building, 9450 Koger Boulevard, St. Petersburg, Florida 33702.

Dated: August 29, 1980.

Robert K. Crowell,

Deputy Executive Director, National Marine Fisheries Service.

[FR Doc. 80-27491 Filed 9-5-80; 8:45 am]

BILLING CODE 3510-22-M

Marine Mammals; Receipt of Application for Permit

Notice is hereby given than an Applicant has applied in due form for a permit to take marine mammals 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 216).

1. Applicant:

a. Name: Mr. Randall Davis (P256).

b. Address: Scripps Institution of Oceanography, University of California, San Diego; La Jolla, CA 92093.

2. Type of Permit: Scientific Research.

3. Name and Number of Animals: Weddell seal *(Leptonychotes weddelli)*, 50.

4. Type of Take: Animals will be captured, instrumented with time-depth recorders, released and later recaptured; 30 seals will also be radio-tagged; the other 20 seals will have multiple muscle, blood and urine samples taken for diving physiology studies.

5. Location of Activity: McMurdo Sound and White Island, Antarctica.

6. Period of Activity: 2 years.

Concurrent with the publication of this notice in the **Federal Register** the Secretary of Commerce is forwarding copies of this application to the Marine Mammal Commission and the Committee of Scientific Advisors.

Written data or views, or requests for a public hearing on this application should be submitted to the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, Washington, D.C. 20235, on or before October 8, 1980. 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 Assistant Administrator for Fisheries.

All statements and opinions contained in this application are summaries of those of the Applicant and do not necessarily reflect the views of the National Marine Fisheries Service.

Documents submitted in connection with the above application are available for review in the following office: Assistant Administrator for Fisheries, National Marine Fisheries Service, 3300 Whitehaven Street, N.W., Washington, D.C.

Dated: September 2, 1980.

R. B. Brumsted,

Acting Director, Office of Marine Mammals and Endangered Species, National Marine Fisheries Service.

[FR Doc. 80-27490 Filed 9-5-80; 8:45 am]

BILLING CODE 3510-22-M

Receipt of a Petition To Amend the Preliminary Fishery Management Plan for the Trawl Fisheries and Herring Gillnet Fishery of the Eastern Bering Sea and the Northeast Pacific Ocean

AGENCY: National Oceanic and Atmospheric Administration/Commerce.

ACTION: Petition to amend the preliminary fishery management plan.

SUMMARY: This notice announces receipt of a petition to amend the PMP for the Trawl Fisheries and Herring Gillnet Fishery of the Eastern Bering Sea and Northeast Pacific Ocean.

FOR FURTHER INFORMATION CONTACT: Robert W. McVey, Director, Alaska Region, National Marine Fisheries Service, P.O. Box 1668, Juneau, Alaska 99802; telephone (907) 586–7221.

SUPPLEMENTARY INFORMATION: On August 21, 1980, the Assistant Administrator for Fisheries, NMFS, received a petition to amend regulations implementing the Preliminary Fishery Management Plan (PMP) for the Trawl

Fisheries and Herring Gillnet Fishery of the Eastern Bering Sea and the Northeast Pacific Ocean.

The petitioners, represented by Norman A. Cohen and Donald C. Mitchell, are from the following organizations and villages of southwestern Alaska: City of Chevak, City of Eck, City of Goodnews Bay, City of Hooper Bay, City of Kipnuk, City of Mekoryuk, City of Newtok, City of Nunapitchuk, City of Platinum, City of Quinhaquak, City of Toksook Bay, City of Tunuak, City of Scammon Bay, Indian Reorganization Act (IRA) Council of Kwigillingok, Traditional Council of Kongiganak, Lower Yukon Fish and Game Advisory Committee, Central Bering Sea Fish and Game Advisory Committee, Stoknavik Fishermen's Cooperative, Nunam Kitlutsisti Inc., and the Association of Village Council Presidents, Inc. The petitioners request that the PMP be amended by closing the Groundfish Regulatory Areas Nos. I and II from October 1 to March 31, 1980, in order to reduce the incidental catch of salmon taken by foreign groundfish trawlers.

Dated: August 29, 1980.

Robert K. Crowell,

Deputy Executive Director, National Marine Fisheries Service.

[FR Doc. 80-27468 Filed 9-5-80; 8:45 am]

BILLING CODE 3510-22-M

Office of the Secretary

Performance Review Board; Establishment and Membership

This notice announces the establishment by the Assistant Secretary for Productivity, Technology and Innovation, as Appointing Authority for the Senior Executive Service at OPTI, of the OPTI Performance Review Board (PRB) and the appointment of the initial members.

The purpose of the PRB is to review performance agreements, performance appraisals and ratings, recommendations for certain personnel actions and other related material, and to make appropriate recommendations to the Appointing Authority concerning such matters as will assure the fair and equitable treatment of senior executives and the organization of which they are members and instill in the minds of such senior executives confidence in the integrity, competence and impartiality of the PRB.

The names, titles and terms of the members of the PRB who have been appointed, are set out below:

Dr. Francis W. Wolek, Chair, Deputy Assistant Secretary for Productivity, Technology and Innovation, Washington, D.C. 20230. Term—Continuous as long as in current position.

Mr. Robert B. Ellert, Assistant General Counsel for Productivity, Technology and Innovation, Washington, D.C. 20230. Term—Continuous as long as in current position.

Dr. Howard Forman, Deputy Assistant Secretary for Product Standards, Washington, D.C. 20230. Term—Continuous as long as in current position.

Dr. Philip Goodman, Industrial Engineer, Washington, D.C. 20230. Term—Continuous as long as in current position.

Ms. Florence Feinberg, Special Assistant to the Assistant Secretary for Productivity, Technology and Innovation, Washington, D.C. 20230. Will serve as non-voting Executive Secretary to the PRB.

Persons desiring any further information about the PRB or its membership may contact Ms. Florence S. Feinberg, Special Assistant to the Assistant Secretary of Commerce for Productivity, Technology and Innovation, Department of Commerce, Washington, D.C. 20230. (202) 377-5065.

Dated: August 28, 1980.

Francis W. Wolek,

Acting Assistant Secretary for Productivity, Technology and Innovation.

[FR Doc. 80-27424 Filed 9-5-80; 8:45 am]

BILLING CODE 3510-18-M

Technical Advisory Committees; Renewal

In accordance with the provisions of the Federal Advisory Committee Act, 5 U.S.C. App. (1976) and Office of Management and Budget Circular A-63, (Revised), and after consultation with members of the Committees, the Secretary of Commerce has determined that the renewal of the following Technical Advisory Committees is in the public interest in connection with the performance of duties imposed on the Department of Commerce by law:

Computer Systems Technical Advisory Committee;

Computer Peripherals, Components and Related Test Equipment Technical Advisory Committee;

Electronic Instrumentation Technical Advisory Committee;

Numerically Controlled Machine Tool Technical Advisory Committee;

Semiconductor Technical Advisory Committee; and Telecommunications Equipment Technical Advisory Committee.

The Committees were initially established by the Secretaary of Commerce pursuant to section 5(c)(1) of the Export Administration Act of 1969, as amended, 50 U.S.C. App. 2401 et seq. They are being renewed in accordance with section 5(h)(1) of the Export Administration Act of 1979, 50 U.S.C.A. App. 2401 et seq. (Supp. 1979). The purpose of the committees was and continues to be to perform the advisory functions set forth in the Export Administration Act of 1969 as amended. The Committees shall be consulted where a recognized need of the Department of Commerce exists, with respect to questions involving (A) technical specifications and policy issues relating to those specifications which are of concern to the Department (B) worldwide availability of product and systems, including quantity and quality, and actual utilization of production technology, (C) licensing procedures which affect the level of export controls applicable to any goods or technology, and (D) exports subject to unilateral and multilateral controls which the United States establishes or in which it participates, including proposed revisions of any such controls.

The technical findings and recommendations which have been submitted to the Department and the reports on which the Committees are currently working, will be utilized not only by the Department, but also by other agencies, including the Departments of State and Defense, in formulating the U.S. Government's position with regard to international negotiations on continuing or modifying existing international export controls over commodities within the purview of the Committees.

Inasmuch as there is considerable technical input from industry, the information and recommendations could not be obtained as effectively from other sources within the Department, from other advisory committees of the Department, or from another Federal agency.

The Committees will continue to function solely as advisory bodies and in compliance with the provisions of the Federal Advisory Committee Act. Membership will continue to be balanced by maintaining a representative cross-section of the applicable industry.

Copies of the Committees revised charters will be filed with appropriate committees of the Congress, and with the Library of Congress.

Inquiries or comments may be addressed to the Committee Control Officer, Mrs. Margaret A. Cornejo, Office of the Director of Licensing, Office of Export Administration, International Trade Administration, Room 1617M, U.S. Department of Commerce, Washington, D.C. 20230, telephone: 202-377-2583, or Mrs. Yvonne Barnes, the Department's Committee

Management Analyst, telephone 202-377-4217.

Dated: August 29, 1980.

Elsa A. Porter,

Assistant Secretary for Administration.

[FR Doc. 80-27519 Filed 9-5-80; 8:45 am]

BILLING CODE 3510-17-M

COUNCIL ON ENVIRONMENTAL QUALITY

Publishing of Three Memoranda for Heads of Agencies

August 20, 1980.

The Council on Environmental Quality is publishing three Memoranda for Heads of Agencies.

The first memorandum, dated August 11, 1980, on Analysis of Impacts on Prime and Unique Agricultural Lands in Implementing the National Environmental Policy Act was developed in cooperation with the Department of Agriculture. It updates and supersedes the Council's previous memorandum on this subject of August 1976.

The second memorandum, dated August 11, 1980, requests information on agency agriculatural land policies and other information related to the implementation of the first memorandum.

The third memorandum, dated August 10, 1980, on Interagency Consultation to Avoid or Mitigate Adverse Effects on Rivers in the Nationwide Inventory is intended to assist federal agencies in meeting their responsibilities under the President's August 2, 1979 directive.

Edward L. Strohbehn, Jr.,

Executive Director.

Executive Office of the President,
Council on Environmental Quality,
722 Jackson Place, NW., Washington, D.C.

August 11, 1980.

Memorandum for Head of Agencies

Subject: Analysis of Impacts on Prime or Unique Agricultural Lands in Implementing the National Environmental Policy Act

Approximately one million acres of prime or unique agricultural lands [1] are being converted irreversibly to nonagricultural uses each year. Actions by federal agencies such as construction activities, development grants and loans, and federal land management decisions frequently contribute to the loss of prime and unique agricultural lands directly or indirectly. Often these losses are unintentional and are not necessarily related to accomplishing the agency mission.

On August 30, 1976, CEQ, in cooperation with the Department of Agriculture, issued a memorandum to the heads of federal agencies on the need for analysis of prime or unique farmlands in the preparation and review of environmental impact statements. The memorandum also recommended steps for agencies to take in making such analyses. Since that memorandum was issued, federal agencies' environmental impact statements have begun to include references to the presence of prime or unique farmlands that would be affected by the propsed federal action. Moreover, they have clearly indicated that many federal and federally assisted projects have direct and indirect adverse impact on prime or unique farmlands.

Recent studies by the Council and the General Accounting Office indicate that federal agencies have not adequately accounted for the impacts of their proposed actions on agricultural land through the environmental assessment process. Furthermore, agency project plans and decisions have frequently not reflected the need and opportunities to protect these lands. The purpose of this memorandum is to alert federal agenices to the need and the opportunities to analyze agricultural land impacts more effectively in the project planning process and under the National Environmental Policy Act (NEPA).

Agencies can substantially improve their analysis of impacts on prime or unique agricultural lands by following closely our recently established NEPA regulations (40 CFR 1500-1508, Nov. 29, 1978). The regulations apply to these lands in several specific respects. Determining the effects of a proposed federal agency action on prime or unique agricultural lands must be an integral part of the environmental assessment process, and must be a factor in deciding whether or not to prepare an environmental impact statement. For examle, when an agency begins planning any action, it should, in the development of alternative actions, assess whether the alternatives will affect prime or unique agricultural lands. Then, recognizing the importance of these lands and any significant impacts that might affect them, it must study, develop, and describe appropriate alternative uses of available resources. (Sec. 1501.2(c).)

In determining whether to prepare an environmental impact statement, the regulations note that the "Unique characteristics of the geographic area such as * * * prime farmlands * * *" (Sec. 1508.27(b)(3)) must be considered, among others. If an agency determines that a proposal significantly affect the quality of the human environment, it must initiate the scoping process (Sec. 1501.7) to identify those issues, including effects on prime or unique agricultural lands, that will be analyzed and considered, along with the alternatives available to avoid or mitigate adverse effects. An environmental impact statement must include a description of the area that will be affected by the proposed action (Sec. 1502.15) and an analysis of the environmental consequences of the proposal, including a discussion of "natural or depletable resource requirements and conservation potential or various alternative and mitigation measures" (Sec. 1502.16(f)). These resource requirements include prime or unique agricultural lands. The effects to be studied encompass indirect effects that may include "growth inducing effects and other effects related to induced changes in the pattern of land use * * *" (Sec. 1508.8(b)). The cumulative effects of a proposal must be studied (Secs. 1508.7, 1508.8(b)), as must any mitgation measures that could be taken to lessen the impact on prime or unique agricultural lands (Secs. 1505.2(c), 1508.20). Agencies must also cooperate with state or local governments in their efforts to help retain these lands (Secs. 1502.16(c), 1506.2(d).)

Federal agencies with technical data on the occurence, value, or potential impacts of federal actions on these lands will provide the lead agency with data that may be useful in preparing environmental assessments or impact statements. The U.S. Department of Agriculture will cooperate with all agencies in planning projects or developments, in assessing impacts on prime or unique agricultural lands, and in defining alternatives. Technical data as assistance regarding agricultural land may be obtained by contacting the Chairperson of the USDA Land Use Committee (list attached) or any USDA office. In addition to providing technical data and assistance, the USDA will continue to emphasize the review of EISs on federal actions likely to have significant effects on prime and unique farmlands. Under Section 1504 of the regulations, USDA should refer to CEQ those proposed federal actions which it believes will be environmentally unsatisfactory because of unacceptable effects on prime or unique farmlands. CEQ will review such referrals, and take necessary steps in accordance with Section 1504 of our regulations.

Because prime and unique agricultural lands are a limited and valuable resource, the Council urges all agencies to make a particularly careful effort to apply the goals and policies of the National Environmental Policy Act to their actions and to obtain necessary assistance in their planning processes so that these lands will be maintained to meet our current national needs and the needs of future generations of Americans.

Gus Speth,

Chairman.

Attachments.

U.S. Department of Agriculture State Land Use Committee Chairpersons

Mr. William B. Lingle, State Conservationist, Soil Conservation Service, P.O. Box 311, Auburn, Alabama 36830

Mr. Marvin C. Meier, Director, State and Private Forestry, 2221 E. Northern Lights Blvd., Box 6606, Anchorage, Alaska 99502

Mr. Thomas G. Rockenbaugh, State Conservationist, Soil Conservation Service, Federal Bldg., Rm. 3008, 230 N. First Street, Phoenix, Arizona 85025

Mr. M. J. Spears, State Conservationist, Soil Conservation Service, P.O. Box 2323, Little Rock, Arkansas 72203

Mr. James H. Hansen, State Resource Conservationist, Soil Conservation Service,

[1] As used in this memorandum, prime and unique agricultural land is cropland, pastureland, rangeland, forest land or other land, but not urban built-up land, which is capable of being used as prime and unique farmland as defined by the Department of Agriculture (see attachement) [The attachment to this memorandum was § 657.5 of title 7 CFR.]

2828 Chiles Road, P.O. Box 1019, Davis, California 95616
Mr. Sheldon G. Boone, State Conservationist, Soil Conservation Service, P.O. Box 17107, Denver, Colorado 80217
Ms. Maria Maiorana Russell, Assistant Director, Community Resource & Staff Dev., Cooperative Extension Service, University of Connecticut, Storrs, Connecticut 06268
Mr. Otis D. Fincher, State Conservationist, Soil Conservation Service, 204 Treadway Towers, 9 East Lockerman Street, Dover, Delaware 19901
Mr. William E. Austin, State Conservationist, Soil Conservation Service, P.O. Box 1208, Gainesville, Florida 32601
Mr. Dwight Treadway, State Conservationist, Soil Conservation Service, P.O. Box 832, Athens, Georgia 30601
Mr. Jack P. Kanalz, State Conservationist, Soil Conservation Service, P.O. Box 50004, Honolulu, Hawaii 96850
Mr. Randall Johnson, Farmers Home Administration, U.S. Department of Agriculture, 304 North Eighth Street, Boise, Idaho 83702
Mr. Warren J. Fitzgerald, State Conservationist, Soil Conservation Service, P.O. Box 678, Champaign, Illinois 61820
Mr. Robert Bollman, Assistant State Conservationist, Soil Conservation Service, 5610 Crawfordsville Road, Suite 2200, Indianapolis, Indiana 46224
Mr. Rollin Swank, Assistant State Conservationist, Soil Conservation Service, 693 Federal Bldg., 210 Walnut Street, Des Moines, Iowa 50309
Mr. John W. Tippie, State Conservationist, 760 South Broadway, P.O. Box 600, Salina, Kansas 67401
Mr. Glen E. Murray, State Conservationist, Soil Conservation Service, 333 Waller Avenue, Lexington, Kentucky 40504
Dr. Floyd L. Corty, Ag. Econ. & Agribusiness, Louisiana State University, Baton Rouge, Louisiana 70803
Mr. Eddie L. Wood, State Conservationist, Soil Conservation Service, USDA Bldg., Univ. of Main, Orono, Maine 04473
Mr. Gerald R. Calhoun, State Conservationist, Soil Conservation Service, Rm. 522, Hartwick Bldg., 4321 Hartwick Road, College Park, Maryland 20740
Dr. Gene McMurtry, Assoc. Dir., Coop. Ext. Service, Stockbridge Hall, Rm. 211, University of Massachusetts, Amherst, Massachusetts 01003
Dr. Raleigh Barlowe, 323 Natural Resources Bldg., Michigan State University, East Lansing, Michigan 48824
Mr. Harry M. Major, State Conservationist, Soil Conservation Service, 316 North Robert Street, St. Paul, Minnesota 55101
Mr. Billy C. Griffin, Deputy State Conservationist, Soil Conservation Service, P.O. Box 610, Jackson, Mississippi 39205
Mr. Kenneth G. McManus, State Conservationist, Soil Conservation Service, 555 Vandiver Drive, P.O. Box 459, Columbia, Missouri 65201
Mr. Van K. Haderlie, State Conservationist, Soil Conservation Service, Federal Bldg., P.O. Box 970, Bozeman, Montana 59715
Mr. Russell Schultz, Soil Conservation Service, Federal Bldg., U.S. Courthouse, Rm. 345, Lincoln, Nebraska 68508
Mr. Gerald C. Thola, State Conservationist, Soil Conservation Service, P.O. Box 4850, Reno, Nevada 89505
Mr. Roger Leighton, James Hall, University of New Hampshire, Durham, New Hampshire 03824
Mr. Plater T. Campbell, State Conservationist, Soil Conservation Service, 1370 Hamilton Street, P.O. Box 219, Somerset, New Jersey 08873
Mr. Thomas G. Schmeckpeper, Deputy Regional Forester, U.S. Forest Service, Rm. 5424, Federal Bldg., 517 Gold Avenue, S.W., Albuquerque, New Mexico 87102
Mr. Robert L. Hilliard, State Conservationist, Soil Conservation Service, U.S. Courthouse & Federal Bldg., 100 South Clinton St., Rm. 771, Syracuse, New York 13260
Mr. Mitchell E. Clary, Assistant State Conservationist, Soil Conservation Service, P.O. Box 27307, Raleigh, North Carolina 27611
Mr. Sylvester C. Ekart, Chairman, North Dakota Land Use Comm., Federal Bldg., P.O. Box 1458, Bismarck, North Dakota 58501
Mr. Robert R. Shaw, State Conservationist, Soil Conservation Service, Federal Bldg., Rm. 522, 200 N. High Street, Columbus, Ohio 43215
Mr. Bobby T. Birdwell, Soil Conservation Service, Agricultural Center Office Bldg., Farm Road & Brumley Street, Stillwater, Oklahoma 74074
Mr. Guy Nutt, State Conservationist, Soil Conservation Service, Federal Bldg., 16th Floor, 1220 SW Third Avenue, Portland, Oregon 97204
Mr. Thomas B. King, Associate Director, Cooperative Extension Service, The Pennsylvania State University, 323 Agricultural Admin. Bldg., University Park, Pennsylvania 16802
Mr. Richard F. Kenyon, State Executive Director, Agricultural Stabilization and Conservation Service, 222 Quaker Lane, West Warwick, Rhode Island 02893
Mr. K. G. Smith, State Director, Farmers Home Administration, 240 Stoneridge Drive, Columbia, South Carolina 29210
Mr. Wayne D. Testerman, State Executive Director, Agricultural Stabilization and Conservation Service, 200 Fourth Street, SW., Federal Bldg., Rm. 210, Huron, South Dakota 57350
Dr. M. Lloyd Downen, Director, Agricultural Extension, University of Tennessee, P.O. Box 1071, Knoxville, Tennessee 37901
Mr. George C. Marks, State Conservationist, Soil Conservation Service, P.O. Box 648, Temple, Texas 76501
Mr. Reed Page, State Director of the Farmers Home Administration, 125 South State St., Rm. 5434, Salt Lake City, Utah 84138
Mr. Coy Garrett, State Conservationist, Soil Conservation Service, One Burlington Square, Suite 205, Burlington, Vermont 05401
Mr. Manly S. Wilder, State Conservationist, Soil Conservation Service, 400 North Eighth Street, P.O. Box 10026, Richmond, Virginia 23240
Mr. Lester N. Liebel, Ext. Rural Development Coord., Cooperation Extension Service, Washington State University, 417, Ag. Phase II, Pullman, Washington 99163
Mr. Craig M. Right, State Conservationist, Soil Conservation Service, P.O. Box 865, Morgantown, West Virginia 26505
Mr. Jerome C. Hytry, State Conservationist, Soil Conservation Service, 4601 Hammersley Road, Madison, Wisconsin 53711
Mr. Robert W. Cobb, Assistant State Conservationist, Soil Conservation Service, P.O. Box 2440, Casper, Wyoming 82601

Executive Office of the President,
Council on Environmental Quality,
722 Jackson Place, NW., Washington, D.C.

August 11, 1980.

Memorandum for Heads of Agencies

Subject: Prime and Unique Agricultural Lands and the National Environmental Policy Act (NEPA)

The accompanying memorandum on Analysis of Impacts on Prime or Unique Agricultural Lands in Implementing the National Environmental Policy Act was developed in cooperation with the Department of Agriculture. It updates and supersedes the Council's previous memoradnum on this subject of August 1976.

In order to review agency progress or problems in implementing this memorandum the Council will request periodic reports from Federal agencies as part of our ongoing oversight of agency implementation of NEPA and the Council's regulations. At this time we would appreciate receiving from your agency by November 1, 1980, the following information:

- identification and brief summary of existing or proposed agency policies, regulations and other directives specifically intended to preserve or mitigate the effects of agency actions on prime or unique agricultural lands, including criteria or methodology used in assessing these impacts.
- identification of specific impact statements and, to the extent possible, other documents prepared from October 1, 1979 to October 1, 1980 covering actions deemed likely to have significant direct or indirect effects on prime or unique agricultural lands.
- the name of the policy-level official responsible for agricultural land policies in your agency, and the name of the staff-level official in your agency's NEPA office who will be responsible for carrying out the actions discussed in this memorandum.

Gus Speth,
Chairman.

Executive Office of the President,
Council on Environmental Quality,
722 Jackson Place, NW., Washington, D.C.

August 10, 1980.

Memorandum for Heads of Agencies

Subject: Interagency Consultation to Avoid or Mitigate Adverse Effects on Rivers in the Nationwide Inventory

In his second Message on the Environment, issued in August 1979, the President underscored the need to strengthen the National Wild and Scenic Rivers System and to take particular care not to harm rivers

which may qualify for inclusion in the System.

The President issued a directive on August 2, 1979 in conjunction with his Message which required that:

"Each Federal agency shall, as part of its normal planning and environmental review process, take care to avoid or mitigate adverse effects on rivers identified in the Nationwide Inventory prepared by the Heritage Conservation and Recreation Service in the Department of the Interior. Agencies shall, as part of their normal environmental review process, consult with the Heritage Conservation and Recreation Service prior to taking actions which could effectively foreclose wild, scenic, or recreational river status on rivers in the Inventory."

This memorandum is intended to assist your agency in meeting its responsibilities under the President's directive. A brief set of procedures is attached which provides guidance on how to integrate these responsibilities with your normal environmental analysis process under the National Environmental Policy Act (NEPA). The objective is to ensure that the President's directive is met promptly and efficiently.

Development along our rivers continues to outpace our ability to protect those rivers that might qualify for designation in the National Wild and Scenic Rivers System. The Heritage Conservation and Recreation Service (HCRS) in the Department of the Interior has been preparing a Nationwide Inventory of river segments that, after preliminary review, appear to qualify for inclusion in the System. It is therefore essential that federal agencies proceed carefully and limit any adverse effects of their actions on rivers identified in the Nationwide Inventory. Otherwise, the Inventory could be depleted before the identified rivers can be fully assessed to determine the desirability of including them as components of the National Wild and Scenic Rivers System.

Although the President's directive does not prohibit an agency from taking, supporting or allowing an action which would adversely affect wild and scenic values of a river in the Inventory, each agency is responsible for studying, developing and describing all reasonable alternatives before acting, and for avoiding and mitigating adverse effects on rivers identified in the Inventory. Where agency action could effectively foreclose the designation of a wild, scenic, or recreational river segment, the President has directed the agency to consult with HCRS. It is difficult to restore a river and its immediate environment once its wild and scenic qualities have been lost.

The purpose of this consultation requirement, which is meant to be part of the normal environmental analysis process, is to provide the opportunity for HCRS experts to assist other agencies in meeting program objectives without irreparably damaging potential wild, scenic, and recreational river areas. Consultation with HCRS should encourage better planning *at an early stage* in order to reduce resource management conflicts or to avoid them altogether. The consultation requirement also provides an opportunity to seek early resolution of problems by policy-level officials if necessary.

Completed portions of the Nationwide Inventory—those for the Eastern half of the country—were sent to you from HCRS Director Chris T. Delaporte on November 13, 1979. Forthcoming portions of the Inventory will be transmitted as they are completed. You should ensure that the list of rivers in the Inventory and the attached procedures receive wide distribution in your agency.

Copies of orders, guidance, or memoranda which you use to adopt or to transmit the attached procedures within your agency should be sent to the Council on Environmental Quality (Attention: Larry Williams) and to the Interagency Wild and Scenic Rivers Study Group (Attention: Jack Hauptman, HCRS, 440 G Street, N.W., Washington, D.C. 20243).

Gus Speth,

Chairman.

Attachment.

Procedures for Interagency Consultation to Avoid or Mitigate Adverse Effects on Rivers in the Nationwide Inventory

These procedures are designed to assist federal officials in complying with the President's directive (attached) to protect rivers in the Nationwide Inventory through the normal environmental analysis process. NEPA, E.O. 11514, CEQ's NEPA Regulations, and agency implementing procedures should be used to meet the President's directive.

Although the steps outlined below pertain to wild and scenic river protection, they also fit clearly within agencies' existing environmental analysis processes. Agencies are already required: to identify and analyze the environmental effects of their actions; to consult with agencies with jurisdiction by law or special expertise (in this case, HCRS); to develop and study alternatives; and to use all practicable means and measures to preserve important historic, cultural, and natural aspects of our national heritage.

The procedures outlined below simply link the appropriate elements of the normal environmental analysis process with the President's directive "to take care to avoid or mitigate adverse effects on rivers identified in the Nationwide Inventory." Federal officials should promptly take steps to incorporate the actions specified below into their planning and decisionmaking activities and the conduct of their environmental analyses.

1. *Determine whether the proposed action could affect an Inventory river.*

Check the current regional Inventory lists to determine whether the proposed action could affect an Inventory river.

If an Inventory river could be affected by the proposed action, an environmental assessment or an environmental impact statment may be required depending upon the significance of the effects.

If the action would not affect an Inventory river, no further action is necessary under these procedures. (The agency is still required to fulfill any other responsibilities under NEPA).

2. *Determine whether the proposed action could have an adverse effect on the natural, cultural and recreational values of the Inventory river segment.*

Using the Guide for Identifying Potential Adverse Effects, which is appended to these procedures, you should determine whether the proposed action could *adversely* affect the natural, cultural, or recreational values of the Inventory river segment. Adverse effects on inventoried rivers may occur under conditions which include, but are not limited to:

(1) Destruction or alteration of all or part of the free flowing nature of the river;

(2) Introduction of visual, audible, or other sensory intrusions which are out of character with the river or alter its setting;

(3) Deterioration of water quality; or

(4) Transfer or sale of property adjacent to an inventoried river without adequate conditions or restrictions for protecting the river and its surrounding environment.

If you have prepared a document which finds that there would be no adverse effects—such as a Finding of No Significant Impact under the CEQ NEPA regulations—you should send a courtesy copy to the HCRS field office in your region.

3. *Determine whether the proposed action could foreclose options to classify any portion of the Inventory segment as wild, scenic or recreational river areas.*

In some cases, impacts of a proposed action could be severe enough to preclude inclusion in the Wild and Scenic Rivers System, or lower the quality of the classification (e.g. from wild to recreational). If the proposed undertaking would effectively downgrade any portion of the Inventory segment you should consult with HCRS.

Proposed actions (whether uses or physical changes), which are theoretically reversible, but which are not likely to be reversed in the short terms, should be considered to have the effect of foreclosing for all practical purposes wild and scenic river status. This is because a river segment, when studied for a possible inclusion in the Wild and Scenic River System, must be judged as it is found to exist at the time of the study, rather than as it may exist at some future time.

If a proposal, including one or more alternatives, could have an adverse effect on a river in the Inventory, an environmental assessment or, if the effects are significant, an environmental impact statement must be prepared. HCRS staff is available to assist you in determing the significance or severity of the effects in connection with your assessment, scoping process, and EIS, if one is needed. A detailed analysis of each of the rivers in the Inventory is available from HCRS for your use.

You should request assistance in writing from HCRS, as early as you can, providing sufficient information about the proposal to allow HCRS to assist you in determining whether any of the alternatives under consideration would foreclose designation. HCRS will in turn provide you with an analysis of the impacts on natural, cultural and recreational values which should enable you to make a determination as to whether or not designation would be foreclosed. HCRS is available to assist you in developing appropriate avoidance/mitigation measures.

When environmental assessments are prepared on proposals that affect Inventory

rivers, copies should be sent in a timely fashion to the HCRS field office in your area before a proposed action is taken and while there is still time to avoid or mitigate adverse effects. When environmental impact statements are prepared on proposals that affect Inventory rivers the lead agency should request HCRS and the affected land managing agency to be cooperating agencies as soon as the Notice of Intent to prepare an EIS has been published.

If HCRS does not respond to your request for assistance within 30 days, you may proceed with completing preparation and circulation of the environmental assessment or EIS as planned. Even where HCRS has been unable to comment on the environmental assessment or Draft EIS, you are still obligated by the President's directive to ". . . take care to avoid or mitigate adverse effects on rivers identified in the Nationwide Inventory . . ."

4. *Incorporate avoidance/mitigation measures into the proposed action to maximum extent feasible within the agency's authority.*

Any environmental documents prepared on the proposed action should identify the impacts on natural, cultural and recreational values, address the comments submitted by HCRS, and state the avoidance/mitigation measures adopted. Any disagreements will be resolved through existing procedures. For projects requiring environmental impact statements, the record of decision must adopt appropriate avoidance/mitigation measures and a monitoring and enforcement program as required by the CEQ regulations. (40 CFR 1505.2(c)).

A Note on the Meaning of "Federal Actions"

The above procedures are meant to apply to all federal actions that could adversely affect a river in the Nationwide Inventory (see Section 1508.18 of CEQ's NEPA Regulations (40 CFR 1508.18) for the meaning of "major federal actions"). For actions which are known in advance to require an environmental assessment or environmental impact statement these procedures would be followed in the normal course of NEPA compliance. If a federal action would *not* normally require an environmental assessment or an environmental impact statement, but could adversely affect a river in the Nationwide Inventory, the action should either (1) not be "categorically excluded" under agency implementing procedures, or (2) be considered an "extraordinary circumstance" in which a normally excluded action must be subjected to environmental analysis (see Section 1508.4 of NEPA Regulations).

The above procedures should be used for any proposals (including the evaluation of alternative courses of action) for which the NEPA process is not yet completed. The above procedures should therefore also be applied to a proposed modification or supplement to a previously authorized or implemented action.

For Futher Information or Guidance

The HCRS regional office will usually provide the best source of information on rivers in the Nationwide Inventory and on specific ways that these rivers could be protected. For general assistance on policy and procedural matters, please contact the Chairman of the Interagency Wild and Scenic Rivers Study Group (202/343-4793), or contact the Council on Environmental Quality (202/395-4540).

Appendix I.

Guide for Identifying Potential Adverse Effects

The impact of a propose action should be assessed in relation to the eligibility and classification criteria of the Wild and Scenic Rivers Act, 16 U.S.C. 1271-1287, as amended.

In order to be eligible for inclusion in the National System, a river must:

1. Be "free-flowing," i.e., "existing or flowing in natural condition without impoundment, diversion, straightening, rip-rapping, or other modification of the waterway. The existence, however, or low dams, diversion works, and other minor structures at the time any river is proposed for inclusion in the national wild and scenic rivers system shall not automatically bar its consideration for such inclusion: *Provided,* That this shall not be construed to authorize, intend, or encourage future construction of such structures within components of national wild and scenic rivers system." (16 U.S.C. Sec. 1286)

2. Possess "outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar values." (16 U.S.C. Sec. 1271)

Eligible river segments are classified according to the extent of evidence of man's activity as one of the following:

1. "Wild river areas—Those rivers or sections of rivers that are free of impoundments and generally inaccessible except by trail, with watersheds or shorelines essentially primitive and waters unpolluted. These represent vestiges of primitive America."

2. "Scenic river areas—Those rivers or sections of rivers that are free of impoundments, with shorelines or watersheds still largely primitive and shorelines largely undeveloped, but accessible in places by roads."

3. "Recreational river areas—Those rivers or sections of rivers that are readily accessible by road or railroad, that may have some development along their shorelines, and that may have undergone some impoundment or diversion in the past." (16 U.S.C. Sec. 1273(b))

Any action which could alter the river segment's ability to meet the above eligibility and classification criteria should be considered an adverse impact. Actions which diminish the free-flowing characteristics or outstandingly remarkable values of a river segment could prevent the segment from qualifying for inclusion in the national system. Actions which increase the degree of evidence of man's activity, i.e., level of development, could change the classification of the river segment.

The effect of all proposed developments within the river corridor should be assessed in terms of severity of effect and extent of area affected. Development outside the corridor which would cause visual, noise, or air quality impacts on the river corridor should also be examined.

Only proposed new construction or proposed expansion of existing developments need be considered in assessing impacts. Repair or rehabilitation of existing structures would not have a negative impact except if the action would result in significant expansion of the facility or if the construction process itself would cause an irreversible impact on the environment.

Placement of navigation aids such as buoys and channel markers will not be considered as causing adverse effects.

The following are examples of types of developments which would generally require consultation with HCRS because of the potential for adverse effects on the values of a potential wild, scenic, or recreational river. The list is not exhaustive.

Small dock	Road
Small bulkhead	Railroad
Clearing and snagging	Building (any type)
Drainage canal, culvert or outfall	Pipeline, transmission line
Irrigation canal	Bridge or ford
Levee or dike	Gas, oil or water well
Rip-rap, bank stabilization or erosion control structure	Sub-surface mine opening
Small reservoir	Quarry
Increase in commercial navigation	Power substation
Dredging or filling	Recreation area
Run-of-the-river dam or diversion structure	Dump or junkyard
	Change in flow regime
	Clear-cut timber harvest
	Radio tower, windmill

The following are examples of types of development which appear most likely to cause serious adverse effects if they are constructed adjacent to or in close proximity to an Inventory river. Such development proposals will almost always require consultation with HCRS because their effects are likely to conflict with the values of a potential wild, scenic or recreational river. These effects could be severe enough to foreclose designation of the affected river segment. This list is not exhaustive.

Impoundment	Major highway
Channelization	Railroad yard
Instream or surface mining	Power plant
	Sewage treatment plant
Lock and dam	Housing development
Airport	Shopping center
Landfill	Industrial park
Factory	Marina
Gas or oil field	Commercial dock

Appendix II

[For a memorandum from the President on Wild and Scenic Rivers and National Trails dated August 2, 1979, see the *Weekly Compilation of Presidential Documents* (Vol. 15, page 1379).]

[FR Doc. 80-27023 Filed 9-5-80; 8:45 am]

BILLING CODE 3125-01-M

DEPARTMENT OF DEFENSE

Defense Science Board Task Force on ECM; Advisory Committee Meeting

The Defense Science Board Task Force on ECM will meet in closed session October 2-3, 1980 at the Pentagon, Washington, D.C.

The mission of the Defense Science Board is to advise the Secretary of Defense and the Under Secretary of Defense for Research and Engineering on scientific and technical matters as they affect the perceived needs of the Department of Defense.

The Task Force will discuss potential technical solutions to several current problems in electronic countermeasure.

In accordance with 5 U.S.C. APP I 10(d)(1976), it has been determined that this Defense Science Board Task Force meeting concerns matters listed in 5 U.S.C. 552b(c)(1)(1976), and that accordingly, this meeting will be closed to the public.

M. S. Healy,

OSD Federal Register Liaison Officer, Washington Headquarters Services, Department of Defense.

September 3, 1980.

[FR Doc. 80-27454 Filed 9-5-80; 8:45 am]

BILLING CODE 3810-70-M

DEPARTMENT OF ENERGY

Economic Regulatory Administration

Glaser Gas, Inc.; Proposed Remedial Order

Pursuant to 10 CFR 205.192(c), the Economic Regulatory Administration (ERA) of the Department of Energy hereby gives notice of a Proposed Remedial Order which was issued to Glaser Gas, Inc., P.O. Box 38; Calhan, CO 80808. This Proposed Remedial Order Charges Glaser Gas, Inc. with pricing violations in the amount of $87,712.46 connected with the resale and retailing of propane during the time period November 1, 1973 through February 29, 1976 in the State of Colorado.

A copy of the Proposed Remedial Order, with confidential information deleted, may be obtained from Kenneth E. Merica, District Manager of Enforcement, 1075 South Yukon, P.O. Box 26247, Belmar Branch, Lakewood, CO 80226, phone (303) 234-3195. On or before September 23, 1980, any aggrieved person may file a Notice of Objection with the Office of Hearings and Appeals, 2000 M Street, NW, Washington, DC 20461, in accordance with 10 CFR 205.193.

Issued in Lakewood, CO on the 15th day of August 1980.

Kenneth E. Merica,

District Manager of Enforcement, Rocky Mountain District.

[FR Doc. 80-27483 Filed 9-5-80; 8:45 am]

BILLING CODE 6450-01-M

Federal Energy Regulatory Commission

[Docket No. ER80-661]

Central Illinois Public Service Co.; Filing

August 20, 1980.

The filing company submits the following:

Take notice that on August 13, 1980, Central Illinois Public Service Company tendered for filing a supplement to Rate Schedule FERC No. 72, dated August 7, 1980, and entitled Revision No. 7 to Interconnection Agreement dated February 18, 1972 among Central Illinois Public Service Company, Illinois Power Company and Union Electric Company. This supplement provides for compliance with Section 35.23 of the Commission's regulations, as promulgated by Order No. 84 issued May 7, 1980.

Copies of this filing have been sent to Illinois Power Company, Union Electric Company and the Illinois Commerce Commission.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with 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 September 9, 1980. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 80-27435 Filed 9-5-80; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ER80-606]

Central Illinois Light Co., Filing

August 20, 1980.

The filing Company submits the following:

Take Notice that Central Illinois Light Company on August 11, 1980, tendered for filing Modification No. 4, dated August 8, 1980, to the Interconnection Agreement (CILCO FERC Rate Schedule No. 20), dated August 31, 1976, between CILCO and Central Illinois Public Service Company, and Modification No. 10, dated August 4, 1980, to the Interconnection Agreement (CILCO FERC Rate Schedule No. 14), dated March 30, 1973, between CILCO and Illinois Power Company.

The Company indicates that this filing is made in response to Order No. 84, issued May 7, 1980 in Docket No. RM79-29.

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 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 September 9, 1980. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 80-27439 Filed 9-5-80; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ER80-587]

Iowa Public Service Co.; Filing

August 20, 1980.

The filing Company submits the following:

Take notice that on August 5, 1980, Iowa Public Service Company (Iowa) submitted for filing a Notice of Cancellation pursuant to the termination of service to the City of Anthon, Iowa.

Iowa further submits that the service agreement between Iowa and the City of Wall Lake, Iowa, which was accepted by the Federal Power Commission on October 1, 1964, remains in full force and effect.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal 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 or 1.10). All such petitions or protests should be filed on or before September 9, 1980. Protests will be considered by the Commission in determining the appropriate action to be taken but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are

on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 80-27440 Filed 9-5-80; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. CP80-458]

Mitco Pipeline Co.; Application

August 20, 1980.

Take notice that on July 23, 1980, Mitco Pipeline Company (Applicant), 3900 One Shell Plaza, Houston, Texas 77002, filed in Docket No. CP80-458 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 Transcontinental Gas Pipe Line Corporation (Transco) and the construction and operation of certain facilities necessary therefor, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to implement the terms of a transportation agreement between it and Transco dated April 16, 1980, whereby Applicant would connect and transport in interstate commerce for the account of Transco new supplies of natural gas which Transco would purchase from natural gas producers in Blocks 189 and 190, Galveston Area, offshore Texas, to an existing intrastate pipeline. Specifically in order to implement said service for Transco, Applicant proposes to construct and operate approximately 8.5 miles of 6-inch pipeline together with appurtenant equipment and facilities from a point in the southeast quarter of Block 189L to a point in the northwest quarter of Block 214L. At said point in Block 214L, the proposed pipeline would intersect and be connected to an existing intrastate pipeline owned by Seagull Pipeline Company (Seagull), it is said.

Applicant asserts that the gas which it would deliver to Seagull would be transported by Seagull through existing facilities for the account of Transco and then delivered to the Houston Pipeline Company for delivery to Transco.

The estimated cost of the facilities proposed herein by Applicant is $1,612,376 which cost would be financed through short-term borrowing, it is said.

Pursuant to the gas transportation agreement dated April 16, 1980, Applicant asserts it would transport up to 10,000 Mcf of natural gas per day on a firm basis for the account of Transco. It is further stated that Transco would pay 25.0 cents per Mcf for such service.

Transco, it is stated, is purchasing the subject gas from Mitchell Energy Offshore Corporation (Mitchell). Applicant states it has been advised by Mitchell that liquid hydrocarbons would also be produced from the Block 189L area. Applicant assures that liquids would either be transported by Applicant for the account of Mitchell or a third party purchaser, and contracts regarding the transportation of liquid hydrocarbons would be entered into in the future.

Any person desiring to be heard or to make any protest with reference to said application should on or before September 9, 1980, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protect 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 file, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[FR Doc. 80-27433 Filed 9-5-80; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ER80-640]

Ohio Power Co.; Filing

August 20, 1980.

The filing Company submits the following:

Take notice that American Electric Power Service Corporation on behalf of its affiliate, Ohio Power Company (OPCo.) tendered for filing on or before August 12, 1980 a Supplement A to the Federal Energy Regulatory Commission OPCo Rate Schedule No. 31 which represents an Interconnection Agreement with The Cleveland Electric Illuminating Co. (CEI). This proposed Supplement is stated to be an interim filing in compliance with the Federal Energy Regulatory Commission's Order No. 84, issued May 7, 1980.

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 N. Capitol Street, Washington, D.C. 20426, in accordance with Section 1.8 and 1.10 of the Commission's Rules of Practice and Procedure on or before September 9, 1980. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 80-27436 Filed 9-5-80; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ER80-643]

Ohio Power Co.; Filing

August 20, 1980.

The filing Company submits the following:

Take notice that American Electric Power Service Corporation on behalf of its affiliate, Ohio Power Company (OPCo.) tendered for filing on or before August 12, 1980 a Supplement A to the Federal Energy Regulatory Commission OPCo Rate Schedule No. 22 which represents an Interconnection Agreement with Kentucky Utilities Company (KY UT). This proposed Supplement is stated to be an interim filing in compliance with the Federal Energy Regulatory Commission's Order No. 84, issued May 7, 1980.

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 N. Capitol Street, Washington, D.C. 20426, in accordance with Section 1.8 and 1.10 of the Commission's Rules of Practice and Procedure on or before September 9, 1980. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 80-27437 Filed 9-5-80; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ER80-596]

Southern Company Services, Inc.; Filing

August 20, 1980.

The filing Company submits the following:

Take notice that Southern Company Services, Inc., on behalf of Alabama Power Company, Georgia Power Company, Gulf Power Company, and Mississippi Power Company (the Southern Companies) on August 8, 1980, tendered for filing an Amendment to Rate Schedules to comply with Order No. 84 of the Federal Energy Regulatory Commission. The rate schedules affected by such amendment are those between the Southern Companies and Duke Power Company, Tennessee Valley Authority, Mississippi Power & Light Company, and Florida Power Corporation. The amendment to each of such rate schedules is designed to specify the charges to be imposed by the Southern Companies in transactions which involve purchase by Southern Companies of capacity and/or energy from third parties for delivery to the purchasing entity under these rate schedules so as to comply with the provisions of FERC Order No. 84.

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 September 9, 1980. 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 wih the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 80-27438 Filed 9-5-80; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ER80-663]

Wisconsin Electric Power Co; Filing

August 20, 1980.

The filing Company submits the following

Take Notice that Wisconsin Electirc Power Company (Wisconsin Electric) on August 13, 1980, tendered for filing an Amendment, effective August 10, 1980, to the Interconnection Agreement between Wisconsin Electric and Wisconsin Public Service Corporation (Public Service).

This amendment, modifies Service Schedules A-Limited Term Power, B-Emergency Energy, D-Short Term Power, E-Maintenance Energy, and F-General Purpose Energy of the Interconnection Agreement, dated December 23, 1969, to provide for an energy transmission rate between Wisconsin Electric and Public Service pursuant to the requirements of Order No. 84 of the Federal Energy Regulatory Commission in Docket RM 79-29. Said Interconnection Agreement is on file with the Commission and designated as Wisconsin Electric Rate Schedule FERC No. 30 and Public Service Rate Schedule FERC No. 30. Wisconsin Electric and Public Service maintain that it is not practical to estimate with any degree of accuracy the quantities of energy which will be exchanged under the applicable energy transmission rate.

Wisconsin Electric states that a duplicate original of the amendment had been provided to Public Service and also that a copy of the herein filing has been mailed to both the Public Service Commission of Wisconsin and the Michigan 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 Paragraph 1.8 and Paragraph 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before September 10, 1980. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 80-27434 Filed 9-5-80; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ER80-604]

Wisconsin Electric Power Co.; Filing

August 20, 1980.

The filing Company submits the following:

Take Notice that Wisconsin Electric Power, a Wisconsin corporation, Company (Wisconsin Electric) on August 14, 1980, tendered for filing an Amendment, effective August 10, 1980, to the Interconnection Agreement between Wisconsin Electric and Northern States Power Company, a Minnesota corporation (Northern States-Minnesota) and Northern States Power Company, a Wisconsin corporation (Northern States-Wisconsin).

This amendment, modifies Service Schedules A-Emergency Energy, C-Short Term Power, D-Maintenance Energy, E-General Purpose Energy, and F-Limited Term Power of the Interconnection Agreement, dated November 18, 1965 to provide for an energy transmission rate between Wisconsin Electric and Northern States-Wisconsin and Northern States-Minnesota pursuant to the requirements of Order No. 84 of the Federal Energy Regulatory Commission in Docket RM 79-29. Said Interconnection Agreement is on file with the Commission and designated as Wisconsin Electric Rate Schedule FERC No. 28 and Northern States-Minnesota Rate Schedule FERC No. 319, and Northern States-Wisconsin Rate Schedule FERC No. 39. Wisconsin Electric and Northern States-Minnesota and Northern States-Wisconsin maintain that it is not practical to estimate with any degree of accuracy the quantities of energy which will be exchanged under the applicable energy transmission rate.

Wisconsin Electric states that a duplicate original of the amendment had been provided to Northern States-Minnesota and Northern States-Wisconsin, which for the purposes of this amendment are considered as one party, and also that a copy of the herein filing has been mailed to the Public Service Commission of Wisconsin and the Minnesota 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 Paragraph 1.8 and Paragraph 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before September 10, 1980. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 80-27441 Filed 9-5-80; 8:45 am]

BILLING CODE 6450-85-M

ENVIRONMENTAL PROTECTION AGENCY

[PP8G2129/T247; FRL 1550-2]

Bendiocarb; Establishment of a Temporary Tolerance

Correction

In FR Doc. 80-22567 appearing at page 49671, in the issue of Friday, July 25, 1980, on page 49671, second column, fifth line, "catle" should be corrected to read "cattle".

BILLING CODE 1505-01-M

[FRL 1550-1; DPP-C30 190]

Receipt of Applications to Register Pesticide Products Containing New Active Ingredients

Correction

In FR Doc. 80-22355 appearing at page 49667 in the issue of Friday, July 25, 1980, on page 49667, in the third column, last paragraph, last line, "prod" should be corrected to read "product".

BILLING CODE 1505-01-M

[FRL 1599-6 OPTS-51119]

Certain Chemicals; Premanufacture Notices

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: Section 5(a)(1) of the Toxic Substances Control Act (TSCA) requires any person who intends to manufacture or import a new chemical substance to submit a premanufacture notice (PMN) to EPA at least 90 days before manufacture or import commences. Section 5(d)(2) requires EPA to publish in the **Federal Register** certain information about each PMN within 5 working days after receipt. This Notice announces receipt of three PMN's and provides a summary of each.

DATES: Written comments by: PMN 80-191—October 4, 1980; PMN 80-196—October 6, 1980; PMN 80-197—October 6, 1980.

ADDRESS: Written comments to: Document Control Officer (TS-793), Office of Pesticides and Toxic Substances, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460, 202-755-8050.

FOR FURTHER INFORMATION CONTACT: Rick Green, Premanufacturing Review Division (TS-794), Office of Pesticides and Toxic Substances, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460, 202-426-2601.

SUPPLEMENTARY INFORMATION: Section 5(a)(1) of TSCA [90 Stat. 2012 (15 U.S.C. 2604)], requires any person who intends to manufacture or import a new chemical substance to submit a PMN to EPA at least 90 days before manufacture or import commences. A "new" chemical substance is any substance that is not on the Inventory of existing substances compiled by EPA under Section 8(b) of TSCA. EPA first published the initial Inventory on June 1, 1979. Notice of availability of the Initial Inventory was published in the **Federal Register** of May 15, 1979 (44 FR 28558). The requirement to submit a PMN for new chemical substances manufactured or imported for commercial purposes became effective on July 1, 1979.

EPA has proposed premanufacture notification rules and forms in the **Federal Register** issues of January 10, 1979 (44 FR 2242) and October 16, 1979 (44 FR 59764). These regulations, however, are not yet in effect. Interested persons shouuld consult the Agency's Interim Policy published in the **Federal Register** of May 15, 1979 (44 FR 28564) for guidance concerning premanufacture notification requirements prior to the effective date of these rules and forms. In particular, see page 28567 of the Interim Policy.

A PMN must include the information listed in Section 5(d)(1) of TSCA. Under section 5(d)(2) EPA must publish in the **Federal Register** nonconfidential information on the identity and use(s) of the substance, as well as a description of any test data submitted under section 5(b). In addition, EPA has decided to publish a description of any test data submitted with the PMN and EPA will publish the identity of the submitter unless this information is claimed confidential.

Publication of the section 5(d)(2) notice is subject to section 14 concerning disclosure of confidential information. A company can claim confidentiality for any information submitted as part of a PMN. If the company claims confidentiality for the specific chemical identity or use(s) of the chemical, EPA encourages the submitter to provide a generic use description, a nonconfidential description of the potential exposures from use, and a generic name for the chemical. EPA will publish the generic name, the generic use(s), and the potential exposure descriptions in the **Federal Register.**

If no generic use description or generic name is provided, EPA will develop one and after providing due notice to the submitter, will publish an amended **Federal Register** notice. EPA immediately will review confidentiality claims for chemical identity, chemical use, the identity of the submitter, and for health and safety studies. If EPA determines that portions of this information are not entitled to confidential treatment, the Agency will publish an amended notice and will place the information in the public file, after notifying the submitter and complying with other applicable procedures.

After receipt, EPA has 90 days to review a PMN under section 5(a)(1). The section 5(d)(2) **Federal Register** notice indicates the date when the review period ends for each PMN. Under section 5(c), EPA may, for good cause, extend the review period for up to an additional 90 days. If EPA determines that an extension is necessary, it will publish a notice in the **Federal Register.**

Once the review period ends, the submitter may manufacture the substance unless EPA has imposed restrictions. When the submitter begins to manufacture the substance, he must report to EPA, and the Agency will add the substance to the Inventory. After the substance is added to the Inventory, any company may manufacture it without providing EPA notice under section 5(a)(1)(A).

Therefore, under the Toxic Substances Control Act, summaries of the data taken from the PMN's are published herein.

Interested persons may, on or before the dates shown under "DATES," submit to the Document Control Officer (TS-793), Rm. E-447, Office of Pesticides and Toxic Substances, 401 M St., SW, Washington, DC 20460, written comments regarding these notices.

Three copies of all comments shall be submitted, except that individuals may submit single copies of comments. The comments are to be identified with the document control number "[OPTS-51119]" and the specific PMN number. Comments received may be seen in the above office between 8:00 a.m. and 4:00 p.m, Monday through Friday, excluding holidays.

(Sec. 5, 90 Stat. 2012 (15 U.S.C. 2604))

Dated: September 2, 1980.

Douglas G. Bannerman,

Acting Deputy Assistant Administrator for Chemical Control.

PMN 80-191

Close of Review Period. November 3, 1980.

Manufacturer's Identity. Claimed confidential. Generic information provided:

Manufacturing site—East-north central region, U.S.

Standard Industrial Classification Code—285.

Specific Chemical Identity. Polymer of: Methylene bis (4-cyclo hexyl isocynate), poly propylene glycol, hydroxy ethyl acrylate, and polyoxy propylene diamine.

The following summary is taken from data submitted by the manufacturer in the PMN.

Use. Claimed confidential. The PMN substance will be used in an open use that will release less than 50 kilogram (kg) of the substance to the environment per year. The use will involve exposure to industrial employees with a potential of skin and eye contact and inhalation.

Production Estimates

	Kilograms per year	
	Minimum	Maximum
1st year	1,000	2,000
2d year	2,000	4,500
3d year	3,000	9,000

Physical Chemical Properties

	Polymerization	Dried polymer
Solid content	69.9 pct	
Density	1.09 g/ml	1.13 g/ml.
Solubility in water		<0.01 g/100 ml.
Number average molecular weight.	566-590	
Weight average molecular weight.	4800-5000	
Flash point (closed cup).	Above 212° F.	Above 212° F.
Residual monomers.	None detected	
Elemental analysis		C=64.38 pct. H=8.43 pct. O=24.29 pct. N=2.90 pct.
Chemical oxygen demand (ug/g).	2,060,000	

Toxicity Data

Raw Materials:

Methylene bis (4-cyclo hexyl isocyanate). A strong skin irritant and sensitizer, causing bronchial irritation and coughing. The oral LD_{50} in rats is over 11,000 mg/kg and the dermal LD_{50} in rabbits is over 10,000 mg/kg. The Threshold Limit Value (TLV) is 0.01 ppm.

Poly propylene glycol—1025. Mildly irritating to the eyes and not irritating to the skin. The single dose oral toxicity, LD_{50}, in rats is 2.15 g/kg. Tests conducted on rabbits have indicated that this material is not significantly irritating to the skin even when exposures are prolonged and repeated.

Hydroxy ethyl acrylate. The oral LD_{50} on rats is about 500 mg/kg. The skin LD_{50} in rabbits is about 63-128 mg/kg. Overexposure may cause irritation of the nose, throat, lungs and possible organic injury.

Polyoxy propylene diamine. The oral LD_{50} in rats is 1,660 mg/kg (moderately toxic). The dermal LD_{50} in rabbits is 760 mg/kg. It is extremely irritating to the eyes with possible permanent injury.

New Oligomer:

Tests	Numerical results	Descriptive results
Acute oral LD_{50}	Greater than 10 ml/kg	Minimal hazard.
Primary skin irritation (draize score)	2.29	Slight hazard.
Acute eye irritation (average draize score of 6 animals—total possible score=110).	6.5 at 24 h	Slight hazard.
	4.0 at 48 h	Slight hazard.
	3.0 at 72 h	Slight hazard.

Occupational exposure.

Activity	Exposure route	Maximum number exposed	Maximum duration		Concentration (ppm)	
			Hour/day	Day/year	average	peak
Manufacturing	Dermal, inhalation.	3	2	6	0-1	1-10
Disposal	Dermal, inhalation.	1	2	1	0-1	1-10

Environmental release/disposal.

Manufacturing:

Media—Amount/duration of chemical release (kg/yr).

Air—10-100. 10 hr/da; 6 da/yr.

Each reactor at the manufacturing plant is equipped with an exhaust and fume condenser. The effluent (air borne) is also treated by an exhaust fume scrubber. Scrubber water goes to biological treatment lagoons with a sixty-day retention period. Sludge is transported by state licensed carriers to a state licensed landfill.

PMN 80-196.

Close of Review Period. November 5, 1980.

Manufacturer's Identity. Claimed confidential. Generic information provided:

Annual sales—Between $100 million and $499,999,999.

Manufacturing site—Mid-Atlantic region, U.S.

Standard Industrial Classification Code—284.

Specific Chemical Identity. Claimed confidential. Generic name provided:

Alkenal, ethyl-(trimethyl monocyclic).

The following summary is taken from data submitted by the manufacturer in the PMN.

Use. Chemical intermediate.

Production estimates.

	Kilograms per year	
	Minimum	Maximum
1st year	100	1,000
2d year	1,000	2,000
3d year	2,000	5,000

Physical/chemical properties.

Appearance—Clear, viscous liquid.

Boiling point—108°-120° C at 3mm Hg.

Solubility:

Water—Insoluble.

Organic solvents—Soluble.

Flashpoint—>200° F.

Toxicity Data. Data submitted for analogue (Bacdanol):

Eye irritation test (rabbit), 6.25% on proipylene glycol—Mildly irritating.

Topical sensitization (guinea pig), 1% in SDA39C—No significant response.

Repeated Insult Patch Test (RIPT), 1% and 5% in SDA39C—Nonsensitization.

Occupational exposure.

Activity	Exposure route	Maximum number exposed	Maximum duration		Concentration (ppm)	
			Hour/day	Day/year	Average	Peak
Manufacture	Dermal, inhalation.	10	Accidental contact only		0-1	1-10
Use	Dermal, inhalation.	10	Accidental contact only		0-1	1-10
Disposal	Dermal, inhalation.	10	Accidental contact only		0-1	1-10

The manufacturer claims that there will be no exposure of consumers to the substance.

Environmental release/disposal. The submitter states that less than 10 kg per year of the PMN substance will be released to the environment. Disposal of waste products will be through regional sewage system and incineration in state-approved facility.

PMN 80-197.

Close of review period. November 5, 1980.

Manufacturer's identity. Claimed confidential. Generic name provided:

Annual sales—Between $100,000,000 and $499,999,999.
Manufacturing site—Mid-Atlantic region, U.S.
Standard Industrial Classification Code—284.

Specific chemical identity. Claimed confidential. Generic name provided: Trimethyl monocyclic ethyl alkenol. The following summary is taken from data submitted by the manufacturer in the PMN.

Use. Claimed confidential. The manufacturer states that the substance will be used in an open use that will release less than 50 kg of the substance to the environment per year and that will involve exposure to commercial and chemical industrial employees with a potential for skin and eye contact.

Production estimates.

	Kilograms per year	
	Minimum	Maximum
1st year	100	1,000
2d year	1,000	2,000
3d year	2,000	5,000

Physical/Chemical properties.

Appearance—Clear, viscous liquid.
Boiling point—114-130°C at 3mm Hg.
Solubility—Soluble in organic solvents; not soluble in water.
Flashpoint—>200°F.

Toxicity data.

Eye irritation test (rabbit), 6.25% in propylene glycol—Mildly irritating.
Topical sensitization test (guinea pig), 1% in SDA39C—No significant response.
Repeated Insult Patch Test (RIPT), 1% and 5% in SDA39C—Nonsensitizer.

Occupational exposure.

Activity	Exposure route	Maximum number exposed	Maximum duration		Concentration (ppm)	
			Hour/day	Day/year	Average	Peak
Manufacture	Dermal,	10	Accidental contact only		0-1	1-10
	inhalation.	10	Accidental contact only		0-1	1-10
Disposal	Dermal, inhalation.	10	Accidental contact only		0-1	1-10

Environmental release/disposal. The submitter states that less than 10 kg per year of the PMN substance will be released to the environment. Disposal of waste products will be through regional sewage system and incineration in state-approved facility.

[FR Doc. 80-27427 Filed 9-5-80; 8:45 am]
BILLING CODE 6560-01-M

[FRL 1598-5]

Clean Air Act; Guidance for State Implementation Plans

AGENCY: Environmental Protection Agency.

ACTION: Notice of availability of guidance document.

SUMMARY: This notice announces the availability of a guidance document which summarizes emissions limitations for particulate matter which EPA's evaluation of available data suggests are generally achievable on a retrofit basis for iron and steel manufacturing processes. The summary does not establish regulatory requirements, but represents guidance for use in development and evaluation of state implementation plan provisions for iron and steel sources to satisfy the reasonably available control technology (RACT) requirements of the Clean Air Act.

ADDRESSES: Copies of the guidance document may be obtained from: Mr. Edward Reich, Director, Division of Stationary Source Enforcement (EN-341), Environmental Protection Agency, 401 M Street S.W., Washington, D.C. 20460.

Copies may also be obtained from the Director of the Enforcement Division or the Director of the Air and Hazardous Materials Division in the following EPA Regional Offices:

EPA Region I, John F. Kennedy Federal Building, Boston, Massachusetts 02203.
EPA Region II, 26 Federal Plaza, New York, New York 10007.
EPA Region III, 6th and Walnut Streets, Philadelphia, Pennsylvania 19106.
EPA Region IV, 345 Courtland Street, N.E., Atlanta, Georgia 30365.
EPA Region V, 230 South Dearborn Street, Chicago, Illinois 60604.
EPA Region VI, First International Building, 1201 Elm Street, Dallas, Texas 75270.
EPA Region VII, 324 East 11th Street, Kansas City, Missouri, 64106.
EPA Region VIII, 1860 Lincoln Street, Denver, Colorado 80203.
EPA Region IX, 215 Fremont Street, San Francisco, California 94105.
EPA Region X, 1200 6th Avenue, Seattle, Washington 98105.

FOR FURTHER INFORMATION CONTACT: Mr. Edward Reich, Director, Division of Stationary Source Enforcement (EN-341), Environmental Protection Agency, 401 M Street S.W., Washington, D.C. 20460, (202) 755-2550.

SUPPLEMENTARY INFORMATION: This notice advises the interested public of the availability of a guidance document which summarizes, in table format, particulate matter emissions limitations which EPA believes are generally achievable on a retrofit basis for various iron and steel manufacturing processes. As explained in more detail below, the table does not establish regulatory requirements, but rather presents in a single reference document the results of EPA's evaluation of available data.

By way of background, EPA is currently reviewing several state implementation plan (SIP) revisions which were submitted to satisfy the requirements of Part D of the Clean Air Act for areas which are designated non-attainment for the national ambient air quality standards (NAAQS) for total suspended particulates (TSP) and which contain iron and steel sources. Part D requires SIPS to include strategies and regulations adequate to assure attainment of the primary (health-based) NAAQS as expeditiously as practicable but not later than December 31, 1982, and, in the interim, to provide for reasonable further progress towards attainment through the application of reasonably available control technology (RACT) on all stationary sources. EPA has defined RACT as: the lowest emission limitation that a particular source is capable of meeting by the application of control technology that is reasonably available considering technological and economic feasibility.[1] Therefore, RACT can involve case-by-case determinations and, depending on site-specific considerations, RACT can differ among sources in the same industrial category.

In its review of Part D plans for areas containing iron and steel sources, EPA has endeavored to verify independently that the plans submitted by the States in fact include provisions which represent RACT. In order to make that determination, EPA has collected and evaluated a voluminous amount of data which reflect levels of performance achieved by various iron and steel sources applying control technology, and has made those data available for review as part of the appropriate Part D rulemaking dockets. *See, e.g.*, 45 FR 45314, July 3, 1980 (Indiana); 45 FR 50825, July 31, 1980 (Illinois). The document which is the subject of this notice is simply a summary, in tabular form, of examples of emission limitations for various processes which, in EPA's judgment, the available data demonstrate to be generally achievable on a retrofit basis.

By gathering and evaluating the available data, however, EPA does *not* intend to set uniform RACT standards which the States are required to adopt, and the summary should not be so construed. The limitations and standards summarized in the table should not be regarded as categorical RACT requirements for iron and steel sources, but solely as guidance which EPA will utilize as the starting point in its review and evaluation of a State's submission. The State may develop its RACT requirements independently of EPA's guidance. EPA will approve any submitted RACT requirement that the State shows will satisfy the requirements of the Act for RACT, based on the economic and technical circumstances of the particular sources being regulated.

In meeting its burden of demonstrating that its proposed requirements for iron and steel processes represent RACT, a State has various options. For example, if its proposed limitations are consistent with those summarized in the table, the State may simply refer to the corresponding underlying support data. If the State's proposal is in whole or in part not consistent with the limitations in the table, the State may still rely on some or all of that same underlying support data and may demonstrate with an appropriate analysis that such data support its proposed RACT limitations. The State may also rely on and submit additional data not in the existing compilation, including economic or other site-specific information, together with an appropriate analysis, to demonstrate that its proposed limitations represent RACT. In any event, EPA will *not* rely on the summary table as having established RACT, but will carefully review and evaluate in detail the State's analysis to determine whether it in fact supports the State's proposed RACT requirements. EPA's approval, conditional approval, or disapproval of the submitted Part D plan will be based on that review and evaluation of the State's analysis, taking into account *all* the available data as well as public comment on the State's analysis and EPA's evaluation thereof.

Dated: August 27, 1980.

Edward F. Tuerk,

Acting Assistant Administrator for Air, Noise, and Radiation.

[FR Doc. 80-27430 Filed 9-5-80; 8:45 am]

BILLING CODE 6560-01-M

[1] EPA articulated its definition of RACT in a memorandum from Roger Strelow, Assistant Administrator for Air and Waste Management, to Regional Administrators, Regions I-X, on "Guidance for Determining Acceptability of SIP Regulations in Non-attainment Areas." Section 1.a (December 9, 1976), reprinted in (1976) 7 Environmental Reporter, Current Developments (BNA) 1210 col. 2; and in EPA's publication *Workshop on Requirements for Non-attainment Area Plans—Compilation of Presentations* 154 (OAQPS No. 1.2-103, revised edition April 1978).

[FRL 1599-1]

Enforcement Policy for Sulfur Dioxide Emission Limitations in Ohio

The U.S. Environmental Protection Agency is clarifying the policy concerning enforcement of sulfur dioxide emission limitations in Ohio previously announced on February 11, 1980 (45 FR 9101).

The means of determining compliance with emission limitations under the applicable SIP is a stack test conducted in accordance with 40 CFR Part 60, Appendix A. Method 6. The purpose of the announced policy is to focus enforcement resources on those plants which present the greatest environmental threat. The enforcement policy represents a screening process for selection of the highest priority cases in need of federal enforcement action. This enforcement policy is not intended to modify the emission limitations applicable to any source of SO_2 emissions.

Dated: August 27, 1980.

John McGuire,

Regional Administrator, Region V.

[FR Doc. 80-27470 Filed 9-5-80; 8:45 am]

BILLING CODE 6560-01-M

[FRL 1599-7; OPTS-51100A]

Ethanedioic Acid, Di-N-Butyl Ester; Premanufacture Notice

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice clarifies the status of the chemical substance ethanedioic acid, di-*N*-butyl ester, the subject of a premanufacture notice (PMN) submitted to the EPA in accordance with section 5(a)(1) of the Toxic Substances Control Act (TSCA) by a company claiming its identity confidential.

FOR FURTHER INFORMATION CONTACT: Carolyn Brown, Premanufacturing Review Division (TS-794), Office of Pesticides and Toxic Substances, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460 (202-426-3980).

SUPPLEMENTARY INFORMATION: On July 15, 1980, EPA received a PMN, as required in section 5(a)(1) of TSCA (90 Stat. 2012 (15 U.S.C. 2604)), from a certain company whose identity was claimed confidential under section 14 of TSCA, to manufacture the substance ethanedioic acid, di-*N*-butyl ester. The Agency published a notice as required in section 5(d)(2) of TSCA announcing the receipt of this PMN in the **Federal Register** of August 1, 1980 (45 FR 51272).

Subsequently, it was determined that the substance was already on the Inventory of existing substances compiled by the Agency under section 8(b) of TSCA. Consequently, a PMN was not required and EPA has terminated its

review of the PMN. EPA therefore recinds the 5(d)(2) notice of receipt for this PMN.

Dated: September 2, 1980.

Douglas G. Bannerman,

Acting Deputy Assistant Administrator for Chemical Control.

[FR Doc. 80-27428 Filed 9-5-80; 8:45 am]

BILLING CODE 6560-01-M

[FRL 1599-8; OPTS-51123]

2-Oxepanone, Polymer With 1,4-Butanediol, 1,3-Diisocyanatomethylbenzene, and (2-Hydroxyethyl)-2-Propenoate; Premanufacture Notice

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: Section 5(a)(1) of the Toxic Substances Control Act (TSCA) requires any person who intends to manufacture or import a new chemical substance to submit a premanufacture notice (PMN) to EPA at least 90 days before manufacture or import commences. Section 5(d)(2) requires EPA to publish in the **Federal Register** certain information about each PMN within 5 working days after receipt. This Notice announces receipt of a PMN and provides a summary.

DATE: Written comments by October 10, 1980.

ADDRESS: Written comments to: Document Control Officer (TS-793), Office of Pesticides and Toxic Substances, Environmental Protection Agency, 401 M St., SW, Washington, DC 20460, 202-755-8050.

FOR FURTHER INFORMATION CONTACT: Kirk Maconaughey, Premanufacturing Review Division (TS-794), Office of Pesticides and Toxic Substances, Environmental Protection Agency, 401 M St., SW., Washington, D.C. 20460, 202/426-3936.

SUPPLEMENTARY INFORMATION: Section 5(a)(1) of TSCA [90 Stat. 2012 (15 U.S.C. 2604)], requires any person who intends to manufacture or import a new chemical substance to submit a PMN to EPA at least 90 days before manufacture or import commences. A "new" chemical substance is any substance that is not on the Inventory of existing substances compiled by EPA under Section 8(b) of TSCA. EPA first published the Initial Inventory on June 1, 1979. Notice of availability of the Initial Inventory was published in the **Federal Register** of May 15, 1979 (44 FR 28558), and the notice of availability of the Revised Inventory was published on July 29, 1980 (45 FR 50544). The requirement to submit a PMN for new chemical substances manufactured or imported for commercial purposes became effective on July 1, 1979.

EPA has proposed premanufacture notification rules and forms in the **Federal Register** issues of January 10, 1979 (44 FR 2242) and October 16, 1979 (44 FR 59764). These regulations, however, are not yet in effect. Interested persons should consult the Agency's Interim Policy published in the **Federal Register** of May 15, 1979 (44 FR 28564) for guidance concerning premanufacture notification requirements prior to the effective date of these rules and forms. In particular, see page 28567 of the Interim Policy.

A PMN must include the information listed in Section 5(d)(1) of TSCA. Under section 5(d)(2) EPA must publish in the **Federal Register** nonconfidential information on the identity and use(s) of the substance, as well as a description of any test data submitted under section 5(b). In addition, EPA has decided to publish a description of any test data submitted with the PMN and EPA will publish the identity of the submitter unless this information is claimed confidential.

Publication of the section 5(d)(2) notice is subject to section 14 concerning disclosure of confidential information. A company can claim confidentiality for any information submitted as part of a PMN. If the company claims confidentiality for the special chemical identity or use(s) of the chemical, EPA encourages the submitter to provide a generic use description, a nonconfidential description of the potential exposures from use, and a generic name for the chemical. EPA will publish the generic name, the generic use(s), and the potential exposure descriptions in the **Federal Register**.

If no generic use description or generic name is provided, EPA will develop one and after providing due notice to the submitter, will publish an amended **Federal Register** notice. EPA immediately will review confidentiality claims for chemical identity, chemical use(s), the identity of the submitter, and for health and safety studies. If EPA determines that portions of this information are not entitled to confidential treatment, the Agency will publish an amended notice and will place the information in the public file, after notifying the submitter and complying with other applicable procedures.

After receipt, EPA has 90 days to review a PMN under section 5(a)(1). The section 5(d)(2) **Federal Register** notice indicates the date when the review period ends for each PMN. Under section 5(c), EPA may, for good cause, extend the review period for up to an additional 90 days. If EPA determines that an extension is necessary, it will publish a notice in the **Federal Register**.

Once the review period ends, the submitter may manufacture the substance unless EPA has imposed restrictions. When the submitter begins to manufacture the substance, he must report to EPA, and the Agency will add the substance to the Inventory. After the substance is added to the Inventory, any company may manufacture it without providing EPA notice under section 5(a)(1)(A).

Therefore, under the Toxic Substances Control Act, a summary of the data taken from the PMN is published herein.

Interested persons may, on or before October 10, 1980, submit to the Document Control Officer (TS-793), Rm. E-447, Office of Pesticides and Toxic Substances, 401 M St., SW, Washington, DC 20460, written comments regarding this notice. Three copies of all comments shall be submitted, except that individuals may submit single copies of comments. The comments are to be identified with the document control number "[OPTS-51123]" and the PMN number. Comments received may be seen in the above office between 8:00 a.m. and 4:00 p.m., Monday through Friday, excluding holidays.

(Sec. 5, 90 Stat. 2012 (15 U.S.C. 2604))

Dated: September 2, 1980.

Douglas G. Bannerman,

Acting Deputy Assistant Administrator for Chemical Control.

PMN 80-208.

Close of Review Period. November 9, 1980.

Manufacturer's Identity. Claimed confidential. Generic information provided:

Annual sales—Between $100 million and $499,999,999.

Manufacturing site—Mid-Atlantic region, U.S.

Standard Industrial Classification Code—2891.

Specific Chemical Indentity. 2-Oxepanone, polymer with 1,4-butanediol, 1,3-diisocyanatomethylbanzene, and (2-hyroxyethyl)-2-propenoate.

The following summary is taken from data submitted by the manufacturer in the PMN.

Generic Use. Radiation curable coating.

Production Estimates.

	Kilograms per year	
	Minimum	Maximum
1st year	7,500	8,500
2d year	8,000	9,500
3d year	9,000	11,000

Physical/Chemical Properties: Minimum average molecular weight—2200. No other data submitted.

Toxicity Data. No data were submitted.

Exposure. During manufacture. During the blending or packaging operation, one to two workers may be dermally exposed for four hours per day, ten days per year.

During use. The coating will be applied by a totally automated dispensing equipment to parts on a moving conveyor. Worker exposure may be possible during the repackaging of the coating from drums into the dispensing equipment.

Disposal. Practically nil. Any waste will be contracted out to private firm for either landfill or incineration.

[FR Doc. 80-27429 Filed 9-5-80; 8:45 am]
BILLING CODE 6560-01-M

[OPTS 59028 A; FRL 1587-3]

Toxic Substances; Approval of Exemption Application

AGENCY: Environmental Protection Agency.

ACTION: Approval of an exemption for test marketing activities from the premanufacture notification requirements of section 5 of the Toxic Substances Control Act (TSCA).

SUMMARY: On June 25, 1980 EPA received an exemption application for test marketing purposes from Sybron Corporation. The Test Marketing Exemption (TME) number assigned to the substance is T-80-31. EPA has determined that the manufacturer's test marketing of the chemical substance will not present any unreasonable risk of injury to health or the environment. Therefore, the Agency has granted the manufacturer an exemption from the TSCA premanufacturing reporting requirements for test marketing in the manner described in the application. The exemption is effective immediately.

FOR FURTHER INFORMATION CONTACT: Kirk Maconaughey, Notice Review Branch, Premanufacturing Review Division (PTS-794), Office of Pesticides and Toxic Substances, EPA, Washington, D.C. 20460 (426-3936).

SUPPLEMENTARY INFORMATION: Under section 5 of TSCA, anyone who intends to manufacture or import a new chemical substance for commercial purpose in the United States must submit a notice to EPA before manufacture or import begins. A "new" chemical substance is one that is not on the Inventory of existing substances compiled by EPA under section 8(b) of TSCA. Section 5(a)(1) requires each premanufacture notice (PMN) to be submitted in accordance with section 5(d) and any applicable requirements of section 5(b). Section 5(d)(1) defines the contents of a PMN and section 5(b) contains additional reporting requirements for certain new chemical substances.

Section 5(h), "Exemptions," contains several provisions for exemptions from some or all of the requirements of section 5. In particular, section 5(h)(1) authorizes EPA, upon application, to exempt persons from any requirement of section 5(a) or section 5(b), to permit them to manufacture or process chemical substances for test marketing purposes. To grant an exemption, the Agency must find that the test marketing activities will not present any unreasonable risk of injury to health or the environment. EPA must either approve or deny the application within 45 days of its receipt, and under section 5(h)(6) the Agency must publish a notice of its disposition in the **Federal Register.** If EPA grants a test marketing exemption, it may impose restrictions on the test marketing activities.

On June 25, 1980 EPA received an application from Sybron Corporation for an exemption from the requirements of section 5(a) and 5(b) of TSCA, to manufacture Amines, C_{10}-C_{16} alkyldimethyl, phosphate salt for test marketing purposes. A **Federal Register** notice published on July 23, 1980 (45 FR 49148) announced the receipt of the exemption application and requested comment on the appropriateness of granting the exemption. The Agency received no comment concerning the application. The company stated in the application that the substance would be used as textile dyeing assistants for acrylic fiber products.

In the test marketing application and in telephone conversations with the manufacturer we obtained information on the manufacturing process to be used and on worker exposure during both manufacturing and processing. We also obtained information on the environmental release and disposal practices to be employed. [The Agency also obtained information from its own sources which aided in the review of the test marketing activities associated with the phosphate salt.]

While it is possible that the test market substance may be absorbed to some extent using the gastrointestinal tract there are no other toxicological concerns regarding this chemical substance. Considering then both toxicity and exposure, the Agency has determined that this substance's manufacture, production, and use, in the manner described in the test market application, will not present any unreasonable risk to the people who manufacture it or those who come into contact with it during processing. As a result of this substance's particular properties none of it will be contained in the final fabric. It will all be "washed out" or replaced by the dye itself. Consumers therefore will not come into contact with the test market substance since it will not be in the final acrylic fiber products. The material will be disposed of in an acceptable manner using on-site wastewater treatment plants. It is therefore the Agency's decision to grant Sybron Corporation a test market exemption for this substance, Amines, C_{10}-C_{16} alkyldimethyl, phosphate salt.

At least 90 days prior to manufacturing this substance for commercial purposes other than test marketing or in small quantities solely for Research and Development (R&D) research, the manufacturer must submit a premanufacture notice (PMN) as required under section 5(a) of TSCA. This exemption is granted solely to the applicant of TME 80-31, Sybron Corporation, with the following provisions:

1. That the company not exceed the production amount specified in the test market application;

2. That the substance be manufactured in a closed system as indicated and that worker exposure shall not exceed the levels specified;

3. That the company maintain records of customers to whom the test market substance has been given or sold and that these records may be inspected by EPA; and

4. That a material safety data sheet or similar document shall accompany the product; and be available for employees who come into contact with it during its processing, and use.

Dated: September 2, 1980.

Douglas M. Costle,

Administrator.

[FR Doc. 80-27432 Filed 9-5-80; 8:45 am]
BILLING CODE 6560-01-M

[FRL 1598-8]

Water Quality Standards; Navigable Waters of the State of North Carolina; Correction

August 26, 1980.

AGENCY: Environmental Protection Agency.

ACTION: Correction notice of State water quality standards approval.

SUMMARY: The Environmental Protection Agency (EPA) herein corrects a previous notice of approval of revisions to North Carolina's Water Quality Standards.

FOR FURTHER INFORMATION CONTACT: Robert F. McGhee, Water Division, Environmental Protection Agency, Region IV, 345 Courtland Street, N.E., Atlanta, Georgia 30365, Telephone: 404-881-4793.

SUPPLEMENTARY INFORMATION: On July 2, 1980, EPA published a notice in the **Federal Register** of EPA's approval of North Carolina's Water Quality Standards (45 FR 45017). A portion of that notice was incorrect. The following material is intended to replace the section entitled, "Supplementary Information" in the earlier publication.

On November 9, 1979, the EPA approved revisions to North Carolina's water quality standards resulting from the State's triennial review in accordance with section 303(c) of the Clean Water Act. Substantive changes included the incorporation of additional toxic pollutant criteria, clarification of the State's antidegradation policy and in-zone restrictions on mixing zones.

On January 18, 1980, EPA approved the reclassification of several stream segments in the Lumber, Pasquotank, White Oak, Cape Fear and Neuse River Basins. These revisions represent upgraded use designations.

These revisions are consistent with the Clean Water Act as interpreted in the Agency's water quality standards regulations at 40 CFR 35.1550.

Copies of the revisions are available from the North Carolina Division of Environmental Management, P.O. Box 27687, Raleigh, North Carolina 27611.

(Section 303(c) of the Clean Water Act (33 U.S.C. 1313(c))

Dated: August 29, 1980.

Eckardt C. Beck,

Assistant Administrator for Water and Waste Management.

[FR Doc. 80-27502 Filed 9-5-80; 8:45 am]

BILLING CODE 6560-01-M

FEDERAL HOME LOAN BANK BOARD

First Federal Savings & Loan Association of Niles; Niles, Mich.

Notice is hereby given that pursuant to the authority contained in section 5(d)(6)(B) of the Home Owners' Loan Act of 1933, as amended (12 U.S.C. 1464(d)(6)(B) (1976)), The Federal Home Loan Bank Board appointed Robert Shepherd as conservator of First Federal Savings and Loan Association of Niles, Niles, Michigan, effective as of September 2, 1980.

Dated: September 3, 1980.

By the Federal Home Loan Bank Board.

Robert D. Linder,

Acting Secretary.

[FR Doc. 80-27487 Filed 9-5-80; 8:45 am]

BILLING CODE 6720-01-M

FEDERAL MARITIME COMMISSION

[Agreements Nos. T-3155-5 and T-3155-6]

Availability of Finding of No Significant Impact

Upon completion of an environmental assessment, the Federal Maritime Commission's Office of Environmental Analysis (OEA) has determined that the environmental issues relative to the referenced agreements do not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. 4321 *et seq.* and that preparation of an environmental impact statement is not required under section 4332(2)(c) of NEPA.

Agreements Nos. T-3155-5 and T-3155-6, between the Port Authority of New York and New Jersey (Port) and Maersk Container Service Company, Inc. (Maersk), assignee of Moller Steamship Company, Inc. (Moller), modify the parties basic agreement providing for Moller's 25-year lease of a marine terminal at Port Newark, New Jersey. The purpose of Agreement No. T-3155-5 is to provide for additional premises and additional basic rental for said premises. Agreement No. T-3155-6 simply adds certain premises, deletes other premises, and provides for the relocation of a fence. The Office of Environmental Analysis' (OEA) major environmental concern is whether these agreements will significantly affect energy usage and/or the quality of the air, water, noise and biological environment.

The OEA has determined that the Commission's final resolution of Agreements Nos. T-3155-5 and T-3155-6 will cause no significant adverse environmental effects in excess of those created by existing uses.

The environmental assessment is available for inspection on request from the Office of the Secretary, Room 11101, Federal Maritime Commission, Washington, D.C. 20573, telephone (202) 523-5725. Interested parties may comment on the environmental assessment on or before September 29, 1980. Such comments are to be filed with the Secretary, Federal Maritime Commission, 1100 L Street, N.W., Washington, D.C. 20573. If a party fails to comment within this period, it will be presumed that the party has no comment to make.

Francis C. Hurney,

Secretary.

[FR Doc. 80-27492 Filed 9-5-80; 8:45 am]

BILLING CODE 6730-01-M

FEDERAL RESERVE SYSTEM

Catoosa Bancshares, Inc.; Formation of Bank Holding Company

Catoosa Bancshares, Inc., Fort Oglethorpe, Georgia, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company by acquiring 85 per cent or more of the voting shares of Fort Oglethorpe State Bank, Fort Oglethorpe, Georgia. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reseve Bank of Atlanta. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than September 29, 1980. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Board of Governors of the Federal Reserve System, September 2, 1980.

Cathy L. Petryshyn,

Assistant Secretary of the Board.

[FR Doc. 80-27506 Filed 9-5-80; 8:45 am]

BILLING CODE 6210-01-M

Dominion Banqueshares Ltd.; Formation of Bank Holding Company

Dominion Banqueshares Limited, Kansas City, Missouri, has applied for the Board's approval under section

3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company by acquiring 80 percent or more of the voting shares of Grandview Bank and Trust Company, Grandview, Missouri. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Kansas City. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than September 29, 1980. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Board of Governors of the Federal Reserve System, September 2, 1980.

Cathy L. Petryshyn,

Assistant Secretary of the Board.

[FR Doc. 80-27507 Filed 9-5-80; 8:45 am]

BILLING CODE 6210-01-M

First Paullina Bancorp; Formation of Bank Holding Company

The First Paullina Bancorp, Paullina, Iowa, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company by acquiring 95.5 percent of the voting shares of The First National Bank of Paullina, Paullina, Iowa. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Minneapolis. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than September 19, 1980. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Board of Governors of the Federal Reserve System, September 2, 1980.

Cathy L. Petryshyn,

Assistant Secretary of the Board.

[FR Doc. 80-27503 Filed 9-5-80; 8:45 am]

BILLING CODE 6210-01-M

First Schulenburg Financial Corp.; Formation of Bank Holding Company

First Schulenburg Financial Corporation, Schulenburg, Texas, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company by acquiring 80 percent or more of the voting shares of The First National Bank of Schulenburg, Schulenburg, Texas. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Dallas. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than October 2, 1980. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Board of Governors of the Federal Reserve System, September 2, 1980.

Cathy L. Petryshyn,

Assistant Secretary of the Board.

[FR Doc. 80-27505 Filed 9-5-80; 8:45 am]

BILLING CODE 6210-01-M

Security Bancorp, Inc.; Formation of Bank Holding Company

Security Bancorp, Inc., Hampton, New Hampshire, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company by acquiring 100 per cent of the voting shares of Hampton National Bank, Hampton, New Hampshire. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Boston. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than September 29, 1980. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Board of Governors of the Federal Reserve System, September 2, 1980.

Cathy L. Petryshyn,

Assistant Secretary of the Board.

[FR Doc. 80-27504 Filed 9-5-80; 8:45 am]

BILLING CODE 6210-01-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 September 2, 1980. 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 CAB 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 September 26, 1980, and should be addressed to Mr. John M. Lovelady, Senior Group 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.

Civil Aeronautics Board

The CAB requests an extension-without-change clearance of the reporting requirements contained in Part 248 of the Board's Economic Regulations. Section 248.2 requires that each certificated air carrier which has caused an annual audit of its books to be made by independent public accountants must file a copy of the accountants' report with the Board. If no audit was made the carrier must file a statement with the Board at the close of the fiscal year as part of its periodic reports stating that no audit has been performed. Section 248.3 requires carriers to file a report reconciling the audit report balance sheet and profit and loss statement with the balance sheet and profit and loss statement filed with the Board as part of Form 41 reports. The reports required by Part 248

must be filed with the Board within 15 days after the due date of the appropriate periodic Form 41 report, filed for the 12-month period covered by the audit report, or the date the accountant submits his audit report to the air carrier, whichever is later. The CAB estimates that respondents will number approximately 34 and that reporting time will average 11½ hours for each carrier. The CAB is authorized to collect such information under Section 407 of the Federal Aviation Act.

Norman F. Heyl,

Regulatory Reports, Review Officer.

[FR Doc. 80-27480 Filed 9-5-80; 8:45 am]

BILLING CODE 1610-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Board of Regents; Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the Board of Regents of the National Library of Medicine on October 9-10, 1980, in the Board Room of the National Library of Medicine, 8600 Rockville Pike, Bethesda, Maryland, and the meetings of the Extramural Programs Subcommittee of the Board of Regents and the Lister Hill Center and National Medical Audiovisual Center Subcommittee on the preceding day, October 8, 1980, from 2:00 to 4:00 p.m., in the 5th floor Conference Room of the Lister Hill Center Building, and from 2:00 to 5:00 p.m., in the 7th floor Conference Room of the Lister Hill Center Building, respectively.

The meeting of the Board will be open to the public from 9:00 a.m. to 5:00 p.m. on October 9 and from 9:00 a.m. to 11:00 a.m. on October 10 for administrative reports and program discussions. The entire meeting of the Lister Hill Center and National Medical Audiovisual Center Subcommittee will be open to the public for the discussion and examination of program and review mechanisms. Attendance by the public will be limited to space available.

In accordance with provisions set forth in section 552b(c)(4), 552b(c)(6), Title 5, U.S. Code and Section 10(d) of Pub. L. 92-463, the entire meeting of the Extramural Programs Subcommittee on October 8 will be closed to the public, and the regular Board meeting on October 10 will be closed from 11:00 a.m. to adjournment for the review, discussion, and evaluation of individual grant applications. These applications and the discussion could reveal confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the applications, disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Mr. Robert B. Mehnert, Chief, Office of Inquiries and Publications Management, National Library of Medicine, 8600 Rockville Pike, Bethesda, Maryland 20209, Telephone Number: 301-496-6308, will furnish a summary of the meeting, rosters of Board members, and other information pertaining to the meeting.

(Catalog of Federal Domestic Assistance Program No. 13.879—Medical Library Assistance, National Institutes of Health)

Note.— NIH programs are not covered by OMB Circular A-95 because they fit the description of "programs not considered appropriate" in section 8(b)(4) and (5) of that Circular.

Dated: August 29, 1980.

Suzanne L. Fremeau,

Committee Management Officer, NIH.

[FR Doc. 80-27420 Filed 9-5-80; 8:45 am]

BILLING CODE 4110-08-M

Board of Scientific Counselors, Division of Cancer Treatment; Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the Board of Scientific Counselors, DCT, National Cancer Institute, October 2-3, 1980, Building 31, 6th floor, "C" wing, Conference Room 10, National Institutes of Health. This meeting will be open to the public on October 2 and 3, 1980, from 8:30 a.m. to 5:30 p.m., to review program plans, contract recompetitions and budget for the DCT program. Attendance by the public will be limited to space available.

In accordance with the provisions set forth in section 552b(c)(6), Title 5, U.S. Code and Section 10(d) of Pub. L. 92-463, the meeting will be closed to the public on October 2, 1980, from 7:00 p.m. to 9:30 p.m., for review, discussion and evaluation of individual programs and projects conducted by the National Institutes of Health, including consideration of personnel qualifications and performance, the competence of individual investigators, and similar items, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Dr. Saul A. Schepartz, Acting Director, Division of Cancer Treatment, National Cancer Institute, Building 31, Room 3A-52, National Institutes of Health, Bethesda, Maryland 20205 (301-496-4291) will furnish summaries of meetings, rosters of committee members, and substantive program information.

Dated: August 27, 1980.

Suzanne L. Fremeau,

Committee Management Officer, NIH.

[FR Doc. 80-27414 Filed 9-5-80; 8:45 am]

BILLING CODE 4110-08-M

Board of Scientific Counselors, NIA; Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the Board of Scientific Counselors, National Institute on Aging, October 30-31, 1980, to be held at the Gerontology Research Center, Baltimore, Maryland. The meeting will be open to the public from 9:00 a.m. to adjournment on Thursday, October 30, and from 9:00 a.m. until 1:30 p.m. Friday, October 31. Attendance by the public will be limited to space available.

In accordance with the provisions set forth in Section 552b(c)(6), Title 5, U.S. Code and Section 10(d) of Pub. L. 92-463, the meeting will be closed to the public on October 31, from 1:30 p.m. until adjournment for the review, discussion and evaluation of individual programs, and projects conducted by the National Institutes of Health, NIA, including consideration of personnel qualifications and performance, and the competence of individual investigators, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Ms. June C. McCann, Committee Management Officer, NIA Building 31, Room 2C-08, National Institutes of Health, Bethesda, Maryland 20205, (telephone: 301/496-4120) will provide a summary of the meeting and a roster of committee members. Dr. Richard C. Greulich, Scientific Director, NIA, Gerontology Research Center, Baltimore City Hospitals, Baltimore, Maryland 21224, will furnish substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13.866, Aging Research, National Institutes of Health)

Note.—NIH programs are not covered by OMB Circular A-95 because they fit the description of "programs not considered appropriate" in section 8(b)(4) and (5) of the Circular.

Dated: August 27, 1980.

Suzanne L. Fremeau,

Committee Management Officer, NIH.

[FR Doc. 80-27415 Filed 9-5-80; 8:45 am]

BILLING CODE 4110-08-M

Division of Research Grants, Meeting

Pursuant to Pub. L. 92–463, notice is hereby given of the meetings of the following study sections for October through November 1980, and the individuals from whom summaries of meetings and rosters of committee members may be obtained.

These meetings will be open to the public to discuss administrative details relating to Study Section business for approximately one hour at the beginning of the first session of the first day of the meeting. Attendance by the public will be limited to space available. These meetings will be closed thereafter in accordance with the provisions set forth in Sections 552b(c)(4) and 552b(c)(6), Title 5, U.S. Code and Section 10(d) of Pub. L. 92–463, for the review, discussion and evaluation of individual grant applications. These applications and the discussions could reveal confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Ms. Marian Oakleaf, Acting Chief, Grants Inquiries Office, Division of Research Grants, Westwood Building, National Institutes of Health, Bethesda, Maryland 20205, telephone area code 301–496–7441 will furnish summaries of the meetings and rosters of committee members. Substantive program information may be obtained from each Executive Secretary whose name, room number, and telephone number are listed below each study section. Anyone planning to attend a meeting should contact the Executive Secretary to confirm the exact meeting time. All times are A.M. unless otherwise specified.

Study section	October–November 1980 meetings	Time	Location
Allergy & Immunology: Dr. Morton Reitman, Rm. 320, Tel. 301–496–7380.	October 30–November 1	8:30 a.m.	Linden Hill Motel, Bethesda, MD.
Applied Physiology and Orthopedics: Ms. Ileen E. Stewart, Rm. 350, Tel. 301–496–7581.	October 30–November 1	8:30 a.m.	Room 10, Bldg. 31C, Bethesda, MD.
Bacteriology and Mycology: Dr. Milton Gordon, Rm. 304, Tel. 301–496–7340.	October 23–25	8:30 a.m.	Holiday Inn, Bethesda, MD.
Biochemical Endocrinology: Dr. Norman Gold; Rm. A-17, Tel. 301–496–7430.	October 27–29	8:30 a.m.	In Town Motel, Chevy Chase, MD.
Biochemistry: Dr. Adolphus P. Toliver, Rm. 318, Tel. 301–496–7516	October 29–November 1	9:00 a.m.	Ramada Inn, Rosslyn, VA.
Biophysics and Biophysical, Chemistry A: Dr. James C. Cassatt, Rm. 236, Tel. 301–496–7060.	October 17 to 19	8:30 a.m.	Room 9, Bldg. 31C, Bethesda, MD.
Biophysics and Biophysical, Chemistry B: Dr. John B. Wolff, Rm. 236, Tel. 301–496–7070.	October 30–November 1	8:30 a.m.	Room 7, Bldg. 31C, Bethesda, MD.
Bio-Psychology: Dr. A. Keith Murray, Rm. 220, Tel. 301–496–7058	November 2–5	9:00 a.m.	Maryland Inn, Annapolis, MD.
Cardiovascular and Pulmonary: Dr. Constance E. Weinstein, Rm. 2A-04, Tel. 301–496–7316.	October 29–31	8:00 a.m.	Georgetown Holiday Inn, Washington, DC.
Cardiovascular and Renal: Dr. Rosemary S. Morris, Rm. 321, Tel. 301–496–7901.	October 29–31	8:30 a.m.	Holiday Inn, Bethesda, MD.
Cell Biology: Dr. Gerald Greenhouse, Rm. 306, Tel. 301–496–7681	October 29–31	8:30 a.m.	Room 8, Bldg. 31C, Bethesda, MD.
Chemical Pathology: Dr. Edmund Copeland, Rm. 353, Tel. 301–496–7078.	October 20–21	8:00 a.m.	Holiday Inn, Bethesda, MD.
Communicative Sciences: Dr. Michael Halasz, Rm. 226, Tel. 301–496–7550.	October 29–31	8:30 a.m.	Room 4, Bldg. 31A, Bethesda, MD.
Diagnostic Radiology: Dr. Catharine Wingate, Rm. 219, Tel. 301–496–7650.	October 20–22	8:30 a.m.	Linden Hill Hotel, Bethesda, MD.
Endocrinology: Mr. Morris M. Graff, Rm. 333, Tel. 301–496–7346	October 20–22	7:00 p.m.	Linden Hill Hotel, Bethesda, MD.
Epidemiology and Disease Control: Dr. Ann Schluederberg, Rm. 234, Tel. 301–496–7246.	November 5–8	8:30 a.m.	Room 10, Bldg. 31C, Bethesda, MD.
Experimental Therapeutics: Dr. Anne R. Bourke, Rm. 319, Tel. 301–496–7839.	October 22–25	1:00 p.m.	Holiday Inn, Chevy Chase, MD.
Experimental Virology: Dr. Eugene Zebovitz, Rm. 206, Tel. 301–496–7474.	October 19–22	2:00 p.m.	Room 8, Bldg. 31C, Bethesda, MD.
General Medicine A: Dr. Harold Davidson, Rm. 354, Tel. 301–496–7797.	October 27–28	8:30 a.m.	Room 10, Bldg. 31C, Bethesda, MD.
General Medicine B: Dr. William Davis, Jr., Rm. 322, Tel. 301–496–7730.	October 29–November 1	8:30 a.m.	Georgetown Holiday Inn, Washington, DC.
Genetics: Dr. David Remondini, Rm. 349, Tel. 301–496–7271	October 23–25	9:00 a.m.	Room 6, Bldg. 31C, Bethesda, MD.
Hematology: Dr. Clark Lum, Rm. 355, Tel. 301–496–7508	October 16–18	8:30 a.m.	In Town Motel, Chevy Chase, MD.
Human Development: Dr. Miriam Kelty, Rm. 303, Tel. 301–496–7025	November 6–8	8:30 a.m.	Gramercy Inn, Washington, DC.
Human Embryology and Development: Dr. Arthur Hoversland, Rm. 221, Tel. 301–496–7597.	October 29–31	8:30 a.m.	Linden Hill Hotel, Bethesda, MD.
Immunobiology: Dr. William Stylos, Rm. 226, Tel. 301–496–7780	November 5–7	8:30 a.m.	Sheraton Inn, Silver Spring, MD.
Immunological Sciences: Dr. Lottie Kronfeld, Rm. 233, Tel. 301–496–7179.	October 22–24	8:30 a.m.	Linden Hill Hotel, Bethesda, MD.
Mammalian Genetics: Dr. Halvor Aaslestad, Rm. 349, Tel. 301–496–7271.	October 30–November 1	9:00 a.m.	Room 6, Bldg. 31C, Bethesda, MD.
Medicinal Chemistry A: Dr. Ronald Dubois, Rm. A-27, Tel. 301–496–7108.	October 29–31	9:00 a.m.	Georgetown Holiday Inn, Washington, DC.
Metabolism: Dr. Robert Leonard, Rm. 334, Tel. 301–496–7091	November 6–8	8:30 a.m.	Room 6, Bldg. 31C, Bethesda, MD.
Metallobiochemistry: Dr. Marjam Behar, Rm. 310, Tel. 301–496–7733	November 13–15	9:00 a.m.	Rosslyn Westpark Hotel, Rosslyn, VA.
Microbial Physiology: Dr. William Slater, Rm. 238, Tel. 301–496–7183	October 23–24	8:30 a.m.	Holiday Inn, Bethesda, MD.
Molecular Biology: Dr. Ronald Disque, Rm. 328, Tel. 301–496–7830	October 23–25	8:30 a.m.	Marriott Hotel, Bethesda, MD.
Molecular Cytology: Dr. Ramesh Nayak, Rm. 233, Tel. 301–496–7149	October 23–25	8:30 a.m.	Room 8, Bldg. 31C, Bethesda, MD.
Neurological Sciences: Dr. Edwin Bartos, Rm. 207, Tel. 301–496–7000.	October 23–25	8:30 a.m.	Wellington Hotel, Washington, DC.
Neurology A: Dr. William Morris, Rm. 326, Tel. 301–496–7095	October 30–November 1	9:00 a.m.	Executive House Hotel, Washington, DC.
Neurology B: Dr. Willard McFarland, Rm. A-25, Tel. 301–496–7422	October 29–November 1	8:30 a.m.	Mayflower Hotel, Washington, DC.
Nutrition: Dr. John R. Schubert, Rm. 204, Tel. 301–496–7178	October 29–31	8:30 a.m.	Room 9, Bldg. 31C, Bethesda, MD.
Oral Biology and Medicine: Dr. Thomas Tarpley, Jr., Rm. 325, Tel. 301–496–7818.	October 28–31	8:30 a.m.	Holiday Inn, Silver Spring, MD.
Pathobiological Chemistry: Dr. Clarice E. Gaylord, Rm. A-26, Tel. 301–496–7820.	October 22–25	8:30 a.m.	Room 7, Bldg. 31C, Bethesda, MD.
Pathology A: Dr. Harold Waters, Rm. 337, Tel. 301–496–7305	October 22–25	8:00 a.m.	Holiday Inn, Rosslyn, VA.

Study section	October-November 1980 meetings	Time	Location
Pathology B: Dr. Earl Fisher, Rm. 352, Tel. 301-496-7244	October 29-31	8:30 a.m.	Ramada Inn, Bethesda, MD.
Pharmacology: Dr. Joseph Kaiser, Rm. 206, Tel. 301-496-7408	October 28-30	8:30 a.m.	Holiday Inn, Bethesda, MD.
Physiological Chemistry: Dr. Harry Brodie, Rm. 440, Tel. 301-496-7837.	October 23-25	8:30 a.m.	Rosslyn Westpark Hotel, Rosslyn, VA.
Physiology: Dr. Martin Frank, Rm. 209, Tel. 301-496-7878	October 22-25	9:00 a.m.	Room 9, Bldg. 31C, Bethesda, MD.
Radiation: Dr. Robert L. Straube, Rm. 219, Tel. 301-496-7073	November 3-5	9:00 a.m.	Holiday Inn, Chevy Chase, MD.
Reproductive Biology: Dr. Dharam Dhindsa, Rm. 307, Tel. 301-496-7318.	October 15-18	9:00 a.m.	Ramada Inn, Augusta, GA.
Social Sciences and Population: Ms. Carol Campbell, Rm. 210, Tel. 301-496-7906.	October 17-19	9:00 a.m.	Georgetown Holiday Inn, Washington, DC.
Surgery, Anesthesiology and Trauma: Dr. Keith Kraner, Rm. 336, Tel. 301-496-7771.	October 17-18	8:30 a.m.	Linden Hill Hotel, Bethesda, MD.
Surgery and Bioengineering: Dr. Joe Atkinson, Rm. 348, Tel. 301-496-7506.	October 16-17	8:30 a.m.	Georgetown Holiday Inn, Washington, DC.
Toxicology: Dr. Raymond Bahor, Rm. 205, Tel. 301-496-7570	October 22-24	8:30 a.m.	Holiday Inn, Washington, DC.
Tropical Medicine and Parasitology: Dr. Betty June Myers, Rm. 203, Tel. 301-496-7494.	November 2-4	8:30 a.m.	Connecticut Inn, Washington, DC.
Virology: Dr. Claire Winestock, Rm. 309, Tel. 301-496-7605	October 23-25	8:30 a.m.	Room 4, Bldg. 31A, Bethesda, MD.
Visual Sciences A: Dr. Orvil E. A. Bolduan, Rm. 439, Tel. 301-496-7280.	October 29-31	9:00 a.m.	Ramada Inn, Alexandria, VA.
Visual Sciences B: Dr. Luigi Giacometti, Rm. 325, Tel. 301-496-7251	November 15-18	9:00 a.m.	Georgetown Holiday Inn, Washington, DC.

(Catalog of Federal Domestic Assistance Program Nos. 13.306, 13.333, 13.337, 13.393-13.396, 13.837-13.844, 13.846-13.878, 13.892, 13.893, National Institutes of Health, HHS)

NIH programs are not covered by OMB Circular A-95 because they fit the description of "programs not considered appropriate" in section 8(b) (4) and (5) of that Circular.

Dated: August 29, 1980.

Suzanne L. Fremeau,

Committee Management Officer, National Institutes of Health.

[FR Doc. 80-27419 Filed 9-5-80; 8:45 am]

BILLING CODE 4110-08-M

Epilepsy Advisory Committee; Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the Epilepsy Advisory Committee, National Institute of Neurological and Communicative Disorders and Stroke, NIH, October 23-24, 1980, Room B119, Federal Building, Bethesda, MD 20205.

The entire meeting will be open to the public from 9:00 a.m. to 5:00 p.m. to discuss research progress and research plans related to the Institute's epilepsy program. Attendance by the public will be limited to space available.

Dr. Roger J. Porter, Chief, Epilepsy Branch, Neurological Disorders Program, NINCDS, Federal Building, Room 114, NIH, Bethesda, MD 20205, telephone 301/496-6691, will provide summaries of the meeting and rosters of the committee members, and substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13.853, Neurological Disorders Program, National Institutes of Health)

NOTE.—NIH Programs are not covered by OMB Circular A-95 because they fit the description of "programs not considered appropriate" in section 8(b) (4) and (5) of that Circular.

Dated: August 27, 1980.

Suzanne L. Fremeau,

Committee Management Officer, NIH.

[FR Doc. 80-27413 Filed 9-5-80; 8:45 am]

BILLING CODE 4110-08-M

National Advisory Council on Aging; Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the National Advisory Council on Aging, National Institute on Aging, On October 15, 16, and 17, 1980 in Building 31C, Conference Room 10, National Institutes of Health, Bethesda, Maryland.

The meeting will be open to the public from 9:00 a.m. until adjournment on October 15 and 16, and from 9:00 a.m. until 1:30 p.m. on October 17. Attendance by the public will be limited to space available.

In accordance with the provisions set forth in Section 552b(c)(4) and 552b(c)(6), Title 5, U.S. Code and Section 10(d) of Pub. L. 92-463, the meeting will be closed to the public on October 17, 1980 from 1:30 p.m. until adjournment for the review, discussion and evaluation of grant applications. These applications and the discussions could reveal confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Ms. June McCann, Council Secretary, National Institute on Aging, Building 31, Room 2C-08, National Institutes of Health, Bethesda, Maryland 20205 (Area Code 301, 496-4120), will furnish substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13.866, Aging Research, National Institutes of Health)

Note.—NIH programs are not covered by OMB Circular A-95 because they fit the description of "programs not considered appropriate" in section 8(b)(4) and (5) of that Circular.

Dated: August 29, 1980.

Suzanne L. Fremeau,

Committee Management Officer, NIH.

[FR Doc. 80-27418 Filed 9-5-80; 8:45 am]

BILLING CODE 4110-08-M

National Advisory Dental Research Council; Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the National Advisory Dental Research Council, National Institute of Dental Research, on October 23-24, 1980, in Conference Room 10, Building 31-C, National Institutes of Health, Bethesda, Maryland. This meeting will be open to the public from 9:00 a.m. to adjournment on October 24 for general discussion and program presentations. Attendance by the public will be limited to space available.

In accordance with the provisions set forth in Sections 552b(c)(4) and 552b(c)(6), Title 5, U.S.C. Code and Section 10(d) of Pub. L. 92-463, the meeting of the Council will be closed to the public on October 23 from 9:00 a.m. to adjournment for the review, discussion and evaluation of individual grant applications. These applications and the discussions could reveal confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Mrs. Dorothy Costinett, Committee Management Assistant, National Institute of Dental Research, National Institutes of Health, Building 31–C, Room 2C36, Bethesda, MD 20205, (phone 301 496–2883) will furnish rosters of committee members, a summary of the meeting, and other information pertaining to the meeting.

Note.—NIH programs are not covered by OMB Circular A–95 because they fit the description of "programs not considered appropriate" in section 8(b)(4) and (5) of that Circular.

(Catalog of Federal Domestic Assistance Programs Nos. 13.840-Caries Research, 13.841-Periodontal Diseases Research, 13.842-Craniofacial Anomalies Research, 13.843-Restorative Materials Research, 13.844-Pain Control and Behavioral Studies, 13.845-Dental Research Institutes, 13.878-Soft Tissue Stomatology and Nutrition Research, National Instututes of Health)

Dated: August 29, 1980.

Suzanne L. Fremeau,

Committee Management Officer, NIH.

[FR Doc. 80-27416 Filed 9-5-80; 8:45 am]

BILLING CODE 4110-08-M

National Advisory Environmental Health Sciences Council; Meeting

Pursuant to Pub. L. 92–463, notice is hereby given to the meeting of the National Advisory Environmental Health Sciences Council, National Institute of Environmental Health Sciences, October 6–7, 1980 at the National Institute of Environmental Health Sciences, Building 18 Conference Room, Research Triangle Park, North Carolina.

This meeting will be open to the public on October 6, 1980, from 9 a.m. to approximately 12 noon for the report of the Director, NIEHS, and for discussion of the NIEHS budget, program policies and issues, recent legislation, interagency activities, scientific presentations, and other items of interest. Attendance by the public will be limited to space available.

In accordance with the provisions set forth in Sections 552b(c)(4) and 552b(c)(6), Title 5 U.S. Code and Section 10(d) of Pub. L. 92–463, the meeting will be closed to the public on October 6, from approximately 1 p.m. to adjournment on October 7, 1980, for the review, discussion and evaluation of individual grant applications. These applications and the discussions could reveal confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Leota B. Staff, Committee Management Officer, NIEHS, Building 31, Room 4B31, National Institutes of Health, Bethesda, Maryland 20205, (301) 496–3511, will provide summaries of the meeting and rosters of council members.

Dr. Wilford L. Nusser, Associate Director for Extramural Program, National institute of Environmental Health Sciences, P.O. Box 12233, Research Triangle Park, North Carolina 27709, (919) 755–4015, FTS 672–4015, will furnish substantive program information.

(Catalog of Federal Domestic Assistance Program Nos. 13,892, 13,893, 13,894, National Institutes of Health)

Note.—NIH programs are not covered by OMB Circular A–95 because they fit the description of "programs not considered appropriate" in section 8(b)(4) and (5) of that Circular.

Dated: August 29, 1980.

Suzanne L. Fremeau,

Committee Management Officer, NIH.

[FR Doc. 80-27422 Filed 9-5-80; 8:45 am]

BILLING CODE 4110-08-M

National Advisory General Medical Sciences Council; Meeting

Pursuant to Pub. L. 92–463, notice is hereby given of the meeting of the National Advisory General Medical Sciences Council, National Institute of General Medical Sciences, National Institutes of Health, October 16 and 17, 1980, Building 31, Conference Room 6, Bethesda, Maryland.

This meeting will be open to the public on October 16, 1980, from 9 a.m. to 1 p.m. for opening remarks; report of the Director, NIGMS; and other business of the Council. Attendance by the public will be limited to space available.

In accordance with provisions set forth in Sections 552b(c)(4) and 552b(c)(6), the meeting will be closed to the public for approximately the last four hours of the day on October 16, 1980, and six hours on October 17, 1980. It is estimated that the closed session will occur on October 16 from approximately 1:00 p.m. to 5:00 p.m., and on October 17, 1980, from 9:00 a.m. until adjournment, for the review, discussion, and evaluation of individual grant applications. These applications and the discussions could reveal confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the applications, disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Mrs. Wanda Warddell, Acting Public Information Officer, National Institute of General Medical Sciences, National Institutes of Health, Room 9A12, Westwood Building, Bethesda, Maryland 20205, Telephone: 301, 496–7301 will provide a summary of the meeting and a roster of council members. Dr. Ruth L. Kirschstein, Executive Secretary, NAGMS Council, National Institutes of Health, Building 31, Room 4A52, Bethesda, Maryland 20205, Telephone: 301, 496–5231 will provide substantive program information.

(Catalog of Federal Domestic Assistance Programs Nos. 13–821, Physiology and Biomedical Engineering; 13–859, Pharmacology-Toxicology Research; 13–862, Genetics Research; 13–863, Cellular and Molecular Basis of Disease Research; and 13–880, Minority Access to Research Careers (MARC))

Note.—NIH programs are not covered by OMB Circular A–95 because they fit the description of "programs not considered appropriate" in section 8(b)(4) and (5) of that Circular.

Dated: August 29, 1980

Suzanne L. Fremeau,

Committee Management Officer, National Institutes of Health.

[FR Doc. 80-27421 Filed 9-5-80; 8:45 am]

BILLING CODE 4110-08-M

National Arthritis, Metabolism, and Digestive Diseases Advisory Council; Meeting

Pursuant to Pub. L. 92–463, notice is hereby given of a meeting of the National Arthritis, Metabolism, and Digestive Diseases Advisory Council and its subcommittees on October 15–17, 1980, in Wilson Hall, Building 1, National Institutes of Health, Bethesda, Maryland. The meeting will be open to the public on October 15 from 8:30 a.m. to 5:00 p.m. for a symposium on DNA, the Cell Nucleus, and Genetic Diseases, and on October 16 from 1:30 to approximately 3:30 p.m. to discuss administration, management, and special reports. Attendance by the public will be limited to space available.

In accordance with provisions set forth in Section 552b(c)(4) and 552b(c)(6), Title 5, US Code and Section 10(d) of Pub. L. 92–463, on October 16 from 8:30 a.m. to 12:00 noon the Arthritis, Bone and Skin Diseases; Diabetes, Endocrine and Metabolic Diseases; Digestive Diseases; and Kidney Urologic and Blood Diseases subcommittees will meet in closed session for the review, discussion and evaluation of individual grant applications. The meeting of the full Council will be closed on October 16 from approximately 3:30 p.m. to closing, and on October 17 from 8:30 a.m. to

adjournment. These applications and discussions could reveal confidential trade secrets or commercial property such as patentable material and personal information concerning individuals associated with the applications, disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Further information concerning the Council meeting may be obtained from Dr. George T. Brooks, Executive Secretary, National Institute of Arthritis Metabolism, and Digestive Diseases, Westwood Building, Room 637, Bethesda, Maryland 20205, (301) 496-7277.

A summary of the meeting and roster of the members may be obtained from the office of the Committee Management Assistant, NIAMDD, Building 31, Room 9A46, National Institutes of Health, Bethesda, Maryland 20205, (301) 496-5765.

(Catalog of Federal Domestic Assistance Program No. 13.846-849, Arthritis, Bone and Skin Diseases, Diabetes, Endocrine and Metabolism, Digestive Diseases and Nurtition, and Kidney Diseases, Urology and Hematology Research, National Institutes of Health)

Note.—NIH programs are not covered by OMB Circular A-95 because they fit the description of "programs not considered appropriate" in section 8(b)(4) and (5) of that Circular.

Dated: August 29, 1980.

Suzanne L. Fremeau,

Committee Management Officer, National Institues of Health.

[FR Doc. 80-27417 Filed 9-5-80; 8:45 am]

BILLING CODE 4110-08-M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Interim Designation Order AK-010-8002]

Alaska Off-Road Vehicle Designation Decisions

AGENCY: Bureau of Land Management.

ACTION: Notice of off-road vehicle designation decisions.

DECISION: Notice is hereby given relating to the use of off-road vehicles on public lands in accordance with the authority and requirements of Executive Orders 11644 and 11989, and regulations contained in 43 CFR 8340. The following described lands under administration of the Bureau of Land Management are designated as open, limited or closed to off-road motorized vehicles use.

The 460,000 acre area affected by the designations is known as the Tangle Lakes Archeological District in the Denali Block of the Southcentral Planning Unit. Comments received from three public meetings and numerous written responses influenced these designation decisions. This designation order for interim off-road vehicle designations was initiated prior to development of the Southcentral Management Framework Plan. The interim designations will remain in effect until evaluations and subsequent justifications for adjustment of the boundaries of the Tangle Lakes Archeological District are developed. These designations are published as final (43 CFR 4.21). An appeal may be filed within 30 days with Interior Board of Land Appeals.

The Bureau has consulted with the State Historic Preservation Officer and the Advisory Council on Historic Preservation to assure compliance with Section 106 of the National Historic Preservation Act of 1966.

A. *Limited Designation*

1. Limited Season of Use—460,000

The Tangle Lakes Archeological District is located west of Paxson, Alaska on the Denali Highway. This area is open to motorized vehicle use from October 16 through May 15 and closed to use from May 16 through October 15, except on designated roads and trails (see list below), to protect cultural resources values.

2. Use Limited to Designated Roads and Trails

Vehicle use in this area is permitted on designated roads and trails which are identified with signs and on maps.

Within the Tangle Lakes Archeological District, the following roads and trails will be open to off-road vehicles use.

1. Maclaren River Road.
2. Sevenmile Lake Trail.
3. Osar Lake Trail (south of Denali Highway).
4. Swede Lake Trail (to Middle Fork of the Gulkana River).
5. Landmark Gap Trail (to a designated point approximately one-fourth mile south of Land Mark Gap Lake).
6. Glacier Lake Trail (to a designated point approximately one-fourth mile south of Glacier Lake).

The following additional trails may be opened in the future as archeological clearances and appropriate mitigations are completed:

1. Middle Fork Gulkana River Branch Trail to Dickey Lake and Alphabet Hill (clearance/mitigation scheduled for completion by August 1, 1980).
2. Landmark Gap Trail (south of Denali Highway).
3. Glacier Lake Trail (final one-fourth mile).
4. Osar Lake Trail (north of Denali Highway).

These designations become effective upon publication in the **Federal Register** and will remain in effect until rescinded or modified by the authorized officer. An environmental assessment describing the impact of these designations is available for inspection at the offices listed below.

ADDRESS:

District Manager, Anchorage District Office, 4700 East 72nd Avenue, Anchorage, Alaska 99507.

Area Manager, Glennallen Resource Area, Glennallen, Alaska 99588.

Darryl Fish,

Glennallen Resource Area Manager.

Donovan Yingst,

Acting Anchorage District Manager.

[FR Doc. 80-26609 Filed 9-5-80; 8:45 am]

BILLING CODE 4310-84-M

California; Emergency Closure of Public Lands

Notice is hereby given that effective immediately all public lands in Section 17 and 18 T. 1N., R. 27E., M.D.M., located north of the maintained gravel/dirt road transversing diagonally from near the west quarter corner of Section 18 to the extreme southwest corner of Section 17, and east of the mining access road which parallels the west section line north from the west quarter corner of Section 18 with the exception of the designated parking area, are closed to vehicle access. (See accompanying map.)

The purpose of this closure is to protect the fragile Mono Lake tufa towers from damage by motor vehicles.

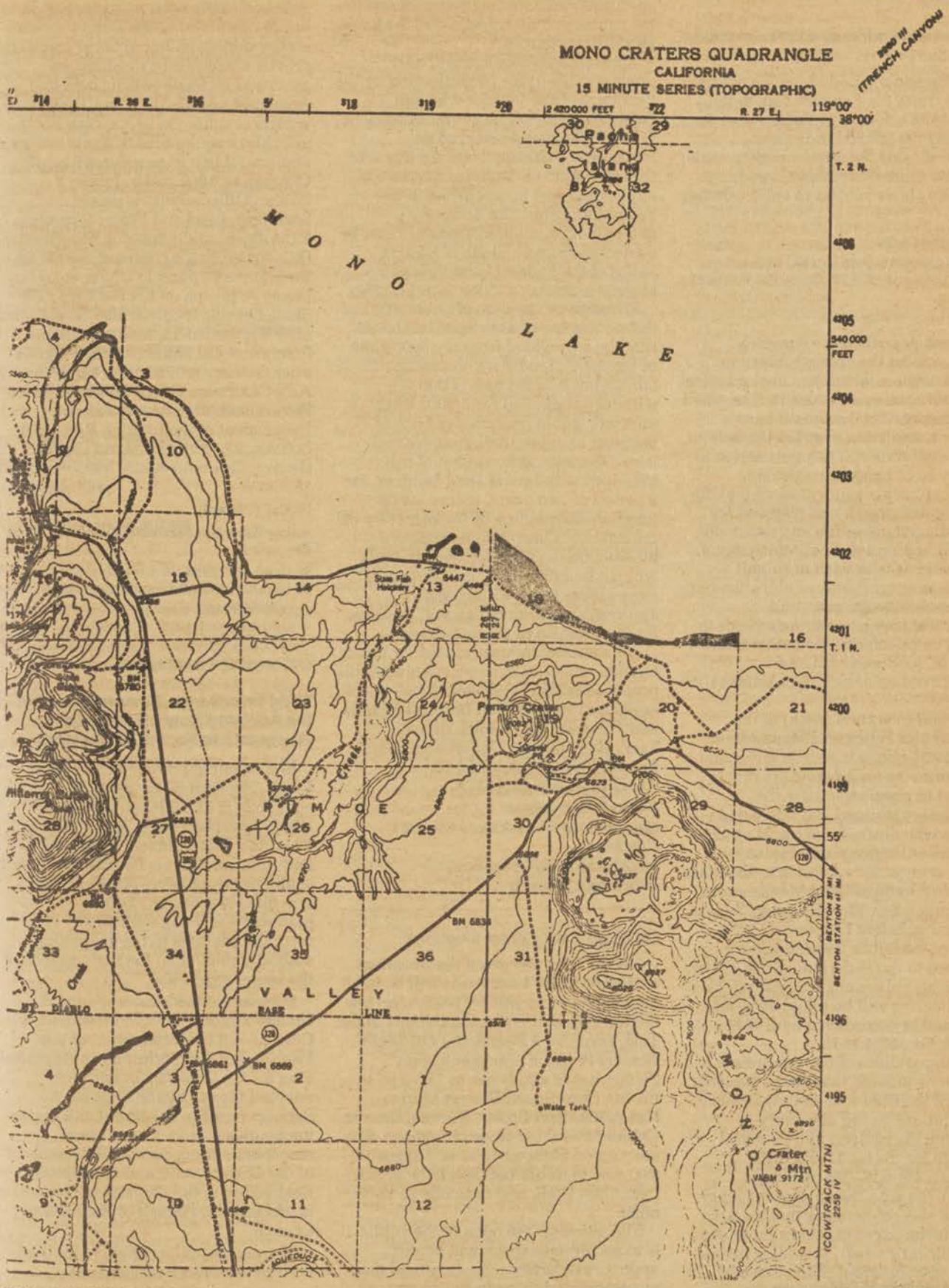
Authority for this closure is under Title 43 CFR 8341.2 and will be in effect until motor vehicle designations for the Benton-Owens Valley planning are implemented.

Carol Kinderknecht

Acting District Manager.

August 22, 1980.

BILLING CODE 4310-84-M



[FR Doc. 80-27456 Filed 9-5-80; 8:45 am]

BILLING CODE 4310-84-C

[F-023812]

Proposed Withdrawal and Reservation of Lands

The Bureau of Land Management, on May 13, 1980, filed application, Serial No. F-023812, for the withdrawal of the following described lands from settlement, sale, location, or entry, under all of the general land laws, including the mining laws subject to valid existing rights:

Minchumina Area

U.S. Survey No. 2655 located in fractional Secs. 5, 8, and 17, T. 12 S., R. 24 W., Fairbanks Meridian.

Containing 690.26 acres.

The lands described are currently withdrawn for the Federal Aviation Administration, which has filed a notice of intent to relinquish the site. The effect of the proposed order would be to transfer jurisdiction over the lands from the Federal Aviation Administration to the Bureau of Land Management.

The applicant agency desires that the lands be withdrawn and reserved for the continued operation and expansion of the fire control base at Minchumina.

All persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned authorized officer of the Bureau of Land Management on or before October 14, 1980.

Pursuant to section 204(h) of the Federal Land Policy and Management Act of 1976, notice is hereby given that an opportunity for a public hearing is afforded in connection with the proposed withdrawal. All interested persons who desire to be heard on the proposed withdrawal must submit a written request for a hearing to the State Director, Bureau of Land Management, 701 C Street, Box 13, Anchorage, Alaska 99513, on or before October 14, 1980. Notice of the public hearing will be published in the **Federal Register** giving the time and place of such hearing. The public hearing will be scheduled and conducted in accordance with BLM Manual, Sec. 2351.16 B.

The Department of the Interior's regulations provide that the authorized officer of the BLM will undertake such investigations as are necessary to determine the existing and potential demands for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of assuring that the area sought is the minimum essential to meet the applicant's needs, providing for the maximum concurrent utilization of the lands for purposes other than the applicant's and reaching agreement on the concurrent management of the lands and their resources.

The authorized officer will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn and reserved as requested by the applicant agency. The determination of the Secretary on the application will be published in the **Federal Register**. The Secretary's determination shall, in a proper case, be subject to the provisions of Section 204(c) of the Federal Land Policy and Management Act of 1976, 90 Stat. 2752.

Effective on the date of publication of this notice, the above-described lands shall be segregated from the operation of the public land laws, including the mining laws, to the extent that the withdrawal applied for, if and when effected, would prevent any form of disposal or appropriation under such laws. The segregative effect of this proposed withdrawal shall continue for a period of two years, unless sooner terminated by action of the Secretary of the Interior. Current administrative jurisdiction over the segregated lands will not be affected by the temporary segregation. If the withdrawal is approved, the segregation will continue for the duration of the withdrawal.

All communications (except for public hearing requests) in connection with this proposed withdrawal should be addressed to the Chief, Branch of Lands and Minerals Operations, Bureau of Land Management, Department of the Interior, 701 C Street, Box 13, Anchorage, Alaska 99513.

Robert E. Sorenson,

Chief, Branch of Lands and Minerals Operations.

[FR Doc. 80-27455 Filed 9-5-80; 8:45 am]

BILLING CODE 4310-84-M

Oil Shale Task Force; Meetings

Notice is hereby given that meetings of the Oil Shale Task Force will be held on September 18 and 19, 1980, to review the findings and recommendations of the Task Force for a Permanent Oil Shale Leasing Program. The meeting on September 18 will begin at 7:00 p.m. in the Big Horn Room, Denver Marina Hotel, 303 West Colfax Avenue, Denver, Colorado, and conclude at 9:00 p.m. The meeting on September 19 will begin at 9:00 a.m. in Room 128, Salt Palace, Salt Lake City, Utah, and conclude at 12:00 noon.

The meetings are open to the public. It is expected that space will permit approximately 50 people to attend the meetings in addition to Task Force members. Interested persons may make brief presentations. Written comments on the subject matter of these meetings, previous Task Force meetings on prototype oil shale leasing held on August 26 and 27, 1980, and Task Force reports or other Oil Shale Task Force activities may be filed at the meetings announced herein or submitted until October 31, 1980, to Mr. Jeffrey F. Zabler, Office of the Assistant Secretary, Land and Water Resources, Department of the Interior, Washington, D.C. 20240. Single copies of the Oil Shale Task Force Reports to Under Secretary James A. Joseph on the Prototype Oil Shale Leasing Program may be obtained after September 15, 1980, and on the Permanent Oil Shale Leasing Program after October 8, 1980, from Mr. Henry O. Ash, Chairman, Office of the Oil Shale Environmental Advisory Panel, Department of the Interior, Room 690, Building 67, Denver Federal Center, Denver, Colorado 80225, telephone (303) 234-3275.

Daniel P. Beard,

Acting Assistant Secretary, Land and Water Resources.

September 2, 1980.

[FR Doc. 80-27459 Filed 9-5-80; 8:45 am]

BILLING CODE 4310-84-M

Office of the Secretary

SES Performance Review Board for the Advisory Council on Historic Preservation; Names of Members

Sec. 4314(c)(1) through (5) of title 5, U.S.C., requires each agency to establish, in accordance with regulations prescribed by the Office of Personnel Management, one or more Performance Review Boards. The board shall review and evaluate the initial appraisal of a senior executive's performance, along with any recommendations to the appointing authority relative to the performance of the senior executive.

Pursuant to the Memorandum of Understanding between the Advisory Council and the Department of the Interior, the SES Performance Appraisal Plan for the Department has been adopted for use by the Council. A Performance Review Board will review the appraisal, award, and bonus recommendations for the SES members of the Council staff, and recommend final action to the Chairman. This notice is processed on behalf of the Advisory Council.

The names of the members for this Performance Review Board are:

Richard H. Broun, Director, Office of Environmental Quality, Department of Housing and Urban Development
Calvin W. Carter, Vice Chairman, Advisory Council on Historic Preservation
Barry Flamm, Director, Office of Environmental Quality, Department of Agriculture
George M. White, Architect of the Capitol

For further information, contact Thomas M. Gernhofer, Chief, Branch of Policies and Programs, Division of Personnel Services (202–343–6793); mailing address: Department of the Interior (PSO–P), Washington, DC 20240.

Dated August 29, 1980.

William L. Carpenter,

Acting Deputy Assistant Secretary—Policy, Budget and Administration.

[FR Doc. 80–27514 Filed 9–5–80; 8:45 am]

BILLING CODE 4310–10–M

INTERSTATE COMMERCE COMMISSION

[Notice No. 194]

Assignment of Hearings

August 25, 1980.

Cases assigned for hearing, postponement, cancellation or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested.

MC 140163 (Sub-3F), Post & Sons Transfer, Inc., now assigned September 10, 1980, at Seattle, WA, will be held in Room 2866, Federal Building, 915 Second Avenue.

MC 136711 (Sub-41F), McCorkle Truck Line, Inc., now assigned September 8, 1980, at Kansas City, MO, will be held in Room No. 609, 911 Walnut Street, Federal Building.

MC 41432 (Sub-160F), East Texas Motor Freight Lines, Inc., now assigned September 2, 1980, at Kansas City, MO, will be held in Room No. 609, 911 Walnut Street, Federal Building.

MC 145733 (Sub-2F), American Auto Shippers, now assigned September 22, 1980, at New York, NY, will be held in Room No. F–2220, Federal Building, 26 Federal Plaza.

MC 141441 (Sub-4F), Crocker Truck Lines, Inc., now assigned September 22, 1980, at Spokane, WA, will be held in Room 752, U.S. Courthouse, West 920 Riverside.

MC 142416 (Sub-6F), Hamilton Transfer, Storage & Feeds, Inc., now assigned for hearing on September 29, 1980 at Cheyenne, WY, will be held at the O'Mahoney Building, GSA Conference Room, 2120 Capitol Avenue.

MC 118038 (Sub-16F), Easley Hauling Service, Inc., now assigned for hearing on September 29, 1980 at Yakima, WA, will be held at the Pacific Power & Light, 7 North 3rd Street.

MC 2960 (Sub-28F), England Transportation Company of Texas, now assigned for hearing on October 28, 1980 (9 days) at Oklahoma City, OK, in a hearing room to be later designated.

MC 107678 (Sub-71F), Hill & Hill Truck Line, Inc., now assigned for hearing on October 28, 1980 (9 days) at San Francisco, CA, in a hearing room to be later designated.

MC 118457 (Sub-30F), Robbins Distributing Company, Inc., now assigned for hearing on October 1, 1980 (3 days) at Milwaukee, WI, in a hearing room to be later designated.

MC 95540 (Sub-1105F), Watkins Motor Lines, Inc., now assigned for hearing on October 6, 1980 (5 days) at Milwaukee, WI, in a hearing room to be later designated.

MC 128951 (Sub-26F), Robert H. Dittrich, d.b.a. Bob Dittrich Trucking, now assigned for hearing on October 22, 1980 (2 days) at St. Paul, MN, in a hearing room to be later designated.

MC 140024 (Sub-166F), J. B. Montgomery, Inc., now assigned for hearing on October 28, 1980 (4 days) at Pittsburgh, PA, in a hearing room to be later designated.

MC 147281 (Sub-2F), Robert G. Willment and Edward J. Blyzwick Jr. d.b.a. Keyston Air Freight, now assigned for hearing on November 3, 1980 (1 week) at Pittsburgh, PA, in a hearing room to be later designated.

MC 138878 (Sub-8F), John S. Watson, d.b.a. John S. Watson Trucking Co. now being assigned for hearing on October 7, 1980 (4 days) at Charleston, WV, location of hearing room will be designated later.

MC 61592 (Sub-475F), Jenkins Truck Line, Inc., now being assigned for hearing on November 4, 1980 (2 days) at Chicago, IL, location of hearing room will be designated later.

MC 119493 (Sub-275F), Monkem Company, Inc., now assigned for hearing November 4, 1980 at Chicago, IL, is cancelled and application dismissed.

MC 115841 (Sub-752F), Colonial Refrigerated Transportation, Inc., now being assigned for hearing on October 29, 1980 (3 days) at San Antonio, TX, location of hearing room will be designated later.

MC 31389 (Sub-284F), McLean Trucking, now being assigned for hearing on November 3, 1980 at Fort Worth, TX, location of hearing room will be designated later.

MC 100666 (Sub-511F), Melton Truck Lines, Inc., application is dismissed.

MC 59206 (Sub-25F), Holland Motor Express, Inc., is transferred to Modified Procedure.

MC 140829 (Sub-313F), Cargo, Inc., is transferred to Modified Procedure.

MC 44605 (Sub-52F), Milne Truck Lines, Inc., now assigned for hearing on November 3, 1980 (5 days) at Salt Lake City, UT, at the Tri-Arc Travel Lodge, 161 West 6th South.

MC 9291 (Sub-11F), Carrol Ball Transport, Inc., now assigned for hearing on September 24, 1980 (2 days) at Kansas City, MO, in Room No. 609, Federal Building, 911 Walnut Street.

MC 9291 (Sub-12F), Carrol Ball Transport, Inc., now assigned for hearing on September 23, 1980 (1 day) at Kansas City, MO, in Room No. 609, Federal Building, 911 Walnut Street.

MC 106839 (Sub-8F), Larsen Motor Lines, Inc., now assigned for hearing on September 9, 1980 at New Orleans, LA, in Room No. 125, Hale Boggs Federal Building, 500 Camp Steet

MC 14252 (Sub-61F), Commercial Lovelace Motor Freight, Inc., now assigned for hearing on September 23, 1980 (4 days) at Indianapolis, IN, at the Conference Room No. 284, New Federal Bldg., 575 North Pennsylvania Street.

MC 2934 (Sub-24F), Aero Mayflower Transit Company, Inc., now assigned for hearing on September 22, 1980 at Los Angeles, CA, is cancelled and application dismissed.

MC 35628 (Sub-429F), Interstate MOTOR FREIGHT SYSTEM, now assigned for Prehearing Conference on September 22, 1980 at the Offices of the Intersate Commerce Commission at Washington, D.C. is cancelled and Application dismissed.

MC 32882 (Sub-138F), Mitchell Bros. Truck Lines, an Oregon Corporation, now being assigned for hearing on October 28, 1980 (2 weeks) at Portland, OR, location of hearing room will be designated later.

MC 121658 (Sub-13F), Steve D. Thompson Trucking Inc., now assigned for hearing on September 3, 1980 (2 days) at Austin, TX, will be held at the Railroad Commission of Texas, 1124 South I–H 35.

MC 74164 (Sub-7F), West Farms Express, Inc., now assigned for hearing on September 9, 1980 at New York, NY, is postponed to October 28, 1980 (4 days) at New York, NY in a hearing room to be later designated.

MC 112520 (Sub-379F), McKenzie Tank Lines, Inc., application is dismissed.

MC 119349 (Sub-20F), Startling Transport Lines, Inc., now assigned for hearing on October 8, 1980 at New York, NY, is canceled and application is dismissed.

MC 135070 (Sub-47F), Jay Lines, Inc., now assigned for hearing on October 20, 1980 at Fort Worth, TX, is canceled and reassigned to October 20, 1980 (5 days) at Amarillo, TX in a hearing room to be later designated.

MC 94201 (Sub-177F), Bowman Transportation, Inc., is transferred to Modified Procedure.

MC 78228 (Sub-134F), J. Miller Express, Inc., is transferred to Modified Procedure.

MC 10343 (Sub-37F), Churchill Truck Lines, Inc., is transferred to Modified Procedure.

MC 119493 (Sub-312F), Monkem Company, Inc., application is dismissed.

MC-F-14236F, Graves Truck Line, Inc.—Purchase—Stewart Motor Freight, Inc., MC 53965 (Sub-168F), Graves Truck Line, Inc., MC 53965 (Sub-156F), Graves Truck Line, Inc., now assigned for hearing on September 16, 1980 at Salina, KS, will be held in the Mid America Inn, 1846 North 9th Street.

MC 140389 (Sub-57F), Osborn Transportation, Inc., now assigned for hearing on

December 12, 1980 (9 days) at Atlanta, GA, in a hearing room to be later designated.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 80-27445 Filed 9-5-80; 8:45 am]

BILLING CODE 7035-01-M

[Notice No. 44]

Motor Carrier Temporary Authority Applications

The following are notices of filing of applications for temporary authority under Section 210a(a) of the Interstate Commerce Act provided for under the provisions of 49 CFR 1131.3. These rules provide that an original and six (6) copies of protests to an application may be filed with the filed officials named in the **Federal Register** publication no later than the 15th calendar day after the date the notice of the filing of the application is published in the **Federal Register.** One copy of the protest must be served on the applicant, or its authorized representative, if any, and the protestant must certify that such service has been made. The protest must identify the operating authority upon which it is predicated, specifying the "MC" docket and "Sub" number and quoting and particular portion of authority upon which it relies. Also, the protestant shall specify the service it can and will provide and the amount and type of equipment it will make available for use in connection with the service contemplated by the TA application. The weight accorded a protest shall be governed by the completeness and pertinence of the protestant's information.

Except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the ICC Field Office to which protests are to be transmitted.

Note.—All applications seek authority to operate as a common carrier over irregular routes except as otherwise noted.

Motor Carriers of Property

Republication

MC 115826 (Sub-No. 556TA), filed October 18, 1980. Applicant: W. J. DIGBY, INC., 6015 East 58th Ave., Commerce City, CO 80022. Representative: Jack B. Wolfe, 350 Capitol Life Center, 1600 Sherman St., Denver, CO 80203. By decision of July 21, 1980, Review Board Number 2 acting on applicant's petition, granted authority to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Foodstuffs and material, equipment and supplies used by a manufacturer of foodstuffs, from Los Angeles, CA, and points in its commercial zone, to points in OH, GA, and KY, for 180 days. The above described request for authority was published in the **Federal Register** on December 12, 1979, but the destination states of OK and CA were shown in lieu of OH and GA. Any interested party may file a petition for reconsideration on or before 20 calendar days from the date this notice is published. Send petitions for reconsideration to: The Secretary, Interstate Commerce Commission, Washington, DC 20423.

By the Commission.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 80-27451 Filed 9-5-80; 8:45 am]

BILLING CODE 7035-01-M

Motor Carrier Temporary Authority Application

The following are notices of filing of applications for temporary authority under Section 10928 of the Interstate Commerce Act and in accordance with the provisions of 49 CFR 1131.3. These rules provide that an original and two (2) copies of protests to an application may be filed with the Regional Office named in the **Federal Register** publication no later than the 15th calendar day after the date the notice of the filing of the application is published in the **Federal Register.** One copy of the protest must be served on the applicant, or its authorized representative, if any, and the protestant must certify that such service has been made. The protest must identify the operating authority upon which it is predicated, specifying the "MC" docket and "Sub" number and quoting the particular portion of authority upon which it relies. Also, the protestant shall specify the service it can and will provide and the amount and type of equipment it will make available for use in connection with the service contemplated by the TA application. The weight accorded a protest shall be governed by the completeness and pertinence of the protestant's information.

Except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

A copy of the application is on file, and can be examined at the ICC Regional Office to which protests are to be transmitted.

Note.—All applications seek authority to operate as a common carrier over irregular routes except as otherwise noted.

Motor Carriers of Property

Notice No. F-54

The following applications were filed in Region I. Send protests to: Regional Authority Center, Interstate Commerce Commission, 150 Causeway St., Rm. 501, Boston, MA 02114.

MC 151632 (Sub-1-TA), filed August 26, 1980. Applicant: EASTWOOD CARRIERS, INC., P.O. Box 1073, Lockhouse Road, Westfield, MA 01086. Representative: James M. Burns, 1383 Main Street, Suite 413, Springfield, MA 01103. *Iron and Steel articles and machinery used in the manufacture of such commodities,* between points in Henry County and Cook County, IL, Worcester County, MS, Alleghany County, MD, York County, ME, Erie County, NY, Stark County, OH, and Beaver County, PA. Supporting shipper: Peterson Steel Corp., 61 West Mountain Street, Worcester, MA 01606.

MC 149367 (Sub-1-5TA), filed August 27, 1980. Applicant: TRAFIK SERVICES, INC., 11 Newark Street, Providence, RI 02908. Representative: A. Joseph Mega, 11 Newark Street, Providence, RI 02908. *Contract carrier,* irregular routes: *Plastic Articles including Hospital Supplies and Raw Materials used in the manufacture thereof* between all points in the United States under a continuing contract(s) with the Superior Plastics Products Company of Cumberland, RI. Supporting shipper: Superior Plastics Products Company, Cumberland Industrial Park, Cumberland, RI 02864.

MC 151667 (Sub-1-1TA), filed August 27, 1980, Applicant: J. F. LOMMA, INC., 125 Adams Street, South Kearny, NJ 07032. Representative: John L. Alfano, Esq., Alfano & Alfano, P.C., 550 Mamaroneck Avenue, Harrison, NY 10528. *Railroad Cars and Parts,* between Baltimore, MD, New York, NY, and Philadelphia, PA, on the one hand, and on the other, Cleveland, OH. Supporting shipper: Costa Line Cargo Services, Inc., 26 Broadway, New York, NY 10004.

MC 151675 (Sub-1-1TA), filed August 28, 1980. Applicant: NORTH JERSEY TRANSFER, INC., P.O. Box 292, Sparta, NJ 07871. Representative: Fred M. Finkle, P.O. Box 292, Sparta, NJ 07871. *Insulation, sound deadening, and fireproofing materials and equipment and equipment, materials, and supplies used in the manufacture and installation thereof (except in bulk)* between points

in CT, DE, MA, MD, ME, NH, NJ, NY, OH, PA, RI, VA, VT, WV, and DC, restricted to traffic originating or destined to facilities of United States Mineral Products Company. Supporting shipper: United States Mineral Products Co., Furnace Street, Stanhope, NJ 07874.

MC 151674 (Sub-1-1TA), filed August 28, 1980. Applicant: TRANSMODAL, INC., P.O. Box 195, Cowansville, Quebec, Canada J2K 3H6. Representative: Robert B. Pepper, 168 Woodbridge Avenue, Highland Park, NJ 08904. *Contract carrier,* irregular routes: *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,* between St. Albans, VT, on the one hand, and, on the other, the ports of entry of the international boundary line between the United States and Canada. Service is restricted to traffic having a prior or subsequent movement by rail. Supporting shipper: Central Vermont Railway, Inc., 2 Federal Street, St. Albans, VT 05478.

MC 150360 (Sub-1-2TA), filed August 28, 1980. Applicant: KENNEDY CO., INC. d.b.a. BRENNAN TRANSPORTATION SERVICES, Pike Road, Mt. Laurel, NJ 08054. Representative: Raymond A. Thistle, Jr., Five Cottman Court, Homestead Rd and Cottman St., Jenkintown, PA 19046. *Pharmaceutical Tablets* from the facilities of PACO Packaging, Inc., Lakewood, NJ to Philadelphia, PA commercial zone. Supporting shipper: PACO Packaging, Inc., RT. 70 and Corporate Highway, Lakewood, NJ 08701.

MC 143236 (Sub-I-9TA), filed August 28, 1980. Applicant: WHITE TIGER TRANSPORTATION CO., INC., 40 Hackensack Ave., Kearny, NJ 07032. Representative: Brock Adams, 1919 Pennsylvania Ave. NW., Suite 850, Washington, DC 20006. *Such commodities as are dealt in or used by department stores,* between points in the US. Supporting shippers: (1) Toys 'R' Us, 395 W. Passaic Ave., Rochelle Park, NJ 07662. (2) Child World, 25 Littlefield Rd., Avon, MA 02322.

MC 125440 (Sub-1-1TA), filed August 28, 1980. Applicant: CONCRETE TRUCKING, INC., 50 James Street, Somerville, NJ 08876. Representative: Raymond P. Keigher, Esq., 401 E. Jefferson Street, Suite 102, Rockville, MD 20850. *Contract carrier,* irregular routes: *Precast and prestressed concrete, materials, equipment and supplies used in the manufacture or distribution of precast and prestressed concrete,* from Baltimore, Odenton and Whitemarsh, MD, to points in CT, DE, DC, NJ, NY, NC, PA, SC and VA; from Morrisville, PA, to points in CT, NC, SC and VA, under a continuing contract(s) with Strescon Industries, Inc. Supporting shipper: Strescon Industries, Inc., 3501 Sinclair Lane, Baltimore, MD 21213.

MC 36517 (Sub-1-1TA), filed August 28, 1980. Applicant: JAMES J. KEATING, INC., P.O. Box 830, Perth Amboy, NJ 08862. Representative: Robert B. Pepper, 168 Woodbridge Avenue, Highland Park, NJ 08904. *Sodium Methylate, in bulk, in tank vehicles* between Niagara Falls, NY, on the one hand, and, on the other, New York, NY and Baltimore, MD Commercial Zones. Supporting shipper: Olin Chemicals Group, 120 Long Ridge Road, Stamford, CT 06904.

MC 143223 (Sub-1-1TA), filed August 29, 1980. Applicant: CARL CRAWFORD, d.b.a. CRAWFORD MOBILE HOMES, North Road, Houlton, ME 04730. Representative: John R. McKernan, Jr., Verrill & Dana, Two Canal Plaza, Portland, ME 04112. *Contract carrier,* irregular routes: *Modular homes in initial movements in truckaway service,* from Pine Grove, PA to points in NY, CT, VT, NH, MA, and RI, under a continuing contract with APECO Corporation, Newport Homes Division of Pine Grove, PA. Supporting shipper: Newport Homes, Rt #443, Pine Grove, PA 17963.

MC 120818 (Sub-1-1TA), filed August 28, 1980. Applicant: ALLFREIGHT LINES, INC., 309 New Boston Street, Woburn, MA 01888. Representative: Robert G. Parks, 20 Walnut Street, Suite 101, Wellesley Hills, MA 02181. *Iron and steel articles, and equipment, material and supplies used in their manufacture, processing and distribution,* between points in MA, on the one hand, and, on the other, points in CT, DE, MD, ME, NH, NJ, NY, PA, RI, and VT. Supporting shippers: Precision Steel Corp., Eastern Avenue, Malden, MA 02148; Atlantic Steel Co., Inc., 69 Norman Street, Everett, MA 02149; Northern Steel Corp., 80 Gibson Street, Medford, MA 02155; American Chain Link Fence Co. Inc., 24 Ship Avenue, Medford, MA 02155.

MC 151335 (Sub-1-2TA), republication, filed August 8, 1980. Applicant: H D H TRUCKING, INC., 1172 Smithfield Road, North Smithfield, RI 02895. Representative: A. Joseph Mega, 175 Forbes Street, East Providence, RI 02915. *Contract,* irregular: *Cement pipe and raw materials and supplies used in the manufacture thereof* from the International border at or near Rousses Point, NY, Swanton, VT, Derby Line, VT, to all points in the United States on and east of US Hwy 55. Also *defective and refused pipe and raw materials and supplies used in the manufacture of cement pipe* from all points in the United States on and east of US Hwy 55 to the International border at Rousses Point, NY, Swanton, VT, Derby Line, VT. Supporting shipper: Gelinite Perma Por Corp., Iron Mine Hill Road, North Smithfield, RI 02895.

MC 151408 (Sub-1-4TA), filed August 27, 1980. Applicant: CARGO TRANSPORT, INC., 100 Garfield Avenue, P.O. Box 268, Somerville, MA 02143. Representative: William F. Mix, 153 Grove Street, Lexington, MA 02173. *Refractory lining materials, supplies and accessories used in the manufacture, installation and sale thereof, (except commodities in bulk),* between Belmont, Ma; Lewiston, Me.; Montpelier, Vt.; and Troy, N.Y.; on the one hand, and on the other, points in Me., NH., Vt., Ma., R.I., Ct., N.Y., N.J., Pa., Oh., Md., and De. Supporting shipper(s): Eastern Refractories Co., Inc., 20 Flanders Rd., Belmont, MA 02178.

MC 59655 (Sub-1-5TA), filed August 28, 1980. Applicant: SHEEHAN CARRIERS, INC., 62 Lime Kiln Road, Suffern, NY 10901. Representative: George A. Olsen, P.O. Box 357, Gladstone, NJ 07934. *Such commodities as are dealt in or used by manufacturers and distributors of containers, container ends and closures (except commodities in bulk),* between those points in the US in and east of ND, SD, NE, CO, and NM. Supporting shipper(s): There are 8 statements in support attached to this application which may be examined at the I.C.C. Regional Office in Boston, MA.

MC 141932 (Sub-1-10TA), filed August 28, 1980. Applicant: POLAR TRANSPORT, INC., 176 King Street, Hanover, MA 02339. Representative: A. C. Gardner, 176 King Street, Hanover, MA 02339. *Foodstuffs and Kindred Products,* between Memphis, TN and all points in or East of MN, IA, MO, OK and TX. Supporting shipper: Adams Packing Association, Inc., P.O. Box 37, Auburndale, FL 33823.

MC 128343 (Sub-1-13TA), filed August 28, 1980. Applicant: C-LINE, INC., 340 Jefferson Blvd., Warwick, RI 02888. Representative: Ronald N. Cobert, 1730 M Street, NW—Suite 501, Washington, DC 20036. *Contract carrier,* irregular routes: *General commodities* (except household goods as defined by the commission and Classes A and B explosives), between NJ, NY and PA, on the one hand, and, on the other, AZ, CA, GA, IL, KS, MN, MO, OR, TX and WA, under continuing contract with Jewelers Shipping Association of Cranston, RI. Supporting shipper: Jewelers Shipping Association, 125 Carlsbad St., Cranston, RI 02920.

MC 124905 (Sub-1-1TA), filed August 29, 1980. Applicant: GARY W. GRAY, P.O. Box 48, Delaware, NJ 07823. Representative: Joseph F. Keating, Jr., 121 S. Main Street, Taylor, PA 18517. *Scrap Metal,* from Easton, PA to Port Newark, Newark, Perth Amboy, Raritan & Florence, NJ. Supporting shipper: Easton Iron & Metal Co., 1100 Bushkill Dr., Easton, PA 18042.

MC 103210 (Sub-1-1TA), filed August 29, 1980. Applicant: SERVICE BUS CO. INC., 845 Nepperhan Avenue, Yonkers, N.Y. 10703. Representative: Sidney J. Leshin, 575 Madison Avenue, New York, N.Y. 10022. *Passengers in non-scheduled special round trip operations,* beginning and ending at points in the counties of Westchester, Putnam, Dutchess, Rockland and Bronx, NY and extending to Atlantic City, NJ. Supporting Shipper: There are 6 statements in support of this application which may be examined at the I.C.C. Regional Office in Boston, MA.

MC 59640 (Sub-1-9TA), filed August 29, 1980. Applicant: PAULS TRUCKING CORPORATION, Three Commerce Drive, Cranford, NJ 07016. Representative: Michael A. Beam, 301 Blair Road, Woodbridge, NJ 07095. *Contract carrier,* irregular routes: *Paperboard, in rolls, disposable dishes, plates and trays, and scrap paper,* between Brentwood, NY, on the one hand, and, on the other, Indianapolis, IN, New Orleans, LA, South Lee, MA, Detroit, MI, Minneapolis, MN, St. Louis, MO, Columbus, OH, and Columbus, WI, under a continuing contract(s) with Carnation Paper Products Corporation, Brentwood, NY. Supporting shipper: Carnation Paper Products Corporation, 86 Emjay Boulevard, Brentwood, NY 11717.

MC 151408 (Sub-1-3TA), filed August 27, 1980. Applicant: CARGO TRANSPORT, INC., 100 Garfield Avenue, P.O. Box 268, Somerville, MA 02143. Representative: William F. Mix, 153 Grove Street, Lexington, MA 02173. *Building materials, and materials, supplies and equipment used in the sale, distribution and handling thereof (except materials in bulk and Classes A and B explosives),* between points in the US in and east of the states of MN, IA, MO, AR, TX. Supporting shipper: James H. Boyle & Son, Inc., 77 Ferry Street, Everett, MA 02149.

MC 93147 (Sub-1-6TA), filed August 25, 1980. Applicant: DELTA TRANSPORT CORPORATION, 840 Union Street, P.O. Box 546, West Springfield, MA 01089. Representative: James M. Burns, 1383 Main Street—Suite 413, Springfield, MA 01103. *Brakes, railway and parts thereof, power pumps, and parts thereof, castings, racks, steel, and other than steel, agriculture implements and parts thereof, and materials, equipment and supplies used in the manufacture, distribution and sale of such commodities,* between Jefferson City, NY and points in the contiguous 48 states. Supporting shipper: New York Air Brake Company, a Unit of General Signal, Starbuck Avenue, Watertown, NY 13601.

MC 61502 (Sub-1-1TA), filed August 22, 1980. Applicant: WM. McCULLOUGH TRANSPORTATION CO., INC., 1130 U.S. Highway 1, Elizabeth, NJ 07102. Representative: Ronald I. Shapss, Esq., 450 Seventh Avenue, New York, NY 10001. *General commodities, with the usual exceptions,* between the Commercial Zone of Baltimore, MD, on the one hand, and, on the other, Philadelphia, PA. Applicant intends to tack this authority with its existing authority. Supporting shipper(s): Puerto Rico Marine Management, Inc., P.O. Box 1910, Elizabeth, NJ 07207; Prudential Lines, Inc., One World Trade Center, New York, NY 10048.

MC 92371 (Sub-1-1TA), filed August 22, 1980. Applicant: SHEARERS EXPRESS, INC., P.O. Box 189, Oneonta, NY 13820. Representative: Neil D. Breslin, Esq., 600 Broadway, Albany, NY 12207. *Sand and gravel spreaders, machinery and parts,* from Oneonta, NY, to all points in the following states: ME, NH, VT, CT, RI, MA, NY, PA, NJ, MD, VA, WV, DC, OH, IL, IN, IA. Supporting shipper: Highway Equipment Co., 179 River Street, Oneonta, NY 13820.

MC 119103 (Sub-1-2TA), filed August 22, 1980. Applicant: J. E. FORTIN TRANSPORT, INC., 116 Fortin Boulevard, St. Bernard de Lacolle, Quebec JOJ 1VO, Canada. Represenative: W. Norman Charles, P.O. Box 724, Glens Falls, NY 12801. *Fruit juice and fruit juice concentrates,* in vehicles equipped with mechanical refrigeration, from Bartow, Howey-in-the-Hills, Plymouth, Umatilla, and Winter Haven, FL, to port of entry on the United States—Canada boundary line at or near Champlain, NY. Supporting Shipper: Dominion Stores, Ltd, 3195 Bedford Road, Montreal, Quebec, Canada.

MC 95336 (Sub-1-2TA), filed August 22, 1980. Applicant: J. B. WILLIAMS EXPRESS, INC., P.O. Box V, Williamsburgh Station, Brooklyn, NY 11211. Representative: Piken & Piken, Esqs., Queens Office Tower, 95-25 Queens Boulevard, Rego Park, NY 11374. *General commodities,* with the usual exceptions, between points in CT, on the one hand, and, on the other, points in MA and RI and to permit tacking with present authorities in Docket No. MC 95336 and sub numbers. Supporting shippers: There are fifteen (15) supporting statements.

MC 151634 (Sub-1-1TA), filed August 22, 1980. Applicant: GOLDEN COACH, A.C. INC., Boston at Pacific, P.O. Box 1737, Atlantic City, NJ 08404. Representative: Larsh B. Mewhinney, Esq., Moore, Berson Lifflander & Mewhinney, 555 Madison Avenue, New York, NY 10022. *Passengers and their baggage,* in special operations, between points in CT, DE, MD, NJ, NY, PA, VA and DC, on the one hand, and, on the other, the facilities of GNAC, Corp. at Atlantic City, NJ. Supporting shippers: There are (12) twelve supporting statements to this application.

MC 151631 (Sub-1-1TA), filed August 22, 1980. Applicant: AMERICAN MESSENGER SERVICE, INC., 160 Lake Avenue, Manchester, NH 03105. Representative: Susan M. Vercillo, Esq., Devine, Millimet, Stahl & Branch, Professional Association, 1850 Elm Street, Manchester, NH 03105. *Contract carrier,* irregular routes: *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),* between all points and places within and between the States of NH, ME and MA. Supporting shippers(s): Granite State Stamps, Inc., P.O. Box 1121, 1261 Elm Street, Manchester, NH 03105; Charles Frank, Inc., P.O. Box 1105, Manchester, NH 03105.

MC 59457 (Sub-1-3TA), filed August 22, 1980. Applicant: SORENSEN TRANSPORTATION COMPANY, INC., 6 Old Amity Road, Bethany, CT 06525. Representative: Hugh M. Joseloff, P.O. Box 325B, Hartford, CT 06103. *Printed matter and equipment, materials and supplies used in the manufacture and distribution or sale of printed matter,* between Maryville, MO, on the one hand, and, on the other, Townsend, Auburn and Springfield, MA, Petersboro, NH, and East Rutherford, NJ. Supporting shipper: New England Business Service, Inc., N. Main Street, Groton, MA 01450.

MC 146479 (Sub-1-5TA), filed August 11, 1980. Applicant: HARRISON CARRIERS, INC., P.O. Box 367, Harrison, New York 10528. Representative: David M. Marshall, Marshall and Marshall, 101 State Street, Suite 304, Springfiled, MA 01103. *Artificial Christmas trees and wreathes, ornaments and novelties,* from East Douglas, MA to points in the United States in and east of ND, SD, NE, KS, OK and TX. Supporting shipper: Mr.

Christmas, Inc., North Street, East Douglas, MA 01516.

MC 151496 (Sub-1-2TA), filed August 22, 1980. Applicant: WARDICK TRUCKING, INC., R.D. No. 4, Box 260, Auburn, NY 13152 Representative: Carl Hornung, R.D. No. 4, Box 260, Auburn, NY 13152. *Coal,* from points in PA to points in NY. Supporting shipper: R. J. Bastian Co., Inc., 103 West Lake Street, Skaneateles, NY 13152.

MC 150751 (Sub-1-3TA), filed August 22, 1980. Applicant: HAROLD A. YOUNG, d.b.a. YOUNG'S EXPRESS, 21 Glenwood Avenue, Southbridge, MA 01550. Representative: Russell S. Callahan, P.O. Box 1806, Brockton, MA 02403. *Automobile parts and accessories,* from the facilities utilized by E. B. Harvey & Associates, Inc. at Brighton, MA, to points in RI. Supporting shipper: E. B. Harvey & Associates, Inc., 165 Chestnut Hill Avenue, Brighton, MA 02135.

MC 8973 (Sub-1-4TA), filed August 22, 1980. Applicant: METROPOLITAN TRUCKING, INC., 2424 95th Street, North Bergen, NJ 07047. Representative: Morton E. Kiel, 2 World Trade Center—Suite 1832, New York, NY 10048. *Such commodities as are manufactured, dealt in or used by a manufacturer or processor of chemicals (except in bulk),* between points in the US. Supporting shipper: Emery Industries, Inc., 1300 Carew Tower, Cincinnati, OH 45202.

MC 145108 (Sub-1-10TA), filed August 22, 1980. Applicant: BULLET EXPRESS, INC., P.O. Box 289, Bay Ridge Station, Brooklyn, NY 11220. Representative: Terrence D. Jones, 2033 K Street, NW., Washington, DC 20006. *Contract carrier,* irregular routes: *Foodstuffs,* between points in the US, under a continuing contract(s) with Action Shippers Cooperative, Inc. Supporting shipper: Action Shippers Cooperative, Inc., P.O. Box 3176, Anaheim, CA 92803.

MC 2860 (Sub-1-10TA), filed July 30, 1980. Applicant: NATIONAL FREIGHT, INC., 71 West Park Avenue, Vineland, NJ 08360. Representative: Gerald S. Duzinski, 71 West Park Avenue, Vineland, NJ 08360. *Transformers and parts (except commodities which because of size and weight require the use of special equipment)* between points in De Soto County, FL on the one hand, and on the other, all points in the states of AL, AR, GA, LA, MS, NC, SC and TN. Supporting shipper: Central Moloney Transformer Div., 2400 W. 6th Street, Pine Bluff, AR 71601.

MC 151639 (Sub-1-1TA), filed August 25, 1980. Applicant: COMMAND TRANSPORTATION, INC., 16 Colburn Drive, Sharon, MA 02067. Representative: Wesley S. Chused, 15 Court Square, Boston, MA 02108. *Beer,* from Newark, NJ to Norwood, MA. Supporting shipper: United Liquors, Ltd., 99 Rivermoor Street, West Roxbury, MA 02132.

MC 151457 (Sub-1-1TA), filed August 25, 1980. Applicant: BOMBARDO CORPORATION d.b.a. FAIRFIELD FREIGHT LINES, 48 Mopus Bridge Road, Ridgefield, CT 06877. Representative: Alexander J. Holland, Esq., c/o Duel and Holland, 283 Greenwich Avenue, Greenwich, CT 06830. *Textile mill products and rolls of vinyl fabric* from and between MA, TN and NC to points in and around Los Angeles, CA. Supporting shipper: Monarch Corporation, 1060 N. Tustin Avenue, Anaheim, CA 92807.

MC 97580 (Sub-1-1TA), filed August 26, 1980. Applicant: M and S EXPRESS, INC., d.b.a. M & S EXPRESS, 200 Mystic Avenue, Medford, MA 02155. Representative: Richard R. Sparks, Jr., 25 Boynton Road, Medford, MA 02155. *General commodities (except those of unusual value, Classes A and B explosives and commodities in bulk),* between points in MA, NH, ME, VT, NY, NJ, CT and RI. Supporting shippers: E. Sidney Stockwell Co., Inc., 15 Broad Street, Boston, MA 02109. W. N. Proctor Co., Inc., 115 Broad Street, Boston, MA. 02109. T. D. Downing Co., 88 Broad Street, Boston, MA 02110.

MC 151469 (Sub-1-1TA), filed August 26, 1980. Applicant: PETER BALL EXPRESS, INC., 7 Summit Street, Peabody, MA 01960. Representative: George S. Cokorogianis, 7 Summit Street, Peabody, MA 01960. *Freight All Kinds in Containers,* between points in the MA Counties of Essex, Middlesex and Suffolk, and the NH counties of Cheshire, Hillsboro, Merrimac and Rockingham. Supporting shipper: Davies-Turner Company, 177 Milk Street, Boston, MA.

MC 148764 (Sub-1-1TA), filed August 26, 1980. Applicant: MAR PAT TRANSPORTATION CORP., 2445 Allen Avenue, Niagara Falls, New York 14303. Representative: William Hirsch, 1110 Convention Tower, 43 Court Street, Buffalo, New York 14202. *Pig Iron in Bulk* from Erie, PA to Syracuse, NY. *Returned, refused, rejected shipments* in the reverse direction. Supporting shipper: Marley's Division Abe-Cooper-Syracuse, Inc., 320 West Hiawatha Blvd., Syracuse, NY 13208.

MC 143236 (Sub-1-8TA), filed August 27, 1980. Applicant: WHITE TIGER TRANSPORTATION CO., INC., 40 Hackensack Ave., Kearny, NJ 07032. Representative: Brock Adams, 1919 Pennsylvania Ave., N.W., Suite 850, Washington, DC 20006. *General commodities* (with the usual exceptions), between Middlesex County, NJ and points in the U.S. Supporting shipper: Mitsubishi International Warehouse Corp., 100 Wade Ave., So. Plainfield, NJ 07080.

The following applications were filed in Region 2. Send protests to: ICC, Federal Reserve Bank Bldg., 101 N. 7th St., Room 620, Philadelphia, PA 19106.

MC 56155 (Sub-II-1TA), filed August 25, 1980. Applicant: JOHN S. EWELL, INC., East Earl, PA 17519. Representative: J. Bruce Walter, P.O. Box 1146, 410 N 3rd St., Harrisburg, PA 17108. Contract, irregular: *Foodstuffs,* between Baltimore, MD, Chambersburg, PA and Cumberland, MD and pts. in the US in and east of MN, KS, IA, AR and TX under continuing contracts with Kraft, Inc., for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Kraft, Inc., 2701 Lockhaven Rd., Baltimore, MD 21218.

MC 150501 (Sub-2-3TA), filed August 25, 1980. Applicant: DULANEY INVESTMENTS, INC., 305 W. Chesapeake Ave., Suite 111, Towson, MD 21204. Representative: Raymond P. Keigher, 401 E. Jefferson St., Suite 102, Rockville, MD 20850. *Contract: Irregular:* (1) *Baseboard radiation units, boilers, heating and air conditioning equipment, boiler castings and copper tubing,* (2) *apparatus and accessories used in connection with the commodities named in (1) above,* and (3) *steel and aluminum used in the manufacture of the commodities in (1) and (2) above,* between E. Hills and Westbury, NY, on the one hand, and, on the other, points in AZ, CA, CO, CT, DE, DC, ID, IL, IN, IA, KS, MD, MA, MI, MN, MO, MT, NE, NV, NJ, NY, ND, OH, OR, PA, RI, SD, UT, VA, WA, WV, WI and WY, under continuing contract(s) with Slant/Fin Corporation, of Greenvale, NY, for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Slant/Fin Corp., 100 Forest Dr., Greenvale, NY 11548.

MC 147932 (Sub-II-1TA), filed August 25, 1980. Applicant: COWEN TRUCK LINE, INC., Rt. #2, Perrysville, OH 44864. Representative: Boyd B. Ferris, 50 W. Broad St., Columbus, OH 43215. *Such commodities as are dealt in or used by manufacturers of passenger buses,* between Ashland and Delaware Counties, OH, on the one hand, and, on the other, points in NY, for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper(s): Grumman Flxible 970 Pittsburgh Dr., Delaware, OH 43015.

MC 3419 (Sub-II-1TA), filed August 22, 1980. Applicant: THE CLEVELAND,

COLUMBUS & CINCINNATI HIGHWAY, INC., 1375 Euclid Ave., 201 Stouffer Bldg., Cleveland, OH 44115. Representative: Elliott Bunce, Suite 1301, 1600 Wilson Blvd., Arlington, VA 22209. Common, regular: *General commodities (except household goods as defined by the Commission and Classes A & B explosives),* (1) Between Cincinnati, OH, and Richmond, KY, From Cincinnati over U.S. Hwy 25 to Richmond, and return over the same route (2) Between Louisville, KY, and Winchester, KY, From Louisville over U.S. Hwy 60 to Winchester, and return over the same route (3) Between Louisville, KY, and Nashville, TN, From Louisville over U.S. Hwy 31W to Nashville and return over the same route. Service in connection with routes (1), (2), and (3) is authorized at all intermediate points and at all points in Hamilton County, OH, Madison, Jefferson and Clark Counties, KY, and Davidson County, TN, as off-route points, for 270 days. An underlying ETA seeks 120 days authority. Applicant intends to tack and interline. Supporting shippers: There are 68 supporting shippers. Their statements may be viewed at the ICC Regional Office, Phila., PA.

MC 142864 (Sub-II-4TA), filed August 22, 1980. Applicant: RAY E. BROWN TRUCKING, INC., P.O. Box 501, Massillon, OH 44646. Representative: Jerry B. Sellman, 50 W. Broad St., Columbus, OH 43215. *Foodstuffs (except commodities in bulk), empty containers, materials, equipment and supplies used in production thereof,* from the facilities of Seneca Foods Corp. in Cayuga, Ontario, Seneca, Wayne and Yates Counties, NY, on the the one hand, and, on the other, all pts. in the states of OH, PA, IL, IN, KY, MI, NJ, DE, MD, and DC. An underlying ETA seeks 120 days authority. Supporting shipper: Seneca Foods Corp 3637 South Main St., Marion, NY 14505.

MC 2368 (Sub-II-5TA), filed August 22, 1980. Applicant: BRALLEY-WILLETT TANK LINES, INC., P. O. Box 495, Richmond, VA 23204. Representative: William T. Marshburn (same as applicant). *Gasoline, in bulk, in tank vehicles,* from Marcus Hook, PA to Knoxville, TN and its commercial zone for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: World Wide Racing Fuels, Inc., Box 500, New Canton, VA 23123.

MC 146807 (Sub-II-5TA), filed August 20, 1980. Applicant: S n W ENTERPRISES, INC., P.O. Box 1131, Wilkes-Barre, PA 18702. Representative: Paul Seleski (same as above). *General commodities* (except those of unusual value), Classes A & B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment between points in PA (except Phila. & Pitts.); NY (except NY, NY); and NJ, on the one hand, and, on the other, points in the US. Restriction: Restricted to transportation originating at or destined to the facilities utilized by Northeastern Pennsylvania Shipper's Cooperative Assoc., Inc., or its members & restricted to shipments moving on bills of lading of Northeastern Pennsylvania Shipper's Cooperative Assoc., Inc., for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper(s): Northeastern PA. Shipper's Coop. Assoc., Inc., 1212 O'Neill Hwy., Dunmore, PA 18512.

MC 146807 (Sub-II-6TA), filed August 20, 1980. Applicant: S n W ENTERPRISES, INC., P.O. Box 1131, Wilkes-Barre, PA 18702. Representative: Paul Seleski (same as above). *Metal Springs and supplies and equipment used in the manufacture of metal springs* from Dallas, TX to Erie, PA for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper(s): Associated Spring Corp., 3443 Morse Dr., Dallas, TX 75211.

MC 135234 (Sub-II-3TA), filed August 26, 1980. Applicant: TRENCO, INC., 2109 Marydale Avenue, Williamsport, PA 17701. Representative: E. Stephen Heisley, 805 McLachlen Bank Bldg., 666 Eleventh St., NW, Washington, DC 20001. *Contract Carrier, Irregular routes, Vacuum cleaners, and materials, parts and supplies therefor (except commodities in bulk),* between points in the U.S. restricted to traffic moving under continuing contract(s) with Shop-Vac, Division of Craftools Corporation, for 270 days. Supporting shipper: Shop-Vac, Division of Craftools Corporation, 2323 Reach Road, Williamsport, PA 17701.

MC 104896 (Sub-II-2TA), filed August 25, 1980. Applicant: WOMELDORF, INC., Box G, Knox, PA 16232. Representative: Larry R. McDowell, 1200 Western Savings Bank Bldg. Phila., PA 19107. *Such commodities as are dealt in by chain retail variety stores and materials, equipment and supplies used in the conduct of such business* between the facilities of G. C. Murphy Co. at McKeesport, PA, on the one hand, and, on the other, points in IL, IN, KY, MI, MN, OH (except points in the Counties of Belmont, Coshocton, Cuyahoga, Lorain, Portage and Trumbull), and WI, for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper(s) G. C. Murphy Company, 531 Fifth Ave., McKeesport, PA 15132.

MC 117565 (Sub-II-7TA), filed August 21, 1980. Applicant: MOTOR SERVICE CO., INC., P.O. Box 448, Coshocton, OH 43812. Representative: John R. Hafner (same as applicant). *(1) Storage Tanks and (2) Accessories and Supplies used in the installation, manufacture, shipping, and maintenance of (1) above,* from the plant site and warehouse facilities of R L Industries Inc., at or near Miamitown, OH to points in the US except AK and HI for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: R L Industries Inc., P.O. Box 324, 5885 St. Route 128, Miamitown, OH 45041.

MC 144910 (Sub-II-4TA), filed August 21, 1980. Applicant: TY PRUITT TRUCKING, INC., 6717 Quad Ave., Baltimore, MD 21237. Representative: Chester A. Zyblut, 366 Executive Bldg., 1030 15th St., N.W., Washington, DC 20005. *Malt beverages,* from Winston-Salem, NC, to points in VA, MD, DE, NJ, and NY for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Jos. Schlitz Brewing Co., Milwaukee, WI 53201.

MC 117565 (Sub-II-8TA), filed August 22, 1980. Applicant: MOTOR SERVICE CO., INC., P.O. Box 448, Coshocton, OH 43812. Representative: John R. Hafner (same as applicant). *(1) Roof Cement, Waterproofing Compounds, Paint, Caulking, Adhesives, Sealant, Coatings and (2) Accessories and supplies used in the installation, manufacture, and maintenance of (1) above,* from the plant site and warehouse facilities of Perfection Industries Co., at or near Cleveland, OH to points in AL, AZ, AR, IA, KS, KY, LA, MN, MS, MO, NE, NM, NY, OK, OR, SC, UT, WA, WV, WI, WY for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Perfection Industries Co., 8001 Franklin Blvd., Cleveland, OH 44102.

MC 114696 (Sub-II-6TA), filed August 22, 1980. Applicant: PROPANE TRANSPORT, INC., 1724 State Route 131, P.O. Box 232, Milford, OH 45150. Representative: Michael D. McCormick, 1301 Merchants Plaza, Indianapolis, IN 46204. *Nitrogen fertilizer solution, liquid, in bulk,* from Mt. Carmel, IL to points in IN and from Jordan, IN to points in IL for 270 days. Supporting shipper: Amoco Oil Co., 200 East Randolph Dr., Chicago, IL 60601.

MC 151625 (Sub-II-2TA), filed August 22, 1980. Applicant: POTTSVILLE STORAGE & TRANSFER CO., 1254 Wheatland Ave., Lancaster, PA 17603. Representative: C. Richard Holbein (same as above). *Contract; irregular: Retail home furnishings sold by J. B. VanSciver Co.* (1) from Lancaster, PA to Camden, NJ and return; and to points in

MD (east of Route 15, North of IS 70 to Baltimore and west of US 40 to the DE state line); and (2) from Allentown, PA to Camden, NJ and return; and to pts. in NJ (south of IS 80 to Junction of IS 80 and IS 287, south of IS 287 to US 202 and south of US 202 to the PA state line) for 270 days under contract with J. B. VanSciver Co. An underlying ETA seeks 120 days authority. Supporting shipper: J. B. VanSciver Co., Delaware Ave. & Federal St., Camden, NJ 08101.

MC 150444 (Sub-II-2TA), filed August 27, 1980. Applicant: ADVANCE FREIGHT, LTD., 7637 Leesburg Pike, Falls Church, VA. 22043. Representative: Wayne Hartke (same as applicant). Contract, irregular: *Automotive replacement parts, automotive accessories and equipment, materials and supplies used in the manufacture of the above described commodities (except in bulk),* from, to, and between Nashville, TN, Pulaski, TN, and Chickasha, OK, on the one hand, and, on the other, points in AL, GA, FL, NC, and SC for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Maremont Corporation, 1283 Murfreesboro Road, Nashville, TN 37217.

MC 146890 (Sub-II-8TA), filed August 25, 1980. Applicant: C & E TRANSPORT, INC., d.b.a. C. E. ZUMSTEIN CO., P.O. Box 27, Lewisburg, OH 45338. Representative: E. Stephen Heisley, Suite 805, 666 Eleventh Street, NW, Washington, DC 20001. *Wearing apparel and materials, supplies and equipment* used in the manufacture, distribution and sale of wearing apparel between points in Hudson County, NJ, on the one hand, and, on the other, points in the U.S. (except AK and HI), for 270 days. Supporting shipper: The Miller-Wohl Co., Inc., 915 Secaucus Road, Secaucus, NJ 07094.

MC 116763 (Sub-II-27TA), filed August 25, 1980. Applicant: CARL SUBLER TRUCKING, INC., North West St., Versailles, OH 45380. Representative: Gary J. Jira (same as applicant). *General commodities* (except commodities in bulk, in tank vehicles, used household furniture, commodities the transportation of which because of size or weight require the use of special equipment, automobiles, trucks and buses as described in the Report in Descriptions in Motor Carrier Certificates, 61 MCC 209 and 766, and explosives), between points in the U.S. in and east of MN, IA, MO, OK, and TX, for 270 days. Restricted to the transportation of traffic originating at or destined to the facilities of Package Products Company. Supporting shipper(s): Package Products Company, 8800 South Boulevard, Charlotte, NC 28233.

MC 146892 (Sub-II-4TA), filed August 25, 1980. Applicant: R & L TRANSFER, INC., P.O. Box 271, Wilmington, OH 45177. Representative: Boyd B. Ferris, 50 W. Broad St., Columbus, OH 43215. *(2)(a) Foam and foam products (except commodities in bulk), and materials and printed materials,* from Greenfield, OH, to points in the US (except AK and HI); and (b) *materials, equipment and supplies used in the manufacture and distribution of commodities in (2)(a) above (except commodities in bulk),* in the reverse direction for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper(s): Hoover Universal, P.O. Box 150, Greenfield, OH 45123.

MC 5470 (Sub-II-8TA), filed August 25, 1980. Applicant: TAJON, INC., R.D. 5, Mercer, PA 16137. Representative: Brian Troiano, 700 World Center Building, 918 Sixteenth Street, N.W., Washington, DC 20006. *Millscale,* from Johnstown, PA to Sparrows Point, MD for 270 days. Supporting shipper(s): Bethlehem Steel Corp., Bethlehem, PA 18016.

MC 2368 (Sub-II-6TA), filed August 27, 1980. Applicant: BRALLEY-WILLETT TANK LINES, INC., P.O. Box 495, Richmond, VA 23204. Representative: William T. Marshburn (same as applicant). *Chemicals, in bulk in tank vehicles,* from points in NJ; Delaware City, DE, and Marcus Hook, PA, to points in VA for 270 days. Supporting shipper(s): Industrial Chemical, Inc., 1510 Webster St., Richmond, VA 23260.

MC 109533 (Sub-II-10TA), filed August 27, 1980. Applicant: OVERNITE TRANSPORTATION CO., 1000 Semmes Ave., Richmond, VA 23224. Representative: Eugene T. Liipfert, Suite 1100, 1660 L St., NW, Washington, DC 20036. *Common carrier, regular route: General commodities (except those of unusual value, classes A & B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment):* Between Birmingham, AL, and Ft. Worth, TX, serving all intermediate points; from Birmingham, AL, over U.S. Hwy 11 to junction U.S. Hwy 80, then over U.S. Hwy 80 to Monroe, LA, then over Interstate Hwy 20 (or U.S. Hwy 80) to Shreveport, LA then over U.S. Hwy 80 to Fort Worth, and return over the same route. (2) Between Montgomery, AL, and junction U.S. Hwys 11 and 80 near Cuba, AL; over U.S. Hwy 80 as an alternate route for operating convenience only, serving no intermediate points and serving the said junction for the purpose of joinder only. (3) Between Atlanta, GA, and Montgomery, AL, serving all intermediate points, points within 15 miles of Atlanta, and the off-route point of River View, AL; from Atlanta over U.S. Hwy 29 to junction U.S. Hwy 80, then over U.S. Hwy 80 to Montgomery, AL and return over the same route. (4) Between Memphis, TN, and Fort Worth, TX, serving all intermediate points; from Memphis over U.S. Hwy 70 to Little Rock, AR, then over U.S. Hwy 67 to Dallas, TX, then over U.S. Hwy 80 to Forth Worth and return over the same route. (5) Between Scranton and Hazleton, PA, serving all intermediate points, and the off-route point of Old Forge, PA; from Scranton over U.S. Hwy 11 to Pittston, PA, then over unnumbered highway (formerly U.S. Hwy 309) to Wilkes-Barre, PA, thence over Pennsylvania Hwy 309 to Hazleton, PA. (6) Between Hazleton and Allentown, PA, over PA (formerly U.S.) Hwy 309, serving all intermediate points, and the off-route point of East Mauch Chunk, PA. (7) Between Allentown and Philadelphia, PA; over PA (formerly U.S.) Hwy 309, serving all intermediate points. (8) Between Scranton and Harrisburg, PA, serving all intermediate points, and the off-route points of Throop and Olyphant, PA; from Scranton over U.S. Hwy 11 via Shickshinny, PA, to Harrisburg, and return over the same route (also from Scranton over U.S. Hwy 11 to junction U.S. Hwys 22-322, then over U.S. Hwys 22-322 to Harrisburg). (9) Between Easton and Philadelphia, PA, over U.S. Hwy 611, serving no intermediate points, but serving the off-route point of Bethlehem, PA. (10) Between Birmingham, AL, and Harrisburg, PA as an alternate route for operating convenience only, serving no intermediate points; from Birmingham over Interstate Hwy 59 to junction Interstate Hwy 75, then over Interstate Hwy 75 to junction Interstate Hwy 81, then over Interstate Hwy 81 to Harrisburg. (11) Between Atlanta, GA, and Harrisburg, PA, as an alternate route for operating convenience only, serving no intermediate points; from Atlanta, GA, over Interstate Hwy 75 to junction Interstate Hwy 81, then over Interstate Hwy 81 to Harrisburg, PA. (12) Serving the commercial zones of all authorized service points in (1) through (11) for 270 days. Applicant intends to tac with authority held in MC-109533, and Subs 63 and 93. Applicant intends to interline at Atlanta, Baltimore, Birmingham, Charlotte, Harrisburg, Louisville, Memphis, Richmond and St. Louis. An underlying ETA seeks 120 days authority. There are 152 supporting shippers. Their statements may be

examined at the ICC Regional Office in Philadelphia, PA.

MC 107012 (Sub-II-78TA), filed August 26, 1980. Applicant: NORTH AMERICAN VAN LINES, INC., 5001 U.S. Hwy. 30 West, P.O. Box 988, Fort Wayne, IN 46801. Representative: David D. Bishop (same as applicant). (1) *Barbecue grills and parts and accessories for barbecue grills, and (2) materials, parts, and supplies used in the manufacture and distribution of (1) above* between the facilities of ARKLA Industries Inc. at or near Paragould, AR on the one hand, and, on the other, points in the US for 270 days. Supporting shipper: ARKLA Industries Inc., 1600 Jones Rd., P.O. Box 1309, Paragould, AR 72450.

Note.—Common control may be involved.

MC 150180 (Sub-II-2TA), filed August 22, 1980. Applicant: MENCHVILLE MARINE SUPPLY CORP., 494 Menchville Rd., Newport News, VA 23602. Representative: T. V. Morrison, Jr., P.O Box 1003, Newport News, VA 23601. *Contract; irregular: Brewer's condensed solubiles* from the facilities of Anheuser-Busch, Williamsburg, VA to points in OH for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper(s): Associates Research Management, Inc., 9608 Partridge, Crystal Lake, IL 60014.

MC 107403 (Sub-II-30TA), filed August 27, 1980. Applicant: MATLACK, INC., Ten West Baltimore Ave., Lansdowne, PA 19050. Representative: Martin C. Hynes, Jr. (same as applicant). *Liquid chemicals, in bulk, in tank vehicles* from Torrance, CA to Worland, WY for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper(s): PPG Industries, 465 Crenshaw Blvd., Torrance, CA 90509.

MC 128302 (Sub-II-3TA), filed August 28, 1980. Applicant: THE MANFREDI MOTOR TRANSIT CO., 14841 Sperry Rd., Newbury, OH 44065. Representative: David A. Turano, 100 E. Broad St., Columbus, OH 43215. *Can coating compounds, paint, paint products, latex and resins in bulk in tank vehicles* between the facilities of SCM Corp. at or near Columbus, GA, on the one hand, and, on the other, points in TX for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: SCM Corp., 900 Union Commerce Bldg., Cleveland, OH 44115.

MC 112184 (Sub-II-4TA), filed August 25, 1980. Applicant: THE MANFREDI MOTOR TRANSIT CO., 11250 Kinsman Rd., Newbury, OH 44065. Representative: David A. Turano, 100 E. Broad St., Columbus, OH 43215. *Contract: irregular: Corn starch, in bulk* from Indianapolis, IN to points in OH, NJ, NY and PA for the account of Cargill, Inc. for 270 days. Supporting shipper: Cargill, Inc., P.O. Box 9300, Minneapolis, MN 55400.

MC 135364 (Sub-II-6TA), filed August 25, 1980. Applicant: MORWALL TRUCKING, INC., R.D. 3, Box 76C, Moscow, PA 18444. Representative: J. G. Dail, Jr., P.O. Box LL, McLean, VA 22101. *Contract: Irregular: General commodities (except articles of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment),* between points in the United States (except AK and HI), under continuing contract(s) with Essex Chemical Corp. of Clifton, NJ, for 270 days. Supporting shipper: Essex Chemical Corp., 1401 Broad St., Clifton, NJ 07105.

MC 107012 (Sub-II-77TA), filed August 25, 1980. Applicant: NORTH AMERICAN VAN LINES, INC., 5001 U.S. Hwy. 30 West, P.O. Box 988, Fort Wayne, IN 46801. Representative: David D. Bishop (same as applicant). *Such commodities as are sold, dealt in, or used by variety and hardware stores* from the facilities of Associated Sales Agency Inc. in Birmingham, AL to points in FL, GA, IN, KY, LA, MS, NC, SC, and TN for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Associated Sales Agency, Inc., 135 Goodrich Dr., Birmingham, AL 35217.

Note.—Common control may be involved.

MC 150339 (Sub-2-10TA), filed August 25, 1980. Applicant: PIONEER TRANSPORTATION SYSTEMS, INC., 151 Easton Blvd., Preston, MD 21655. Representative: J. Cody Quinton, Jr. (same as applicant). *Contract; irregular: General commodities except those of unusual value, Classes A & B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment,* (1) from Clifton, NJ, to Dallas, TX, Kansas City, MO, Chicago, IL, Denver, CO, and Los Angeles, CA; (2) from Rockwood, MI, to Savannah, GA, Dallas, TX, Kansas City, MO, Denver, CO, Los Angeles, CA and Portland, OR; (3) from Aiken, SC to Mechanicsburg, PA, Rockwood, MI, Chicago, IL, Nashville, TN, Kansas City, MO, Dallas, TX, Denver, CO, and Los Angeles, CA; and (4) from El Paso, TX, to Clifton, NJ for 270 days, under a continuing contract(s) with Beecham Products, Church Hill Road, Pittsburgh, PA 15230. An underlying ETA seeks 120 days authority. Supporting shipper(s): Beecham Products, Church Hill Rd., Pittsburgh, PA 15230.

MC 107012 (Sub-II-79TA), filed August 26, 1980. Applicant: NORTH AMERICAN VAN LINE, INC., 5001 U.S. Hwy. 30 West, P.O. Box 988, Fort Wayne, IN 46801. Representative: David D. Bishop (same as applicant). (1) *Fireplaces;* (2) *parts, materials and supplies used in the manufacture and distribution of (1) above* and; (3) *parts and accessories for (1) above;* (1) from the facilities of Whittier Steel and Manufacturing, Inc. near Santa Fe Springs, CA to all points in the U.S. (except AZ, CO, ID, MT, NH, NM, NV, OR, RI, UT, VT, WA and WY); (2) from Shelbyville, KY to Santa Fe Springs, CA and to points in and east of ND, SD, NE, KS, OK and TX for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Whittier Steel & Manufacturing, Inc., 10705 S. Painter Ave., Santa Fe Springs, CA 90670.

The following applications were filed in Region 3. Send protests to ICC, Regional Authority Center, P.O. Box 7600, Atlanta, GA 30357.

MC 114604 (Sub-3-8TA), filed July 25, 1980. Republication—originally published in **Federal Register** of August 6, 1980, page 52268, volume 45, No. 153. Applicant: CAUDELL TRANSPORT, INC., P.O. Drawer 1, State Farmers Market No. 33, Forest Park, GA 30050. Representative: Frank D. Hall, Suite 713, 3384 Peachtree Rd., N.E., Atlanta, GA 30326. *Malt beverages and related advertising materials (except in bulk),* from Perrysburg, OH and Detroit, MI to MO, IL, IN, OH, PA, KY, WV, VA, AR, TN, NC, LA, MS, AL, GA, SC and FL. Supporting shipper(s): Stroh's, Inc., 1 Stroh's Drive, Detroit, MI 48226.

MC 141187 (Sub-3-2TA), filed July 22, 1980. Republication—originally published in **Federal Register** of August 4, 1980, page 51664, volume 45, No. 151. Applicant: BLUFF CITY TRANSPORTATION, INC., P.O. Box 18391, Memphis, TN 38118. Representative: Wallace A. Knerr, P.O. Box 18391, Memphis, TN 38118. *Contract carrier,* irregular routes: *Such commodities as are dealt in by manufacturers and distributors of pharmaceutical and medical supplies, foods and products,* from Cleveland, MS, Mountain Home, AR, Hays, KS, Kingstree, SC, Eaton, OH, Round Lake, IL, North Cove, NC, and Memphis, TN to points in the U.S. (except AK and HI), under a continuing contract(s) with Travenol Laboratories, Inc. Supporting shipper(s): Travenol Laboratories, Inc., 6301 Lincoln Ave., Morton Grove, IL 60053.

MC 141145 (Sub-3-3TA), filed July 22, 1980. Republication—originally

published in **Federal Register** of August 4, 1980, page 51665, volume 45, No. 151. Applicant: REYNOLDS & COMPANY, INC., One Railroad Ave., P.O. Box 227, Waynesboro, GA 30830. Representative: Thomas L. Reynolds (same as above). *General commodities, usual exceptions, having a prior, immediate or subsequent movement by rail TOFC service,* between August, GA, on the one hand, and, on the other, points in Richmond, Columbia, Burke, Jefferson, Glascock, Warren, McDuffie, Lincoln, Screven, Jenkins, Emanuel, Washington, Hancock, Taliafero, Wilkes, Bullock, Candler, Treulten, Johnson, Baldwin, Putnam, Greene, Oglethorpe, Elbert, Effingham, Chatham, Evans, Tattnall, Tooms, Montgomery, Wheeler, Laurens, Wilkinson, Jones, Jasper, Morgan, Oconee, Clarke, Madison, and Hart Counties, GA and Edgefield, Aiken Barnwell, McCormick, Allendale, Abbeville, Jasper, Hampton, Beaufort, Colleton, Dorchester, Bamberg, Barnwell, Orangeberg, Calhoun, Sumpter, Saluda, Lexington, Greenwood, Richland, Newberry, Anderson, Laurens, Fairfield, Chester, Union, Spartanburg, Greenville, and Kershaw Counties, SC. Supporting shipper(s): Kaiser Agricultural Chemicals, P.O. Box 343, Waynesboro, GA 30830 and Thiele Kaolin Company, P.O. Box 337, Wrens, GA 30833.

Note.—Applicant intends to tack with existing authority.

MC 147113 (Sub-3–1TA), filed August 1, 1980. Republication—originally published in **Federal Register** of August 11, 1980, page 53262, volume 45, No. 156. Applicant: TEPPCO TRANSPORT, INC., 1111 E. 39th Street, Chattanooga, TN 37409. Representative: Jon G. Boderlund (same as above). *Molded polystyrene foam egg cartons,* (a) Between Lawrenceville, GA, on the one hand, and, on the other, all points in SC, NC, VA, WV, FL, AL, MS, LA, AR and TN. (b) Between Decatur, IN, on the one hand, and, on the other, all points in VA, WV, OH, KY and TN. Supporting shipper(s): Dolco Packaging Corp. 13400 Riverside Dr., Sherman Oaks, CA.

MC 126542 (Sub-3–3TA), filed August 26, 1980. Applicant: B. R. WILLIAMS TRUCKING, INC., P.O. Box 3310, Oxford, AL 36201. Representative: John W. Cooper, Attorney at Law, 634 Woodward Building, 1927 First Avenue North, Birmingham, AL 35203. *Contract carrier:* irregular routes: *(1) Pipe and fittings; (2) materials, supplies, and equipment, except commodities in bulk, used in the manufacture and shipping thereof,* (1) from Los Angeles, CA, to all points in the US, except AK and HI; (2) from destination points to Los Angeles, CA. Supporting shipper: L. A. Tube Division of Phelps Dodge Brass, Inc., 6100 South Garfield, Los Angeles, CA 90022.

MC 151653 (Sub-3–1TA), filed August 26, 1980. Applicant: GLOSSON ENTERPRISES, INC., Route 15, Box 55, Lexington, NC 27292. Representative: Eric Meierhoefer, Suite 423, 1511 K Street, N.W., Washington, DC 20005. *New furniture and new furniture parts, and materials and supplies used in the manufacture thereof,* between points in NC, on the one hand, and, on the other, points in and east of TX, OK, MO, IA and MN. Supporting shipper: There are seventeen supporting shippers to this application. Their statements may be examined at the Atlanta office of the ICC upon request.

MC 151396 (Sub-3–3TA), filed August 25, 1980. Applicant: AERO DISTRIBUTING CO., INC., 5038 Atlanta Road, Smyrna, GA 30080. Representative: Kim G. Meyer, P.O. Box 872, Atlanta, GA 30301. *Scrap, manufactured and reprocessed plastic,* between the facilities of Southeastern Polymers, Inc. at Fulton County, GA and points in FL. Supporting shipper: Southeastern Polymers, Inc., 55 Enterprise Blvd., Atlanta, GA 30336.

MC 112520 (Sub-3–8TA), filed August 26, 1980. Applicant: MCKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, FL 32302. Representative: Sol H. Proctor, 1101 Blackstone Building, Jacksonville, FL 32202. *Petroleum and petroleum products, in bulk, in tank vehicles,* from Bay County, FL, to points in AL and GA. Supporting shipper: Georgia Supply Co., P.O Box 1239, Bainbridge, GA 31717.

MC 146125 (Sub-3–1TA), filed August 22, 1980. Applicant: CHAR-LO, INC., 101 Zeigler Circle, West, Mobile, AL 36608. Representative: R. S. Richard, 57 Adams Avenue, Montgomery, AL 36197. *General commodities (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and foodstuffs),* between points in AL, AR, FL, GA, KS, LA, MS, MO, NC, OK, SC, TN, TX, and VA. Supporting shipper: There are 12 statements in support attached to this application which may be examined at the ICC Regional Office in Atlanta, GA.

MC 107515 (Sub-3–55TA), filed August 26, 1980. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, GA 30050. Representative: Alan E. Serby, Esq., 3390 Peachtree Road NE., 5th Floor, Lenox Towers South, Atlanta, GA 30326. *Malt Beverages (except in bulk, in tank vehicles)* from Detroit, MI and Perrysburg, OH to Atlanta, GA. Supporting shipper: City Beverage Company, 565 Western Avenue, Atlanta, GA 30314.

MC 2934 (Sub-3–12TA), filed August 25, 1980. Applicant: AERO MAYFLOWER TRANSIT CO., INC., 9998 North Michigan Road, Carmel, IN 46032. Representative: James L. Beattey, 300 E. Fall Creek Pkwy., Suite 403, Indianapolis, IN 46205. *New furniture (case goods and upholstered),* from the States of NC, VA, TN, IL, PA, NY, VT, OH, MO, and MS, to the facilities of Kittle's Home Furnishings, Inc., at Indianapolis and Greenwood, IN. Supporting shipper: Kittle's Home Furnishings, Inc., Castleton, Indianapolis, IN 46250.

MC 146449 (Sub-3–1TA), filed August 14, 1980. Applicant: ALL CITIES TRANSFER, INC., P.O. Box 90130, East Point, GA 30364. Representative: Bill McCann, P.O. Box 90130, East Point, GA 30364. *Common carrier:* regular: *General commodities, except commodities in bulk, household goods and commodities which because of size or weight require special equipment* between the following points: (1) Between Opelika, AL and the NC–VA state line: From Opelika, AL over Interstate Hwy 85 to its junction with the NC–VA state line, serving all intermediate points and return over the same route; (2) Between Chattanooga, TN and the GA–FL state line: From Chattanooga over Interstate Hwy 75 to its junction with the GA–FL state line, serving all intermediate points and return over the same route; (3) Between Atlanta, GA and Columbia, SC: From Atlanta over Interstate Hwy 20 to Columbia, SC, serving all intermediate points and return over the same route; (4) Between Kingsland, GA and Roanoke Rapids, NC: From Kingsland, GA over Interstate Hwy 95 to Roanoke Rapids, NC serving all intermediate points and return over the same route; (5) Between Charleston, SC and Asheville, NC: From Charleston over Interstate Hwy 26 to Asheville, NC serving all intermediate points and return over the same route; (6) Between Savannah, Ga and Macon, GA: From Savannah over Interstate Hwy 16 to Macon, serving all intermediate points and return over the same route; (7) Between Folkston, GA and Henderson, NC: From Folkston, GA over US Hwy 1 to Henderson, NC serving all intermediate points and return over the same route; (8) Between Nags Head, NC and Atlanta, GA: From Nags Head over US Hwy 64 to its junction with US Hwy 19 then over US Hwy 19 to Atlanta serving all intermediate points and return over the same route; (9) Between Chattanooga, TN and the junction of

Hwy US 64 and US 19 near Murphy, NC and return over the same route; (10) Between Rossville, GA and the GA–FL state line serving all intermediate points and return over the same route; (11) Between Columbus, GA and Savannah, GA: From Columbus over US Hwy 80 to Savannah, GA serving all intermediate points and return over the same route; (12) Between Brunswick, GA and Cuthbert, GA: From Brunswick, GA over US Hwy 82 to Cuthbert, GA serving all intermediate points and return over the same route; (13) Between Fargo, GA and the NC–TN state line: From Fargo over US Hwy 441 to its junction with the NC–TN state line serving all intermediate points and return over the same route; (14) Between New Bern, NC and Asheville, NC: From New Bern over US Hwy 70 to Asheville, serving all intermediate points and return over the same route; (15) Between Brunswick, GA and the NC–VA state line: From Brunswick over US Hwy 17 to its junction with the NC–VA state line serving all intermediate points and return over the same route; (16) Between Wilmington, NC and Charlotte, NC: From Wilmington over US Hwy 74 to Charlotte serving all intermediate points and return over the same route; (17) Between Charleston, SC and Asheville, NC: From Charleston over Interstate Hwy 26 to Asheville serving all intermediate points and return over the same route; (18) Between Atlanta, GA and Myrtle Beach, SC: From Atlanta over US Hwy 78 to its junction with US Hwy 378 at or near Washington, GA then over US Hwy 378 to Myrtle Beach, SC serving all intermediate points and return over the same route; (19) Between Oxford, NC and Summerton, SC: From Oxford over US Hwy 15 to Summerton, SC serving all intermediate points and return over the same route; (20) Between Charlotte, NC and Hardeeville, SC: From Charlotte over US Hwy 21 to its junction with US Hwy 321 then over US Hwy 321 to Hardeeville, SC serving all intermediate points and return over the same route; (21) Between Thomasville, GA and Louisville, GA: From Thomasville over US Hwy 319 to Louisville serving all intermediate points and return over the same route; (22) Between Greensboro, NC and Asheville, NC: From Greensboro over Interstate Hwy 40 to Asheville serving all intermediate points and return over the same route. Service in connection with the routes named above is authorized serving all points in GA, NC and SC as off-route points. In connection with temporary authority, applicant requests the right to interchange traffic at all authorized points. Applicants also requests the right to serve the commercial zone of Opelika, AL and Chattanooga, TN. There are 19 Statements in Support attached to this application which may be examined in the ICC office in Atlanta, GA.

MC 139917 (Sub-13TA), filed November 16, 1979. Republication—Originally Published in **Federal Register**, of 03–26–80, Page 18826, Volume 45, No. 60. Applicant: SEARAIL, INC., 701 South Royal Street, Mobile, AL 36601. Representative: George M. Boles, 727 Frank Nelson Building, Birmingham, AL 35203. *General commodities (except commodities in bulk, Classes A and B explosives, household goods as defined by the Commission, and commodities requiring special equipment)*, between Pensacola, FL, and New Orleans, LA: (1) From Pensacola, over U.S. Hwy. 90 and/or Interstate Hwy 10 to New Orleans, and return over the same route. (2) From Pensacola, over US. Hwy. 29 to junction thereof with U.S. Hwy. 31 at or near Flomaton, AL, and over U.S. Hwy. 31 to junction thereof with U.S. Hwy. 90 and Interstate Hwy. 10 at or near Spanish Fort, AL, then over U.S. Hwy. 90 and/or Interstate 10 to New Orleans, and return over the same route. Service in connection with Routes 1 and 2 above is requested to and from the intermediate points of Mobile, AL, Gulfport and Pascagoula, MS, and all intermediate points in Escambia County, FL. Service in connection with Routes 1 and 2 is requested to and from all off-route points in Escambia County, FL. Applicant intends to interline with other carriers at Pensacola, FL, Pascagoula and Gulfport, MS, Mobile, AL, and New Orleans, LA. Applicant intends to tack at Mobile and Flomaton, AL, with its other authority. Supporting shippers: There are 48 statements of support which can be examined at the Birmingham, AL, ICC Field Office. Send protests to Mabel E. Holston, T/A, Room 1616—2121 Bldg., Birmington, AL 35203.

MC 128555 (Sub-3–3TA), filed June 9, 1980. Republication—Originally Published in **Federal Register**, of 06–23–80, Page 42062, Volume 45, No. 122. Applicant: MEAT DISPATCH, INC., P.O. Box 1058, Palmetto, FL 33561. Representative: William L. Beasley (same as above). *Contract*, irregular; *Cleaning compounds, liquid and dry, boxed, bottled or canned*, from North Hollywood, CA to all points in and east of ND, SD, NE, KS, OK and TX, under a continuing contracts(s) with Blue Cross laboratories of North Hollywood, CA. Supporting Shipper: Blue Cross Laboratories, 7400 Greenbush Ave., North Hollywood, CA 91605.

The following applications were filed in Region 5. Send protests to: Consumer Assistance Center, Interstate Commerce Commission, Post Office Box 17150, Fort Worth, TX 76102.

MC 2392 (Sub-5–7TA), filed August 27, 1980. WHEELER TRANSPORT SERVICE, INC., 7722 F Street, P.O. Box 14248, West Omaha Station, Omaha, NE 68124. Representative: Keith D. Wheeler, P.O. Box 14248 West Omaha Station, Omaha, NE 68124. *Propane, in bulk, and in Tank Vehicles* from Clay Center, KS to all points in the State of NE. Supporting shipper: K K Appliance Company, P.O. Box 343, Holdrege, NE 68949.

MC 29910 (Sub-5–44TA), filed August 26, 1980. Applicant: ARKANSAS-BEST FREIGHT SYSTEM, INC., 301 South Eleventh Street, Fort Smith, AR 72901. Representative: Joseph K. Reber (address same as above). *Paper, paper articles and articles used in the manufacture and distribution of paper and paper articles*, Between the plant site of International Paper Compnay northeast of Mansfield, LA, DeSota Parish, on the one hand, and, on the other, points in the U.S. (except AK and HI). Supporting shipper: International Paper Company, P.O. Box 160707, Mobile, AL 36616.

MC 108207 (Sub-5–32TA), filed August 27, 1980. Applicant: FROZEN FOOD EXPRESS, INC., P.O. Box 225888, Dallas, Texas 75265. Representative: M. W. Smith (same address as applicant). *Broadgoods, adhesives, and resins moving in vehicles equipped with mechanical refrigeration* from the facilities of Hexcel Corporation at Casa Grande, AZ to points in TX, OK, KS, and OH. Supporting shipper: Hexcel Corporation, 11711 Dublin Blvd., Dublin, CA 94566.

MC 124393 (Sub-5–3TA), filed August 26, 1980. Applicant: FRANK POTTER TRUCKING CO., INC., Box 132, Boonville, MO 65233. Representative: Tom B. Kretsinger, Kretsinger & Kretsinger, 20 East Franklin, Liberty, MO 64068. Contract irregular, *Meats, meat products and articles distributed by meat packinghouses (except hides and commodities in bulk)*, from the facilities of Wilson Food Corp. located at Marshall, MO to points in AR, IL, IN, IA, KS, KY, MN, NE, OH, OK, SD, TX, MI and WI. Supporting shipper: Wilson Foods Corp. 4545 Lincoln Blvd., Oklahoma City, OK 73105.

MC 129830 (Sub-5–1TA), filed August 26, 1980. Applicant: JACOBSMA TRANSPORTATION COMPANY, 2600 Highway 75 North, Sioux City, IA 51105. Representative: Edward A. O'Donnell, 1004 29th Street, Sioux City, IA 51104. (1)

Iron and steel articles, (2) *materials, equipment and supplies, used in the manufacture and distribution of commodities in (1) above*. Between facilities utilized by Sioux City Foundry Co. located in the States of AL, AZ, AR, CA, CO, FL, GA, ID, IL, IN, IA, KS, KY, LA, MI, MN, MS, MO, MT, NE, NV, NM, NC, ND, OH, OK, OR, PA, SC, SD, TN, TX, UT, WA, WI and WY. Restricted to traffic originating at or destined to the facilities of Sioux City Foundry Co. Supporting shipper: Sioux City Foundry Co., Sioux City, IA.

MC 138328 (Sub-5–11TA), filed August 26, 1980. Applicant: CLARENCE L. WERNER, d.b.a. WERNER ENTERPRISES, I–80 and Hwy. 50, P.O. Box 37308, Omaha, NE 68137. Representative: Donna Ehrlich (same as applicant). (1) *Corrugated boxes*, and (2) *materials, equipment and supplies used in the manufacture and distribution of the commodities named in (1) above*, between Omaha, NE, on the one hand, and, on the other, points in IL, IA, KS, MI, MO, OK, SD, and TX. Supporting shipper: Packaging Corporation of America, 1002 Missouri Ave., Omaha, NE 68107.

MC 140612 (Sub-5–4TA), filed August 26, 1980. Applicant: ROBERT F. KAZIMOUR, P.O. Box 2207, Cedar Rapids, IA 52406. Representative: J. L. Kazimour, P.O. Box 2207, Cedar Raids, IA 52406. *(1) stove pipe, chimneys, ducts, flashings, metal products and stoves and, (2) equipment, materials and supplies used in the manufacture, sale and distribution of the commodities in (1) above, (except commodities in bulk in tank vehicles)*. Between Redwood City, CA, and Vicksburg, MS, and points in the U.S. (except AK and HI). (Restricted to traffic originating at or destined to the facilities used by Dura-Vent Corporation or its customers.) Supporting shipper: Dura-Vent Corporation, P.O. Box 2249, Redwood City, CA 94064.

MC 142463 (Sub-5–3TA), filed August 26, 1980. Applicant: SPECIALIZED HAULING, INC., 1500 Omaha St., Sioux City, IA 51103. Representative: Edward A. O'Donnell, 1004 29th Street, Sioux City, IA 51104. (1) *Iron and steel articles*, (2) *Materials, equipment and supplies, used in the manufacture and distribution of the commodities in (1) above*. Between facilities utilized by Sioux City Foundry Co. located in the States of AL, AZ, CA, FL, GA, LA, MI, MS, NM, NC, OH, OR, PA, SC, TN, TX and WA. Restricted to traffic originating at or destined to the facilities of Sioux City Foundry Co. Supporting shipper: Sioux City Foundry Co., Sioux City, IA.

MC 143411 (Sub-5–1TA), filed August 26, 1980. Applicant: VALLEY CONTRACT CARRIERS, INC., P.O. Box 3479, McAllen, TX 78501. Representative: Harry F. Horak, Suite 115, 5001 Brentwood Stair Road, Fort Worth, TX 76112. Contract; Irregular. *Fruits and vegetable juices and concentrates (except commodities in bulk)* from Weslaco, TX to points in IA, IL, IN, KS, MN, MI, MO, MS, MT, SD, TN, and WI, under continuing contract(s) with Texsun Corporation. Supporting shipper: Texsun Corporation, P.O. Box 327, Weslaco, TX 78596.

MC 143978 (Sub-5–2TA), filed August 26, 1980. Applicant: EMERSON DELIVERY, INC. P.O. Box 652, Cedar Rapids, IA 52406. Representative: James M. Hodge, 1980 Financial Center, Des Moines, IA 50309. Contract irregular *Automobile parts*, from the facilities of American Motors Sales Corp. at Elk Grove Village, IL to points in IA, under continuing contract(s) with American Motors Sales Corp. Supporting shipper(s): American Motors Sales Corporation, 3280 South Clement Avenue, Milwaukee, WI 53207.

MC 144622 (Sub-5–45TA), filed August 26, 1980. Applicant: GLENN BROTHERS TRUCKING, INC., P.O. Box 9343, Little Rock, AR 72219. Representative: J. B. Stuart, P.O. Box 179, Bedford, TX 76021. *Such commodities as are dealt in by grocery, discount, and variety stores (except commodities in bulk)* between points in the United States (except AK & HI), restricted to the transportation of traffic originating at or destined to the facilities of Mass Merchandisers, Inc. Supporting shipper: Mass Merchandisers, Inc., P.O. Box 790, Harrison, AR 72601.

MC 148060 (Sub-5–4TA), filed August 27, 1980. Applicant: STOVER LINES, INC., 5636 NW 17th St., Topeka, KS 66618. Representative: Clyde N. Christey, Ks Credit Union Bldg., 1010 Tyler, Suite 110L, Topeka, KS 66612. *Fibrous glass products and materials, mineral wool, mineral wool products and materials, insulated air ducts, insulating products and materials; glass fibre rovings, yarn and strands; glass fibre mats and mattings; flexible air duct, (except commodities in bulk)* originating at the facilities of CertainTeed Corp., Kansas City, KS to points in the states of AR, LA and TX. Supporting shipper: CertainTeed Corporation, P.O. Box 860, Valley Forge, PA 19482.

MC 149026 (Sub-5–12TA), filed August 27, 1980. Applicant: TRANS-STATES LINES, INC., 633 Main Street, P.O. Box 1485, Van Buren, AR 72956. Representative: Larry C. Price (address same as above). *Chemicals or allied products and rubber or miscellaneous plastic products (except in bulk) and materials, equipment and supplies (except in bulk) used in the manufacture and distribution of commodities named above*, between Los Angeles County, CA, on the one hand, and, on the other, points in the United States (except AK and HI). Supporting shipper: Crain Industries, 5401 S. Zero Street, Fort Smith, AR 72901.

MC 150088 (Sub-5–7TA), filed August 26, 1980. Applicant: STERLING TRANSPORT DIVISION, INC., 801 Heinz Way, Grand Prairie, TX 75071. Representative: Robert K. Frisch, Brown & Walker, 2711 Valley View Lane, Suite 101, Dallas, TX 75234. Common; Irregular. *(a) merchandise dealt in and used by retail, chain, grocery and food or feed business houses, soy products, dairy based products and (b) raw materials, equipment and supplies used in the manufacture, distribution and sales thereof* from the facilities of Ralston-Purina Company in Oklahoma, Canadian, Caddo, Cleveland and Pottawatomie Counties, OK to points in TX. Supporting shipper: Ralston-Purina Company, 13700 North Lincoln Boulevard, Edmond, OK 73034.

MC 150783 (Sub-5–6TA), filed August 27, 1980. Applicant: SCHEDULED TRUCKWAYS, INC., Post Office Box 757, Rogers, AR 72756. Representative: Ronnie Sleeth, Post Office Box 757, Rogers, AR 72756. *Candy and confectionery items and nuts in packages and containers. Supplies and equipment used in manufacturing confectionery (except in bulk)*, between points in the U.S. Restricted to traffic for California Peanut Co. Supporting shipper: California Peanut Co., 500 W. Ohio Ave., P.O. Box 157, Point Station, Richmond, CA 94806.

MC 150783 (Sub-5–7TA), filed August 27, 1980. Applicant: SCHEDULED TRUCKWAYS, INC., Post Office Box 757, Rogers, AR 72756. Representative: Ronnie Sleeth, Post Office Box 757, Rogers, AR 72756. *Candy and confectionery products*. From Berks County, PA to points in the U.S. restricted to traffic originating at or destined to the facilities of R.M. Palmer Candy Co. and Bortz Chocolate Co. Supporting shipper: R.M. Palmer Company, 77 Second Ave., West Reading, PA 19602 and Bortz Chocolate Company, 1414 Moss Street, Reading PA 19604.

MC 150783 (Sub-5–8TA), filed August 27, 1980. Applicant: SCHEDULED TRUCKWAYS, INC., Post Office Box 757, Rogers, AR 72756. Representative: Ronnie Sleeth, Post Office Box 757,

Rogers, AR 72756. *Petroleum and Petroleum products (except in bulk),* between points in and east of ND, SD, NE, CO, OK, and TX. Restricted to traffic moving for the account of Rogers Oil Co. Supporting shipper: Rogers Oil Co., 1325 West Walnut, Rogers, AR 72756.

MC 151579 (Sub-5–1TA), filed August 27, 1980. Applicant: ALAN HAL EVANS, d.b.a. H E TRANSPORTATION, Rt. 2 Box 187A, Mt. Pleasant, TX 75455. Representative: J. D. McLaughlin, 501 Liberty Natl. Bank Building, Paris, TX 75460. *Castings, ingots, bar and castings, foundry dross, skimmings, foundry equipment and/or supplies,* between Lamar, Smith, Gregg, and Harris Counties, TX, on the one hand, and, on the other, points in Jefferson County, AL, Cook County, IL, and Lancaster County, PA. Supporting shipper: Southerwestern Foundry Company, Inc., P.O. Box 897, Paris, TX 75460.

MC 151614 (Sub-5–2TA), filed August 26, 1980. Applicant: GOTTAGO, INC., 21522 Greengate Drive, Spring, TX 77379. Representative: Billy R. Reid, 1721 Carl Street, Forth Worth, TX 76103. *Oil well drilling tools, earth drilling machinery and equipment,* between points in AZ, CO, KS, LA, MS, MT, ND, NM, OK, TX, WY and UT, restricted to shipments having origins at or destined to facilities of Hughes Tool Company of Houston, TX. Supporting shipper: Hughes Tool Company, 5425 Polk Avenue, Houston, TX 77023.

MC 151637 (Sub-5–2TA), filed August 27, 1980. Applicant: LARRY BREEDEN TRUCKING, INC., 1301 Fayetteville Road, Van Buren, AR 72956. Representative: Don Garrison, Esq., Post Office Box 1065, Fayetteville, AR 72701. *Mattress and materials, equipment and supplies used in the manufacture thereof.* Between Van Buren, AR, on the one hand, and on the other, points in AL, AX, CA, CO, GA, IA, IL, IN, KS, KY, MO, MS, NE, NM, OK, TN and TX. Supporting shipper: Dodd Mattress Company, Inc., 11 North 3rd Street, Van Buren, AR 72956.

MC 151659 (Sub-5–1TA), filed August 26, 1980. Applicant: MICHAEL J. WETZIG, JR., d.b.a. GULF-TEXAS EXPRESS, 12522 Twin Sisters, Cypress, TX 77429. Representative: Michael J. Wetzig, Jr., 12522 Twin Sisters, Cypress, TX 77429. *General commodities (with the usual exceptions) having a prior or subsequent move by water.* Between the commercial zones of Houston and Dallas/Ft. Worth, TX and including the TX counties of Parker, Johnson, Ellis, Kaufman, Rockwall, Collin, Denton, Wise, Cooke, Grayson, Wichita, Angelina, Brazos, Karnes, Hunt, Smith, Navarro and Van Zandt. Supporting shipper: Chilton and Wilderspin, P.O. Box 394, Grapevine, TX 76051: Milchem, Inc., 3920 Essex Lane, Houston, TX 77027: H. T. Ardinger & Son, 9040 Governors Row, Dallas, TX 75247: The I.C.E. Company, Inc., P.O. Box 61583, Dallas/Ft. Worth Airport, TX 75261: Virginia Chemicals, Inc., 4100 Platinum Way, Dallas, TX 75224.

MC 151660 (Sub-5–1TA), filed August 26, 1980. Applicant: IMPALA TRANSPORTATION SERVICES, INC., 2556 Royal Lane, A–191, Dallas, TX 75229. Representative: Larry P. Cardin, 2556 Royal Lane, A–191, Dallas, TX 75229. Common, regular. *General commodities (except Classes A and B explosives and household goods as defined by the Commission),* (1) between Ft. Worth, TX and Memphis, TN serving the intermediate points of Dallas, TX and Little Rock, AR as follows: From Ft. Worth over Interstate Highway 20 to junction with Interstate Highway 30, then over Interstate Highway 30 to junction with Interstate Highway 40, and then over Interstate Highway 40 to Memphis, and return over the same route, (2) between Ft. Worth, TX and New Orleans, LA, serving the intermediate points of Dallas, TX and Baton Rouge, LA, as follows: From Ft. Worth over Interstate Highway 20 to junction with Interstate Highway 45, then over Interstate Highway 45 to junction with U.S. Highway 175, then over U.S. Highway 175 to junction with U.S. Highway 69, then over U.S. Highway 69 to junction with Interstate Highway 10, and then over Interstate Highway 10 to New Orleans, and return over the same route, (3) between Ft. Worth, TX and New Orleans, LA serving the intermediate points of Dallas, TX, Shreveport, LA, and Baton Rouge, LA, as follows: From Ft. Worth over Interstate Highway 20 to junction with U.S. Highway 71, then over U.S. Highway 71 to its junction with U.S. Highway 190, then over U.S. Highway 190 to its junction with Interstate Highway 10, and then over Interstate Highway 10 to New Orleans, and return over the same route, (4) between Shreveport, LA and Jackson, MS, serving no intermediate points as follows: From Shreveport over Interstate Highway 20 to Jackson and return over the same route, (5) between Memphis, TN and New Orleans, LA, serving the intermediate points of Jackson, MS and the junction of Interstate Highways 55 and 12 at Hammond, LA, as follows: From Memphis over Interstate Highway 55 to junction with Interstate Highway 10, and then over Interstate Highway 10 to New Orleans, and return over the same route, (6) between the junction of Interstate Highway 55 and Interstate Highway 12 and Baton Rouge, LA, serving no intermediate points, as follows: From the junction of Interstate Highways 55 and 12 at Hammond, LA over Interstate Highway 12 to Baton Rouge, and return over the same route. Authority is sought (1) to tack the above authorities at common points, (2) to serve the commercial zones of all authorized points, and (3) to interline with other carriers at all service points. Supporting shippers: 42.

Republication

Mc 110817 (Sub-5–1TA), filed July 22, 1980. Applicant: E. L. FARMER & COMPANY, P.O. Box 3512, Odessa, TX 79760. Representative: Mike Cotten, P.O. Box 1148, Austin, TX 78767. *(1) Machinery, equipment, materials and supplies used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products, and machinery, equipment, materials, and supplies used in, or in connection with the construction, operation, repair, servicing, maintenance and dismantling of pipelines, including the stringing and picking up thereof. (2) Earth drilling machinery and equipment, and machinery, equipment, materials, supplies and pipe incidental to, used in, or in connection with (a) the transportation, installation, removal, operation, repair, servicing, maintenance, and dismantling of drilling machinery and equipment, (b) the completion of holes and wells drilled, (c) the production, storage, and transmission of commodities resulting from drilling operations at well or hole sites and (d) the injection or removal of commodities into or from holes and wells,* between points in AR, AZ, CO, KS, LA, MO, MT, NV, MN, OK, TX, UT, and WY, on the one hand, and, on the other, points in CA, IA, ID, MN, ND, NE, OR, SD and WA. Supporting shippers: 6.

The following applications were filed in Region 6. Send protests to: Interstate Commerce Commission, Region 6 Motor Carrier Board, P.O. Box 7413, San Francisco, CA 94120.

MC 147329 (Sub-6–1TA), filed August 25, 1980. Applicant: ALL STATE TRANSPORT, INC., 5959 South Alameda Street, Los Angeles, CA 90001. Representative: Bobbie F. Albanese, 13215 E. Penn St., Suite 310, Whittier, CA 90602. *Contract carrier,* irregular routes, transporting *oil,* not in bulk, from Los Angeles County, CA, to points in AZ, CO, FL, ID, MN, NC, NM, OR, PA, SC, TX, UT, VA and WA, for 270 days.

Supporting shipper: Mouren-Laurens Oil Co., 641 East Compton Boulevard, Compton, CA 90220.

MC 151635 (Sub-6-1TA), filed August 21, 1980. Applicant: APOLLO AIR LOGISTICS, INC., 1004 Andover Park East, Seattle, WA 98188. Representative: Russell A. Evans, Atty., 200 West Thomas, rm. 500, Seattle, WA 98119. *Garments on hangers and garments in boxes,* between points located in the State of CA and the State of WA for 270 days. An underlying ETA seeks 120-day authority. Supporting shipper: The Bon, 17000 Southcenter Parkway, Seattle, WA 98188.

MC 52793 (Sub-6-9TA), filed August 22, 1980. Applicant: BEKINS VAN LINES CO.—New Products Division, 3090 Via Mondo, Compton, CA 90221. Representative: David P. Christianson, 707 Wilshire Boulevard, Suite 1800, Los Angeles, CA 90017. *Furniture and furnishings,* from Appomattox County, VA to MI, IL, IN, OH, WI, MO, KS, NE, ND, SD, MN and IA, for 270 days. Supporting shippr: Thomasville Furniture Industries, P.O. Box 339, Thomasville, N.C. 27360.

MC 129219 (Sub-6-3TA), filed August 22, 1980. Applicant: CMD TRANSPORTATION, INC., 12340 SE Dumolt Road, Clackamas, OR 97015. Representative: Philip G. Skofstad, 1525 NE Weidler, Portland, OR 97232. *Contract carrier,* Irregular routes: *Compressed sawdust logs* from Josephine County, OR to points in WA for the account of Agnew Environmental Products, Inc., for 270 days. Supporting shipper: Agnew Environmental Products, Inc., P.O. Box 1168, Grants Pass, OR 97526.

MC 140409 (Sub-6-3TA), filed August 25, 1980. Applicant: CIRCLE B TRANSPORTATION CORPORATION, Box 207, Wheat Ridge, CO 80033. Representative: Robert W. Armstrong, Box 207, Wheat Ridge, CO 80033. *Foodstuffs; canned goods, frozen or other than frozen,* from the facilities of Skyland Food Corporation at or near Delta, Co., to points in AK, AR, CA, IA, ID, IL, KS, LA, MA, MD, MI, MO, MN, MT, NE, ND, NM, NV, OK, PA, SD, TX, VT, WY and WI, for 270 days. Supporting shipper: Skyland Food Corporation, Box 250, Delta, CO 81416, Mr. Jack L. Ray, Sales Manager.

MC 42487 (Sub-6-28TA), filed August 22, 1980. Applicant: CONSOLIDATION FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Drive, Menlo Park, CA 94025. Representative: V. R. Oldenburg, P.O. Box 3062, Portland, OR 97208. *Common carrier,* regular routes: *General commodities, (except household goods as defined by the Commission and Classes A and B explosives),* between Evansville, IN and Owensboro, KY, serving no intermediate points (1) from Evansville over IN Hwy 66 to junction U.S. Hwy 231, then over U.S. Hwy 231 to Owensboro, and return over the same route, and (2) from Evansville over U.S. Hwy 41 to junction U.S. Hwy 60, then over U.S. Hwy 60 to Owensboro, and return over the same route, for 270 days. Applicant intends to tack to its existing authority and any authority it may acquire in the future. The proposed authority will be tacked or joined with Docket No. MC 42487 Sub 578 at Evansville, IN. The Docket No. MC 42487 Sub 578 authority, in turn, will be tacked or joined with other present authorities of Applicant at such points as St. Louis, MO, Des Moines, IA, Minneapolis, MN, Chicago, IL, Cincinnati, OH, Buffalo, NY and Boston, MA, to permit service to and from points throughout the United States. Applicant proposes to interline traffic with its present connecting carriers at authorized interline points throughout the United States as provided in tariffs on file with the Interstate Commerce Commission. Supporting shipper(s): There are twelve (12) statements in support attached to this application which may be examined at the Regional Office listed.

MC 17745 (Sub-6-1TA), filed August 22, 1980. Applicant: CONTRACTORS CARGO COMPANY, 11100 S. Garfield Ave., South Gate, CA 90280. Representative: John H. Briggs (same address as applicant). *Contract Carrier,* irregular routes: *Condenser Sections,* between Orange, CA and Marble Hill Generating Plant near New Washington, IN, for 270 days. An underlying ETA seeks 120-days authority. Supporting shipper: Marley Heat Transfer Company, 2095 N. Batavia Street, Orange, CA 92666.

MC 136595 (Sub-6-2TA), filed August 25, 1980. Applicant: EASTSIDE ENTERPRISES, INC., 1440 South "A" Street, Springfield, OR 97477. Representative: Lawrence V. Smart, Jr., 419 N. W. 23rd Avenue, Portland, OR 97210. *Mobile homes* and *sectionalized buildings,* from Weiser, Nampa and Boise, ID and Woodland and Chehalis, WA, and their commercial zones to points in Lane, Douglas and Coos Counties, OR, for 270 days. Supporting shippers: Joe Bando Mobile Home Sales, 1300 Main, Springfield, OR 97477; Statewide Mobile Homes, Inc., d.b.a Florence Mobile Homes, 2909 Highway 101, Florence, OR 97439.

MC 124679 (Sub-6-25TA), filed August 22, 1980. Applicant: C. R. ENGLAND AND SONS, INC., 975 West 2100 South, Salt Lake City, Utah 84119. Representative: Michael L. Bunnell (same as Applicant). *Pharmaceuticals, medical supplies, confectionaries, foodstuffs, and personal care products and materials, equipment and supplies used in the manufacture and distribution thereof, except in bulk,* between the points in the United States, except Alaska and Hawaii, restricted to traffic originating at or destined to the facilities of Warner-Lambert Company, its subsidiaries, affiliates and vendors for 270 days. Supporting shipper: Warner-Lambert Company, 201 Tabor Road, Morris Plains, New Jersey 07950.

Note.—Applicant holds motor contract carrier authority in number MC-128813 and sub numbers thereunder, therefore dual operations may be involved. An underlying ETA seeks 120 days authority.

MC 124679 (Sub-6-26TA), filed August 22, 1980. Applicant: C. R. ENGLAND AND SONS, INC., 975 West 2100 South, Salt Lake City, Utah 84119. Representative: Robert H. Cannon (same as applicant). *Cleaning compounds, lubricants, chemicals and such merchandise as is dealt in by wholesale, retail, variety and grocery stores,* except in bulk between the facilities of the Southland Corporation at San Diego, Los Angeles, Orange County, Santa Ana & San Francisco, CA., Salt Lake City, UT., Phoenix, AZ., Atlanta, GA., Louisville, KY., Boston, MA., New York, NY., Great Meadows, NJ., Charlotte, NC, Chattanooga, TN., Ft. Worth, Dallas, McKinley, TX., Denver, CO., Chicago, Champaigne, IL., Falmouth, VA., Sanford & Orlando, FL. for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: The Southland Corporation, 2828 N. Haskell, Dallas, Texas. 75221.

Note.—Applicant holds motor contract carrier authority in number MC-128813 and sub numbers thereunder, therefore dual operations may be involved.

MC 124679 (Sub-6-27TA), filed August 22, 1980. Applicant: C. R. ENGLAND AND SONS, INC., 975 West 2100 South, Salt Lake City, UT 84119. Representative: Michael L. Bunnell (same as applicant). *Oil, gas, air and smog control filters* from Salt Lake City, UT to OR and WA for 270 days. An underlying ETA filed seeking 120 days authority. Supporting shipper: Campbell Filter Company, 1940 South 3480 West, Salt Lake City, UT 84119.

Note.—Applicant holds motor contract carrier authority in number MC-128813 and sub numbers thereunder, therefore dual operations may be involved. An underlying ETA seeks 90 days authority.

MC 125433 (Sub-6-33TA), filed August 22, 1980. Applicant: F-B TRUCK LINE COMPANY, 1945 South Redwood Road,

Salt Lake City, UT 84104. Representative: John B. Anderson. *Plastic bags and plastic roll film,* from the facilities of USI Film Products at or near Tyler, TX on the one hand, and on the other, points in the United States (except AK), for 270 days. Supporting shipper: USI Film Products, P.O. Box 818, Tyler, TX 75710.

MC 145102 (Sub-6–8TA), filed August 25, 1980. Applicant: FREYMILLER TRUCKING, INC., 1400 South Union Avenue, Bakersfield, CA 93307. Representative: Michael J. Wyngaard, 150 East Gilman Street, Madison, WI 53703. *Prepared foodstuffs* from Denison, TX to points in AZ, AR, CA, CO, ID, KS, MO, MT, NE, NV, NM, OK, OR, SD, UT and WA, for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: The Pillsbury Company, 608 Second Avenue, South, Minneapolis, MN 55337.

MC 151624 (Sub-6–1TA), filed August 21, 1980. Applicant: GARRISON TRANSPORTATION COMPANY, INC., 901 Castaic Ave., Bakersfield, CA 93308. Representative: Earl N. Miles, 3704 Candlewood Dr., Bakersfield, CA 93306. *Steel pipe, with or without couplings* between Dallas and Harris Counties, TX on the one hand, and Kern, Los Angeles and Ventura Counties, CA on the other, for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Ampco Supply Inc., 3728 Chester Ave., Bakersfield, CA 93301.

MC 151450 (Sub-6–1TA), filed August 25, 1980. Applicant: JOE GILBERT GONZALES, P.O. Box 93, Dixon, NM 82527. Representative: Charles M. Williams, 350 Capitol Life Center, 1600 Sherman Street, Denver, CO 80203. *Feed and feed ingredients (except livestock and poultry feed),* from Denver, CO and its commercial zone to points in NM, for 270 days. An underlying ETA seeks 90 days' authority. Supporting shippers: Navajo Feed Store, Inc., P.O. Box 1473, Gallup, NM 87301; Miller's Feed & Supply, 8998 Fourth Street, NW, Albuquerque, NM 87114; Rancher's Feed and Supply, Inc., P.O. Box 2281, Milan, NM 87021.

MC 147236 (Sub-6–1TA), filed August 25, 1980. Applicant: KENYON TRUCKING, INC., Box 477, Mills, WY 82644. Representative: Donnie G. Kenyon, 2912 Pheasant Drive, Casper, WY 82601. (1) *Machinery, materials, equipment, and supplies,* used in or in connection with the discovery, development, production, refining, manufacture, processing, storage, transmission and distribution of natural gas and petroleum and their products and by products, and (2) *Machinery, materials, equipment and supplies* used in or in connection with the construction, operation, repair, servicing, maintenance and dismantling of pipelines, including the stringing and pick up thereof, between points in WY, CO, UT, ID and MT for 270 days. An underlying ETA seeks 120 days authority. There are 10 supporting shippers. Their statements may be examined at the office listed.

MC 151623 (Sub-6–2TA), filed August 19, 1980. Applicant: McDOUGALD OIL CO., INC., 459 Nichols Lane, Moab, UT 85432. Representative: Dale E. Isley, Steele Park, Suite 330, 50 S. Steele St., Denver, CO 80209. *Chemicals or allied products,* between points in AZ and NM on the one hand, and, on the other, points in Grand and San Juan Counties, UT, for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Atlas Minerals, North Hwy 163, Moab, UT.

MC 140827 (Sub-6–2TA), filed August 21, 1980. Applicant: MARKET TRANSPORT, LTD., 110 N. Marine Drive, Portland, Oregon 97217. Representative: Nick I. Goyak, One Southwest Columbia, No. 555, Portland, Oregon 97258. *Soap/washing and cleaning compound, day and liquid,* from Los Angeles, CA to Eugene, Medford and Milwaukie, OR and Seattle and Spokane, WA, for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: White King, Inc., P.O. Box 2198 Terminal Annex, Los Angeles, CA 90054.

MC 142686 (Sub-6–17TA), filed August 22, 1980. Applicant: MID-WESTERN TRANSPORT, INC., 10506 S. Shoemaker Ave., Santa Fe Springs, CA 90670. Representative: Joseph Fazio (same as applicant). *Contract Carrier,* Irregular Routes; *Brass, Bronze, Cooper Rod, Sheet and tube,* Between points in the United States (except AK and HI), for 270 days. Supporting shipper: Anaconda American Brass Division, P.O. Box 109, Paramount, CA.

MC 151629 (Sub-6–1TA), filed August 21, 1980. Applicant: POLY PIPE DISTRIBUTORS, INC., 1471 Yampa Avenue, Craig, CO 81625. Representative: Thomas J. Burke, Jr. 1660 Lincoln Street, Suite 1600, Denver, CO 80264. *(1) Drilling muds and (2) Oilfield chemicals, in packages or containers,* between point in Moffat County, CO, Natrona County, WY, and Lander County, NV, on the one hand, and, on the other hand, points in WY, CO, OK and TX, for 270 days. Supporting shipper: Dresser Industries, Inc., Magcobar Division, 1600 Metro Bank Bldg., 425–17th St., Denver, CO 80202.

MC 52709 (Sub-6–19TA), filed August 25, 1980. Applicant: RINGSBY TRUCK LINES, INC., 3980 Quebec St., P.O. Box 7240, Denver, CO 80207. Representative: Rick Barker (same address as applicant). (29) *Petroleum or coal products,* between Essex County, NJ and Denver County, CO, for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Samsonite Corporation, 11200 East 45th Ave., Denver, CO 80239.

MC 151617 (Sub-6–1TA), filed August 20, 1980. Applicant: ROY-L-T-TRUCKING COMPANY, INC., 15006 E. Nelson, City of Industry, CA. 91744. Representative: Roy Tyra (same as above). *Contract Carrier,* Irregular Routes; *Carpets and rugs, carpet padding, and plastic articles and rubber articles and adhesives, used in manufacture, sale, and distribution of carpets, and rugs,* between the facilities of General Felt Industries in Los Angeles County CA, and points in OR, WA AZ, NV, ID, MT, WY, UT, CO, NM, OK and TX, for 270 days. Restricted to shipments originating at the facilities of General Felt Industries, Inc. in Los Angeles County, CA. An underlying ETA seeks 120 days authority. Supporting shipper: General Felt Industries, Park 80 Plaza West-one, Saddlebrook, New Jersey 07662.

MC 142941 (Sub-6–10TA), filed August 25, 1980. Applicant: SCARBOROUGH TRUCK LINES, INC., P.O. Box 6716, Phoenix, AZ 85005. Applicant's representative: Doug W. Sinclair (same as applicant). *Charcoal and charcoal briquettes, and materials, equipment and supplies* used in the manufacture and distribution of such commodities, between points in Branson, MO; Dickinson, ND; Pachuta, MS; Scotia, NY; and White City, OR and all points in the United States (except AK and HI), for 270 days. Supporting shipper: Husky Industries, Inc., 62 Perimeter Center East, Atlanta, GA 30346.

MC 142941 (Sub-6–11TA), filed August 25, 1980. Applicant: SCARBOROUGH TRUCK LINES, INC., P.O. Box 6716, Phoenix, AZ 85005. Applicant's representative: Doug W. Sinclair (same as applicant). *Such commodities as are dealt in by wholesale, retail, food, discount houses, and department stores* (except in bulk), from Chicago, IL (and it's commercial zone) to all points in the United States (except AK and HI), for 270 days. Supporting shipper: Chicago Candy Association, 2535 North 25th Avenue, Franklin Park, IL 60131.

MC 145237 (Sub-6–3TA), filed August 22, 1980. Applicant: SCOTT TRUCK LINES, INC., 5280 Newport Street, Commerce City, CO 80022. Applicant's representative: Edward A. O'Donnell, 1004 29th Street, Sioux City, IA 51104.

Contract; Irregular: *Plastic or Rubber Film or Sheeting* from Bond County Illinois to Denver County, Colorado, for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Watersaver Company, Inc., P.O. Box 16465, Denver, CO 80216.

MC 148737 (Sub-6–5TA), filed August 21, 1980. Applicant: SUNSET EXPRESS CORP., P.O. Box 27153, Salt Lake City, UT 84104. Applicant's representative: Carl I. Sundeaus (same as applicant). (1) *Flavorings and syrups* from Clovis, CA to the states in and east of KS, NE, ND, OK, SD, and TX, and (2) *materials and supplies used in the manufacture and distribution of the commodities in (1) above* in the reverse direction, for 270 days. Restricted to shipments originating from or destined to the facilities of Lyons-Magnus Co. Supporting shipper: Lyons-Magnus Company, 3789 E. Alluvial Ave., Clovis, CA 93612.

MC 136818 (Sub-6–14TA), filed August 25, 1980. Applicant: SWIFT TRANSPORTATION COMPANY, INC., 335 West Elwood Road, Phoenix, AZ 85030. Applicant's representative: Donald E. Fernaays, 4040 East McDowell Road, Suite 320, Phoenix, AZ 85008. *Meat, 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, from Phoenix, AZ to points in CA, for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Arizona Beef Company, 2601 N. 31st Ave., Phoenix, AZ 85009.

MC 136897 (Sub-6–15TA), filed August 25, 1980. Applicant: SWIFT TRANSPORTATION COMPANY, INC., 335 West Elwood Rd., Phoenix, AZ 85030. Representative: Donald E. Fernaays, 4040 East McDowell Road, Suite 320, Phoenix, AZ 85008. *Contract carrier:* Irregular routes: *Suitcases, briefcases, and related travel goods,* (1) from Denver, CO and El Paso, TX to Los Angeles, CA and Houston, TX, and (2) from Denver, CO to El Paso, TX, for the account of Samsonite Corporation-International Division, for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Samsonite Corporation-International Division, 11200 E. 45th Ave., Denver, CO 80239.

MC 136897 (Sub-6–16TA), filed August 25, 1980. Applicant: SWIFT TRANSPORTATION COMPANY, INC., 335 West Elwood Rd., Phoenix, AZ 85030. Representative: Donald E. Fernaays, 4040 East McDowell Road, Suite 320, Phoenix, AZ 85008. *Contract carrier:* Irregular routes: *Pneumatic tires and tubes,* from Waco, TX; Mayfield, KY; Mt. Vernon, IL; and Charlotte, NC, to points in the United States, except AK and HI, for the account of Reynolds Tire and Rubber Corp., for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Reynolds Tire and Rubber Corp., 1421 38th Street, Brooklyn, NY 11218.

MC 147315 (Sub-6–5TA), filed August 21, 1980. Applicant: TRIWAYS, INC., 2455 E. 27th St., Los Angeles, CA 90058. Representative: William Davidson, P.O. Box 58408, Los Angeles, CA 90058. *Contract carrier,* irregular routes: *Doors, wooden, glazed and unglazed and related parts,* from Portland and Springfield, OR to the Los Angeles, CA commercial zone, for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Nicolai Co., 1029 N.W. Hoyt, Portland, OR 97209.

MC 26396 (Sub-6–41TA), filed August 25, 1980. Applicant: THE WAGGONERS TRUCKING, P.O. Box 31357, Billings, MT 59107. Representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, NE 68501. *Valves and accessories,* from Houston, TX to ports of entry on the International Boundary line between the U.S. and Canada located at Detroit, MI, for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Adamson-Chronister Company, 13223 Spencer Road, Houston, TX 77040.

MC 151630 (Sub-6–1TA), filed August 22, 1980. Applicant: PAUL D. WARE, d.b.a. WARE TRANSPORTATION, 17190 Valley Blvd., Fontana, CA 92335. Representative: Donald R. Hedrick, P.O. Box 88, Norwalk, CA 90650. *Iron or steel articles,* between points in CA on the one hand, and points in AZ and NV on the other hand, for 270 days. Supporting shipper: Fontana Steel Corp., 17190 Valley Blvd., Fontana, CA 92335.

MC 141768 (Sub-6–1TA), filed August 21, 1980. Applicant: WESTERN ASPHALT (1972), LTD., 3780 76th Avenue, SE., Calgary, Alberta, Canada, T2C 1J8. Representative: Daniel C. Sullivan, 10 S. LaSalle St., Suite 1600, Chicago, IL 60603. *Anhydrous ammonia, in bulk, in tank vehicles,* from ports of entry on the International Boundary Line between the United States and Canada located at Sweetgrass and Wild Horse, MT to points in MT, for 270 days. Supporting shipper: Farmer's Union Central Exchange, Incorporated, A/K/A CENEX, P.O. Box 43089, St. Paul, MN 55164.

MC 151596 (Sub-6–1TA), filed August 21, 1980. Applicant: BOB WHITAKER & SON, INC., P.O. Box 65, Roswell, NM 88201. Representative: Bob Whitaker (same as applicant). (1) *Meats, meat products, meat by-products 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, and (2) *Materials, equipment and supplies used* in processing, distribution and sale of the commodities named in (1) above. *Between* Points in Ford County, KS, on the one hand and points in the United States (except AK and HI) on the other hand, for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Hyplains Dressed Beef, Inc., P.O. Box 359, Dodge City, KS 67801.

MC 89684 (Sub-6–6TA), filed August 21, 1980. Applicant: WYCOFF COMPANY, INCORPORATED, P.O. Box 366, Salt Lake City, UT 84110. Representative: John J. Morrell (same address as applicant). *Common,* regular routes: *Cereal and cereal products,* between Los Angeles, CA on the one hand, and on the other, Salt Lake City, UT via I–15; Denver CO via I–15 and I–80; Grand Junction CO via I–15 and I–70, for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Organic Milling Company, 3509 Casitas Avenue, Los Angeles, CA 90039.

MC 143775 (Sub-6–27TA), filed August 22, 1980. Applicant: PAUL YATES, INC., 6601 W. Orangewood, Glendale, AZ 85301. Representative: Michael R. Burke (same address as applicant). *Such commodities as are dealt in by retail department stores, including garments on hangers,* between points in CA, on the one hand, and, on the other, points in the United States (except AK and HI), restricted to the transportation of traffic originating at or destined to the facilities of or used by A & B Transportation Services, Department Store Shippers Association and Store Services, Inc., for 270 days. Supporting shippers: A & B Transportation Services, Inc., 2645 Nevin Ave., Los Angeles, CA 90011; Department Store Shippers Association, 2231 E. 49th Street, Vernon, CA 98058; Store Services Inc., 20 Enterprise Avenue, Secaucus, NJ 07094.

MC 150021 (Sub-6–2TA), filed August 21, 1980. Applicant: JAMES DANIELS, d.b.a. ZIP TRUCK LINES, P.O. Box 4237, Freemont, CA 94538. Representative: (same as applicant). *Heaters, boilers, storage tanks, solar collectors, solar panels,* and *commodities used in the installation or production thereof,* from Newark and Los Angeles, CA and Seattle, WA to TX, for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: A. O. Smith Corporation, Newark, CA.

MC 147528 (Sub-6–5TA), filed August 25, 1980. Applicant: T.A.S. TRUCKING, INC., 2625 Springwood Drive, Meridian,

ID 83642. Representative: Dan L. Poole, P.O. Box 1559, Boise, Idaho 83701. *Contract Carrier*, irregular routes: *Glass, aluminum, and plastic extrusions*, from Los Angeles, Fullerton, Buena Park, Kingsburg, Watsonville and Fresno, CA to Nampa, ID for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Robert M. Atkinson, d.b.a. Aluma-Glas Industries, Inc., 2715 Star Rd., Nampa, ID 83651.

MC 141804 (Sub-6-73TA), filed August 22, 1980. Applicant: WESTERN EXPRESS, DIVISION OF INTERSTATE RENTAL, INC., P.O. Box 3488, Ontario, CA 91761. Representative: Frederick J. Coffman (same as applicant). *Lighting Fixtures* (fluorescent) with equipment of electrical apparatus with or without lamps, between Americus and Atlanta, GA; Eufaula, AL on the one hand, and, on the other points in the U.S. (except AK & HI), for 270 days. Supporting shipper: Steve Owen, Assistant Traffic Manager, Metalux Lighting, P.O. Box 1207, Americus, GA 31709.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 80-27453 Filed 9-5-80; 8:45 am]

BILLING CODE 7035-01-M

Permanent Authority Decisions; Decision-Notice

The following applications, filed on or after March 1, 1979, 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 petition for intervention, either in support of or in opposition to the granting of an application, must be filed with the Commission within 30 days after the date notice of the application is published in the **Federal Register**. Protests (such as were allowed to filings prior to March 1, 1979) *will be rejected.* A petition for intervention without leave must comply with Rule 247(k) which requires petitioner to demonstrate that it (1) holds operating authority permitting performance of any of the service which the applicant seeks authority to perform, (2) has the necessary equipment and facilities for performing that service, and (3) has performed service within the scope of the application either (a) for those supporting the application, or, (b) where the service is not limited to the facilities of particular shippers, from and to, or between, any of the involved points.

Persons unable to intervene under Rule 247(k) may file a petition for leave to intervene under Rule 247(l) setting forth the specific grounds upon which it is made, including a detailed statement of petitioner's interest, the particular facts, matters, and things relied upon, including the extent, if any, to which petitioner (a) has solicited the traffic or business of those supporting the application, or, (b) where the identity of those supporting the application is not included in the published application notice, has solicited traffic or business identical to any part of that sought by applicant within the affected marketplace. The Commission will also consider (a) the nature and extent of the property, financial, or other interest of the petitioner, (b) the effect of the decision which may be rendered upon petitioner's interest, (c) the availability of other means by which the petitioner's interest might be protected, (d) the extent to which petitioner's interest will be represented by other parties, (e) the extent to which petitioner's participation may reasonably be expected to assist in the development of a sound record, and (f) the extent to which participation by the petitioner would broaden the issues or delay the proceeding.

Petitions not in reasonable compliance with the requirements of the rule may be rejected. An original and one copy of the petition to intervene shall be filed with the Commission indicating the specific rule under which the petition to intervene is being filed, and a copy shall be served concurrently upon applicant's representative, or upon applicant if no representative is named.

Section 247(f) provides, in part, that an applicant which does not intend to timely 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 an 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 administrative 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.

Findings

With the exception of those applications involving duly noted problems (e.gs., 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 present and future 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 regulation. 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 petitioner, 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 terms, conditions or limitations 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 petitions for intervention, filed on or before October 8, 1980 (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 rquirements which will be set forth in a notification of effectiveness of the decision-notice. To the extent that the authority sought below may duplicate an applicant's other authority, such duplication shall be construed as conferring only a single operating right.

Applicants must comply with all specific conditions set forth in the following decision-notices within 30 days after publication, or the application shall stand denied.

Note.—All applications are for authority to operate as a common carrier, by motor vehicle, in interstate or foreign commerce, over irregular routes, except as otherwise noted.

Volume No. 327

Decided: Sept. 2, 1980.

By the Commission, Review Board No. 3, Members Parker, Fortier, and Hill.

MC 117142 (Sub-4F), filed April 10, 1980 (republication), published in the

Federal Register issue of July 3, 1980, and republished this issue.

Applicant: AMERICAN TRAILER HAUL, INC., 609B South Main St., Woodstock, GA 30188. Representative: Archie B. Culbreth, Suite 202, 2200 Century Parkway, Atlanta, GA 30345. Transporting (1) *trailers* designed to be drawn by passenger automobiles, (2) *double-wides*, and (3) *portable buildings*, between points in AL, FL, GA, MS, NC, SC, and TN.

Note.—This republication corrects the commodity description in part (3) above.

MC 142672 (Sub-146F), filed June 23, 1980 (republication), published in the **Federal Register** issue of July 31, 1980 and republished this issue. Applicant: DAVID BENEUX PRODUCE & TRUCKING, INC., P.O. Drawer F, Mulberry, AR 72947. Representative: Don Garrison, P.O. Box 1065, Fayetteville, AR 72701. Transporting (1) *electric motors, grinders, buffers, dental lathes, dust collectors and pedestals;* and, (2) *parts, accessories and attachments* for the commodities in (1) above, and (3) *materials, equipment and supplies* used in the manufacture and distribution of the commodities named in (1) and (2) above, (i) from the facilities of Baldor Electric Company, at or near Columbus, MS and Westville, OK, and (ii) from points in OH to the facilities of Baldor Electric Company, at or near St. Louis, MO, to the facilities of Baldor Electric Company, at or near Columbus, MS.

Note.—This republication corrects the territory description in (i) above.

Volume No. 328

Decided: Aug. 27, 1980.

By the Commission, Review Board No. 2, Members Chandler, Eaton, and Liberman.

MC 10173 (Sub-18F), filed July 1, 1980. Applicant: MARVIN HAYES LINES, INC., P.O. Box 468, Clarksville, TN 37040. Representative: Leon D. Huffine (same address as applicant). Over *regular routes*, transporting *general commodities* (except household goods as defined by the Commission, classes A and B explosives, commodities in bulk, and those requiring special equipment), (1) Between Louisville, KY, and Nashville, TN, (a) over U.S. Hwy 31–W, and (b) over Interstate Hwy 65, serving no intermediate points; (2) Between Louisville, KY, and Memphis, TN, (a) from Louisville over U.S. Hwy 31–W to Bowling Green, KY, then over U.S. Hwy 68 to Elkton, KY, then over Hwy 181 to Guthrie, KY, then over U.S. Hwy 79 to Milan, TN, then over U.S. Hwy 45–E to Jackson, TN, then over Interstate Hwy 40 to Memphis, and return over the same route, serving no intermediate points, and (b) from Louisville over Interstate Hwy 65 to junction Interstate Hwy 40, then over Interstate Hwy 40 to Memphis, and return over the same route, serving no intermediate points.

Note.—Applicant intends to tack this authority with its existing regular-route authority.

MC 119552 (Sub-8F), filed June 10, 1980. Applicant: J.T.L., INC., 49 Rosedale St., Providence, RI 02903. Representative: Ronald N. Cobert, 1730 M St., NW., Suite 501, Washington, DC 20036. Transporting (1)(a) *automotive supplies* and (b) *such commodities* as are used in the sale of filters and filter products, and (c) *tools* for filters and filter parts, from Nevada, MO, Greenville, OH, East Providence, RI, and Salt Lake City, UT, to points in the U.S. (except AK and HI), and (2) *materials, equipment, and supplies* used in the manufacture and distribution of the commodities in (1) above, in the reverse direction, under continuing contract(s) with Fram Corporation, of Providence, RI.

MC 128102 (Sub-4F), filed March 27, 1980. Applicant: STATE MOTOR FREIGHT, INC., 3905 E."A" St., Pasco, WA 99301. Representative: Boyd Hartman, P.O. Box 3641, Bellevue, WA 98009. Transporting *fertilizer and fertilizer ingredients*, (1) from Finley Hedges, WA, to points in MT, and (2) from Three Forks, MT, to Finley Hedges, WA.

MC 144912 (Sub-5F), filed April 22, 1980. Applicant: LEON R. GOLDSMITH d.b.a., TERMINAL MOTOR EXPRESS, 1711 East 15th St., Los Angeles, CA 90012. Representative: William J. Monheim, P.O. Box 1756, Whittier, CA 90609. 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), moving on bills of lading of non-profit shipper associations as defined in 49 U.S.C. § 10562(3), (1) from Los Angeles, CA, to Albuquerque, NM, and points in AZ and CO, and (2) between points in AZ, CA (except Los Angeles), NV, and UT, on the one hand, and on the other, those points in the U.S. in and east of MN, IA, NE, KS, OK, and TX.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 80–27443 Filed 9–5–80; 8:45 am]

BILLING CODE 7035–01–M

Permanent Authority Decisions; Decision-Notice

The following applications, filed on or after July 3, 1980, are governed by special rule 247 of the Commission's rules of practice, see 49 CFR 1100.247. Special rule 247 was published in the **Federal Register** of July 3, 1980, at 45 FR 45539.

Persons wishing to oppose an application must follow the rules under 49 CFR 1100.247(B). A copy of any application, together with applicant's supporting evidence, can be obtained from any applicant upon request and payment to applicant of $10.

Amendments to the request for authority are not allowed. Some of the applications may have been modified prior to publication to conform to the Commission's policy of simplifying grants of operating authority.

Findings

With the exception of those applications involving duly noted problems (e.gs., unresolved common control, fitness, water carrier dual operations, or jurisdictional questions) we find, preliminarily, that each applicant has demonstrated its proposed service warrants a grant of the application under the governing section of the Interstate Commerce Act. Each applicant is fit, willing, and able 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 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 the absence of legally sufficient protests in the form of verified statements filed on or before October 23, 1980 (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 notice that the decision-notice is effective. Within 60 days after publication an applicant may file a verified statement in rebuttal to any statement in opposition.

To the extent that any of the authority granted may duplicate an applicant's other authority, the duplication shall be construed as conferring only a single operating right.

Note.—All applications are for authority to operate as a motor common carrier in interstate or foreign commerce over irregular routes, unless noted otherwise. Applications for motor contract carrier authority are those

where service is for a named shipper "under contract".

Volume No. OP2-033

Decided: September 2,1980.

By the Commission Review Board No., Members Carleton, Joyce, and Jones.

MC 115162 (Sub-538F) (correction), filed August 19, 1980, published in the **Federal Register**, issue of August 28, 1980, and republished, as corrected, this issue. Applicant: POOLE TRUCK LINE, INC., P.O. Drawer 500, Evergreen, AL 36401. Representative: Robert E. Tate (same as applicant). Transporting (1) *Refractories, refractory products, insulation, insulating materials, alumina, calcined or hydrated,* and (2) *materials, equipment, and supplies* used in the manufacture, sale, distribution, and installation of commodities in (1) above, between points in Audrain, Callaway, and Montgomery Counties, MO, on the one hand, and, on the other, points in the U.S.

Note.—The purpose of this republication is to state that this application is not a fitness application. The publication on August 28, 1980 should be disregarded.

Volume No. OP2-034

Decided: August 29, 1980.

By the Commission, Review Board No. 2, Members Chandler, Eaton, and Liberman.

MC 124393 (Sub-7F), filed August 25, 1980. Applicant: FRANK POTTER TRUCKING CO., INC., P.O. BOX 132, Boonville, MO 65233. Representative: Tom B. Kretsinger, 20 East Franklin, Liberty, MO 64068. 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,* between points in the U.S., under continuing contract(s) with Wilson Foods Corporation of Oklahoma City, OK.

MC 117613 (Sub-32F), filed August 22, 1980. Applicant: D. M. BOWMAN, INC., Route 2, Box 43A1, Williamsport, MD 21795. Representative: Edward N. Button, 580 Northern Avenue, Hagerstown, MD 21740. Transporting (1) *printed matter, and paper and paper articles,* and (2) *materials and supplies* used in the manufacture and distribution of the commodities in (1) above, between points in the U.S. under continuing contract(s) with Arnold Graphics Inc., of Chambersburg, PA.

MC 150892 (Sub-1F), filed August 25, 1980. Applicant: JOHN T. SHARP, d.b.a. J-S RANCH, 125 East 1st North, Wellsville, UT 84339. Representative: John T. Sharp (same as applicant). Transporting (1) *foodstuffs,* and *materials and supplies* used in the manufacture of foodstuffs, between points in the U.S., under continuing contract(s) with Del Monte Corporation.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 80-27444 Filed 9-5-80; 8:45 am]

BILLING CODE 7035-01-M

[Permanent Authority Decisions Volume No. OP2-019]

Permanent Authority Decisions; Decision-Notice; Correction

Decided: August 8, 1980.

Notice of Correction. The following was previously noticed in the **Federal Register** issue of August 19, 1980, and is being republished this issue for the purpose of correcting the preface below, as it relates to non-fitness related applications, in lieu of fitness related applications as previously published.

The following applications, filed on or after July 3, 1980, are governed by Special Rule 247 of the Commission's Rules of Practice, see 49 CFR 1100.247. Special rule 247 was published in the **Federal Register** of July 3, 1980, at 45 FR 45539.

Persons wishing to oppose an application must follow the rules under 49 CFR 1100.247(B). A copy of any application, together with applicant's supporting evidence, can be obtained from any applicant upon request and payment to applicant of $10.00.

Amendments to the request for authority are not allowed. Some of the applications may have been modified prior to publication to conform to the Commission's policy of simplifying grants of operating authority.

Findings

With the exception of those applications involving duly noted problems (e.gs., unresolved common control, fitness, water carrier dual operations, or jurisdictional questions) we find, preliminarily, that each applicant has demonstrated its proposed service warrants a grant of the application under the governing section of the Interstate Commerce Act. Each applicant is fit, willing, and able 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 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 the absence of legally sufficient protests in the form of verified statements filed within 45 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 notice that the decision-notice is effective. Within 60 days after publication an applicant may file a verified statement in rebuttal to any statement in opposition.

To the extent that any of the authority granted may duplicate an applicant's other authority, the duplication shall be construed as conferring only a single operating right.

By the Commission, Review Board No. 2, Members Chandler, Eaton, and Liberman.

Agatha L. Mergenovich,

Secretary.

Note.—All applications are for authority to operate as a motor common carrier in interstate or foreign commerce over irregular routes, unless noted otherwise. Applications for motor contract carrier authority are those where service is for a named shipper "under contract".

MC 69292 (Sub-11F), filed August 5, 1980. Applicant: ATLAS TRANSPORTATION, INC., P.O. Box 4028, 8100 Stansbury Rd., Baltimore, MD 21222. Representative: Charles F. Perkinson (same address as applicant). Transporting (1) *contractor's equipment and supplies,* (2) *commodities* which, because of size or weight, require the use of special equipment, (3) *machinery and machinery parts,* (4) *metals,* and (5) *iron and steel articles,* between points in DE, MD, NJ, NY, NC, PA, VA, and DC. Condition: Issuance of a certificate here is subject to prior or coincidental cancellation at applicant's written request of Certificates No. MC 69292, issued December 11, 1963, and MC 69292 (Sub-7F), issued April 25, 1980.

MC 107162 (Sub-73F), filed August 6, 1980. Applicant: NOBLE GRAHAM TRANSPORT, INC., R.R. 1, Brimley, MI 49715. Representative: Michael S. Varda, 121 S. Pinckney St., Madison, WI 53703. Transporting *building and insulating materials* (except iron and steel articles), from Chicago, Rockdale, and Waukegan, IL and Minneapolis, MN, to points in MI and WI.

MC 115162 (Sub-536F), filed August 4, 1980. Applicant: POOLE TRUCK LINE, INC., P.O. Drawer 500, Evergreen, AL 36401. Representative: Robert E. Tate (same address as applicant). Transporting *non-ferrous metals, and materials, equipment, and supplies* used in the manufacture and distribution of non-ferrous metals, between points in

TX, AZ, NE, MO, OK, IN, NJ, CA, IL, and OH on the one hand, and, on the other, points in the U.S.

MC 123812 (Sub-6F), filed August 4, 1980. Applicant: SULLIVAN FREIGHT LINES, INC., Congress Parkway, Athens, TN 37303. Representative: Blaine Buchanan, 1024 James Bldg., Chattanooga, TN 37402. Transporting (1) *farm implements* and *parts and accessories* for farm implements, and (2) *materials, equipment, and supplies* used in the manufacture and distribution of the commodities in (1) above, between points in Yazoo County, MS, on the one hand, and on the other, points in the U.S.

MC 141532 (Sub-88F), filed August 4, 1980. Applicant: PACIFIC STATES TRANSPORT, INC., a corporation, 10244 Arrow Highway, Rancho Cucamonga, CA 91730. Representative: Michael J. Norton, 1905 South Redwood Rd., Salt Lake City, UT 84104. Transporting *primary metal products*, including galvanized, as described in Item 33 of the Standard Transporting Commodity Code Tariff and *fabricated metal products*, except ordnance, as described in Item 34 of the Standard Transportation Commodity Code Traffic between points in Davis County, UT, on the one hand, and, on the other, points in the U.S. Condition: The person or persons who appear to be engaged in common control must either file an application under 49 U.S.C. 11343(a) or submit an affidavit indicating why such approval is unnecessary.

MC 141532 (Sub-89F), filed August 5, 1980. Applicant: PACIFIC STATES TRANSPORT, INC., a corporation, 10244 Arrow Highway, Rancho Cucamonga, CA 91730. Representative: Michael J. Norton, 1905 South Redwood Rd., Salt Lake City, UT 84104. Transporting *primary metal products*, including galvanized, as described in Item 33 of the Standard Transportation Commodity Code Tariff and *fabricated metal products*, except ordnance, as described in Item 34 of the Standard Transportation, Commodity Code Tariff, between points in Los Angeles County, CA, on the one hand, and, on the other, points in the U.S. Condition: The person or persons who appear to be engaged in common control must either file an application under 49 U.S.C. 11343(a) or submit an affidavit indicating why such approval is unnecessary.

MC 141532 (Sub-90F), filed August 5, 1980. Applicant: PACIFIC STATES TRANSPORT, INC., a corporation, 10244 Arrow Highway, Rancho Cucamonga, CA 91730. Representative: Michael J. Norton, 1905 South Redwood Rd., Salt Lake City, UT 84104. Transporting *primary metal products*, including galvanized, as described in Item 33 of the Standard Transportation Commodity Code Tariff and *fabricated metal products*, except ordnance, as described in Item 34 of the Standard Transportation, Commodity Code Tariff, (1) between points in Alameda County, CA, on the one hand, and, on the other, points in the U.S., (2) between points in Chester County, PA, on the one hand, and, on the other, points in CA, and (3) between points in Salt Lake County, UT, on the one hand, and, on the other, points in the U.S. Condition: The person or persons who appear to be engaged in common control must either file an application under 49 U.S.C. 11343(a) or submit an affidavit indicating why such approval is unnecessary.

MC 146982 (Sub-4F), filed August 5, 1980. Applicant: D. J. LEE CO., INC., Route 1, Vesper, WI 54489. Representative: Wayne W. Wilson, 150 E. Gilman St., Madison, WI 53703. Transporting, *such commodities* as are dealt in or used by manufacturers, converters, and printers of paper and paper products (except commodities in bulk), from points in Portage and Wood Counties, WI, to points in AZ, CA, CO, ID, OR, MT, NV, NM, TX, UT, WA and WY.

MC 146982 (Sub-5F), filed August 5, 1980. Applicant: D. J. LEE CO., INC., Route 1, Vesper, WI 54489. Representative: Wayne W. Wilson, 150 East Gilman Street, Madison, WI 53703. Transporting (1)(a) fireplaces, space heaters, and chimneys, and (b) parts and accessories for the commodities in (1)(a) above, and (2) materials, equipment and supplies used in the manufacture or distribution of the commodities in (1)(a) above (A) between Stevens Point and Wisconsin Rapids, WI, on the one hand, and, on the other, points in the U.S. (except AK and HI), and (2) between points in San Bernardino County, CA, on the one hand, and, on the other, those points in the U.S. in and west of MT, WY, CO, and NM.

MC 151352 (Sub-1F) filed August 5, 1980. Applicant: E.L.M. TRUCKING, INC., P.O. Box 4048, Opelika, AL 36801. Representative: Terry P. Wilson, 428 So. Lawrence Street, Montgomery, AL 36104. Transporting *None-exempt food or kindred products*, as described in item 20 of the Standard Transportation Commodity Code Tariff between points in Chautauqua County, NY; Passaic and Hudson Counties, NJ; Charleston County, SC; Armstrong County, PA; and Dearborn County, IN, on the one hand, and, on the other, points in Mobile, Montgomery, and Houston Counties, AL.

[FR Doc. 80-27446 Filed 9-5-80; 8:45 am]
BILLING CODE 7035-01-M

[Permanent Authority Decisions Volume No. OP2-017]

Permanent Authority Decisions; Decision-Notice; Correction

Decided: August 7, 1980.

Notice of Correction. The following was previously noticed in the **Federal Register** issue of August 19, 1980, and is being republished this issue for the purpose of correcting the preface below, as it relates to non-fitness related applications, in lieu of fitness related applications as previously published.

The following applications, filed on or after July 3, 1980, are governed by Special Rule 247 of the Commission's Rules of Practice, see 49 CFR 1100.247. Special rule 247 was published in the **Federal Register** of July 3, 1980, at 45 FR 45539.

Persons wishing to oppose an application must follow the rules under 49 CFR 1100.247(B). A copy of any application, together with applicant's supporting evidence, can be obtained from any applicant upon request and payment to applicant of $10.00.

Amendments to the request for authority are not allowed. Some of the applications may have been modified prior to publication to conform to the Commission's policy of simplifying grants of operating authority.

Findings: With the exception of those applications involving duly noted problems (e.gs., unresolved common control, fitness, water carrier dual operations, or jurisdictional questions) we find, preliminarily, that each applicant has demonstrated its proposed service warrants a grant of the application under the governing section of the Interstate Commerce Act. Each applicant is fit, willing, and able 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 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 the absence of legally sufficient protests in the form of verified statements filed within 45 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 notice that the decision-notice is effective. Within 60 days after publication an applicant may file a verified statement in rebuttal to any statement in opposition.

To the extent that any of the authority granted may duplicate an applicant's other authority, the duplication shall be construed as conferring only a single operating right.

By the Commission, Review Board Number 3 Members Parker, Fortier and Hill.

Agatha L. Mergenovich,

Secretary.

Note.—All applications are for authority to operate as a motor common carrier in interstate or foreign commerce over irregular routes, unless noted otherwise. Applications for motor contract carrier authority are those where service is for a named shipper "under contract".

MC 25823 (Sub-10F), filed July 28, 1980. Applicant: WERCH TRUCKING COMPANY, INC., Route No. 2, Box 113, Berlin, WI 53923. Representative: Michael J. Wyngaard, 150 East Gilman Street, Madison, WI 53703. Transporting: *Lignin pitch* from points in WI to points in the U.S. (except AK and HI).

MC 88203 (Sub-13F), filed July 28, 1980. Applicant: OTIS WRIGHT & SONS, INC., 700 East Wayne St., P.O. Box 277, Lima, OH 45802. Representative: Earl N. Merwin, 85 East Gay St., Columbus, OH 43215. Transporting *general commodities* (except household goods as defined by the Commission and classes A and B explosives), between points in the U.S., under continuing contract(s) with The Procter & Gamble Company and its subsidiaries, of Cincinnati, OH.

MC 115162 (Sub-535F), filed August 1, 1980. Applicant: POOLE TRUCK LINE, INC., P.O. Drawer 500, Evergreen, AL 36401. Representative: Robert E. Tate (same address as applicant). Transporting *(1) plumbing goods and fixtures,* and *(2) materials, supplies and equipment used in the manufacture, sale and distribution of commodities named in (1) above,* between Cook County, IL; Rhea County, TN; and Robeson County, NC; on the one hand, and, on the other those points in the U.S. in and east of ND, SD, NE, KS, OK, and TX.

MC 115353 (Sub-46F), filed July 30, 1980. Applicant: LOUIS J. KENNEDY TRUCKING COMPANY, 342 Schuyler Avenue, Kearny, NJ 07032. Representative: Morton E. Kiel, Suite 1832, Two World Trade Center, New York, NY 10048. Transporting: *(1) steel and steel articles, (2) materials, supplies and equipment* used in the manufacture and distribution of commodities in (1) (except in bulk), between points in the U.S. (except AK and HI) under a continuing contract(s) with Raritan River Steel Co. of Perth Amboy, NJ.

MC 134783 (Sub-68), filed July 30, 1980. Applicant: DIRECT SERVICE, INC., 940 East 66th Street, P.O. Box 2491, Lubbock, TX 79408. Representative: Charles M. Williams, 350 Capitol Life Center, 1600 Sherman Street, Denver, CO 80203. Transporting: *meats, meat products, 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 commodities in bulk), from the facilities of Iowa Beef Processors, Inc. at or near Holcomb, KS to points in IL, IN, IA, KS, KY, MI, MN, MO, NE, ND, OH, SD, WI, CT, DE, ME, MD, MA, NH, NJ, NY, PA, RI, VT, VA, WV, AR, LA, OK, TX, AL, FL, GA, MS, NC, SC, TN, and D.C.

MC 139193 (Sub-116F), filed July 31, 1980. Applicant: ROBERTS & OAKE, INC., 4240 Blue Ridge Blvd., Kansas City, MO 64133. Representative: Terrence D. Jones, 2033 K St. NW, Washington, DC 20006. Transporting *meats, meat products, meat byproducts, dairy products, articles distributed by meat-packing houses, and such commodities as are used by meat packers in the conduct of their business when destined to and for use by meat packers,* as described in sections A, B, C, and D Appendix I to the report in *Descriptions in Motor Carrier Certificates,* 61 M.C.C. 209 and 766, between points in the U.S., under continuing contract(s) with John Morrell & Co., of Chicago, IL.

MC 143383 (Sub-8F), filed August 4, 1980. Applicant: DALE E. NICHOLSON, P.O. Box 97, Potosi, MO 63664. Representative: Dale E. Nicholson, (same address as applicant). Transporting *lead, zinc, and copper concentrates,* in bulk, from Corridon, MO, to Glover, MO.

MC 144293 (Sub-16F), filed August 1, 1980. Applicant: DUANE McFARLAND, P.O. Box 1006, Austin, MN 55912. Representative: Robert S. Lee, 1000 First National Bank Bldg., Minneapolis, MN 55402. Transporting (1) *Foodstuffs* and (2) *such commodities* as are dealt in by meat-packing houses, between points in Mower, Hennepin and Steele Counties, MN, Dodge and Scottsbluff Counties, NE, Webster, Kossuth, Marion and Wapello Counties, IA, and Rock County, WI, on the one hand, and, on the other, points in IL, IA, MN, NE and WI.

MC 144622 (Sub-180), filed August 1, 1980. Applicant: GLEN BROTHERS TRUCKING, INC., P.O. Box 9343, Little Rock, AR 72219. Representative: J. B. Stuart, P.O. Box 179, Bedford, TX 76021. Transporting: *Foods,* between points in Dallas County, TX, on the one hand, and, on the other, points in AR, LA, NM, and OK.

MC 146773 (Sub-3F), filed August 4, 1980. Applicant: CON-EX, INC., 369 Mast Rd., Manchester, NH 03102. Representative: Frank J. Weiner, 15 Court Square, Boston, MA 02108. 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), between points in ME, NH, VT, and MA, on the one hand, and, on the other, points in the U.S. (except AK, CT, DE, HI, ME, MD, MA, NH, NJ, NY, PA, RI, VA, VT, WV, and DC).

MC 150103 (Sub-8F), filed August 1, 1980. Applicant: SCHWEIGER INDUSTRIES, INC., 116 West Washington St., Jefferson, WI 53549. Representative: Michael J. Wyngaard, 150 E. Gilman St., Madison, WI 53703. Transporting *synthetic staple fiber and synthetic yarn,* between points in the United States, under continuing contract(s) with Borg Textile Corporation, a division of Bunker Ramo, of Jefferson, WI.

[FR Doc. 80-27447 filed 9-5-80; 8:45 am]
BILLING CODE 7035-01-M

[Permanent Authority Decisions Volume No. OP2-012]

Permanent Authority Decisions; Decision-Notice; Correction

Decided: August 6, 1980.

Notice of Correction. The following was previously noticed in the **Federal Register** issue of August 19, 1980, and is being republished this issue for the purpose of correcting the preface below, as it relates to non-fitness related applications, in lieu of fitness related applications as previously published.

The following applications, filed on or after July 3, 1980, are governed by Special Rule 247 of the Commission's Rules of Practice, see 49 C.F.R. 1100.247. Special rule 247 was published in the **Federal Register** of July 3, 1980, at 45 FR 45539.

Persons wishing to oppose an application must follow the rules under 49 CFR 1100.247(B). A copy of any application, together with applicant's supporting evidence, can be obtained from any applicant upon request and payment to applicant of $10.00.

Amendments to the request for authority are not allowed. Some of the applications may have been modified

prior to publication to conform to the Commission's policy of simplifying grants of operating authority.

Findings: With the exception of those applications involving duly noted problems (e.gs., unresolved common control, fitness, water carrier dual operations, or jurisdictional questions) we find, preliminarily, that each applicant has demonstrated its proposed service warrants a grant of the application under the governing section of the Interstate Commerce Act. Each applicant is fit, willing, and able 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 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 the absence of legally sufficient protests in the form of verified statements filed within 45 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 notice that the decision-notice is effective. Within 60 days after publication an applicant may file a verified statement in rebuttal to any statement in opposition.

To the extent that any of the authority granted may duplicate an applicant's other authority, the duplication shall be construed as conferring only a single operating right.

By the Commission, Review Board Number /, Members Carleton, Joyce and Jones.

Agatha L. Mergenovich,

Secretary.

Note.—All applications are for authority to operate as a motor common carrier in interstate or foreign commerce over irregular routes, unless noted otherwise. Applications for motor contract carrier authority are those where service is for a named shipper "under contract".

MC 115162 (Sub-534F), filed July 30, 1980. Applicant: POOLE TRUCK LINE, INC., P.O. Drawer 500, Evergreen, AL 36401. Representative: Robert E. Tate (same as applicant). Transporting (1) *petroleum and petroleum products, additives, and agricultural chemicals,* from points in Montgomery County, AL, to those points in the U.S. in and east of ND, SD, NE, KS, OK, and TX; and (2) *materials, equipment, and supplies* used in the manufacture, and distribution of the commodities in (1) above, in the reverse direction.

MC 123872 (Sub-119F), filed July 30, 1980. Applicant: W & L MOTOR LINES, INC., P.O. Box 3467, Hickory, NC 28601. Representative: Allen E. Bowman (same as applicant). Transporting *(1) (a) Cotton and synthetic yarn, (b) cotton and synthetic rope and twine, and (c) tape, and (2) materials and supplies used in the manufacture of commodities listed in (1)* above (except commodities in bulk), between points in Alexander, Burke, Caldwell, and Catawba Counties, NC, and DeKalb County, GA, on the one hand, and, on the other, points in AZ, CA, CO, GA, IA, ID, IL, KS, MN, MO, MT, NC, NE, ND, NM, NV, OK, OR, SD, TX, UT, WA, WI, and WY.

MC 127042 (Sub-301F), filed July 30, 1980. Applicant: HAGEN, INC., P.O. Box 3208, Sioux City, IA 51102. Representative: Joseph B. Davis (same address as applicant). Transporting *foods,* between points in Finney County, KS, and those points in the U.S. in and west of MI, OH, KY, MO, AR, and LA.

MC 138882 (Sub-371F), filed July 30, 1980. Applicant: WILEY SANDERS TRUCK LINES, INC., P.O. Drawer 707, Henderson Rd., Troy, AL 36081. Representative: John J. Dykema (same address as applicant). Transporting (1) *beverages* (except in bulk, in tank vehicles), between St. Louis, MO, on the one hand, and, on the other, points in AL, GA, and TN; and (2) *materials, equipment, and supplies* used in the manufacture and distribution of beverages (except commodities in bulk, in tank vehicles), between points in GA, on the one hand, and, on the other, points in AL and TN.

[FR Doc. 80-27448 Filed 9-5-80; 8:45 am]

BILLING CODE 7035-01-M

[Decisions Nos. 37482 and 37483; Ex Parte Nos. 368 and 375]

Texas Intrastate Freight Rates and Charges

Decided: September 2, 1980.

A number of railroads operating in intrastate commerce in Texas files joint petitions on July 30, 1980 requesting this Commission to institute an investigation of Texas intrastate freight rates and charges, under 49 U.S.C. 11501 and 11502.[1] They seek an order prescribing the increase of these rates and charges in the same amount approved for interstate application by this Commission in Ex Parte Nos. 368 and 375.

The railroads previously filed petitions with the Railroad Commission of Texas, requesting approval of interstate rate increases equal to those authorized in Ex Parte Nos. 368 and 375. In an order dated May 28, 1980, the Railroad Commission of Texas authorized a 6.65 percent increase in lieu of the 7.8 percent increase requested by petitioners under Tariff X368A. In an order dated July 21, 1980, the Railroad Commission authorized a 1.6 percent increase in lieu of the 4 percent increase requested by petitioners under Tariff X375. Thus, we have jurisdiction to address these requests. The petitioners have stated grounds sufficient to warrant instituting an investigation.

The railroads also filed a motion on July 30, 1980 that the two requested investigations be consolidated. We grant the motion, because the petitions involve related issues.

It is ordered: The petitions for investigations are granted. The motion to consolidate the investigations is granted. An investigation, under 49 U.S.C. 11501 and 11502, is instituted to determine whether Texas intrastate rail freight rates and charges in any respect cause (A) unreasonable discrimination against persons or localities in interstate or foreign commerce in relation to persons or localities in interstate commerce, or (B) unreasonable discrimination against or an unreasonable burden on interstate or foreign commerce, or are otherwise unlawful, by reason of the failure of the intrastate rates and charges to include the full increases authorized for interstate application by this Commission in Ex Parte Nos. 368 and 375. In the investigation we shall also determine if any rates or charges, or maximum or minimum rates or charges, or both, should be prescribed to remove any unlawful discrimination or undue burden or other violation of law found to exist.

All persons who wish to participate in this proceeding and to file and receive copies of pleadings shall notify the Office of Proceedings, Room 5340, Interstate Commerce Commission, Washington, D.C. 20423, on or before September 23, 1980. Although individual participation is not precluded, to conserve time and to avoid unnecessary expense, persons having common interests should endeavor to consolidate their presentations to the greatest extent possible. This Commission desires participation of only those who intend to take an active part in this proceeding.

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[1] The Atchison, Topeka and Santa Fe Railway Company, the Fort Worth and Denver Railway Company, The Kansas City Southern Railway Company, Louisiana & Arkansas Railway Company, Missouri-Kansas-Texas Railroad Company, Missouri Pacific Railroad Company, Saint Louis-San Francisco Railway Company, Saint Louis Southwestern Railway Company, and Southern Pacific Transportation Company.

Soon after the last day for indicating a desire to participate in the proceeding, this Commission will serve a list of names and addresses on all persons upon whom service of all pleadings must be made. Thereafter, this proceeding will be assigned for oral hearing or handling under modified procedure.

A copy of this decision shall be served upon the petitioners, and copies shall be sent by certified mail to the Railroad Commission of Texas and the Governor of Texas. Further notice of this proceeding shall be given to the public by depositing a copy of this decision in the Office of the Secretary of the Interstate Commerce Commission at Washington, D.C., and by filing a copy with the Director, Office of the Federal Register, for publication in the **Federal Register.**

This action will not significantly affect either the quality of the human environment or conservation of energy resources.

By the Commission, Gary J. Edles, Director, Office of Proceedings.

Agatha L. Mergenovich,

Secretary

[FR Doc. 80-27442 Filed 9-5-80; 8:45 am]

BILLING CODE 7035-01-M

DEPARTMENT OF JUSTICE

Office of Justice Assistance, Research, and Statistics

National Minority Advisory Council on Criminal Justice; Meeting

This is to provide notice of quarterly meeting of the National Minority Advisory Council on Criminal Justice (NMACCJ), OJARS.

The National Minority Advisory Council on Criminal Justice will hold a quarterly meeting on September 26 and 27, 1980 in the DuPont Room of the Washington Hilton Hotel, located at Connecticut Avenue and Columbia Road, N.W., in Washington, D.C. The meeting is scheduled to run from 9:00 a.m. to 12:00 noon on Friday the 26 and 9:00 a.m. on Saturday, the 27. The meeting is open to the public.

Discussion at the meeting will focus on the NMACCJ report, *The Inequality of Justice*, the NMACCJ national results conference, and a presentation on LEAA's Police Use of Deadly Force project.

Anyone wishing additional information should contact either Ms. Peggy Triplett, LEAA-NMACCJ Coordinator at 633 Indiana Avenue, N.W., Washington, D.C. 20531, (202) 724-5933; or Mr. Alan G. Boyd, NMACCJ Staff Director, 1990 M Street, N.W., Suite 200, Washington, D.C. 20036 (202) 862-9348.

Peggy E. Triplett,

Project Monitor, National Miniority Advisory Council on Criminal Justice.

[FR Doc. 80-27482 Filed 9-5-80; 8:45 am]

BILLING CODE 4410-18-M

LEGAL SERVICES CORPORATION

Solicitation of Proposals To Provide Pro Bono Legal Services to the Poor

September 3, 1980.

On June 20, 1980, the Board of Directors of the Legal Services Corporation passed a resolution which approved the allocation of $500,000 of one-time Corporation funds to be used for the development of *pro bono* and private bar activities which will improve the quality of legal services in civil matters to poor people.

The Corporation anticipates funding approximately 20 grantees. The funds will be awarded on a one-time, non-annualized basis for one-year terms. Funded programs will be considered demonstration projects, and will not be entitled to continued receipt of funds. Corporation staff will evaluate the results of the demonstration and present those results to the Board.

Copies of the complete Solicitation of Proposals and other materials can be obtained from: The Legal Services Corporation, Office of Field Services, 733 Fifteenth Street NW., Washington, D.C. 20005, Attn: Steve Granberg, 202/272-4080.

Dan J. Bradley,

President.

[FR Doc. 80-27481 Filed 9-5-80; 8:45 am]

BILLING CODE 6820-35-M

NUCLEAR REGULATORY COMMISSION

[Docket No. 40-8743]

Availability of Environmental Report and Announcement of Scoping Meeting for the Sand Rock Mill Project To Be Located in Campbell County, Wyo., Conoco, Inc.

Pursuant to the National Environmental Policy Act of 1969 and the regulations of the Nuclear Regulatory Commission in 10 CFR Part 51, Conoco, Incorporated has filed an application and an environmental report for a source material license for the construction and operation of the Sand Rock Mill Project located in Campbell County, Wyoming. The proposed project involves processing 3,000 tons of ore per day in an acid leach, solvent extraction circuit. The project is located approximately 70 miles northeast of Casper, Wyoming in the southwest Powder River Basin.

The application and environmental report are available for public inspection and copying at the Commission Public Document Room, 1717 H Street, NW., Washington, DC 20555. Copies of the environmental report are also being made available at the State Planning coordinator, Office of the Governor, 2320 Capitol Avenue, Cheyenne, Wyoming 82002 and Fremont County Public Library, 451 North Second, Lander, Wyoming.

The Commission's staff intends to prepare a Draft Environmental Statement on the proposed project which is expected to be available March 1, 1981. The principle alternatives currently planned to be considered include alternatives of siting, waste management methods, energy sources, and the alternative of no licensing action.

The scoping process will include a meeting to be held in the Hilton Inn, 800 Union Boulevard, Casper, Wyoming at 7:30 p.m. on October 16, 1980. This meeting will provide for a briefing of interested parties concerning the proposed action and alternatives and opportunity for comment on the scope of the proposed statement. The participation of the public and all interested government agencies is invited. Copies of this notice will be mailed to all Federal, State, and local agencies and other interested persons. Written comments concerning the scope of the proposed statement will be accepted until October 31, 1980.

Questions and/or written comments about the proposed action, DEIS, or scoping meeting should be directed to Ms. Kathleen Hamill, U.S. Nuclear Regulatory Commission, Division of Waste Management, Mail Stop 483-SS, Washington, DC 20555, phone (301) 427-4546.

Dated at Silver Spring, Md., this 29th day of August 1980.

For the Nuclear Regulatory Commission.

Ross A. Scarano,

Chief, Uranium Recovery Licensing Branch, Division of Waste Management.

[FR Doc. 80-27515 Filed 9-5-80; 8:45 am]

BILLING CODE 7590-01-M

Advisory Committee on Reactor Safeguards; Ad Hoc Subcommittee Meeting

An ACRS Ad Hoc Subcommittee will meet on September 19-20, 1980 with representatives of the Reactor Safety Committee (RSK) of the Federal

Republic of Germany in Room 1046, 1717 H St., NW., Washington, DC. Notice of this meeting was published August 22, 1980. In order to insure the security of information identified and supplied by a foreign government as confidential, this meeting will be closed to public attendance (Sunshine Act Exemption 1).

The agenda for subject meeting shall be as follows:

Friday and Saturday, September 19–20, 1980.

8:30 a.m. until the conclusion of business each day

The Subcommittee will hear presentations by and hold discussions with representatives of the RSK, the NRC Staff, and their consultants, regarding the design of the B&W NSSS, proposed changes in the NRC siting criteria, and consideration of Class-9 Accidents in emergency planning.

Further information about this meeting can be obtained by a prepaid telephone call to the cognizant Designated Federal Employee for this meeting, Mr. Raymond F. Fraley (telephone 202/634–3265) between 8:15 a.m. and 5:00 p.m., EDT.

I have determined, in accordance with Subsection 10(d) of the Federal Advisory Committee Act, that it is necessary to close this meeting to public attendance to ensure the security of information identified and supplied by a foreign government as confidential. The authority for such closure is Exemption (1) to the Sunshine Act, 5 U.S.C. 552b(c)(1). Separation of nonexempt material from exempt material while this meeting is in process is considered impractical.

Dated: September 3, 1980.

John C. Hoyle,

Advisory Committee Management Officer.

[FR Doc. 80–27518 Filed 9–5–80; 8:45 am]

BILLING CODE 7590–01–M

Extension of Comment Period, Draft Human Engineering Guide to Control Room Evaluation

Notice that the Commission's Office of Nuclear Reactor Regulation had published a draft Human Engineering Guide to Control Room Evaluation for public review and comment was published in the **Federal Register**, Vol. 45, No. 163, August 20, 1980, page 55551. The due date for comments on this draft document was September 12, 1980. The due date has now been extended to September 29, 1980.

Comments should be addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C., 20555, Attention: Director, Division of Human Factors Safety.

Dated at Bethesda, Md., this 25th day of August, 1980.

Dominic Tondi,

Acting Chief, Human Factors Engineering Branch, Division of Human Factors Safety.

[FR Doc. 80–27516 Filed 9–5–80; 8:45 am]

BILLING CODE 7590–01–M

[Docket No. 50–250]

Florida Power & Light Co. (Turkey Point Nuclear Generating Plant, Unit No. 3); Request for Action Under 10 CFR 2.206

Notice is hereby given that by petition dated July 30, 1980, Martin H. Hodder, Esq. and Cheryl Anderson Flaxman, Esq. on behalf of certain residents and homeowners in South Florida requested that the Commission issue to Florida Power & Light Company an order to show cause why the Turkey Point Unit 3 facility should not be shutdown by July 31, 1980, to perform a steam generator inspection and repair. This petition is being treated as a request for action under 10 CFR 2.206 of the Commission's regulations, and accordingly, action will be taken on the petition within a reasonable time.

Copies of the petition are available for inspection in the Commission's Public Document Room at 1717 H Street, NW., Washington, D.C. 20555 and in the local public document room at the Environmental & Urban Affairs Library, Florida International University, Miami, Florida 33199.

Dated at Bethesda, Md., this 15 day of August 1980.

For the Nuclear Regulatory Commission.

Edson G. Case,

Acting Director, Office of Nuclear Reactor Regulation.

[FR Doc. 80–27517 Filed 9–5–80; 8:45 am]

BILLING CODE 7590–01–M

OFFICE OF MANAGEMENT AND BUDGET

Agency Forms Under Review

Background

September 3, 1980.

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, extensions, or reinstatements. Some forms listed as revisions may only have a change in the number of respondents or a reestimate of the time needed to fill them out rather than any change to the content of the form. The agency clearance officer can tell you the nature of any particular revision you are interested in. Each entry contains the following information:

The name and telephone number of the agency clearance officer (from whom a copy of the form and supporting documents is available):

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. Our usual practice is not to take any action on proposed reporting requirements until at least ten working days after notice in the **Federal Register** but occasionally the public interst requires more rapid action.

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. The agency clearance officer will send you a copy of the proposed form, the request for clearance (SF83), supporting statement, instructions, transmittal letters, and other documents that are submitted to OMB for review. If you experience difficulty in obtaining the information you need in reasonable time, please advise the OMB reviewer to whom the report is assigned. 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 Jim J. Tozzi, Assistant Director for Regulatory and Information Policy, Office of Management and Budget, 726 Jackson Place, Northwest, Washington, D.C. 20503.

DEPARTMENT OF AGRICULTURE

Agency Clearance Officer—Richard J. Schrimper—447-6201

New Forms

Farmer's Home Administration
National Rural Community Facilities Assessment Study
Single time
Local officials and facility administrator, 22,730 responses, 14,915 hours
Office of Federal Statistical Policy & Standard, 673-7974

Revisions

Agricultural Marketing Service
Annual Report of Cooperative Milk Marketing Association
DA 24
Annually
Milk cooperatives, 290 responses, 145 hours
Charles A. Ellett, 395-7340
Food and Nutrition Service
7 CFR—227 Nutrition Education and Training Program
FNS-42
Quarterly
Regional, State, local offices, 9,885 responses, 409,461 hours
Charles A. Ellett, 395-7340
Rural Electrification Administration
Community Development Survey
REA 627
Annually
REA electric & telephone borrowers, 1,184 responses, 592 hours
Charles A. Ellett, 395-7340

Extensions

Food and Nutrition Service, Food Requisition—Donated Foods and State Distribution
FNS-52
On occasion
State distributing agency, 51,000 responses, 25,500 hours
Charles A. Ellett, 395-7340

Reinstatements

Food and Nutrition Service
Application and Agreement—NSLP, SBP, and SNP
FNS-67, 66, & 66-1
On occasion
School food authorities, 8,400 responses, 8,400 hours
Charles A. Ellett, 395-7340

DEPARTMENT OF COMMERCE

Agency Clearance Officer—Edward Michals—377-3627

Revisions

Industry and Trade Administration
WITS U.S. Supplier Application—WITS U.S. Export
Products/Services Application
ITA-4076P & 4077P
On occasion
U.S. firms exporting or wishing to export, 78,000 responses, 35,100 hours
William T. Adams, 395-4814
National Oceanic and Atmospheric Administration
Coastal Energy Impact Program (Pub. L. 94-370)—Loans and Guarantees
NOAA 36-23
On occasion
State & local governments, 20 responses, 244 hours
William T. Adams, 395-4814

Extensions

Bureau of the Census
Environmental Quality Control Agency Compilation Sheet EQC 1
Annually
Large Governments (Federal-State-local) 300 responses, 100 hours
Off. of Federal Statistical Policy & Standard 673-7974

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Agency Clearance Officer—Joseph J. Strnad—245-7488

New Forms

Center for Disease Control
Proficiency Testing Report Forms
On occasion
Laboratories, 11,618 responses, 4,285 hours
Eisinger, Richard, 395-6880
Center for Disease Control
Nutrition Education for the Elderly
Single time
Elderly in Congregate meal sites, 3,600 responses, 1,060 hours
Eisinger, Richard, 395-6880
Food and Drug Administration
Hearing Aid Device Recordkeeping Requirements
On occasion
Dispensers of hearing aid, 696,000 responses, 58,000 hours
Eisinger, Richard, 395-6880
Health Care Financing Administration (Departmental)
ESRD Network Coordinating Council Quick Assessment Reviews
HCFA-223
Annually
ESRD networks, 22 responses, 110 hours
Eisinger, Richard, 395-6880
Health Resources Administration
Feasibility Study of Dental Practice Location
Single time
Practicing dentists of UCSF dental school, 312 responses, 104 hours
Off. of Federal Statistical Policy & Standard, 673-7974
National Institutes of Health
Smoking Prevention in Adolescents
Other (see SF-83)
11 and 12 year-old children, 6,391 responses, 2,487 hours
Eisinger, Richard, 395-6880
National Institutes of Health
Cancerline Intermediary Searcher Questionnaire
Single time
Library search specialist, 350 responses, 120 hours
Eisinger, Richard, 395-6880
National Institutes of Health
Query Concerning Potential Data Source for Studies of Cholesterol and Non-CVD Mortality
Single time
Biomedical investigators, 25 responses, 3 hours
Eisinger, Richard, 395-6880

Revisions

Office of Human Development
WIN Certification Report—SAU Certification Record
WIN 117-A; SAU-4
Quarterly
State & project WIN SAU Agencies, 2,266 responses, 1,832 hours
Barbara F. Young, 395-6880
Public Health Service
1981 Health Interview/Reinterview Survey Questionnaires
On occasion
Samp. Hshlds representing civ., noninstit. pop. in U.S., 40,000 responses, 23,200 hours
Off. of Federal Statistical Policy & Standard, 673-7974

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Agency Clearance Officer—Robert G. Masarsky—755-5184

New Forms

Housing Production and Mortgage Credit
Compliance Inspection Report
HUD-92051
On occasion

Appraisers & inspectors, 500,000 responses, 125,000 hours
Richard Sheppard, 395–6880

DEPARTMENT OF THE INTERIOR

Agency Clearance Officer—William L. Carpenter—343–6716

New Forms

U.S. Fish and Wildlife Service
1980 National Survey of Fishing, Hunting, and Wildlife Recreation
FH–2, FH–3, & FH–4
Single time
Households in 24 retired CPS rotations, 156,500 responses, 55,833 hours
Off. of Federal Statistical Policy & Standard, 673–7974

DEPARTMENT OF JUSTICE

Agency Clearance Officer—Donald E. Larue—633–3526

New Forms

Offices, Boards, Division
Survey of Criminal Justice Information Agencies
NIJ (Series 6640)
Single time
Users of criminal justice data & information, 450 responses, 270 hours
Off. of Federal Statistical Policy & Standard, 673–7974

DEPARTMENT OF LABOR

Agency Clearance Officer—Paul E. Larson—523–6341

New Forms

Employment and Training Administration
Monthly Report on CETA PSE Accrued Expenditures
ETA–17A
Monthly
State and local agencies, 7,116 responses, 1,779 hours
Arnold Strasser, 395–6880

Revisions

Bureau of Labor Statistics
Monthly Report on Labor Turnover
DL–1219
Monthly
Industrial establishments, 462,000 responses, 78,540 hours
Off. of Federal Statistical Policy & Standard, 673–7974
Employment and Training Administration
Part C, Handbook on Adjustment Assistance for Workers Under Trade Act of 1974
ETA 8–55, ETA 8–62
On occasion
TRA claimants, 1,590,000 responses, 396,338 hours
Arnold Strasser, 395–6880
Employment and Training Administration
Monthly Enrollment Levels of On-Board PSE CETA Participants
ETA–17
Monthly
State and local agencies, 7,116 responses, 1,779 hours
Arnold Strasser, 395–6880
Employment and Training Administration
Extended Benefit Data
ETA 5–39
Weekly
SESA's, 2,756 responses, 2,067 hours
Arnold Strasser, 395–6880

ENVIRONMENTAL PROTECTION AGENCY

Agency Clearance Officer—Mr. Mel Kollander—287–0747

New Forms

ASRT Air Pollution Survey
Single time
Households in affected area, 600 responses, 200 hours
Edward H. Clarke, 395–7340
Funds Transfer Deposit
EPA 2560–6
On occasion
All types of firms, 183 responses, 366 hours
Edward H. Clarke, 395–7340

FEDERAL EMERGENCY MANAGEMENT AGENCY

Agency Clearance Officer—Linda Shiley—254–9515

Revisions

Training Course Application
FEMA 95–2
On occasion
Federal/State/local officials requesting training, 36,000 responses, 36,000 hours
Edward C. Springer, 395–4814

FEDERAL HOME LOAN BANK BOARD

Agency Clearance Officer—Alyce Harding—377–6025

Extensions

Security Information and Protection Devices, Report P–1
FHL BB 93
On occasion
FSLIC-insured institutions, 1,500 responses, 750 hours
Warren Topelius, 395–7340

OFFICE OF PERSONNEL MANAGEMENT

Agency Clearance Officer—John P. Weld—632–7737

Reinstatements

Questionnaire for Former Federal Executives
Single time
Federal Executives who have left Fed. service since July 1979, 150 responses, 113 hours
Edward C. Springer, 395–4814

OVERSEAS PRIVATE INVESTMENT CORPORATION

Agency Clearance Officer—Jacquelin Brent—632–3858

New Forms

Project Information Report
Single time
CPIC clients, 75 responses, 113 hours
Phillip T. Balazs, 395–4814

VETERANS ADMINISTRATION

Agency Clearance Officer—R. C. Whitt—389–2146

Revisions

Offer to Rent on a Month-to-Month Basis and Credit Statement
26–6725
On occasion
Prospective tenants (veterans), 100 responses, 33 hours
Laverne V. Collins, 395–6880

Reinstatements

Application for Dependency and Indemnity Compensation by Child
21–4183
On occasion
Children of veterans, 8,500 responses, 2,125 hours
Laverne V. Collins, 395–6880

C. Louis Kincannon,
Acting Deputy Assistant Director for Reports Management.

[FR Doc. 80–27513 Filed 9–5–80; 8:45 am]
BILLING CODE 3110–01–M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 21694; (70–6487)]

Cedar Oil Co., et. al; Proposed Mining Equipment Leases by Coal Mining Subsidiaries

August 29, 1980.

In the Matter of Cedar Coal Company, Central Appalachian Coal Company, Southern Appalachian Coal Company, 301 Virginia Street East, Charleston, West Virginia 25327; Central Ohio Coal Company, 301 Cleveland Avenue, S.W., Canton Ohio 44702; and Southern Ohio Coal Company, Post Office Box K, Moundsville, West Virginia 26041.

Notice is hereby given that Cedar Coal Company ("Cedar"), Central Appalachian Coal Company ("CACCo"), and Southern Appalachian Coal Company ("SACCo"), coal mining subsidiaries of Appalachian Power Company ("Appalachian"), and Central Ohio Coal Company ("COCCo") and Southern Ohio Coal Company ("SOCCo"), coal mining subsidiaries of Ohio Power Company, which, like

Appalachian, is an electric utility subsidiary of American Electric Power Company, Inc., a registered holding company, have filed with this Commission an application and amendments thereto pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating Sections 9 and 10 of the Act as applicable to the proposed transactions. All interested persons are referred to the application which is summarized below, for a complete statement of the proposed transactions.

Applicants propose to enter into a separate master leasing agreement with Connecticut Bank and Trust Company and Donald E. Smith, as Trustees for the Bank of New York, ("Lease") pursuant to which the Trustees will commit to lease to such companies coal mining equipment with a total cost to Trustees not exceeding $25,000,000. It is stated that Applicants anticipate lease coal mining equipment during 1980 and 1981 under the Lease, having a total estimate value as set forth below:

[In thousands of dollars]

Company	Estimated new equipment cost	Estimated replacement equipment cost	Contingency allowance	Total
Cedar	$1,256	$3,270	$474	$5,000
CACCo	1,310	650	290	2,250
COCCo	850	3,711	439	5,000
SACCo	3,865		435	4,300
SOCCo	6,637	1,070	743	8,450
Total	13,918	8,701	2,381	25,000

Applicants state that the mining equipment to be leased will contribute to maintaining and improving the efficiency and capacity of Appalachian's and Ohio's fuel supply operations. The coal mined by Applicants is of a quality which permits burning in conformance with present environmental standards applicable to consuming power plants. The generating plants named below expect to burn Applicant's coal in the indicated amounts:

[In thousands of tons]

Coal company	Receiving plant	Plant burn (annual)			Operating company
		Actual 1979	Estimated 1980	Estimated 1981	
Cedar	Amos (a)	7,618	7,209	7,074	Appalachian.
CACCo	Mountaineer	0	755	3,020	Appalachian.
SACCo	Amos		(see above)		Appalachian.
COCCo	Muskingum	3,829	3,244	3,532	Ohio.
SOCCo	(1) Gavin (b)	8,218	8,063	7,483	Ohio.
	(2) Mitchell	3,385	3,379	3,391	Ohio.
	Total	23,050	22,650	24,500	

The table below indicates each Applicant's "proven and probable" reserves of clean, recoverable coal, its current annual production capacity, and the anticipated additional production capacity to be obtained from the equipment proposed to be leased together with other new investments.

[In thousands of tons]

	Total reserves	1979 tons shipped	Anticipated additional clean tons capacity	Total anticipated clean tons capacity
Applicant:				
Cedar	122,235	1,774	721	2,495
CACCo	22,250	684	200	884
SACCo	57,275	1,242	1,153	2,395
COCCo	102,500	3,451		3,451
SOCCo	324,340	4,623	1,577	6,200
Total	628,600	11,774	3,651	15,425

The Lease provides for the lease on or before October 1, 1981 of various types of equipment for surface and underground mining of coal for terms of three, five, seven or ten years. The lessor's total cost, including freight taxes and installation, will not exceed $25,000,000 in the aggregate. Rents are payable quarterly and provide for the full amortization of lessor's cost over periods of 12 to 40 calendar quarters. Each quarterly rental payment for an

item under lease will consist of (i) one quarter's amortization of the lessor's cost of the item on a level basis over the lease term for that item, plus (ii) as an additional rental factor, the Quarterly Interest Rate applied to lessor's amortized cost of the item on the first day of the quarter. The Quarterly Interest Rate for such quarter shall be the lower of the prime interest rate of the owner (based on a 365 day year) or LIBO Rate (based on a 360 day year). The Prime Rate shall mean a rate per annum equal to the minimum commercial lending rate charged by Owner for 90 day loans to substantial and responsible commercial borrowers plus ¼% beginning July 1, 1984 until July 1, 1986; ½% beginning July 1, 1986, until July 1, 1988; ¾% beginning July 1, 1988 until July 1, 1991. The LIBO Rate shall mean a rate per annum equal to the rate per annum at which deposits of United States Dollars are offered by Owner to prime banks in The London interbank market at 11:00 AM (London time) for a period of 90 days, and in an amount substantially equal to the aggregate of all Quarterly Lease Rates due hereunder and under the Other Leases for the Quarter involved plus ½% beginning on the effective date until July 1, 1984; ⅝% beginning July 1, 1984 until July 1, 1986; ¾% beginning July 1, 1986 until July 1, 1988; ⅞% beginning on July 1, 1988 unit July 1, 1991.

Assuming a prime rate of 11¼% over the term of the leased equipment, the equivalent effective annual interest rate would be 11.45% on a weighted basis, or lower if the LIBO Rate is less than 11¼%. If an item of equipment is placed under lease other than on the first day of a calendar quarter, the rental for each fraction thereof during that quarter will consist only of the Quarterly Interest Rate for that period applied to Lessor's Cost of the item and prorated for the number of days in the period that the item was under lease. In that event, the Quarterly Interest Rate will be restricted to the prime interest rate of the Owner. When the aggregate Amortized Value of any item equals the lessor's cost of such item, the lessee has the option to purchase it for a price of one dollar or return it to the lessor or its agent at lessee's expense freight collect.

Upon 90-days written notice, the lessee may terminate the lease of any item by purchasing the item from the lessor for the Termination Value plus any accrued but unpaid rent and any taxes and charges upon such sale. During the term of the lease, if the coal supply agreement between the lessee and its immediate parent shall for any reason cease to be in full force and effect or be rescinded or terminated, lessee shall promptly give lessor written notice thereof. Lessee shall pay lessor an amount equal to the Stiplated Loss Value of the leased items and any accrued and unpaid rent for the equipment due on such quarterly date and all sales taxes and charges. Upon such payment the lease shall terminate and lessor shall transfer all its right, title and interest in and to the equipment to the lessee. Prior consent of the lessor is required to amend, supplement, modify or waive the coal supply agreement. Investment tax credits will be for the account of the lessee. The Lease is a net lease with all expenses directly related to the transaction borne by the lessee. The lessor will be indemnified by the lessee against all liabilities and risks of loss.

For its $25,000,000 commitment under the Lease, lessor will charge Applicants an annualized fee of ½ of 1% of the unused amount of the commitment during the period commencing on the closing date of the Lease Agreement and ending on October 1, 1981. No other fees or expenses are expected to be incurred in connection with the proposed transactions. It is stated that no state commission and no federal commission, other than this Commission, has jurisdiction over the proposed transaction.

Notice is further given that any interested person may, not later than September 22, 1980, 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, as amended, 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 applicants at the above-stated addresses, 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 amended, or as it may be further 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 or 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 delagated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 80-27494 Filed 9-5-80; 8:45 am]

BILLING CODE 8010-01-M

[Rel. No. 21698, (70-6484)]

Indiana & Michigan Electric Co.; Proposed Extension of Unsecured Debt Borrowing Limitation and Proposed Revised Charter; Order Authorizing Solicitation of Proxies in Connection Therewith

September 2, 1980.

Notice is hereby given that Indiana & Michigan Electric Company ("I&M"), 2101 Spy Run Avenue, Fort Wayne, Indiana 46801, an electric utility subsidiary of American Electric Power Company, Inc. ("AEP"), a registered holding company, has filed with this Commission a declaration and an amendment thereto pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating Sections 6(a), 7 and 12(e) of the Act and Rules 62 and 65 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the amended declaration, which is summarized below, for a complete statement of the proposed transactions.

I&M proposes to obtain the consent of the holders of its outstanding cumulative preferred stock to approve a 5-year extension of I&M's authority under its Articles of Acceptance ("Charter") to issue or assume unsecured debt in an aggregate principal amount exceeding 10%, but which amount, including all outstanding long-term unsecured debt, would not exceed 20% of I&M's total capitalization at any time. I&M's capitalization is defined as the sum of (i) the total outstanding principal amount of its secured debt, (ii) the total par value of, or stated capital represented by, outstanding shares of all classes of its stock, and (iii) any surplus. I&M is at present authorized to incur or assume unsecured debt within the foregoing limitation through December 31, 1980, pursuant to an order dated September 29, 1976 (HCAR No. 19697). The proposed extension would commence January 1, 1981, and end December 31, 1985, and would be subject to the condition that the principal amount of such unsecured debt in excess of 10% of total capitalization outstanding on December 31, 1985, shall mature not later than June 30, 1986. The actual

issuance and sale of any debt securities within the limits of the shareholder and Commission authorizations described above will be subject to further authorization by the Commission.

I&M also proposes to adopt a new Charter which generally would integrate, restate and supersede the existing Charter and the resolutions of its Board of Directors creating the various series of cumulative preferred stock currently outstanding, and which would effect a number of essentially technical amendments designed to correct obsolete references and to simplify and modernize the Charter by eliminating certain provisions which are unnecessary or redundant under, or which conflict with, the Indiana General Corporation Act. Counsel to I&M have advised that none of the proposed technical changes would be substantially prejudicial to the rights of the holders of any series or I&M's cumulative preferred stock, and thus ordinarily would not require the approval of such holders. In addition to such technical changes, however, the proposed new Charter will also provide for a 4,000,000 share increase, from 7,200,000 to 11,200,000, in the number of shares of $25 Preferred Stock that I&M shall be authorized to issue. Such an increase requires the consent of holders of I&M's cumulative preferred stock and of the holder of its common stock. I&M therefore proposes to submit the new Charter for adoption by holders of its cumulative preferred stock, voting as a class, and by the holder of its common stock. Adoption of the new Charter and the amendments contained therein will be submitted as a single proposal, so that if the proposed new Charter should not be adopted by the holders of the cumulative preferred stock, none of the changes proposed therein, including those not otherwise requiring approval by such holders, will become effective.

I&M proposes to solicit proxies from its common stockholder and the holders of its cumulative preferred stock to be used at a special meeting of the common and preferred shareholders to be held on October 17, 1980. Holders of I&M's cumulative preferred stock will be asked to approve the extension of the unsecured borrowing authority in excess of 10% of I&M's capitalization, and to approve the new Charter. Approval of the extension of time to issue unsecured debt in excess of 10% of capitalization requires the affirmative vote of the holders of cumulative preferred stock entitled to cast a majority of the votes which all outstanding shares of cumulative preferred stock are entitled to cast (with holders of $100 Preferred entitled to cast one vote per share, and holders of $25 Preferred entitled to cast one-quarter of a vote per share). Approval of the new Charter requires the affirmative vote of the holders of shares of cumulative preferred stock entitled to cast a majority of the votes which all outstanding shares of cumulative preferred stock are entitled to cast (with holders of $100 Preferred entitled to cast one vote per share, and holders of $25 Preferred entitled to cast one-quarter of a vote per share), voting as a class, and by the holders of a majority of the outstanding shares of common stock, voting as a class. AEP, the holder of all of I&M's common stock, has indicated that it intends to vote all of such shares in favor of the new Charter.

The fees and expenses to be incurred in connection with the proposed transaction will be supplied by amendment. It is stated that no state commission and no federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may not later than September 29, 1980, 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 amended declaration 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 declarant 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 declaration, as amended or as it may be further amended, may be permitted to become effective 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 received any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

It appearing that the amended declaration, insofar as it proposes the solicitation of proxies from I&M's preferred and common stockholders, should be permitted to become effective forthwith pursuant to Rule 62:

It is ordered, that the amended declaration regarding the proposed solicitation of proxies from I&M's preferred and common stockholders, be, and it hereby is, permitted to become effective forthwith pursuant to Rule 62, subject to the terms and conditions prescribed in Rule 24 under the Act.

For the Commission, by the Corporate Regulation Division, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 80-27493 Filed 9-5-80; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 11323; (812-4481)]

Kemper Income and Capital Preservation Fund, Inc.; Filing of Application

August 29, 1980.

In the Matter of Kemper Income and Capital Preservation Fund, Inc., Kemper High Yield Fund, Inc., Kemper Municipal Bond Fund, Inc., Kemper Fund for Government Guaranteed Securities, Inc., Kemper Financial Services, Inc., 120 South LaSalle Street, Chicago, Illinois 60603. Notice is hereby given that Kemper Income and Capital Preservation Fund, Inc. ("Income Fund"), Kemper High Yield Fund, Inc. ("High Yield Fund"), Kemper Municipal Bond Fund, Inc. ("Municipal Fund"), and Kemper Fund for Government Guaranteed Securities, Inc. ("Government Fund"), each registered under the Investment Company Act of 1940 ("Act") as a diversified, open-end, management investment company, and Kemper Financial Services, Inc. ("Kemper"), investment manager for such investment companies (hereinafter, such investment companies and Kemper are referred to as "Applicants"), filed an application on June 1, 1979, and amendments thereto on February 5, 1980, June 20, 1980, and August 7, 1980, requesting an order of the Commission, pursuant to Section 6(c) of the Act, exempting Applicants from the provisions of Section 22(d) of the Act to the extent necessary to permit the sale of shares of the applicant's investment companies (and shares of such other registered open-end, management investment companies with portfolios consisting primarily of fixed income securities and for which Kemper serves as investment manager and principal underwriter in the future) (collectively, "Funds") at net asset value, without imposition of normal sales charges and without regard to

minimum initial investment requirements, to participants in reinvestment programs proposed to be offered to unitholders of: (1) Kemper Tax-Exempt Income Trust, (2) Kemper Income Trust, (3) Kemper Trust for Government Guaranteed Securities and (4) other unit investment trusts sponsored by Kemper in the future (collectively, "Trusts"). All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

According to the application: (1) Income Fund seeks to provide as high a level of current income as is consistent with stability of capital by investing in corporate debt securities rated "A" or better by Standard & Poors Corporation or Moody's Investment Services, Inc., U.S. government obligations, certificates of deposit, and prime commercial paper; (2) High Yield Fund seeks the highest level of current income, consistent with reasonable risk, obtainable from a professionally managed, diversified portfolio of fixed income securities; (3) Municipal Fund seeks the highest level of current interest income exempt from federal income taxation as is consistent with preservation of capital through a professionally managed portfolio of municipal bonds rated "A" or better at the time of purchase; and (4) Government Fund seeks high current income, liquidity and security of principal by investing in obligations issued or guaranteed by the U.S. government or its agencies. The Trusts are unit investment trusts which are or will be registered under the Act. The portfolios of the Trusts are or will be invested in one of various types of fixed income securities.

Applicants propose to permit unitholders of each Trust to invest monthly distributions of principal (including capital gains, if any), interest, or both, in shares of one of the Funds which invests in securities similar to those in which that Trust is invested ("Reinvestment Fund"), without a sales charge and without regard to minimum investment requirements pursuant to a reinvestment program ("Program"). Each of the Trusts will disclose the availability of the Program and details concerning how a unitholder can become a participant in the Program ("Participant"). In addition, each Fund will disclose the existence of the Program in its prospectus. The application states that the expenses of offering the Programs will be borne by Kemper. The application further states that, upon request, each unitholder of the Trusts will be furnished with a prospectus of the appropriate Reinvestment Fund and a form by which the unitholder may affirmatively elect to invest monthly distributions in shares of the Reinvestment Fund. Investors Fiduciary Trust Company, a limited purpose turst which is a joint venture of Kemper and DST, Inc. ("DST"), is or will be the trustee for each of the Trusts, and will serve as program agent for the Programs ("Program Agent").

Applicants state that upon the dates distributions of the Trusts are made, such distributions with respect to a Participant's units which have been designated by the Participant to be invested will automatically be forwarded by the Program Agent to DST, transfer agent for the Funds, for the purchase of shares of the appropriate Reinvestment Fund at the net asset value next determined. Where a Participant has elected to invest distributions of principal, the proceeds of redemption, or payment at maturity, of securities held by the Trust will be invested in shares of the appropriate Reinvestment Fund pursuant to the Program. Any redemption of units of a Trust initiated by a Participant will result in payment of redemption proceeds directly to that Participant. Applicants state that notices will be mailed by the Program Agent to each Participant setting forth the total amount of each distribution made by a Trust on the units held by that Participant and the portions thereof attributable to interest and principal, and that DST will mail confirmations of purchases of shares of the Funds to Participants. According to the application, by notifying the Program Agent in writing, Participants will be able to terminate their participation in the Programs as to: (1) all Trust distributions; (2) Trust principal and capital gains distributions; or (3) Trust interest distributions. Such notification will have to be received by the Program Agent at least 10 days prior to the record day applicable to any distribution in order to be effective with respect to that distribution.

Applicants state that participation in the Programs will not interfere with the rights of unitholders to redeem their units as set forth in the Trusts' prospectuses. They represent that the interests of Participants as shareholders of the Funds will be identical to the interests of other shareholders of the Funds and will include the right of redemption and the right to reinvest Fund distributions in additional Fund shares at net asset value as set forth in each Fund's prospectus. Participants will be provided with annual updated prospectuses of the appropriate Reinvestment Fund. The Funds' normal sales charges a minimum investment requirements will apply to purchases of Fund shares by Participants other than through the Programs.

Section 22(d) of the Act provides, in pertinent part, that no registered investment company shall sell any redeemable security issued by it except to or through a principal underwriter for distribution or at a current public offering price described in the prospectus, and, if such class of security is being currently offered to the public by or through an underwriter, no principal underwriter of such security and no dealer shall sell any such security to any person, except a dealer, a principal underwriter or the issuer, except at a current public offering price described in the prospectus. Applicants request an exemption from the provisions of Section 22(d) of the Act to permit the investment of monthly distributions made by the Trusts in shares of the Funds at net asset value, without a sales charge and without regard to minimum initial investment requirements, pursuant to the Programs.

Section 6(c) of the Act provides that the Commission may, upon application, conditionally or unconditionally exempt any person, security, or transaction, or any class or classes of persons, securities, or transactions, from any provisions of the Act or of any rule or regulation thereunder, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Applicants submit that the granting of an exemption from the provisions of Section 22(d) of the Act would be consistent with the public interest and with the purposes of Section 22(d) of the Act, and that such exemption would also be beneficial to the Funds and to the unitholders of the Trusts. Applicants assert that the major portion of the cost of selling investment company shares is incurred in identifying potential investors and ascertaining their financial requirements. In this respect, Applicants state that unitholders of the Trusts have already been identified as having objectives identical to those of the Fund in which their distributions would be invested because the applicable Reinvestment Fund will be investing in securities similar to those in which each unitholder's Trust has invested. Applicants further assert that little or no additional sales cost need be allocated to the purchase of shares of

the Funds through the Programs and, therefore, submit that Participants should receive the benefit of the reduced selling expenses associated with the Programs through the investment of distributions made by the Trusts at net asset value without the payment of a sales charge. Applicants submit that the Funds will benefit from the proposed transactions because: (1) the investments in the Funds through the Programs will produce larger asset bases and steady cash flows which should assist the Funds in meeting redemption requests without liquidating portfolio securities; (2) to the extent that the Funds' operating expenses do not increase in direct proportion to increases in assets, increases in asset bases attributable to the Programs will reduce the costs of operations on a per share basis; and (3) the Funds and DST have agreed that the transfer agency fees attributable to Participants' accounts in the Funds will not exceed, as a percentage of assets, the fees paid by the Funds with respect to other shareholder accounts. Applicants further submit that the Trusts also will benefit from the Programs to the extent that they will be able to provide unitholders with the opportunity to invest their distributions in open-end investment companies which are similar to the Trusts.

Notice is further given that any interested person may, not later than September 25, 1980, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail upon 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. As provided by Rule 0-5 of the Rules and Regulations promulgated under the Act, an order disposing of the matter will be issued as of course following said date unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or 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.

[FR Doc. 80-27498 Filed 9-5-80; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 21696; (70-6491)]

Louisiana Power & Light Co.; Notice of Proposed Issuance and Sale of Preferred Stock at Competitive Bidding

August 29, 1980.

Notice is hereby given that Louisiana Power & Light Company ("Louisiana"), 142 Delaronde Street, New Orleans, Louisiana 70174, an electric utility subsidiary of Middle South Utilities, Inc. ("Middle South"), a registered holding company, has filed a declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating Sections 6(a) and 7 of the Act and Rule 50 promulgated thereunder as applicable to the following proposed transaction. All interested persons are referred to the declaration, which is summarized below, for a complete statement of the proposed transaction.

Louisiana proposes to issue and sell, subject to the competitive bidding requirements of the Act, not in excess of $1,200,000 shares of a new series of its class of preferred stock, $25 par value ("Stock"). The Stock is to be established by appropriate corporate action and, except as to the number of shares and designation, divided rate, the date from which dividends commence to accumulate, the amounts payable upon redemption, the terms and amount of the sinking fund, and matters relating to par value and certain voting rights (including matters relating to quorums and adjournments), will have the same rank and the same relative rights as the presently outstanding preferred stock of the company.

The dividend rate of the stock (which will be a multiple of 4/25 of 1%) and the price to be paid to the company for the Stock (which will be not less than $25 nor more than $25.70 per share, plus accumulated dividends, if any) will be determined by competitive bidding. The terms of the Stock will include a prohibition until November 1, 1985, against refunding the Stock, directly or indirectly, with funds derived from the issuance of securities at a lower effective interest or dividend cost. Louisiana presently expects that the terms of the stock will include provisions for a sinking fund designed to redeem at $25 per share, plus accumulated dividends, 60,000 shares on each November 1 commencing in the year 1985, with the company having a non-cumulative option to redeem an additional 60,000 shares on each November 1 during the sinking fund redemption period. In the event, however, that market conditions change so that, in the opinion of the company, the market for non-sinking fund preferred stock is more favorable, the company may amend the declaration to provide therefor.

The declaration states that in the event that market conditions change so that, in the opinion of the company, the market for $100 par value preferred stock is more favorable than that for $25 preferred stock, Louisiana may amend the declaration to propose the issuance and sale of not in excess of 300,000 shares of its $100 par value preferred stock in lieu thereof.

Louisiana will apply the net proceeds derived from the issuance and sale of the preferred stock to the payment in part of short-term borrowings estimated to total $149,000,000 at the time the sale proceeds are received, to the financing in part of the company's construction program, and to other corporate purposes.

The fees and expenses to be incurred in connection with the proposed transaction are estimated at $170,000, including legal fees of $51,000 and auditor's fees of $15,000. It is stated that no State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transaction.

Notice is further given that any interested person may, not later than September 30, 1980, 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 the filing 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 declarant at the above-stated address, and proof of service (by affidavit or, in the case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the declaration, as filed or as it may be amended, may be permitted to become effective 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 or 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.

[FR Doc. 80-27496 Filed 9-5-80; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 21697 (70-6489)]

Middle South Utilities, Inc.; Notice of Proposed Issuance and Sale of Common Stock at Competitive Bidding

August 29, 1980.

Notice is hereby given that Middle South Utilities, Inc. ("Middle South"), 225 Baronne Street, New Orleans, Louisiana 70112, a registered holding company, has filed a declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating Sections 6(a) and 7 of the Act and Rule 50 promulgated thereunder as applicable to the proposed transaction. All interested persons are referred to the declaration which is summarized below, for a complete statement of the proposed transaction.

Middle South proposes to issue and sell, subject to the competitive bidding requirements of Rule 50 under the Act, up to 8,000,000 authorized but unissued shares of common stock, $5 par value, to underwriters or investment bankers who will promptly make a public offering thereof. If market conditions at the time of the offering of the securities are unfavorable, Middle South may request an exception from the competitive bidding requirements of Rule 50 so that the common stock may be offered pursuant to a negotiated underwriting.

The net proceeds to be derived from the sale of the common stock (presently estimated to be approximately $100,000,000) will be applied toward the reduction of Middle South's then outstanding bank loans made pursuant to the credit agreement between Middle South and various commercial banks dated as of June 27, 1980. The amount of the loans to be outstanding is estimated to be $198,000,000. Proceeds derived from the bank borrowings are used to acquire common stock of Middle South's subsidiary companies which apply such funds to construction, acquisition of property, retirement of short-term indebtedness, and other corporate purposes.

Middle South Energy, Inc., ("MSEI"), is a wholly-owned subsidiary of Middle South whose function is to construct Grand Gulf Electric Generating Unit No. 1 and No. 2 near Port Gibson, Mississippi. MSEI has covenanted with its bondholders and with the holders of its bank notes that Grand Gulf Unit No. 1 will be placed in commercial operation no later than December 31, 1982, and, with the bondholders that Grand Gulf Unit No. 2 will be placed in commercial operation no later than December 31, 1986. If either of these covenants is not fulfilled or if MSEI defaults with respect to either the bonds or the bank borrowings, MSEI's outstanding obligations will become due and payable by MSEI and by Middle South under its Capital Funds Agreement, unless extensions of time can be arranged. MSEI has assigned, as security, to the banks and to the trustee for the bondholders its rights under its Availability Agreement with Middle South's five electric utility subsidiaries. It provides that no later than December 31, 1982, the operating companies will begin paying MSEI such amounts as will be at least equal to MSEI's operating expenses or an equivalent amount if Unit No. 1 is not in operation, including MSEI's interest charges and depreciation expense.

A statement of the fees and expenses to be incurred in connection with the proposed transaction will be filed by amendment. It is stated that no state or federal regulatory authority, other than this Commission, has jurisdiction over the proposed transaction.

Notice is further given that any interested person may, not later than September 28, 1980, 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 the filing 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 declarant 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 declaration, as filed or as it may be amended, may be permitted to become effective 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 or 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.

[FR Doc. 80-27495 Filed 9-5-80; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 21695; (70-6492)]

The Southern Co.; Proposal by Holding Company to Act as Surety on Bonds of Public Utility Subsidiary Companies

August 29, 1980.

Notice is hereby given that The Southern Company ("Southern"), Perimeter Center East, P.O. Box 720071, Atlanta, Georgia 30346, a registered holding company, has filed a declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating Sections 12(b) and 12(f) of the Act and Rule 45 promulgated thereunder as applicable to the following proposed transactions. All interested persons are referred to the declaration, which is summarized below, for a complete statement of the proposed transactions.

Southern proposes to act as a surety on bonds of its subsidiaries, Alabama Power Company ("Alabama") and Southern Electric Generating Company ("SEGCo."), in connection with appeals by Alabama and SEGCo from final ad valorem tax assessments by the State of Alabama.

The Department of Revenue of the State of Alabama, on July 2, 1980, issued its final assessments and notices of 1980 ad valorem taxes on Alabama's and SEGCo's property located in the State of Alabama. On July 28, 1980, Alabama and SEGCo appealed their respective assessments in connection with such taxes to the Circuit Court of Montgomery County, Alabama, alleging that the valuation of property owned by non-public utility taxpayers at less than 100% of fair market value and the valuation of the property of Alabama and SEGCo at 100% of fair market value discriminates against Alabama and SEGCo in violation of the Alabama

Constitution of 1901 and the United States Constitution.

As a condition to appealing from assessments for the ad valorem tax without being required to pay the disputed taxes when allegedly due, Alabama and SEGCo are required to post supersedeas bonds with the court in double the amount of the respective taxes payable, and such bonds must have a good and sufficient surety thereon. Such taxes are currently estimated to be approximately $30 million for Alabama, resulting in the need for a surety bond of approximately $60 million, and $766,000 for SEGCo, resulting in a need for a surety bond in the amount of $1,532,000.

Alabama and SEGCo have been advised that bonds can be obtained from a commerical surety company, but with aggregate required premiums of over $70,000 annually. In order for Alabama and SEGCo to avoid the substantial premium cost attendant upon the use of a commercial surety, Southern proposes to act as surety on Alabama's and SEGCo's bonds for no premium, fee, or other compensation. Approval of these bonds by the Circuit Court of Montgomery County is expected. Southern intends to act as surety on the supersedeas bonds during the entire appeal period in order to avoid the payment of the alledgedly discriminatory taxes until the questions raised in the appeals have been finally determined.

The fees and expenses incurred or to be incurred in connection with the proposed transactions are estimated at $3,200. It is stated that no state commission and no federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than September 29, 1980, 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 the declaration 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 declarant 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 declaration, as filed or as it may be amended, may be permitted to become effective 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 or 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.

[FR Doc. 80-27497 Filed 9-5-80; 8:45 am]

BILLING CODE 8010-01-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Summary Notice No. PE-80-24]

Petitions for Exemption; Summary of Petitions Received and Dispositions of Petitions Issued

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of petitions for exemptions received and of dispositions of prior petitions.

SUMMARY: Pursuant to FAA's rulemaking provisions governing the application, processing, and disposition of petitions for exemption (14 CFR Part 11), this notice contains a summary of certain petitions seeking relief from specified requirements of the Federal Aviation Regulations (14 CFR Chapter I) and of dispositions of certain petitions previously received. The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of FAA's regulatory activities. Neither publication of this notice nor the inclusion or omission of information in the summary is intended to affect the legal status of any petition or its final disposition.

DATE: Comments on petitions received must identify the petition docket number involved and must be received on or before September 29, 1980.

ADDRESS: Send comments on any petition in triplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attn: Rules Docket (AGC-204), Petition Docket No. ———, 800 Independence Avenue, SW., Washington, D.C. 20591.

FOR FURTHER INFORMATION: The petition, any comments received and a copy of any final disposition are filed in the assigned regulatory docket and are available for examination in the Rules Docket (AGC-204), Room 916, FAA Headquarters Building (FOB 10A), 800 Independence Avenue, SW., Washington, D.C. 20591; telephone (202) 426-3644.

This notice is published pursuant to paragraphs (c), (e), and (g) of § 11.27 of Part 11 of the Federal Aviation Regulations (14 CFR Part 11).

Issued in Washington, D.C., on August 29, 1980.

John H. Cassady,

Acting Assistant Chief Counsel, Regulations and Enforcement Division.

Petitions for Exemptions

Docket No.	Petitioner	Regulations affected	Description of relief sought
20525	Peter G. Hardy	14 CFR 65.77	To allow Mr. Hardy to take the powerplant mechanics rating examinations without first meeting the experience requirements for a mechanic rating.
16148	Aerospatiale Helicopter Corp	14 CFR 91.28(b)(3)	To extend a present exemption which permits the issuance of a special flight authorization for the purpose of flight testing Aerospatiale-manufactured helicopters, for conducting customer crew training in the helicopters, and for ferrying them for export to Canada and Mexico. (The exemption will only apply to helicopters of Canadian or Mexican registry.)
20590	Flight Safety International, Inc	14 CFR 141.35 (b)(4), (c)(5)(i), and (d)(3).	To allow Edward Rountree, Jr., to be chief instructor of numerous helicopter training courses without meeting recency of experience requirements.
20562	Swift Airc Lines	14 CFR 121.220	To permit operation of F-28 and Nord 262 aircraft up to flight level 20.0 for short periods of time without meeting the ozone check requirements.
20552	Tulsa County Area Vocational Technical School	14 CFR 147.31	To enable petitioner to credit students with instruction given during a period when it did not have FAA certification.

Petitions for Exemptions—Continued

Docket No.	Petitioner	Regulations affected	Description of relief sought
20543	Altair Airlines, Inc	14 CFR 121.319(b)(5)(i) and 121.310(d)(2)(i).	To permit operation of at least six F-28 aircraft with interphone system and emergency light system switches which are not "readily accessible" for use from a normal flight attendant seat.
20381	Air U.S.	14 CFR 91.7(a)(1)	To allow required copilots to leave their station in flight to provide passenger services.
20575	Western Airlines, Inc.	14 CFR 121.411(a)(3)	To delete the inflight maneuvers required by Appendix F for their professional simulator check airmen.

Dispositions of Petitions for Exemptions

Docket No.	Petitioner	Regulations affected	Description of relief sought—Disposition
19474	Eastman Kodak Company	14 CFR 61.57(d)	To permit the petitioner to substitute six-month proficiency checks in Flight Safety International's Gulfstream I and II visual cue simulators for the recent night experience prescribed. *Denied 8/26/80.*
20321	Capt. Vernon W. Lowell	14 CFR 121.383(c)	To permit petitioner to serve as a pilot in Part 121 operations after he has reached his 60th birthday. *Denied 8/21/80.*
20353	Elmer F. Collin	14 CFR 121.383(c)	To permit petitioner to serve as a pilot in Part 121 operations after reaching his 60th birthday. *Denied 8/21/80.*
15590	Embrey-Riddle Aeronautical University	14 CFR Part 141, Appendices A, C, D, F, and H.	Renewal of Exemption No. 2329 which permits petitioner to train the majority of its students to a performance standard instead of meeting the prescribed minimum flight time requirements. *Granted 8/15/80.*
20417	Combs Airways, Inc	14 CFR 121.61(d)(1)	To allow Mr. Carroll D. Wesson to serve as chief inspector for petitioner without meeting the three year certificate requirements. *Granted 8/8/80.*
20372	Alaska Aeronautical Industries, Inc.	14 CFR 91.33(b)(11)	To allow petitioner's air taxi flights to be operated beyond the power-off gliding distance from shore without approved flotation gear readily available to each occupant. *Denied 8/8/80.*
20170	Air Transport Association	14 CFR 121.434	Relief from the required one night takeoff and one night landing for all transitioning and upgrading pilots. *Denied 8/15/80.*

[FR Doc. 80-27458 Filed 9-5-80; 8:45 am]

BILLING CODE 4910-13-M

Radio Technical Commission for Aeronautics (RTCA) Special Committee 145—Digital Avionics Software; Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463; 5 U.S.C. App. I) notice is hereby given of a meeting of RTCA Special Committee 145 on Digital Avionics Software to be held on September 30 and October 1-2, 1980 in Conference Rooms 9A-B-C, DOT/Federal Aviation Administration Building, 800 Independence Avenue, SW., Washington, D.C. commencing at 9:30 a.m.

The Agenda for this meeting is as follows: (1) Chairman's Introductory Remarks; (2) Approval of Minutes of the First Meeting Held on July 22-23, 1980; (3) Reports of Working Group Activities; (4) Presentation on F-6 Digital Fly-by-Wire System; (5) Review of Comments Received Since the First Committee Meeting; (6) Working Groups Meet in Separate Sessions; (7) Discussion of Committee Report Outline and Content; (8) Establish Committee Schedule of Activities; (9) Discussion of Working Group Task Assignments; (10) Chairman's Review and Discussion of Committee Progress; and (11) Other Business.

Attendance is open to the interested public but limited to space available. With the approval of the Chairman, members of the public may present oral statements at the meeting. Persons wishing to present statements or obtain information should contact the RTCA Secretariat, 1717 H Street, NW., Washington, D.C. 20006; (202) 296-0484. Any member of the public may present a written statement to the committee at any time.

Issued in Washington, D.C., on August 28, 1980.

Karl F. Bierach,

Designated Officer.

[FR Doc. 80-27133 Filed 9-5-80; 8:45 am]

BILLING CODE 4910-13-M

Federal Highway Administration

Environmental Impact Statement; Ripley County, Ind.

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of intent.

SUMMARY: The FHWA is issuing this notice to advise the public that an environmental impact statement (EIS) will be prepared for the proposed extension of S.R. 129 into Batesville, Ripley County, Indiana.

FOR FURTHER INFORMATION CONTACT: Mr. John Breitwieser, Staff Environmentalist, Federal Highway Administration, Federal Office Building, 575 North Pennsylvania Street, Room 254, Indianapolis, Indiana 46204. Telephone: 317/269-7481.

SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the Indiana State Highway Commission will prepare an EIS on a proposal to extend S.R. 129 from 1.4 miles north of S.R. 48 northward to S.R. 46 on the east side of Batesville, Indiana. The proposal intends to construct a two-way road (two 12-foot lanes with 11-foot stabilized shoulders) inside a minimum right-of-way width of 160 feet. Total proposed project study length is approximately 5.2 miles. In addition, a 0.474 mile segment immediately south of the southern terminus (previously improved 1975) will require further improvement. Improvements to the corridor are considered necessary to provide for the existing and projected traffic demands.

The following alternatives are being considered: Do-Nothing; and three (3) alternatives extending S.R. 129 into Batesville. All three alternatives would generally follow the alignment of existing County Road 300 E to a point south of Mollenkramer Reservoir where the three alternatives diverge. These alternates then converge north of Mollenkramer Reservoir at S.R. 46. In the vicinity of the Mollenkramer Reservoir, the three alternatives have varying degrees of potential impacts on

recreational and fish and wildlife resources of the area. Letters describing the proposed action and soliciting comments have been sent to 17 Federal, State and local agencies, private organizations, and citizens who had previously expressed interest in this proposal. A public information meeting was held on May 17, 1979. In addition, the opportunity for a public hearing will be advertised. Public notice will be given of the time and place of the public hearing. The draft EIS will be available for public and agency review and comment. A formal scoping meeting is planned at 10:00 a.m. on October 7, 1980 at the project site where existing County Road 300E crosses Mollenkramer Reservoir, south of Batesville, Indiana.

To insure that the full range of issues to this proposed action are addressed and that all significant issues are identified, comments and suggestions are invited from all interested parties. Agencies, organizations and individuals interested in submitting comments and/or questions should direct them to FHWA at the address provided above.

(Catalog of Federal Domestic Assistance Program Number 20.205, (Highway Research, Planning and Construction. The provisions of OMB Circular A-95 regarding State and local clearinghouse review of Federal and Federally assisted programs and projects apply to this program)

Issued on: August 27, 1980.

George D. Gibson, Jr.,

Division Administrator Indianapolis, Indiana.

[FR Doc. 80-27269 Filed 9-5-80; 8:45 am]

BILLING CODE 4910-22-M

Environmental Impact Statement; Bibb County, Ga.

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of intent.

SUMMARY: The FHWA is issuing this notice to advise the public that an environmental impact statement will be prepared for a proposed highway project in Bibb County, Georgia.

FOR FURTHER INFORMATION CONTACT: David H. Densmore, Development Engineer, Federal Highway Administration, Suite 700, 1422 West Peachtree Street, N.E., Atlanta, Georgia 30309, telephone (404) 881-4758, or Peter Malphurs, State Environmental Analysis Engineer, Georgia Department of Transportation, Office of Environmental Analysis, 65 Aviation Circle, Atlanta, Georgia 30336, telephone (404) 696-4634.

SUPPLEMENTARY INFORMATION: the FHWA, in cooperation with the Georgia Department of Transportation (Georgia DOT) will prepare an environmental impact statement (EIS) on a proposal to widen the present two and three-lane substandard facility on Pio Nono Avenue. The proposed project begins at Dent Street on the south and extends to Pierce Place on the north, a distance of approximately 2.0 miles. Exceptions to this project are Pio Nono Avenue between Catherine Street and Straight Street and the Pio Nono Bridge over the Central of Georgia Railroad, a total distance of approximately 0.2 mile. The project concept consists of four through travel lanes with standard width. At major cross-streets (Anthony Road, Dempsey Avenue, Columbus Road/Montpelier Avenue, Napier Avenue, Laseter Place, Hillcrest Avenue and Vineville), Pio Nono Avenue would be improved to four through travel lanes with a standard fourteen-foot wide turning lane where needed. A standard five-lane section will be constructed between Dempsey Avenue and Columbus Road/Montpelier Avenue.

Alternatives under consideration include: This proposed project has one build alternate, and a no-build alternate.

Letters describing the proposed action and soliciting comments have been sent to appropriate Federal, State and local agencies, and to private organizations and citizens who have previously expressed interest in this proposal. No formal scoping meetings have been scheduled at this time. A series of public meetings will be held, if requested, during the progress of the proposed project. In addition, a public hearing will be held. Public notice will be given of the time and place of the meetings and hearing.

To ensure that the full range of issues related to this proposed project are addressed and all significant issues identified, comments and suggestions are invited from all interested parties. Comments or questions concerning this proposed action on the EIS should be directed to the FHWA at the address provided above.

Catalog of Federal Domestic Assistance Program Number is 20.205, *Highway Research, Planning and Construction.* The provisions of OMB Circular No. A-95 regarding State and local clearinghouse review of Federal and federally assisted programs and projects apply to this program.

Issued on August 28, 1980.

Joe D. Wilkerson,

Assistant Division Administrator, Atlanta, Georgia.

[FR Doc. 80-27457 Filed 9-5-80; 8:45 am]

BILLING CODE 4910-22-M

Environmental Impact Statement; City of Spokane, Wash.

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of intent.

SUMMARY: The FHWA is issuing this notice to advice the public that an environmental impact statement will be prepared for the proposed Monroe-Lincoln Street project in the City of Spokane, Spokane County, Washington.

FOR FURTHER INFORMATION CONTACT: William J. Glover, Environmental Engineer, Federal Highway Administration, Suite 501, Evergreen Plaza Building, 711 South Capitol Way, Olympic, Washington 98501, Telephone: (206) 753-9480.

SUPPLEMENTARY INFORMATION:

The FHWA, in cooperation with the Washington State Department of Transportation and the City of Spokane, will prepare an environmental impact statement (EIS) on a proposal to complete the midtown Monroe-Lincoln Street Couplet between Main Avenue and the vicinity of Alice Avenue.

The major construction remaining in the development of the Couplet is: (1) a river crossing between Main Avenue and Bridge Avenue, and (2) widening Lincoln Street from 30 feet to 40 feet from Sharp Avenue to the vicinity of Alice Avenue and the construction of a crossover vicinal to Alice Avenue between Lincoln Street and Monroe Street. Improvements to the corrider are considered necessary to provide for the existing and projected traffic demand.

Alternates under consideration include: (1) taking no action; (2) widening Monroe Street Bridge and transitioning Lincoln Street traffic on and off the Bridge; (3) a new Lincoln Street Bridge; (4) transitioning Lincoln Street onto the south end of the existing Post Street Bridge; (5) utilize existing Monroe Street and Post Street Bridges as complementing one-way river crossing; and (6) the use of Post Street in lieu of Lincoln Street for the extension to Alice Avenue vicinty.

Letter describing the proposed action and soliciting comments will be sent to appropriate Federal, State and local agencies and to private organizations and citizens who have previously expressed interest in this proposal. A series of public meetings have already been held. Upon completion of the draft EIS, a public hearing will be held. As provided for the past meetings a public notice will be given of the time and place of the hearing. The draft EIS will be available for public and agency review and comment. No formal scoping meeting is planned at this time.

To ensure that the full range of issues related to this proposed action are addressed and all significant issues identified, comments and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the EIS should be directed to the FHWA at the address provided above.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Research, Planning and Construction. The provisions of OMB Circular No. A-95 regarding State and local clearinghouse review of Federal and Federally assisted programs and projects apply to this program)

Issued on: August 27, 1980.

Willian J. Glover,

Environmental Engineer, Washington Division, Olympic, Washington.

[FR Doc. 80-27267 Filed 9-5-80; 8:45 am]

BILLING CODE 4910-22-M

Environmental Impact Statement; City of Spokane, Wash.

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of intent.

SUMMARY: The FHWA is issuing this notice to advise the public that an environmental impact statement will be prepared for the proposed North Foothill Drive project in the City of Spokane, Spokane County, Washington.

FOR FURTHER INFORMATION CONTACT: William J. Glover, Environmental Engineer, Federal Highway Administration, Suite 501, Evergreen Plaza Building, 711 South Capitol Way, Olympia, Washington 98501, Telephone: (206) 753-9480.

SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the Washington State Department of Transportation and the City of Spokane, will prepare an environmental impact statement (EIS) on a proposal that would provide a new east-west arterial between Division and Market Streets in the City of Spokane, Washington.

The proposed action is to complement the existing improved section of Euclid Avenue between Crestline and Market Streets with construction of a new section of road between Ruby Street at Buckeye Avenue and Crestline Street at Euclid Avenue. Buckeye Avenue in the block between Division and Ruby Streets has already been improved. Development of a new east-west arterial is considered necessary to provide for the existing and projected traffic demand.

Alternates under consideration include: (1) taking no action; (2) constructing the new section of road on railroad right-of-way; and (3) constructing the new section of road on various sections of Euclid, Cleveland, Grace and Buckeye Avenues. There are roughly four variations of alignment, (depending on location of crossovers) under this alternate.

Letters describing the proposed action and soliciting comments will be sent to appropriate Federal, State and local agencies, and to private organizations and citizens who have previously expressed interest in this proposal. A series of public meetings will be held in Spokane in the latter part of 1980. In addition, upon completion of the draft EIS, a public hearing will be held. Public notice will be given of the time and place of the meetings and hearing. The draft EIS will be available for public and agency review and comment. No formal scoping meeting is planned at this time.

To ensure that the full range of issues related to this proposed action are addressed and all significant issues identified comments and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the EIS should be directed to the FHWA at the address provided above.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Research, Planning and Construction. The provisions of OMB Circular No. A-95 regarding State and local clearinghouse review of Federal and Federally assisted programs and projects apply to this program)

Issued on: August 27, 1980.

William J. Glover,

Environmental Engineer, Washington Division, Olympia, Washington.

[FR Doc. 80-27268 Filed 9-5-80; 8:45 am]

BILLING CODE 4910-22-M

National Advisory Committee on Outdoor Advertising and Motorist Information

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of public meeting.

SUMMARY: Pursuant to Section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463, 5 U.S.C. App. I), notice is hereby given of a meeting of the National Advisory Committee on Outdoor Advertising and Motorist Information.

DATE: Meetings will begin a 9 a.m. on September 25 and 8 a.m. on September 26, 1980.

ADDRESS: Meetings will be held in the Lockheed Room, Airport Admiral Benbow Inn, 1419 Virginia Avenue, Atlanta, Georgia 30337.

ATTENDANCE: The public is invited to attend subject to available space. Any member of the public may file a written statement with the Committee. Interested persons may be permitted to speak at the meeting in accordance with procedures established by the Committee.

AGENDA: 1. Review and approval of minutes.

2. Presentation of position papers by members on the following topics: New signs; on-premise signs; Stafford bill status; electronic signs; effects of tourism; landscaping; vegetation clearance; banning off-premise signs; developed commercial and industrial aress; zoning; alternate systems.

3. Motions or proposals.

4. Future meeting date.

5. Other general matters as may be specified by the Chairperson or the Executive Director.

FOR ADDITIONAL INFORMATION CONTACT: Ms. Ann Morgan, Executive Director of the Committee, Room 3215, HRW-2, (202) 426-0116, or Mr. Edward Kussy, Deputy Assistant Chief Counsel, Room 4230, HCC-40, (202) 426-0791, Federal Highway Administration, 400 7th Street, SW., Washington, D.C. 20590.

(Catalog of Federal Domestic Assistance Program Number 20.214, Highway Beautification—Control of Outdoor Advertising, and Control of Junkyards. The provisions of OMB Circular No. A-95 regarding State and local clearinghouse review of Federal and federally assisted programs and projects apply to this program)

Issued on: September 3, 1980.

L. P. Lamm,

Executive Director.

[FR Doc. 80-27469 Filed 9-5-80; 8:45 am]

BILLING CODE 4910-22-M

National Highway Traffic Safety Administration

Calendar of Public Meetings

This calendar consists of NHTSA-sponsored meetings in which public interest or participation is expected. It is published for planning purposes and meeting dates and places are subject to change.

September 10, 1980

9:30-11:00 a.m.

Motorcycle Accident Factors Research, Room 7200, DOT Headquarters Building, Washington, D.C.

Purpose: Results of a study to determine the cause of motorcycle accidents, the causes of injuries, the severity of the injuries and effective methods of reducing accidents, deaths, and injuries will be reported.

Coordinator: Nicholas G. Tsongos, Research and Development (NRD-32), 202-426-9124.

October 2, 1980

Biomechanics Advisory Committee Meeting, Room 6200, DOT Headquarters Building, Washington, D.C.

Purpose: This Committee reviews NHTSA's procedures, programs and projects requiring the use of live and deceased humans for research in order to validate the need for such use, to minimize the risk of injury to volunteers, and to assure the rights and dignity of the subjects.

Coordinator: Kathy Hasse, Executive Secretariat (NOA-10), 202-426-2872.

October 8, 1980

NHTSA-Public-Industry Technical Meeting, EPA Conference Room, Motor Vehicle Environmental Laboratory, Ann Arbor, Michigan.

Purpose: Technical, interpretative or procedural questions from the public and industry regarding NHTSA's bumper, vehicle safety and consumer information programs will be answered. Questions may relate to the research and development, rulemaking, or enforcement (including defects) phases of these activities.

Coordinator: Michael Finkelstein, Rulemaking (NRM-01), 202-426-1810.

October 21, 1980

1:30 p.m.

Improved Low Beam Photometrics; Interim Contractor's Briefing, Room 4436, DOT Headquarters Building; Washington, D.C.

Purpose: Report on progress of study being conducted by the Highway Safety Research Institute to identify approaches for grading low beam headlights.

Coordinator: Michael Perel, Research and Development (NRD-41), 202-755-8753.

October 21-24, 1980

Eighth International Technical Conference on Experimental Safety Vehicles, Wolfsburg, West Germany.

Purpose: The ESV Conferences are conducted to provide a forum for exchanging the results of integrated vehicle development. Various automobile manufacturers, as well as NHTSA contractors have designed and developed vehicles which incorporate advanced systems to satisfy national goals in safety, fuel economy, and vehicle emissions. This meeting will be hosted by Federal Republic of Germany. The Governments of the Federal Republic of Germany, France, Great Britain, Italy, Japan, Sweden and the United States as well as manufacturers of these countries and others will participate.

Coordinator: James C. Shively, Research and Development (NRD-10), 202-426-2957.

October 27-28, 1980

Problem-Behavior Workshop: Pedestrian, Bicyclists and Public Transportation, Capitol Hilton, 16th and K Streets NW, Washington, D.C.

Purpose: The workshop is to bring together interested practitioners and researchers to review NHTSA program plans and to obtain detailed suggestions, improvements and reactions regarding planned projects and/or approaches.

Coordinator: Monore B. Snyder, Research and Development (NRD-42), 202-426-2977.

October 27-30, 1980

National Highway Safety Advisory Committee Orientation for New Members and Full Committee Meeting, Room 6200, DOT Headquarters Building, Washington, D.C.

Purpose: On October 27 DOT staff will provide a one-day orientation for newly appointed members. October 28-30 will be a full Committee meeting. Introductory briefings on the subject areas selected for study during the 1980-81 session will be presented.

Coordinator: Robert Doherty, Executive Secretariat (NOA-11), 202-426-2872.

October 28-30, 1980

Fatal Accident Reporting System (FARS) Annual Workship, Hilton Inn West, Orlando, Florida.

Purpose: To solve interpretation and operations problems and to provide a mechanism for installing system changes and updating training. This is a regular scheduled working meeting of FARS State Analysts and NHTSA regional and headquarters technical managers.

Coordinator: Angie Sebastian, Research and Development (NRD-32), 202-426-4844.

November 17-18, 1980

National Accident Samplying System (NASS) Advisory Committee, Room 2230, DOT Headquarters Building, Washington, D.C.

Purpose: To review program status and make recommendations on data collected, field procedures and analysis, including plans and operations.

Coordinator: Russell A. Smith, Research and Development (NRD-32), 202-426-1942.

December 1-2, 1980

Automotive Fuel Economy Contractors' Coordination Meeting, Sheraton National, Arlington, Virginia.

Purpose: Progress reports on the contracts which have been funded through the Automotive Fuel Economy Research Program will be given. How individual tasks fit into the research and rulemaking program and the thrust of the Automotive Fuel Economy Research Program will be explained.

Coordinator: Charles L. Gauthier, Research and Development (NRD-13), 202-0426-2957.

December 9-11, 1980

Symposium on Automotive Ratings, Host Farm Inn, 2300 Lincoln Highway, East Lancaster, Pennsylvania.

Purpose: To exchange information on the "state-of-the-art" of automotive ratings, crashworthiness, damageability and ease of diagnosis and repair, as well as to provide an opportunity for those affected by the ratings to comment. In addition to technical data, public comment and reaction will be solicited to insure the ratings program is responsive to consumer needs.

Coordinator: Ivy Baer, Office of Rulemaking (NRD-30), 202-426-0852.

January 19-21, 1981 (Tentative)

National Highway Safety Advisory Committee Meeting, DOT Headquarters Building, Washington, D.C.

Purpose: Progress reports of the Committee's task forces will be heard. Reports and recommendations for the Secretary of Transportation may be prepared.

Coordinator: Robert Doherty, Executive Secretariat (NOA-11), 202-426-2872.

June 15-17, 1981

National Highway Safety Advisory Committee Meeting, DOT Headquarters Building, Washington, D.C.

Purpose: Progress reports of the Committee's task forces will be heard. Reports and recommendations for the Secretary of Transportation will be adopted.

Coordinator: Robert Doherty, Executive Secretariat (NOA-11), 202-426-2872.

October 12-16, 1981

Second International Automotive Fuel Economy Research Conference, Rome, Italy.

Purpose: Government Status Reports on Automotive Transportation Conservation Programs and reports of research in automotive technology for improved fuel economy will be presented.

Coordinator: James C. Shively, Research and Development (NRD-10), 202-426-2957.

October 28-30, 1981

Fatal Accident Reporting System (FARS) Annual Workshop (Location undetermined).

Purpose: To resolve interpretation and operations problems and to provide a mechanism for installing system changes and updating training. This is a regularly scheduled meeting.

Coordinator: Angie Sebastian, Research and Development (NRD-32), 202-426-4844.

Persons desiring additional information on a particular meeting on may phone the coordinator listed under each meeting.

Alternatively, the coordinator can be reached by mail at the following address: U.S. Department of Transportation, 400 Seventh Street SW., Washington, D.C. 20590.

Issued in Washington, D.C., on August 28, 1980.

Wm. H. Marsh,

Executive Secretary.

[FR Doc. 80-27122 Filed 9-5-80; 8:45 am]

BILLING CODE 4910-59-M

Pedestrian Impact Protection; Technical Meeting

AGENCY: National Highway Traffic Safety Administration (NHTSA).

ACTION: Notice of public meeting.

SUMMARY: This notice is issued to announce the presentation by NHTSA of a summary of the pedestrian impact protection research conducted in the past five years. NHTSA will hold a public meeting so that the public can be made aware of the pedestrian impact protection research data.

DATES: The public meeting will be held on October 9, 1980, from 10:00 a.m. until 5:00 p.m. If additional time for comments or demonstration is necessary, the meeting will continue on October 10, 1980 at 10:00 a.m.

ADDRESS: The meeting will be held at NHTSA's Vehicle Research and Test Center, on the premises of the Transportation Research Center of Ohio, East Liberty, Ohio. For purposes of planning the meeting, persons wishing to attend are requested to notify Mr. Timothy Hoyt in advance at the address listed below.

SOURCES OF FURTHER INFORMATION: Questions concerning the agenda of and/or arrangements for the meeting should be submitted to: Dr. Rolf Eppinger, Research and Development, NHTSA, NRD-12, 400 Seventh Street, S.W., Washington, D.C. 20590, (202) 426-4875, or Mr. Timothy Hoyt, Research and Development, NHTSA, Vehicle Research and Test Center, P.O. Box 37, East Liberty, Ohio 43319, (513) 666-4511.

SUPPLEMENTARY INFORMATION:

Background

NHTSA presented three papers at the Seventh International Experimental Safety Vehicle Conference in June 1979, which summarized NHTSA's research results and rulemaking plans regarding pedestrian impact protection. NHTSA subsequently sought written comments on the publications from the Motor Vehicle Manufacturers Association (MVMA) and MVMA responded on May 15, 1980. The MVMA requested that NHTSA provide an opportunity for them to interpret the completed research tests and recommend the design of future pedestrian impact protection research activities.

NHTSA's research to date has investigated the pedestrian impact phenomenon by striking highly instrumented pedestrian surrogates with a variety of vehicle frontal structures. The data from these experiments have been used to determine the injury mechanisms and correlate impact response with injury severity. A means of physically simulating the lower body impact with the frontal structure of passenger cars was also developed in anticipation of proposing a new Federal Motor Vehicle Safety Standard.

A production vehicle was then modified using this pedestrian simulation device and a proposed criteria, and its performance evaluated by impacting both an adult and child dummy with it. The impact responses of both dummies were significantly reduced from levels produced by a baseline vehicle. It has been tentatively concluded that substantial pedestrian protective measures can be incorporated in vehicle structures via this methodology.

Agenda

NHTSA will present a summary of both its completed and planned pedestrian impact protection activities to all interested parties. A demonstration of the pedestrian simulation device striking the modified vehicle is planned and both the vehicle and the simulation device will be available for inspection at the meeting. Comments on the completed and planned research will be sought after the NHTSA presentations and demonstration. This portion of the meeting will be aimed at obtaining information that may be helpful in interpreting completed research or in restructuring the planned pedestrian research. All comments will be recorded and placed in the public docket. Attendees need not prepare written documents in order to participate in the meeting.

Persons who wish to submit any specific technical comments or questions for NHTSA consideration prior to this meeting may forward them to Dr. Rolf Eppinger, NHTSA, NRD-12, 400 Seventh Street, S.W., Washington, D.C., 20590.

Issued on September 8, 1980.

R. Rhoads Stephenson,

Associate Administrator for Research and Development.

[FR Doc. 80-27713 Filed 9-5-80; 9:52 am]

BILLING CODE 4910-59-M

Sunshine Act Meetings

Federal Register
Vol. 45, No. 175
Monday, September 8, 1980

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).

CONTENTS

	Items
Federal Home Loan Bank Board	1, 2
Federal Mine Safety and Health Review Commission	3
Interstate Commerce Commission	4
National Transportation Safety Board	5

1

FEDERAL HOME LOAN BANK BOARD.

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: Vol. 45, 171, p. 58296, September 2, 1980.

PREVIOUSLY ANNOUNCED TIME AND DATE OF MEETING: 9:30 a.m., September 4, 1980.

PLACE: 1700 G Street NW., sixth floor, Washington, D.C.

STATUS: Open.

CONTACT PERSON FOR MORE INFORMATION: Mr. Marshall (202-377-6677).

CHANGES IN THE MEETING: The meeting previously scheduled for 9:30 a.m., September 4, 1980, has been cancelled.

No. 388, September 3, 1980.

[S-1653-80 Filed 9-4-80; 12:17 pm]

BILLING CODE 6720-01-M

2

FEDERAL HOME LOAN BANK BOARD.

TIME AND DATE: 11 a.m., September 11, 1980.

PLACE: 1700 G Street NW., sixth floor, Washington, D.C.

STATUS: Open meeting.

CONTACT PERSON FOR MORE INFORMATION: Mr. Marshall (202-377-6677).

MATTERS TO BE CONSIDERED:

Modification of Condition—City Trust Services, N.A., (Wholly-owned subsidiary of) City Federal Savings and Loan Association, Elizabeth, New Jersey.

Application for Reconsideration of Conditions 9 and 10 of Resolution 79-612 Homestead Savings and Loan Association, San Francisco, California.

No. 389, September 4, 1980.

[S-1656-80 Filed 9-4-80; 3:17 pm]

BILLING CODE 6720-01-M

3

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION.

September 3, 1980.

TIME AND DATE: 10 a.m., September 10, 1980.

PLACE: Room 600, 1730 K Street NW., Washington, D.C.

STATUS: Open.

MATTERS TO BE CONSIDERED: The Commission will consider and act upon the following:

1. Paramont Mining Corporation, VA 79-51 (Issues include proper interpretation and application of 30 CFR 75.313).
2. Alabama By-Products Corporation, SE 79-110, etc. (Issues include enforceability of the respirable dust standard at 30 CFR 70.100(b)).
3. Olga Coal Company, HOPE 79-113-P (Issues include enforceability of the respirable dust standard at 30 CFR 70.100(b)).
4. Sewell Coal Company, HOPE 79-6-P, etc. (Issues include whether the administrative law judge erred in denying a continuance and defaulting the operator for failing to appear at the hearing).
5. Eastern Associated Coal Corporation, WEVA 79-117-R (Issues include whether the administrative law judge erred in dismissing without prejudice the operator's application for review of withdrawal order).
6. Republic Steel Corporation, PENN 80-56-R, etc. (Issues include whether the administrative law judge erred in dismissing without prejudice the operator's application for review of withdrawal order).

CONTACT PERSON FOR MORE INFORMATION: Jean Ellen, 202-653-5632.

[S-6820-12 Filed 9-4-80; 2:55 pm]

BILLING CODE 6820-12-M

4

INTERSTATE COMMERCE COMMISSION.

Notice of Federal/State Intercity Bus Conference.

TIME AND DATE:

9 a.m.-5 p.m., Monday, September 22, 1980 and

8:30 a.m.-1 p.m. Tuesday, September 23, 1980.

PLACE: National Academy of Science Conference Center, 2101 Constitution Avenue NW., Washington, D.C. 20418.

STATUS: Open meeting.

PURPOSE: To assist Congress and the Commission in determining what regulatory reforms, if any, are appropriate for the intercity bus industry.

DISCUSSION AGENDA:

1. The current status of federal and state regulations of the bus industry.
2. Pending federal legislation (H.R. 7677) and legislative proposals under preparation by the Commission staff which will be available prior to the conference.
3. The impact of total economic deregulation in the State of Florida.
4. The present and prospective problems of Federal and State entry, exit, and rate regulations.
5. Coordination of Federal and State Regulations.

Note.—Although the conference will be informal, the proceedings will be documented and made available to those unable to attend.

CONTRACT FOR ADDITIONAL INFORMATION: Mr. Martin D. Zell, Deputy Director, State/Community Affairs, (202) 275-7138.

[S-1655-80 Filed 9-4-80; 2:56 pm]

BILLING CODE 7035-01-M

5

[NM-80-32]

NATIONAL TRANSPORTATION SAFETY BOARD.

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: 45 FR 58297, September 2, 1980.

PREVIOUSLY ANNOUNCED TIME AND DATE OF MEETING: 9 a.m., Tuesday, September 9, 1980.

CHANGE IN MEETING: A majority of the Board has determined by recorded vote that the business of the Board requires revising the agenda of this meeting and that no earlier announcement was possible. The agenda as now revised is set forth below.

STATUS: The first two items will be open to the public; the third item will be closed under Exemption 9B of the Government in the Sunshine Act.

MATTERS TO BE CONSIDERED:

1. *Highway Accident Report*—Multiple Vehicle Collision and Fire, U.S. Route 101, Los Angeles, California, March 3, 1980.
2. *Pipeline Accident Report*—Cordele Georgia Gas Department, Explosion and Fire, Cordele, Georgia, February 21, 1980, and *Recommendations* to the Research and Special Programs Administration, U.S. Department of Transportation, and to the city of Cordele, Georgia.
3. *Aircraft Accident Report*—Redcoat Air Cargo, Ltd., Bristol Britannia 253F, G-BRAC, Billerica, Massachusetts, February 16, 1980.

CONTACT PERSON FOR MORE INFORMATION: Sharon Flemming 202-462-6022.

September 4, 1980.

[S-1657-80 Filed 9-8-80; 3:22 pm]

BILLING CODE 4910-58-M

federal register

Monday
September 8, 1980

Part II

Department of Transportation

Federal Aviation Administration

Non-Federal Navigation Facilities; Proposed Microwave Landing System Requirements

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 171

[Docket No. 20669; Notice No. 80-15]

Non-Federal Navigation Facilities; Proposed Microwave Landing System Requirements

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice proposes minimum standards and procedures for the approval, installation, operation, and maintenance of a Microwave Landing System (MLS) facility that is not operated and maintained by the FAA or other Federal agency. MLS is a system which has been specifically designed to take the place of the Instrument Landing System (ILS) that has been used at commercial airports in the United States and around the world since 1945. MLS is projected to meet both civil and military requirements for the foreseeable future and will provide more flexibility in terminal area operations, abate noise, be cost effective and promote standardization. MLS has been selected by the International Civil Aviation Organization (ICAO) for installation at terminal areas of member States. The need for this system arose from the fact that as terminal areas became more congested because of an increase in air traffic, an improved system was needed to handle the increase. MLS fulfills this need. Since these facilities may be operated and maintained by persons other than the FAA, the requisite standards and procedures to operate these facilities in the National Airspace System must be provided in the form of a regulation to govern those activities.

DATE: Comments must be received on or before November 7, 1980.

ADDRESSES: Comments on this proposal may be mailed in duplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attn: Rules Docket (AGC-204), Docket No. 20669, 800 Independence Avenue, S.W., Washington, D.C. 20591, or delivered in duplicate to: Room 916, 800 Independence Avenue, S.W., Washington, D.C. Comments delivered must be marked: Docket No. 20669. Comments may be examined in Room 916 between 8:30 a.m. and 5:00 p.m.

FOR FURTHER INFORMATION CONTACT: Mr. Sotires P. Mantis, Airway Facilities Service, (AAF-720), Airway Systems Division, Federal Aviation Administration, 800 Independence Avenue, S.W., Washington, D.C. 20591; telephone (202) 426-3008.

SUPPLEMENTARY INFORMATION:

I. Comments Invited

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Comments relating to any significant environmental or economic impact that might result because of the adoption of these proposals may also be submitted. Communications should identify the regulatory docket or notice number and be submitted in duplicate to the address indicated above. All communications received on or before the closing date for comments specified above will be considered by the Administrator before taking action on the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments submitted will be available, for examination by interested persons both before and after the closing date for comments, in the Rules Docket. A report summarizing each substantive public contact with FAA personal concerned with this rule making will be filed in the docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments on Docket No. 20669." The postcard will be date/time stamped and returned to the commenter.

II. Availability of NPRM

Any person may obtain a copy of this NPRM by submitting a request to the Federal Aviation Administration, Office of Public Affairs, Attn: Public Information Center, APA-430, 800 Independence Avenue, S.W., Washington, D.C. 20591, or by calling (202) 426-3058. Communications must identify the notice number of this NPRM. Persons interested in being placed on the mailing list for future NPRMs should also request a copy of Advisory Circular No. 11-2 which describes the application procedures.

III. Background

The search for an adequate replacement for the present Instrument Landing System (ILS) has been underway for several decades. ILS was adopted for national service in 1941 and has been installed at approximately 700 locations in the United States. ILS is also the international standard and as such is installed in many other locations worldwide. Although significant improvements in system design have been made since it entered service, ILS is basically the creation of an older technology which limits its utility in some applications and falls short of meeting the full range of operational requirements as now defined nationally and internationally.

In 1967, the Radio Technical Commission for Aeronautics (RTCA) formed a special committee (SC-117) to collect user requirements and synthesize a set of operational requirements which would meet the needs of a wide range of civil and military users for precision approach and landing guidance well into the future. The RTCA operational requirements emerged in 1969 with a recommendation that microwave systems using a Doppler or scanning beam signal format should be investigated for implementation.

In the early 1970s ICAO adopted similar operational requirements and invited member states to propose candidate systems as a successor to the standard ILS. In July 1971, a U.S. National Plan for the joint development of an MLS was published by the Department of Transportation (DOT), Department of Defense (DOD) and the National Aeronautics and Space Administration (NASA). The time referenced scanning beam (TRSB) MLS which emerged from this development program became the U.S. candidate system proposed for international adoption. In April 1978 ICAO selected the TRSB MLS for international standardization.

It should be noted that an interim standard microwave landing system (ISMLS) was adopted in 1975 for use at locations where a VHF/UHF ILS would not perform in an effective manner, or where the need for a low approach service would be better served by the use of the ISMLS. This system was intended as an adjunct to the ILS system and was considered necessary to fulfill some immediate aviation growth needs during a transition period. That transition period was the time necessary to develop an MLS which meets international standards.

IV. Need for the Regulation

This regulation makes provision for approval of an instrument approach procedure using an MLS not provided by the Federal Government, which will satisfy the needs of various operators. Among these are operators who desire an instrument approach procedure but do not qualify for Federally provided equipment; operators who qualify for Federally provided equipment but prefer an MLS to an ILS; operators with locations on which the ILS cannot be

properly sited; and operators who desire immediate installation of an MLS system without having to wait for the installation of a Federal system.

The MLS system proposed herein provides for a ±10° approach sector and glideslopes from 3° to 5°. This minimal system does not preclude the use of additional units to produce a system with a wider approach sector, steeper glidepaths, a back azimuth capability, precision DME, or the use of redundant units to maximize system availability. While the MLS specified in this proposal is the minimum system which would be approved for use in an IFR procedure, the provisions of this proposed subpart are not intended to prevent the selection of an MLS system which has increased performance characteristics, as long as the system incorporates the standardized MLS signal format.

A draft finding of no significant environmental impact can be found in the public docket for this rulemaking action.

V. Relationship to International Standards

Subsequent to the ICAO selection of an MLS in 1978, the process of creating and adopting international Standards and Recommended Practices (SARPS) has proceeded. The basic SARPS, which will assure interoperability between ground and airborne equipments, are in an advanced stage of preparation.

In March 1980, the All Weather Operations Panel of ICAO determined that these standards are sufficiently mature for adoption and recommended inclusion of MLS angle SARPS and guidance material in Annex 10 to the Convention of International Civil Aviation. Subsequently, ICAO has scheduled a divisional meeting for April 1981 to allow member States to consider and approve this recommendation.

The FAA has and will continue to fully participate in the international standardization process. This participation will ensure that the MLS described in this subpart remains compatible with the international standard.

VI. Synopsis of Proposals

The FAA is considering adding a new subpart to Part 171 of the Federal Aviation Regulations to provide requirements for a non-Federal MLS facility. This proposal sets forth minimum requirements that must be met before the FAA authorizes instrument flight rule approaches to the airport and air traffic control procedures incorporating that facility. Such a facility would be designed to interface with existing and planned Federal facilities and systems. The proposed sections are as follows:

A. Definitions (proposed § 171.303). The proposal describes twenty one definitions in an initial section that apply throughout the subpart.

B. Requests for IFR procedure (proposed § 171.305). That section lists the requirements for each person who requests an IFR procedure based on an MLS facility which that person owns. The required information includes a description of the facility and shows that the equipment meets specified performance requirements; a proposed procedure for operating the facility; a proposed maintenance organization and manual; a statement of intent to meet the requirements of the proposed subpart, and a demonstration that the MLS facility has an acceptable level of operational reliability and maintainability. A provision also specifies the procedures to be followed after the FAA inspects and evaluates the facility.

C. Minimum requirements for approval (proposed § 171.307). That proposed section prescribes the minimum requirements that must be met before the FAA approves an IFR procedure for an MLS facility. Those requirements relate to performance, installation, operation, maintenance, operational records, inspection, withdrawal from service, and costs.

D. General requirements (proposed § 171.309). That proposed section describes the MLS as a precision approach and landing guidance system which provides position information and various ground to air data. It also states that the position information is provided in a wide coverage section and is determined by an azimuth angle measurement, an elevation angle measurement and a range (distance) measurement. An MLS constructed to meet the requirements of this subpart must include: approach azimuth equipment, associated monitor, remote control and indicator equipment; approach elevation equipment, associated monitor remote control and indicator equipment; optional back azimuth equipment with associated monitor, remote control and indicator equipment; a means for the transmission of basic data words with associated monitor, remote control and indicator equipment; and Distance Measuring Equipment (DME), VHF Marker Beacons (75 MHz) or both, with associated monitor, remote control and indicator equipment. That proposed section also prescribes environmental ambient conditions covering temperature, humidity, wind, hail, rain, and ice loading that the electronic equipment must meet when installed in shelters and outdoors. The MLS and its components must meet specified standards prescribed under this proposed subpart.

E. Signal format requirements (proposed § 171.311). Signals radiated by the MLS must conform to the TRSB signal format. Specific minimum requirements govern such things as frequency assignment, transmission rates and sequences, digital codes, and data modulation.

F. Azimuth performance requirements (proposed § 171.313). The performance requirements for the azimuth equipment components of the MLS are listed. Included are requirements concerning approach and back azimuth coverage, siting, accuracy and antenna coordinates and characteristics.

G. Approach azimuth monitor and back azimuth monitor and approach elevation monitor systems (proposed §§ 171.315 and 171.319). Those proposed sections prescribe monitor system that must provide an "Executive Alert" to the designated control points if any one of several conditions persist, such as an abnormal reduction in radiation power.

H. Approach elevation performance requirements (proposed § 171.317). The performance requirements for the elevation equipment components of the MLS included are requirements as to elevation coverage, siting, accuracy, and antenna coordinates and characteristics.

I. DME and marker beacon performance requirements (proposed § 171.321). DME equipment must meet the performance requirements prescribed in Subpart G of this part and marker beacon equipment must meet the performance requirements prescribed in Subpart H of this part. Both subparts impose requirements that performance features must comply with International Standards and Recommended Practice, Aeronautical Telecommunications, Part I, to ICAO Annex 10.

J. Fabrication and installation requirements (proposed § 171.323). The MLS facility must be permanent in nature and located, constructed and installed in accordance with best commercial engineering practices, and with applicable safety codes and Federal Communications Commission (FCC) licensing requirements. Suitable primary and secondary power sources must be provided. The facility must also have, or be supplemented by ground, air or landline communications services with the location of antenna phase centers and the runway centerline at threshold determined by a survey within certain limits of accuracy.

K. Maintenance, operations requirements, and operational records

(proposed §§ 171.325 and 171.327). The owner of the facility must establish an adequate maintenance system and provide qualified maintenance personnel to maintain the facility at the level attained at the time it was commissioned. The owner must have an approved operations and maintenance manual that sets forth the mandatory procedures for operations and periodic and emergency maintenance. Also, the owner of the facility, or his maintenance representative, must submit the following data at the indicated time to the appropriate FAA regional office (1) Facility Equipment Performance and Adjustment Data (FAA Form 198); (2) Facility Maintenance Log (FAA Form 6030–1); and (3) Technical Performance Records (FAA Form 418).

VII. General

The performance requirements proposed in this notice are derived from the draft SARPS on MLS developed by ICAO. The new SARPS were based partly on field tests and engineering evaluations conducted by the FAA.

In addition, persons affected by this rule making action should determine the applicability of FCC regulations to the installation and operation of the MLS. The regulations of the FCC applicable to radio frequency allocation and use are found in Parts 2 and 87 of the Title 47 of the Code of Federal Regulations.

As part of the requirements, the FAA also proposes to incorporate by reference several technical documents. The following documents are available for inspection in accordance with § 171.71, and may be purchased from the National Technical Information Service, 5285 Port Royal Road, Springfield, Virginia 22161: FAA Handbook 8260.3A, and FAA Handbook AOP 8200.1, and the provisions of FAA–G–2100 governing quality control, type testing, reliability, standard parts selection and maintainability.

It should also be noted that publication of this notice at this time provides no assurance that the standards and procedures used in this proposed system will be ultimately adopted in this present form by ICAO for international use or by FAA or a Federal MLS system.

VIII. The Proposed Amendment

Accordingly, the FAA proposed to amend Part 171 of the Federal Aviation Regulations (14 CFR Part 171) by adding a new Subpart J to read as follows:

Subpart J—Microwave Landing System (MLS)

Sec.
171.301 Scope.
171.303 Definitions.
171.305 Requests for IFR procedure.
171.307 Minimum requirements for approval.
171.309 General requirements.
171.311 Signal format requirements.
171.313 Azimuth performance requirements.
171.315 Azimuth monitor system.
171.317 Approach elevation performance requirements.
171.319 Approach elevation monitor system.
171.321 DME and marker beacon performance requirements.
171.323 Fabrication and installation requirements.
171.325 Maintenance and operations requirements.
171.327 Operational records.

Authority: Sections 305, 307, 313(a), 601, and 606, Federal Aviation Act of 1958, as amended (49 U.S.C. Sections 1346, 1348, 1354(a), and 1421, and 1426); Section 6(c), Department of Transportation Act (49 U.S.C. Section 1655(c).

Subpart J—Microwave Landing System (MLS)

§ 171.301 Scope.

This subpart sets forth minimum requirements for the approval, installation, operation and maintenance of non-Federal Microwave Landing System (MLS) facilities that provide the basis for instrument flight rules (IFR) and air traffic control procedures.

§ 171.303 Definitions.

As used in this subpart:

"Back azimuth reference datum" means a point located 15 meters (50 feet) above the runway centerline at the runway midpoint.

"Basic data" means data transmitted by the ground equipment that are associated directly with the operation of the landing guidance system.

"Clearance guidance sector" means the volume of airspace, inside the coverage sector, within which the azimuth guidance information provided is not proportional to the angular displacement of the aircraft, but is a constant left or right indication on which side the aircraft is with respect to the proportional guidance sector.

"Control Motion Noise (CMN)" means those fluctuations in the guidance which affect aircraft attitude, control surface motion, column motion, and wheel motion. Control motion noise is evaluated by filtering the flight error record with a band-pass filter which has corner frequencies at 0.3 radian/sec and 10 radians/sec for azimuth data and 0.5 radian/sec and 10 radians/sec for elevation data.

"Data rate" means the average number of times per second that transmissions occur for a given functional element.

"Differential Phase Shift Keying (DPSK)" means differential phase modulation of the radio frequency carrier with relative phase states of 0 degrees or 180 degrees.

"Guard time" means an unused period of time provided in the transmitted signal format to allow for equipment tolerances.

"Integrity" means that quality which relates to the trust which can be placed in the correctness of the information supplied by the facility.

"Mean corrective time" means the average time required to correct an equipment failure over a given period, after a service technician reaches the facility.

"Mean course error" means the mean value of the azimuth error along a specified radial of an azimuth function.

"Mean glide path error" means the mean value of the elevation error along the extended glidepath of an elevation function.

"Mean time between failures" means the average time between equipment failures over a given period.

"Microwave Landing System (MLS)" means the MLS selected by ICAO for international standardization.

"Minimum glidepath" means the lowest angle of descent along the zero degree azimuth that is consistent with published approach procedures and obstacle clearance criteria.

"MLS approach reference datum" means a point 15 meters (50 feet) above the runway on any glidepath that is consistent with published approach procedures and obstacle clearance criteria.

"MLS datum point" means a point defined by the intersection of the runway centerline with a vertical plane perpendicular to the centerline and passing through the elevation antenna phase center.

"Out of Coverage Indication (OCI)" means special pulses radiated outside the angle guidance region by sector antennas. The power level of these pulses is chosen to prevent acquisition and tracking of any sidelobe or reflected signal by a receiver and to provide a positive indication that the airborne receiver is outside the normal coverage sector.

"Path Following Error (PFE)" means the guidance perturbations which the aircraft will follow. It is composed of a path following noise and of the mean course error in the case of azimuth functions, or the mean glidepath error in the case of elevation functions. Path following errors are evaluated by filtering the flight error record with a second order low pass filter which has corner frequencies at 0.5 radian/sec for

azimuth data and 1.5 radians/sec for elevation data.

"Path Following Noise (PFN)" means that portion of the guidance signal error which could cause aircraft displacement from the mean course line or mean glidepath as appropriate.

"Split-site ground station" means the type of ground station in which the azimuth portion of the ground station is located on the centerline beyond the stop end of the runway, and the elevation portion is located alongside the runway near the approach end.

"Time Division Multiples (TDM)" means that each function is transmitted on the same frequency in time sequence, with a distinct preamble preceding each function transmission.

§ 171.305 Requests for IFR procedure.

(a) Each person who requests an IFR procedure based on an MLS facility which that person owns must submit the following information with that request:

(1) A description of the facility and evidence that the equipment meets the performance requirements of §§ 171.309, 171.311, 171.313, 171.315, 171.317, 171.319, and 171.321 and is fabricated and installed in accordance with § 171.323.

(2) A proposed procedure for operating the facility.

(3) A proposed maintenance organization and a maintenance manual that meets the requirements of § 171.325.

(4) A statement of intent to meet the requirements of this subpart.

(5) A showing that the facility has an acceptable level of operational reliability and an acceptable standard of performance. Previous equivalent operational experience with a facility with identical design and operational characteristics will be considered in showing compliance with this subparagraph.

(b) FAA inspects and evaluates the MLS facility, it advises the owner of the results, and of any required changes in the MLS facility or in the maintenance manual or maintenance organization. The owner must then correct the deficiencies, if any, and operate the MLS facility for an in-service evaluation by the FAA.

§ 171.307 Minimum requirements for approval.

(a) The following are the minimum requirements that must be met before the FAA approves an IFR procedure for a non-Federal MLS facility:

(1) The performance of the MLS facility, as determined by flight and ground inspection conducted by the FAA, must meet the requirements of §§ 171.309, 171.311, 171.313, 171.315, 171.317, 171.319, and 171.321.

(2) The fabrication and installation of the equipment must meet the requirements of § 171.323.

(3) The owner must agree to operate and maintain the MLS facility in accordance with § 171.325.

(4) The owner must agree to furnish operational records as set forth in § 171.327 and agree to allow the FAA to inspect the facility and its operation whenever necessary.

(5) The owner must assure the FAA that he will not withdraw the MLS facility from service without the permission of the FAA.

(6) The owner must bear all costs of meeting the requirements of this section and of any flight or ground inspection made before the MLS facility is commissioned, except that the FAA may bear certain costs subject to budgetary limitations and policy established by the Administrator.

(b) [Reserved.]

§ 171.309 General requirements.

(a) The MLS is a precision approach and landing guidance system which provides position information and various ground-to-air data. The position information is provided in a wide coverage sector and is determined by an azimuth angle measurement, an elevation angle measurement and a range (distance) measurement.

(b) An MLS constructed to meet the requirements of this subpart must include:

(1) Approach azimuth equipment, associated monitor, remote control and indicator equipment.

(2) Approach elevation equipment, associated monitor, remote control and indicator equipment.

(3) A means for the transmission of basic data words, associated monitor, remote control and indicator equipment.

(4) Distance measuring equipment (DME), and/or VHF marker beacons (75 MHz) associated monitor, remote control and indicator equipment.

(c) In addition to the equipment required in paragraph (b) of this section the MLS may include:

(1) Back azimuth equipment, associated monitor, remote control and indicator equipment.

(2) A wider proportional guidance sector which exceeds the minimum specified in § 171.313.

Note.—The MLS signal format will accommodate additional functions (e.g., flare elevation) which may be included as desired.

(d) MLS ground equipment must be designed to operate on an nominal 120/240 volt, 60 Hz, 3-wire single phase AC power source and must meet the following service conditions:

(1) AC line parameters, DC voltage, elevation and duty:

120 VAC nominal value—102 V to 138 V (±1 V)*
240 VAC nominal value—204 V to 276 V (±2 V)*
60 Hz AC line frequency—57 Hz to 63 Hz (±0.2 Hz)*
24 VDC nominal value—20 V to 30 V (±0.25 V)*
Elevation—0 to 3000 meters (10,000 feet) above sea level
Duty—Continuous, unattended

(2) Ambient conditions within the shelter for electronic equipment installed in shelters are:

Temperature—−10° C to +50° C
Relative humidity—5% to 90%

(3) Ambient conditions for electronic equipment and all other equipment installed outdoors (for example, antenna, field detectors, and shelters):

Temperature—−50° C to +70° C
Relative humidity—5% to 100%

(4) All equipment installed outdoors must operate satisfactorily under the following conditions:

Wind Velocity—The ground equipment shall remain within monitor limits with wind velocities of up to 70 knots from such directions that the velocity component perpendicular to runway centerline does not exceed 35 knots. The ground equipment shall withstand winds up to 100 knots from any direction without damage.
Hail Stones—1.25 centimeters (½ inch) diameter
Rain—Provide coverage through a distance of 9 kilometers (5 nautical miles) with rain falling at a rate of 50 millimeters (2 inches) per hour, and rain falling at the rate of 25 millimeters (1 inch) per hour for the additional 28 kilometers (15 nautical miles).
Ice Loading—Encased in 1.25 centimeters (½ inch) radial thickness of clear ice
Antenna Radome De-Icing—Down to 6° C (20° F) and wind up to 48 KPH (30 MPH)

(e) The azimuth and elevation transmitter frequency of an MLS must be in accordance with the frequency plan approved by the FAA.

(f) The MLS must perform in accordance with the following standards and practices in order to be approved for IFR use:

(1) The DME component listed in paragraph (b)(4) of this section must comply with the minimum standard performance requirements specified in Subpart G of this Part. The marker beacon components listed in paragraph (b)(4) of this section must comply with the minimum standard performance requirements specified in Subpart H of

*Note: Where discrete values of the above frequency or voltages are specified for testing purposes, the tolerances given in parentheses indicated by an asterisk apply to the test instruments used to measure these parameters.

this Part. All components must comply with the provisions of the latest edition of specification FAA–G–2100 governing quality control, type testing, reliability and maintainability.

§ 171.311 Signal format requirements.

The signals radiated by the MLS must conform to the Time Reference Scanning Beam (TRSB) signal format. In this format, angle guidance functions and data functions are transmitted sequentially on the same C-band frequency. Each function is identified by a unique digital code which initializes the airborne receiver for proper processing. The signal format must meet the following minimum requirements:

(a) *Frequency Assignment.* The ground components (except DME/Marker Beacon) must operate on a single frequency assignment or channel, using time division multiplexing and have 200 channels spaced 300 KHz apart with center frequencies from 5031.0 MHz to 5090.7 MHz and with channel numbering as shown in Table 1. The operating radio frequencies of all ground components must not vary by more than ±10 KHz from the assigned frequency. Any one transmitter frequency must not vary more than ±50 Hz in any one second period.

TABLE 1. FREQUENCY CHANNEL PLAN

Channel No.	Frequency (MHz)
500	5031.0
501	5031.3
502	5031.6
503	5031.9
504	5032.2
505	5032.5
506	5032.8
507	5033.1
508	5033.4
509	5033.7
510	5034.0
511	5034.3
.	.
.	.
.	.
598	5060.4
599	5060.7
600	5061.0
601	5061.3
.	.
.	.
.	.
698	5090.4
699	5090.7

(b) *Polarization.* (1) The radio frequency emissions from all ground equipment must be nominally vertically polarized. Any horizontally polarized radio frequency emission component from the ground equipment must not have incorrectly coded angle information such that the limits specified in subparagraphs (2) and (3), below are exceeded.

(2) Rotation of the receiving antenna thirty degrees from the vertically polarized position shall not cause the guidance information to change by more than 40% of the allowable path following error applicable at that location.

(3) All system accuracy limits are to be met with the receiving antenna up to thirty degrees from the vertically polarized position.

(c) *Modulation Requirements.* Each function transmitter must be capable of DPSK and continuous wave (CW) modulations of the RF carrier which have the following characteristics:

(1) DPSK. The DPSK signal must have the following characteristics:

Bit rate—15.625KHz
Bit length—64 usec.
Logic "0"—no phase transition
Logic "1"—phase transition
Phase transition—less than 10 usec.

It is intended that the phase transition be made with the least amplitude decrease that is consistent with the requirements of paragraph (d) of this section. Figure 1 illustrates the amplitude characteristics of two logic "1" bits in sequence. Control in the transition region must be such that the time interval between adjacent 90% points does not exceed 10 usec and the rise and fall of the amplitude in the transition region is symmetrical. The phase characteristics inside the transition region must be as linear as possible and in no case deviate more than ±90 degrees from a linear transition.

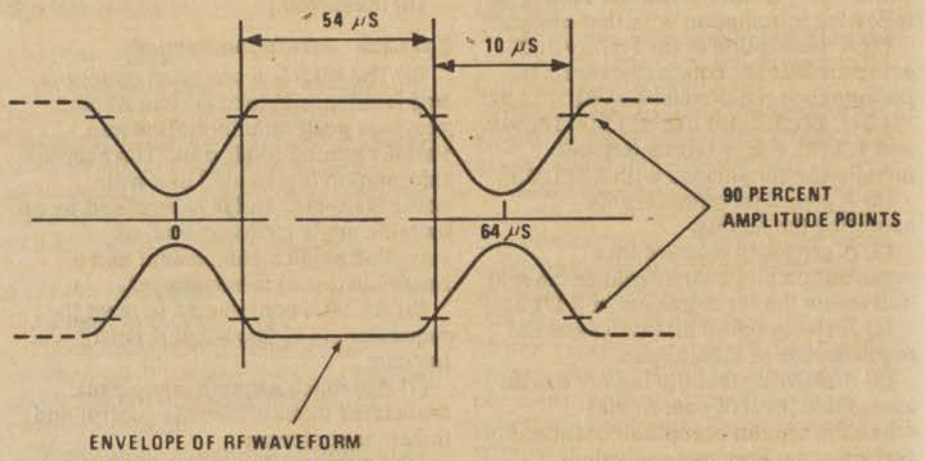

FIGURE 1. DPSK WAVEFORM CHARACTERISTICS

(2) CW. The CW pulse transmissions and the CW angle transmissions as may be required in the signal format of any function must have rise and fall times such that the requirements of paragraph (d) of this section are met.

(d) *Spectral Control.* The transmitted signal must be such that during the transmission time, the mean power density above a height of 600 meters (2000 feet) does not exceed −100.5 dBW/m² for angle guidance and −95.5 dBW/m² for data, as measured in a 150 KHz bandwidth centered at a frequency of 840 KHz or more from the assigned frequency.

(e) *Synchronization.* Synchronization between the azimuth and elevation components is required and, in split-site configurations, would normally be accomplished by landline interconnections. Synchronization monitoring must be provided to preclude function overlap.

(f) *Transmission Rates.* Angle guidance and data signals must be transmitted at the following average repetition rates:

Function	Average data rate (per second)
Approach azimuth	13
High rate approach azimuth	[1] 39
Approach elevation	39
Back azimuth	6.5
Basic data	([2])

[1] The higher rate is recommended for azimuth scanning antennas with beamwidths greater than two degrees. It should be noted that the time available in the signal format for additional functions is limited when the higher rate is used.
[2] See table 7.

(g) *Transmission Sequences.* Sequences of angle transmissions which will generate the required repetition rates are shown in Figures 2 and 3.

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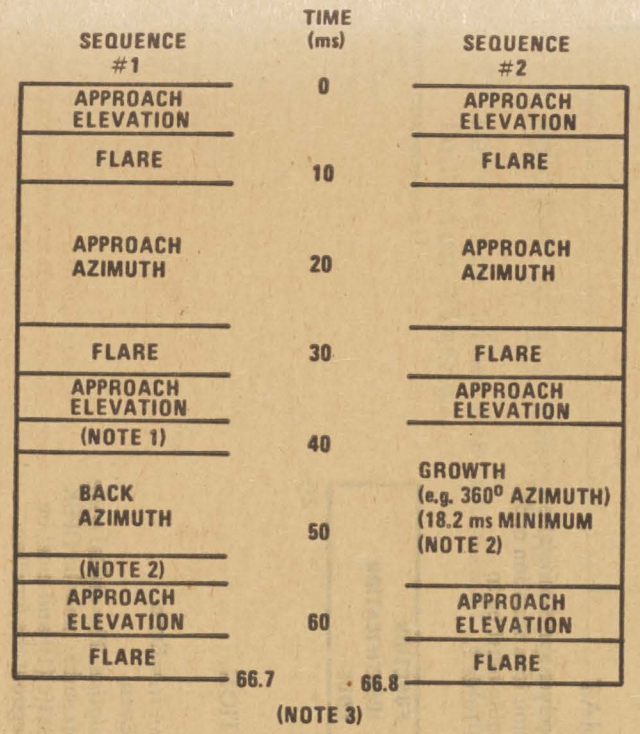
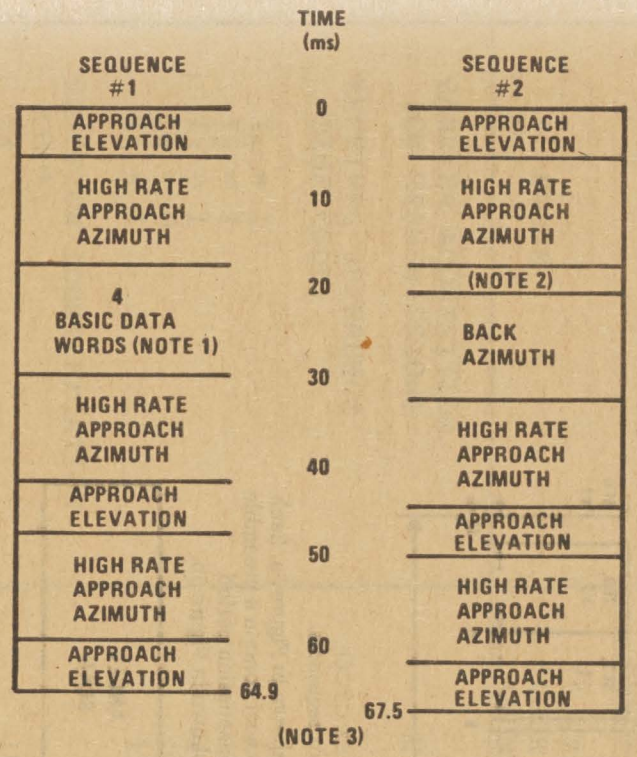


NOTES:

1. WHEN BACK AZIMUTH IS PROVIDED, BASIC DATA WORD #2 MUST BE TRANSMITTED ONLY IN THIS POSITION.
2. BASIC DATA WORDS MAY BE TRANSMITTED IN ANY OPEN TIME PERIODS.
3. THE TOTAL TIME DURATION OF SEQUENCE #1 PLUS SEQUENCE #2 MUST NOT EXCEED 134 ms.

FIGURE 2. TRANSMISSION SEQUENCE PAIR WHICH PROVIDES FOR ALL MLS ANGLE GUIDANCE FUNCTIONS



NOTES:

1. BASIC DATA WORDS MAY BE TRANSMITTED IN ANY OPEN TIME PERIODS.
2. WHEN BACK AZIMUTH IS PROVIDED, BASIC DATA WORD #2 MUST BE TRANSMITTED ONLY IN THIS POSITION.
3. THE TOTAL TIME DURATION OF SEQUENCE #1 PLUS SEQUENCE #2 MUST NOT EXCEED 134 ms.

FIGURE 3. TRANSMISSION SEQUENCE PAIR WHICH PROVIDES FOR THE MLS HIGH RATE APPROACH AZIMUTH ANGLE GUIDANCE FUNCTION

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(h) *TDM Cycle.* The time periods between angle transmission sequences must be varied so that exact repetitions do not occur within periods of less than 0.5 second in order to protect against synchronous interference. One such combination of sequences is shown in Figure 4 which forms a full multiplex cycle. Basic data may be transmitted during suitable open times within or between the sequences.

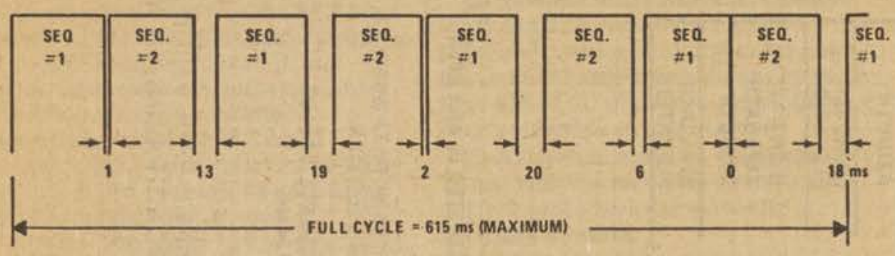

FIGURE 4. A COMPLETE FUNCTION MUTIPLEX CYCLE

Note.—Angle sequences are those from Figure 2 or 3. Do not mix sequences.

(i) *Function Formats (General).* Each angle function must contain the following elements: a preamble; sector signals; and a TO and FRO angle scan organized as shown in Figure 5a. Each data function must contain a preamble and a data transmission period organized as shown in Figure 5b.

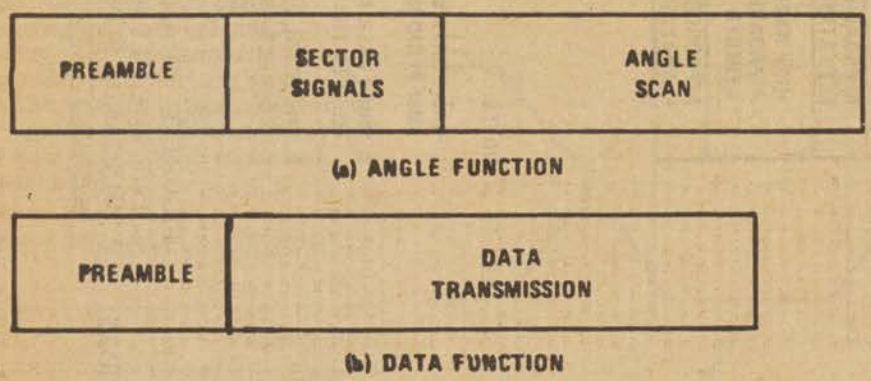

FIGURE 5. FUNCTION FORMAT

(1) *Preamble Format.* The transmitted angle and data functions must use the preamble format shown in Figure 6. This format consists of a carrier acquisition period of unmodulated CW transmission followed by a receiver synchronization code and a function identification code. The preamble timing must be in accordance with Table 2.

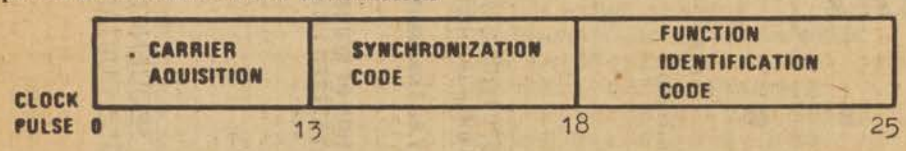

FIGURE 6. PREAMBLE ORGANIZATION

(i) *Digital Codes.* The coding used in the preamble for receiver synchronization is a Barker code logic 11101. Receiver timing is established on the transition to the last bit (I_5) of the code (see Table 2). The function identification codes must be as shown in Table 3. The last two bits (I_{11} and I_{12}) of the code are parity bits obeying the equations:

$I_6+I_7+I_8+I_9+I_{10}+I_{11}=\text{Even}$

$I_6+I_8+I_{10}+I_{12}=\text{Even}$

(ii) *Data Modulation.* The digital code portions of the preamble must be DPSK modulated (171.311(c)(1)) and must be transmitted throughout the function coverage volume.

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TABLE 2. PREAMBLE TIMING *

EVENT	EVENT TIME SLOT BEGINS AT: 15.625 KHz CLOCK PULSE (NUMBER)	TIME (milliseconds)
CARRIER ACQUISITION (CW TRANSMISSION)	0	0
RECEIVER REFERENCE TIME CODE:		
$I_1 = 1$	13	0.832
$I_2 = 1$	14	0.896
$I_3 = 1$	15	0.960
$I_4 = 0$	16	1.024
$I_5 = 1$	17	1.088**
FUNCTION IDENTIFICATION CODE:		
I_6	18	1.152
I_7	19	1.216
I_8	20	1.280
I_9 (see Table 3)	21	1.344
I_{10}	22	1.408
I_{11}	23	1.472
I_{12}	24	1.536
END PREAMBLE	25	1.600

* Applies to all functions transmitted.

** Reference time for receiver synchronization for all function timing.

BILLING CODE 4910-13-C

TABLE 3. FUNCTION IDENTIFICATION CODES

FUNCTION	CODE						
	I_6	I_7	I_8	I_9	I_{10}	I_{11}	I_{12}
APPROACH AZIMUTH	0	0	1	1	0	0	1
HIGH RATE APPROACH AZIMUTH	0	0	1	0	1	0	0
APPROACH ELEVATION	1	1	0	0	0	0	1
BACK AZIMUTH	1	0	0	1	0	0	1
BASIC DATA 1	0	1	0	1	0	0	0
BASIC DATA 2	0	1	1	1	1	0	0
BASIC DATA 3	1	0	1	0	0	0	0
BASIC DATA 4	1	0	0	0	1	0	0
BASIC DATA 5	1	1	0	1	1	0	0
BASIC DATA 6	0	0	0	1	1	0	1
BASIC DATA 7	1	1	1	0	0	1	1

TABLE 4a. APPROACH AZIMUTH FUNCTION TIMING

EVENT	EVENT TIME SLOT BEGINS AT:	
	15.625 KHz CLOCK PULSE (NUMBER)	TIME (milliseconds)
PREAMBLE	0	0
MORSE CODE	25	1.600
ANTENNA SELECT	26	1.664
REAR OCI	32	2.048
LEFT OCI	34	2.176
RIGHT OCI	36	2.304
TO TEST	38	2.432
TO SCAN *	40	2.560
PAUSE		8.760
MID SCAN POINT		9.060
FRO SCAN *		9.360
FRO TEST		15.560
END FUNCTION (AIRBORNE)		15.688
END GUARD TIME; END FUNCTION (GROUND)		15.900

* The actual commencement and completion of the TO and FRO scan transmissions are dependent on the amount of proportional guidance provided. The time slots provided will accommodate a maximum scan of ±62 degrees.

(2) *Angle Function Formats.* The timing of the angle transmissions must be in accordance with Tables 4a, 4b, and 5.

(i) *Preamble.* Must be in accordance with requirements of § 171.311(i)(1).

(ii) *Sector Signals.* In all azimuth formats, sector signals must be transmitted to provide Morse Code identification, airborne antenna selection, and system test signals. These signals are not required in the elevation formats. In addition, if an installed ground subsystem has undesirable flag actions outside the guidance sector, OCI signals must be radiated as provided for in the signal format (see Tables 4a, 4b, and 5). The sector signals are defined as follows:

(A) *Morse Code.* DPSK transmissions that will permit Morse Code facility identification in the aircraft by a four letter code starting with the letter "M" must be included in all azimuth functions. They must be transmitted and repeated at approximately equal intervals, not less than six times per minute, during which time the ground subsystem is available for operational use. When the transmissions of the ground subsystem are not available, the identification signal must be suppressed. The audible tone in the aircraft is started by setting the Morse Code bit to logic "T" and stopped by a logic "O" (see Tables 4a and 4b). The identification code characteristics must conform to the following: the dot must be between 0.13 and 0.16 second in duration, and the dash between 0.39 and 0.48 second. The duration between dots and/or dashes must be one dot plus or minus 10%. The duration between characters (letters) must not be less than three dots.

(B) *Airborne Antenna Selection.* A signal for airborne antenna selection shall be transmitted as a "zero" DPSK signal lasting for a six-bit period (See Tables 4a and 4b).

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TABLE 4b. HIGH RATE APPROACH AZIMUTH AND BACK AZIMUTH FUNCTION TIMING

EVENT	EVENT TIME SLOT BEGINS AT:	
	15.625 KHz CLOCK PULSE (NUMBER)	TIME (milliseconds)
PREAMBLE	0	0
MORSE CODE	25	1.600
ANTENNA SELECT	26	1.664
REAR OCI	32	2.048
LEFT OCI	34	2.176
RIGHT OCI	36	2.304
TO TEST	38	2.432
TO SCAN *	40	2.560
PAUSE		6.760
MID SCAN POINT		7.060
FRO SCAN *		7.360
FRO TEST		11.560
END FUNCTION (AIRBORNE)		11.688
END GUARD TIME; END FUNCTION (GROUND)		11.900

* The actual commencement and completion of the TO and FRO scan transmissions are dependent upon the amount of proportional guidance provided. The time slots provided will accommodate a maximum scan of ±42 degrees. Scan timing shall be compatible with accuracy requirements.

BILLING CODE 4910-13-C

TABLE 5. APPROACH ELEVATION FUNCTION TIMING

EVENT	EVENT TIME SLOT BEGINS AT:	
	15.625 KHz CLOCK PULSE (NUMBER)	TIME (milliseconds)
PREAMBLE	0	0
PROCESSOR PAUSE	25	1.600
OCI	27	1.728
TO SCAN *	29	1.856
PAUSE		3.406
MID SCAN POINT		3.606
FRO SCAN *		3.806
END FUNCTION (AIRBORNE)		5.356
END GUARD TIME; END FUNCTION (GROUND)		5.600

* The actual commencement and completion of the TO and FRO scan transmissions are dependent upon the amount of proportional guidance provided. The time slots provided will accommodate a maximum scan of -1.5 degrees to +29.5 degrees. Scan timing shall be compatible with accuracy requirements.

(C) *OCI.* Where provided, the OCI pulses must be: (1) greater than any guidance signal in the OCI sector; (2) at least 5dB less than the level of the scanning bean within the proportional guidance sector; and (3) for azimuth functions with clearance signals, at least 5dB less than the level of the left (right) clearance pulses within the left (right) clearance sector. The duration of each OCI pulse must be 0.128 ms, and the rise and fall times must be less than 10 microseconds.

(D) *System Test.* A pair of CW pulses for system test must be provided on each azimuth function transmission in the time slots as shown in Tables 4a and 4b. The duration of each pulse must be 0.128 ms, and the time separation of the pulse centers (T_t) must be as shown in Table 6. The actual value of T_t must not deviate more than 2 microseconds on any one scan nor more than 1 microsecond average over any one-second interval.

(iii) *Angle encoding.* The encoding must be as follows:

(A) *General.* Azimuth and elevation angles are encoded by scanning a narrow beam between the limits of the proportional coverage sector first in one direction (the "TO" scan) and then in the opposite direction (the "FRO" scan). Angular information must be encoded by the amount of time separation between the beam centers of the TO and FRO scanning beam pulses. Angular coding must be linear with angle and properly decoded using the formula:

BILLING CODE 4910-13-M

$\theta = \frac{V}{2}(T_o - t)$ where:

θ = Receiver angle in degrees

V = Scan velocity in degrees per microsecond

T_o = Time separation in microseconds between TO and FRO beam centers corresponding to zero degrees.

t = Time separation in microseconds between TO and FRO beam centers

The timing requirements are listed in Table 6 and illustrated in Figure 7.

TABLE 6. ANGLE SCAN TIMING CONSTANTS

FUNCTION	MAX VALUE OF $_t$ (usec)	T_o (usec)	V (deg/msec)	T_m (usec)	PAUSE Time (usec)	T_t (usec)
Approach Azimuth	13,000	6,800	20	7,972	600	13,128
High Rate Approach Azimuth	9,000	4,800	20	5,972	600	9,128
Approach Elevation	3,500	3,350	20	2,518	400	N/A
Back Azimuth	9,000	4,800	20	5,972	600	9,128

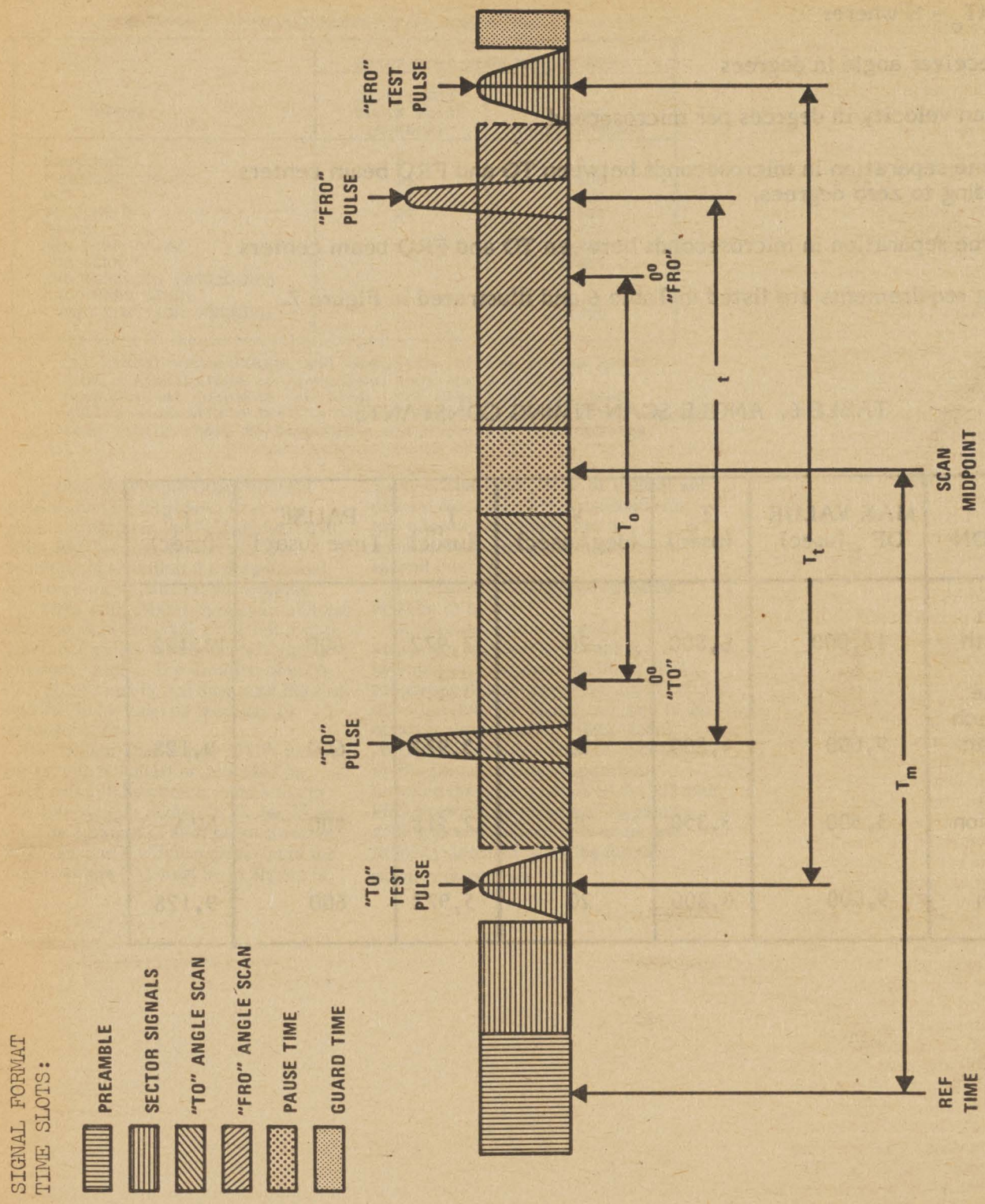

FIGURE 7. AZIMUTH ANGLE SCAN TIMING (NOT TO SCALE)

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(B) *Azimuth Angle Encoding.* The radiation from azimuth equipment must produce a beam that scans from negative to positive azimuth angles and then scans back through the proportional coverage sector. The antenna has a narrow beam in the plane of the scan direction and broad beam in the orthogonal plane which fills the vertical coverage. Increasing positive angles must be seen as a clockwise rotation when viewed from above. Zero angle must be defined along the runway centerline in the approach sector.

(C) *Elevation Angle Encoding.* The radiation from elevation equipment must produce a beam which scans from the horizon up to the highest elevation angle and then scans back down to the horizon. The antenna has a narrow beam in the plane of the scan direction and a broad beam in the orthogonal plane which fills the horizontal coverage. Elevation angles are defined from the horizontal plane containing the antenna phase center; positive angles are above the horizontal and zero angle is along the horizontal.

(iv) *Clearance Guidance.* The timing of the clearance pulses must be in accordance with Figure 8. For azimuth elements with proportional coverage of less than ±40 degrees, clearance guidance information must be provided by transmitting pulses in a TO and FRO format adjacent to the stop/start times of the scanning beam signal. The right clearance pulses must represent positive angles and the left clearance pulses must represent negative angles. The duration of each clearance pulse must be 50 microseconds with a tolerance of ±2 microseconds. The transmitter switching time between the clearance pulses and the scanning beam transmission must not exceed 1 microsecond. The rise time at the edge of the clearance pulse not adjacent to the scanning beam must be less than 10 microseconds. In the right clearance guidance sector, the transmitted right clearance pulses must exceed the transmitted left clearance pulses by more than 15 dB and must exceed the sidelobes of the scanning beam signal by at least 5 dB. The right clearance pulses must be at least 5 dB below the scanning beam level at the scanning beam positive angle scan limit. The converse applies to the left clearance guidance sector. Clearance guidance pulses must be at least 5 dB greater than any other signal in the appropriate clearance sector.

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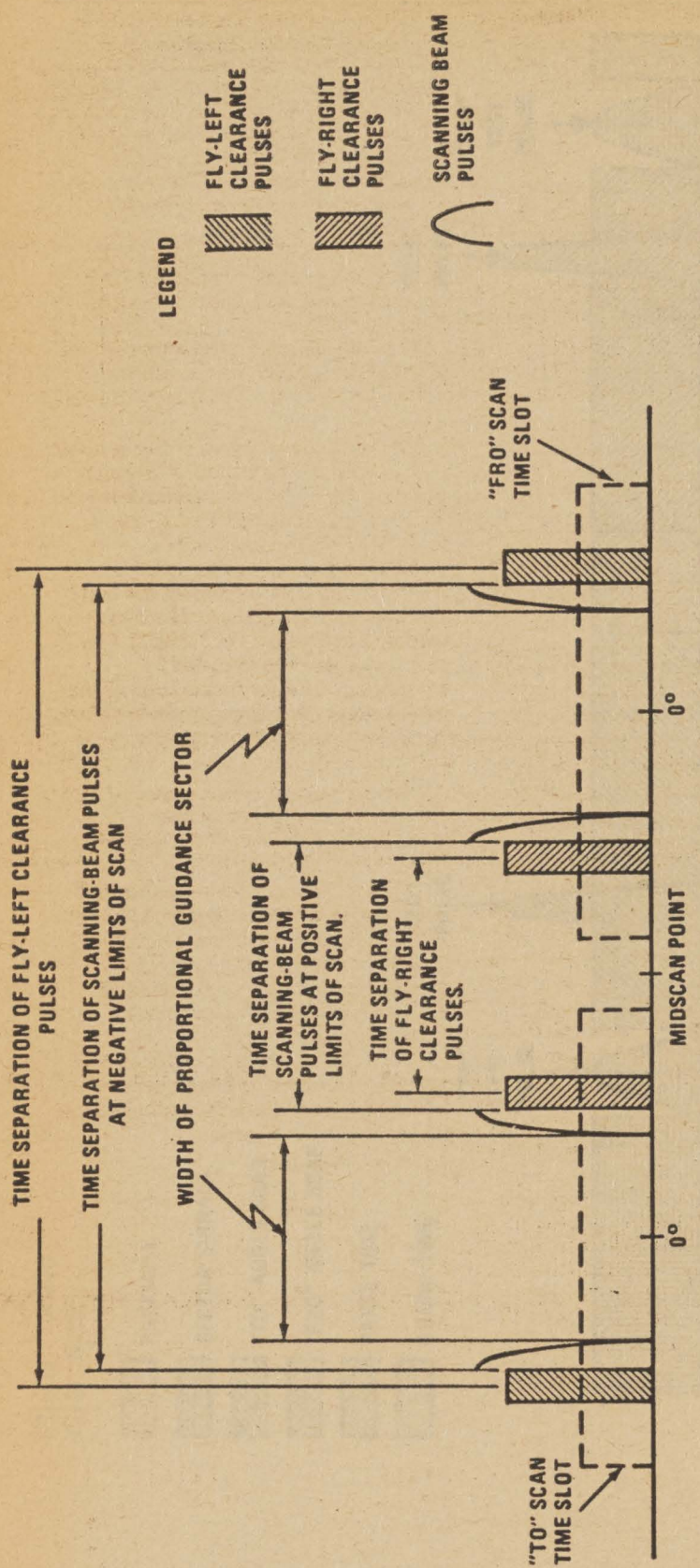

FIGURE 8. CLEARANCE PULSE TIMING FOR AZIMUTH FUNCTIONS

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(3) *Data Function Format.* Basic data words provide equipment characteristics and certain siting information. Basic data words must be transmitted from an antenna located at the approach azimuth or back azimuth site which provides coverage throughout the appropriate sector. Data function timing must be in accordance with Table 7 as follows:

TABLE 7. BASIC DATA FUNCTION TIMING

EVENT	EVENT TIME SLOT BEGINS AT:	
	15.625 KHz CLOCK PULSE (NUMBER)	TIME (milliseconds)
PREAMBLE	0	0
DATA TRANSMISSION (BITS I_{13} - I_{30})	25	1.600
PARITY TRANSMISSION (BITS I_{31} - I_{32})	43	2.752
END FUNCTION (AIRBORNE)	45	2.880
END GUARD TIME; END FUNCTION (GROUND)		3.100

(i) *Preamble.* Must be in accordance with requirements of Section 171.311(i)(1).

(ii) *Data Transmissions.* Basic data must be transmitted using DPSK modulation. The content and repetition rate of each basic data word must be in accordance with Table 8. For data containing digital information, binary number 1 must represent the lower range limit with increments in binary steps to the upper range limit shown in Table 8.

(j) *Basic Data Word Requirement.* Specific basic data word requirements are as follows:

(1) Approach azimuth to threshold distance must represent the distance from the approach azimuth antenna to runway landing threshold.

(2) Approach azimuth proportional coverage must represent the approach azimuth sector boundaries in which proportional guidance is transmitted.

(3) Ground equipment performance level must represent the operational status of the equipment in use. The exact use of this element is not yet defined.

(4) Approach elevation antenna height must represent the height of the elevation antenna phase center above the MLS datum point.

(5) Approach elevation antenna offset must represent the minimum distance between the elevation antenna phase center and a vertical plane containing the runway centerline.

(6) Back azimuth next function must indicate that the next function to be transmitted will be back azimuth.

(7) Minimum glidepath must represent the minimum glidepath as defined.

(8) Beamwidth must represent, for a particular function, the antenna beamwidth as defined to the nearst least significant bit provided for in the data word.

(9) Approach azimuth guidance alert must represent the elevation angle in the specified azimuth sector which guidance is unreliable or unsafe. A binary code "0" in this message element must indicate that all approach azimuth angles in a particular sector are useable.

(10) DME distance must represent the minimum distance between the phase center of the DME antenna and a vertical plane containing the elevation antenna phase center and the MLS Datum Point.

(11) DME offset must represent the minimum distance between the DME antenna phase center and a vertical plane containing runway centerline.

(12) DME channel must represent the channel designation of the DME associated with the MLS equipment in use.

(13) Approach azimuth antenna offset must represent the minimum distance between the approach azimuth antenna phase center and a vertical plane containing runway centerline.

(14) MLS ground equipment identification must represent the last 3 characters of the system identification specified in Section 171.311(i)(2). The characters must be encoded in accordance with the 5-unit code of the International Telegraph Alphabet No. 2. Even character parity must also be provided.

Note.—Restriction of data content of alpha characters eliminates the need for transmission of signal numbers 29 and 30 designating letters and figures.

(15) Back azimuth antenna distance must represent the minimum distance between the back azimuth antenna phase center and a vertical plane perpendicular to runway centerline which contains the back azimuth reference datum.

(16) Back azimuth proportional coverage represent the back azimuth sector boundaries in which proportional guidance is transmitted.

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TABLE 8. BASIC DATA

WORD	DATA CONTENT	MAX. TIME BETWEEN TRANSMISSIONS (SECONDS)	BITS USED	RANGE OF VALUES	LEAST SIGNI-FICANT BIT	BIT NUMBER
1	PREAMBLE	0.25	12			I_1 - I_{12}
	Approach Azimuth to Threshold Distance		6	100M to 6300M	100M	I_{13} - I_{18}
	Approach Azimuth Proportional Coverage Limit		5	-10° to -60°	2°	I_{19} - I_{23}
	Approach Azimuth Proportional Coverage Limit		5	+10° to +60°	2°	I_{24} - I_{28}
	SPARE		2			I_{29} - I_{30}
	PARITY		2	SEE NOTE 1		I_{31} - I_{32}
2	PREAMBLE	0.15	12			I_1 - I_{12}
	Ground Equipment Performance Level		2	SEE NOTE 2		I_{13} - I_{14}
	Approach Elevation Antenna Height		5	-1M to 5.2M	0.2M	I_{15} - I_{19}
	Approach Elevation Antenna Offset		4	30M to 150M	8.0M	I_{20} - I_{23}
	Back Azimuth Next Function		1	SEE NOTE 3		I_{24}
	Minimum Glide Path		6	2° to 8.2°	0.1°	I_{25} - I_{30}
	PARITY		2	SEE NOTE 1		I_{31} - I_{32}
3	PREAMBLE	10	12			I_1 - I_{12}
	Approach Azimuth Beamwidth		2	1° to 4°	1°	I_{13} - I_{14}
	Approach Elevation Beamwidth		2	1° to 2.5°	0.5°	I_{15} - I_{16}
	Flare Elevation Beamwidth		2	0.5° to 1°	0.25°	I_{17} - I_{18}
	Back Azimuth Beamwidth		2	1° to 4°	1°	I_{19} - I_{20}

TABLE 8. BASIC DATA (Continued)

WORD	DATA CONTENT	MAX. TIME BETWEEN TRANSMISSIONS (SECONDS)	BITS USED	RANGE OF VALUES	LEAST SIGNI-FICANT BIT	BIT NUMBER
	Approach Azimuth Guidance Sector Alert					
	-60° to -20°		3	1° to 4°	0.5°	I_{21} - I_{23}
	-20° to -5°		2	1° to 4°	1°	I_{24} - I_{25}
	20° to 5°		2	1° to 4°	1°	I_{26} - I_{27}
	60° to 20°		3	1° to 4°	0.5°	I_{28} - I_{30}
	PARITY		2	SEE NOTE 1		I_{31} - I_{32}
4	PREAMBLE	10	12			I_1 - I_{12}
	DME Distance		11	1M to 8000M	4M	I_{13} - I_{23}
	DME Offset		6	-155M to +155M	5M	I_{24} - I_{29}
	SPARE		1			I_{30}
	PARITY		2	SEE NOTE 1		I_{31} - I_{32}
5	PREAMBLE	10	12			I_1 - I_{12}
	DME Channel		8	SEE NOTE 2		I_{13} - I_{20}
	Approach Azimuth Antenna Offset		7	-126M to +126M	2M	I_{21} - I_{27}
	SPARE		3			I_{28} - I_{30}
	PARITY		2	SEE NOTE 1		I_{31} - I_{32}
6	PREAMBLE	10	12	SEE NOTE 4		I_1 - I_{12}
	MLS Ground Subsystem Identification			LETTERS A TO Z		
	Character 2		6			I_{13} - I_{18}
	Character 3		6			I_{19} - I_{24}
	Character 4		6			I_{25} - I_{30}
	PARITY		2	SEE NOTE 1		I_{31} - I_{32}

TABLE 8. BASIC DATA (Continued)

WORD	DATA CONTENT	MAX. TIME BETWEEN TRANSMISSIONS (SECONDS)	BITS USED	RANGE OF VALUES	LEAST SIGNI-FICANT BIT	BIT NUMBER
7	PREAMBLE	1	12	SEE NOTE 5		$I_1 - I_{12}$
	Back Azimuth Antenna Distance		5	100M to 3100M	100M	$I_{13} - I_{17}$
	Back Azimuth Proportional Coverage Limit		4	-10° to -40°	2°	$I_{18} - I_{21}$
	Back Azimuth Proportional Coverage Limit		4	+10° to +40°	2°	$I_{22} - I_{25}$
	Back Azimuth Beamwidth		2	1° to 4°	1°	$I_{26} - I_{27}$
	Ground Equipment Performance Level		2	SEE NOTE 2		$I_{28} - I_{29}$
	SPARE		1			I_{30}
	PARITY		2	SEE NOTE 1		$I_{31} - I_{32}$

NOTE 1 Parity checks an even number of ones in Bits I_{13} to I_{30} and obeys the equations:

$$I_{13} + I_{14} \quad \ldots \quad I_{29} + I_{30} + I_{31} = \text{EVEN}$$

$$I_{14} + I_{16} + I_{18} \quad \ldots \quad I_{28} + I_{30} + I_{32} = \text{EVEN}$$

NOTE 2 Coding not yet defined.

NOTE 3 Code for I_{24} is:

0 No Back Azimuth Transmission
1 Back Azimuth Transmission to follow

NOTE 4 Data word 6 is transmitted alternately throughout the Approach Azimuth and Back Azimuth coverage sectors, such that the maximum time between transmissions is satisfied for each sector.

NOTE 5 Data word 7 is transmitted only in the Back Azimuth coverage sector.

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§ 171.313 Azimuth performance requirements.

This section prescribes the performance requirements for the azimuth equipment of the MLS as follows:

(a) *Approach Azimuth Coverage Requirements.* The approach azimuth equipment must provide guidance information in at least the following volume of space (see Figure 9).

(1) Horizontally within a sector plus or minus 40 degrees about the runway centerline originating at the datum point and extending in the direction of the approach to 20 nautical miles from the runway threshold. The minimum proportional guidance sector must be plus or minus 10 degrees about the runway centerline. Clearance signals must be used to provide the balance of the required coverage, where the proportional sector is less than plus or minus 40 degrees.

(2) Vertically between:

(i) A conical surface originating 2.5 meters (8 feet) above the runway centerline at threshold inclined at 0.9 degree above the horizontal, and

(ii) A conical surface originating at the azimuth ground equipment antenna inclined at 15 degrees above the horizontal to a height of 6000 meters (20,000 feet).

(iii) Where intervening obstacles penetrate the lower surface, coverage need be provided only to the minimum line of sight.

(3) Runway region.

(i) Proportional guidance horizontally within a sector 45 meters (150 feet) each side of the runway centerline beginning at the stop end and extending parallel with the runway centerline in the direction of the approach to join the approach region.

(ii) Vertically between a horizontal surface which is 2.5 meters (8 feet) above the farthest point of runway centerline which is in line of sight of the azimuth antenna, and, a conical surface originating at the azimuth ground equipment antenna inclined at 20 degrees above the horizontal up to a height of 600 meters (2000 feet).

(4) Within the approach azimuth coverage sector defined in (1), (2) and (3) above, the power densities must not be less than those shown in Table 9 under the following conditions:

(i) Transmitter power degraded from normal by −1.5dB;

(ii) Rain loss of −2.2dB at the longitudinal coverage extremes.

(b) *Siting requirements.* The approach azimuth antenna system must, except as allowed in paragraph (c) of this section:

(1) Be located on the extension of the centerline of the runway beyond the stop end;

(2) Be adjusted so that the zero degree azimuth plane will be a vertical plane which contains the centerline of the runway served;

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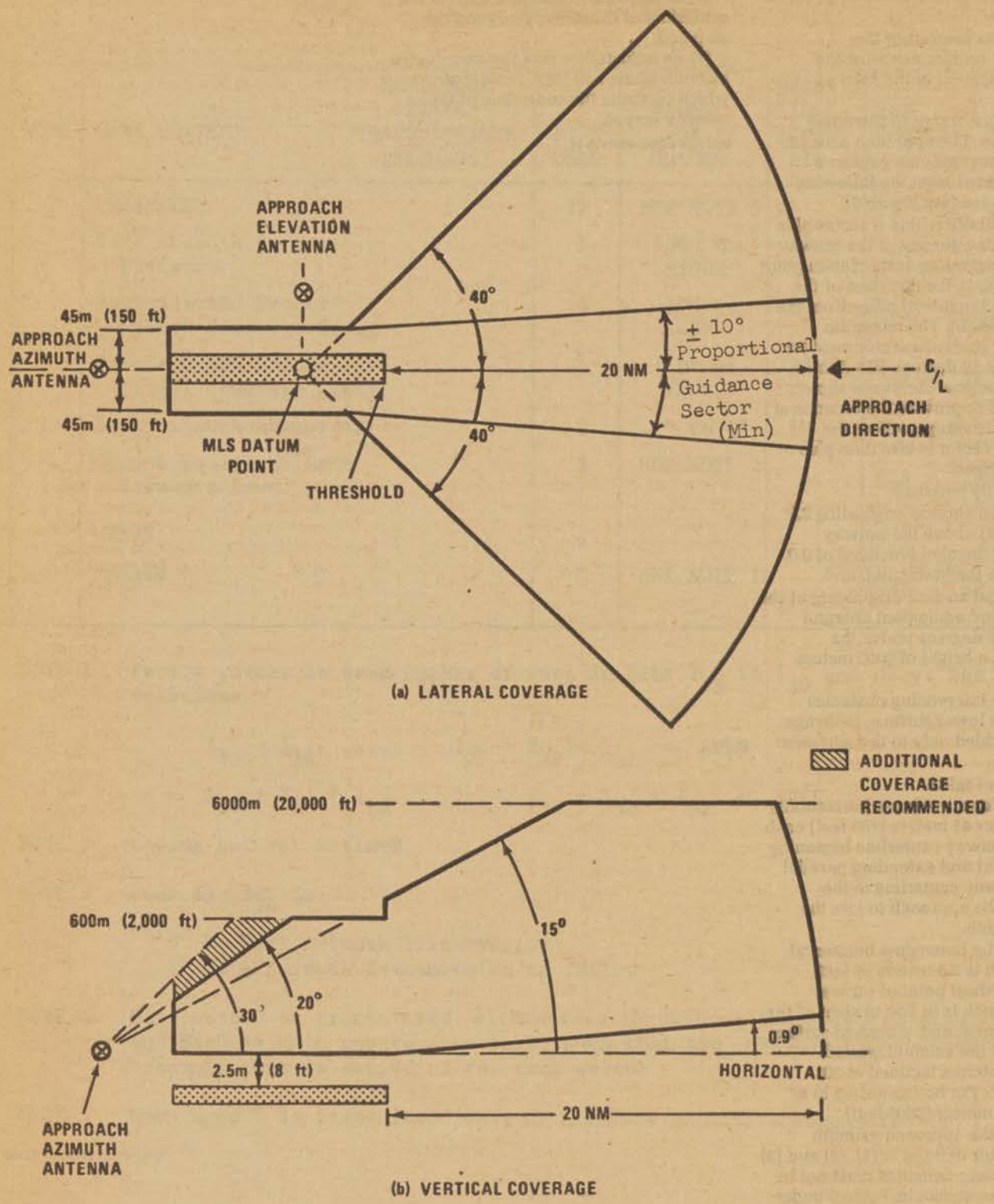

FIGURE 9. APPROACH AZIMUTH COVERAGE

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TABLE 9. AZIMUTH POWER DENSITY REQUIREMENTS (dBW/m^2)

Function	DPSK	Clearance	ANTENNA BEAMWIDTH (3dB)		
			1°	2°	3°
Approach Azimuth	-89.5	-88	-88	-85.5	-82
High Rate Approach Azimuth	-89.5	-88	-88	-88	-86.8
Back Azimuth	-81	-88	-79.5	-77	-73.5

(3) Have the minimum height necessary to comply with the coverage requirements prescribed in paragraph (a) of this section;

(4) Be located at a distance from the stop end of the runway that is consistent with safe obstruction clearance practices;

(5) Not obscure any light of an approach lighting system; and

(6) Be installed on frangible mounts or beyond the 300 meter (1000 feet) light bar.

(c) On runways where limited terrain prevents the azimuth antenna from being positioned on the runway centerline extended, and the cost of the land fill or a tall tower antenna support is prohibitive, the azimuth antenna may be offset. If an offset azimuth antenna is used, the criteria in Subpart C of Part 97 of this chaper is applicable.

(d) *Antenna coordinates.* The scanning beams transmitted by the approach azimuth equipment within ± of the centerline may be either conical or planar.

(e) *Approach azimuth accuracy.*

(1) The accuracies shown in Table 10 are required at the approach reference datum. From this point to the longitudinal coverage extremes, the equivalent angular PFE is allowed to increase linearly to 0.5 degree. The equivalent angular CMN at threshold is allowed to increase linearly to 0.2 degree at the coverage extremes. No additional degradations of either PFE or CMN are allowed with azimuth or elevation angle. For the errors allowable in other regions, the accuracy specified at threshold should first be converted to its equivalent angular value with an origin at the antenna.

(2) The system and ground subsystem accuracies shown in Table 10 are to be demonstrated at commissioning as maximum error limits. Subsequent to commissioning, the accuracies are considered to be the 95% probability limits.

TABLE 10. APPROACH AZIMUTH ACCURACIES

ERROR TYPE	SYSTEM	Angular Error (Degrees)	
		GROUND SUBSYSTEM	AIRBORNE (5) SUBSYSTEM
PFE	+20 ft. (1)(2) (6.1m)	0.118 (3)	0.017
CMN	+10.5 ft. (3.2m)(1)(4)	0.030	0.015

Notes.

(1) System angular error calculations assume an antenna to runway threshold distance of 1500 meters (5000 feet).

(2) The PFN component must not exceed ±3.5 meters (11.5 feet).

(3) The mean course error component contributed by the ground equipment must not exceed ±3.0 meters (10 feet).

(4) Aircraft flight control considerations limit the system control motion noise to 0.1°.

(5) The airborne subsystem angular errors are provided for information only.

(f) Approach azimuth antenna characteristics are as follows:

(1) *Drift.* Any azimuth angle as encoded by the scanning beam at any point within the proportional coverage sector must not vary more than ±0.07 degree over the range of service conditions specified in 171.309(c). Multipath effects are excluded from this requirement.

(2) *Beam pointing errors.* The azimuth angle as encoded by the scanning beam at any point within the proportional coverage sector must not deviate from the true azimuth angle at that point by more than ±0.05 degree. Multipath and drift effects are excluded from this requirement.

(3) *Antenna alignment.* The antenna must be equipped with suitable optical and mechanical means to bring the zero degree azimuth radial into coincidence with the vertical plane containing the runway centerline with a maximum error of 0.02 degree. Additionally, the azimuth antenna bias adjustment must be electrically steerable at least to the monitor limits in steps not greater than 0.01 degree.

(4) *Antenna far field patterns in the plane of scan.* On boresight, the azimuth antenna mainbeam pattern must conform to Figure 10, and the beamwidth must not exceed three degrees. The sidelobe levels shown in Figure 10 must be as follows:

(i) Static sidelobe levels, with the antenna not scanning, the sidelobe level at any point in space must not exceed −20dB relative to the amplitude of the mainbeam on boresight.

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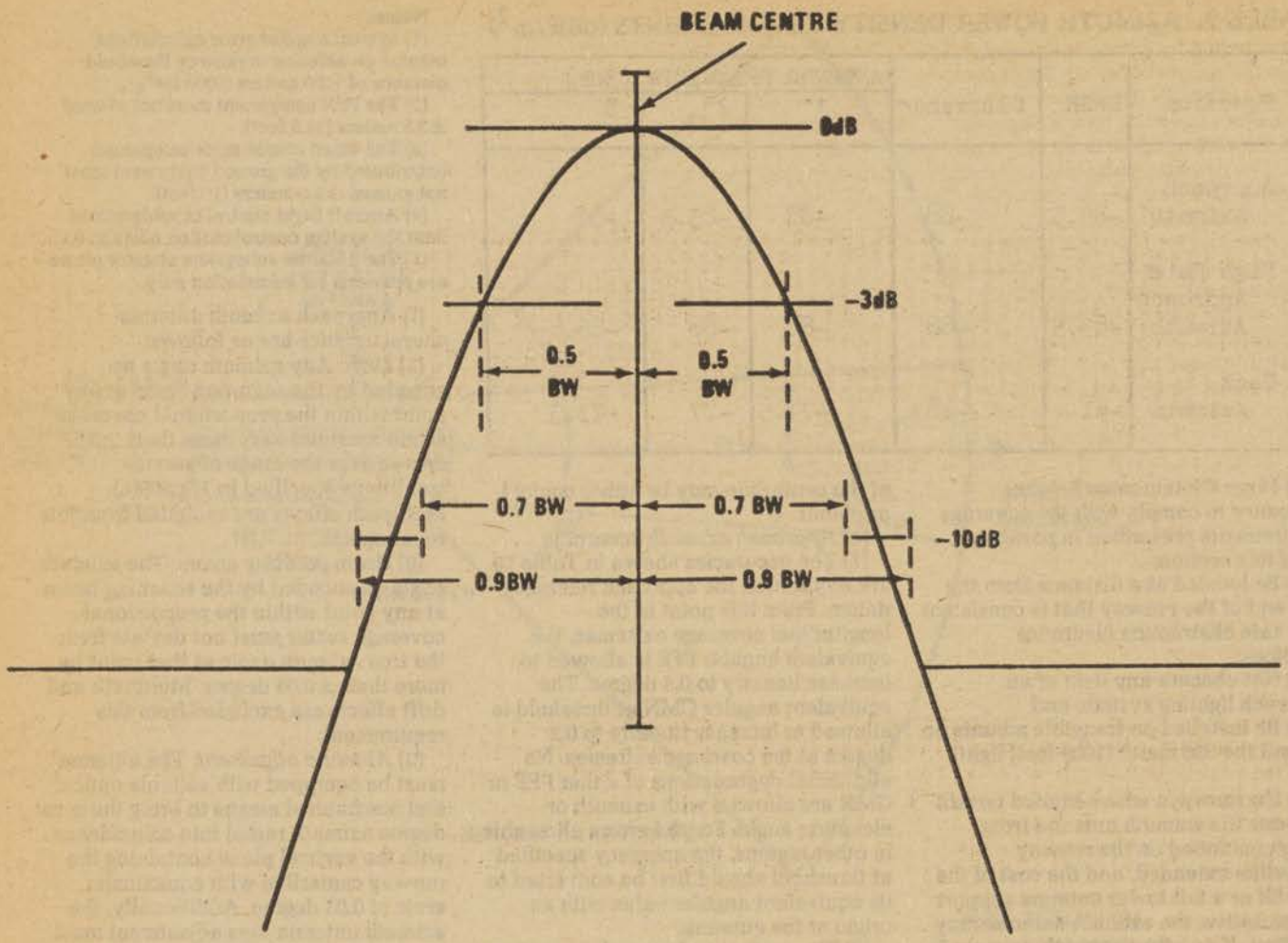

NOTES: THE BEAM ENVELOPE IS SMOOTHED BY A 26 kHz VIDEO FILTER BEFORE MEASUREMENT.
BW=BEAMWIDTH.

FIGURE 10. FAR FIELD DYNAMIC SIGNAL IN SPACE

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(ii) *Dynamic sidelobe levels.* With the antenna scanning normally, the sidelobe level detected by a receiver at any point within the proportional coverage sector must not exceed −20dB relative to the mainbeam amplitude on boresight for more than 3% of the time on any single scan. The peak sidelobe level must not exceed −17dB relative to the mainbeam amplitude on boresight.

(5) *Antenna far field pattern in the vertical plane.* The azimuth antenna free space radiation pattern below the horizon must have a slope of at least −8dB/degree at the antenna pattern −6dB point, and all sidelobes below the horizon must be at least 13dB below the pattern peak. The antenna radiation pattern above the horizon must satisfy both the system coverage requirements and the spurious radiation requirement.

(g) *Back azimuth coverage requirements.* The back azimuth equipment must provide guidance information in at least the following volume of space (see Figure 11).

(1) Horizontally within a sector plus or minus 20 degrees about the runway centerline originating at the back azimuth ground equipment antenna and extending in the direction of the missed approach at least to 5 nautical miles from the runway stop end.

(2) Vertically in the runway region between:

(i) A horizontal surface 2.5 meters (8 feet) above the farthest point of runway centerline which is in line of sight of the azimuth antenna, and,

(ii) A conical surface originating at the azimuth ground equipment antenna inclined at 20 degrees above the horizontal up to a height of 600 meters (2000 feet).

(3) Vertically in the back azimuth region between:

(i) A conical surface originating 2.5 meters (8 feet) above the runway stop end, inclined at 0.9 degree above the horizontal, and,

(ii) A conical surface originating at the missed approach azimuth ground equipment antenna, inclined at 15 degrees above the horizontal up to a height of 1500 meters (5000 feet).

(iii) Where obstacles penetrate the lower coverage limits, coverage need be provided only to minimum line of sight.

(4) Within the back azimuth coverage sector defined in (1), (2), and (3) above, the power densities must not be less than those shown in Table 9 under the following conditions:

(i) Transmitter power degraded from normal by −1.5dB.

(ii) Rain loss of −2.2dB at the longitudinal coverage extremes.

(h) *Back azimuth siting.* The back azimuth equipment antenna must normally be located on the extension of the runway centerline at the threshold end, and the antenna must be adjusted so that the vertical plane containing the zero degree course line contains the back azimuth reference datum.

(i) *Back azimuth antenna coordinates.* The scanning beams transmitted by the back azimuth equipment within ±40° of the centerline may be either conical or planar.

(j) *Back azimuth accuracy.* The requirements specified in § 171.313(e) apply.

(k) *Back azimuth antenna characteristics.* The requirements specified in § 171.313(f) apply.

(l) *Scanning conventions.* Figure 12 shows the approach azimuth and back azimuth scanning conventions.

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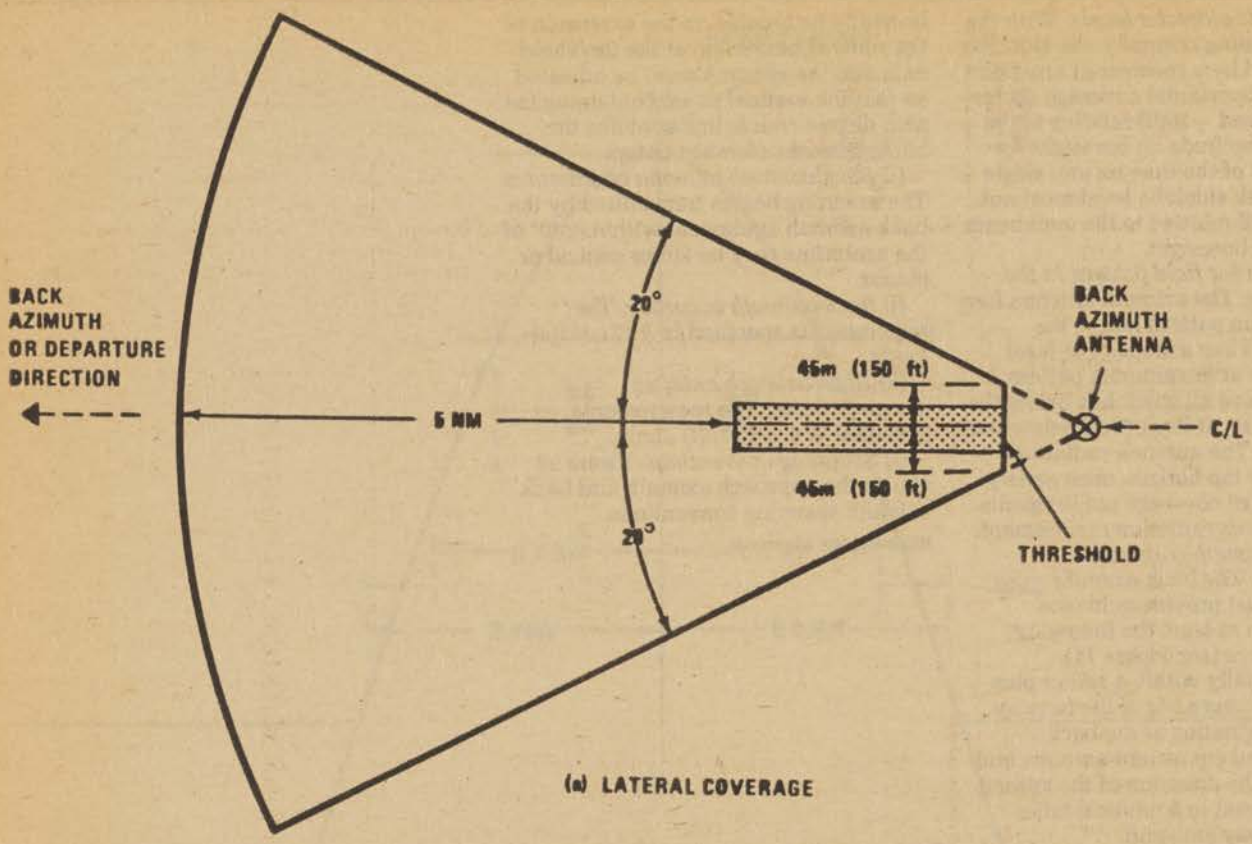
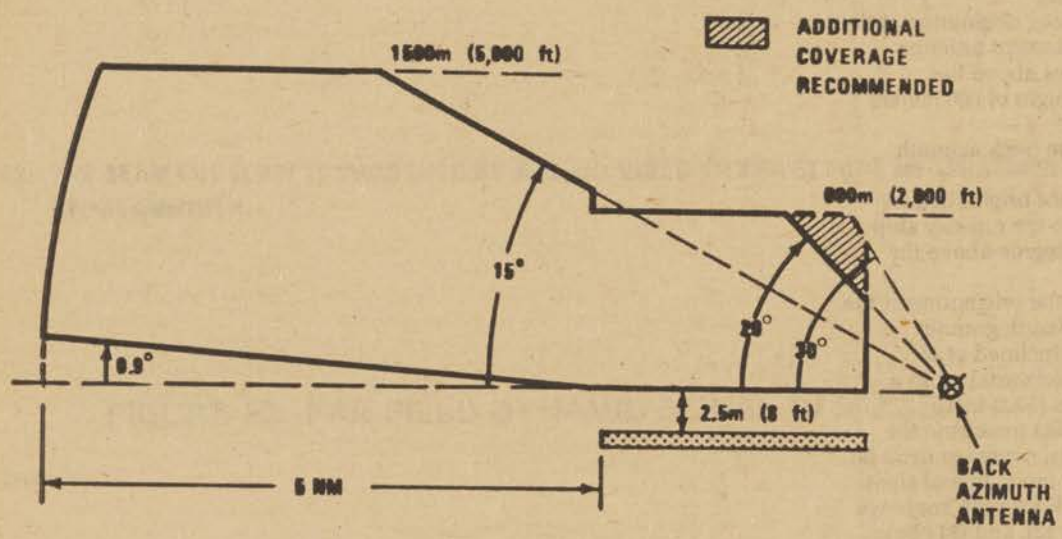


(a) LATERAL COVERAGE



(b) VERTICAL COVERAGE

FIGURE 11. BACK AZIMUTH COVERAGE

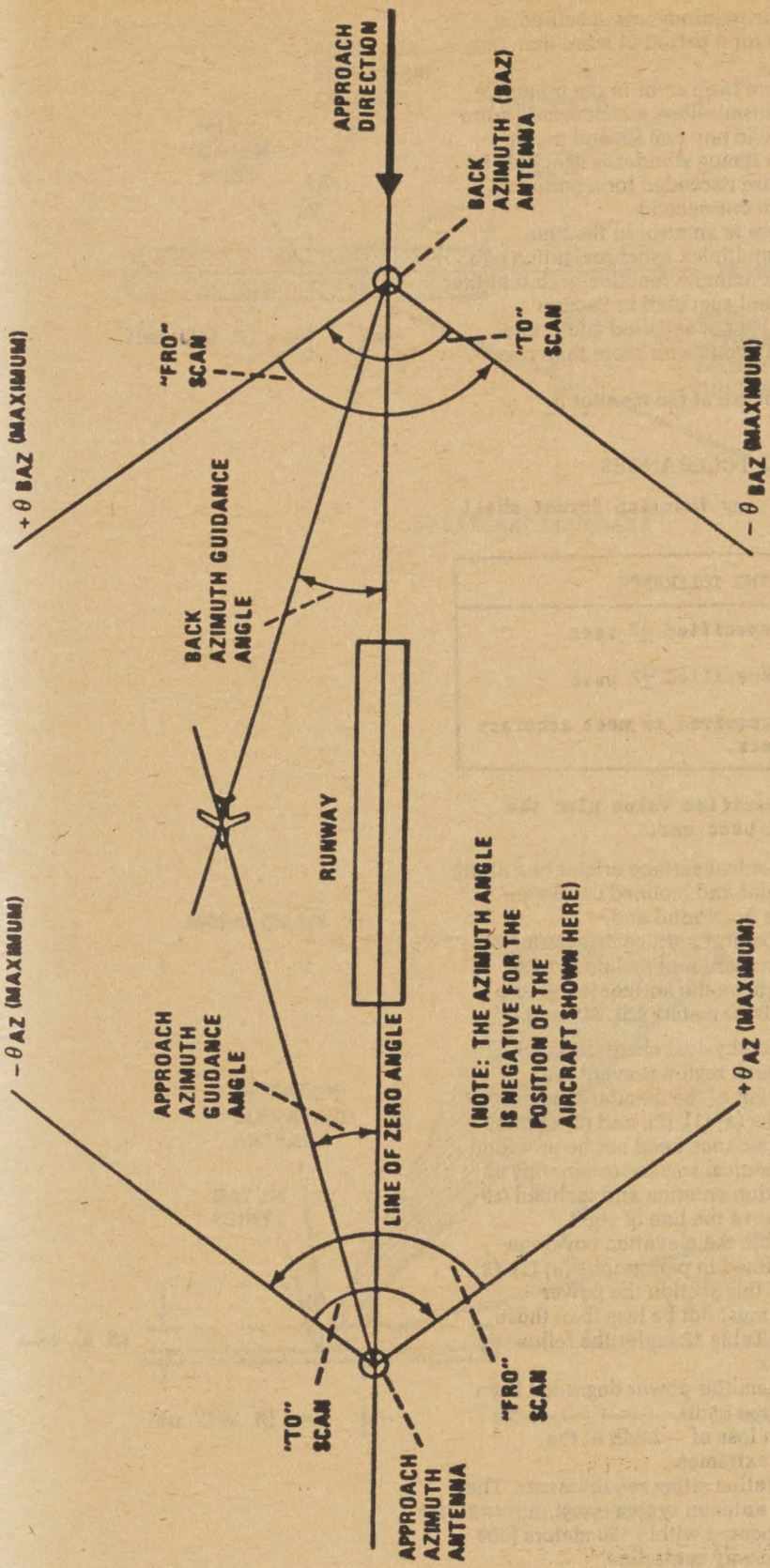


FIGURE 12. AZIMUTH GUIDANCE FUNCTIONS SCANNING CONVENTIONS

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§ 171.315 Azimuth monitor system.

(a) The approach azimuth or back azimuth monitor system must cause the radiation to cease and a warning must be provided at the designated control point if any of the following conditions persist for longer than the periods specified:

(1) There is a change in the ground equipment contribution to the mean course error component such that the path following error at the reference datum or in the direction of any azimuth radial, exceeds the limits specified in Section 171.313 for a period of more than one second.

(2) There is a reduction in the radiated power to less than that necessary to satisfy the requirements specified in § 171.313 for a period of more than one second.

(3) There is an error in the preamble DPSK transmissions which occurs more than once in any one second period.

(4) The timing standards specified in Table II are exceeded for a period of more than one second.

(5) There is an error in the time division multiplex synchronization of a particular azimuth function such that the requirement specified in Section 171.311(e) is not satisfied and if this condition persists for more than one second.

(6) A failure of the monitor is detected.

TABLE II. SIGNAL FORMAT TIMING TOLERANCES

The internal timing accuracy tolerance of any function format shall be as follows:

SIGNAL FORMAT ITEM	TIMING TOLERANCE
Clearance and OCI Signals	As specified ±2 μsec
DPSK phase transitions	As specified ±2 μsec
TO-FRO scan timing (internal to scan)	As required to meet accuracy specs.

NOTE: The timing jitter relative to the specified value plus the tolerance above, must be less than 1 μsec rms.

(b) The period during which erroneous guidance information is radiated must not exceed the periods specified in § 171.315(a). If the fault is not cleared within the time allowed, the ground equipment must be shutdown. After shutdown, no attempt must be made to restore service until a period of 20 seconds has elapsed.

§ 171.317 Approach elevation performance requirements.

This section prescribes the performance requirements for the elevation equipment components of the MLS as follows:

(a) *Elevation coverage requirements.* The approach elevation facility must provide proportional guidance information in at least the following volume of space (see Figure 13):

(1) Laterally within a sector originating at the datum point which is at least equal to the proportional guidance sector provided by the approach azimuth ground equipment.

(2) Longitudinally from 75 meters (250 feet) from the datum point to 20 nautical miles from threshold in the direction of the approach.

(3) Vertically within the sector bounded by:

(i) A surface which is the locus of points 2.5 meters (8 feet) above the runway surface;

(ii) A conical surface originating at the datum point and inclined 0.9 degree above the horizontal and,

(iii) A conical surface originating at the datum point and inclined at 7.5 degrees above the horizontal up to a height of 6000 meters (20,000 feet).

Where the physical characteristics of the approach region prevent the achievement of the standards under paragraphs (a) (1), (2), and (3) of this section, guidance need not be provided below a conical surface originating at the elevation antenna and inclined 0.9 degree above the line of sight.

(4) Within the elevation coverage sector defined in paragraphs (a) (1), (2) and (3) of this section the power densities must not be less than those shown in Table 12 under the following conditions:

(i) Transmitter power degraded from normal by −1.5dB.

(ii) Rain loss of −2.2dB at the coverage extremes.

(b) Elevation siting requirements. The elevation antenna system must:

(1) Be located within 150 meters (500 feet) of runway centerline.

(2) Be located near runway threshold such that the minimum glidepath crosses runway threshold at a height between 15 and 18 meters (50 and 60 feet).

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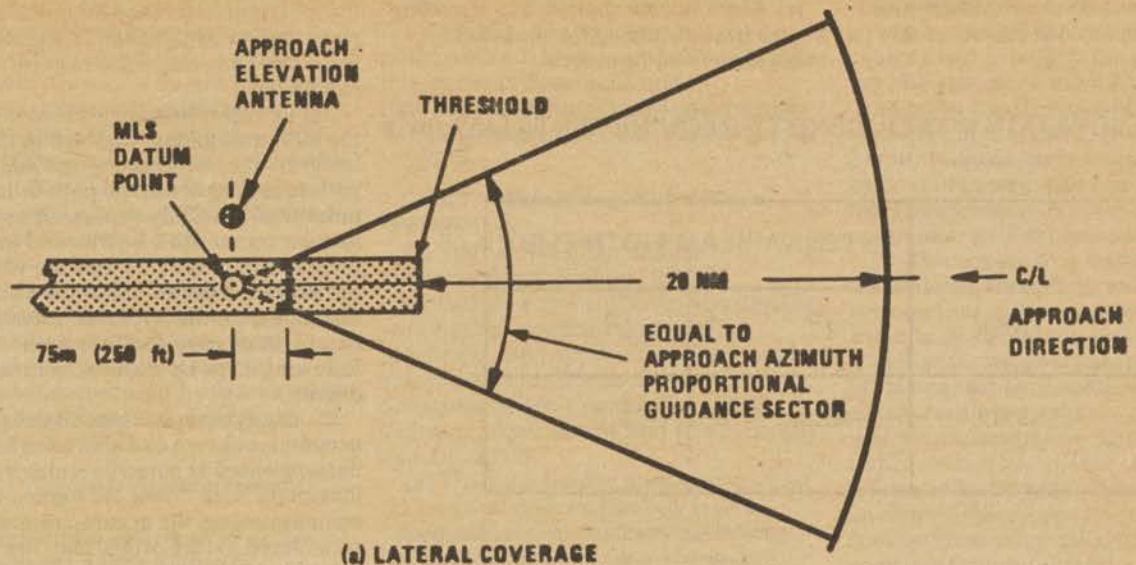
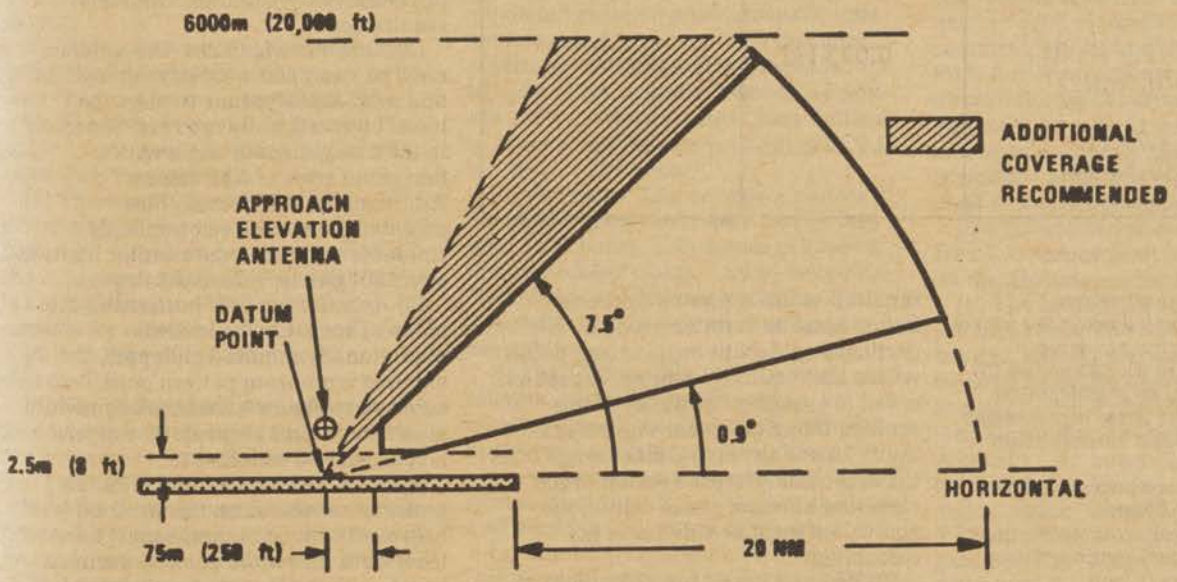


(a) LATERAL COVERAGE



(b) VERTICAL COVERAGE

FIGURE 13. APPROACH ELEVATION COVERAGE

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(3) Satisfy obstacle clearance criteria specified in Subpart C of Part 97 of this chapter.

(c) *Antenna coordinates.* The scanning beams transmitted by the elevation subsystem must be conical.

TABLE 12. ELEVATION POWER DENSITY REQUIREMENTS (dBW/m^2)

DPSK	ANTENNA BEAMWIDTH (3dB)	
	1°	2°
-89.5	-88.0	-88.0

TABLE 13. ELEVATION ACCURACIES

ERROR TYPE	SYSTEM	Angular Error (Degrees)	
		GROUND SUBSYSTEM	AIRBORNE (4) SUBSYSTEM
PFE	+2.0 ft. (1) (0.6m)(2)	0.093 (3)	0.017
CMN	+.75 ft. (0.3m)(1)	0.020	0.010

Notes.—(1) System angular error calculations assume the following: 262 meters (861 feet) antenna to reference datum. Distance calculation assumed 15 meters (50 feet) threshold crossing on 3° glidepath, 3 meters (10 feet) antenna phase center height and a 122 meters (400) feet antenna offset from runway centerline.

(2) The system PFN component shall not exceed ±0.4 meters (1.3 feet).

(3) The mean glidepath error component contributed by the ground equipment must not exceed ±0.3 meters (1 foot).

(4) The airborne subsystem angular errors are provided for information only.

(d) *Elevation accuracy.* (1) The accuracies shown in Table 13 are required at the approach reference datum. From this point, the following accuracy degradations are allowed:

(i) The equivalent angular PFE required at the approach reference datum must be maintained on a particular glidepath angle at any point within the required coverage except as noted in paragraph (d)(1)(ii) of this section. Using the linear value from Table 13 and the actual slant range from the approach reference datum to the elevation antenna phase center, the equivalent angular value may be calculated.

(ii) Above 1500 meters (5000 feet), the PFE must not exceed 0.4 degree or 90 meters (300 feet).

(iii) The equivalent angular CMN required at the approach reference datum is allowed to degrade linearly with range to 0.2 degree at the coverage extremes. Using the linear value from Table 13 and the actual slant range from the approach reference datum to the elevation antenna phase center, the equivalent angular value may be calculated.

(iv) For elevation angles below 60% of the minimum glidepath down to the lower limit of coverage specified, the path following error, the path following noise, and the CMN expressed in angular terms, shall be allowed to increase linearly to 5 times the value on the extended centerline at the same distance from the approach reference datum. In no case shall the path following error be allowed to exceed 0.6 degree.

(2) The system and ground subsystem accuracies shown in Table 13 are to be demonstrated at commissioning as maximum error limits. Subsequent to commissioning, the accuracies are to be considered at 95% probability limits.

(e) Elevation antenna characteristics are as follows:

(1) *Drift.* Any elevation angle as encoded by the scanning beam at any point within the coverage sector must not vary more than 0.04 degree over the range of service conditions specified in Section 171.309(c). Multipath effects are excluded from this requirement.

(2) *Beam pointing errors.* The elevation angle as encoded by the scanning beam at any point within the coverage sector must not deviate from the true elevation angle at that point by more than 0.04 degree. Multipath and drift effects are excluded from this requirement.

(3) *Antenna alignment.* The antenna must be equipped with suitable optical and mechanical means to align the lowest operationally required glidepath to the true glidepath angle with a maximum error of 0.01 degree. Additionally, the antenna bias adjustment must be electronically steerable at least to the monitor limits in steps not greater than 0.005 degree.

(4) *Antenna far field patterns in the plane of scan.* On the lowest operationally required glidepath, the antenna mainbeam pattern must conform to Figure 8, and the beamwidth must not exeed 2 degrees. The sidelobe levels must be as follows:

(i) *Static sidelobe levels.* With the antenna not scanning, the sidelobe level below a 1° elevation angle must be at least 20dB below the peak of the main beam, and above a 1° elevation angle the sidelobe level must be at least 15 dB below the peak of the main beam.

(ii) *Dynamic sidelobe levels.* With the antenna scanning normally, the sidelobe level detected by a receiver at any point in coverage below a 1° elevation angle must not exceed 20dB below the peak of

the main beam for more than 3% of the time in a single scan and in no case exceed −17dB relative to the main beam peak. Above a 1 degree elevation angle at any point within coverage, the sidelobe level must not exceed −18dB relative to the peak of the main beam for more than 3% of the time in a single scan and in no case exceed −15dB relative to the peak of the main beam.

(5) *Antenna far field pattern in the horizontal plane.* The horizontal pattern of the antenna shall gradually deemphasize the signal away from antenna boresight. The horizontal pattern shall be reduced by at least 3 dB at 20 degrees off boresight and by at least 6 dB at 40 degrees.

§ 171.319 Approach elevation monitor system.

(a) The monitor system must act to ensure that any of the following conditions do not persist for longer than the periods specified when:

(1) There is a change in the ground component contribution to the mean glidepath error component such that the path following error at the reference datum on any glidepath consistent with published approach procedures and obstacle clearance criteria exceeds the limits specified in § 171.317 for a period of more than one second.

(2) There is a reduction in the radiated power to less than that necessary to satisfy the requirements specified in § 171.317 for a period of more than one second.

(3) There is an error in the preamble DPSK transmissions which occurs more than once in any one second period.

(4) The timing standards specified in Table 11 are exceeded for a period of more than one second.

(5) There is an error in the time division multiplex synchronization of a particular elevation function such that the requirement specified in § 171.311(e) is not satisfied and this condition persists for more than one second.

(6) A failure of the monitor is detected.

(b) The period during which erroneous guidance information is radiated must not exceed the periods specified in § 171.319(a). If the fault is not cleared within the time allowed, radiation shall cease. After shutdown, no attempt must be made to restore service until a period of 20 seconds has elapsed.

§ 171.321 DME and marker beacon performance requirements.

The DME equipment must meet the performance requirements prescribed in Subpart G of this Part. MLS marker beacon equipment must meet the performance requirements prescribed in Subpart H of this Part. Both of these subparts impose requirements that performance features must comply with International Standards and Recommended Practices, Aeronautical Telecommunications, Vol. I of Annex 10 to ICAO.

§ 171.323 Fabrication and installation requirements.

(a) The MLS facility must be permanent and must be located, constructed, and installed in accordance with best commercial engineering practices, using applicable electric and safety codes and Federal Communications Commission (FCC) licensing requirements and §§ 171.313(b) and 171.317(b).

(b) The MLS facility components must utilize solid state technology with a maximum level of common modularity. Diagnostics to facilitate maintenance and troubleshooting must be provided.

(c) An approved monitoring capability must be provided which indicates the status of the equipment at the site and at a remotely located mainentance area, with monitor capability that provides prealarm of impending system failures at the ground subsystem limits shown in Table 10 for azimuth and Table 13 for elevation. This monitoring feature must also be capable of interfacing with FAA remote monitoring requirements.

(d) The mean corrective maintenance time of the MLS equipment must be equal to or less than 0.5 hours with a maximum corrective maintenance time not to exceed 1.5 hours. This measure applies to correction of unscheduled failures of the monitor, transmitter and associated antenna assemblies, limited to unscheduled outage and out of tolerance conditions.

(e) The mean time between failures of the MLS angle system must not be less than 1,500 hours. This measure applies to unscheduled outage, out-of-tolerance conditions, and failures of the monitor, transmitter, and associated antenna assemblies.

(f) The MLS facility must have a reliable source of suitable primary power, either from a power distribution system or locally generated. Adequate power capacity must be provided for the operation of the MLS as well as the test and working equipment of the MLS.

(g) The MLS facility must have a continuously engaged or floating battery power source for the continued normal operation of the ground station operation if the primary power fails. A trickle charge must be supplied to recharge the batteries during to period of available primary power. Upon loss and subsequent restoration of power, the battery must be restored to full charge within 24 hours. When primary power is applied, the state of the battery charge must not affect the operation of the MLS ground station. The battery must allow continuation of normal operation of the MLS facility for at least 3 hours without the use of additional sources of power. The equipment must meet all specification requirements with or without batteries installed.

(h) There must be a means for determining, from the ground, the performance of the equipment including antenna, both initially and periodically.

(i) The facility must have, or be supplemented by ground, air or landline communications services. At facilities within or immediately adjacent to air traffic control areas, that are intended for use as instrument approach aids for an airport, there must be ground air communications or reliable communications (at least a landline telephone) from the airport to the nearest FAA air traffic control or communication facility. Compliance with this paragraph need not be shown at airports where an adjacent FAA facility can communicate with aircraft on the ground at the airport and during the entire proposed instrument approach procedure. In addition, at low traffic density airports within or immediately adjacent to air traffic control zones or areas, and where extensive delays are not a factor, the requirements of this paragraph may be reduced to reliable communications from the airport to the nearest FAA air traffic control or communications facility. If the adjacent FAA facility can communicate with aircraft during the proposed instrument approach procedure down to the minimum en route altitude for the controlled area, this would require at least a landline telephone.

(j) The location of the phase centers for all antennas must be clearly marked on the antenna enclosures.

(k) The latitude, longitude and mean sea level elevation of all antenna phase centers, and the runway threshold will be determined by survey with an accuracy of ±.3 meters (±1.0 foot) laterally and ±.3 meters (±1.0 foot) vertically. The results of this survey will be included in the "operations and maintenance" manual required by § 171.325 of this subpart and will be noted on FAA Form 198 required by § 171.327.

§ 171.325 Maintenance and operations requirements.

(a) The owner of the facility must establish an adequate maintenance system and provide MLS qualified maintenance personnel to maintain the facility at the level attained at the time

it was commissioned. Each person who maintains a facility must meet at least the FCC licensing requirements and demonstrate that he has the special knowledge and skills needed to maintain an MLS facility, including proficiency in maintenance procedures and the use of specialized test equipment. A written approval of these capabilities must be posted alongside the FCC license.

(b) In the event of out of tolerance conditions or malfunctions, as evidenced by receiving two successive pilot reports, the owner must close the facility by ceasing radiation, and issue a "Notice to Airmen" (NOTAM) that the facility is out of service.

(c) The owner must prepare, and obtain approval of, an operations and maintenance manual that sets forth mandatory procedures for operations, periodic maintenance, and emergency maintenance, including instructions on each of the following:

(1) Physical security of the facility.

(2) Maintenance and operations by authorized persons.

(3) FCC licensing requirements for operations and maintenance personnel.

(4) Posting of licenses and signs.

(5) Relations between the facility and FAA air traffic control facilities, with a description of the boundaries of controlled airspace over or near the facility, instructions for relaying air traffic control instructions and information, if applicable, and instructions for the operation of an air traffic advisory service if the facility is located outside of controlled airspace.

(6) Notice to the Administrator of any suspension of service.

(7) Detailed and specific maintenance procedures and servicing guides stating the frequency of servicing.

(8) Air-ground communications, if provided, expressly written or incorporating appropriate sections of FAA manuals by reference.

(9) Keeping the station logs and other technical reports, and the submission of reports required by Section 171.317.

(10) Monitoring of the MLS facility.

(11) Inspections by United States personnel.

(12) Names, addresses, and telephone numbers of persons to be notified in an emergency.

(13) Shutdowns for periodic maintenance and issuing of NOTAM for routine or emergency shutdowns.

(14) Commissioning of the MLS facility.

(15) An acceptable procedure for amending or revising the manual.

(16) An explanation of the kinds of activities (such as construction or grading) in the vicinity of the MLS facility that may require shutdown or recertification of the MLS facility by FAA flight check.

(17) Procedures for conducting a ground check of the azimuth and elevation alignment, marker beacon power, and modulation.

(18) The following information concerning the MLS facility:

(i) Facility component locations with respect to airport layout, instrument runways, and similar areas.

(ii) The type, make and model of the basic radio equipment that provides the service.

(iii) The station power emission and frequencies of the MLS azimuth, channel, DME, marker beacon, and associated compass locators, if any.

(iv) The hours of operation.

(v) Station identification call letter.

(vi) A description of the critical parts that may not be changed adjusted, or repaired without an FAA flight check to confirm published operations.

(d) The owner or his maintenance representative must make a ground check of the MLS facility periodically in accordance with procedures approved by the FAA at the time of commissioning, and must report the results of the checks as provided in § 171.327.

(e) The only modifications permitted are those that are submitted to FAA for approval by the MLS equipment manufacturer. The owner or sponsor of the facility may incorporate these modifications in the MLS equipment, but must also incorporate these changes, after FAA approval, into the operations and maintenance manual required in (c) above. All other corrections and additions to this operations and maintenance manual must also be submitted to FAA for approval.

(f) The owner or the owner's maintenance representative must participate in inspections made by the FAA.

(g) Whenever it is required by the FAA the owner must incorporate improvements in MLS maintenance.

(h) The owner must ensure the availability of a sufficient stock of spare parts, including solid state components, or modules to make possible the prompt replacement of components or modules that fail or deteriorate in service.

(i) FAA approved test instruments must be used for maintenance of the MLS facility.

(j) Inspection consists of an examination of the MLS equipment to ensure that unsafe operating conditions do not exist.

(k) Monitoring of the MLS radiated signal must ensure a high degree of integrity and minimize the requirements for ground and flight inspection. The monitor must be checked periodically during the in-service test evaluation period for calibration and stability. These tests and ground checks of azimuth, elevation, and marker beacon radiation characteristics must be conducted in accordance with the maintenance requirements of this section.

§ 171.327 Operational records.

The owner of the MLS facility or his maintenance representative must submit the following operational records at the indicated time to the appropriate FAA regional office where the facility is located.

(a) *Facility Equipment Performance and Adjustment Data (FAA Form 198).* The FAA Form 198 shall be filled out by the owner or his maintenance representative with the equipment adjustments and meter readings as of the time of facility commissioning. One copy must be kept in the permanent records of the facility and two copies must be sent to the appropriate FAA regional office. The owner or his maintenance representative must revise the FAA Form 198 data after any major repair, modernization, or returning to reflect an accurate record of facility operation and adjustment.

(b) *Facility Maintenance Log (FAA Form 6030–1).* FAA Form 6030–1 is permanent record of all the activities required to maintain the MLS facility. The entries must include all malfunctions met in maintaining the facility including information on the kind of work and adjustments made, equipment failures, causes (if determined) and corrective action taken. In addition, the entries must include completion of periodic maintenance required to maintain the facility. The owner or his maintenance representative must keep the original of each form at the facility and send a copy to the appropriate FAA regional office at the end of each month in which it is prepared. However, where an FAA approved remote monitoring systems is installed which precludes the need for periodic maintenance visits to the facility, monthly reports from the remote monitoring system control point must be forwarded to the appropriate FAA regional office, and a hard copy retained at the control point.

(c) *Technical Performance Record (FAA Form 418).* FAA Form 418 contains a record of system parameters, recorded on each scheduled visit to the facility. The owner or his maintenance representative shall keep the original of each record at the facility and send a

copy of the form to the appropriate FAA regional office.

Note.—The FAA has determined that this document involves a proposed regulation which is not considered to be significant under the procedures and criteria prescribed by Executive Order 12044 and as implemented by the Department of Transportation Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). A copy of the draft evaluation prepared for this action is contained in the regulatory docket. A copy of it may be obtained by contacting the person identified under the captain "For Further Information Contact."

Issued in Washington, D.C., on August 28, 1980.

Gerald L. Thompson,

Director, Airway Facilities Service.

[FR Doc. 80-27403 Filed 9-5-80; 8:45 am]

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federal register

Monday
September 8, 1980

Part III

Department of Health and Human Services

Office of Human Development Services

Head Start Policy Manual Amendment

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of Human Development Services

Head Start Policy Manual Amendment

AGENCY: Office of Human Development Services, DHHS.

ACTION: Notice of proposed policy manual amendment.

SUMMARY: This proposed policy manual amendment prescribes an arbitration procedure for resolution of conflicts between Head Start Agencies and Policy Groups in certain situations. The basis of the proposed amendment is the belief of the Administration for Children, Youth and Families, derived from experience of the past several years, that Head Start Agencies and Policy Groups need to know what to expect of each other in their mutual dealings. Furthermore, a method of resolving their differences in an orderly way will serve to facilitate meaningful parent participation in the Head Start program, and thereby enhance the effectiveness of both the Head Start Agency and the Head Start program itself.

DATE: Written comments must be received on or before October 8, 1980.

ADDRESS: Comments should be directed to: Commissioner, Administration for Children, Youth and Families, Department of Health and Human Services, P.O. Box 1182, Washington, D.C. 20013.

FOR FURTHER INFORMATION CONTACT: Richard H. Johnson, Program Development and Innovation Division, Head Start Bureau, Administration for Children, Youth and Families, (202 755-7700).

SUPPLEMENTARY INFORMATION: The Commissioner for Children, Youth and Families, with the approval of the Assistant Secretary for Human Development Services, proposes to amend the Head Start Policy Manual, Instruction I-30, Section B 2, The Parents (OCD Transmittal Notice 70.2, dated August 10, 1970.) This policy is normally referred to as the Parent Policy.

The current Head Start Performance Standards (45 CFR Part 1304 *et seq.*) specifically provide that all Head Start programs must comply with the parent participation policy set out in the Parent Policy as a condition of being granted financial assistance. Charts B and C of the Parent Policy establish several functions in the administration of programs by a Head Start agency which require the approval of the Policy Group before action can be taken. In referring to the definition as used in Charts B and C of the Parent Policy it states that where the Charts indicate that policy committee or policy council approval is required before a decision is made final or action taken, the policy group "* * * must also have been consulted in the decision-making process prior to the point of seeking approval." It is added that if the policy group does not "* * * the proposal cannot be adopted, or the proposed action taken, until agreement is reached between the disagreeing groups of individuals." As currently written, the Parent Policy does not contain any provision for dealing with a deadlock between the parties other than to prohibit the proposed action. The requirement for Policy Group concurrence has not been a problem for most of the functions in the Parent Policy. Serious problems have arisen when the disagreement between the parties involved the hiring or firing of the Head Start Director, (Charts B and C, III, Personnel Administration, (b) and (d)), or when the conflict involved the provisions of the Head Start Agency's application for refunding or major amendments in budget and work program, (Charts B and C, IV, Grant Application Process, (a) and (b)). Over the past few years, the incidence of such disagreements or impasse has been substantial enough (an estimated five per region per year), to require an inordinate amount of Regional and National Office staff time for their resolution. Frequently, there is serious disruption of services to children and their families enrolled in the program.

The purpose of the proposed amendment is to prescribe a process applicable to the relationship of the parties in the performance of their respective functions. The policy also provides a binding arbitration procedure *only* in the two situations described.

The proposal requires that unresolved conflicts be reduced to writing and that the parties attempt to resolve them by means of additional meetings. If that proves unsuccessful, unresolved conflicts involving (1) hiring or firing of a Head Start Director; or (2) a grant application for refunding or major changes in budget and work programs while the program is in operation, must be submitted to binding arbitration.

Disregard of the revised policy by Head Start agencies, once it becomes final, will be grounds for the denial or refunding or the suspension and termination of financial assistance under existing Head Start regulations. Policy groups, under the proposed amendment, are required to promptly notify the appropriate Regional Office in writing of any such agency disregard of policy in order that timely and appropriate action may be taken by the responsible DHHS official.

(Catalog of Federal Domestic Assistance Program No. 13.600, Administration for Children, Youth and Families—Head Start)

Dated: June 20, 1980.

John A. Calhoun,

Commissioner for Children, Youth and Families.

Approved: August 27, 1980.

Cesar A. Perales,

Assistant Secretary for Human Development Services.

The proposed amendment to the Head Start Policy Manual, Instruction I-30, Section B 2, The Parent (OCD Transmittal Notice 70.2, dated August 10, 1970) reads as follows:

C. Standard for Resolving Potential Impasse Situation Between Head Start and the Policy Group

1. Definitions. "Head Start agency" or "agency" means either a grantee or delegate agency acting through its governing board. "Impasse" occurs when the agency proposes the hiring or firing or a Head Start Director, or presents a grant request for refunding or major changes in budget and work programs while the program is in operation, and the Policy Council does not concur in the agency's action within fifteen (15) days or by the time of the next regularly scheduled Policy Council meeting, whichever occurs later. "Policy group" means either a policy council or a policy committee, acting as a body or through its authorized representative or representatives.

2. Preliminary Procedures. a. After informal discussions, if the agency believes the Policy Group will not approve its decision and the agency wants to formalize the approval process, it should notify the Policy Group in writing. The notice shall contain a statement of the reasons in support of the proposed decision or action.

b. Within 10 days after receipt of the notice, the Policy Group shall hold a special meeting for consideration of the agency proposed decision or action.

c. Immediately after the special meeting, the Policy Group shall notify the agency in writing of its approval or disapproval of the proposed decision or action. If the notice is of disapproval, it shall contain a statement of the reasons.

d. In the event of a disapproval and if the agency desires further consideration of the matter, it shall initiate a meeting between itself and the Policy Group for

the purpose of attempting to resolve their differences.

e. If, after these efforts, the agency and the Policy Group are unable to reach an agreement, the proposed decision or action shall not be taken; *except* if the impasse is as defined in C-1. In that case, the agency must invoke the arbitration procedures in Section D if it is unwilling to abide by the decision of the Policy Group.

f. If the agency makes the decision or takes the action without invoking the arbitration procedures in Section D, the Policy Group shall promptly notify, in writing, the appropriate Regional Office with a copy of the notice to the agency. The notice shall contain a description of the circumstances in which the agency is alleged to have disregarded or violated the Policy Group approval requirements. Such disregard or violation is a ground for the denial of refunding or the suspension and termination of financial assistance.

D. Arbitration Procedure

Where there is impasse between the agency and the Policy Group the agency must require that it be submitted to binding arbitration in accordance with the following rules and procedures:

1. Arbitration Panel Composition

The arbitration shall be conducted by a panel of three (3) arbiters, one to be designated by the agency, one to be designated by the Policy Group, and the third, who will be the chairperson of the arbitration panel, to be designated by the other two members. The arbiters shall be persons of good reputation and standing in the community and shall not be associated with the Head Start program. If the two arbiters first designated are unable to agree upon a third arbiter who will serve within seven (7) days after the designation of the second of them, they will request the State or local bar association or the American Arbitration Association to name one of its members who would be willing to serve as chairman. None of the arbiters shall be relatives of any of the parties and they shall serve without compensation.

2. Notice of Arbitration

When the agency decides to submit the impasse to arbitration, it shall notify the Policy Group, in writing, that the impasse is to be resolved by binding arbitration. The Notice shall include:

a. A statement of the issue on which the agency and the Policy Group are at impasse; which can be based on the letters exchanged under C.2.

b. The name and address of the person the agency has designated as a member of the arbitration panel; and

c. A request that the Policy Group designate a member of the arbitration panel within seven (7) days of the receipt of the Notice and instruct him/her to communicate immediately with the person designated by the agency for the purpose of selecting the third member of the panel.

d. The agency shall send a copy of the Notice to the Head Start Regional Office.

3. Failure To Designate Arbiter

Failure by the Policy Group to designate an arbiter within seven (7) days of receipt of the Notice of Arbitration shall be a default, and shall be considered to be approval of the agency's proposed acton.

4. Preliminary Matters

a. The Arbitration Panel shall schedule the arbitration hearing within a reasonable time but not more than 20 days after the designation of the third arbiter.

b. The hearing shall be held in the locality of the Head Start agency, but not at the agency, at a place fixed by the Arbitration Panel with consideration for the convenience of the parties.

c. The Head Start agency and the Policy Group are the parties to the arbitration hearing.

d. The agency shall assume any expenses entailed by the arbitration and shall provide clerical and other support as needed.

5. Proceedings

The duty of the arbitration panel is to resolve the issues in dispute as expeditiously and fairly as possible at the minimum expense to the parties involved.

The proceedings of the arbitration panel shall consist of:

a. Oral presentation of the Policy Group's position, including minority views if there are any.

b. Oral presentation of the agency's position.

c. Response by both parties to such questions as the panel wishes to ask.

d. Informal cross examination of each party by the other, within the limits allowed by the panel.

e. Such additional presentation of oral or written materials as the panel deems necessary to fully apprise it of relevant facts for an informed decision. The parties may suggest to the panel additional relevant witnesses or materials that would be helpful to the panel.

f. If the panel needs additional material such as budget statements, Head Start regulations or other materials of that nature, the agency has the duty to provide the panel with such documents.

6. Standard of Conduct

a. Both parties are obligated to act in good faith before and during the proceedings. Neither party may communicate with the arbitrators once the panel has been selected except at formal meetings attended by all parties. Any attempt to intimidate an arbitrator shall be reported to the Regional Office and shall result in a defualt judgement against the party guilty of it.

b. Refusal to comply with directions, continued use of delaying tactics by any person at the hearing, or other obstructive tactics shall constitute grounds for immediate exclusion of such person from the hearing by the chairperson.

7. Compromise

The arbitration procedures does not preclude the parties from compromising their differences and reaching a settlement, so long as no final decision has been issued by the panel.

8. Representation of the Parties at the Hearing

Both the agency and the policy group shall designate one and only one of its members to represent them at the proceedings.

9. Posthearing Procedures and Decisions

a. The arbitration panel shall issue its decision in writing fifteen (15) days after the panel meeting. Copies shall be sent promptly to the grantee, the policy group, and the Regional Office.

b. The final decision shall be binding on both parties and there shall be no appeal. Failure to abide by the final decision by the agency is a ground for denial of the application for refunding, for suspension and termination of financial assistance or for denial of the application for amendment to the budget or work program.

[FR Doc. 80-27499 Filed 9-5-80; 8:45 am]
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federal register

Monday
September 8, 1980

Part IV

Department of Transportation

Federal Aviation Administration

Operations Review Program: Notice No. 8A

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 121

[Docket No. 17897; Notice No. 78-7B]

Operations Review Program: Notice No. 8A

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of reopening of comment period.

SUMMARY: This notice reopens the period for submission of public comments relating to Notice of Proposed Rule Making (NPRM) No. 78-7A, which proposes to amend § 121.391(d) of the Federal Aviation Regulations to provide that all flight attendants must remain seated during taxi except to perform duties related to the safety of the airplane and its occupants. As a result of a petition from the Air Transport Association of America, the comment period is reopened for a period of 45 days.

DATES: Initial comments must be received on or before October 23, 1980. Reply comments must be received on or before November 23, 1980.

ADDRESSES: Comments on Notice 78-7A may be mailed in duplicate to Federal Aviation Administration, Office of the Chief Counsel, Rules Docket No. 17897, (AGC-204), 800 Independence Ave. SW., Washington, D.C. 20591; or delivered in duplicate to: Room 916, 800 Independence Ave. SW., Washington, D.C. 20591. All comments must be marked: Docket No. 17897.

Comments may be inspected in Room 916 between 8:30 a.m. and 5:30 p.m. All comments submitted will be available, both before and after the closing date for comments, in the rules docket for examination by interested persons. A report summarizing each FAA/public contact dealing with the substance of this rulemaking action will be filed in the rules docket. Persons wishing the FAA to acknowledge receipt of comments submitted in response to this notice should submit a self-addressed, stamped postcard with the following statement: "Comments to Docket No. 17897." The postcard will be dated and time stamped and returned to the commenter.

FOR FURTHER INFORMATION CONTACT: Norman C. Miller, Regulatory Projects Branch (AVS-24), Safety Regulations Staff, Associate Administrator for Aviation Standards, Federal Aviation Administration, 800 Independence Avenue SW., Washington, D.C. 20591; Telephone: (202) 755-8716.

SUPPLEMENTARY INFORMATION: In NPRM 78-7 (43 FR 20448; May 11, 1978), the FAA proposed to amend § 121.391 to add a provision to require flight attendants to remain seated during taxi, except to perform safety-related duties. This provision was adopted on June 16, 1980 (45 FR 41586). At the same time the FAA published NPRM 78-7A (45 FR 41596) which proposes to require non-required flight attendants as well as required flight attendants to remain seated during taxi.

By letter dated August 14, 1980, the Air Transport Association of America (ATA) petitioned on behalf of its member airlines for a 45-day extension of the comment period. ATA states that compiling the economic data requested in the NPRM is taking longer than expected.

The FAA has reviewed this request and has determined that reopening of the comment period will afford the public an additional opportunity to furnish comments that should be considered in the development of the final regulation. This action is consistent with Executive Order 12044, Improving Government Regulations, and the FAA's desire to assure full public participation in its regulatory actions. The FAA concludes that the public interest would be served by granting additional time for submission of written comments.

Accordingly, the initial comment period for NPRM 78-7A is reopened to close on October 23, 1980. Reply comments are due on or before November 23, 1980.

(Secs. 313, 314, 601 through 610, Federal Aviation Act of 1958, as amended (49 U.S.C. 1354, 1355, 1421 through 1430); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)))

Issued in Washington, D.C., on August 29, 1980.

Bernard A. Geier,

Acting Director of Flight Operations.

[FR Doc. 80-27501 Filed 9-5-80; 8:45 am]

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Reader Aids

Federal Register

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523-4534	Special Projects
523-3517	Privacy Act Compilation

FEDERAL REGISTER PAGES AND DATES, SEPTEMBER

58097-58324 2
58325-58502 3
58503-58800 4
58801-59134 5
59135-59296 8

CFR PARTS AFFECTED DURING SEPTEMBER

At the end of each month, the Office of the Federal Register publishes separately a list of CFR Sections Affected (LSA), which lists parts and sections affected by documents published since the revision date of each title.

1 CFR

475 58505
476 58809

Proposed Rules:

Ch. I 59174

3 CFR

Executive Orders:

10402 (Revoked by 12234) 58801
11239 (Superseded by 12234) 58801
12154 (Amended by 12236 and 12237) 58805, 58807
12198 (Amended by EO 12233) 58503
12233 58503
12234 58801
12235 58803
12336 58805
12337 58807

Proclamations:

4786 58325
4787 58327
4788 58329
4789 58331
4790 59135

5 CFR

213 58810-58813

7 CFR

6 58333
14 58505
908 58509
910 ..... 58097, 58814
932 58097
946 58098
1421 58333-58334
1464 58509
1951 58814

Proposed Rules:

1079 58131
1139 58366
1940 58557
1942 58557
1980 58557

8 CFR

238 ..... 58098, 58510

Proposed Rules:

Ch. I 58368
212 58131
235 58131
299 58131

9 CFR

317 58815
318 58815
381 58815

10 CFR

212 ..... 58510, 59137

Proposed Rules:

205 58871
211 58788
212 58871
430 58132

11 CFR

100 58820
106 58820
110 58820
140 58820
141 58820
142 58820
143 58820
144 58820
145 58820
146 58820
9001 58820
9002 58820
9003 58820
9004 58820
9005 58820
9006 58820
9007 58820

12 CFR

204 ..... 58099, 58820
760 58101

Proposed Rules:

336 58876

14 CFR

39 ..... 58102, 58103, 58512, 59138-59141
71 ..... 58104, 58105
73 58106
97 59141
152 58107
154 58107
155 58107
223 58821

Proposed Rules:

39 58133-58136
71 ..... 58136, 58140, 58141, 59174
73 58142
121 59295
171 59256

15 CFR

370 58334
372 58334
377 58334

Proposed Rules:

Ch. III 58562

17 CFR

140 58514
229 58822

230 ... 58822
239 ... 58822
240 ... 58822
249 ... 58822, 58831
Proposed Rules:
249 ... 58879

18 CFR
35 ... 58335
4 ... 58368
272 ... 58374
375 ... 58368
701 ... 58834

19 CFR
355 ... 58516

20 CFR
404 ... 58107
416 ... 59143
Proposed Rules:
416 ... 58563

21 CFR
172 ... 58835, 58836
177 ... 58837
178 ... 58837
182 ... 58107, 58837
558 ... 58840
812 ... 58841
Proposed Rules:
101 ... 58880
193 ... 58494
561 ... 58496
1030 ... 58143

22 CFR
6 ... 58108
6a ... 58108
171 ... 58108
Proposed Rules:
41 ... 59175

23 CFR
1251 ... 59143

24 CFR
215 ... 59145
236 ... 59147
700 ... 58336
800 ... 58337
886 ... 59149
Proposed Rules:
Subtitle A ... 59062
Subtitle B ... 59062
200 ... 58374
888 ... 58375

25 CFR
Proposed Rules:
700 ... 59175

26 CFR
1 ... 58520
53 ... 58520
301 ... 58520
Proposed Rules:
1 ... 58143

28 CFR
Proposed Rules:
Ch. I ... 58368

29 CFR
92 ... 58312
2606 ... 58339
Proposed Rules:
29 ... 58143
1928 ... 58881
1960 ... 58144

30 CFR
722 ... 58780
723 ... 58780
843 ... 58780
845 ... 58780
924 ... 58520
Proposed Rules:
916 ... 58569
918 ... 58576
926 ... 58377
931 ... 58594

31 CFR
515 ... 58843
Proposed Rules:
10 ... 58594

32 CFR
888 ... 58117

34 CFR
Proposed Rules:
100 ... 58145

35 CFR
253 ... 59150

36 CFR
1228 ... 58339

40 CFR
52 ... 58340, 58526–58528
81 ... 59150
180 ... 58121
409 ... 59152
Proposed Rules:
Ch. I ... 59180
52 ... 58146, 58598, 58599, 58881, 58923, 59177, 59178
55 ... 58381
81 ... 59179
162 ... 58600
180 ... 58497–58500, 58600
415 ... 58383
717 ... 58384

41 CFR
Ch. 18 ... 58843–58857
5A-1 ... 58341
Ch. 101 ... 58122

42 CFR
122 ... 59132
405 ... 58123, 59153

44 CFR
64 ... 58529–58531
65 ... 58341
67 ... 58342–58346
Proposed Rules:
67 ... 58148, 58149, 58601

45 CFR
134 ... 58362
233 ... 58125
1050 ... 59153
1061 ... 58363, 58534
1068 ... 59153

46 CFR
Proposed Rules:
521 ... 58923
536 ... 58385

47 CFR
73 ... 58539, 58540
Proposed Rules:
Ch. I ... 58608
73 ... 58150, 58609–58629

49 CFR
25 ... 59154
195 ... 59161–59166
601 ... 58540
1033 ... 58126–58128, 58865, 59167, 59168
1036 ... 59168, 59169
1051 ... 58128
1053 ... 58865
1104 ... 58128
1307 ... 58128, 58865
1310 ... 58129
Proposed Rules:
Ch. III ... 59177
173 ... 58632
178 ... 58632
1111 ... 58632
1331 ... 58166

50 CFR
20 ... 58540
32 ... 58552–58554, 58867, 58869, 59171, 59172
33 ... 58554
611 ... 58870
674 ... 59172
Proposed Rules:
17 ... 58166, 58168, 58171
601 ... 58632

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/SECRETARY	USDA/ASCS		DOT/SECRETARY	USDA/ASCS
DOT/COAST GUARD	USDA/FNS		DOT/COAST GUARD	USDA/FNS
DOT/FAA	USDA/FSQS		DOT/FAA	USDA/FSQS
DOT/FHWA	USDA/REA		DOT/FHWA	USDA/REA
DOT/FRA	MSPB/OPM		DOT/FRA	MSPB/OPM
DOT/NHTSA	LABOR		DOT/NHTSA	LABOR
DOT/RSPA	HHS/FDA		DOT/RSPA	HHS/FDA
DOT/SLSDC			DOT/SLSDC	
DOT/UMTA			DOT/UMTA	
CSA			CSA	

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 September 2, 1980, documents from the Animal and Plant Health Inspection Service, Department of Agriculture, will no longer be assigned to the Tuesday/Friday publication schedule.

REMINDERS

The "reminders" below identify documents that appeared in issues of the **Federal Register** 15 days or more ago. Inclusion or exclusion from this list has no legal significance.

AGRICULTURE DEPARTMENT

Animal and Plant Health Inspection Service—

52773 8-8-80 / Importation of horses

FEDERAL COMMUNICATIONS COMMISSION

51563 8-4-80 / FM broadcast station in Lake Havasu City, Ariz.; changes in table of assignments

55201 8-18-80 / FM broadcast station in Lake Havasu City, Ariz.; table of assignments

51561 8-4-80 / FM broadcast stations in Rio Grande City and Roma, Los Saenz, Tex.; changes made in table of assignments

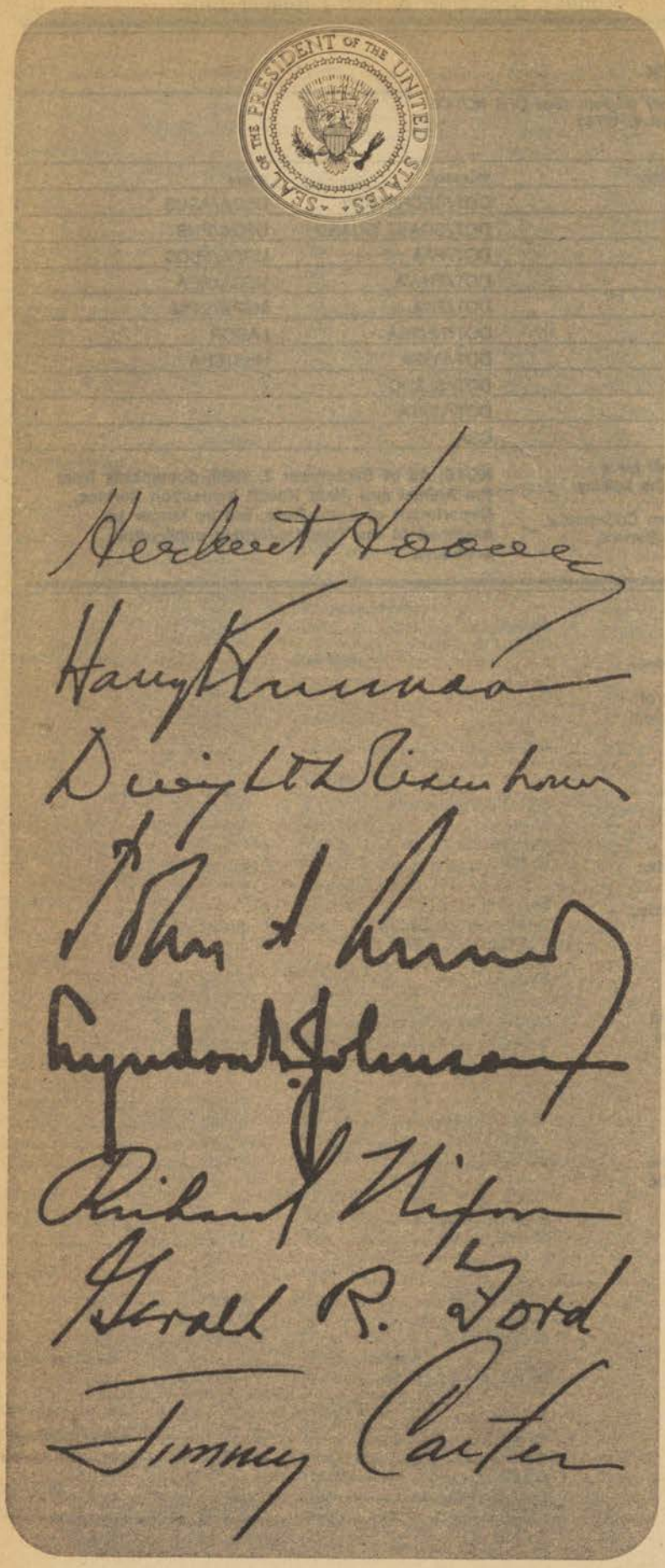
51562 8-4-80 / Radio broadcast services, FM broadcast station in Mariana, Ariz.; changes made in table of assignments

52149 8-6-80 / Requirement that applicants demonstrate interference-free operation in Domestic Public Land Mobile Radio Service

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 September 3, 1980



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