AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

346.05
G.3.A

2-26-81
Vol. 46 No. 38
Pages 14111-14338

federal register

Thursday
February 26, 1981

Highlights

14111 **Suspension of Litigation Against Iran** Executive order

14113 **Nuclear Cooperation with EURATOM** Executive order

14330 **Iran** Treasury/Office of Foreign Assets and Control amends Iranian assets control regulations; effective 1-19-81 (Part III of this issue)

14330 **Iran** Treasury/Office of Foreign Assets and Control restricts property of the former Shah of Iran; effective 1-19-81 (Part III of this issue)

14188 **Loan Programs** HHS/HSA establishes maximum interest rates for quarter ending March 31, 1981 for the Health Education Assistance Loan Program

14157 **Oil** DOE/ERA provides entitlements notice for December 1980 Domestic Crude Oil Allocation Program

14125 **Veterans** VA issues rule in regards to small business concerns; effective 2-20-81

14132 **Securities** SEC proposes rules concerning customer complaint registries; comments by 3-20-81

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Highlights

FEDERAL REGISTER Published daily, Monday through Friday, (not published on Saturdays, Sundays, or on official holidays), by the Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408, under the Federal Register Act (49 Stat. 500, as amended; 44 U.S.C. Ch. 15) and the regulations of the Administrative Committee of the Federal Register (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

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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.

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Presidential Documents

Title 3—

The President

Executive Order 12294 of February 24, 1981

Suspension of Litigation Against Iran

By the authority vested in me as President by the Constitution and statutes of the United States, including Section 203 of the International Emergency Economic Powers Act (50 U.S.C. 1702), Section 301 of Title 3 of the United States Code, Section 1732 of Title 22 of the United States Code, and Section 301 of the National Emergencies Act (50 U.S.C. 1631), in view of the continuing unusual and extraordinary threat to the national security, foreign policy and economy of the United States upon which were based the declarations of national emergency in Executive Order No. 12170, issued November 14, 1979, and in Executive Order No. 12211, issued April 17, 1980, in light of the agreement with the Government of Iran, as reflected in the Declarations of the Government of the Democratic and Popular Republic of Algeria dated January 19, 1981, relating to the release of United States diplomats and nationals being held as hostages and to the resolution of claims of United States nationals against Iran, in order to implement Article II of the Declaration of Algeria concerning the settlement of claims and to begin the process of normalization of relations between the United States and Iran, it is hereby ordered that as of the effective date of this Order:

Section 1. All claims which may be presented to the Iran-United States Claims Tribunal under the terms of Article II of the Declaration of the Government of the Democratic and Popular Republic of Algeria Concerning the Settlement of Claims by the Government of the United States of America and the Government of the Islamic Republic of Iran, and all claims for equitable or other judicial relief in connection with such claims, are hereby suspended, except as they may be presented to the Tribunal. During the period of this suspension, all such claims shall have no legal effect in any action now pending in any court of the United States, including the courts of any state or any locality thereof, the District of Columbia and Puerto Rico, or in any action commenced in any such court after the effective date of this Order. Nothing in this action precludes the commencement of an action after the effective date of this Order for the purpose of tolling the period of limitations for commencement of such action.

Section 2. Nothing in this Order shall require dismissal of any action for want of prosecution.

Section 3. Suspension under this Order of a claim or a portion thereof submitted to the Iran-United States Claims Tribunal for adjudication shall terminate upon a determination by the Tribunal that it does not have jurisdiction over such claim or such portion thereof.

Section 4. A determination by the Iran-United States Claims Tribunal on the merits that a claimant is not entitled to recover on a claim shall operate as a final resolution and discharge of the claim for all purposes. A determination by the Tribunal that a claimant shall have recovery on a claim in a specified amount shall operate as a final resolution and discharge of the claim for all purposes upon payment to the claimant of the full amount of the award, including any interest awarded by the Tribunal.

Section 5. Nothing in this Order shall apply to any claim concerning the validity or payment of a standby letter of credit, performance or payment bond or other similar instrument.

Section 6. Nothing in this Order shall prohibit the assertion of a counterclaim or set-off by a United States national in any judicial proceeding pending or hereafter commenced by the Government of Iran, any political subdivision of Iran, or any agency, instrumentality, or entity controlled by the Government of Iran or any political subdivision thereof.

Section 7. The Secretary of the Treasury is authorized to employ all powers granted to me by the International Emergency Economic Powers Act and by 22 U.S.C. § 1732 to carry out the purposes of this Order.

Section 8. Executive Order Nos. 12276 through 12285 of January 19, 1981, are ratified.

This Order shall be effective immediately and copies shall be transmitted to the Congress.

Ronald Reagan

THE WHITE HOUSE,
February 24, 1981.

[FR Doc. 81-3777
Filed 2-24-81; 3:04 pm]
Billing code 3195-01-M

Editorial Note: The President's message to the Congress, dated Feb. 24, 1981, on Executive Order 12294, is printed in the Weekly Compilation of Presidential Documents (vol. 17, no. 9).

Presidential Documents

Executive Order 12295 of February 24, 1981

Nuclear Cooperation With EURATOM

By the authority vested in me as President by the Constitution and statutes of the United States of America, including Section 126a(2) of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2155(a)(2)), and having determined that, upon the expiration of the period specified in the first proviso to Section 126a(2) of such Act and extended by Executive Order 12193, failure to continue peaceful nuclear cooperation with the European Atomic Energy Community would be seriously prejudicial to the achievement of United States non-proliferation objectives and would otherwise jeopardize the common defense and security of the United States, and having notified the Congress of this determination, I hereby extend the duration of that period to March 10, 1982.

Ronald Reagan

THE WHITE HOUSE,
February 24, 1981.

[FR Doc. 81-3778
Filed 2-24-81; 3:05 pm]
Billing code 3195-01-M

Editorial Note: The text of the President's letters to the Speaker of the House and the President of the Senate, dated Feb. 24, 1981, on Executive Order 12295, is printed in the Weekly Compilation of Presidential Documents (vol. 17, no. 9).

Rules and Regulations

Federal Register
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This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.
The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each month.

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 905

[Orange, Grapefruit, Tangerine and Tangelo Regulation 4, Amdt. 10]

Oranges, Grapefruit, Tangerines and Tangelos Grown in Florida; Amendment of Grade and Size Requirements

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Amendment to final rule.

SUMMARY: This amendment lowers the minimum diameter requirement for domestic shipments of Florida Temple oranges from 2⁹⁄₁₆ inches to 2⁷⁄₁₆ inches. This amendment also requires that domestic shipments of Florida tangelos meet the external requirements of U.S. No. 1 grade and the internal requirements of U.S. No. 2 grade. Such shipments currently must meet the U.S. No. 1 grade. This action recognizes the size composition and quality of the remaining supply of Temple oranges and tangelos and is consistent with the current and prospective demand for such fruits.

EFFECTIVE DATE: February 20, 1981.

FOR FURTHER INFORMATION CONTACT: William J. Doyle, Acting Chief, Fruit Branch, F&V, AMS, USDA, Washington, D.C. 20250, telephone 202-447-5975.

SUPPLEMENTARY INFORMATION: This is not a major rule under the Executive Order issued February 17, 1981. William T. Manley, Deputy Administrator, Agricultural Marketing Service, has determined that this action will not have a significant economic impact on a substantial number of small entities because this change in minimum grade and minimum size factors does not materially affect handler operating procedures or costs. This regulation is issued under the marketing agreement and Order No. 905, (7 CFR Part 905), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida.

The agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). This action is based upon the recommendation and information submitted by the Citrus Administrative Committee, and upon other available information. It is hereby found that the regulation of the specified varieties of citrus, as hereinafter provided, will tend to effectuate the declared policy of the act.

It is impracticable and contrary to the public interest to give preliminary notice, engage in public rulemaking, and postpone the effective date until 30 days after publication in the **Federal Register** (5 U.S.C. 553). It is necessary to effectuate the declared purposes of the act to make this regulatory provision effective as specified. This amendment relieves restrictions on shipments of Florida Temple oranges and tangelos.

Accordingly, it is found that the provisions of § 905.304 (Orange, Grapefruit, Tangerine and Tangelo Regulation 4: (45 FR 67047; 76651; 79002; 80269; 81199; 83192; 46 FR 5859; 1089; 11655; 11656) should be and are amended by revising Table I paragraph (a), applicable to domestic shipments, to read as follows:

§ 905.304 Orange, Grapefruit, Tangerine and Tangelo Regulation 4.

(a) * * *

Table I

Variety (1)	Regulation period (2)	Minimum grade (3)	Minimum diameter (inches) (4)
Oranges:			
Temple	Feb. 20 to Oct. 18, 1981	U.S. No. 1 (External)	2⁹⁄₁₆
		U.S. No. 2 (Internal)	2⁷⁄₁₆
Tangelos	Feb. 20 to Oct. 18, 1981	U.S. No. 1 (External)	2⁹⁄₁₆
		U.S. No. 2 (Internal)	2⁷⁄₁₆

* * * * * * *

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

Dated: February 20, 1981.

D. S. Kuryloski,

Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc. 81-6415 Filed 2-25-81; 8:45 am]

BILLING CODE 3410-02-M

7 CFR Part 907

[Navel Orange Reg. 511]

Navel Oranges Grown in Arizona and Designated Part of California; Limitation of Handling

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This regulation establishes the quantity of fresh California-Arizona navel oranges that may be shipped to market during the period February 27-March 5, 1981. Such action is needed to provide for orderly marketing of fresh navel oranges for this period due to the marketing situation confronting the orange industry.

EFFECTIVE DATE: February 27, 1981.

FOR FURTHER INFORMATION CONTACT: William J. Doyle, 202-447-5975.

SUPPLEMENTARY INFORMATION: *Findings.* This is not a major rule under E.O. 12291. This regulation is issued under the marketing agreement, as amended, and Order No. 907, as amended (7 CFR Part 907), regulating the handling of navel oranges grown in Arizona and designated part of California. The agreement and order are effective under

the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674). This action is based upon the recommendations and information submitted by the Navel Orange Administrative Committee and upon other available information. It is hereby found that this action will tend to effectuate the declared policy of the act.

This action is consistent with the marketing policy for 1980–81. The marketing policy was recommended by the committee following discussion at a public meeting on October 14, 1980. A regulatory impact analysis on the marketing policy is available from William J. Doyle, Acting Chief, Fruit Branch, F&V, AMS, USDA, Washington, D.C. 20250, telephone 202–447–5975.

The committee met again publicly on February 24, 1981, at Los Angeles, California, to consider the current and prospective conditions of supply and demand and recommended a quantity of navels deemed advisable to be handled during the specified week. The committee reports the demand for navel oranges is somewhat easier.

It is further found that there is insufficient time between the date when information became available upon which this regulation is based and it is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rulemaking, and postpone the effective date until 30 days after publication in the **Federal Register** (5 U.S.C. 553). It is necessary to effectuate the declared purposes of the act to make these regulatory provisions effective as specified, and handlers have been apprised of such provisions and the effective time.

1. Section 907.811 is added as follows:

§ 907.811 Navel Orange Regulation 511.

The quantities of navel oranges grown in Arizona and California which may be handled during the period February 27, 1981, through March 5, 1981, are established as follows:

(1) District 1: 1,335,000 cartons;

(2) District 2: 135,000 cartons;

(3) District 3: Unlimited cartons;

(4) District 4: 30,000 cartons.

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

Dated: February 25, 1981.

D. S. Kuryloski,

Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc. 81-6540 Filed 2-25-81; 8:45 am]

BILLING CODE 3410-02-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 80-EA-77; Amdt. 39-4051]

Airworthiness Directives; Piper PA-31T, PA-31T1

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment issues a new airworthiness directive applicable to Piper PA-31T and PA-31T1 type airplanes. It requires an inspection of the propeller and intake lip deice power relay to insure P/N 484247 relay is installed. The inspection and replacement if necessary is required prior to flight in icing conditions. An improper relay can burn out causing a loss of the deicing function.

EFFECTIVE DATE: February 27, 1981. Compliance is required as set forth in the AD.

ADDRESSES: Piper Letter 31–28 may be acquired from the manufacturer at Piper Aircraft Corporation, 820 East Bald Eagle Street, Lock Haven, Pennsylvania 17745.

FOR FURTHER INFORMATION CONTACT: W. White, Systems and Equipment Section, AEA-213, Engineering and Manufacturing Branch, Federal Building, J.F.K. International Airport, Jamaica, New York 11430; Tel. 212-995-3372.

SUPPLEMENTARY INFORMATION: There had been a report by the manufacturer that 11 airplanes may have been released with a questionable propeller and intake lip deice power relay installed. This system requires that a 24VDC relay be installed. On some airplanes, a 24VAC relay may have been installed. An airmail letter dated December 20, 1980, was transmitted to all known owners of the 11 airplanes directing them to inspect and assure that the proper relay had been installed. The present rule covers the same subject. 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 Amendent

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:

Applies to Piper PA-31T S/N 8120008, 8120009, 8120010, and 8120013, and Piper PA-31T1 airplanes S/N 8104007, 8104008, 8104009, 8104010, 8104011, 8104012, and 8104013. Compliance required as indicated, unless already accomplished.

To prevent loss of the propeller and intake lip deicing functions, comply as follows:

Prior to further flight in known icing conditions, inspect for proper propeller and intake lip deice power relay in accordance with Piper telegraphic form letter #31-28, dated December 22, 1980, or equivalent, approved by Chief Engineering and Manufacturing Branch. If (P/N 484247) relay is installed, check to insure that correct D.C. relay PRD7DYD (24 VDC) is installed. If the latter relay is not installed, remove and install proper relay prior to further flight in known icing conditions.

Effective Date: This amendment is effective February 27, 1981, and was effective upon receipt by all recipients of the telegram dated December 20, 1980.

(Secs. 313(a), 601, and 603, Federal Aviation Act of 1958, as amended, 49 U.S.C. 1354(a), 1421, 1423, and 1431(b); Sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c) and 14 CFR 11.89)

Note.—The Federal Aviation Administration has determined that this document involves a regulation which is not significant under Executive Order 12044 as implemented by Department of Transportation Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). A copy of the final regulatory 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:". It has been determined that this regulation is an emergency regulation under the President's memorandum of January 29, 1981.

Issued in Jamaica, New York, on February 13, 1981.

Murray E. Smith,

Director, Eastern Region.

[FR Doc. 81-6026 Filed 2-25-81; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 39

[Docket No. 81-NW-6-AD; Amdt. 39-4048]

Airworthiness Directives: Avions Marcel Dassault-Breguet Aviation Model Falcon 10 Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adds a new airworthiness directive (AD) which requires modification of the freon air conditioning system electrical starting circuit on Avions Marcel Dassault-Breguet Aviation Model Falcon 10 airplanes. The AD is needed to prevent overheating of the freon compressor

motor starting resistor which could be an ignition source to flammable fluids or vapors in the area of the resistor. This AD supersedes AD 78-22-03 which required installation of a thermostat to protect the resistor. Service experience has shown that this thermostat fails to protect the resistor under certain operating conditions.

DATES: Effective date March 2, 1981. Compliance schedule as prescribed in the body of this AD.

ADDRESSES: The applicable service bulletin may be obtained from:

Falcon Jet Corporation, 90 Moonachie Avenue, Moonachie, New Jersey 07074
or
Europe Falcon Service, B.P. No. 10, Aeroport du Bourget, 93350 Le Bourget, France

A copy of the service bulletin is also contained in the rules docket for this amendment at the Seattle Area Aircraft Certification Office, FAA Northwest Region, 9010 East Marginal Way South, Seattle, Washington 98108.

FOR FURTHER INFORMATION CONTACT: Gary D. Lium, Systems and Equipment Branch, ANW-130S, Seattle Area Aircraft Certification Office, FAA Northwest Region, 9010 East Marginal Way South, Seattle, Washington 98108, telephone (206) 767-2500.

SUPPLEMENTARY INFORMATION:

History

Airworthiness Directive 78-22-03, Amendment 39-3321 (43 FR 48623), was issued to require modification of the Falcon 10 freon air conditioning system electrical starting circuit due to numerous reports of overheating of the compressor motor starting resistor and failure of this resistor in service due to the demanding duty cycle of the compressor under certain conditions. The resistor is located in the airplane aft accessory compartment. This compartment also houses the hydraulic power system which is serviced with MIL-H-5606 hydraulic fluid, and the air vent lines of the fuel system. The temperatures involved in the overheating resistor are such that the steel material in the resistor melts and flows on the compartment floor. The temperature is thus much higher than the flash points of the fluids mentioned above, and could provide an ignition source in the event of a fluid line or fitting leak. The modification required by AD 78-22-03 consisted of the installation of a thermostat to prevent the motor from starting in the event of a resistor overheat. Subsequent to issuance of the AD, it was discovered that in the case of abnormally fast cyclings, the resistor can overheat and reach unsafe temperatures before the thermostat has time to operate. To date, two airplanes modified in accordance with AD 78-22-03 have experienced resistor overheat.

A study was made by the manufacturer and a modification was developed to protect the motor. This modification consists of deletion of the resistor and thermostat and installation of a time-delay device to delay successive starts by 30 seconds so as to allow the motor time to cool.

Since this condition is likely to exist or develop on other airplanes of the same type design, an airworthiness directive is being issued which requires modification of the freon air conditioning compressor motor starting circuit on Avions Marcel Dassault-Breguet Aviation Model Falcon 10 airplanes.

Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and public procedure hereon are impractical and good cause exists for making this amendment effective in less than 30 days. It has been determined that this regulation is an emergency regulation under the President's memorandum of January 29, 1981.

Cost Estimate

Approximately 23 airplanes may be affected by this AD. It is estimated that 20 manhours are required to accomplish the modification in accordance with the service bulletin listed below, and the time-delay device can be procured locally at nominal cost. The total cost per airplane is estimated to be $625, and the cost impact to the U.S. fleet is thus $14,375.

Adpotion 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:

Avions Marcel Dassault—Breguet Aviation: Applies to all Model Falcon 10 airplanes certificated in all categories. Compliance required as indicated.

To prevent overheating of the air conditioning system—freon compressor motor starting resistor and thus avoid the attendant potential fire hazard accomplish the following, unless already acomplished:

Prior to May 1, 1981, remove the compressor motor starting resistor and thermostat, and install a time-delay device in the starting system in accordance with Avions Marcel Dassault-Breguet Aviation Service Bulletin No. F10 0177, dated December 5, 1978, or later FAA-approved revisions, or in a manner acceptable to the Chief, Seattle Area Aircraft Certification Office, FAA Northwest Region.

This amendment supersedes AD 78-22-03.

This amendment becomes effective March 2, 1981.

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. 522(a)(1). All persons affected by this directive who have not already received these documents from the manufacturer may obtain copies upon request to the addresses listed above. These documents may also be examined at FAA Northwest Region, 9010 East Marginal Way South, Seattle, Washington 98108.

(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 significant under Executive Order 12044, as implemented by the DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979).

A final regulatory evaluation prepared for this action is contained in the regulatory docket and summarized earlier in this rule. A copy of it may be obtained by contacting the person identified above under the caption "FOR FURTHER INFORMATION, CONTACT."

Issued in Seattle, Washington, February 10, 1981.

Charles R. Foster,
Director, Northwest Region.

[FR Doc. 81-6027 Filed 2-25-81; 8:45 am]
BILLING CODE 4910-13-M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Part 271

High-Cost Gas Produced from Tight Formations; Correction

AGENCY: Federal Energy Regulatory Commission.

ACTION: Final rule; correction.

SUMMARY: This document corrects a final rule in Docket No. RM79-76 (Colorado-1) relating to high-cost gas produced from tight formations that appeared on page 9921 in the **Federal Register** of January 30, 1981 (46 FR 9921). This action is necessary to add an appendix which was omitted in the rule as issued.

FOR FURTHER INFORMATION CONTACT: Leslie Lawner, Office of General Counsel, (202) 357-8307.

Kenneth F. Plumb,

Secretary.

The following correction is made in the final rule in FR Doc. 81-3503 as it appeared on page 9921 of the issue of January 30, 1981.

1. The following appendix is added but will not appear in the Code of Federal Regulations.

Appendix

Description of Area Excluded From Designation as a Tight Formation in RM79-76 (Colorado-1)

Weld County

Township 1 North, Range 65 West, 6th P.M.,
Secs. 5, 6, 8, 9, 16, 17, 29 and 32, all;
Secs. 4 and 36: N½;
Sec. 30. S½;
Secs. 14, 18 and 20. W½.
Township 1 North, Range 66 West, 6th P.M.,
Secs. 2, 4-8, 14, 18-20, 24 and 28, all;
Secs. 10 and 32. N½;
Secs. 3, 21 and 27. S½;
Secs. 16, 22, 29 and 34: E½;
Sec. 17. W½.
Township 1 North, Range 67 West, 6th P.M.,
Secs. 1-15, 17, 19-30 and 32-35, all;
Secs. 13, 16 and 31. N½;
Sec. 36. W½.
Township 1 North, Range 68 West, 6th P.M.,
Secs. 1, 12 and 13, all;
Secs. 7 and 16. N½;
Sec. 8. S½;
Sec. 24. W½.
Township 2 North, Range 64 West, 6th P.M.,
Secs. 6, 7, 16 and 18, all;
Secs. 5, 8 and 20. S½;
Sec. 30. W½.
Township 2 North, Range 65 West, 6th P.M.,
Secs. 1-4, 6, 8, 10-16, 18, 20-24, 26-28 and 32-36, all;
Sec. 29. N½;
Sec. 17. S½;
Secs. 7, 9, 19 and 31. W½.
Township 2 North, Range 66 West, 6th P.M.,
Secs. 2-12, 15-18, 20-22 and 26-34, all;
Sec. 1. S½;
Sec. 14. E½;
Sec. 36. W½.
Township 2 North, Range 67 West, 6th P.M.,
Secs. 1-5, 7, 9, 11, 12, 14-16, 18-20, 22-28, 30, 31 and 33-36, all;
Secs. 6, 8, 13, 17 and 21. N½;
Sec. 32. E½;
Secs. 10 and 29. W½.
Township 2 North, Range 68 West, 6th P.M.,
Secs. 2, 3, 10-13, 15, 22 and 36, all;
Secs. 1, 4 and 27. N½;
Secs. 16 and 24. S½;
Secs. 21, 25 and 35. E½;
Secs. 14 and 23. W½.
Township 3 North, Range 64 West, 6th P.M.,
Sec. 16, all;
Secs. 8 and 30. S½;
Sec. 28. W½.
Township 3 North, Range 65 West, 6th P.M.,
Secs. 12, 16, 18, 24, 26 and 30, all;
Sec. 32. N½;
Secs. 6, 13, 22, 23, 27, 31, 33 and 34. S½;
Secs. 8, 19, 20 and 36. W½.
Township 3 North, Range 66 West, 6th P.M.,
Secs. 2, 4, 6, 8, 10, 13-17 and 20-35, all;
Secs. 5, 7, 9, 11 and 12. S½;
Secs. 18 and 19. E½.
Township 3 North, Range 67 West, 6th P.M.,
Secs. 12-14, 17-31 and 33-36, all;
Sec. 4. N½;
Secs. 1 and 7. S½;
Secs. 2 and 32. E½;
Secs. 8 and 15. W½.
Township 3 North, Range 68 West, 6th P.M.,
Secs. 22-27 and 34-36, all;
Secs. 28 and 33. E½;
Sec. 14. W½.
Township 4 North, Range 65 West, 6th P.M.,
Sec. 34, all;
Sec. 32. S½;
Secs. 29 and 36. W½.
Township 4 North, Range 66 West, 6th P.M.,
Secs. 26 and 34, all;
Secs. 22, 32 and 36. N½;
Secs. 20, 31 and 33. S½;
Sec. 19. W½.
Township 4 North, Range 67 West, 6th P.M.,
Secs. 27 and 36, all;
Sec. 35. S½;
Sec. 22. E½.

Adams County

Township 1 South, Range 67 West, 6th P.M.,
Secs. 1, 5 and 17, all;
Secs. 2, 3, 6 and 9. N½;
Secs. 10 and 16. E½;
Secs. 4, 13 and 18. W½.

[FR Doc. 81-6449 Filed 2-25-81; 8:45 am]

BILLING CODE 6450-85-M

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18 CFR Part 271

[Docket No. RM79-76 (Texas-7)]

High-Cost Gas Produced From Tight Formations; Final Rule

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Final rule.

SUMMARY: The Federal Energy Regulatory Commission is authorized by section 107(c)(5) of the Natural Gas Policy Act of 1978 to designate certain types of natural gas as high-cost gas where the Commission determines that the gas is produced under conditions which present extraordinary risks or costs. Under section 107(c)(5), the Commission issued a final regulation designating natural gas produced from tight formations as high-cost gas which may receive an incentive price (18 CFR 271.703). This rule established procedures for jurisdictional agencies to submit to the Commission recommendations of areas for designation as tight formations. This final order adopts the recommendation of the Texas Railroad Commission that the Lower Wilcox Formation be designated as a tight formation under § 271.703(d).

EFFECTIVE DATE: February 19, 1981.

FOR FURTHER INFORMATION CONTACT: Leslie Lawner, (202) 357-8307, or John Bassett, (202) 357-8657/Ting Chin (202) 357-8769.

Before Commissioners: Georgiana Sheldon, Acting Chairman; Matthew Holden, Jr., and George R. Hall.

High-Cost Gas Produced From Tight Formations; Docket No. RM79-76 (Texas-7); Order No. 133; Final Rule.

Issued February 19, 1981.

The Commission hereby amends § 271.703(d) of its regulations to include the Lower Wilcox Formation as a designated tight formation eligible for incentive pricing under § 271.703. The amendment was proposed in a Notice of Proposed Rulemaking by Director, OPPR, issued December 19, 1980 (45 FR 85779, December 30, 1980)[1] based on a recommendation by the Railroad Commission of Texas (Texas) in accordance with § 271.703(c), that the Lower Wilcox Formation be designated as a tight formation.

Evidence submitted by Texas and the commenters supports Texas' assertion that the Lower Wilcox Formation meets the guidelines contained in § 271.703(c)(2). The Commission adopts the Texas recommendation.

This amendment shall become effective immediately. The Commission has found that the public interest dictates that new natural gas supplies be developed on an expedited basis, and therefore, incentive prices should be made available as soon as possible. The need to make incentive prices available immediately establishes good cause to waive the thirty-day publication period.

(Department of Energy Organization Act, 42 U.S.C. 7101 *et seq.*; Natural Gas Policy Act of 1978, 15 U.S.C. 3301-3432; Administrative Procedure Act, 5 U.S.C. 553.)

For the reasons stated herein, Part 271 of Subchapter I, Title 18, Code of Federal Regulations, is amended as set forth below, effective February 19, 1981.

By the Commission.

Kenneth F. Plumb,

Secretary.

Section 271.703(d) is amended by adding new subparagraph (18) to read as follows:

§ 271.703 Tight formations.

* * * * *

(d) *Designated tight formations.* The following formations are designated as tight formations. A more detailed description of the geographical extent

[1] Comments were invited and two were received. No party requested a public hearing in this matter and no hearing was held.

and geological parameters of the designated tight formations is located in the Commission's official file for Docket No. RM79-76, subindexed as indicated, and is also located in the official files of the jurisdictional agency that submitted the recommendation. * * *

(18) *The Lower Wilcox Formation in Texas.* RM79-76 (Texas-7)

(i) *Delineation of formation.* The Lower Wilcox Formation is found in the southern portion of Austin County, the northern portion of Wharton County, and the eastern portion of Colorado County, Texas.

(ii) *Depth.* The top of the Lower Wilcox Formation is located at an approximate depth of 11,700 feet, and the base is located at an approximate depth of 12,700 feet, giving it a thickness of 1,000 feet.

* * * * *

[FR Doc. 81-6388 Filed 2-25-81; 8:45 am]
BILLING CODE 6450-85-M

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18 CFR Part 375

[Docket No. RM81-14; Order No. 132]

Delegation of the Commission's Authority to the Director of the Office of Electric Power Regulation

February 13, 1981.

AGENCY: Federal Energy Regulatory Commission.

ACTION: Final rule.

SUMMARY: The Commission is delegating to the Director of its Office of Electric Power Regulation authority to take action on competing applications for preliminary permits for water power projects. The Director may act only if applications are uncontested by persons other than the applicants and if the plans of development are not significantly different. This rule will reduce the number of applications on which the Commission must act directly and thereby help expedite the hydropower licensing procedures.

EFFECTIVE DATE: February 13, 1981.

FOR FURTHER INFORMATION CONTACT:
Ronald Corso, Director, Division of Hydropower Licensing, Office of Electric Power Regulation, 825 N. Capitol Street, NE., Washington, D.C. 20426 (202) 376-9171.
Peter Lefkin, Office of the General Counsel, 825 N. Capitol Street, NE., Washington, D.C. 20426 (202) 357-8607.

Before Commissioners: Georgiana Sheldon, Acting Chairman; Matthew Holden, Jr., George R. Hall and J. David Hughes.

Delegation of the Commission's Authority to the Director of Office of Electric Power Regulation; Docket No. RM81-14; Order No. 132; Final Rule.

I. Background

On August 14, 1978, the Commission adopted Delegations of Authority [Phase I], 43 FR 36433, which served to transfer to staff over 7,000 decisions annually of a largely ministerial nature, in order to free the Commission's time for issues of greater importance. Subsequently, on July 23, 1979, the Commission added to these delegations by adopting additional ones, in the Phase II Delegation, Docket No. RM79-59, 44 FR 46449 (August 8, 1979).

As a continuation of this process, the Commission has decided to approve a further delegation of authority to the Director of the Office of Electric Power Regulation to take action on competing applications for preliminary permits authorized under sections 4(f), 5, and 7 of the Federal Power Act. This delegation was prompted by the Commission's determination that an inordinate amount of the Commission's time is spent on matters that do not require the attention of the full Commission. At the time of this order, there exist nearly 800 applications for preliminary permits pending before the Commission. Of the pending applications, over 50 percent are competing applications for the same hydropower sites. This delegation will permit the Director of the Office of Electric Power Regulation to deal with uncontested competing preliminary permit applications and thereby enable the Commission to focus on more complicated and controversial tasks.

Under the delegation of authority, the Director will apply § 4.33(g) of the Commission's regulations to determine which of the competing applicants will receive a preliminary permit. The Director will be authorized, among other things, to carry out the state/municipal preference provisions of the Federal Power Act where one of the competing permit applicants is a municipality or state and its competitor is a non-public entity, provided that the applications are not materially different.

In general, the matter being delegated requires limited discretionary decision making on the part of the Office Director, whose authority is qualified by § 1.7 of this chapter which enables "any interested person" to appeal to the Commission the Director's decision.

This rule is based upon the authority granted the Commission in section 401(f) of the Department of Energy Organization Act (42 U.S.C. 7171(f)) "to establish such procedural and administrative rules as are necessary to the exercise of its functions."

II. Summary of the Rule

Section 375.308 is amended by revising paragraph (k) to grant to the Director of the Office of Electric Power Regulation authority to act on both uncontested applications for preliminary permits where no competing application is filed and on competing applications submitted by more than one applicant for water power projects that are mutually exclusive, provided the applications are uncontested (for purposes of this delegation, intervention by a competing applicant will not result in a contested application) and do not propose materially different plans to develop the site for hydroelectric power.

III. Effective Date

The Commission waives the notice and comment provisions of the Administrative Procedures Act, 5 U.S.C. 553(b), because the rule is one of agency procedure and practice. Public procedure is therefore unnecessary. In addition, the Commission finds good cause to make the rule effective immediately, pursuant to 5 U.S.C. 553(d). Preliminary permit applications are currently being submitted in increasing numbers due to the renewed interest in hydropower development. The Commission received 76 such applications in 1979, 501 in 1980, and the rate of submittal is even greater thus far in 1981. Of the 787 applications on file on February 6, 1981, a substantial number are competing applications for mutually exclusive sites. This delegation will permit quicker issuances of preliminary permits in those cases where the applications are uncontested other than by the competing applicants themselves. More efficient discharge of the Commission's responsibilities is in the public interest.

In consideration of the foregoing, Chapter I of Title 18, Code of Federal Regulations, is amended as set forth below, effective on the date of issuance.

By the Commission.

Kenneth F. Plumb,

Secretary.

Section 375.308 is amended by revising paragraph (k) to read as follows:

§ 375.308 Delegations to the Director of the Office of Electric Power Regulation.

* * * * *

(k) Take appropriate action on any uncontested application for preliminary permit for a water power project submitted under § 4.81 of this chapter, including any competing applications for preliminary permit for mutually exclusive water power projects which:

(1) Are uncontested, unless the only petition for, or notice of, intervention is filed by a competing applicant; and

(2) Do not propose and substantiate materially different plans to develop, conserve and utilize the water resources of the region.

* * * * *

[FR Doc. 81-6389 Filed 2-25-81; 8:45 am]

BILLING CODE 6450-85-M

DEPARTMENT OF JUSTICE

Office of the Attorney General

28 CFR Parts 19 and 61

[Order No. 933-81]

Procedures for Implementing National Environmental Policy Act; Deferral of Effective Date

AGENCY: Department of Justice.

ACTION: Notice of deferral of effective date of final rule.

SUMMARY: On January 15, 1981, the Attorney General issued a final rule (Attorney General Order No. 927-81, **Federal Register** Document No. 81-2451, appearing at 46 FR 7953 (daily ed. January 26, 1981)) on the procedures to be followed by the Department of Justice and certain of its subunits to facilitate compliance with the National Environmental Policy Act. That rule was to become effective on February 25, 1981. By a memorandum dated January 29, 1981, the President directed the Attorney General and other agency heads to defer, until March 30, 1981, the effective dates of and to review most final regulations scheduled to become effective within sixty days after January 29th. Accordingly, the effective date of Attorney General Order No. 927-81 is deferred to March 30, 1981 to permit the review of the order called for by the President's memorandum.

EFFECTIVE DATE: The new effective date of Attorney General Order No. 927-81 is March 30, 1981.

FOR FURTHER INFORMATION CONTACT: Lois J. Schiffer, Chief, General Litigation Section, Land and Natural Resources Division, U.S. Department of Justice, Washington, D.C. 20530. Tel. (202) 633-2704.

Dated: February 18, 1981.

William French Smith,

Attorney General.

[FR Doc. 81-6454 Filed 2-25-81; 8:45 am]

BILLING CODE 4410-01-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[A-8-FRL 1759-8]

Notice of Proposed Settlement Agreement in Litigation Under the Clean Air Act Related to the Colorado State Implementation Plan

AGENCY: Environmental Protection Agency.

ACTION: Notice of proposed settlement agreement.

SUMMARY: On October 5, 1979, and August 1, 1980, EPA published final rulemaking actions on the Colorado State Implementation Plan (SIP) (44 FR 57401 and 45 FR 51199). The National Wildlife Federation filed petitions for review of both these actions in the U.S. Court of Appeals for the Tenth Circuit. After extensive negotiations, the parties involved in this litigation have executed a proposed Agreement settling the claims raised by the National Wildlife Federation on a mutually acceptable basis. The purpose of this Notice is to invite public comment on the provisions of the proposed Settlement Agreement.

DATE: Written comments must be received by March 30, 1981.

ADDRESSES: Comments should be submitted, preferably in triplicate, to: Christine L. Shaver, Assistant Regional Counsel, Environmental Protection Agency, Region VIII, 1860 Lincoln Street, Denver, Colorado 80295.

All comments received will be available for public inspection at the above location.

FOR FURTHER INFORMATION CONTACT: Christine L. Shaver, (303) 837-3826.

SUPPLEMENTARY INFORMATION: On October 5, 1979, EPA published a final rulemaking conditionally approving the Colorado SIP (44 FR 57401). On December 4, 1979, the National Wildlife Federation petitioned the U.S. Court of Appeals for the Tenth Circuit for review of EPA's action under Section 307(b) of the Clean Air Act. 42 U.S.C. 7607(b). The petition for review challenged, primarily, EPA's action on the transportation control plan provisions in the Denver element of the SIP. On August 1, 1980, EPA published a related final rule approving detailed schedules for the transportation control measures included in the SIP (45 FR 51199). On September 30, 1980, the National Wildlife Federation petitioned for review of that action. The State of Colorado and Denver Regional Council of Governments sought and were granted intervention by the Court in both lawsuits.

Extensive negotiations among the parties have occurred over the past year in an effort to settle the claims raised on a mutually acceptable basis. The result of this effort is a proposed Settlement Agreement, the full text of which appears below. The proposed Agreement focuses on the transportation control plan portion of the Denver element of the Colorado SIP. The proposed Agreement includes schedules and timetables, as well as procedures for enforcing the Agreement. The proposed Agreement does not constitute a SIP revision. Rather, it has been executed solely to settle the claims raised by the National Wildlife Federation.

Although the proposed Agreement has been executed by the parties, it will not become binding until approved by the Court. The Agreement requires EPA to publish the Agreement and invite public comment. Written comments received on or before March 30, 1981 will be transmitted to the parties involved in this Agreement and to the Court for consideration prior to final Court approval.

Dated: February 10, 1981.

Roger L. Williams,

Regional Administrator.

The proposed Settlement Agreement follows:

In the United States Circuit Court of Appeals For the 10th Circuit

National Wildlife Federation, Colorado Open Space Council, Inc.; South Central Improvement Association, Inc.; Greater Park Hill Community, Inc.; and Rocky Mountain Greenpeace, Petitioners, vs. *Environmental Protection Agency,* Respondent. *State of Colorado, Denver Regional Council of Governments,* Intervenors. Settlement Agreement Nos. 79-2257, and 80-2029.

Settlement Agreement

On December 4, 1979 the National Wildlife Federation (NWF) petitioned for review of the U.S. Environmental Protection Agency's (EPA) conditional approval of the Denver Element of the Colorado Air Quality State Implementation Plan (Denver Plan). The Petition was filed in the U.S. 10th Circuit Court of Appeals (the Court) and was docketed as Case No. 79-2257.

Other parties sought, and gained, admission to this litigation as co-petitioners, including the Colorado Open Space Council, Inc., the Greater Park Hill Community, Inc., the Robert Jacobson Family, the Rocky Mountain Greenpeace, and the South Central Improvement Association, Inc.

On January 14, 1980, the State of Colorado (State) moved to intervene. The Denver Regional Council of Governments (DRCOG) sought intervention on March 6, 1980. These

motions were granted on January 30, 1980, and May 19, 1980, respectively.

On August 1, 1980 the EPA approved detailed schedules for the development and implementation of transportation controls in the Denver area. The NWF petitioned the Court for review of this action on September 30, 1980, and the petition was docketed as Case No. 80-2029.

On January 27, 1981, the Court approved the Robert Jacobson Family's voluntarily withdrawal as a co-petitioner in Case No. 79-2257, and as an *amicus curiae* in Case No. 80-2029.

After extensive negotiation, the parties reached the following agreement. By execution of this Agreement no such party admits any liability, wrongdoing, or non-compliance with statutory requirements. This Agreement is executed solely to settle on a mutually acceptable basis the claims raised by the Petitioners in Case Nos. 79-2257 and 80-2029.

A. Necessary Control Measures

1. *Identification of Necessary Control Measures.* a. By December 1, 1980, DRCOG and the Air Pollution Control Division of the Colorado Department of Health (APCD), consistent with their respective responsibilities under the Joint Determination Agreement (as presently adopted, or as may be amended), shall have determined the additional emission reductions, if any, needed in the Denver non-attainment area in order to meet the national ambient standards for ozone and carbon monoxide by December 31, 1987 (the "compliance shortfall").

b. The "compliance shortfall" shall have been determined by "interpolating" the transportation parameters (e.g., number of trips, trip lengths, and vehicle miles traveled) in 1987 from (1) those in 1982 (which have been modeled in accordance with DRCOG's approved schedule for "TSM Action Evaulation"); and (2) those in 2000 (which have been modeled as part of DRCOG's February, 1979 "Assessment of the Year 2000 Restated Transportation Plan"). Air pollutant levels shall then be modeled for 1987 based on the "interpolated" 1987 transportation parameters. This model of pollutant levels shall be used to determine the "compliance shortfall" only until both the transportation parameters and the pollutants level for 1987 are fully modeled in August-November, 1981 (as called for in DRCOG's approved schedule for "TSM Action Evaluation"); thereafter, the "compliance shortfall" shall be determined in the August-November, 1981 model runs.

c. All assumptions and baseline data for the projection of the 1982 and 2000 transportation parameters, for the 1987 pollutant level model run based on "interpolated" 1987 transportation parameters, and for the full model runs in 1981 shall be fully documented and explained by DRCOG and the APCD, consistent with the Joint Determination Agreement, including but not limited to:

(1) All claims to emission reduction credits for the Federal Motor Vehicle Emission Control Program and Colorado's Vehicle Inspection and Maintenance Program.

(2) All claims to emission reduction credits for any other transportation controls.

(3) All population, land use, highway, mass transit, and automobile operating cost assumptions, along with any related emission reduction claims.

d. By July 1, 1981 DRCOG and the APCD shall identify, consistent with the Joint Determination Agreement, control measures which are sufficient, at minimum, to eliminate the "compliance shortfall" as determined by December 1, 1980. In the event that the "compliance shortfall" determined in August-November, 1981 is greater than the shortfall determined as of December 1, 1980, DRCOG and the APCD shall identify, by January 1, 1982, additional control measures sufficient to eliminate that difference.

2. *Commitment to necessary control measures.* a. DRCOG and the Colorado Air Quality Control Commission (AQCC) shall exert best efforts to secure, as early as practicable, and whenever possible by February 28, 1982, all commitments which are necessary to ensure, by July 1, 1982, the enforceability of, and the necessary financial commitments for, such control measures. In the event that legislative action is required subsequent to February 28, 1982 to secure such enforceability and financial commitments, DRCOG and the AQCC shall exert best efforts, consistent with their respective recommendations as to necessary control measures, in support of such legislation.

B. By July 1, 1982, the Denver Plan shall contain enforceable control measures and financial commitments which assure attainment of the a national ambient standards not later than December 31, 1987, as required by § 172(c) of the Clean Air Act, 42 U.S.C. 7502(c) and § 129(c) of the 1977 Clean Air Act Amendments, P.L. 95-95.

B. Basic Transportation Needs

1. *Identification of public transit trip demand.* a. By December 1, 1980, DRCOG shall have estimated the level of public transit trip demand in 1982 based on the travel demand modeling for that year (which has been completed in accordance with DRCOG's approved schedule for "TSM Action Evaluation").

b. By the same date (December 1, 1980) DRCOG shall have estimated the level of public transit trip demand in 1987 based on the "interpolation" of travel demand in that year from (1) the travel demand modeling for 1982 (which has been completed as noted above); and (2) the travel demand modeling for 2000 (which has been completed as part of DRCOG's February, 1979, "Assessment of the Year 2000 Restated Transportation Plan"). This "interpolation" of travel demand in 1987 shall be used to estimate the public transit trip demand level in 1987 only until such demands are fully modeled in August-November, 1981 (as called for in DRCOG's approved schedule for "TSM Action Evaluation"); thereafter, the public transit trip demand level for 1987 shall be estimated in the August-November, 1981 model runs.

c. All assumptions and baseline data for the 1982 and 2000 travel demand modeling, for the 1987 "interpolation", and for the full model runs in 1981, shall be fully documented and explained by DRCOG.

2. *Identification of public transportion measures.* a. By January 1, 1981, EPA shall have determined in writing whether the Regional Transportation District's (RTD) current Transit Development Plan (TDP) will provide sufficient public transportation programs, equipment and facilities to meet the public transit trip demand in 1982.

b. In the event that EPA determines that the TDP is not sufficient to meet the public transit demand in 1982, the EPA shall require the submission of a clarification to the Denver Plan by July 1, 1981, which identifies other public transportation measures, such as car pooling and van pooling, which will assure the satisfaction of such demand. In calling for such a clarification, EPA shall require full documentation and explanation of how such additional public transportation measures will satisfy such public transit demand. EPA shall evaluate any such clarification by August 1, 1981 and determine whether the Denver Plan, as clarified, contains sufficient public transportation measures to meet the 1982 public transit trip demand. If the EPA determines that the Denver Plan does not contain sufficient public transportation measures to meet this demand, EPA, by September 1, 1981, shall call for an appropriate revision to the Denver Plan.

c. By July 1, 1981, DRCOG shall identify, in consultation with the RTD, those public transportation measures which are necessary to meet the public transit demand in 1987. In the event that the public transit trip demand for 1987 as estimated by the full model runs in August-November, 1981 is greater than the public transit trip demand for 1987 as estimated by the December 1, 1980, "interpolation", DRCOG, by January 1, 1982, shall identify, in consultation with the RTD, additional public transportation measures sufficient to meet the greater demand. DRCOG shall fully document and explain how such public transportation measures will satisfy such public transit demand.

3. *Commitment to public transportation measures.* a. By January 1, 1981 DRCOG shall have:

(1) Identified all potential funding sources for public transportation measures and the anticipated amounts of funding for each year through 1987.

(2) Identified the portion of such funds targeted for the RTD.

(3) Described the mechanism that will be used to obtain additional funds for public transportation measures, if necessary, to meet public transit trip demands, consistent with the terms of the legislation providing such funds.

b. By July 1, 1982 the Denver Plan shall be revised to: (1) include any public transportation measures which are necessary to meet the public transit trip demand in 1987, and which are not presently included in the Denver Plan; and (2) evidence all commitments necessary to implement any such public transportation measures, in accordance with §§ 110(a)(3)(D) and 110(c)(5)(B) (i) and (ii) of the Clean Air Act; 42 U.S.C. §§ 7410(a)(3)(D) and 7410(c)(5) (B) (i) and (ii).

Reasonably Available Control Measures

1. *Parking management controls.* a. The effectiveness of parking management controls

in reducing emissions in the Denver non-attainment area, by themselves or in combination with other transportation controls which are or may become part of the Denver Plan, shall be compared with the socio-economic and other costs of such control measures as a part of DRCOG's study of parking management controls.

b. By July 1, 1981, DRCOG shall determine whether parking management controls are "reasonably available", i.e. (1) whether such controls will significantly expedite the attainment of the national ambient standards in the Denver area, by themselves or in combination with other transportation controls; and (2) whether the air quality benefits of such controls, including expediting attainment of the national ambient standards, will outweigh their socio-economic costs.

2. *Other transportation controls.* a. The parties acknowledge that transportation control measures which were considered not to be "reasonably available" at the time the Denver Plan was submitted in January, 1979 may become "reasonably available" before July 1, 1982 (the date by which a revised Denver Plan must be submitted to EPA).

b. In evaluating additional control strategies as required by its approved schedule for "TSM Action Evaluation", DRCOG shall review all transportation control measures which were expressly considered by the Clean Air Task Force (CATF), as evidenced by its minutes or reports, but which were not included in the Denver Plan, as submitted in January, 1979.

c. In reviewing such control measures in accordance with its approved schedule for "TSM Action Evaluation", DRCOG shall make technical evaluations as to: (1) whether any of the above controls, by themselves or in combination with other controls, will significantly expedite attainment of the national ambient standards in the Denver area; and (2) whether the air quality benefits of such controls, including expediting attainment of national ambient standards, will exceed their socio-econoimic costs. Such evaluations may, among other things, be based on applicable studies which have been published by the EPA, the Department of Transportation, or any other accepted authority in the field since the CATF's last consideration of an excluded transportation control measure, or on such studies which DRCOG elects to undertake. All such evaluations shall be appropriately documented by DRCOG.

d. Consistent with the Joint Determination Agreement, DRCOG, by February 28, 1982, and the AQCC, by June 24, 1982, shall consider all factors and make a policy determination as to whether any of the above referenced transportation controls (not including parking management controls) are "reasonably available".

3. *Commitment to reasonably available control measures.* a. DRCOG and the AQCC shall exert best efforts to secure, as early as practicable, and whenever possible by February 28, 1982, all commitments which are necessary to ensure, by July 1, 1982, the enforceability of, and the necessary financial commitments for, control measures determined to be "reasonably available". In the event that legislative action is required subsequent to February 28, 1982 to secure such enforceability and financial commitments, DRCOG and the AQCC shall exert best efforts, consistent with their respective determinations as to the "reasonable availability" of any control measure, in supporting such legislation.

b. To ensure attainment of the national ambient standards for ozone and carbon monoxide as expeditiously as practicable, but not later than December 31, 1987, all control measures determined to be "reasonably available" shall be enforceable and be supported by the necessary financial commitments by July 1, 1982, as required by § 129(c) of the 1977 Clean Air Act Amendments, P.L. 95-95.

c. Any determination by DRCOG or the AQCC not to seek implementation commitments for the above referenced transportation controls (including parking management) shall be fully documented and explained by DRCOG by February 28, 1982, and by the AQCC by July 1, 1982.

D. Legislative Action

1. The parties acknowledge that securing, by July 1, 1982, the enforceability of "necessary" or "reasonably available" control measures and the necessary financial commitments for such control measures and for other transportation measures necessary to meet basic transportation needs may depend, in part, on timely legislative action by the Colorado General Assembly and/or local governments.

2. To ensure that the appropriate legislative bodies are aware of the possible need for such timely legislative action, the parties agree that:

a. Within ten (10) days after Court approval of this Agreement, the parties shall apprise the Colorado General Assembly, via the President of the Senate and the Speaker of the House, of DRCOG's approved schedule for "TSM Action Evaluation", of the timetables in this Agreement, and of the possible need for timely state legislative action in securing, by July 1, 1982, the enforceability of "necessary" or "reasonably available" control measures and the necessary financial commitments for such control measures and for other transportation measures necessary to meet basic transportation needs.

b. By the same date the parties shall also recommend, via the President of the Senate and the Speaker of the House, that the Colorado General Assembly, through its Legislative Council or other appropriate means: (a) monitor DRCOG's efforts in implementing its approved schedules; (b) review the determinations and documentation required by this Agreement; and (c) evaluate the need for state legislative action.

c. By the same date, DRCOG shall apprise local governments of the possible need for timely local legislative action in securing, by July 1, 1982, the enforceability of "necessary" or "reasonably available" control measures and the necessary financial commitments for such control measures and for other transportation measures necessary to meet basic transportation needs. DRCOG shall make appropriate recommendations for local legislative action no later than March 1, 1982.

d. By January 1, 1981, DRCOG's Chairperson and the Governor of Colorado shall have filled any current vacancy in the legislative seats on the Clean Air Task Force. Any such vacancies which subsequently occur shall be filled by DRCOG's Chairperson and the Governor within thirty (30) days after the vacancy occurs.

E. Review of Documentation

All determinations, documentation, and evaluations required by this Agreement shall be prepared in good faith and submitted to all parties by the appropriate deadline. EPA shall submit a good faith written evaluation of all such determinations and documentation to all parties to this Agreement within thirty (30) days thereafter (except in the case of EPA's evaluation of the TDP pursuant to paragraph B.2.a above, which was due January 1, 1981 and has been submitted). Such determinations, documentation, and evaluations, (including the EPA's determinations and evaluations with respect to the TDP) shall not constitute formal or final action on the Denver Plan.

F. Enforcement

1. The parties to this Agreement shall reconvene within thirty (30) days after any such party alleges non-compliance with this Agreement, discuss the alleged non-compliance, and attempt to negotiate a mutually acceptable resolution of the non-compliance issue.

2. If the parties to this Agreement are able to resolve any issue of alleged non-compliance with this Agreement through negotiation, no formal or final action shall be taken by the EPA on the Denver Plan.

3. If the parties to this Agreement are unable to resolve any issue of alleged non-compliance with this Agreement through negotiation within thirty (30) days or within such other mutually acceptable period after reconvening pursuant to paragraph F.1 above, the EPA shall take the following action within forty-five (45) days after the expiration of the established negotiation period:

a. Determine (1) whether the Denver Plan is in accordance with the requirements of § 110 of the Clean Air Act, 42 U.S.C. § 7410; (2) whether the State is making reasonable efforts to submit a plan which considers each of the elements required by § 172 of the Clean Air Act, 42 U.S.C. § 7502; (3) whether the Denver Plan provides for any increase in emissions (contributing to ozone and carbon monoxide pollutant levels in the Denver non-attainment area) which may reasonably be anticipated to result from any new federally funded sewage treatment facility; and (4) whether the EPA should unconditionally affirm its approval of the Denver Plan, affirm its approval with conditions, or disapprove the Denver Plan.

b. Propose appropriate action and publish such proposed action, along with a supporting explanation, for public comment.

4. After considering public comment on the action proposed above, EPA shall publish final action on the Denver Plan. If EPA takes final action disapproving the Denver Plan because the Plan is not in accordance with § 110 of the Clean Air Act, 42 U.S.C. § 7410, the prohibition on construction of major

stationary sources shall take effect automatically, as required by § 110(a)(2)(I) of the Clean Air Act, 42 U.S.C. § 7410(a)(2)(I). If EPA takes final action disapproving the Denver Plan and finds that the State is not making reasonable efforts to submit a plan which considers each of the required elements, appropriate federal funding restrictions shall be imposed under § 176(a), 42 U.S.C. § 7506(a). If EPA takes final action disapproving the Denver Plan and determines that the Denver Plan does not provide for increased emissions related to new sewage treatment capacity, appropriate federal funding restrictions shall be imposed under § 316 of the Clean Air Act, 42 U.S.C. § 7616. In addition, if EPA takes final action disapproving the Denver Plan, EPA shall call for a revision to the Plan, pursuant to § 110(a)(2)(H) of the Clean Air Act, 42 U.S.C. § 7410(a)(2)(H). If a revision to the Denver Plan is not submitted within nine (9) months thereafter, EPA shall proceed to promulgate any necessary revision to the Plan under § 110(c) of the Clean Air Act, 42 U.S.C. § 7410(c).

5. Any party to this Agreement may seek any remedy which may be otherwise available, including such remedies as may be available under §§ 304 and 307 of the Clean Air Act, 42 U.S.C. §§ 7604 and 7607, for any alleged non-compliance with the Agreement if the parties to this Agreement are unable to resolve any issue of alleged non-compliance within thirty (30) days or within such other mutually acceptable period after reconvening pursuant to paragraph F.1 above.

G. Publication of this Agreement and Court Approval

1. This Agreement shall be transmitted to the Court and published by the EPA in the **Federal Register** promptly after its execution by the parties. EPA shall then solicit public comments on this Agreement for a thirty (30) day period and transmit any such comments to the Court and the parties for consideration prior to final Court approval.

2. This Agreement shall not become binding until approved by the Court. The parties to this Agreement shall request that the Court withhold final action on this Agreement until fifteen (15) days after the EPA's transmittal of the public comments to the Court and the parties. Each party to this Agreement reserves the right to withdraw from this Agreement prior to Court approval, if the comments disclose factors or considerations which require a finding that the Agreement is inappropriate, improper or inadequate.

H. Amendment of this Agreement

1. The parties to this Agreement acknowledge that this Agreement is predicated on certain sections of the Clean Air Act, as amended in 1977, and on the applicable EPA rulemakings and policies in effect on the date of this Agreement's execution.

2. In the event that these sections of the Clean Air Act or the applicable EPA rulemakings and policies are substantially amended, any party to this Agreement may request that the parties reconvene to negotiate an appropriate amendment to this Agreement.

3. Any party to this Agreement may seek judicial relief to amend this Agreement to conform to a substantial amendment of the Clean Air Act or the applicable EPA rulemakings or policies if the parties are unable to negotiate a mutually acceptable amendment to this Agreement within thirty (30) days or within such other mutually agreeable period after reconvening pursuant to paragraph H.2 above.

I. Dismissal of Case Nos. 79-2257 and 80-2029

1. All Petitioners agree to seek dismissal, with prejudice, of their petitions in Case Nos. 79-2257 and 80-2029.

2. These dismissals shall not prejudice the rights of any party to this Agreement to seek judicial relief to enforce or amend this Agreement. No such relief may be sought, however, unless the negotiation requirements of paragraphs F and H have been met.

3. DRCOG and the State shall submit a revision to the Denver Plan which meets the requirements of § 172(c) of the Clean Air Act, 42 U.S.C. § 7502(c), and § 129(c) of the 1977 Clean Air Act Amendments, Pub. L. 95-95 notwithstanding full compliance with this Agreement, and these dismissals shall not in any way prejudice the right of any party to this Agreement to seek judicial relief for violations of the Clean Air Act which occur after the execution of this Agreement.

J. Costs and Attorneys Fees

Pursuant to § 307(f) of the Clean Air Act, 42 U.S.C. 7607(f), an appropriate award for the Petitioners' and Intervenors' costs and attorneys fees in Case Nos. 79-2257 and 80-2029, shall be negotiated between the parties to this Agreement, subject to review and concurrence by the Court. In case fee-award negotiations stalemate, the parties to this Agreement shall seek Court appointment of a temporary Master, or alternatively, an arbitrator from the American Arbitration Association, to make a determination of such award, based on full documentation by the parties, and after opportunity for argument by the parties to this Agreement. Such award shall be subject to judicial review and concurrence by the Court.

For the National Wildlife Federation and all Co-Petitioners—

Robert J. Golten,

Dated: February 9, 1981.

Robert F. Wigington

Attorneys for all Petitioners.

Dated: February 9, 1981.

For the Denver Regional Council of Governments—

Robert F. Clement,

Chairman of the Executive Committee.

Dated: February 4, 1981.

Robert D. Farley,

Executive Director.

Dated: February 4, 1981.

For the Attorney General—

Lawrence A. DeClaire,

Assistant Attorney General, Natural Resource Section, Attorneys for the State of Colorado.

Dated: February 9, 1981.

For the Environmental Protection Agency—

Chris Shaver,

Regional Counsel's Office, U.S. Environmental Protection Agency, Region VIII.

Dated: February 9, 1981.

For the U.S. Department of Justice—

Donald W. Stever, Jr.,

Chief, Pollution Control Section, Land and Natural Resources Division, U.S. Department of Justice.

Dated: February 9, 1981.

[FR Doc. 81-6300 Filed 2-25-81; 8:45 am]

BILLING CODE 6560-38-M

40 CFR Part 123

[SW-8-FRL 1760-6]

Montana; Phase I Interim Authorization for State Hazardous Waste Management Program

AGENCY: Environmental Protection Agency, Region VIII.

ACTION: Final rule (approval of State program).

SUMMARY: The purpose of this notice is to grant RCRA Phase I interim authorization to the State of Montana for its Hazardous Waste Management Program.

In the May 19, 1980, **Federal Register** (45 FR 33063), EPA promulgated regulations, pursuant to Subtitle C of the Resource Conservation and Recovery Act of 1976 (RCRA), to protect human health and the environment from the improper management of hazardous wastes. Included in these regulations, which became effective November 19, 1980, are provisions for a transitional stage in which a State can be granted interim authorization to operate its hazardous waste management program in lieu of a Federal program. The interim authorization program will be implemented in two phases corresponding to the stages in which the underlying Federal program takes effect.

EPA is not, at this time, granting Montana interim authorization to implement a manifest system or to implement generator and transporter requirements. Montana requirements for hazardous waste management facilities now supersede the Federal RCRA requirements for such facilities, but all Federal requirements applicable to generators and transporters, and all Federal manifest requirements continue to apply in Montana and the Environmental Protection Agency (EPA) retains responsibility for this portion of the program.

EFFECTIVE DATE: February 26, 1981.

FOR FURTHER INFORMATION CONTACT: Jim Harris, U.S. EPA Region VIII

Montana Office, 301 S. Park, Drawer 10096, Helena, Montana 59626, (406) 449-5414.

SUPPLEMENTARY INFORMATION: In order to qualify for interim authorization, a State Hazardous Waste Management Program must have been in existence prior to August 17, 1980, and must be "substantially equivalent" to the Federal program. A full description of the requirements and procedures for State interim authorization is included in 40 CFR 123 Subpart F (45 FR 33479).

The State of Montana submitted a draft application for Phase I interim authorization of their Hazardous Waste Management Program to EPA's Region VIII Office on August 8, 1980. The draft application was reviewed by the Headquarter's Review Team and the Region VIII Workgroup and comments were presented to a representative from the Montana Solid Waste Management Bureau at a meeting in Denver, Colorado, on September 17, 1980.

The final application for interim authorization of Montana's Hazardous Waste Management Program was submitted to EPA's Region VIII Office on November 7, 1980. This application adequately addressed many of the deficiencies identified in the draft submittal. Another meeting was held on December 15, 1980, to discuss areas of the final application which needed further modification to ensure that the State Hazardous Waste Management Program would be substantially equivalent to the Federal program. Represented at this meeting were the EPA Headquarter's Review Team, EPA Region VIII Workgroup, the Montana Solid Waste Management Bureau, and the Legal Division of the Department of Health Environmental Sciences.

A public hearing was held on December 15, 1980, to accept comments on Montana's final application for Phase I interim authorization. Notice of this hearing appeared in the **Federal Register** on November 10, 1980, and in six newspapers in the State at least 30 days prior to December 15, 1980. The hearing was attended by approximately ten people. The public comment period was extended at the hearing until December 16, 1980. Three letters of comment were received and these comments were noted and considered as described below.

Two of the comment letters supported a State authorized program. Two of the comment letters expressed concern that the State program does not provide for exemptions for mining-related activities to reflect recent 1980 Amendments to the Solid Waste Disposal Act. The State has indicated that these changes will be made in 1981 by regulatory amendments. One of the two comments requests that interim authorization be denied until the changes are made in the State statute. Under RCRA, the State program can be more stringent than the Federal program, Section 3009, 42 U.S.C. 6929. Therefore, interim authorization can be granted even though the State program covers mining activities while the Federal program does not.

The final application submitted by the State of Montana for Phase I interim authorization of its Hazardous Waste Management Program has been amended at the State's request to comply with 40 CFR 123 as follows:

1. The State has agreed to accept limited Phase I interim authorization under the provisions of 40 CFR 123.128(d), which allows States that do not have generator, transporter and related manifest requirements substantially equivalent to the Federal requirements to receive limited Phase I interim authorization which does not include authority to operate the generator, transporter and manifest portions of the program and EPA will continue to operate these portions of the program. Montana's hazardous waste statutes do not provide for the civil or criminal penalty amounts required by 40 CFR 123.128(f) for generators. The State statute provides for penalties of up to $500 per day for generator violations and the Federal regulations require a minimum penalty of $1,000 per day. Although this is the only area where statutory authority is lacking, EPA must retain the generator, transporter and manifest system portion of the program for Phase I as required by 40 CFR 123.128(d). When adequate penalties for generators are provided, the State of Montana will receive full Phase I interim authorization. This may be accomplished as early as March 1981, if legislation is passed early in the 1981 session, which begins in January. Montana will not be required to resubmit its complete Phase I application, but must notify EPA when the authority becomes effective. A new Memorandum of Agreement will be executed and EPA will issue a **Federal Register** notice granting complete Phase I authorization when the State authority becomes effective.

2. Montana's Rule 16.44.605(1) allows for temporary licensing of facilities by the State if they have submitted notification information by November 19, 1980. (The Federal program requires notification by August 18, 1980.) EPA was concerned that facilities that have not achieved interim status under the Federal program, because they have not complied with notification requirements in Section 3010 of RCRA, would be issued temporary licenses by the State. There were only two TSD facilities in Montana that notified EPA of hazardous waste activities after August 18, 1980, but before November 19, 1980.

Under Montana Rule 16.44.605(1) these facilities are eligible for temporary licenses. However, the State has given assurances that these facilities will be treated under the State Program in a manner consistent with the Federal policies expressed in the **Federal Register** of November 19, 1980, 45 FR 76632.

3. It was not clear in the final application that the "public health laws" referenced in 50-1-103(2) encompass all of the statutes comprising the State's Hazardous Waste Program. It was also not clear whether a temporary restraining order is available in injunctive proceedings. Independent counsel for the Department of Health and Environmental Sciences has certified that the statutes composing the State's Hazardous Waste Management Program are "Public Health" laws within the meaning of this provision. Also, the State does have authority to seek a temporary restraining order.

4. The person signing the Attorney General's statement must have full authority to independently represent the Department of Health and Environmental Sciences in court on all matters pertaining to the State program. The administrative rules of the DHES indicate that the Legal Division is authorized to administer and enforce delegated Federal programs. ARM 16.1.101(6)(f). Sandra R. Muckelston has the authority to independently represent the Department of Health and Environmental Sciences without prior approval of the Attorney General.

5. EPA asked the State to provide assurances that there are no provisions in State law which restrict the State from fully using the authority of Section 3007 of RCRA to conduct inspections. A statement providing these assurances has been made and was submitted to the Region VIII EPA Office on December 22, 1980.

Because the State of Montana is now applying for an exception under 40 CFR 123.128(d) the requirements for inspection and compliance monitoring activities will differ from those originally anticipated. The program description and the Memorandum of Agreement have been revised to reflect this change.

6. The final application did not contain adequate assurances for public participation in enforcement as required

by 40 CFR 123.128(f)(2). An addition has been made to the Attorney General's statement which indicates that DHES will not oppose intervention on the grounds that the State adequately represents the interest of the applicant. This satisfies the requirements of 40 CFR 123.128(f)(2).

Revisions which have been made to the State of Montana's final application for Phase I interim authorization provide for a program which is substantially equivalent to the Federal program. The authorization plan submitted with the application specified with sufficient detail the strategy the State will pursue to obtain Phase II interim authorization and Final Authorization for their Hazardous Waste Management Program. The Attorney General's statement certifies that the Montana Department of Health and Environmental Sciences operates under adequate laws, rules and specific authority to meet the requirements for Phase I interim authorization contained in 40 CFR 123.128.

The final application now meets all of the requirements contained in 40 CFR 123, Subpart F for Phase I interim authorization. The authorization plan submitted with the final application specifies with sufficient detail the actions the State will take to seek and obtain Phase I final authorization. The Attorney General's statement certifies (1) that the laws of the State of Montana provide adequate authority to carry out the program described in the application; (2) that the enabling legislation for Phase I was in existence within 90 days of the promulgation of Phase I regulations; and (3) that the authorization plan, if carried out, would provide the State with enabling authority and regulations adequate to meet all of the requirements for final authorization. Finally, the Memorandum of Agreement meets the requirements of 40 CFR 123.126.

For the foregoing reasons, I have determined that Montana qualifies for Interim Authorization.

The State of Montana is hereby granted Interim Authorization to operate its Hazardous Waste Management Program in lieu of the Federal RCRA Subtitle C Hazardous Waste Management Program, except for the generator, transporter and manifest portions of the Federal program, in accordance with Section 3006(c) of RCRA, implementing regulations found in 40 CFR Part 123 Subpart F and EPA Delegation B-7. The Federal requirements for generators and transporters, contained in 40 CFR Parts 262 and 263, and the Federal manifest requirements contained in 40 CFR Part 265, Subpart E remain in effect in Montana.

Dated: February 20, 1981.

Roger L. Williams,

Regional Administrator.

[FR Doc. 81-6 Filed 2-25-81; 8:45 am]

BILLING CODE 6560-38-M

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40 CFR Part 261

[SWH-FRL 1762-3]

Hazardous Waste Guidelines and Regulations; Reopening of Comment Period on Delisting Petition of Stablex Corp.

AGENCY: U.S. Environmental Protection Agency (EPA).

ACTION: Re-opening of comment period on delisting petition of the Stablex Corporation.

SUMMARY: This notice re-opens for ninety (90) days the period for commenting on EPA's decision to exclude temporarily from the list of hazardous wastes issued by EPA under Section 3001 of the Resource Conservation and Recovery Act of 1976 (RCRA) (40 CFR 261.31, 261.32, and 261.33) treatment residue to be generated at Stablex Corporation's hazardous waste treatment facility in Groveland Township, Oakland County, Michigan.

DATE: Comments on EPA's decision to temporarily exclude the treatment residue from the list of hazardous wastes are now due no later than May 27, 1981.

ADDRESSES: Comments should be sent to the Docket Clerk, Office of Solid Waste (WH-562), U.S. Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460. Communications should identify the regulatory docket number "Section 3001/Stablex Delisting Petition."

The public docket for this temporary exclusion is located in Room 2711, U.S. Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460 and is available for viewing from 9:00 A.M. to 4:00 P.M., Monday through Friday, excluding holidays.

FOR FURTHER INFORMATION CONTACT: Myles Morse, Office of Solid Waste (WH-565), U.S. Environmental Protection Agency, 401 M Street, S.W., Washington, D.C., (202) 755-9187.

SUPPLEMENTARY INFORMATION: On November 25, 1980, EPA granted a number of temporary exclusions to manufacturing and treatment facilities excluding the solid waste generated at these particular generating facilities from the hazardous waste lists issued by EPA under Section 3001 of RCRA (40 CFR 261.31, 261.32, and 261.33). Among the facilities which petitioned the Agency and received a temporary exclusion was Stablex Corporation's facility in Groveland Township, Oakland County, Michigan. The original deadline for commenting on this delisting petition and on the Agency's action was January 26, 1981.

On January 23, 1981, the Agency received a request from the State of New Hampshire to extend the comment period. The State believes many questions are left unresolved by the petition, and indicated it has a special interest in commenting because the Stablex Corporation is applying for a permit to operate a hazardous waste treatment facility in Hooksett, New Hampshire. Additionally, State officials had indicated that County authorities in England, where Stablex has a number of treatment facilities, intend to comment on Stablex's delisting petition.

EPA believes that submission of this data/information is important in order to adequately consider the final delisting of this waste. EPA accordingly is re-opening the comment period on its decision to temporarily exclude the treatment residue to be produced at Stablex's Groveland facility in Michigan until May 27, 1981.

Dated: February 19, 1981.

James N. Smith,

Acting Assistant Administrator.

[FR Doc. 81-6453 Filed 2-25-81; 8:45 am]

BILLING CODE 6560-30-M

VETERANS ADMINISTRATION

41 CFR Part 8-1

Small Business Concerns

AGENCY: Veterans Administration.

ACTION: Final regulation.

SUMMARY: This revision to the Veterans Administration Procurement Regulations implements the provisions of Public Laws 95-89, 95-507 and 96-302, and Federal Procurement Regulations Temporary Regulation 50.

Public Law 95-89 (amended by Public Law 96-302) established priorities for set-aside consideration in Government contracting action. The VA Procurement Regulations amendment reflects the priority of set-aside considerations and establishes a monitoring system to ensure compliance with this policy.

The establishment of a VA Office of Small and Disadvantaged Business Utilization required by Public Law 95-507 and the responsibility inherent in that office are identified in this revision.

In compliance with Office of Federal Procurement Policy Letter 80-1 and FPR Temporary Regulation 50, Supplement 2, VA procuring activities are responsible for designating a small and small disadvantaged business specialist who will be responsible for ensuring compliance with the various aspects of the small business program.

The revision deletes various provisions in order to conform to the provisions of FPR Temporary Regulation 50.

EFFECTIVE DATE: This rule is effective February 20, 1981.

FOR FURTHER INFORMATION CONTACT: Chris Figg, Policy and Interagency Service, Office of Supply Services, Veterans Administration, 810 Vermont Avenue, NW, Washington, DC 20420, Telephone (202) 389-2334.

SUPPLEMENTARY INFORMATION: It is the general policy of the Veterans Administration to allow time for interested parties to participate in the rule making process (§ 1.12, Title 38 CFR). Since this amendment merely implements laws and regulations already in existence, the public rule making process is deemed unnecessary in this instance.

Approved: February 11, 1981.

By direction of the Administrator.

Rufus H. Wilson,

Deputy Administrator.

1. Section 8-1.702, "Small business policies," is revised to read as follows:

§ 8-1.702 Small business policies.

Procuring activities will further the Government's small business policies by considering set-aside procurements in accordance with the priorities established in FPR 1-1.706-1.

2. Section 8-1.704-1, "Program direction" is revised to read as follows:

§ 8-1.704-1 Program direction.

(a) The Assistant Deputy Administrator is designated the Director, Office of Small and Disadvantaged Business Utilization, and will be responsible for the overall supervision of the Veterans Administration Small and Disadvantaged Business Utilization Program in conformance with Sections 8 and 15 of the Small Business Investment Act of 1958. In carrying out that responsibility, technical support will be provided by the Office of Supply Services. Such report will include executing the agency-wide Small and Disadvantaged Business Utilization Program.

(b) The Assistant Administrator for Supply Services will assist departments and staff offices in developing their respective small business programs.

(c) The Deputy Assistant Administrator for Construction will develop and coordinate the agency small business program, as it affects construction projects, with the Assistant Administrator for Supply Services.

(d) The Director, Veterans Canteen Service (VCS), will designate an employee of his/her organization to serve as liaison between the VCS, the Small Business Administration, and the Office of Small and Disadvantaged Business Utilization on small business problems affecting the VCS.

(e) The Chief Memorial Affairs Director, Chief Benefits Director, Assistant Administrator for Construction, Assistant Administrator for Administrative Services, Director, VA Marketing Center and Directors of Veterans Administration field stations with Supply activities will designate an employee of their respective organizations to serve as a small and disadvantaged business specialist. This employee will be a full-time employee of the respective procuring activity, will be familiar with the supplies and services purchased at the activity, and will be fully cognizant of the regulations implementing the Small Business Act. The principal duties will include assisting the Small Business Administration Procurement Center Representative (when one is assigned) in activities and functions relating to Section 8 and 15 of the Small Business Act. The name, telephone number, and mailing symbol of each designee and any successor will be forwarded to the Director, Office of Small and Disadvantaged Business Utilization, through the Assistant Administrator for Supply Services.

3. In § 8-1.704-2, paragraphs (a), (b), (c) and (e) are revised to read as follows:

§ 8-1.704-2 Responsibility.

(a) Except as provided in paragraphs (b), (c), (d) and (e) of this section, the Assistant Administrator for Supply Services is responsible for the purchasing and contracting aspects of this program in connection with the procurement of supplies, equipment, and services. He/she is responsible for the compilation and submission of all reports required by the program.

(1) The Director, Procurement Service, Office of Supply Services, Central Office, is responsible for the purchasing, contracting and reporting aspects of this program as they apply to contracts and purchases made by his/her service. He/she is also responsible for advising and counseling field station contracting officers in various facets of the small business program.

(2) The Director, VA Marketing Center; Directors, VA Supply Depots; and the Chiefs, Supply Service, at Veterans Administration field stations are responsible for the purchasing, contracting and reporting aspects of this program at their respective installations.

(b) The Assistant Administrator for Construction is responsible for the purchasing and contracting aspects of this program as they apply to (1) contracts awarded by a contracting officer assigned to his/her office, and (2) construction projects assigned by him/her to the Chief Medical Director for solicitation, award and administration of the resulting contract by a field station. When a small business set-aside award is made for a construction project under the jurisdiction of the Assistant Administrator for Construction, a copy of the memorandum of award will be forwarded to: Small Business Administration, Washington District Office, 1030—15th Street, NW., Room 250, Washington, DC 20417.

(c) The Assistant Administrator for Administrative Services is responsible for the purchasing and contracting aspects of this program as they apply to contracts to be awarded by (1) Building and Supply Service, Central Office; and (2) Publications Service.

* * * * *

(e) The officials named in paragraphs (b), (c), and (d) of this section are responsible for assuring that the semi-annual reports required by FPR 1-16.804-3 are prepared and submitted on the dates specified.

4. Section 8-1.704-3, "Program operations," is revised to read as follows:

§ 8-1.704-3 Program operations.

Each Veterans Administration contracting officer delegated contracting authority by Chapter 8, Title 41, Code of Federal Regulations, a Central Office directive or other Veterans Administration Manual will take positive action to encourage participation in the program by small business entities and LSA (Labor Surplus Area) concerns. He/she will perform the following duties to execute a small business program and LSA program, as appropriate for his/her procurement activity.

(a) Develop a plan of operation to increase the share of contracts and purchase orders awarded to small business and LSA concerns.

(b) Promote the minority business enterprise program through the SBA 8(a) procedures set forth in § 8-1.713.

(c) Review the types and classes of items and services to be purchased to determine the applicability of small business and LSA set-asides or class set-asides.

(d) Plan for locating capable small business sources for current and future procurements.

(e) Develop adequate small business and/or LSA competition on all appropriate procurements.

(f) Make maximum utilization of the SBA small business source list (i.e., Procurement Automated Source System) when considering the disposition of all procurement requirements. Small business source lists are available through the SBA Regional Offices.

(g) Examine bidders lists to assure that small business firms are identified and adequately represented on all procurements.

(h) Assure that small business firms are identified on bid abstracts.

(i) Identify eligible LSA concerns.

(j) Assure that specifications are not unduly restrictive, thereby enabling small business participation to the maximum extent feasible.

(k) Assist and counsel small business firms with individual problems.

(l) Provide for counseling nonresponsive or nonresponsible small business bidders to help qualify them for future awards.

(m) Screen proposed large procurements to determine the possibility of separation or breakout of components suitable for purchase from small business firms or LSA concerns.

(n) Attend conferences and meetings publicizing the small business program.

(o) Insure that proposed procurements are publicized in the Commerce Business Daily.

(p) Assure preference to small business firms on multiple award Federal supply schedules.

(q) Promote the award of research contracts to small business and LSA firms.

(r) Promote goals for small business, small business set-asides, small business subcontracting, 8(a) procurements, labor surplus area set-asides, and purchases from women-owned businesses.

(s) Review all urgent and sole source procurements to determine that they are sparingly made, thoroughly documented and approved by the head of the procuring activity (see § 8-1.704-4(b)).

(t) If the contracting officer is assigned an SBA Resident Procurement Center Representative, assure that the representative is provided an opportunity and reasonable time to review any solicitation which meets the dollar threshold for which small business and small disadvantaged business subcontracting plans are required. Additionally, prior to the execution of any negotiated contractual document requiring a subcontracting plan, the total procurement package including the proposed subcontracting plan will be made available to the Resident Procurement Center Representative with a reasonable time allowed for review. The Procurement Center Representative may submit recommendations, which will be advisory in nature, to the contracting officer. The Procurement Center Representative will also be provided a copy of the subcontracting plan finally negotiated by the contracting officer. A copy of any subcontracting plan submitted pursuant to a formally advertised procurement will also be provided the Resident Procurement Center Representative upon execution of the contractual document.

(u) Assure that the small and disadvantaged business specialist notifies the SBA of the award of contracts, amendments, or modifications that contain subcontracting plans. The notification will contain the contractor's name and address, place of performance, dollar amount, performance period, description of contract item or items, and name and address of the contracting officer. A copy of the award document is sufficient for these purposes. The notification will be sent to the Assistant Regional Administrator for Regional Programs in the SBA region where contract performance is to take place.

5. In § 8-1.704-4, paragraph (b) is revised to read as follows:

§ 8-1.704-4 Definitions.

As used in this subpart the following terms have the following meanings:

* * * * *

(b) "Head of procuring activity" means the Director, Procurement Service, Central Office; Project Directors, Office of the Assistant Administrator for Construction; Director, Building and Supply Service, Central Office; Director, Publications Service, Central Office; Director, Monument Service, Central Office; Chiefs, Marketing Divisions, VA Marketing Center; and the Chief, Supply Service, at a field station.

* * * * *

6. Section 8-1.706-1, "General" is revised to read as follows:

§ 8-1.706-1 General.

Each Veterans Administration contracting officer will consider all purchase requirements to be suitable for award to small business and/or LSA concerns unless there are supportable, compelling reasons why awards must be made to other than small business firms. The contracting officer will determine, in cooperation with an SBA procurement contact representative where possible, whether or not a particular procurement or class of procurements will be set aside, in whole or in part, for the priority set-aside programs specified in FPR 1-1.706-1. (Disputes between an SBA procurement contact representative and a contracting officer concerning set-aside decisions will be handled as set forth in § 8-1.706-2.) In the event an SBA procurement contact representative is not available, a unilateral determination will be made by the contracting officer. Each such determination will be reviewed by the head of the specific procuring activity (§ 8-1.704-4(b)) for approval or disapproval. Required documentation for set-aside determinations and circumstances requiring review of determinations by the Director, Office of Small and Disadvantaged Business Utilization, are prescribed in § 8-1.706-50 and § 8-1.706-51 respectively. (See FPR 1-4.1007 for application to the procurement of architect-engineering services.)

7. In § 8-1.706-5, paragraphs (b) and (c) are revised to read as follows:

§ 8-1.706-5 Total set-asides.

* * * * *

(b) When a total small business-LSA set-aside or a total LSA set-aside is made, one of the following statements, as applicable, will be placed on the face of the solicitation:

(1) Notice of total set-aside for small business concerns agreeing to perform as LSA concerns, page ——, applies to all items in this solicitation.

(2) Notice of total set-aside for small business concerns agreeing to perform as LSA concerns, page ——, applies to items ——— through ——— in this solicitation.

(3) Notice of total set-aside for business concerns agreeing to perform as LSA concerns, page ——, applies to items in this solicitation.

(4) Notice of total set-asides for business concerns agreeing to perform as LSA concerns, page ——, applies to items ——— through ——— in this section.

(c) All proposed procurement for construction anticipated to cost between $2,000 and $1,000,000 and all proposed procurements for architect-engineer services for minor construction projects ($2,000,000 and less) will be considered as though SBA had initiated a set-aside request. Determinations of the need to deviate from this policy made by the

head of a procuring activity will require review by the Director, Office of Small and Disadvantaged Business Utilization, as prescribed in § 8-1.706-51.

(8) New sections 8.1.706.50 and 8-1.706-51 are added to read as follows:

§ 8-1.706-50 Documentation and record procurement request review.

(a) Each proposed procurement for construction anticipated to exceed $2,000 and each proposed procurement of supplies or services anticipated to exceed $2,500 shall be recorded on VA Form 07-2268 or 90-2268, Record of Procurement Request Review. Exempt from the requirements are procurements or requisitions from the sources listed in § 8-1.302-1, paragraphs (a)(1) through (a)(8).

(b) VA Form 07-2268 or 90-2268 shall be completed as follows:

(1) The information through Part I shall be completed by the individual working up the procurement. The "Procurement Control No." block will contain the purchase authorization number or requisition number. Additionally, the resulting contract number or purchase order number will be referenced in this block when it is established.

(2) Part II shall be completed by the contracting officer (unless the contracting officer is the person completing and signing Part I, in which case Part II may be disregarded).

(3) Part III shall be completed by the local SBA procurement contact representative, if one is assigned.

(4) Part IV shall be completed by the head of the procuring activity (see § 8-1.704-4(b)). In the event the head of the procuring activity overrules the recommendation specified in Part I, the reason(s) will be set forth on the reverse of the form.

(c) Distribution of the original and copies of the completed VA Form 07-2268 or 90-2268 shall be made as follows:

(1) Original: Maintained in purchase order filed with purchase order, or in the contract file, as applicable.

(2) Copy A: Maintained in jacket file in the contracting activity for information purposes. The file should contain VA Form 07-2268 or 90-2268 recorded in the current and previous fiscal year. Disposal should be made of older forms in accordance with DM&S Records Control Schedule 10-1.

(3) Copy B: Submitted to the SBA procurement contact representative, if one is assigned. If an assigned SBA procurement contact representative is not available, this copy need not be made and the jacket file maintained in the contracting office will suffice for SBA review.

§ 8-1.706-51 Required review by the Director, Office of Small and Disadvantaged Business Utilization.

(a) Transmittal of a copy of the pertinent VA Form 07-2268 or 90-2268, justification and documentation will be made by covering memorandum signed by the head of the procuring activity directly to the Director, Office of Small and Disadvantaged Business Utilization (96), when the head of the procuring activity determines that any of the following proposed procurements are not suitable for small business or LSA set-aside:

(1) Construction project under $1,000,000.

(2) Any proposed procurement of architect-engineer services for minor construction projects ($2,000,000, and less).

(3) Any proposed procurements for which there were predecessor contracts with small business or LSA firms, or three or more small business or LSA firms submitted bids or quoted prices on the prior procurement.

(4) Any proposed procurement for which there are three or more small business or LSA firms on the applicable bidder's mailing or small purchase source list, i.e., who have submitted an SF 129, Bidder's Mailing List Application, or have otherwise indicated a desire to compete in supplying the requirements of the purchasing activity.

(i) Small business firms whose names have been supplied by SBA in response to a request by the purchasing activity (see § 8-1.704-3) should be contacted before placing such firms on the bidder's mailing list. The purpose of the contact is to ascertain the firm's intention to submit bids or quotations and its performance capabilities.

(ii) Nonset-aside determinations based upon past unsatisfactory performances by small business of LSA concerns will contain or have attached thereto such documentation as will permit a review of the current ability of three or more small business or LSA concerns to perform satisfactorily.

(b) In the case of proposed procurements subject to the review requirements of paragraph (a) of this section, no solicitation will be made pending notification of the results of the review.

(c) Should circumstances exist which preclude the forwarding of VA Form 07-2268 or 90-2268 by mail, telephone or telegraph communication is authorized.

9. Section 8-1.708-2 is revoked.

§ 8-1.708-2 [Revoked]

10. Section 8-1.710-4 is revoked.

§ 8-1.710-4 [Revoked]

11. In § 8-1.713-2, paragraph (c) is revised and paragraph (d) is added so that the new and revised material reads as follows:

§ 8-1.713-2 Policy.

* * * * *

(c) The contract will be made between the Veterans Administration and SBA and will be administered by the Veterans Administration.

(d) In addition to meeting the requirements of sections 8-1.403-51(a)(2) and 8-1.403-60, contracting officers will secure cost and pricing data as prescribed in FPR 1-3.807-3 when negotiating contracts under the SBA 8(a) program. Contracts with an anticipated value of $100,000 or more shall be processed for audit in accordance with § 8-1.807-3.

(38 U.S.C. 210(c); 40 U.S.C. 486(c))

[FR Doc. 81-6473 Filed 2-25-81; 8:45 am]
BILLING CODE 3320-01-M

DEPARTMENT OF THE INTERIOR

Geological Survey

43 CFR Part 35

Nondiscrimination Against Minority and Women-Owned Business Enterprises in Outer Continental Shelf Leasing Activities

AGENCY: Geological Survey, Interior.

ACTION: Suspension of requirements of final rule.

SUMMARY: On December 3, 1980, the Department of the Interior published in the **Federal Register** a notice of final rulemaking concerning 43 CFR Part 35, relating to nondiscrimination against minority and women-owned business enterprises in outer continental shelf leasing activities. The effective date of the rule was January 2, 1981. The Office of Management and Budget (OMB) subsequently, on January 19, 1981, requested the reporting and recordkeeping requirements of those regulations be submitted for its review and clearance. In order that we may comply with the request of OMB, the reporting and recordkeeping requirements contained in 43 CFR Part 35, 45 FR 80258, December 3, 1980, are suspended pending the completion of OMB's review and clearance. In the event OMB denies clearance, in part or in whole, the reporting and recordkeeping requirements of the regulations will be amended or revoked.

EFFECTIVE DATE: January 2, 1981.

FOR FURTHER INFORMATION CONTACT: David A. Schuenke, Branch of Offshore Rules and Procedures, Conservation Division, U.S. Geological Survey, National Center, Mail Stop 640, Reston, Virginia 22092, (703) 860-7395 FTS 928-7395.

SUPPLEMENTARY INFORMATION: On December 3, 1980, the Department of the Interior published in the **Federal Register** a final rule entitled, "Nondiscrimination Against Minority and Women-Owned Business Enterprises in Outer Continental Shelf Leasing Activities." Although there is no new reporting form to be approved by the OMB, nevertheless, this regulation contains a substantial recordkeeping and reporting requirement which has not been submitted to OMB for approval. The Federal Reports Act of 1942 and OMB Circular A-40 require the Department to submit these requirements for approval, and receive OMB approval, before it has the authority to collect the information from the public. It is, therefore, necessary to suspend the collection of information until OMB has approved the recordkeeping and reporting requirements.

Because of the lack of OMB approval for the recordkeeping and reporting requirement, good cause exists for suspending the requirement without use of notice-and-comment procedures and for making this suspension effective immediately.

Notice of Suspension

Until further notice:

The obligation to file a written affirmative action plan under 43 CFR 35.5 and an annual compliance report under 43 CFR 35.7 are hereby suspended until appropriate notice is subsequently published upon the clearance by the Office of Management and Budget of the recordkeeping and reporting requirements of 43 CFR Part 35. Should OMB deny the request for clearance, the regulation's recordkeeping and reporting requirements will be amended or revoked.

Dated: February 20, 1981.

Donald Paul Hodel,

Acting Secretary of the Interior.

[FR Doc. 81-18 Filed 2-25-81; 8:45 am]

BILLING CODE 4310-31-M

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 64

[Docket No. FEMA 6001]

List of Communities Eligible for Sale of Insurance Under National Flood Insurance Program

AGENCY: Federal Insurance Administration, FEMA.

ACTION: Final rule.

SUMMARY: This rule lists communities participating in the National Flood Insurance Program (NFIP). These communities have applied to the program and have agreed to enact certain flood plain management measures. The communities' participation in the program authorizes the sale of flood insurance to owners of property located in the communities listed.

EFFECTIVE DATES: The date listed in the fifth column of the table.

ADDRESSES: Flood Insurance for property located in the communities listed can be obtained from any licensed property insurance agent or broker serving the eligible community, or from the National Flood Insurance Program (NFIP) at: P.O. Box 34294, Bethesda, Maryland 20034; Phone: (800) 638-6620.

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

SUPPLEMENTARY INFORMATION: The National Flood Insurance Program (NFIP), enables property owners to purchase flood insurance at rates made reasonable through a Federal subsidy. In return, communities agree to adopt and administer local flood plain management measures aimed at protecting lives and new construction from future flooding. Since the communities on the attached list have recently entered the NFIP, subsidized flood insurance is now available for property in the community.

In addition, the Federal Insurance Administrator has identified the special flood hazard areas in some of these communities by publishing a Flood Hazard Boundary Map. The date of the flood map, if one has been published, is indicated in the sixth column of the table. In the communities listed where a flood map has been published, Section 102 of the Flood Disaster Protection Act of 1973, as amended, requires the purchase of flood insurance as a condition of Federal or federally related financial assistance for acquisition or construction of buildings in the special flood hazard area shown on the map.

The Federal Insurance Administrator finds that delayed effective dates would be contrary to the public interest. The Administrator also finds that notice and public procedure under 5 U.S.C. 553(b) are impracticable and unnecessary.

The Catalog of Domestic Assistance Number for this program is 83.100 "Flood Insurance." This program is subject to procedures set out in OMB Circular A-95.

In each entry, a complete chronology of effective dates appears for each listed community. The entry reads as follows:

Section 64.6 is amended by adding in alphabetical sequence new entries to the table.

§ 64.6 List of eligible communities.

State	County	Location	Community No.	Effective dates of authorization/cancellation of sale of flood insurance in community	Special flood hazard area identified
Alabama	Jefferson	Hoover, city of	010123B	Feb. 4, 1981, suspension withdrawn	Nov. 3, 1978.
Do	do	Irondale, city of	010124B	do	June 7, 1974 and Jan. 9, 1976.
Do	Lauderdale	Unincorporated areas	010323B	do	Mar. 31, 1978.
Do	Mobile	Prichard, city of	010170B	do	June 28, 1974 and Aug. 13, 1976.
Arkansas	Jackson	Tuckerman, city of	050105B	do	Nov. 16, 1973 and Feb. 27, 1976.
California	San Mateo	Menlo Park, city of	060321C	do	June 14, 1974, Aug. 8, 1975, and Feb. 13, 1979.
Connecticut	New London	Waterford, town of	090107B	do	July 26, 1974 and Nov. 19, 1976.
Florida	Polk	Mulberry, city of	120268B	do	Feb. 6, 1976.
Do	Okeechobee	Unincorporated areas	120177B	do	Aug. 4, 1978.
Illinois	St. Clair	Dupo, village of	170629B	do	May 3, 1974 and July 2, 1976.
Do	Du Page	Elmhurst, city of	170205B	do	May 3, 1974 and Mar. 28, 1975.

State	County	Location	Community No.	Effective dates of authorization/cancellation of sale of flood insurance in community	Special flood hazard area identified
Do	Calhoun	Hardin, village of	170738C	do	June 28, 1974, Jan. 23, 1976, and Mar. 23, 1979.
Do	Will	Joliet, city of	170702B	do	May 31, 1974 and Oct. 10, 1975.
Do	Calhoun	Kampsville, village of	170735B	do	Jan. 9, 1974 and June 4, 1976.
Do	Cook	Orland Part, village of	170140C	do	Mar. 22, 1974, Aug. 20, 1976, and May 12, 1978.
Do	Du Page	Villa Park, village of	170217B	do	Mar. 8, 1974 and Feb. 7, 1975.
Do	Lake	Wadsworth, village of	170395B	do	Mar. 1, 1974 and Nov. 21, 1975.
Iowa	Polk	Des Moines, city of	190227B	do	Sept. 6, 1974 and Aug. 29, 1975.
Louisiana	Acadia	Estherwood, village of	220004A	do	Mar. 5, 1976.
Maine	Androscoggin	Auburn, city of	230001B	do	May 31, 1974 and July 2, 1976.
Michigan	Macomb	Macomb, township of	260445B	do	Mar. 18, 1977.
Do	Genesee	Mount Morris, township of	260400A	do	Sept. 19, 1975.
Minnesota	Hennepin	Golden Valley, city of	270162B	do	Mar. 8, 1974 and Apr. 30, 1976.
Do	Kittson	Unincorporated areas	270224B	do	Nov. 4, 1977.
Do	Olmstead	Rochester, city of	275246B	do	Mar. 27, 1971, July 1, 1974, and Feb. 13, 1976.
Missouri	St. Louis	Florissant, city of	290352B	do	Nov. 9, 1973 and Sept. 5, 1975.
Do	Adair	Kirksville, city of	290002B	do	May 17, 1974 and Oct. 24, 1975.
Do	Lawrence	Mount Vernon, city of	290202B	do	May 24, 1974 and Dec. 26, 1975.
New Jersey	Middlesex	Milltown, borough of	340268B	do	May 3, 1974 and July 2, 1976.
Do	Bergen	Westwood, borough of	340061C	do	May 11, 1973, Mar. 22, 1974, and Apr. 23, 1976.
New Mexico	Eddy	Artesia, city of	350016B	do	Jan. 16, 1974 and May 18, 1976.
Do	Debaca	Fort Sumner, city of	350011B	do	May 31, 1974 and Mar. 19, 1976.
New York	Onondaga	Liverpool, village of	360582B	do	July 26, 1974 and June 11, 1976.
Do	Niagara	Lockport, city of	360503B	do	Oct. 22, 1976.
Ohio	Clermont	Batavia, village of	390066D	do	Nov. 30, 1973, May 7, 1976, Feb. 11, 1977, and Aug. 31, 1979.
Do	Summit	Macedonia, city of	390750A	do	Apr. 18, 1975.
Do	Butler	Millville, village of	390041B	do	June 7, 1974 and May 7, 1976.
Do	Cuyahoga	Solon, city of	390130B	do	Apr. 5, 1974 and July 2, 1976.
Do	Summit	Twinsburg, city of	390534C	do	Mar. 15, 1974, June 18, 1976, and May 18, 1979.
Oklahoma	Okmulgee	Okmulgee, city of	400145B	do	Feb. 1, 1974 and Dec. 26, 1975.
Do	Kay	Tonkawa, city of	400079B	do	Nov. 23, 1973 and Feb. 20, 1976.
Pennsylvania	Blair	Antis, township of	421385B	do	Dec. 27, 1974 and July 16, 1976.
Do	Clinton	Bald Eagle, township of	420319B	do	Oct. 23, 1973 and July 30, 1976.
Do	Erie	North East, borough of	421359B	do	Nov. 8, 1974 and Aug. 6, 1976.
Do	Lancaster	Strasburg, township of	421784B	do	May 31, 1974 and June 25, 1976.
Texas	Walker	Huntsville, city of	480639B	do	May 24, 1974 and Feb. 6, 1976.
Do.	Scurry	Snyder, city of	481001B	do	Feb. 1, 1974 and Apr. 9, 1976.
Virginia	Henrico	Unincorporated areas	510077B	do	Nov. 22, 1974 and May 14, 1976.
Washington	Chelan	do	530015A	do	Jan. 12, 1973 and Jan. 10, 1975.
Do	do	Wenatchee, city of	530020A	do	Feb. 1, 1974 and Aug. 9, 1974.
Wisconsin	Jackson	Black River Falls, city of	550166B	do	Dec. 17, 1973 and May 21, 1976.
Do	Vernon	Coon Valley, village of	550452B	do	Apr. 12, 1974 and Oct. 31, 1975.
Do	Douglas	Unincorporated areas	550538B	do	Dec 22, 1976.
Do	Jackson	do	550583A	do	
Do	Winnebago	do	550537B	do	Feb. 18, 1977.
Iowa	Jones	Center Junction, city of	190433	Feb. 3, 1981, emergency	June 25, 1976.
Nebraska	Saline	Unincorporated areas	310472	do	
New York	Allegany	Allen, town of	361361	do	Jan 31, 1975.
Do	Essex	Lewis, town of	361152	do	Nov. 29, 1974.
Oregon	Washington	Sherwood, town of	410273	Feb. 4, 1981, emergency	Aug. 13, 1976.
Oklahoma	Texas	Guymon, city of	400243A	Feb. 5, 1981, emergency	May 20, 1977.
Pennsylvania	Lycoming	Cogan House, township of	421838	do	Apr. 4, 1975.
Do	Dauphin	Jackson, township of	421593A	do	Jan 31, 1975 and Feb. 29, 1980.
Do	Luzerne	Dallas, borough of	421825B	Apr. 15, 1974, emergency, Jan. 2, 1981, regular, Jan. 2, 1981, suspended, Feb. 4, 1981, reinstated.	Feb. 25, 1977.
New York	Rensselaer	Sand Lake, town of	361167A	Feb. 2, 1976, emergency, May 15, 1980, regular, July 2, 1980, suspended, Feb. 5, 1981, reinstated.	Dec. 27, 1974.
Pennsylvania	Susquehanna	Clifford, township of	422077	Feb. 6, 1981, emergency	Dec. 27, 1974.
Do	Dauphin	Conewago, township of	422406	Feb. 10, 1981, emergency	Dec. 27, 1974.
Do	Northumberland	Shamokin, city of	420741B	Apr. 5, 1974, emergency, Dec. 16, 1980, regular, Dec. 16, 1980, suspended, Feb. 6, 1981, reinstated.	May 10, 1974 and May 28, 1976.
Do	Lackawanna	Carbondale, city of	420526B	July 27, 1973, emergency, Dec. 16, 1980, regular, Dec. 16, 1980, suspended, Feb. 10, 1981, reinstated.	Dec. 28, 1973 and Apr. 30, 1976.
Mississippi	Covington	Mount Olive, town of	280048A	Feb. 11, 1981, emergency	Feb. 11, 1981.
New Hampshire	Coos	Stewartstown, town of	330194	Feb. 12, 1981, emergency	Jan. 10, 1975.
Illinois	Cook	Oak Lawn, village of	170137C	Apr. 9, 1973, emergency, Jan. 2, 1981, regular, Jan. 2, 1981, suspended, Feb. 12, 1981, reinstated.	Apr. 12, 1974, Oct. 1, 1976, and July 21, 1978.
Pennsylvania	Westmorland	Irwin, borough of	420881B	June 18, 1974, emergency, Feb. 4, 1981, regular, Feb. 4, 1981, suspended, Feb. 13, 1981, reinstated.	Apr. 12, 1974 and May 28, 1976.

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968); effective Jan. 28, 1969 (33 FR 17804, Nov. 28, 1968), as amended, 42 U.S.C. 4001–4128; Executive Order 12127, 44 FR 19367; and delegation of authority to Federal Insurance Administrator)

Issued: February 18, 1981.

Richard Krimm,

Acting Administrator, Federal Insurance Administration.

[FR Doc. 81-6414 Filed 2-25-81; 8:45 am]

BILLING CODE 6718-03-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[Docket No. 20735; FCC 81-40]

Radio Broadcast Services; Deadline Established for Class D Noncommercial Educational FM Stations To File Power Increase Applications In Reserved Band

AGENCY: Federal Communications Commission.

ACTION: Final order.

SUMMARY: The January 1, 1980 deadline for Class D noncommercial educational FM licensees to file facility increase applications in the reserved band is eliminated by this action by the FCC. The deadline was established in the Second Report and Order in Docket 20735 adopted June 7, 1978. Upon reconsideration, it has been determined that the deadline serves no useful purpose and its continued imposition is unwarranted. This action permits remaining Class D educational FM licensees to retain their option to file applications to increase their facilities in the reserved band.

EFFECTIVE DATE: January 29, 1981.

ADDRESS: Federal Communications Commission, Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT: H. John Morgan, Broadcast Bureau, 202-632-6908.

SUPPLEMENTARY INFORMATION:

In the matter of the deadline established in docket 20735 for Class D noncommercial educational FM stations to file power increase applications in the reserved band; order.

Adopted: January 29, 1981.

Released: February 3, 1981.

By the Commission: Commissioners Ferris, Chairman, and Brown not participating.

1. In the Commission's Second Report and Order in Docket No. 20735, 43 FR 39704, 69 FCC 2d 240 (1978), reconsid., 70 FCC 2d 972 (1979), rules were adopted for the purpose of furthering the more efficient and effective use of the 20 FM channels reserved for noncommercial educational broadcasting. These rules required, in part, all Class D 10-watt noncommercial educational FM radio stations filing license renewal applications on February 1, 1980 and thereafter to either: (1) file with that application a construction permit application specifying a change in operation to a channel in the commercial band, thus permitting continual 10-watt operation or, (2) file a construction permit application by January 1, 1980 increasing their power to at least Class A FM facilities (100 watt minimum) in the reserved band.[1] The January 1, 1980 deadline for filing applications to increase facilities was adopted to provide a means for these licensees to avoid changing channels, and as a precaution against what could possibly have been disruption, through the random filing of such applications, to the orderly effectuation of the new rules. Of the approximately six hundred Class D 10-watt stations, some 250 have filed power increase applications prior to the deadline and, to date, about 30 have filed subsequent to it. Additionally, some licensees have sought a rule waiver for permission to file late.

2. The Commission now believes that this filing deadline should be eliminated. This conclusion is based upon: (1) the unexpected large number of power increase applications already filed; [2] (2) the failure, due to their organizational nature, of many licensees to notify timely affected stations; (3) the organizational nature and related funding situations of many Class D licensees; and (4) the inability of many more licensees to increase power due to technical interference. Further, we note that under our existing rules, a Class D licensee may file a new Class A station application in its community of license and, upon grant of that application, turn in its 10-watt license. Under all of these circumstances, we believe continued imposition of the deadline is unwarranted.

3. Accordingly, and since lifting the deadline would not result in the previously anticipated disruption, it is ordered, That, the previous deadline of January 1, 1980 for Class D FM stations to file power increase applications in the reserved band is hereby eliminated and such applications will be accepted whenever filed. However, in order to afford equity to those licensees who in good faith filed their application before the January 1, 1980 deadline, Class D power increase applications which are filed after January 2, 1980 and are mutually exclusive with Class D power increase applications filed on or before January 2, 1980, will not be accepted for filing.

Federal Communications Commission.

William J. Tricarico,

Secretary.

[FR Doc. 81-6485 Filed 2-25-81; 8:45 am]

BILLING CODE 6712-01-M

[1] Other very limited options were offered but they affect only a small number of Class D licensees and need not be discussed here.

[2] It was believed that the costs of increasing power would motivate most licensees to simply switch channels to the commercial band and continue operating with 10 watts. Only about 30 licensees have chosen this route.

Proposed Rules

Federal Register
Vol. 46, No. 38
Thursday, February 26, 1981

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

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

14 CFR Ch. I

23 CFR Chs. I and II

33 CFR Chs. I and IV

41 CFR Ch. 12

46 CFR Chs. I and III

49 CFR Chs. I–VI

[Notice No. 81-3]

Semi-Annual Regulations Agenda; Change of Publication Dates

AGENCY: Department of Transportation.

ACTION: Notice of change in the publication dates of the department's semi-annual regulations agenda.

SUMMARY: Publication of the Department of Transportation's Semi-Annual Regulations Agenda and Review List has been rescheduled. The new publication dates are April 2 and October 1, 1981. The new dates are necessary so that the Department can comply with Executive Order 12291 on Federal Regulation and the Regulatory Flexibility Act.

FOR FURTHER INFORMATION CONTACT: Neil R. Eisner, Assistant General Counsel for Regulation and Enforcement, 400 Seventh Street, SW., Room 10421, Washington, D.C. 20590, Phone: (202) 426–4723.

SUPPLEMENTARY INFORMATION: In accordance with Executive Order 12044 ("Improving Government Regulations") the Department of Transportation has published a Semi-Annual Regulations Agenda and Review List (hereinafter Agenda) at the end of February and August each year. Executive Order 12044 was revoked by Executive Order 12291 (46 FR 13193; February 19, 1981) which requires publication of the Department's Agenda in April and October of each year.

In addition, the Regulatory Flexibility Act (Pub. L. 96–354), which took effect January 1, 1981, requires the Department to publish, also on a semi-annual basis, and agenda of all regulations that would have a significant economic impact on a substantial number of small entities. This agenda would contain essentially the same information as that contained in the Department's E.O. 12291 Agenda.

In view of the issuance of Executive Order 12291, and the enactment of the Regulatory Flexibility Act, the scheduled publication dates for the Department of Transportation's Agendas in 1981 have been changed to April 2 and October 1.

Issued in Washington, D.C. on February 23, 1981.

Mark G. Aron,
Deputy General Counsel.

[FR Doc. 81-15 Filed 2-25-81; 8:45 am]

BILLING CODE 4910-62-M

SECURITIES AND EXCHANGE COMMISSION

17 CFR Part 240

[Release No. 34-17557; File No. S7-873]

Customer Complaint Registries

AGENCY: Securities and Exchange Commission.

ACTION: Proposed rulemaking.

SUMMARY: The Securities and Exchange Commission ("Commission") is proposing a rule which would require all national securities exchanges and registered securities associations ("SROs"), the Municipal Securities Rulemaking Board ("MSRB") and all registered broker-dealers to forward copies of all securities-related customer complaints or data concerning such complaints, and advice of any disposition thereof, to an SRO designated by order of the Commission to maintain a registry for such information. The proposed rule also would provide that all SROs, the MSRB, the Commission and other appropriate regulatory agencies shall have access to the information contained in any designated registry for legitimate regulatory purposes.

DATES: Comments must be received on or before March 20, 1981.

ADDRESSES: All comments should refer to File No. S7–873 and should be sent in triplicate to George A. Fitzsimmons, Secretary, Securities and Exchange Commission, Washington, D.C. 20549. All submissions will be made available for public inspection at the Commission's Public Reference Room, Room 6101, 1100 L Street NW., Washington, D.C.

FOR FURTHER INFORMATION CONTACT: Stuart M. Strauss, Office of Self-regulatory Oversight, Division of Market Regulation, Securities and Exchange Commission, Washington, D.C. 20549, (202) 272–2413.

SUPPLEMENTARY INFORMATION: The Securities and Exchange Commission ("Commission") today announced a proposal to adopt Rule 17a–24 under the Securities and Exchange Act of 1934 (the "Act"). Rule 17a–24 would require all registered broker-dealers, national securities exchanges and registered securities associations ("SROs"), and the MSRB, to submit copies of all securities-related customer complaints, or data concerning such complaints and advice of any disposition thereof, to an SRO designated by Commission order to maintain a registry for such information. The Commission proposes to designate the New York Stock Exchange ("NYSE") as the SRO to maintain such a registry for customer complaint information pertaining to NYSE member firms and their associated persons, and the National Association of Securities Dealers ("NASD") as the SRO to maintain a registry for customer complaint information pertaining to non-NYSE members.

Proposed Rule 17a–24 also would require that the information contained in any designated complaint registry at a minimum be accessible on the basis of several specified identifiers. Finally, proposed Rule 17a–24 would require that if responsibility for the maintenance of complaint information concerning a particular broker-dealer or associated person changes, the SRO responsibile for maintaining the information at the time of the transfer must promptly forward such information to the SRO which becomes responsible for its maintenance.

I. Background

Under the federal securities laws, the SROs are required to enforce compliance by their members and associated persons with the provisions of the Act, the rules thereunder and their

own rules.[1] In order to effectively discharge those responsibilities, it is essential that SROs have adequate information to detect violative conduct. One particularly significant source of information regarding the sales and operational practices of a firm and its associated persons are customer complaints.

The Commission's Special Study of the Options Markets ("*Options Study*") found that SROs have not utilized such information in the most effective manner possible.[2] In this regard, the *Options Study* found that SROs do not routinely share customer complaint information and that the failure to share such information on a regular basis significantly undermines their self-regulatory efforts. In particular, the *Options Study* documented several instances in which an SRO had investigated a customer complaint against a salesperson without being aware that other customers had complained to other SROs about the same salesperson. Thus, the investigating SRO lacked essential information necessary to conduct a complete investigation.

In addition, the *Options Study* found that, with the limited exception of the New York Stock Exchange ("NYSE"), the SROs do not routinely require member firms to forward to them copies of customer complaints.[3] As a result, customer complaints generally do not come to an SRO's attention until it conducts a routine inspection of a broker-dealer firm. By that time, it may be too late to protect the complainant or other customers from injury.

Therefore, in order to promote more efficient and effective use by the SROs of the vital compliance information contained in customer complaints, the *Options Study* recommended that: the SROs should amend their rules to require their member forms to submit all complaints received from customers to a central data file, which should also contain complaints received directly by the SROs and the disposition of such complaints.[4]

After the release of the *Options Study*, a joint SRO task force[5] was formed to formulate responses to this, as well as other, *Options Study* recommendations. While the SROs appeared to agree with the concept of centralization of customer complaint information, several factors led to their ultimate failure to adopt SRO rules to create a centralized complaint system. First, the SROs were reluctant to create a central complaint system without a Commission rule authorizing its establishment, primarily because of concerns of possible legal liability flowing from the sharing of customer complaint information in the absence of specific Commission authorization.[6] Second, the SROs were unable to reach agreement as to which SRO would maintain the central complaint registry. In this regard, both the NYSE and the NASD currently maintain computerized systems designed to record essential data extracted from customer complaints[7] and each indicated its desire to maintain the central complaint registry. Both the NYSE and the NASD have represented that their current systems are capable of maintaining customer complaint data.[8]

Basis and Purpose of Proposed Rule 17a-24

Currently there does not exist a comprehensive program among the SROs for the routine sharing of customer complaint information. Information contained in the files of one SRO, therefore, may not be available to another SRO with a legitimate regulatory need for the information. As a result, the Commission does not believe that the SROs are able to use this essential compliance information to the fullest advantage in discharging their self-regulatory responsibilities. Proposed Rule 17a-24 is designed to promote a more efficient and effective use of customer complaint information by requiring that all such information regarding a particular registered representative, branch office or broker-dealer be centralized in one location to which all SROs, the MSRB, the Commission and other appropriate regulatory agencies would have access for legitimate regulatory purposes.

The Commission believes that the centralization of customer complaint information would enhance the compliance programs of the SROs in several important respects. For example, in preparation for routine broker-dealer compliance examinations, complaint information would enable the examining SRO to identify in an expeditious and efficient manner areas which warrant special scrutiny, such as: (i) registered representatives against whom a large number of customer complaints have been filed, (ii) branch offices with a large concentration of complaints, and (iii) offices or registered representatives with a concentration of customer complaints on particular substantive areas, such as unsuitable recommendations, or excessive or unauthorized trading. Such indications also would enable an SRO to identify problems in broker-dealer supervisory procedures at either the branch or headquarters office level.

In addition, a centralized file could be stored in computers and programmed to identify particular registered representatives, branch offices or firms that have been the subject of large numbers of customer complaints or certain recurring types of complaints. Such information would assist SROs in determining the need to conduct special examinations.

Periodic analyses of complaint data contained in a centralized file also could be provided to SROs to enable them to detect general trends and subjects which appear to warrant close attention. This information could prove useful to the SROs in the structuring of their

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[1] *See* Sections 6(b)(1), 15A(b)(2) and 19(g)(1) of the Act.

[2] *See* Report of the Special Study of the Options Markets to the Securities and Exchange Commission, 96th Cong., 1st Sess., H.R. Rep. No. 96-IFC3 (Comm. Print 1978).

[3] In 1971, the NYSE adopted a rule requiring member firms to notify the NYSE of "major complaints," which its staff has interpreted to apply only to written complaints that involve damage claims exceeding $10,000, result in settlements exceeding $2,500, or involve allegations of theft, forgery or similar dishonesty. The *Options Study* found that this limitation has resulted in reporting to the NYSE of only a small portion of all customer complaints received by member firms. *See Options Study* at 524-525.

The NASD currently does not require its members to forward customer complaints to it. Since January of 1979, however, it has maintained a computerized system which processes customer complaints it receives directly from customers or voluntarily from member firms as well as those which are forwarded to it by the Commission and the Midwest, Pacific, Boston and Cincinnati Stock Exchanges.

[4] *Options Study* at 527. The *Options Study* also recommended, at 528, that:

The Commission should transmit for inclusion in the central file a record of relevant information about all broker-dealer complaints it receives unless release of such information would be contrary to law or would have an adverse effect upon a pending or proposed investigation, or otherwise would be inappropriate.

[5] The joint task force consisted of representatives from the NYSE, NASD, and the options exchanges (the Chicago Board Options Exchange, and the American, Midwest, Pacific and Philadelphia Stock Exchanges).

[6] *See* Letter dated August 29, 1979, from Michael L. Meyer to Douglas S. Scarff, Director, Division of Market Regulation, Securities and Exchange Commission, and Letter dated February 12, 1979 from Bruce J. Simpson to Thomas J. Loughran, Assistant Director, Special Study of the Options Markets, Securities and Exchange Commission.

[7] The NYSE system currently processes customer complaints it receives directly from customers or from member firms and has, since July 1979, processed complaint information received from the Commission. As previously noted, the NASD system has, since January 1979, processed customer complaints it receives directly as well as those which are forwarded to it by the Commission and the Midwest, Pacific, Boston and Cincinnati Stock Exchanges.

[8] *See* Letter dated October 3, 1980 from Robert M. Bishop, Senior Vice President, NYSE, to Gene E. Carasick, Assistant Director, Division of Market Regulation, Securities and Exchange Commission, and letter dated October 14, 1980 from Gordon Macklin, President, NASD, to Commissioner John R. Evans.

broker-dealer compliance examination programs and might identify particular practices or matters that should be the subject of SRO rulemaking procedures. A centralized file also could assist SROs in following the movements of registered representatives and thereby aid in preventing a registered representative from avoiding possible disciplinary action by transferring from firm to firm and through various regulatory jurisdictions.

II. Summary of the Principal Provisions of the Proposed Rule

A. Complaint Registry Designation

Paragraph (a) of the proposed rule provides that the Commission shall, by order, designate one or more SROs to maintain complaint registries. To the extent the NYSE and NASD continue to indicate a willingness to provide facilities for complaint registries, the Commission currently is inclined to designate the customer complaint system maintained by the NYSE as the appropriate complaint registry for all customer complaints pertaining to NYSE members and their associated persons, and the complaint information system maintained by the NASD as the appropriate complaint registry with respect to all other customer complaints.

As noted above, the *Options Study* recommended that the SROs establish a single registry to which all customer complaints would be forwarded. The Commission believes that the deviation of the proposed rule in this regard from the literal recommendation of the *Options Study* is warranted in view of the fact that both the NYSE and NASD currently maintain their own customer complaint registries. The Commission understands that either system, with little or no modification, could adequately perform the regulatory functions contemplated by the proposed rule. Since both the NASD and NYSE have found that operation of a complaint registry has enhanced their ability to discharge their regulatory responsibilities and each SRO has devoted substantial resources to the development of its respective system, the Commission believes it would be appropriate to permit both SROs to play an integral role in the creation of a shared customer complaint registry. At the same time, the dual registry approach would accomplish the goal of maintaining customer complaints against a particular salesperson or firm in a single location and providing access to that information on a regular basis to the Commission and all SROs that have a regulatory interest.

B. Applicability of the Proposed Rule

Proposed Rule 17a–24 would require every broker-dealer, registered national securities exchange and registered securities association and the MSRB to forward copies of all written customer complaints they receive concerning a broker-dealer's securities business, whether sales-related or operational in nature, to the appropriate complaint registry designated by the Commission.[9] In this regard, the Commission solicits comments on whether it would be more efficient or less burdensome to either the SROs, the MSRB or broker-dealers to permit, in lieu of forwarding a copy of the actual complaint to the registry, the submission of a summary of the vital data contained in the complaint to the registry. In addition, proposed Rule 17a–24 would require the SROs, the MSRB and broker-dealers promptly to forward written advice of the ultimate disposition of customer complaints. It appears that extension of this requirement to broker-dealers is warranted since affording an SRO access to information concerning the action taken by a broker-dealer in response to a customer complaint should enhance an SRO's ability to monitor the effectiveness of a broker-dealer's internal compliance procedures, and also may provide additional insight regarding the gravity of a complaint. However, since many broker-dealers, particularly smaller ones, may not have formalized procedures for disposing of customer complaints, the Commission solicits comments on whether this requirement would be unduly burdensome for broker-dealers and, if so, whether a less burdensome means of obtaining the desired information is available to the Commission.

C. Access to Data Contained in any Designated Registry

Proposed Rule 17a–24 would limit access to the information contained in the designated registry or registries to the Commission and any other appropriate regulatory agency, the SROs and the MSRB for any legitimate regulatory purpose.

D. Information To Be Contained in any Designated Registry

Proposed Rule 17a–24 would require that any information contained in the designated registry or registries must at a minmum be retrievable on the basis of certain distinct identifiers. With respect to those customer complaints, however, which do not contain certain of the identifiers set forth in paragraph (d), the proposed rule would not impose a duty upon SROs or broker-dealers to obtain the missing information before forwarding a copy of the complaint to the designated registry. In the course of investigating such complaints, however, it is anticipated that all of the information required by paragraph (d) normally would come to the attention of the investigating broker-dealer or SRO, in which event the broker-dealer or SRO is required to forward the missing information to the designated registry.

E. Transfer of Registry Data Between Designated Registries

The proposed rule sets forth the procedures to be followed upon a transfer of a broker-dealer or an associated person to the jurisdiction (for the purposes of maintaining customer complaint information) of a different SRO in the event that more than one complaint registry is designated by the Commission.

Specifically, since the Commission is proposing to designate the complaint system maintained by the NYSE as the appropriate registry for all customer complaints pertaining to NYSE members and their associated persons and the system maintained by the NASD as the appropriate complaint registry with respect to all other customer complaints, the proposed rule would require the NYSE, upon the transfer of a broker-dealer or its associated person from the regulatory jurisdiction of the NYSE to that of another SRO, to make complete registry data concerning that firm or associated person available to the NASD for inclusion in the NASD's registry. Similarly, upon the transfer of a broker-dealer or its associated person to the regulatory jurisdiction of the NYSE, the NASD would be required to make registry data concerning such broker-dealer or associated person available to the NYSE for inclusion in the NYSE's registry.

III. Statutory Basis

Proposed Rule 17a–24 would be promulgated under the Act and particularly Sections 3, 9, 11A, 15, 17 and 23 thereof (15 U.S.C. 78c, 78i, 78k–1, 78o, 78q, 78w).

On the basis of the above discussion and analysis the Commission is proposing to amend Part 240 of Chapter II of Title 17 of the Code of Federal Regulations by adding § 240.17a–24 to read as follows:

[9] In addition, the Commission will forward copies of customer complaints it receives to the appropriate complaint registry.

PART 240—GENERAL RULES AND REGULATIONS, SECURITIES EXCHANGE ACT OF 1934

§ 240.17a-24 Customer complaint registries.

(a) The Commission shall by order designate one or more self-regulatory organizations to maintain registries for the receipt and maintenance of information concerning written securities-related customer complaints concerning registered brokers and dealers and their associated persons.

(b) Every registered broker and dealer, national securities exchange and registered securities association, and the MSRB shall forward promptly to the appropriate complaint registry designated by the Commission pursuant to paragraph (a) of this section:

(1) Each written securities-related customer complaint which they receive and any data set forth in paragraph (d) not contained in the complaint, necessary to resolve the complaint, and

(2) Advice of any final disposition by such broker-dealer, exchange or securities association, or the MSRB, with respect to any customer complaint contained in the registry.

(c) Information contained in a designated complaint registry shall be made available to the Commission and any other appropriate regulatory agency, any registered national securities exchange, any registered securities association and the MSRB, for any legitimate regulatory purposes.

(d) The information contained in a designated complaint registry must at a minimum be accessible on the basis of the following identifiers:

(1) The name of the registered broker or dealer who is the subject of the customer complaint,

(2) The name of any associated person of the registered broker or dealer who is the subject of the customer complaint,

(3) The branch office of the registered broker or dealer which is the subject of the customer complaint, or at which an associated person of the registered broker or dealer is employed,

(4) The name of the customer submitting the complaint,

(5) The date of the customer complaint,

(6) The nature of the customer complaint,

(7) The type of security involved in the customer complaint, and

(8) The disposition of the customer complaint.

(e) If responsibility for the receipt and maintenance of customer complaint information concerning a registered broker or dealer, or associated person thereof, changes, the self-regulatory organization responsible for maintaining the information prior to the time of transfer must forward promptly such information to the self-regulatory organization that assumes responsibility for its maintenance.

Section 23(a)(2) of the Act requires the Commission, in making rules under the Act, to consider the anticompetitive effects of such regulation and to balance any anticompetitive impacts against the regulatory benefits gained in terms of furthering the purposes of the Act. In this regard, the Commission does not perceive any anticompetitive effects as a result of the adoption of the Rule.

Interested persons are invited to submit written presentations of views, data and arguments concerning proposed Rule 17a-24 under the Act and the issues discussed above. Persons wishing to make such submissions should file ten copies thereof with George A. Fitzsimmons, Secretary, Securities and Exchange Commission, Room 892, 500 North Capitol Street, Washington, D.C. 20549, not later than March 20, 1981. All submissions should refer to File No. S7-873, and will be available for public inspection at the Commission's Public Reference Room, Room 6106, 1100 L Street NW., Washington, D.C. 20549.

By the Commission.

George A. Fitzsimmons,

Secretary.

February 19, 1981.

[FR Doc. 81-6437 Filed 2-25-81; 8:45 am]

BILLING CODE 8010-01-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[A-5-FRL 1762-6]

Approval and Promulgation of Implementation; Ohio

AGENCY: U.S. Environmental Protection Agency.

ACTION: Extension of the public comment period.

SUMMARY: On January 27, 1981 the U.S. Environmental Protection Agency proposed rulemaking on portions of the Ohio State Implementation Plan (SIP) for sulfur dioxide (46 FR 8575). At the time of the proposed rulemaking a 30-day public comment period was provided. However, in response to a request by the Ohio Environmental Protection Agency for additional time to comment, the public comment period is extended to March 30, 1981.

DATE: Comments must be received on or before Monday, March 30, 1981.

ADDRESSES: Comments should be submitted to: Gary Gulezian, Chief, Regulatory Analysis Section, USEPA, Region V, 230 South Dearborn Street, Chicago, Illinois 60604

FOR FURTHER INFORMATION CONTACT: Debra Marcantonio, Air Programs Branch, USEPA, Region V, 230 S. Dearborn Street, Chicago, Illinois 60604, (312) 886-6088.

Dated: February 20, 1981.

Valdas V. Adamkus,

Acting Regional Administrator.

[FR Doc. 81-6443 Filed 2-25-81; 8:45 am]

BILLING CODE 6560-38-M

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40 CFR Part 420

[WH-FRL-1762-4]

Iron and Steel Manufacturing Point Source Category Effluent Limitations Guidelines; Pretreatment Standards and New Source Performance Standards

AGENCY: Environmental Protection Agency (EPA).

ACTION: Extension of comment period.

SUMMARY: On January 7, 1981, EPA proposed a regulation under the Clean Water Act for pollutant discharges from steel mills (46 FR 1858-1907). The comment period was scheduled to expire March 9, 1981. EPA is hereby extending the period for comment to April 8, 1981, because some of the industry did not receive the development document until four weeks after the beginning of the comment period.

DATE: Comments on the proposed regulation for the steel industry must be submitted to EPA by April 8, 1981.

ADDRESS: Send comments to Mr. Ernst P. Hall, Effluent Guidelines Division (WH-552), Environmental Protection Agency, 401 M St., S.W., Washington, D.C. 20460, Attention: EGD Docket Clerk, Proposed Iron and Steel Manufacturing Rules (WH-552).

The supporting information and all comments on the proposal will be available for inspection and copying at the EPA Public Information Reference Unit, Room 2404 (Rear) PM-213. The EPA information regulation (40 CFR Part 2) provides that a reasonable fee may be charged for copying.

FOR FURTHER INFORMATION CONTACT: Mr. Ernst P. Hall, (202) 426-2726.

SUPPLEMENTARY INFORMATION: On January 7, 1981, EPA proposed a regulation to limit effluent discharges to

waters of the United States and the introduction of pollutants into publicly owned treatment works from the steel industry (46 FR 1858–1907). These facilities are primarily involved in producing intermediate and finished steel products. Comments on the proposal were to be submitted on or before March 9, 1981. Industry representatives have petitioned for an extension of the comment period because their review and comments on costs and feasibility of the proposed regulation cannot be completed within the present comment period.

EPA has decided to concur with this request. All comments on the proposed regulation must be submitted by April 8, 1981.

Dated: February 19, 1981.

James N. Smith,

Acting Assistant Administrator for Water and Waste Management.

[FR Doc. 81-6435 Filed 2-25-81; 8:45 am]

BILLING CODE 6560-29-M

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40 CFR Part 465

[WH-FRL 1762-1]

Coil Coating Point Source Category Effluent Limitations Guidelines; Pretreatment Standards and New Source Performance Standards

AGENCY: Environmental Protection Agency (EPA).

ACTION: Extension of comment period.

SUMMARY: On January 12, 1981, EPA proposed a regulation under the Clean Water Act for pollutant discharges from coil coating (46 FR 2934). The comment period was scheduled to expire March 13, 1981. EPA is hereby extending the period for comment to April 13, 1981, because the regulated community is currently responding to standards proposed under the Clean Air Act, and the administrative record was not fully available for review in a timely manner after the beginning of the comment period.

DATE: Comments on the proposed regulation for coil coating must be submitted to EPA by April 13, 1981.

ADDRESS: Send comments to Mr. Ernst P. Hall, Effluent Guidelines Division (WH-552), Environmental Protection Agency, 401 M St., S.W., Washington, D.C. 20460, Attention: EGD Docket Clerk, Proposed Coil Coating Rules (WH-552).

FOR FURTHER INFORMATION CONTACT: Mr. Ernst P. Hall, (202) 426-2726.

SUPPLEMENTARY INFORMATION: On January 12, 1981, EPA proposed a regulation to limit effluent discharges to waters of the United States and the introduction of pollutants into publicly owned treatment works from coil coating (46 FR 2934). Comments on the proposal were to be submitted on or before March 13, 1981. Industry representatives have petitioned for an extension of the comment period because their review and comments on costs and feasibility of the proposed regulation cannot be completed within the present comment period. EPA has decided to concur with this request. All comments on the proposed regulation must be submitted by April 13, 1981.

The supporting information and all comments on the proposal will be available for inspection and copying at the EPA Public Information Reference Unit, Room 2404 (Rear) PM-213. The EPA information regulation (40 CFR Part 2) provides that a reasonable fee may be charged for copying.

Dated: February 19, 1981.

James N. Smith,

Acting Assistant Administrator for Water and Waste Management.

[FR Doc. 81-6436 Filed 2-25-81; 8:45 am]

BILLING CODE 6560-29-M

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 67

[Docket No. FEMA 6000]

National Flood Insurance Program; Proposed Flood Elevation Determinations

AGENCY: Federal Insurance Administration, FEMA.

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed base (100-year) flood elevations listed below and proposed changes to base flood elevations for selected locations in the nation. These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

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

ADDRESSES: See table below.

FOR FURTHER INFORMATION CONTACT: Mr. Robert G. Chappell, National Flood Insurance Program, (202) 426-1460 or Toll Free Line (800) 424-8872 (In Alaska and Hawaii call Toll Free Line (800) 424-9080) Federal Emergency Management Agency, Washington, D.C. 20472.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of the proposed determinations of base (100-year) flood elevations for selected locations in the nation, in accordance with section 110 and section 206 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)), 42 U.S.C. 4001-4128, and 44 CFR Part 67.4(a) (presently appearing at its former Title 24, Chapter 10, Part 1917.4 (a)).

These elevations, together with the flood plain management measures required by section 60.3 (formerly Section 1910.3) of the program regulations, are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

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

Proposed Base (100-Year) Flood Elevations

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)
Colorado	Fruita (Town), Mesa County	Little Salt Wash	Intersection of Washington Place and U.S. Highways 6 and 50	*4,484
			Intersection of Ottley Avenue with the channel	*4,496
			Intersection of Mesa Street with the channel	*4,501
			Intersection of Maple Street with the channel	*4,509
Maps available for inspection at Town Hall, Fruita, Colorado.				
Send comments to Honorable Wallace Downer, P.O. Box 638, Fruita, Colorada 81521.				
Illinois	(V), Albany, Whiteside County	Mississippi River	At downstream corporate limits	*587
			At upstream corporate limits	*588
Maps available for inspection at the Village Hall, Lime Street, Albany, Illinois.				
Send comments to Honorable Penny Price, Village President, Village of Albany, Village Hall, Lime Street, Albany, Illinois 61230.				
Illinois	(V), Cordova, Rock Island County	Mississippi River	At downstream corporate limits	*583
			At upstream corporate limits	*584
Maps available for inspection at the Village Hall, P.O. Box 6, Cordova, Illinois.				
Send comments to Honorable Charles Snook, Mayor, Village of Cordova, Village Hall, P.O. Box 6, Cordova, Illinois 61242.				
Illinois	(V), Swansea, St. Clair County	Richland Creek	About 800 feet downstream of Louisville and Nashville Railroad	*500
			Just downstream of State Route 161	*500
			About 300 feet upstream of State Route 161	*506
			About 2,600 feet upstream of State Route 161	*507
		Wolf Branch	Just downstream of State Route 161	*500
			Just upstream of State Route 161	*507
			Just downstream of Smelting Works Road	*510
			Just upstream of Smelting Works Road	*516
Maps available for inspection at the Swansea Village Hall, 1209 North Illinois, Belleville, Illinois.				
Send comments to Honorable Donald R. Melhorn, Village President, Village of Swansea, Swansea Village Hall, 1209 North Illinois, Belleville, Illinois 62221.				
Illinois	(V), Wauconda, Lake County	Bangs Lake Drain	About 800 feet downstream of U.S. Route 12	*763
			Just upstream of Main Street	*776
			At confluence of Garland Road Tributary	*776
		Kimball Avenue Tributary	Within corporate limits	*776
		Willow Road Creek	About 1,400 feet above mouth	*766
			About 3,700 feet above mouth	*774
		Garland Road Tributary	About 900 feet upstream of Neil Avenue	*776
Maps available for inspection at the Village Hall, 101 North Main Street, Wauconda, Illinois.				
Send comments to Honorable John Kuester, Jr., Mayor, Village of Wauconda, Village Hall, 101 North Main Street, Wauconda, Illinois 60084.				
Illinois	(Unincorporated), Will County	Des Plaines River	At downstream county boundary	*510
			Just downstream of Brandon Lock and Dam	*515
			Just upstream of Brandon Lock and Dam	*540
			At downstream City of Cresthill corporate limits	*545
			About 1,100 feet downstream of Stateville Road	*552
			About 1,200 feet downstream of Ninth Street	*562
			About 200 feet downstream of Materials Service Road and Dam	*568
			About 100 feet upstream of Materials Service Road and Dam	*572
			About 100 feet upstream of 135th Street	*586
			At upstream county boundary	*592
		Kankakee River	Just upstream of County Line Road	*510
			Just downstream of Atchison, Topek and Santa Fe Railroad	*512
			Just upstream of Illinois Central Gulf Railroad	*513
			About 300 feet downstream of U.S. Route 66	*517
			At confluence of Prairie Creek	*523
			At downstream City of Wilmington corporate limit	*531
			About 1.0 mile upstream of Wilmington Dam	*540
			Just upstream of Norfolk and Western Railway	*548
			About 1,200 feet upstream of confluence of Ryans Creek	*551
		Forked Creek	About 4,100 feet downstream Kahler Road	*546
			About 100 feet upstream of Kahler Road	*548
			About 1,100 feet upstream of Ballou Road	*553
			About 1,400 feet downstream of Norfolk and Western Railway	*556
			About 100 feet upstream of Norkfolk and Western Railway	*558
			Just downstream of Ritchie Road	*559
			About 2,300 feet upstream of Ritchie Road	*560
		Lily Cache Creek	Mouth at Du Page River	*592
			Just upstream of U.S. Route 30	*593
			About 200 feet upstream of Renwick Road	*595
			About 100 feet upstream of Lockport Road	*598
			About 2,000 feet upstream of Lockport Road	*599
			About 300 feet downstream of Railroad Spur	*602
			Just downstream of Taylor Road	*604
			About 800 feet upstream of Taylor Road	*606
			About 200 feet downstream of State Route 126	*610
			Just downstream of Quarry Road	*614
			Just upstream of Quarry Road	*616
			Just downstream of Essington Road	*622
			Just upstream of Essington Road	*623
			About 250 feet downstream of 127th Street	*626
			About 450 feet upstream of 127th Street	*628
			About 650 feet downstream of 119th street	*632
			About 300 feet upstream of 119th street	*634
			About 250 feet downstream of Weber Road	*648

Proposed Base (100-Year) Flood Elevations—Continued

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)
			About 500 feet upstream of Naperville Road	*656
			About 1.0 mile upstream of Naperville Road	*662
			Just upstream of Schmidt Road	*672
			About 1,000 feet upstream of Schmidt Road	*674
			About 600 feet upstream of Preston Drive	*723
			About 300 feet downstream of Murphy Road	*726
			About 1,700 feet upstream of Murphy Road	*730
			Just downstream of Boughton Road	*738
			At upstream county boundary	*741
		Lily Cache Tributary	Mouth at Lily Cache Creek	*673
			About 250 feet upstream of Woodcreek Road	*680
			About 150 feet upstream of Village of Bolingbrook corporate limits	*694
		Fiddyment Creek	Mouth at Illinois and Michigan Canal	*583
			Just downstream of State Street	*594
			Just upstream of Oak Street	*623
			Just downstream of Farrell Road	*656
		Spring Creek	About 700 feet upstream of Joliet and Eastern Railway	*565
			About 1,000 feet downstream of Farrell Road	*620
			About 100 feet downstream of Farrell Road	*625
			About 350 feet upstream of Farrell Road	*628
			About 450 feet downstream of farm bridge	*632
			Just upstream of farm bridge	*635
			About 2,500 feet upstream of Gougan Road	*638
			Just downstream of Cedar Road	*666
			Just downstream of Bruce Road	*670
			Just upstream of Bruce Road	*675
			Just upstream of Parker Road	*679
			At upstream county boundary	*685
		Spring Creek Tributary	About 2,100 feet downstream of Voiletta Avenue	*594
			Just upstream of Voiletta Avenue	*623
			About 2,400 feet upstream of Voiletta Street	*645
		Plum Creek	Just upstream of Stegar Road	*645
			About 3,600 feet upstream of Stegar Road	*646
			Just downstream of Faithhorn Road	*668
			About 8,000 feet upstream of Faithhorn Road	*675
			About 11,600 feet upstream of Faithhorn Road	*682
			About 500 feet downstream of Unnamed Road	*688
			About 100 feet upstream of Chicago, Milwaukee, St. Paul and Pacific Railroad.	*692
			Just downstream of State Route 1	*707
		Thorn Creek	About 1.15 miles downstream of Monee Road	*698
			About 0.28 mile upstream of Monee Road	*720
		Deer Creek	About 4,700 feet downstream of Kings Road	*696
			Just upstream of Kings Road	*710
			About 3,000 feet downstream of Western Avenue (downstream crossing).	*727
			About 100 feet upstream of Exchange Road	*738
			About 1.6 miles upstream of Exchange Road	*744
		Hickory Creek	Mouth at Des Plaines River	*517
			About 800 feet downstream of McKinley Avenue	*521
			About 250 feet downstream of Gardner Street	*532
			About 800 feet upstream of Elgin, Joliet and Eastern Railway	*563
			About 3,500 feet upstream of Elgin, Joliet and Eastern Railway	*572
			Just downstream of Lincoln Highway	*580
			Just upstream of Interstate 80	*612
			Just upstream of Vine Street	*622
			About 350 feet downstream of Norfolk and Western Railway	*637
			Just upstream of Chicago, Rock Island and Pacific Railroad	*648
			Just downstream of Wolf Road	*663
		Sugar Run	Mouth at Des Plaines River	*519
			Just upstream of Illinois Central Gulf Railroad (downstream crossing)	*540
			Just downstream of Illinois Central Gulf Railroad (upstream crossing)	*552
			About 250 feet downstream of State Route 53	*564
			Just upstream of Mills Road	*670
			Just downstream of Wildwood Lane	*588
			About 100 feet upstream of Chicago, Milwaukee, St. Paul and Pacific Railroad.	*598
			Just downstream of Old Manhattan Road	*622
		Long Run	About 1,700 feet downstream of State Route 171	*644
			About 300 feet upstream of Cedar Road	*660
			Just downstream of Will Cook Road	*686
		Sunnyland Drain	Just downstream of Caton Farm Road	*591
			Just upstream of U.S. Route 30	*606
			Just upstream of Gaylord Road	*619
			About 100 feet upstream of Elgin, Joliet and Eastern Railway	*625
		Sunnyland Drain Tributary	Just upstream of U.S. Route 30	*606
			Just upstream of Elgin, Joliet and Eastern Railway	*610
		Hammel Creek	About 1,500 feet downstream of Raven Road	*597
			Just downstream of River Road	*617
		Naperville Road Tributary	Mouth at Lily Cache Creek	*652
			Just downstream of Naperville Road	*656
			About 100 feet upstream of Naperville Road	*659
			About 1,650 feet upstream of Lily Cache Lane	*664
		Manhattan Road Ditch	Mouth at Sugar Run	*607
			About 70 feet downstream of Manhattan Road	*612
			About 300 feet upstream of Elgin, Joliet and Eastern Railway	*615

Proposed Base (100-Year) Flood Elevations—Continued

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)
		Illinois and Michigan Canal	About 3.2 miles downstream of Interstate 55 Southbound	*528
			About 6,000 feet downstream of Interstate 55 Southbound	*530
			About 700 feet upstream of Belt Line Road	*531
			Just upstream of Channahon Road	*534
			Confluence with Des Plaines River	*544
			About 100 feet upstream of confluence of Fraction Run	*571
			Just downstream of Will Cook Road	*583
		Du Page River	Just upstream of U.S. Route 6	*523
			About 500 feet upstream of Shepley Road	*540
			About 100 feet upstream of Chicago, Rock Island and Pacific Railroad.	*545
			About 200 feet upstream of Interstate 80	*556
			About 1,100 feet upstream of Seil Road	*568
			About 300 feet upstream of Black Road	*584
			Just upstream of State Route 59	*594
			About 1,200 feet upstream of Renwick Road	*599
			About 100 feet downstream of 111th Street	*622
		West Branch Du Page River	Confluence of East Branch Du Page River	*632
			About 1.5 miles upstream of confluence of East Branch Du Page River.	*641
		East Branch Du Page River	Confluence of Du Page River	*632
			About 450 feet upstream of Joliet Road	*636
			About 100 feet downstream of Schmith Road	*644
			At upstream county boundary	*649
		Rock Run	At confluence with Illinois and Michigan Canal	*530
			About 100 feet downstream of Chicago, Rock Island and Pacific Railroad.	*543
			About 100 feet upstream of Chicago, Rock Island and Pacific Railroad	*546
			About 1,000 feet downstream of confluence of Rock Run Slough	*550
			About 300 feet upstream of Humbolt Road	*572
			About 1,800 feet upstream of Black Road	*576
			About 2,800 feet upstream of Essington Road	*581
		Rock Run Tributary No. 1	About 125 feet downstream of Essington Road	*581
			About 75 feet upstream of Rosary Lane	*586
			Just upstream of Cassie Drive	*596
			About 300 feet upstream of Barber Lane	*608
		Rock Run Tributary No. 2	At confluence with Rock Run	*575
			About 40 feet upstream of Timberline Road	*600
			About 180 feet upstream of Essington Road	*613
		Rock Run Tributary No. 3	At confluence with Rock Run	*575
			Just upstream Cemetary entrance (downstream crossing)	*598
			About 1,700 feet upstream of Rebecca Road	*619
		Rock Run Slough	Confluence with Rock Run	*554
			Just downstream of Troy Street	*572
			At divergence from Rock Run	*576
		Rock Run South	At City of Joliet corporate limits (about 700 feet downstream of private road).	*516
			Just upstream of Chicago, Rock Island and Pacific Railroad	*522
			About 2,350 feet upstream of Chicago, Rock Island and Pacific Railroad.	*522

Maps available for inspection at the County Planning Commission, County Building, 14 West Jefferson Street, Joliet, Illinois.

Send comments to Honorable Lyman Tieman, Chairman of the County Board, Will County, County Building, 14 West Jefferson Street, Joliet, Illinois 60431.

Indiana	(C), Terre Haute, Vigo County	Wabash River	About 2.3 miles downstream of Interstate 70	*468
			About 0.5 mile upstream Interstate 70	*470
			Upstream corporate limit	*476
		Thompson Ditch	Just upstream Margaret Avenue	*500
			Just upstream Wallace Road	*506
			Just downstream Reservoir Dam	*515
		Lost Creek	Mouth at Wabash River	*476
			Upstream Louisville and Nashville Railroad	*491
			Just downstream Maple Avenue	*498
			Just upstream Fruitridge Avenue	*505
			Upstream corporate limit	*509
		East Branch Lost Creek	At mouth	*495
			Just upstream Conrail	*497
			Just upstream Chicago, Milwaukee St. Paul and Pacific Railroad	*497
		Lost Creek Tributary	Just upstream Beech Street	*506
			0.34 mile upstream of Beech Street	*508
		Little Lost Creek	At mouth	*509
			0.4 mile upstream from mouth	*513
			0.7 mile upstream from mouth	*515

Maps available for inspection at the Executive Director's Office, Courthouse Annex, 120 S. 7th Street, Terre Haute, Indiana.

Send comments to Honorable Gary Brott, Executive Director of Area Plan Development, Terre Haute, Courthouse Annex, 120 S. 7th Street, Terre Haute, Indiana 47807.

Kansas	(C), Topeka, Shawnee County	Kansas River	At downstream corporate limits	*876
			Just upstream of Sardou Avenue	*882
			Just upstream of Topeka Avenue	*886
			About 1.2 miles upstream of U.S. Highway 75	*894
		Shunganunga Creek	About 600 feet downstream of confluence of Deer Creek	*877
			Just upstream of Atchison, Topeka and Santa Fe Railway	*895
			Just upstream of Van Buren Street	*900
			Just upstream of Washburn Avenue	*906
			About 2,400 feet downstream of Gage Boulevard	*920
			About 300 feet upstream of Gage Boulevard	*924

Proposed Base (100-Year) Flood Elevations—Continued

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)
			Just downstream of Fairlawn Road	*935
			About 0.9 mile upstream of West 29th Street	*951
		Dear Creek	At confluence with Shunganunga Creek	*878
			About 1,750 feet downstream of East 6th Street	*883
			Just upstream of East 6th Street	*891
			Just downstream of Interstate 70	*895
			Just downstream of 21st Street	*900
			At the upstream corporate limits	*914
		Butcher Creek	Mouth at Shunganunga Creek	*898
			Just downstream of East 25th Street	*906
			Just upstream of East 25th Street	*912
			Just downstream of East 29th Street	*923
			About 1,800 feet upstream of East 29th Street	*924
			Just downstream of East 37th Street	*952
			Just downstream of Interstate 470	*970
		South Branch Shunganunga Creek.	At confluence with Shunganunga Creek	*913
			About 450 feet upstream of West 37th Street	*927
		Indian Creek	About 725 feet upstream confluence with Soldier Creek	*879
			At upstream corporate limits	*882
		West Fork Butcher Creek	Mouth at Butcher Creek	*944
			Just downstream of Interstate 470	*968
Maps available for inspection at the City-County Planning Commission, 820 Southeast Quincy, Suite 512, Topeka, Kansas.				
Send comments to Honorable J. H. Schlegel II, Director of Planning, City of Topeka, 820 Southeast Quincy, Suite 512, Topeka, Kansas 66612.				
Maryland	Annapolis, City, Anne Arundel County.	Chesapeake Bay	Entire shoreline within Corporate Limits	*7
Maps available for inspection at the Municipal Building, Duke of Gloucester Street, Annapolis, Maryland.				
Send comments to Honorable John Apostol, Mayor of Annapolis, Municipal Building, Box 1688, Duke of Gloucester Street, Annapolis, Maryland 21404.				
Maryland	Highland Beach, Town, Anne Arundel County.	Chesapeake Bay	Entire shoreline within Corporate Limits	*7
Maps available for inspection by contacting Mayor Gary Browne, at (202) 727-1851.				
Send comments to Honorable Gary Browne, Mayor of Highland Beach, 2525 North Capitol Street, N.E., Washington, D.C. 20002.				
Michigan	(C), Kentwood, Kent County	Plaster Creek	At downstream corporate limits	*678
			About 200 feet downstream of 44th Street	*700
			Just upstream of 52nd Street	*717
			Just downstream of 60th Street	*731
		Little Plaster Creek	About 500 feet downstream of State Highway 37	*692
			Just downstream of 28th Street	*721
		Whiskey Creek	At the confluence with Little Plaster Creek	*696
			Approximately 200 feet downstream of State Highway 37 (near upstream corporate limits).	*714
			About 600 feet upstream of State Highway 37 (near upstream corporate limits).	*720
Maps available for inspection at the Clerk's Office, City Hall, 4900 Brenton, S.E., Kentwood, Michigan.				
Send comments to Honorable Marvin Hoeflinger, Mayor, City of Kentwood, City Hall, 4900 Brenton, S.E., Kentwood, Michigan 49508.				
Minnesota	(C), Hermantown, St. Louis County	Keene Creek	Approximately 1,200 feet downstream of Okerstrom Road (located 2,460 feet downstream of Morris Thomas Road).	*1,220
			About 220 feet downstream of Okerstrom Road (located 2,460 feet downstream of Morris Thomas Road).	*1,235
			About 270 feet upstream of Okerstrom Road (located 2,460 feet downstream of Morris Thomas Road).	*1,249
			About 80 feet downstream of Morris Thomas Road	*1,267
			About 80 feet upstream of Morris Thomas Road	*1,281
			Just downstream of Okerstrom Road (located 2,410 feet downstream of Hermantown Road).	*1,281
			Just upstream of Okerstrom Road (located 2,410 feet downstream of Hermantown Road).	*1,285
			About 120 feet downstream of Hermantown Road	*1,286
			Just downstream of Hermantown Road	*1,288
		Miller Creek	About 25 feet upstream of Haines Road	*1,335
			About 300 feet downstream of U.S. Highway 53 (northbound) (located 1,100 feet upstream of Haines Road).	*1,337
			Just upstream of U.S. Highway 53 (southbound) (located 1,160 feet upstream of Haines Road).	*1,343
			Just upstream of U.S. Highway 53 (northbound) (located 2,690 feet upstream of Haines Road).	*1,349
			About 230 feet downstream of Arrowhead Road	*1,350
			About 1,200 feet downstream of Swan Lake Road	*1,352
			Just downstream of Swan Lake Road	*1,356
Maps available for inspection at the Hermantown City Hall, 3161 Maple Grove Road, Duluth, Minnesota.				
Send comments to Honorable Helmer A. Ruth, Mayor, City of Hermantown, Hermantown City Hall, 3161 Maple Grove Road, Duluth, Minnesota 55611.				
Minnesota	(C), Pine City, Pine County	Cross Lake	Shoreline	*939
		Snake River	Mouth at Cross Lake	*939
			About 2,300 feet upstream of northbound Interstate 35	*943

Proposed Base (100-Year) Flood Elevations—Continued

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)
Maps available for inspection at the City Hall, 4th Avenue and 6th Street, Pine City, Minnesota.				
Send comments to Honorable Keith Selleck, Mayor, City of Pine City, City Hall, 4th Avenue and 6th Street, Pine City, Minnesota 55063				
New York	Union Springs, Village, Cayuga County.	Cayuga Lake	Entire shoreline within Village	*386
		Tributary No. 2	Confluence with Cayuga Lake	*386
			Factory Street, 700' below State Route 90 (Upstream)	*390
			Just below outlet of culvert for State Route 90 (Downstream)	*406
			At inlet of culvert for State Route 90 (Upstream)	*419
Maps available for inspection at the Village Hall, Factory Street, Union Springs, New York.				
Send comments to Honorable Earl Fox, Mayor of Union Springs, Village Hall, Factory Street, Union Springs, New York 13160.				
North Carolina	City of Albermarle, Stanly County	Long Creek	275 feet upstream from Charlotte Highway	*426
			100 feet upstream from West Main Street	*435
		Little Long Creek	75 feet upstream of U.S. 73	*430
			At U.S. 52	*450
		Poplin Creek	Just downstream of Winston Salem Southbound Railroad	*427
			125 feet upstream of Norwood Hwy (U.S. 52-N.C. 73)	*433
		Town Creek	80 feet upstream of Snuggs Street	*454
		Melchor Branch	100 feet downstream of North Second Street	*455
			100 feet downstream of Smith Street	*505
Maps available for inspection at City Hall, 144 North 2nd Street, Albermarle, North Carolina 28001.				
Send comments to Mayor Carlton B. Holt or Mr. Jack F. Neel, City Manager, City Hall, 144 North 2nd Street, Albermarle, North Carolina 28001.				
North Carolina	City of Lincolnton, Lincoln County	Lithia Inn Branch	Just upstream of Laboratory Road	*760
			Approximately 140 feet upstream of U.S. Highway 321A	*770
		Walker Branch	Just upstream of U.S. Highway 321A	*766
			Approximately 50 feet downstream of North Flint Street	*777
		Clark Creek	At North Grove Street	*765
		South Fork Catawba River	Approximately 140 feet upstream of Madison Street	*762
			Approximately 300 feet at upstream of Riverine Road	*764
Maps available for inspection at City Hall, West Sycamore Street, Lincolnton, North Carolina 28092.				
Send comments to Mayor W. M. Lentz or Mr. David E. Lowe, City Administrator, City Hall, West Sycamore Street, Lincolnton, North Carolina 28092.				
North Carolina	Unincorporated areas of Lincoln County.	South Fork Catawba River	Just downstream of State Route 1242	*720
			Just upstream of State Route 1242	*720
			Just downstream of State Route 1248	*745
			Just upstream of State Route 1248	*746
			Just downstream of State Route 1252	*750
			Just upstream of State Route 1252	*751
			Just downstream of State Route 1470	*764
			Just upstream of State Route 1470	*764
			Just downstream of State Route 1008	*770
			Just upstream of State Route 1008	*771
		Indian Creek	Just downstream of State Route 1250	*751
			Just upstream of State Route 1252	*752
			Just downstream of State Route 1175	*763
			Just upstream of State Route 1175	*764
			Just downstream of State Highway 150	*768
			Just upstream of State Highway 150	*769
			Just downstream of State Route 1177	*770
			Just upstream of State Route 1177	*771
			Just downstream of State Route 1169	*775
			Just upstream of State Route 1169	*777
		Clark Creek	Just downstream of State Route 1008	*765
			Just upstream of State Route 1008	*765
			Just downstream of State Route 1282	*772
			Just upstream of State Route 1282	*774
		Walker Branch	Just downstream of U.S. Highway 321A	*765
			Just upstream of U.S. Highway 321A	*767
			Just downstream of U.S. Highway 321 (State Highway 150)	*790
			Just upstream of U.S. Highway 321 (State Highway 150)	*792
		Lithia Inn Branch	Just downstream of a point which is 1,500 feet upstream of U.S. Highway 321A.	*777
			Just upstream of a point 1,500 feet upstream of U.S. Highway 321A	*779
Maps available for inspection at Lincoln County Courthouse, Lincolnton, North Carolina 28092.				
Send comments to Mr. Fred M. Houser, County Manager or Mr. Leon Harmon, Assistant Manager, Lincoln County Courthouse, Lincolnton, North Carolina 28092.				
North Carolina	Town of Mount Airy, Surry County	Ararat River	Just upstream Pine Street (State Highway 103)	*1,015
			Just upstream Linville Road (State Road 1727)	*1,028
		Lovills Creek	Just upstream of U.S. Highway 601	*997
			Just upstream of U.S. Highway 52 Business	*1,039
Maps available for inspection at Town Hall, 300 South Main Street, Mount Airy, North Carolina 27030.				
Send comments to Mayor W. M. Boarner or Mr. S. L. Spencer, City Manager, City Hall, 300 South Main Street, Mount Airy, North Carolina 27030.				
North Carolina	Unincorporated areas of Stanly County.	Long Creek	At State Highway 24-27	*418
			Just downstream of State Highway 1401	*478
		Little Long Creek	100 feet downstream of Morgan Road	*414
			50 feet upstream of State Highway 1524	*524
		Rock Creek	Approximately 2,300 feet upstream of confluence with Poplin Creek	*430

Proposed Base (100-Year) Flood Elevations—Continued

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)
		Town Creek	Just downstream of State Highway 1421	*487
		Melchor Branch	Approximately 100 feet downstream of Ridge Street	*515
Maps available for inspection at Stanly County Courthouse, 201 South Second Street, Albemarle, North Carolina 28001.				
Send comments to Mr. William Forbes, County Manager, Stanly County Courthouse, 201 South Second Street, Albemarle, North Carolina 28001.				
North Carolina	Unincorporate areas of Surry County.	Ararat River	Just upstream of U.S. Highway 52 Bypass	*993
			Just upstream of U.S. Highway 52 Business	*1,003
			Just upstream State Highway 103 (Pine Street)	*1,015
			Just upstream Linville Road (SR 1727)	*1,028
			Just upstream State Highway 104	*1,090
		Lovills Creek	Just upstream of State Road 1371	*1,003
			Just upstream State Road 1841 (Independence Boulevard)	*1,018
			Just upstream Greenville Road (SR 1700)	*1,084
		Stewart Creek	Just upstream of State Road 2000	*992
			Just upstream State Road 2258	*1,002
			Just upstream U.S. Highway 601	*1,006
			Just upstream State Road 1350	*1,043
			Just upstream State Highway 89	*1,060
			Just upstream State Road 1621	*1,125
		Pauls Creek	Just upstream of Pipers Gap Road (State Road 1624)	*1,109
Maps available for inspection at Surry County Courthouse, Commissioner's Office, Dobson, North Carolina 27017.				
Send comments to Mr. Fletcher Harris, Chairman or Mr. Eddie Bondurant, County Manager, Surry County Courthouse, Dobson, North Carolina 27017.				
North Carolina	Town of Wingate, Union County	Meadow Branch	Just upstream of Jeffry Circle extended	*524
			Just downstream of East Wilson Street	*529
		Meadow Branch West	Just downstream of East Wilson Street	*530
Maps available for inspection at Town Hall, U.S. Highway 74 West, Wingate, North Carolina 28174.				
Send Comments to Mayor George Gerding or Mr. Tony E. Maye, Mayor Pro-Tem, Town Hall, U.S. Highway 74 West, Wingate, North Carolina 28174.				
Ohio	(C), Centerville, Montgomery County.	Centerville Tributary	At downstream county boundary	*817
			Just upstream of abandoned bridge	*871
			Just downstream of Bigger Road	*878
			Just upstream of Bigger Road	*882
			Just downstream of Forest Brook Boulevard near Bigger Road	*887
			Just upstream of Forest Brook Boulevard near Bigger Road	*893
			Just downstream of Clyo Road	*898
		Whites Corner Tributary	At downstream county boundary	*882
			Just upstream of Alexandersville-Bellbrook Road	*900
			About 0.67 mile upstream of Alexandersville-Bellbrook Road	*943
		Sugar Creek	At downstream county boundary	*818
			Approximately 500 feet downstream Clyo Road	*918
Maps available for inspection at the Office of the City Clerk, City Hall, 100 West Spring Valley Road, Centerville, Ohio.				
Send comments to Honorable J. V. Stone, Mayor, City of Centerville, City Hall, 100 West Spring Valley Road, Centerville, Ohio 45459.				
Oregon	Amity (City), Yamhill County	Salt Creek	Approximately 300 feet west of intersection of 2nd Street and Enos Street.	*135
			Approximately 150 feet west of intersection of Roth Street and Getchell Street.	*135
Maps available for inspection at City Hall, Trade & Maddox, Amity, Oregon.				
Send comments to Honorable Adolph Nielson, P.O. Box 126, Amity, Oregon 97101.				
Pennsylvania	Jackson, Township, Snyder County.	Penns Creek	Approximately 1,840' downstream of Township Route 486 (Extended).	*468
			Approximately 5,280' upstream of Township Route 486 (Extended)	*474
			Approximately 5,350' downstream of State Route 204	*489
			Approximately 3,340' upstream of State Route 204	*498
Maps available for inspection at the residence of Ms. Virginia Frantz, Township Secretary, R.D. 1, Winfield, Pennsylvania.				
Send comments to Honorable John Marks, Chairman of the Jackson Board of Supervisors, R.D. 1, Winfield, Pennsylvania 17889.				
Pennsylvania	Manchester, Township, York County.	Codorus Creek	Downstream Corporate Limits	*347
			Emig Road (Upstream)	*351
			Conrail (Upstream)	*360
			Upstream corporate Limits	*363
		Little Conewago Creek	Downstream Corporate Limits	*330
			Approximately 6,850' upstream of Corporate Limits	*335
		Tributary 1	Approximately 400' upstream of confluence with Little Conewago Creek.	*367
			Private Drive approximately 870' upstream of confluence with Little Conewago Creek (Upstream).	*371
			Private Drive approximately 3,000' of confluence with Little Conewago Creek (Upstream).	*396
			Greenbriar Road (Downstream)	*442
			Greenbriar Road (Upstream)	*447
		Tributary 2	Confluence with Codorus Creek	*347
			Emig Road approximately 2,160' upstream of confluence with Codorus Creek (Upstream).	*354
			Emig Road approximately 4,380' upstream of confluence with Codorus Creek (Upstream).	*362
			Conrail (Downstream)	*376

Proposed Base (100-Year) Flood Elevations—Continued

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)
			Conrail (Upstream)	*380
			Church Road (Upstream)	*382
			Approximately 9,140' upstream of confluence with Codorus Creek	*408
		Tributary 3	Confluence with Tributary 2	*355
			Conrail Culvert (Upstream)	*364
			Private Drive approximately 2,970' upstream of confluence with Tributary 2 (Upstream).	*374
		Tributary 4	Confluence with Codorus Creek	*361
			Interstate 83 (Upstream)	*369
			South George Street (Upstream)	*375
			Private Drive approximately 7,300' upstream of confluence with Codorus Creek (Upstream).	*382
			Private Drive approximately 9,000' upstream of confluence with Codorus Creek (Upstream).	*391
			Susquehanna Trail (Upstream)	*403
			Approximately 75' upstream of Susquehanna Trail	*404
Maps available for inspection at the Township Building, R.D. 22, Manchester, Pennsylvania.				
Send comments to Honorable Tim Horner, Chairman of the Manchester Board of Supervisors, R.D. 22, Box 60, York, Pennsylvania 17402.				
Pennsylvania	Manheim, Borough, Lancaster County.	Chickies Creek	Power Road	*397
			Downstream of State Route 772	*399
			Downstream of East Steigel Street	*401
			Downstream of East High Street	*401
		Rife Run	Confluence with Chickies Creek	*392
			Upstream of West High Street	*393
			Upstream of Colebrook Street	*399
			Upstream Corporate Limits (4th crossing)	*406
Maps available for inspection at the Borough Hall, Manheim, Pennsylvania.				
Send comments to Honorable J. Loverne Hiestand, Mayor of Manheim, 21 East High Street, Manheim; Pennsylvania 17545.				
Pennsylvania	South Middleton, Township, Cumberland County.	Yellow Breeches Creek	Confluence of Boiling Springs Run	*472
			Confluence of Old Town Run	*460
			Upstream side of Whiskey Spring Road	*491
			Approximately 250' upstream of Conrail bridge	*502
			Approximately 1,700' downstream of State Route 34	*512
			Approximately 2,900' upstream of State Route 34	*522
			Upstream Corporate Limits	*533
		Boiling Springs Run	Confluence with Yellow Breeches Creek	*472
			Downstream side of Macadam Road	*477
			Upstream side of Macadam Road	*481
		Old Town Run	Confluence with Yellow Breeches Creek	*480
			Upstream side of Private Drive	*491
			Approximately 1,000' upstream of T-529	*501
			Approximately 1,340' downstream of Conrail bridge	*511
			Downstream side of Conrail bridge	*522
		Mountain Creek	Confluence with Yellow Breeches Creek	*504
			Approximately 275' upstream of Ladnor Lane	*514
			Approximately 3,100' upstream of Ladnor Lane	*524
			Upstream Corporate Limits	*536
			Approximately 150' downstream of Conrail bridge	*538
			Upstream side of Conrail bridge	*544
		Letort Spring Run	Downstream Corporate Limits	*455
			Approximately 2,850' upstream of Interstate 81 North	*457
Maps available for inspection at the South Middleton Township Building, Mount Holly Springs, Pennsylvania.				
Send comments to Honorable Lauren D. Metcalf, Chairman of the South Middleton Board of Supervisors, Box 58, Mount Holly Springs, Pennsylvania 17065.				
Pennsylvania	Swatara, Township, Lebanon County.	Swatara Creek	Downstream Corporate Limits	*400
			Approximately 2,000' upstream side of State Route 72	*409
			Approximately 1,000' downstream side of U.S. Route 22	*412
			Confluence of Oil Creek	*419
			Upstream side of State Route 343	*426
			Upstream side of Legislative Route 38049	*434
			Upstream side of Township Route 575	*443
			Approximately 1,290' upstream of upstream Interstate 81 crossing	*449
		Little Swatara Creek	Confluence with Swatara Creek	*409
			Approximately 4,600' upstream of South Lancaster Street	*410
		Monroe Creek	Confluence with Swatara Creek	*432
			Approximately 0.83 mile upstream of second driveway crossing	*443
			Upstream Corporate Limits	*452
Maps available for inspection at the Township Municipal Building, Swatara, Pennsylvania.				
Send comments to Honorable Donald Strauss, Chairman of the Swatara Board of Supervisors, Route 1, Jonestown, Pennsylvania 17038.				
South Carolina	City of Florence, Florence County	Jeffries Creek	Just upstream of South Irby Street (U.S. Highways 52 and 301)	*89
			Just downstream of Deberry Boulevard	*93
			Just upstream of West Palmetto Street	*100
		Pye Creek	Just upstream of East Pine Street	*111
		Beaverdam Creek	Just downstream of northern most crossing of corporate limits	*102
Maps available for inspection at City-County Complex, Development Division, Florence, South Carolina 29501.				
Send comments to Mayor C. Cooper Tedder or Mr. Thomas W. Edwards, Jr., City Manager, City-County Complex, Florence, South Carolina 29501.				

Proposed Base (100-Year) Flood Elevations—Continued

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)
South Dakota	Rapid City (City), Pennington County.	Lime Creek	Intersection of Lime Creek and Hall Street	*3,333
			160 feet downstream of intersection of Lime Creek and Academy Road.	*3,531
		Robbinsdale Drain	Intersection of Robbinsdale Drain and State Highway 79	*3,193
			Intersection of Robbinsdale Drain and Centennial Street	*3,310
		Arrowhead Drain	70 feet upstream of intersection of Arrowhead Drain and Tomahawk Drive.	*3,342
			Intersection of Arrowhead Drain and Horsecreek Road	*3,419
		Rapid Creek	50 feet downstream of intersection of Rapid Creek and East St. Patrick Street.	*3,145
			Intersection of Rapid Creek and Jackson Boulevard	*3,313
		Rapid Creek	30 feet downstream of intersection of Rapid Creek and State Highway 44 (Upstream Crossing).	*3,418
		Red Rock Canyon	50 feet upstream of intersection of Red Rock Canyon and Copper Hill Drive.	*3,390
			20 feet upstream of intersection of Redrock Canyon and Idlewild Court.	*3,418
		Cleghorn Canyon	Intersection of Cleghorn Canyon and State Highway 44	*3,393
Maps available for inspection at City Hall, 22 Main Street, Rapid City, South Dakota 57701.				
Send comments to Honorable Art Lacroix, 22 Main Street, Rapid City, South Dakota 57701.				
Washington	Douglas County (unincorporated areas).	Douglas Creek At Palisades	Intersection of Palisades Road with the channel (near Unnamed Canyon 2).	*812
			Confluence with Sutherland Canyon	*873
			Confluence with Whiskey Dick Creek	*958
Maps available for inspection at Planning Department, 110 N.E. 3rd., East Wenatchee, Washington.				
Send comments to Honorable Eugene Weimerskirch, Box 456, Waterville, Washington 98801.				
Washington	Island County (unincorporated areas).	Puget Sound	At Useless Bay—approximately 2,000 feet northeast along Shore Avenue from its intersection with Double Bluff Road.	*7
			At Mutiny Bay—at the intersection of South Mutiny Bay Road and Fish Road.	*8
			At Mutiny Bay West—approximately 2,000 feet west along Adams Road from its intersection with Grigware Road.	*9
			At Lagoon Point—at the intersection of Steelhead Drive and Salmon Street.	*9
			At Maxwelton—intersection of Maxwelton Road and Swede Hill Road.	*9
			At Admiralty Bay—along Keystone Road where it parallels the shoreline of the bay.	*11
		Strait of Juan de Fuca	At Swantown—along the western side of West Beach Road where it parallels the shoreline of the Strait for approximately 4,000 feet south of Whidbey Island Naval Reservation.	*10
		Port Susan	At Sunny Shore Avenue—approximately 1,800 feet north of the intersection of East Camano Drive and Beach Way.	*9
			At Driftwood Shores	*11
		Saratoga Passage	At Rodena Beach—approximately 5,100 feet north of the intersection of State Highway 20 and Morris Road.	*9
			At East Point—approximately 3,800 feet east of the intersection of Baby Island Road and Fox Spit Road.	*11
		Holmes Harbor	At Dines Point—approximately 5,000 feet north of the intersection of Classic Road and Resort Road.	*9
		Dugualla Bay	Approximately 2,000 feet north along State Highway 20 from its intersection with Frostad Road.	*2
Maps available for inspection at Island County Courthouse, N.E. 6th and Main Street, Coupeville, Washington.				
Send comments to Honorable R. W. Christiansen, P.O. Box 750, Coupeville, Washington 98239.				
Washington	Lewis County (unicorporated areas).	Skookumchuck River	50 feet downstream from center of JW Downing Road	*201
		Chehalis River	Intersection of Southgate Drive and Oakland Avenue	*169
			300 feet upstream from center of Elk Creek Road	*307
			300 feet upstream from center of State Highway 6	*366
		South Fork Chehalis River	50 feet upstream from center of Boistfort Road	*227
		Newaukum River	Intersection of Taylor Road (South) and Jackson Highway	*261
		South Fork Newaukum River	100 feet upstream from center of Gish Road	*376
		North Fork Newaukum River	200 feet upstream from center of North Fork Road	*271
		Middle Fork Newaukum River	200 feet downstream from center of Tauscher Road	*300
		Tilton River	Intersection of State Highway 7 and Lester Road	*940
		South Fork Tilton River	Intersection of river and center of State Highway 7	*1,040
		Cispus River	Intersection of Park Lane and Firwood Drive (North)	*1,192
		Cowlitz River	Intersection of Main Street and U.S. Highway 12	#3
			Intersection of Ray Road (West) and Ray Road	*100
			Intersection of Cispus Road and Woods Creek Road	*888
		China Creek	Intersection of Halliday Road and Little Hanaford Road	*191
		Coffee Creek	250 feet upstream from center of Lowery Lane	*206
		Dillenbaugh Creek	Intersection of creek and center of Bishop Road	*200
		Berwick Creek	50 feet downstream from center of Jackson Highway	*268
		Hanalord Creek	200 feet downstream from center of Big Hanaford Road	*202
		Salzer Creek	Intersection of Alvord Road and State Street East	*176
		Salzer Creek Middle Fork	200 feet downstream from center of Salzer Valley Road	*192
		Salzer Creek South Fork	Intersection of Proffitt Road and Salzer Road	*189
		Salzer Creek North Fork	100 feet upstream from center of Salzer Valley Road	*193
		Lake Creek (Tributary to South Fork Chehalis River).	400 feet downstream from center of King Road	*236
		Elk Creek	200 feet upstream from center of Elk Creek Road	*307
		Lake Creek (Tributary to Tilton River).	150 feet downstream from center of Temple Road	*936

Proposed Base (100-Year) Flood Elevations—Continued

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)
		Big Creek	Intersection of Nisqually Way and Osborn Road	*1,756
		Olequa Creek	100 feet upstream from center of Arnonen Road	*132
			50 feet upstream from center of North Military Road	*449
		Mineral Creek	Intersection of creek and center of Mineral Creek Road	*1,426
		Roundtop Creek	25 feet upstream from center of Mineral Creek Road	*1,393
		Lacamas Creek	Intersection of Frost Road and Jackson Highway	*352
		Siler Creek	100 feet upstream from center of Cispus Road	*904
		No Name Creek (Tributary to Siler Creek).	300 feet downstream from center of Cispus Road	*914
		Surrey Creek	The area south of Silverbrook Road, 800 feet west of the intersection of the creek and Silverbrook Road.	*908
		Silver Creek	50 feet upstream from center of U.S. Highway 12	*915
		Hall Creek	50 feet downstream from center of Snyder Road	*1,054
		Coal Creek	50 feet upstream from center of Coal Creek Road	*203
Maps available for inspection at Planning Department, 344 West Main, Chehalis, Washington.				
Send comments to the Honorable Harold Cooper, P.O. Box 790, Chehalis, Washington 98532.				
Wisconsin	(V), Mazomanie, Dane County	Black Earth Creek	About 2,800 feet downstream of Bridge Road (at westernmost corporate limit).	*764
			Just downstream of State Street	*771
			About 300 feet downstream of Hudson Street	*775
			About 100 feet upstream of Crescent Street	*778
Maps available for inspection at the Office of the Village Clerk, Village Hall, Mazomanie, Wisconsin.				
Send comments to Honorable Rich Royston, Village President, Village of Mazomanie, Village Hall, Mazomanie, Wisconsin 53560.				
Wisconsin	(Unincorporated), Rock County	Rock River	At Beloit's upstream corporate limits	*749
			Approximately 0.35 mile upstream of Eau Claire Road	*757
			Janesville corporate limits, approximately 0.39 mile upstream of confluence of Fisher Creek.	*761
			Just upstream of U.S. Highway 14	*778
			At upstream county boundary	*784
		Yahara River	At confluence with Rock River	*781
			Just downstream of Fulton Dam	*787
			Just upstream of Fulton Dam	*794
			Just downstream of Caledonia Road	*798
			Just downstream of Stebbinsville Dam	*805
			Just upstream of Stebbinsville Dam	*814
		Sugar River	At downstream county boundary	*743
			Just upstream of Nelson Road	*755
			Just upstream of Beloit-Newark Road	*761
			Just downstream of County Highway T, at upstream county boundary	*764
		Raccoon Creek	At downstream county boundary	*741
			Just upstream of Lawrence Avenue	*752
			Just upstream of Mill Pond Dam	*759
			Just downstream of State Highway 81	*772
		Unnamed Tributary No. 1 to Raccoon Creek.	At confluence with Raccoon Creek	*761
			Just upstream of State Highway 81	*772
			Just upstream of Beloit-Newark Road	*804
		Unnamed Tributary No. 2 to Raccoon Creek.	At confluence with Unnamed Tributary Number 1 to Raccoon Creek	*762
			Just upstream of State Highway 81	*774
			Just upstream of County Highway H	*787
			Just downstream of Beloit-Newark Road	*826
		Otter Creek	Just upstream of County Line Road	*783
			Just downstream of State Highway 26	*821
			Just downstream of Klug Road	*835
			Just upstream of Klug Road	*840
			Just downstream of Bowers Road	*859
		Marsh Creek	Confluence with Rock River	*777
			Just upstream of County Highway E	*785
			Approximately 125 feet downstream of Chicago and North Western railroad.	*787
			Just upstream of Chicago and North Western railroad	*793
			Approximately 140 feet downstream of Burdick Road	*839
			Just upstream of Burdick Road	*843
			Just upstream of Gravel Drive	*860
			Just upstream of Polzin Road	*878
			Just downstream of State Highway 184	*881
		Bass Creek	Mouth at Rock River	*755
			Just upstream of a dam located about 0.22 mile downstream of County Highway D.	*760
			Just upstream of Johnson Road	*772
			Just upstream of Schaffner Road	*791
			Just upstream of Old State Highway 11	*804
		Turtle Creek	At City of Beloit corporate limits, located about 0.53 mile downstream of the Chicago, Milwaukee, St. Paul and Pacific Railroad.	*760
			Approximately 100 feet upstream of Milwaukee Road	*774
			Just upstream of Shopiere Road	*796
			Just upstream of Interstate 90	*802
			Just upstream of Sweet Allyn Park Dam	*816
			Just upstream of State Highway 140	*831
			Just upstream of Carvers Rock Road	*840
			About 2.1 miles upstream of Johnson Road	*856

Proposed Base (100-Year) Flood Elevations—Continued

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)
		Unnamed Tributary No. 1 to Turtle Creek.	At confluence with Turtle Creek	*821
			Just downstream of Milton-Shopiere Road	*843
			About 150 feet upstream of Elm Drive	*856
		Unnamed Tributary No. 2 to Turtle Creek.	At confluence with Turtle Creek	*819
			Just upstream of Chicago and North Western railroad	*853
			Just upstream of State Highway 15	*876
			Just upstream of Buss Road	*898
			Just downstream of County Highway J	*906
		East Fork Raccoon Creek	At downstream state boundary	*746
			Just upstream of Lawrence Avenue	*753
			Just upstream of State Highway 81	*763
			Just downstream of Spring Creek Road	*770
		Unnamed Tributary to East Fork Raccoon Creek.	At confluence with East Fork Raccoon Creek	*755
			Just upstream of State Highway 81	*761
			Just upstream of Spring Creek Road	*784
			Just downstream of Beloit-Newark Road	*814
		Spring Brook	City of Beloit corporate limits at Chicago, Milwaukee, St. Paul and Pacific Railroad, located approximately 3,170 feet upstream of Townhall Road.	*827
			Just downstream of second Chicago, Milwaukee, St. Paul and Pacific Railroad bridge at the Beloit corporate limits, about 0.9 mile downstream of Walker Road.	*835
			Just upstream of second Chicago, Milwaukee, St. Paul and Pacific Railroad bridge at the Beloit corporate limits, about 0.9 mile downstream of Walker Road.	*847
			Just upstream of Walker Road	*854
			Approximately 100 feet upstream of Gustafson Road	*884
			Just downstream of Clinton Corners Road	*911

Maps available for inspection at the Office of the Director of Planning, Rock County Courthouse, 51 South Main Street, Janesville, Wisconsin.

Send comments to Honorable Glen Bobzien, County Board Chairman, Rock County, Rock County Courthouse, 51 South Main Street, Janesville, Wisconsin 53545

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended (42 U.S.C. 4001–4128); Executive Order 12127, 44 FR 19367; and delegation of authority to Federal Insurance Administrator)

Issued: February 10, 1981.

Richard W. Krimm,

Acting Administrator, Federal Insurance Administration.

[FR Doc. 81-6413 Filed 2-25-81; 8:45 am]

BILLING CODE 6718-03-M

44 CFR Part 67

[Docket No. FEMA 5853]

National Flood Insurance Program; Proposed Flood Elevation Determinations; Correction

AGENCY: Federal Insurance Administration, FEMA.

ACTION: Proposed rule; correction.

SUMMARY: This document corrects a Notice of Proposed Determinations of base (100-year) flood elevations for selected locations in the Township of Pohatcong, Warren County, New Jersey, previously published at 45 FR 49613 on July 25, 1980, and in the *Easton Express* on June 30, 1980, and July 7, 1980.

EFFECTIVE DATE: February 26, 1981.

FOR FURTHER INFORMATION CONTACT: Mr. Robert G. Chappell, Federal Emergency Management Agency, Federal Insurance Administration, National Flood Insurance Program, (202) 426–1460 or Toll Free Line (800) 424–8872 (In Alaska and Hawaii call Toll Free Line (800) 424–9080), Washington, D.C. 20472.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of the correction to the Notice of Proposed Determinations of base (100-year) flood elevations for selected locations in the Township of Pohatcong, Warren County, New Jersey, previously published at 45 FR 49613 on July 25, 1980, and in the *Easton Express* on June 30, 1980, and July 7, 1980, in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90–448)), 42 U.S.C. 4001–4128, and 44 CFR 67.4(a).

In order for the following locations in the Township of Pohatcong to be more easily identified with the corresponding Flood Insurance Study (profiles) and Flood Insurance Rate Maps, the locations and elevations listed below have been amended to read as follows. The remainder of the Notice of Proposed base flood elevations was correct as published.

Source of flooding and location	Elevation in feet, national geodetic vertical datum
Delaware River:	
Approximately 7,600' upstream of confluence of Pohatcong Creek	173
Musconetcong River:	
Upstream of Riegel Paper Company Dam	255

Source of flooding and location	Elevation in feet, national geodetic vertical datum
Pohatcong Creek:	
Approximately 400' downstream of State Route 519	193
Tributary 1 to Pohatcong Creek:	
Approximately 300' upstream of Still Valley Road	218
Upstream side of Conrail Bridge	239

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; Executive Order 12127, 44 FR 19367; and delegation of authority to Federal Insurance Administrator)

Issued: February 10, 1981.

Richard W. Krimm,

Acting Administrator, Federal Insurance Administration.

[FR Doc. 81-6412 Filed 2-25-81; 8:45 am]

BILLING CODE 6718-03-M

44 CFR Part 67

[Docket No. FEMA 5966]

National Flood Insurance Program; Proposed Flood Elevation Determinations; Correction

AGENCY: Federal Insurance Administration, FEMA.

ACTION: Proposed rule; correction.

SUMMARY: This document corrects a Notice of Proposed Determinations of base (100-year) flood elevations for selected locations in the Town of Stony Point, Rockland County, New York, previously published at 45 FR 85118 on December 24, 1980, and in the *Rockland County Times* on December 11, 1980, and December 18, 1980.

EFFECTIVE DATE: February 26, 1981.

FOR FURTHER INFORMATION CONTACT: Mr. Robert G. Chappell, Federal Emergency Management Agency, Federal Insurance Administration, National Flood Insurance Program (202) 426–1460 or Toll Free Line (800) 424–8872 (In Alaska and Hawaii call Toll Free Line (800) 424–9080) Washington, D.C. 20472.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of the correction to the Notice of Proposed Determinations of base (100-year) flood elevations for selected locations in the Town of Stony Point, Rockland County, New York, previously published at 45 FR 85118 on December 24, 1980, and in the *Rockland County Times* on December 11, 1980, and December 18, 1980, in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90–448)), 42 U.S.C. 4001–4128, and 44 CFR 67.4(a).

Due to a clerical error the address at which maps are available for inspection was published incorrectly. The correct address is Town Hall, 74 East Main Street, Stony Point, New York.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; Executive Order 12127, 44 FR 19367; and delegation of authority to Federal Insurance Administrator)

Issued: February 10, 1981.

Richard W. Krimm,

Acting Administrator, Federal Insurance Administration.

[FR Doc. 81-6411 Filed 2-25-81; 8:45 am]

BILLING CODE 6718-03-M

Notices

Federal Register
Vol. 46, No. 38
Thursday, February 26, 1981

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Forest Service

Payette National Forest Grazing Advisory Board; Meeting

The Payette National Forest Grazing Advisory Board will meet at 1 PM, April 1, 1981, at the District Forest Ranger's Office, Council, Idaho. The purpose of this meeting is for the Board to make recommendations on the utilization of Range Betterment funds for fiscal year 1981, discuss status of allotment management planning and elect officers.

The meeting will be open to the public. Persons who wish to attend should notify Bert Kulesza, Payette National Forest, McCall, Idaho, 634-2255. Written statements may be filed with the Board before or after the meeting.

Dated: February 19, 1981.

Kenneth D. Weyers,

Forest Supervisor.

[FR Doc. 6495 Filed 2-25-81; 8:45 am]

BILLING CODE 3410-11-M

Soil Conservation Service

Carbon Hill Watershed; Montana

AGENCY: Soil Conservation Service, Department of Agriculture.

ACTION: Notice of deauthorization of Federal funding.

FOR FURTHER INFORMATION CONTACT: Buell M. Ferguson, Director, Project Development and Maintenance, Soil Conservation Service, Department of Agriculture, P.O. Box 2890, Washington, D.C. 20013 (202-447-3527).

NOTICE: Pursuant to the Watershed Protection and Flood Prevention Act, Pub. L. 83-566, and the Soil Conservation Service Guidelines (7 CFR 622), the Soil Conservation Service gives notice of the deauthorization of Federal funding for the Carbon Hill Watershed project, Custer County, Montana, effective on February 6, 1981.

(Catalog of Federal Domestic Assistance Program No. 10.904, Watershed Protection and Flood Prevention Program. Office of Management and Budget Circular No. A-95 regarding State and local clearinghouse review of Federal and federally assisted programs and projects is applicable)

Dated: February 10, 1981.

Joseph W. Haas,

Deputy Chief for Natural Resource Projects.

[FR Doc. 81-6383 Filed 2-25-81; 8:45 am]

BILLING CODE 3410-16-M

Burt Lake Community Park Water-Based Recreation RC&D Measure, Michigan

AGENCY: Soil Conservation Service, Agriculture.

ACTION: Notice of a finding of no significant impact.

FOR FURTHER INFORMATION CONTACT: Mr. Jerry L. Keller, Acting State Conservationists, Soil Conservation Service, 1405 South Harrison Road, East Lansing, Michigan 48823, telephone 517-337-6702.

NOTICE: Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969; the Council on Environmental Quality Guidelines (40 CFR Part 1500); and the Soil Conservation Service Guidelines (7 CFR Part 650); the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the Burt Lake Community Park Water-Based Recreation RC&D Measure, Cheboygan County, Michigan.

The environmental assessment of this federally assisted action indicates that the project will not cause significant local, regional, or national impacts on the environment. As a result of these findings, Mr. Jerry L. Keller, Acting State Conservationist, has determined that the preparation and review of an environmental impact statement are not needed for this project.

The measure concerns a plan for the purchae of land and installation of basic facilities for public water-based recreation. The planned works of improvement include purchase of 720 feet of lake frontage and the installation of a bathhouse with restroom facilities, playground equipment, a boundary fence, a parking area, and a park sign. Total construction cost is estimated to be $62,000; $31,000 RC&D funds and $31,000 local funds. Land acquisition cost is estimated to be $300,000; RC&D funds and local funds will pay 50 percent each.

The notice of a finding of no significant impact (FNSI) has been forwarded to the Environmental Protection Agency. The basic data developed during the environmental assessment are on file and may be reviewed by contacting Mr. Jerry L. Keller. The FNSI has been sent to various Federal, State, and local agencies and interested parties. A limited number of copies of the FNSI are available to fill single copy requests at the above address.

Implementation of the proposal will not be initiated until March 30, 1981.

(Catalog of Federal Domestic Assistance Program No. 10.901, Resource Conservation and Development Program. Office of Management and Budget Circular No. A-95 regarding State and local Clearinghouse review of Federal and federally assisted programs and projects is applicable.)

Dated: February 6, 1981.

David G. Unger,

Associate Chief, Soil Conservation Service.

[FR Doc. 81-6392 Filed 2-25-81; 8:45 am]

BILLING CODE 3410-16-M

Cheboygan Dam Critical Area Treatment and Water-Based Recreation RC&D Measure, Michigan

AGENCY: Soil Conservation Service, Agriculture.

ACTION: Notice of a finding of no significant impact.

FOR FURTHER INFORMATION CONTACT: Mr. Jerry L. Keller, Acting State Conservationist, Soil Conservation Service, 1405 South Harrison Road, East Lansing, Michigan 48823, telephone 517-337-6702.

NOTICE: Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969; the Council on Environmental Quality Guidelines (40 CFR Part 1500); and the Soil Conservation Service Guidelines (7 CFR Part 650); the Soil Conservation Service, U.S. Department of Agriculture, give notice that an environmental impact statement is not being prepared for the Cheboygan Dam Critical Area Treatment and Water-Based Recreation RC&D Measure, Cheboygan County, Michigan.

The environmental assessment of this federally assisted action indicates that the project will not cause significant local, regional, or national impacts on the environment. As a result of these findings, Mr. Jerry L. Keller, Acting State Conservationist, has determined that the preparation and review of an environmental impact statement are not needed for this project.

The measure concerns a plan for the installation of practices for critical area treatment and facilities for public water-based recreation. The planned works of improvement include shaping and grading the nearly vertical escarpment, placing riprap along the water's edge, an erosion control structure, a diversion to divert surface water to the erosion control structure, 1 acre of seeding and mulching, three timbered stairs, and rustic fencing. Recreation facilities include an access road, two parking areas, toilet facilities, and a gravel walkway. Total construction cost is estimated to be $209,000; $143,200 RC&D funds and $65,800 Department of Natural Resources funds.

The Notice of a Finding of No Significant Impact (FNSI) has been forwarded to the Environmental Protection Agency. The basic data developed during the environmental assessment are on file and may be reviewed by contacting Mr. Jerry L. Keller. The FNSI has been sent to various Federal, State, and local agencies and interested parties. A limited number of copies of the FNSI are available to fill single copy requests at the above address.

Implementation of the proposal will not be initiated until March 30, 1981.

(Catalog of Federal Domestic Assistance Program No. 10.901, Resource Conservation and Development Program. Office of Management and Budget Circular No. A-95 regarding State and local Clearinghouse review of Federal and federally assisted programs and projects is applicable)

Dated: February 6, 1981.

David G. Unger,

Associate Chief, Soil Conservation Service.

[FR Doc. 81-6393 Filed 2-25-81; 8:45 am]

BILLING CODE 3410-16-M

Cherokee Recreation Area No. 1 Critical Area Treatment RC&D Measure, Oklahoma

AGENCY: Soil Conservation Service, Agriculture.

ACTION: Notice of a finding of no significant impact.

FOR FURTHER INFORMATION CONTACT: Mr. Roland R. Willis, State Conservationist, Soil Conservation Service, Agricultural Center Office Building, Farm Road and Brumley Street, Stillwater, Oklahoma 74074, telephone 405-624-4360.

NOTICE: Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969; the Council on Environmental Quality Guidelines (40 CFR Part 1500); and the Soil Conservation Service Guidelines (7 CFR Part 650); the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the Cherokee Recreation Area #1 Critical Area Treatment RC&D Measure, Cherokee County, Oklahoma.

The environmental assessment of this federally assisted action indicates that the project will not cause significant local, regional, or national impacts on the environment. As a result of these findings, Mr. Roland R. Willis, State Conservationist, has determined that the preparation and review of an environmental impact statement are not needed for this project.

The measure concerns a plan for critical area treatment for erosion control. The planned works of improvement include gravel filters, gabions, vegetation, and fertilizing.

The Notice of a Finding of No Significant Impact (FNSI) has been forwarded to the Environmental Protection Agency. The basic data developed during the environmental assessment are on file and may be reviewed by contacting Mr. Roland R. Willis. The FNSI has been sent to various Federal, State, and local agencies and interested parties. A limited number of copies of the FNSI are available to fill single copy requests at the above address.

Implementation on the proposal will not be initiated until March 30, 1981.

(Catalog of Federal Domestic Assistance Program No. 10.901, Resource Conservation and Development Program. Office of Management and Budget Circular No. A-95 regarding State and local Clearinghouse review of Federal and federally assisted programs and projects is applicable.)

Dated: February 9, 1981.

David G. Unger,

Associate Chief.

[FR Doc. 81-6394 Filed 2-25-81; 8:45 am]

BILLING CODE 3410-16-M

Indian Lake Land Drainage RC&D Measure, Michigan

AGENCY: Soil Conservation Service, Agriculture.

ACTION: Notice of a finding of no significant impact.

FOR FURTHER INFORMATION CONTACT: Mr. Homer R. Hilner, State Conservationist, Soil Conservation Service, 1405 South Harrison Road, East Lansing, Michigan 48823, telephone 517-337-6702.

NOTICE: Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969; the Council on Environmental Quality Guidelines (40 CFR Part 1500); and the Soil Conservation Service Guidelines (7 CFR Part 650); the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the Indian Lake Land Drainage RC&D Measure, Schoolcraft County, Michigan.

The environment assessment of this federally assisted action indicates that the project will not cause significant local, regional, or national impacts on the environment. As a result of these findings, Mr. Homer R. Hilner, State Conservationist, has determined that the preparation and review of an environmental impact statement are not needed for this project.

The measure concerns a plan for the installation of measures for land drainage. The planned works of improvement include a 1,400 linear foot concrete tube with 24 inch diameter surface inlets, and approximately 1.1 acres of construction area will be prepared for a seedbed, fertilized, seeded, and mulched. Total construction cost is estimated to be $23,200; $11,200 RC&D funds and $12,000 local funds.

The Notice of a Finding of No Significant Impact (FNSI) has been forwarded to the Environmental Protection Agency. The basic data developed during the environmental assessment are on file and may be reviewed by contacting Mr. Homer R. Hilner. The FNSI has been sent to various Federal, State, and local agencies and interested parties. A limited number of copies of the FNSI are available to fill single copy requests at the above address.

Implementation of the proposal will not be initiated until March 30, 1981.

(Catalog of Federal Domestic Assistance Program No. 10.901, Resource Conservation and Development Program. Office of Management and Budget Circular No. A-95 regarding State and local Clearinghouse review of Federal and federally assisted programs and projects is applicable)

Dated: February 10, 1981.

Joseph W. Haas,

Deputy Chief for Natural Resource Projects.

[FR Doc. 81-6395 Filed 2-25-81; 8:45 am]

BILLING CODE 3410-16-M

Lewis Creek Critical Area Treatment RC&D Measure, California

AGENCY: Soil Conservation Service, Agriculture.

ACTION: Notice of a finding of no significant impact.

FOR FURTHER INFORMATION CONTACT: Mr. Francis C. H. Lum, State Conservationist, Soil Conservation Service, 2828 Chiles Road, Davis, California 95616; telephone 916-758-2200.

NOTICE: Pursuant to Section 201(2)(C) of the National Environmental Policy Act of 1969; the Council on Environmental Quality Guidelines (40 CFR Part 1500); and the Soil Conservation Service Guidelines (7 CFR Part 650); the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the Lewis Creek Critical Area Treatment RC&D Measure in Monterey and San Benito Counties, California.

The environmental assessment of this federally assisted action indicates that the project will not cause significant local, regional, or national impacts on the environment. As a result of these findings, Mr. Francis C. H. Lum, State Conservationist, has determined that the preparation and review of an environmental impact statement are not needed for this project.

The measure concerns a plan for critical area treatment. The planned works of improvement include erosion control practices such as channel bank stabilization, minor grading and shaping, and revegetation of exposed and critically eroding areas.

The Notice of a Finding of No Significant Impact (FNSI) has been forwarded to the Environmental Protection Agency. The basic data developed during the environmental assessment are on file and may be reviewed by contacting Mr. Francis C. H. Lum. The FNSI has been sent to various Federal, State, and local agencies and interested parties. A limited number of copies of the FNSI are available to fill single copy requests at the above address.

Implementation of the proposal will not be initiated until March 30, 1981.

(Catalog of Federal Domestic Assistance Program No. 10.901, Resource Conservation and Development Program. Office of Management and Budget Circular No. A-95 regarding State and local Clearinghouse review of Federal and federally assisted programs and projects is applicable)

Dated: February 10, 1981.

Joseph W. Haas,

Deputy Chief for Natural Resource Projects.

[FR Doc. 81-6396 Filed 2-25-81; 8:45 am]

BILLING CODE 3410-16-M

Mahaska Lake Water-Based Recreation RC&D Measure, Iowa

AGENCY: Soil Conservation Service, Agriculture.

ACTION: Notice of a finding of no significant impact.

FOR FURTHER INFORMATION CONTACT: Mr. William J. Brune, State Conservationist, Soil Conservation Service, 693 Federal Building, 210 Walnut Street, Des Moines, Iowa 50309, telephone 515-284-4260.

NOTICE: Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969; the Council on Environmental Quality Guidelines (40 CFR Part 1500); and the Soil Conservation Service Guidelines (7 CFR Part 650); the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the Mahaska Lake Water-Based Recreation RC&D Measure, Mahaska County, Iowa.

The environmental assessment of this federally assisted action indicates that the project will not cause significant local, regional, or national impacts on the environment. As a result of these findings, Mr. William J. Brune, State Conservationist, has determined that the preparation and review of an environmental impact statement are not needed for this project.

The measure concerns a plan for water-based recreational development. The planned works of improvement include a water impoundment, picnic tables, grills, parking lots, picnic shelters, access roads, a boat dock, vault toilets, a boat ramp, fishing jetties, trails, playground equipment, grass seeding, electricity, and fencing.

The Notice of a Finding of No Significant Impact (FNSI) has been forwarded to the Environmental Protection Agency. The basic data developed during the environmental assessment are on file and may be reviewed by contacting Mr. William J. Brune. The FNSI has been sent to various Federal, State, and local agencies and interested parties. A limited number of copies of the FNSI are available to fill single copy requests at the above address.

Implementation of the proposal will not be initiated until March 30, 1981.

(Catalog of Federal Domestic Assistance Program No. 10.901, Resource Conservation and Development Program. Office of Management and Budget Circular No. A-95 regarding State and local Clearinghouse review of Federal and federally assisted programs and projects is applicable)

Dated: February 6, 1981.

David G. Unger,

Associate Chief, Soil Conservation Service.

[FR Doc. 81-6397 Filed 2-25-81; 8:45 am]

BILLING CODE 3410-16-M

Otsego Lake County Park Water-Based Recreation RC&D Measure, Michigan

AGENCY: Soil Conservation Service, Agriculture.

ACTION: Notice of a finding of no significant impact.

FOR FURTHER INFORMATION CONTACT: Mr. Homer R. Hilner, State Conservationist, Soil Conservation Service, 1405 South Harrison Road, East Lansing, Michigan 48823, telephone 517-337-6702.

NOTICE: Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969; the Council on Environmental Quality Guidelines (40 CFR Part 1500); and the Soil Conservation Service Guidelines (7 CFR Part 650); the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the Otsego Lake County Park Water-Based Recreation RC&D Measure, Otsego County, Michigan.

The environmental assessment of this federally assisted action indicates that the project will not cause significant local, regional, or national impacts on the environment. As a result of these findings, Mr. Homer R. Hilner, State Conservationist, has determined that the preparation and review of an environmental impact statement are not needed for this project.

The measure concerns a plan for developing a 30-acre park for day-use recreation. The planned works of improvement include construction of a new gatehouse, enlarging the parking lot to accommodate 30 cars, widening the access roads, developing 2,000 feet of nature trails, and installing 20 new picnic sites along with playground equipment. Total construction cost is estimated to be $60,000; $30,000 RC&D funds and $30,000 local funds.

The Notice of a Finding of No Significant Impact (FNSI) has been forwarded to the Environmental Protection Agency. The basic data developed during the environmental assessment are on file and may be reviewed by contacting Mr. Homer R.

Hilner. The FNSI has been sent to various Federal, State, and local agencies and interested parties. A limited number of copies of the FNSI are available to fill single copy requests at the above address.

Implementation of the proposal will not be initiated until March 30, 1981.

(Catalog of Federal Domestic Assistance Program No. 10.901, Resource Conservation and Development Program. Office of Management and Budget Circular No. A-95 regarding State and local Clearinghouse review of Federal and federally assisted programs and projects is applicable)

Dated: February 10, 1981.

Joseph W. Haas,

Deputy Chief for Natural Resource Projects.

[FR Doc. 81-6398 Filed 2-25-81; 8:45 am]

BILLING CODE 3410-16-M

Sandy Neck Dunes Critical Area Treatment RC&D Measure, Massachusetts

AGENCY: Soil Conservation Service, Agriculture.

ACTION: Notice of a finding of no significant impact.

FOR FURTHER INFORMATION CONTACT: Mr. Sherman L. Lewis, State Conservationist, Soil Conservation Service, 451 West Street, Amherst, Massachusetts 01002, telephone 413-256-0441.

NOTICE: Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969; the Council on Environmental Quality Guidelines (40 CFR Part 1500); and the Soil Conservation Service Guidelines (7 CFR Part 650); the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the Sandy Neck Dunes Critical Area Treatment RC&D Measure, Barnstable County, Massachusetts.

The environmental assessment of this federally assisted action indicates that the project will not cause significant local, regional, or national impacts on the environment. As a result of these findings, Mr. Sherman L. Lewis, State Conservationist, has determined that the preparation and review of an environmental impact statement are not needed for this project.

The measure concerns a plan for stabilization of selected beach areas. The planned works of improvement include vegetative plantings and placement of discarded Christmas trees to control erosion and encourage dune development, and the erection of traffic control devices.

The Notice of a Finding of No Significant Impact (FNSI) has been forwarded to the Environmental Protection Agency. The basic data developed during the environmental assessment are on file and may be reviewed by contacting Mr. Sherman L. Lewis. The FNSI has been sent to various Federal, State, and local agencies and interested parties. A limited number of copies of the FNSI are available to fill single copy requests at the above address.

Implementation of the proposal will not be initiated until March 30, 1981.

(Catalog of Federal Domestic Assistance Program No. 10.901, Resource Conservation and Development Program. Office of Management and Budget Circular No. A-95 regarding State and local Clearinghouse review of Federal and federally assisted programs and projects is applicable)

Dated: February 6, 1981.

David G. Unger,

Associate Chief, Soil Conservation Service.

[FR Doc. 81-6399 Filed 2-25-81; 8:45 am]

BILLING CODE 3410-16-M

Seven Mile Creek Watershed, Illinois

AGENCY: Soil Conservation Service, Agriculture.

ACTION: Notice of finding of no significant impact.

FOR FURTHER INFORMATION CONTACT: Warren J. Fitzgerald, State Conservationist, Soil Conservation Service, Springer Federal Building, 301 North Randolph Street, Champaign, Illinois 61820, (217) 398-5265.

NOTICE: Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969; the Council on Environmental Quality Guidelines (40 CFR Part 1500); and the Soil Conservation Service Guidelines (7 CFR Part 650); the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the deauthorization of Federal funding of the Seven Mile Creek Watershed, Jefferson County, Illinois.

The environmental assessment of this action indicates that deauthorization of Federal funding of the project will not cause significant local, regional, or national impacts on the environment. As a result of these findings, Mr. Warren J. Fitzgerald, State Conservationist, has determined that the preparation and review of an environmental impact statement are not needed for this action.

The Notice of a Finding of No Significant Impact (FNSI) has been forwarded to the Environmental Protection Agency. The basic data developed during the environmental assessment are on file and may be reviewed by contacting Mr. Warren J. Fitzgerald. The FNSI has been sent to various Federal, State, and local agencies and interested parties. A limited number of copies of the FNSI are available to fill single copy requests at the above address.

No administrative action on implementation of the proposal will be taken until March 30, 1981.

(Catalog of Federal Domestic Assistance Program No. 10.904, Watershed Protection and Flood Prevention Program. Office of Management and Budget Circular A-95 regarding State and local Clearinghouse review of Federal and federally assisted programs and projects is applicable)

Dated: January 30, 1981.

Joseph W. Haas,

Deputy Chief for Natural Resource Projects.

[FR Doc. 81-6400 Filed 2-25-81; 8:45 am]

BILLING CODE 3410-16-M

Critical Area Treatment RC&D Measures in Wafer Creek Area of Fannin and Lamar Counties, Texas

AGENCY: Soil Conservation Service, U.S. Department of Agriculture.

ACTION: Notice of a finding of no significant impact.

FOR FURTHER INFORMATION CONTACT: Mr. George C. Marks, State Conservationist, Soil Conservation Service, P.O. Box 648, Temple, Texas 76501, telephone 817-774-1214.

NOTICE: Pursuant to Section 102(2)(C) of the National Environmental Policy act of 1969; the Council on Environmental Quality Guidelines (40 CFR Part 1500); and the Soil Conservation Service Guidelines (7 CFR Part 650); the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the Critical Area Treatment RC&D Measures in Wafer Creek Area of Fannin and Lamar Counties, Texas.

The environmental assessment of this federally assisted action indicates that the project will not cause significant local, regional, or national impacts on the environment. As a result of these findings, Mr. George C. Marks, State Conservationist, has determined that the preparation and review of an environmental impact statement are not needed for this project.

The measure concerns a plan for critical area treatment. The planned works of improvement include shaping, smoothing, and establishing permanent vegetated cover on 552 acres of gullied areas; installing about 22 small grade

stabilization structures that would occupy about 45 acres of eroded land; fencing the treated areas where it is necessary to the establishment and management of vegetation; and installing about 2700 feet of diversion terraces.

The Notice of a Finding of No Significant Impact (FNSI) has been forwarded to the Environmental Protection Agency. The basic data developed during the environmental assessment are on file and may be reviewed by contacting Mr. George C. Marks. The FNSI has been sent to various Federal, State, and local agencies and interested parties. A limited number of copies of the FNSI are available to fill single copy requests at the above address.

Implementation of the proposal will not be initiated until March 30, 1981.

(Catalog of Federal Domestic Assistance Program No. 10.901, Resource Conservation and Development Program. Office of Management and Budget Circular No. A-95 regarding State and local Clearinghouse review of Federal and federally assisted programs and projects is applicable)

Dated: February 6, 1981.

David G. Unger,

Associate Chief, Soil Conservation Service.

[FR Doc. 81-6401 Filed 2-25-81; 8:45 am]

BILLING CODE 3410-16-M

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Soliciting Public Comment on Bilateral Textile Consultations With Government of the People's Republic of China To Include Review of Trade in Categories 334, 335 and 338 (Cotton Coats and Men's and Boys' Knit Shirts)

February 24, 1981.

Pursuant to paragraph 8 of the bilateral textile agreement of September 17, 1980 between the Governments of the United States and the People's Republic of China, the United States has requested consultations with the Government of the People's Republic of China with respect to Categories 334, (Men's and Boys' Other Cotton Coats), 335 (Women's, Girls' and Infants' Cottom Coats) and 338 (Men's and Boys' Cottom Knit Shirts). It is anticipated these consultations will be held in the near future.

Any party wishing to comment or provide data or information regarding the treatment of Categories 334, 335 and 338 under the agreement with the People's Republic of China, or on any other aspect thereof, or to comment on domestic production or availability of textiles and apparel included in these categories, is invited to submit such comments or information in ten copies to Mr. Paul T. O'Day, Chairman, Committee for the Implementation of Textile Agreements and Deputy Assistant Secretary of Commerce for Textiles and Apparel, International Trade Administration, U.S. Department of Commerce, Washington, D.C. 20230. Since the exact timing of the consultations is not yet certain, comments should be submitted promptly. Comments or information submitted in response to this notice will be available for public inspection in the Office of Textiles and Apparel, Room 2808, U.S. Department of Commerce, 14th and Constitution Avenue NW., Washington, D.C. 20230, and may be obtained upon written request.

Further comment may be invited regarding particular comments or information received from the public which the Committee for the Implementation of Textile Agreements considers appropriate for further consideration.

The solicitation of comments regarding any aspect of the agreements or the implementation thereof is not a waiver in any respect of the exemption contained in 5 U.S.C. 553(a)(1) and 554(a)(4) relating to matters which constitute "a foreign affairs function of the United States."

Paul T. O'Day,

Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. 81-3875 Filed 2-25-81; 8:45 am]

BILLING CODE: 3510-25-M

COMMUNITY SERVICES ADMINISTRATION

Privacy Act System of Investigative Records

AGENCY: Community Services Administration (CSA).

ACTION: Amendments of a System of Records.

SUMMARY: Beginning with enactment of the Privacy Act of 1974, CSA has maintained a system of records #CSA 7, entitled Inspection Reports on Grantees, Contractors and CSA Employees. Enactment of the recent Inspector General Act of 1978 (Pub. L. 94-452) resulted in relocation of the CSA investigative operations.

To cover the resultant changes under the Privacy Act we have made the following modifications, both to clarify the text and to better inform the readers on the specifics of the system:

The system name has been changed.

The citations of new statutory authority for the system have been added.

The system management responsibility has been transferred to the new Office of the Inspector General, CSA.

A statement of the purpose of the system has been added, and,

While the previous system notice included routine uses by reference to a Prefatory Statement of General Routine Uses, we have now extracted from that preface the applicable routine uses and state them more succinctly here.

This new listing does not include any material which would require a new or altered system report as described in OMB Circular A-108.

FOR FURTHER INFORMATION CONTACT: Alan O. Mann, Privacy Act Officer, Community Services Administration, 1200 19th Street, N.W., Washington, D.C. 20506.

CSA-7

SYSTEM NAME:

Inspector General Investigative Files—CSA.

SYSTEM LOCATION:

See system manager title and address below for location.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Any person who has been the subject of, witness for, or referenced in an Inspector General investigation of complaints alleging misfeasance, malfeasance and/or nonfeasance by employees of CSA, grantees, contractors and consultants.

CATEGORIES OF RECORDS IN THE SYSTEM:

Inspector General reports of investigation which normally contain the authority for the investigation, the matters investigated, a narrative report, documentary evidence, transcripts of verbatim testimony, or summaries thereof, and pertinent data on individuals: Name, address, citizenship, physical characteristics, employment history, financial records, arrest records, personal associates, activities, conflict of interest.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Inspector General Act of 1978 (Pub. L. 95-452), Title 18 U.S.C. including sections 201, 287, 508, 641, 1001, and 1913 and sections 602, 603, and 626 of the Community Services Act of 1974 (42 U.S.C. 2942, 2043, and 2071f).

PURPOSE(S):

Records of the system are compiled during investigations and audits, preserved for analysis, formulated into conclusions and recommendations, and used for purposes of detection, prevention and reduction of fraud, abuse, waste and mismanagement of CSA programs and funds.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

a. In the event this system indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred to the appropriate agency, whether federal, state or local, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto where such responsibility rests outside CSA.

b. In determining whether particular records are required to be disclosed under the Freedom of Information Act, disclosure may be made to the Department of Justice for the purpose of obtaining advice.

c. A record may be disclosed to a federal, state or local agency maintaining civil, criminal, relevant enforcement or other pertinent records, such as current licenses, if necessary to obtain a record proven relevant to that agency's decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

d. A record may be disclosed to any federal agency in response to its request in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency.

e. A record in this system will be disclosed in response to a subpoena where another federal agency such as the Internal Revenue Service or the Equal Employment Opportunity Commission has the power to subpoena other federal agencies' records.

f. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual.

g. Disclosure may be made to the Department of Justice in a litigation where the defendant is the Agency, any component of the Agency or any employee of the Agency in his or her official capacity, or the United States where the Agency determines that the claim, if successful, is likely to directly affect the operations of the Agency or any of its components, or any Agency employee in his or her individual capacity where the Department of Justice has agreed to represent such employee provided such disclosure is deemed necessary to an effective defense and is compatible with the purpose for which the records were collected.

h. Disclosure may be made to officials of labor organizations recognized under 5 U.S.C. Chapter 71 when relevant and necessary to their duties of exclusive representation concerning personnel policies, practices, and matters affecting working conditions.

i. Disclosure may be made to employees of the National Archives and Records Service as necessary for the performance of their records management function.

j. Disclosure may be made to the Office of Management and Budget at any stage in the legislative coordination and clearance process in connection with private relief legislation as set forth in OMB Circular No. A-19.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Paper records in file folders or binders.

RETRIEVABILITY:

By reference to the case name, normally derived from either the nature of the allegation, the geographic location of the investigation, or in some instances, the name of the subject or the complainant. Case files are assigned file code numbers cross-referenced with the case name and filed chronologically by calendar year.

SAFEGUARDS:

Padlock, bar type filing cabinets and used only by authorized screened personnel.

RETENTION AND DISPOSAL:

Retired to Federal Records Center 5 years after close of case and stored permanently.

SYSTEM MANAGER(S) AND ADDRESS:

Inspector General, Community Services Administration, 1200 19th Street, N.W., Washington, D.C. 20506.

NOTIFICATION PROCEDURE:

Information may be obtained from the Office of the System Manager above.

RECORD ACCESS PROCEDURES:

Requests and inquiries from individuals should be addressed to the system manager at the appropriate address and under the position title listed above.

CONTESTING RECORD PROCEDURES:

CSA's rules for access to records and appealing initial determinations by the individual concerned appear in the CSA rules and regulations published in 40 FR 45300, October 1, 1975.

RECORD SOURCE CATEGORIES:

The nature of investigations varies greatly and the source of the evidence required is not predictable. Previous sources have included: testimony of witnesses; correspondence/records maintained by organization/individuals party to the matters being investigated; personnel files; pay records; security dossiers; newspaper clippings, and other media material; photographs; reference material/correspondence originating in Federal, State, local, and other agencies; research notes/documents obtained from reference libraries and records custodians; and other materials in the public domain.

SYSTEM EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Pursuant to 5 U.S.C. 552a. (k)(2), this system is exempted from 5 U.S.C. 552a. (c)(3), (d), (e)(1), and (f)(4). The exemption of this information is necessary to facilitate the enforcement of the Community Services Act of 1974 and other relevant statutes, and to avoid revealing and endangering sources of information.

William W. Allison,

Acting Director.

[FR Doc. 81-6136 Filed 2-25-81; 8:45 am]

BILLING CODE 6315-01-M

COPYRIGHT ROYALTY TRIBUNAL

[CRT Docket No. 80-4]

Determination of a Controversy by the Copyright Royalty Tribunal in Respect to the Distribution of Cable Royalty Fees

AGENCY: Copyright Royalty Tribunal (CRT).

ACTION: Notice.

SUMMARY: In a public meeting on November 25, 1980, after giving claimants the opportunity to appear and present arguments, the Copyright

Royalty Tribunal determined that a controversy exists concerning the distribution of cable royalty fees.

EFFECTIVE DATE: March 2, 1981.

FOR FURTHER INFORMATION CONTACT: Clarence L. James, Jr., Chairman, Copyright Royalty Tribunal, 202-653-5175.

SUPPLEMENTARY INFORMATION:

Background

17 U.S.C. 111(d)(5)(B) requires the Copyright Royalty Tribunal after the first day of August to determine whether a controversy exists concerning the distribution of cable royalty fees deposited with the Copyright Office. And upon determination that a controversy exists, 17 U.S.C. 804(d) requires the Chairman of the Tribunal to publish in the **Federal Register** a notice announcing the commencement of distribution proceedings.

Therefore, as of (date of publication in FR) the Tribunal hereby announces that a controversy concerning the distribution of cable royalty fees does in fact exist for the period from January 1 through December 31, 1979 and that distribution proceedings have commenced. The Tribunal directs claimants or their duly authorized representatives to submit proposals on the structure and procedures of the distribution proceedings to the Tribunal no later than March 13, 1981. Reply comments, if any, on any submitted proposal shall be submitted no later than March 20, 1981. The Tribunal further directs that claimants or their duly authorized representatives to submit legal brief or memorandum concerning any question of copyright ownership as it affects a claim or right to any of the cable television royalties by March 23, 1981. Reply brief or memorandum, if any, to any brief or memorandum, shall be submitted no later than March 30, 1981.

Clarence L. James, Jr.,

Chairman.

[FR Doc. 81-6452 Filed 2-25-81; 8:45 am]

BILLING CODE 1410-06-M

DEPARTMENT OF DEFENSE

Department of the Air Force

Air University Board of Visitors; Meeting

February 18, 1981.

The Air University Board of Visitors will hold an open meeting at 1:00 p.m. on April 8, 1981, in the Air University Conference Room, Austin Hall (Building 800), Maxwell Air Force Base, Alabama.

The purpose of the meeting is to give the board an opportunity to present to the Commander, Air University, a report of the findings and recommendations concerning Air University educational programs.

For further information on this meeting, contact Dorothy D. Reed, Coordinator, Air University Board of Visitors, Headquarters, Air University, telephone (205) 293-6160.

Carol M. Rose,

Air Force Federal Register Liaison Officer.

[FR Doc. 81-6384 Filed 2-25-81; 8:45 am]

BILLING CODE 3910-01-M

Office of the Secretary

Privacy Act of 1974; Systems of Records: Amendments

AGENCY: Office of the Secretary of Defense (OSD).

ACTION: Notice of amendments to systems of records.

SUMMARY: The Office of the Secretary of Defense proposes to change the designations of the system location for two systems of records subject to the Privacy Act of 1974 in order to conform to the current organization of the Office of the Assistant Secretary of Defense (Public Affairs). Access to the information in this system will not be significantly affected by this change. The specific minor changes for each system are set forth below followed by appropriate amendments to the two system notices.

DATES: These systems shall be amended as proposed without further notice on March 30, 1981, unless comments are received which would result in a contrary determination.

ADDRESSES: Privacy Act Officer, Office of the Secretary of Defense, Public Affairs, Department of Defense, Room 2E813, Pentagon, Washington, D.C. 20301.

FOR FURTHER INFORMATION CONTACT: Norma Cook, Privacy Act Officer, telephone: (202) 695-0970.

SUPPLEMENTARY INFORMATION: The Office of the Assistant Secretary of Defense systems or records notices as prescribed by the Privacy Act have been published in the **Federal Register** at:

FR Doc. 81-897 (46 FR 6427) January 21, 1981. The proposed amendments are not within the purview of the provisions of 5 U.S.C. 552a(o) of the Act which requires the submission of new or altered system reports.

M. S. Healy,

OSD Federal Register Liaison Officer, Washington Headquarter Services, Department of Defense.

February 23, 1981.

Amendments

DPA DXA.A 07

System name:

Personnel Files (46 FR 6427, January 21, 1981).

Changes:

System location:

Delete the entry under the above heading, and insert:

"Office of the Executive Assistant to the Assistant Secretary of Defense (Public Affairs) with partial files in the Office of the American Forces Information Service and the offices of the directors for Defense Information, Community Relations, Freedom of Information and Security Review, and Audiovisual Management Policy."

DPA DXA.B 08

System name:

Contract Files (46 FR 6427, January 21, 1981).

Changes:

System location:

Delete the entry under the above heading, and insert:

"Decentralized files in the Office of the Assistant Secretary of Defense (Public Affairs) and the offices of the American Forces Information Service and the directors for Defense Information, Community Relations, Freedom of Information and Security Review, Management, and Audiovisual Management Policy."

DPA DXA.A07

SYSTEM NAME:

Personnel Files.

SYSTEM LOCATION:

Office of the Executive Assistant to the Assistant Secretary of Defense (Public Affairs) with partial files in the Office of the American Forces Information Service and the offices of the directors for Defense Information, Community Relations, Freedom of Information and Security Review, and Audiovisual Management Policy.

* * * * *

DPA DXA.B 08

SYSTEM NAME:

Contract Files.

SYSTEM LOCATION:

Decentralized files in the Office of the Assistant Secretary of Defense (Public Affairs) and the offices of the American Forces Information Service and the directors for Defense Information, Community Relations, Freedom of Information and Security Review, Management, and Audiovisual Management Policy.

* * * * *

[FR Doc. 81-6491 Filed 2-25-81; 8:45 am]

BILLING CODE 3810-70-M

DOD Advisory Group on Electron Devices; Advisory Committee Meeting

Working Group B (Mainly Low Power Devices) of the DoD Advisory Group on Electron Devices (AGED) will meet in closed session 9 April 1981, at Palisades Institute for Research Services, 1925 North Lynn St., Arlington, Virginia, 22209.

The mission of the Advisory Group is to provide the Under Secretary of Defense for Research and Engineering, the Director, Defense Advanced Research Projects Agency and the Military Departments with technical advice on the conduct of economical and effective research and development programs in the area of electron devices.

The Working Group B meeting will be limited to review of research and development programs which the military propose to initiate with industry, universities or in their laboratories. The low power device area includes such programs as integrated circuits, charge coupled devices and memories. The review will include classified program details throughout.

In accordance with 5 U.S.C. App 1, 10(d)(1976), it has been determined that this Advisory Group meeting concerns matters listed in 5 U.S.C. 552b(c)(1) (1976), and that accordingly, this meeting will be closed to the public.

Dated: February 23, 1981.

M. S. Healy,

OSD Federal Register Liaison Officer, Washington Headquarters Services, Department of Defense.

[FR Doc. 81-6492 Filed 2-25-81; 8:45 am]

BILLING CODE 3810-70-M

DEPARTMENT OF ENERGY

Economic Regulatory Administration

[Docket Number ERA-TA-80-13]

Houston Natural Gas Corp.; Issuance of Proposed Decision and Order

Notice is hereby given that the Economic Regulatory Administration has issued to Houston Natural Gas Corporation a proposed Decision and Order with regard to an application for incentive prices pursuant to 10 CFR 212.78(a)(2) of the Tertiary Enhanced Recovery Program.

Under the provisions of 10 CFR 205.98, such a Proposed Decision and Order must be published in the **Federal Register**. Interested parties have thirty calendar days from the date of publication to submit objections or comments. Upon review of any matters submitted, the ERA may issue a final Decision and Order in the form proposed, issue a modified proposed or final Decision and Order, or take other appropriate action. All parties offering objections or comments will be notified of the action taken and will be furnished a copy of that action. Objections or comments should cite the docket number and be addressed to: Administrator, Economic Regulatory Administration, Department of Energy, Washington, D.C. 20461, Attention: Manager, Tertiary Enhanced Recovery Program.

A copy of the text of the Proposed Decision and Order together with a copy of the application filed by Houston Natual Gas, Corporation is available in the Public Affairs Office, Room B-110, 2000 M Street, N.W., Washington, D.C., between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday (except Federal holidays) and the Department of Energy Reading Room, Room GA-152, James Forrestal Building, 1000 Independence Avenue, N.W., Washington, D.C., between the hours 8:00 a.m. and 4:30 p.m., Monday through Friday (except Federal holidays)

Issued in Washington, D.C., on February 24, 1981.

T. Wendell Butler,

Acting Assistant Administrator, Office of Petroleum Operations, Economic Regulatory Administration.

[FR Doc. 81-3850 Filed 2-25-81; 8:45 am]

BILLING CODE 6450-01-M

[Docket Number ERA-TA-80-13]

Houston Natural Gas Corp.; Proposed Decision and Order Under Tertiary Incentive Program

To: Houston Natural Gas Corporation, Houston, Texas.

Subject: Designation of Additional Allowed Expenses Pursuant to 10 CFR 212.78(e)(3) for a Tertiary Enhanced Heavy Oil Recovery Project in the Warner Sand Field, Vernon County, Missouri.

I. Introduction

On November 26, 1980, Houston Natural Gas Corporation (HNG) of Houston, Texas, submitted an application pursuant to § 212.78(e)(3) of the Tertiary Incentive Program for an order that would designate allowed expenses in addition to those authorized as a result of the self-certification by HNG of a tertiary enhanced heavy oil recovery project located in the Warner Sand Field in Vernon County, Missouri (HNG Warner Sand Project).

II. Background

On August 21, 1979, the Economic Regulatory Administration (ERA) amended 10 CFR 212.78 to establish the Tertiary Incentive Program. In general, this program permits producers which are engaged in enhanced oil recovery (EOR) projects to recover a portion of the costs associated with such projects.

Section 212.78(d)(2) provides that producers which are engaged in certain EOR projects may participate in the Tertiary Incentive Program if they certify to ERA that they meet the requirements for treatment as a qualified producer with respect to a particular project. These requirements are (1) that the producer has an interest in the property on which the project is located, (2) that the producer contributes to the project, (3) that the project employs a self-certifiable EOR technique.

A producer that has certified itself as a qualified producer with respect to a particular project may recover any "allowed expenses" associated with that project as soon as any such expense has been paid and reported to ERA pursuant to § 212.78(h)(2)(i). However, before recovery of such expenses, the producer must file an initial report with respect to that project pursuant to § 212.78(h)(3). The regulations provide that no more than twenty million dollars may be recovered with respect to any property.

An allowed expense is seventy-five percent of an environmental expense (as defined in § 212.78(c)), seventy-five percent of an engineering and laboratory expense (as defined in § 212.78(c)), or seventy-five percent of an expense listed either in the Appendix to § 212.78 or in an order issued pursuant to either § 212.78(e)(2) or 212.78(e)(3). The Appendix to § 212.78 sets forth a list of allowed expenses for self-certifiable EOR techniques. The list for each particular self-certifiable EOR technique was adopted on the basis of ERA's determination that the recovery of the expenses on that list in conjunction with the recovery of environmental expenses

and engineerig and laboratory expenses would provide a effective incentive, in most cases, for that particular technique.

Section 212.78(e)(3) permits ERA to issue an order approving allowed expenses for a project that employs a self-certifiable EOR technique in addition to those expenses listed for that particular technique in the Appendix to § 212.78. Since no allowed expenses for enhanced heavy oil recovery are listed in the Appendix, each request for designation of an allowed expense in addition to those based on environmental, engineering and laboratory expenses must be examined individually for such projects. To the extent that the applicant can demonstrate that its heavy oil recovery technique is similar to another self-certificable EOR technique, the ERA takes the position that the applicant should be permitted to recoup the expenses specified for that EOR technique in the Appendix.

III. Findings and Analysis

HNG intends to utilize a "Vapor-Therm" process on the HNG Warner Sand Project. The "Vapor-Therm" process is an enhanced heavy oil recovery technique developed by Carmel Energy, Inc. In prior Orders to Carmel Energy, Inc., we determined that the "Vapor-Therm" heavy oil recovery technique is similar to the in-situ combustion technique for which allowed expenses already are set forth in the Appendix to § 212.78. (See, for example, the Order to Carmel Energy, Inc., 45 FR 28796, April 30, 1980.) However, in these Orders we recognized that the "Vapor-Therm" process invloves an additional element of risk and cost than that normally associated with a typical in-situ combustion technique because the combustion of the injectants occurs on the surface in pressure vessels ("Vapor-Therm" units). A stream of gases is heated in the surface "Vapor-Therm" units and injected into the reservoir. The use of these pressure vessels represents an innovative technique and a major expense peculiar to the "Vapor-Therm" process. Consistent with our past determinations concerning the "Vapor-Therm" enhanced heavy oil recovery technique, we propose to designate as additional allowed expenses of the HNG Wagner Sand project those expenses listed in the Appendix to Section 212.78 for in-situ combustion projects and the costs of the "Vapor-Therm" units used on the project.

IV. Order

1. Except as otherwise indicated in each subparagraph below, the following expenses in addition to environmental expenses and engineering and laboratory expenses are declared to be allowed expenses for the tertiary enhanced recovery project conducted in the Warner Sand by Houston Natural Gas Corporation on the H. W. Fritter Lease, Veron County, Missouri:

a. The expenses for in-situ combustion that are set forth in the Appendix to Section 212.78.

b. The costs of pressure vessels (Vapor-Therm units) used for the generation of flue gas and steam including valves, regulators, control devices, insulation, etc., necessary to generate the injected fluid, provided that with respect to any particular year, the amount of allowed expenses based on such costs may not exceed the amount of depreciation for that year reportable to the IRS with respect to the item assoicated with such costs.

In all other respects, HNG's application for the designation of allowed expenses is hereby denied.

2. This Order is based on the presumed validity of statements, assertions, and documentary materials submitted by HNG. This Order may be revoked or modified upon a determination that the factual basis underlying the Order is incorrect.

3. Pursuant to this Order, any qualified producer with respect to the HNG Warner Sand Project may recover any allowed costs specified herein which were incurred and paid on or after August 22, 1979.

Issued in Washington, D.C., on February 24, 1981.

T. Wendell Bulter,

Acting Assistant Administrator, Office of Petroleum Operations, Economic Regulatory Administration.

[FR Doc. 81-3851 Filed 2-25-81; 8:45 am]

BILLING CODE 6450-01-M

[Docket Number ERA-TA-81-01]

Pennzoil Producing Co.; Issuance of Proposed decision and Order

Notice is hereby given that the Economic Regulatory Administration has issued to Pennzoil Producing Company (Pennzoil) a proposed Decision and Order in response to its application for designation of additional allowed expenses pursuant to 10 CFR 212.78(e)(3) of the Tertiary Enhanced Recovery Program. Under the provisions of 10 CFR 205.98, such a Proposed Decision and Order must be published in the **Federal Register**. Interested parties have thirty calendar days from the date of publication to submit objections or comments. Upon review of any matters submitted, the ERA may issue a final Decision and Order in the form proposed, issue a modified proposed or final Decision and Order, or take other appropriate action. All parties offering objections or comments will be notified of the action taken and will be furnished a copy of that action. Objections or comments should cite the docket number and be addressed to: Administrator, Economic Regulatory Administration, Department of Energy, Washington, D.C. 20461, Attention: Manager, Tertiary Enhanced Recovery Program.

A copy of the text of the Proposed Decision and Order together with a copy of the application filed by Pennzoil Producing Company is available in the Public Affairs Office, Room B-110, 2000 M Street, N.W., Washington, D.C., between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday (except Federal holidays) and the Department of Energy Reading Room, Room GA-152, James Forrestal Building, 1000 Independence Avenue, Washington, D.C., between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday (except Federal holidays).

Issued in Washington, D.C., on February 24, 1981.

T. Wendell Butler,

Deputy Assistant Administrator, Office of Petroleum Operations, Economic Regulatory Administration.

[FR Doc. 81-3849 Filed 2-25-81; 8:45 am]

BILLING CODE 6450-01-M

[Docket Number ERA-TA-81-01]

Pennzoil Producing Co.; Proposed Decision and Order Under Tertiary Incentive Program

To: Pennzoil Producing Company, Houston, Texas.

Subject: Designation of Additional Allowed Expenses For the Pennzoil Tinsley Field Tertiary Enhanced Recovery Project in Yazoo County, Mississippi

I. Introduction

On August 19, 1980, Pennzoil Producing Company (Pennzoil) of Houston, Texas submitted an application pursuant to 10 CFR 212.78(e)(3) of the Department of Energy's Tertiary Incentive Program ("incentive program") for an order which would permit recovery of expenses in addition to those allowed as a result of Pennzoil's self-certification on November 2, 1979 of an enhanced oil recovery ("EOR") project located on the Tinsely Field in Yazoo County, Mississippi.

II. Background

On August 21, 1979, the Economic Regulatory Administration ("ERA") amended 10 CFR 212.78 to establish the Tertiary Incentive Program. In general, this program permits producers which are engaged in EOR projects to recover upon self-certification certain "allowed expenses" associated with such projects. An allowed expense is seventy-five of an environmental expense (as defined in § 212.78(c)), seventy-five percent of an engineering and laboratory expense (as defined in § 212.78(c)), or seventy-five percent of an expense listed in the Appendix to § 212.78. Section 212.78(e)(3) provides that, with respect to a project that employs a "self-certifiable technique" (as defined in § 212.78), a producer may apply for an ERA order designating allowed expenses in addition to those designated in the Appendix to § 212.78 for self-certified projects.

III. Findings and Analysis

On November 2, 1979, Pennzoil certified to the ERA that it had an interest in the properties on which the Tinsley Field Project is located, and that it contributed to the operation on those properties of an EOR project which employs a miscible fluid displacement technique as defined in § 212.78(c). Thus, Pennzoil is a qualified producer with respect to the Tinsley Field Project.

Because the project employs a miscible fluid flooding technique, Pennzoil, as a qualified producer, is entitled to purchase injection quality carbon dioxide (CO_2) delivered to the project site, and treat it as an allowed cost. Pennzoil has asserted that in the absence of the incentive program, it would be more efficient and economical to purchase the CO_2 at a site other than the project site and to then transport the CO_2 to the project site, rather than purchase carbon dioxide delivered to the project site. The incentive program however, permits Pennzoil to recover only the cost of the CO_2 and not the cost of transporting the CO_2 to the project site. Thus the incentive program has the effect of encouraging Pennzoil to obtain CO in a less economical and efficient manner.

In order to rectify this anomaly of encouraging less efficient and economical practices, Pennzoil has requested an order designating the expenses associated with the transportation of carbon dioxide to the project site as an allowed expense. Specifically, Pennzoil has proposed to build and operate a CO pipeline to transport the CO from the source field to the project site.

Section 212.78(e)(3) permits ERA to grant orders that designate additional allowed expenses that may be recovered by a qualified producer. In the past ERA has granted orders under this provision so that the incentive program will not encourage distorted economic arrangements. (See, for example, 45 FR 64627, September 30, 1980.) Such orders have been granted on the grounds that the expense for which a designation under the tertiary incentive program was sought represented a more efficient and economical way of supplying a producer with an item that is already an allowed expense for the producer because of its self-certification.

Pennzoil could recover, as a result of its self-certification with respect to the Tinsley Field Project, the cost of CO delivered to the project site. One component of the cost of the CO would be the expenses associated with transporting the CO_2 to the project site. Pennzoil has submitted information that indicates that these expenses could range from $1.55 to $2.26 per Mcf depending on the method of transportation used. Pennzoil has indicated that it could transport CO_2 to its project site for $0.53 per Mcf if it built a pipeline.

ERA believes that Pennzoil should acquire CO_2 for the Tinsley Field Project in an efficient and economical manner. Since transportation of CO_2 to the project site is included in the cost of an item of which Pennzoil currently can recover the cost, ERA has determined that Pennzoil should be permitted to recover the costs of transporting CO_2 after it has purchased the CO_2 at a site other than the project site. Accordingly, ERA proposes to designate as an allowed expense the costs of constructing a CO_2 pipeline to the Tinsley Field Project.

IV. Comment Procedures

10 CFR 205.98 requires that this Proposed Decision and Order be published in the **Federal Register** and sets forth the procedures for entering objection or comment on this Proposed Decision and Order. Objections or comments must be received by the designated Office in ERA within thirty calendar days from the date of publication in the **Federal Register** of the Proposed Decision and Order. All submissions with respect to this application will be available for public inspection in the DOE Reading Room, Room GA-152, James Forrestal Building, 1000 Independence Avenue, S.W., Washington, D.C., between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday (except Federal holidays) and in the Public Affairs Office, Room B-110, 2000 M Street, N.W., Washington, D.C., between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday (except Federal holidays).

V. Order

1. Except as otherwise indicated in each paragraph below, the following expenses are declared to be allowed expenses for the Tinsley Field project undertaken by the Pennzoil Producing Company in Yazoo County, Mississippi.

—Costs of constructing approximately 40 miles of pipeline for delivery of CO_2 from the source field to the injectant site on the Tinsley Field, Yazoo County, Mississippi.

In all other respects, Pennzoil's application for the designation of allowed expenses is hereby denied.

2. This Order is based on the presumed validity of statements, assertions, and documentary materials submitted by Pennzoil. This Order may be revoked or modified upon a determination that the factual basis underlying the Order is incorrect.

3. Pursuant to this Order any qualified producer with respect to the Tinsley Field Project may recover all recoupable allowed costs specified herein which were incurred and paid on or after August 22, 1979.

Issued in Washington, D.C., on February 24, 1981.

T. Wendell Butler,

Acting Assistant Administrator, Office of Petroleum Operations, Economic Regulatory Administration.

[FR Doc. 81-5848 Filed 2-25-81; 8:45 am]

BILLING CODE 6450-01-M

Domestic Crude Oil Allocation Program; Entitlements Notice for December 1980

AGENCY: Department of Energy, Economic Regulatory Administration.

ACTION: December 1980 Entitlements Notice.

SUMMARY: Under the Department of Energy's (DOE) Domestic Crude Oil Allocation (Entitlements) Program, this is the monthly Entitlements Notice which sets forth the entitlements purchase or sale requirements of domestic refiners and eligible firms for December 1980.

DATES: Payments for entitlements required to be purchased under this notice must be made by February 28, 1981. The monthly transaction report specified in § 211.66(i) shall be filed with the DOE by March 10, 1981.

FOR FURTHER INFORMATION CONTACT: Robert H. Thompson (Entitlements Program Office), Economic Regulatory

Administration, 2000 M Street, N.W., Room 6212C, Washington, D.C. 20461 (202) 653-3475;
Jeffrey Stoermer (Office of General Counsel), Department of Energy, Forrestal Building, 1000 Independence Avenue, S.W., Room 6A-127, Washington, D.C. 20585 (202) 252-6754.

SUPPLEMENTARY INFORMATION: In accordance with the provisions of 10 CFR § 211.67 relating to the Domestic Crude Oil Allocation Program of the Department of Energy (DOE), administered by the Economic Regulatory Administration (ERA), the monthly notice specified in § 211.67(i) is hereby published.

Based on reports for December 1980 submitted to the DOE by refiners and other firms as to crude oil receipts, crude oil runs to stills, eligible product imports, eligible petroleum substitutes, and imported naphtha utilized as a petrochemical feedstock in Puerto Rico; application of the entitlements adjustment for residual fuel oil production shipped in foreign flag tankers for sale in the East Coast market and Michigan provided in § 211.67(d)(4); application of the entitlement adjustments for California lower tier and upper tier crude oil provided in § 211.67(a)(4); deliveries of crude oil to the Strategic Petroleum Reserve prior to January 28, 1981; and application of the entitlement adjustment for small refiners provided in § 211.67(e), the national domestic crude oil supply ratio (DOSR) for December is calculated to be 0.056370.

In accordance with § 211.67(b)(2), to calculate the number of barrels of deemed oil oil included in a refiner's adjusted crude oil receipts for the month of December 1980 each barrel of old oil is equal to one barrel of deemed old oil, each barrel of upper tier crude oil (excluding ANS upper tier crude oil) is equal to .703673 of a barrel of deemed old oil and each barrel of ANS upper tier crude oil is equal to .364513 of a barrel of deemed old oil.

The issuance of entitlements for the month of December 1980 to refiners and other firms is set forth in the Appendix to this notice. The Appendix lists the name of each refiner or other firm to which entitlements have been issued, the number of barrels of deemed old oil included in each such refiner's adjusted crude oil receipts, the number of entitlements issued to each refiner or other firm, and the number of entitlements required to be purchased or sold by each such refiner or other firm.

Pursuant to 10 CFR 211.67(i)(4), the price at which entitlements shall be sold and purchased for the month of December 1980 is hereby fixed at $27.06, which is the exact differential as reported for the month of December 1980 between the weighted average per barrel costs to refiners of old oil and of imported and exempt domestic crude oil.

In accordance with 10 CFR 211.67(b), each refiner that has been issued fewer entitlements for the month of December 1980 than the number of barrels of deemed old oil included in its adjusted crude oil receipts is required to purchase a number of entitlements for the month of December 980 equal to the difference between the number of barrels of deemed old oil included in those receipts and the number of entitlements issued to and retained by that refiner. Refiners which have been issued a number of entitlements for the month of December 1980 in excess of the number of barrels of deemed old oil included in their adjusted crude oil receipts for the month and other firms issued entitlements shall sell such entitlements to refiners required to purchase entitlements.

The listing of refiners' old oil receipts contained in the Appendix reflects any adjustments made by ERA pursuant to § 211.67(h).

Included in the Appendix are entitlements issued pursuant to the provisions of 10 CFR 211.67(a)(5) under which ERA may approve a firm's application for designation as a producer of a petroleum substitute.

In accordance with 10 CFR 211.67(a)(7), adopted effective August 29, 1980 (45 FR 56788, August 25, 1980), the Strategic Petroleum Reserve (SPR) has been issued entitlements for crude oil purchased, delivered and accepted for delivery into the SPR during the first 27 days of January 1981. An entry in the Appendix for the SPR has been included.

The listing contained in the Appendix identifies, in a separate column labeled "Exceptions and Corrections", additional entitlements issued to refiners pursuant to relief granted by the Office of Hearings and Appeals (prior to March 30, 1978, the Office of Administrative Review of the Economic Regulatory Administration). Also set forth in this column are adjustments for relief granted by the Office of Hearings and Appeals for 1975 and 1976, which adjustments are reflected in monthly installments. The number of installments is dependent on the magnitude of the adjustment to be made. For a full discussion of the issues involved, see *Beacon Oil Company, et al.*, 4 FEA par. 87,024 (November 5, 1976).

The listing contained in the Appendix continues the "Consolidated Sales" entry initiated in the October 1977 entitlements notice. The "Consolidated Sales" entry is equal to the December 1980 entitlements purchase requirement of Arizona Fuels. The purpose of providing for the "Consolidated Sales" entry is to insure that Arizona Fuels is not relieved of its December 1980 entitlements purchase requirement and that no one firm will be unable to sell its entitlements by reason of a default by Arizona Fuels. For a full discussion of the issues involved, see *Entitlements Notice for October 1977* (42 FR 64401, December 23, 1977).

For the month of December 1980 imports of residual fuel oil eligible for entitlement issuances totaled 25,174,627 barrels.

In accordance with § 211.67(a)(4), the number of barrels of California lower tier and upper tier crude oil, as reported by refiners to the DOE, and the weighted average gravity thereof are as follows:

	Volumes	Weighted average gravity degrees
California Lower Tier Crude Oil	769,447	25
California Upper Tier Crude Oil	1,709,312	27

The total number of entitlements required to be purchased and sold under this notice is 19,716,100.

Based on reports submittted to the DOE by refiners as to their adjusted crude oil receipts for December 1980 the pricing composition and weighted average costs thereof are as follows:

	Volumes in thousands of bbl/d	Weighted average cost	Percent of total volumes*
Lower tier	748	$7.49	5.2
Upper tier (excluding ANS)	1,058	15.51	7.4
ANS upper tier	513	24.69	3.6
Exempt domestic:			
Other ANS	1,060	32.64	7.4
Heavy and market tier	2,377	33.79	16.6
Naval Petroleum reserve	73	30.50	.5
Newly discovered	582	36.60	4.0
Stripper	1,949	32.75	13.6
Tertiary	249	35.56	1.7
Total domestic	8,609	28.55	59.9
Imported	5,753	35.63	40.1
Total uncontrolled (exempt domestic and imported)	12,043	34.55	79.1
Total reported crude oil receipts	14,362	31.39	
Total reported crude oil runs to stills	14,371		

*Volumes may not total 100 percent due to rounding.

Payment for entitlements required to be purchased under 10 CFR 211.67(b) for

December 1980 must be made by February 28, 1981.

On or prior to March 10, 1981, each firm which is required to purchase or sell entitlements for the month of December 1980 shall file with the DOE the monthly transaction report specified in 10 CFR 211.66(i) certifying its purchases and sales of entitlements for the month of December 1980.

The monthly transaction report forms (ERA-116) for the month of December 1980 have been mailed to all reporting firms. Firms that have been unable to locate other firms for the required entitlements transactions by February 28, 1981, are requested to contact the ERA at (202) 653-3873 to expedite consummation of these transactions. For firms that have failed to consummate required entitlement transactions on or prior to February 28, 1981, the ERA may direct sales and purchases of entitlements pursuant to the provisions of 10 CFR 211.67(k).

This notice is issued pursuant to Subpart G, 10 CFR Part 205. Any person aggrieved hereby may file an appeal with the Office of Hearings and Appeals in accordance with Subpart H of 10 CFR Part 205. Any such appeal shall be filed on or before March 30, 1981.

Issued in Washington, D.C. on February 20, 1980.

Barton R. House,

Acting Administrator, Economic Regulatory Administration.

BILLING CODE 6450-01-M

NOTICE OF ENTITLEMENTS FOR DOMESTIC CRUDE OIL
DECEMBER 1980

REPORTING FIRM SHORT NAME	DEEMED OLD OIL ADJUSTED RECEIPTS	********** TOTAL ISSUED	ENTITLEMENT POSITION EXCEPTIONS AND CORRECT.	ENTITLEMENTS PRODUCT	ENTITLEMENTS CALIFORNIA	REQUIRED TO BUY	********** REQUIRED TO SELL
-CONSOL*D-SALES	-20,982	0	0	0	0	0	20,982 1/
A-JOHNSON	0	52,827	2,236 4/	4,907	0	0	52,827
ADM	0	2,840	0	0	0	0	2,840
AKRON-OHIO	0	970	0	0	0	0	970
ALEXANDRIA-VA	0	28	0	0	0	0	28
ALLIED	336	16,523	0	0	0	0	16,187
AMER-AGRI-FUELS	0	102	46 4/	0	0	0	102
AMER-PETROFINA	118,548	279,325	0	0	0	0	160,777
AMERADA-HESS	838,521	945,216	0	20,225	0	0	106,695
AMES-IOWA	0	204	0	0	0	0	204
AMOCO	55,955	1,434,885	0	0	0	0	1,378,930
ANCHOR	0	7,035	0	0	0	0	7,035
ANSCHUTZ	0	3,363	0	3,363	0	0	3,363
APEX	0	9,875	0	9,875	0	0	9,875
ARCO	-3,740,074	1,044,909	0	0	-3,975	0	4,784,983
ARIZONA	29,655	8,673	0	0	169	20,982 1/	0
ARIZONA-CHEM	0	654	0	0	0	0	654
ARLINGTON-VA	0	238	238 4/	0	0	0	238
ASAMERA	35,092	121,954	72,446 8/	0	0	0	86,862
ASHLAND	668,034	575,172	0	0	0	92,862	0
ATLANTA	0	3,447	3,364 4/	0	0	0	3,447
AUSTIN-MINN	0	189	185 4/	0	0	0	189
AZUSA-LAND	0	66	0	0	0	0	66
BALT-METHANE	0	3,365	3,296 4/	0	0	0	3,365
BALTIMORE-MD	0	109	0	0	0	0	109
BAYOU	0	3,636	0	0	0	0	3,636
BEACON	10,698	40,522	0	0	382	0	29,824
BELCHER	0	26,573	0	26,573	0	0	26,573
BELOIT-WI	0	2	0	0	0	0	2
BERGEN-COUNTY	0	64	0	0	0	0	64
BI-PETRO	0	2,463	0	0	0	0	2,463
BOSTON-QUINCY	0	90	0	0	0	0	90
BROACO	0	2,332	0	0	0	0	2,332
BROOKINGS-SD	0	64	63 4/	0	0	0	64
BROWN-WOOD	0	330	330 4/	0	0	0	330
BRUIN	15,321	14,236	0	0	0	1,085	0
CADENCE-CHEM	0	692	0	0	0	0	692
CALCASIEU	33,692	57,913	3,149 4/	0	0	0	24,221
CALUMET	0	6,588	0	0	0	0	6,588
CANAL	2,551	19,183	0	0	0	0	16,632
CARBONIT	0	26,261	0	0	0	0	26,261
CARIBOU	105,800	141,536	130,773 4/5/	0	0	0	36,136
CASTLE	0	17,788	0	17,788	0	0	17,788

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CFA	0	183	183 4/	0	0	0	183
CENTRAL	0	6,822	0	6,822	0	0	6,822
CHAMPLIN	311,438	405,427	96,015 5/	0	11,927	0	93,989
CHARTER	0	109,884	0	0	0	0	109,884
CHEVRON	1,423,216	2,018,944	0	1,541	4,709	0	595,728
CIBRO	33,658	68,369	0	26,180	0	0	34,671
CITGO	-62,381	444,174	0	0	0	0	506,555
CITY-OF-WICHITA	0	71	0	0	0	0	71
CK-SMITH-CO	0	1,922	0	1,922	0	0	1,922
CLAIBORNE	21,957	9,075	0	0	0	12,882	0
CLARK	64,948	208,778	0	0	0	0	143,830
CLINTON-IOWA	0	9	0	0	0	0	9
COASTAL	144,568	176,903	0	21,672	0	0	32,335
COASTAL-PETRO	0	24,193	0	0	0	0	24,193
COLDWATER	0	51	0	0	0	0	51
COLONIAL	0	6,694	0	6,694	0	0	6,694
COLUMBUS-OHIO	0	41	0	0	0	0	41
CONOCO	824,993	494,340	8,656 4/	0	8,370	330,653	0
CONSOL-COAL	0	3,193	3,193 4/	0	0	0	3,193
CONSUMERS-POWER	0	10,558	0	10,558	0	0	10,558
COPANO	-125	19,178	0	0	0	0	19,303
CORAL	0	46,307	0	0	0	0	46,307
CORCO	0	611,054	428,972 5/	70,910	0	0	611,054
CRA-FARMLAND	125,930	156,251	0	0	0	0	30,321
CROSS	9,372	21,039	0	0	0	0	11,667
CROWN	-18,379	128,333	0	0	0	0	146,712
CRYSTAL-OIL	53,578	43,127	451 4/	0	0	10,851	0
CRYSTAL-REF	0	6,785	0	0	0	0	6,785
CUMBERLAND	0	3	0	0	0	0	3
DEEPWATER	0	5,481	0	5,481	0	0	5,481
DEKALB-IL	0	3	0	0	0	0	3
DELTA	103,816	111,715	0	0	0	0	7,899
DEMENNO	0	30,371	2,973 4/	0	0	0	30,371
DETROIT-ED	0	7,219	0	7,219	0	0	7,219
DFSC	0	5,738	0	5,738	0	0	5,738
DIAMOND	205,673	116,657	0	0	0	89,016	0
DILLMAN	0	17	0	0	0	0	17
DORCHESTER	5,517	52,745	0	0	0	0	47,228
DOW	-15,620	106,432	-23 4/	0	0	0	122,052
E-SEABOARD	0	14,808	0	14,808	0	0	14,808
EAGLE-REFINING	0	1,433	0	0	0	0	1,433
EAST-BAY-MUD	0	76	0	0	0	0	76
EAST-MCLINE-IL	0	304	301 4/	0	0	0	304

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EASTERN-MWD	0	15	0	0	0	0	15
EDDY	11,693	10,221	0	0	0	1,472	0
EL-PASO-TX	0	56	0	0	0	0	56
ELGIN-IL	0	2	0	0	0	0	2
ENERGY-COOP	0	158,469	-4 4/	0	0	0	158,469
ENTERPRISE	0	1,366	0	1,366	0	0	1,366
ERGON	30,757	22,345	0	0	0	8,412	0
ERICKSON	0	-5,746	-5,746 4/	0	0	5,746	0
ESSEX-UNION	0	33	0	0	0	0	33
EVANGELINE	0	3,942	0	0	0	0	3,942
EWING-LAWRENCE	0	7	0	0	0	0	7
EXXON	7,775,343	2,468,052	0	106,860	0	5,307,291	0
EZ-SERVE	-46,148	39,624	0	0	0	0	85,772
FARMERS-UN	146,328	49,793	0	0	0	96,535	0
FLETCHER	7,162	67,510	-191 4/	0	0	0	60,348
FLINT	1,198	1,415	0	0	0	0	217
FORT-WORTH-TX	0	44	0	0	0	0	44
FRESNO-CA	0	977	945 4/	0	0	0	977
FRIENDSWOOD	3,975	26,103	97 4/	0	0	0	22,128
FUNDING	46,884	11,844	0	0	0	35,040	0
GARY	6,051	32,412	0	0	0	0	26,361
GETTY	667,995	437,110	0	0	5,751	230,885	0
GETTY-SYN	0	353	0	0	0	0	353
GIANT	605	18,174	0	0	0	0	17,569
GIBSON	0	9,054	0	0	0	0	9,054
GLACIER-PARK	-10,811	0	0	0	0	0	10,811
GLADIEUX	0	41,584	4,119 4/	0	0	0	41,584
GLENCOE-MN	0	1	0	0	0	0	1
GLENROCK	0	5,706	0	0	0	0	5,706
GOLDEN-EAGLE	0	19,123	0	0	0	0	19,123
GOLDKING	13,246	71,313	13,253 4/	0	0	0	58,067
GOOD-HOPE	30,003	122,651	0	0	0	0	92,648
GREEN-BAY-WI	0	2,630	2,630 4/	0	0	0	2,630
GUAM	0	69,086	0	0	0	0	69,086
GULF	2,328,372	1,307,247	0	15,095	4,265	1,021,125	0
GULF-ENERGY	0	7,806	0	0	0	0	7,806
GULF-STS	28,208	42,904	0	0	0	0	14,696
HAMPTON-VA	0	540	0	0	0	0	540
HARRISBURG-PA	0	1,163	0	0	0	0	1,163
HAYWARD-CA	0	25	0	0	0	0	25
HEALTH-CARE	0	27	0	0	0	0	27
HEMPSTEAD-TOWN	0	588	0	0	0	0	588
HIRI	0	90,119	-6,454 4/	0	0	0	90,119

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HOWELL	369,334	80,097	0	0	0	289,237	0
HUDSON-OIL	-9,373	40,090	0	0	0	0	49,463
HUNT	167,837	71,942	0	0	0	95,895	0
HUNTWAY	0	15,736	0	0	0	0	15,736
HUSKY	425,340	425,340	301,783 2/	0	0	0	0
IDAHO-FALLS	0	16	0	0	0	0	16
INDEPENDENT-REF	0	120,649	0	0	0	0	120,649
INDIANA-FARM	9,746	35,764	0	0	0	0	26,018
INTER-PETRO	0	11,130	0	11,130	0	0	11,130
INTER-PROCESS	0	-1,667	-14,651 4/	0	0	1,667	0
IONIA	0	91	89 4/	0	0	0	91
IRVING	0	6,352	0	6,352	0	0	6,352
JACKSON-MI	0	103	0	0	0	0	103
KENCO	35,259	10,731	0	0	0	24,478	0
KENOSHA-WI	0	1,348	1,320 4/	0	0	0	1,348
KENTUCKY	10,791	13,166	8,137 5/	0	0	0	2,375
KERN	-4,253	50,661	0	0	311	0	54,914
KERR-MCGEE	468,311	202,857	0	0	0	265,454	0
KOCH	-821,831	295,040	0	12,275	0	0	1,116,871
LA-COUNTY	0	1,205	0	0	0	0	1,205
LA-CROSSE	0	8	0	0	0	0	8
LAGLORIA	148,350	96,076	0	0	0	52,274	0
LAKE-CHARLES	0	17,001	0	0	0	0	17,001
LAKESIDE	230	7,535	0	0	0	0	7,705
LAKETON	107,174	90,262	75,246 5/	0	0	16,912	0
LAKEWOOD-OH	0	5	0	0	0	0	5
LAMPREY-NH	0	103	0	0	0	0	103
LIQUID-ENERGY	-26,842	14,752	0	0	0	0	41,594
LITTLE-AMER	-34,362	152,840	0	0	0	0	187,202
LOTEX	0	830	0	0	0	0	830
LOUISIANA-LAND	67,891	84,851	0	0	0	0	16,960
MACMILLAN	16,669	48,466	0	0	787	0	31,797
MADISON-CHATHAM	0	4	0	0	0	0	4
MADISON-CITY-WI	0	125	0	0	0	0	125
MADISON-WI	0	48	0	0	0	0	48
MALLARD	0	11,203	0	0	0	0	11,203
MANATEE	-1,909	0	0	0	0	0	1,909
MARATHON	2,960,211	717,345	0	0	0	2,242,866	0
MARICK	-98,860	57,594	0	0	0	0	156,454
MARLEX	873	19,200	0	0	62	0	18,327
MARSHALLTOWN	0	1,363	1,342 4/	0	0	0	1,363
MEDFORD	0	123	120 4/	0	0	0	123
MERCED-CA	0	209	201 4/	0	0	0	209

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METRO-SEATTLE	0	142	0	0	0	0	142
METROPOLITAN	0	46,774	0	46,774	0	0	46,774
MIAMI-DADE	0	74	0	0	0	0	74
MID-AMER	3,144	17,399	9,169 5/	0	0	0	14,255
MIDDLETOWN-OH	0	644	629 4/	0	0	0	644
MIDWEST-SOLV	0	294	0	0	0	0	294
MILWAUKEE-WI	0	175	0	0	0	0	175
MOBIL	3,099,553	1,311,893	0	5,569	7,589	1,787,660	0
MOBILE-BAY	1,307	25,380	0	0	0	0	24,073
MOBRIDGE-SD	0	1	0	0	0	0	1
MONOCO	0	2,087	0	2,087	0	0	2,087
MONSANTO	151,140	68,609	3,852 4/	0	0	82,531	0
MOORHEAD-MN	0	11	6	0	0	0	11
MORRISON	3,063	5,519	0	0	0	0	2,456
MOUNTAINEER	691	1,246	0	0	0	0	555
MSDEC	0	585	0	0	0	0	585
MT-AIRY	258	24,434	0	0	0	0	24,176
MURPHY	287,915	177,388	0	0	0	110,527	0
N-AMER-PETRO	-150	29,738	0	0	0	0	29,888
N-LITTLE-ROCK	0	153	0	0	0	0	153
N-SAN-MATEO	0	4	2	0	0	0	4
NASHVILLE-TENN	0	975	0	0	0	0	975
NASSAU-COUNTY	0	94	0	0	0	0	94
NATCHEZ	0	5,098	0	0	0	0	5,098
NATL-COOP	70,190	87,118	0	0	0	0	16,928
NAVAJO	141,341	513,558	454,184 7/	0	0	0	372,617
NEPTUNE	0	7	0	0	0	0	7
NEVADA	0	4,658	-11 4/	0	0	0	4,658
NEW-EDGINGTON	-2,832	70,638	0	0	-164	0	73,470
NEW-ENGL-PETRO	0	43,866	0	43,866	0	0	43,866
NEW-ENGL-POWER	0	10,514	0	10,514	0	0	10,514
NEW-YORK-EF	0	1,067	0	0	0	0	1,067
NEWHALL	595	43,690	0	0	25	0	43,095
NORTHEAST-PETRO	0	15,277	0	15,277	0	0	15,277
NORTHLAND	10,147	10,147	8,970 5/	0	0	0	0
NY-SANITATION	0	1,117	0	0	0	0	1,117
OCCOQUAN	0	271	254 4/	0	0	0	271
OCEAN-TOWNSHIP	0	3	0	0	0	0	3
OCEAN-UTILITIES	0	187	162 4/	0	0	0	187
OCONOMOWOC-WI	0	2	0	0	0	0	2
OKC	7,512	40,028	0	0	0	0	32,516
OKLA-REF	8,276	39,798	0	0	0	0	31,522
OMAHA	0	-5,063	-5,264 4/	0	0	5,063	0

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ORANGE-COUNTY	0	488	0	0	0	0	488
OSCEOLA-AR	0	70	0	0	0	0	70
OXNARD	0	7,980	0	0	0	0	7,980
PEERLESS	0	2,962	0	0	0	0	2,962
PENNZOIL	-21,065	112,110	0	0	0	0	133,175
PESTER	30,937	60,059	0	0	0	0	29,122
PETRACO-VALLEY	0	5,085	0	0	0	0	5,085
PHILADELPHIA-PA	0	174	0	0	0	0	174
PHILLIPS	159,897	453,810	0	0	0	0	293,913
PHILLIPS-PR	0	43,556	0	43,556	0	0	43,556
PIMA-AZ	0	82	0	0	0	0	82
PIONEER	23,391	27,275	0	0	0	0	3,884
PLACID	315,013	111,407	0	0	0	203,606	0
PLATEAU	111,717	172,011	128,118 5/	0	0	0	60,294
PORT	0	9,893	0	0	0	0	9,893
PORTLAND-MI	0	29	28 4/	0	0	0	29
POWERINE	8,597	77,057	0	0	1,108	0	68,460
PRICE	0	67,225	0	0	0	0	67,225
QUAKER-ST	6,819	64,846	0	0	0	0	58,027
QUITMAN	0	10,807	0	0	0	0	10,807
RACINE-WASTE-UT	0	18	0	0	0	0	18
RAMWAY	0	93	63 4/	0	0	0	93
RAPID-SD	0	16	0	0	0	0	16
RAVENNA-OH	0	126	123 4/	0	0	0	126
RESCO	0	2,498	0	0	0	0	2,498
RICHARDS	0	174	0	0	0	0	174
ROAD-OIL	0	582	0	0	0	0	582
ROANOKE-VA	0	1,645	1,603 4/	0	0	0	1,645
ROCK-ISLAND	20,523	70,821	0	0	0	0	50,298
SABER-TEX	8,623	21,097	296 4/	7,597	0	0	12,474
SABRE-CAL	0	27,701	-3,030 4/	0	0	0	27,701
SAGE-CREEK	2,630	1,177	0	0	0	1,453	0
SALEM-VA	0	90	0	0	0	0	90
SAN-JOAQUIN	0	29,876	0	0	0	0	29,876
SAN-JOSE-CA	0	278	0	0	0	0	278
SANTA-CRUZ-CA	0	21	0	0	0	0	21
SCALLOP	0	89,915	0	89,915	0	0	89,915
SCANOIL	0	7,816	0	7,816	0	0	7,816
SCHULZE	0	1,264	0	0	0	0	1,264
SEAVIEW	0	44,460	0	0	0	0	44,460
SEMINOLE	6,913	29,972	0	0	0	0	23,059
SENTRY	0	37,306	0	0	0	0	37,306
SHELL	4,212,051	1,495,412	0	0	3,222	2,716,639	0

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SHEPHERD	1,218	6,141	0	0	0	0	4,923
SIGMOR	5,476	33,342	0	0	0	0	27,866
SILVER-EAGLE	1,218	6,141	0	0	0	0	4,923
SIOUX-FALLS	0	43	0	0	0	0	43
SLAFCO	102,948	26,039	0	0	0	76,909	0
SMRSA	0	11	0	0	0	0	11
SO-HAMPTON	3,314	25,589	0	0	0	0	22,275
SOHIO	2,381,360	680,865	0	0	0	1,700,495	0
SOMERSET	9,229	10,904	0	0	0	0	1,675
SOONER	13,972	9,926	0	0	0	4,046	0
SOUND	0	19,603	0	0	0	0	19,603
SOUTHERN-UNION	-78,052	72,868	0	0	0	0	150,920
SOUTHLAND	252,415	209,822	158,447 5/	0	0	42,593	0
SOUTHWEST-PETRO	0	8,405	0	0	0	0	8,405
SOUTHWESTERN	4,346	9,663	8,147 5/	0	0	0	5,317
SPR	0	3,884,408	3,884,408 6/	0	0	0	3,884,408
SPRAGUE	0	34,473	0	34,473	0	0	34,473
SPRINGFIELD-IL	0	416	405 4/	0	0	0	416
ST&SAN-CHICAGO	0	2,341	0	0	0	0	2,341
ST-CLAIR-IL	0	12	0	0	0	0	12
STELART	0	18,289	0	18,289	0	0	18,289
STEVENS-PT-WI	0	6	0	0	0	0	6
STOCKTON-CA	0	73	0	0	0	0	73
STOUGHTON-WI	0	4	4	0	0	0	4
SUNLAND	0	28,017	0	0	0	0	28,017
SUNOCO	1,648,604	606,148	0	4,334	0	1,042,456	0
SWANN	0	29,704	0	29,704	0	0	29,704
T&S	0	5,047	0	0	0	0	9,047
TACOMA-WA	0	12	0	0	0	0	12
TARCO	16,813	4,607	0	0	0	12,206 3/	0
TENNECO	-83,044	182,796	0	0	67	0	265,840
TESORO	-1,539	124,079	0	0	0	0	125,618
TEXACO	3,118,321	1,789,042	0	31,287	1,169	1,329,279	0
TEXAS-AMERICAN	6,665	22,607	0	0	0	0	15,942
TEXAS-CITY	196,447	118,888	0	0	0	77,559	0
TEXAS-REFINING	659	15,594	0	0	0	0	14,895
TEXAS-STANDARD	0	1,723	0	0	0	0	1,723
THAGARD	5,423	26,801	0	0	354	0	21,378
THORN-CREEK	0	9	0	0	0	0	9
THRIFTWAY	4,467	28,103	20,638 5/	0	0	0	23,636
THUNDERBIRD	12,455	18,875	0	0	0	0	6,420
TIPPERARY	312	10,294	0	0	0	0	9,982
TONKAWA	15,863	29,083	0	0	0	0	13,220

NOTICE OF ENTITLEMENTS FOR DOMESTIC CRUDE OIL
DECEMBER 1980

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REPORTING FIRM SHORT NAME	DEEMED OLD OIL ADJUSTED RECEIPTS	********** TOTAL ISSUED	EXCEPTIONS AND CORRECT.	ENTITLEMENT POSITION ENTITLEMENTS PRODUCT	CALIFORNIA	REQUIRED TO BUY	********** REQUIRED TO SELL
TOSCO	101,778	302,033	0	0	-11,956	0	200,255
TOTAL-PETROLEUM	1,831	262,496	0	0	0	0	260,665
TURLOCK-CA	0	652	566 4/	0	0	0	652
UCC-CARIBE	0	53,370	0	53,370	0	0	53,370
UNI-REF	0	28,560	0	0	0	0	28,560
UNION-CARBIDE	0	4,391	0	4,391	0	0	4,391
UNION-OIL	839,189	575,594	-581 4/	0	3,802	259,595	0
UNTO-REF	37,747	92,091	0	0	0	0	54,344
URBANA-IL	0	25	0	0	0	0	25
US-OIL	0	28,577	0	0	0	0	28,577
USA-PETROCHEM	-3,634	45,401	0	0	-404	0	49,035
VAL-VERDE	0	2,119	116 4/	0	0	0	2,119
VICKSBURG	304	15,312	0	0	0	0	15,008
WARRIOR	34,295	26,658	19,216 5/	0	0	7,641	0
WATSON	0	383	231 4/	0	0	0	383
WEST-COAST	0	29,428	-2,289 4/	0	0	0	29,428
WEST-MONMOUTH	0	5	0	0	0	0	5
WESTCHESTER-NY	0	221	135 4/	0	0	0	221
WESTERN	0	23,888	0	0	0	0	23,888
WINSTON-SALEM	0	104	0	0	0	0	104
WIREBACK	0	63	0	0	0	0	63
WITCO	53,859	51,637	8,779 4/	0	0	2,222	0
WOOSTER	0	10	0	0	0	0	10
WYATT	0	12,807	0	12,807	0	0	12,807
WYOMING	0	28,262	0	0	0	0	28,262
YOUNG	39,344	66,371	59,709 5/	0	0	0	27,027
TOTAL	33,625,036	33,625,036	5,856,168	877,780	37,570	19,716,100	19,716,100

1/ See discussion in Notice.

2/ This is consistent with the Court's order prohibiting any further entitlement purchase requirements by this firm pursuant to the terms of the Court's judgment in Husky Oil Co. v. DOE, et. al., Civ. Action No. C77-190-B (D. Wyo., filed March 4, 1978), remanded 582 F.2D 644 (TECA, August 10, 1978).

3/ This does not include the purchase obligation stayed by court order in Texas Asphalt & Refinery Co. v. FEA, Civ. Action No. 4-75-268 (N.D. Tex., filed October 31, 1975).

4/ Correction of prior month.

5/ Exception from Office of Hearings and Appeals.

6/ Value accrued from SPR deliveries. See discussion in Notice.

7/ This figure for Navajo is the net result of Decision and Orders issued by the Office of Hearings and Appeals plus an adjustment for Entitlements which Navajo did not purchase for November 1980 pursuant to a stay issued by the Temporary Emergency Court of Appeals.

8/ Pursuant to order of the United States District Court for Colorado entered January 22, 1981 in Asamera Oil (U.S.) Inc. v. DOE (No. 80-W-1800), DOE has been directed to issue additional entitlements to Asamera amounting to $1,960,379.39 in this Notice.

[FR Doc. 81-6455 Filed 2-25-81; 8:45 am]
BILLING CODE 6450-01-C

[Docket Number ERA-TA-81-02]

Tenneco Oil Exploration and Production Co.; Issuance of Proposed Decision and Order

Notice is hereby given that the Economic Regulatory Administration has issued to Tenneco Oil Exploration and Production Company a Proposed Decision and Order with regard to an application for incentive prices pursuant to 10 CFR 212.78(e)(3) of the Tertiary Enhanced Recovery Program.

Under the provisions of 10 CFR 205.98, such a Proposed Decision and Order must be published in the **Federal Register**. Interested parties have thirty calendar days from the date of publication to submit objections or comments. Upon review of any matters submitted, the ERA may issue a final Decision and Order in the form proposed, issue a modified proposed or final Decision and Order, or take other appropriate action. All parties offering objections or comments will be notified of the action taken and will be furnished a copy of that action. Objections or comments should cite the docket number and be addressed to: Administrator, Economic Regulatory Administration, Department of Energy, Washington, D.C. 20461, Attention: Manager, Tertiary Enhanced Recovery Program.

A copy of the text of the Proposed Decision and Order together with a copy of Barber Tenneco's application is available in the Public Affairs Office, Room B-110, 2000 M Street, NW., Washington, D.C., between the hours of 8 a.m. and 4:30 p.m., Monday through Friday (except Federal holidays) and the Department of Energy Reading Room, Room 1E-190, James Forrestal Building, 1000 Independence Avenue, Washington, D.C., between the hours of 8 a.m. and 4:30 p.m., Monday through Friday (except Federal holidays).

Issued in Washington, D.C., on February 20, 1981.

T. Wendell Butler,

Acting Assistant Administrator, Office of Petroleum Operations, Economic Regulatory Administration.

[FR Doc. 81-6456 Filed 2-25-81; 8:45 am]

BILLING CODE 6450-01-M

[Docket No. ERA-TA-81-02]

Tenneco Oil Exploration and Production Co. (Houston, Tex.); Proposed Decision and Order Under the Tertiary Incremental Program

In the matter of an application for price incentives, tertiary enhanced recovery project, Pettit Reservoir (Old Lisbon Field), located in Claiborne and Lincoln Parishes, Louisiana.

I. Introduction

On November 1, 1979, The Tenneco Exploration and Production Company (Tenneco) of Houston, Texas, a subsidiary of the Tenneco Company, submitted an application with respect to the Pettit Reservoir (Old Lisbon Field Unit) for an ERA order which would designate allowed expenses for purposes of the Tertiary Incentive Program, and an ERA order which would permit Tenneco to charge uncontrolled prices for incremental crude oil production from that unit. On June 30, 1980, ERA issued an order to Tenneco for the designation of additional allowed expenses (Docket Number ERA-TA-80-06). The June 30, 1980, order did not address the issue as to whether the market price should be allowed for incremental production from the Old Lisbon Field Unit.

II. Findings and Analysis

the Tertiary Incremental Program (10 CFR 212.78) provides that a producer may receive the market price for the incremental production that results from a tertiary project. Specifically, § 212.78(e)(1) provides that a producer shall obtain final certification from ERA that the project is a qualified tertiary enhanced recovery project and that the project would not be economic at the applicable ceiling price. In addition, the producer shall obtain certification of the amount of incremental and non-incremental oil which will result from the implementation of the project. The amount of incremental and non-incremental crude oil shall be expressed in terms of both the total amount of incremental and non-incremental recovery over the life of the project commencing with the time that the project is estimated to begin producing incremental crude oil.

Tenneco has submitted information indicating that the Old Lisbon Field project utilizes a polymer augmented waterflood, as defined in 10 CFR 212.78(c). Thus, the Old Lisbon Field project is a Qualified Tertiary Enhanced Recovery Project.

Tenneco also has submitted information indicating the Old Lisbon Field project would be uneconomic unless the market price is received for all the incremental crude oil produced from the project. Based on this information, we have determined that the Old Lisbon Field Unit project meets the second requirement for certification, namely that the project would be uneconomic if the incremental production were subject to price controls.

Section 212.78(e)(1) requires ERA to determine, at the time it certifies a project as a Qualified Tertiary Enhanced Recovery Project, the amount of incremental crude oil (as defined in § 212.78(c)) and non-incremental crude that will result from that project. In general, the incremental crude oil resulting from a project initiated after certification by ERA is the amount of additional crude oil production which results from the Qualified Tertiary Enhanced Recovery Project. We have determined the amount of non-incremental production from 1980 through 1996 and have set forth these amounts for 1980 and 1981 in the proposed order.[1] These amounts were calculated from the forecasts of production of non-incremental crude oil proposed by Tenneco.

III. Comment Procedures

10 CFR 205.98 requires this Proposed Decision and Order to be published in the **Federal Register** and sets forth the procedures for entering objections or comments on this Proposed Decision and Order. Objections or comments must be received by the designated Office in ERA within thirty calendar days from the date of publication in the **Federal Register** of the Proposed Decision and Order. All submissions with respect to this application will be available for public inspection in the DOE Reading Room, Room 1E-190, James Forrestal Building, 1000 Independence Avenue, S.W., Washington, D.C., between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday (except Federal holidays) and the Public Affairs Office, Room B-110, 2000 M Street, N.W., Washington, D.C., between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday (except Federal holidays).

IV. Order

1. The Old Lisbon Field Unit Project, which is operated by Tenneco Oil Company (Tenneco) with respect to the Old Lisbon Field Unit in Claiborne and Lincoln Parishes, Louisiana, is declared to be a Qualified Tertiary Enhanced Recovery Project within the meaning of 10 CFR 212.78, effective November 1, 1979.

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[1] In previous orders, ERA has granted certifications that were effective on the date that ERA received the completed application. Thus, Tenneco's certification will be effective as of November 1979 and we are proposing a schedule of incremental production which begins with May 1980, which is the first month after certification in which incremental production occurred.

2. Crude Oil produced each month from the Old Lisbon Field Unit Project in excess of the following schedule of "Non-Incremental Crude" is not subject to the ceiling price limitations of 10 CFR Part 212, Subpart D; incremental crude oil production will be deemed to occur in any month subsequent to April 1, 1980, in which total production exceeds the schedule on "Non-Incremental Crude" in this Order.

Monthly Nonincremental Crude Oil Volumes

Year and month	Barrels
1980:	
May	10,307
June	9,946
July	10,247
August	10,216
September	9,828
October	10,125
November	9,768
December	10,063
1981:	
January	10,188
February	9,174
March	10,126
April	9,770
May	10,034
June	9,680
July	9,972
August	9,940
September	9,590

3. This Order is based on the presumed validity of statements, and documentary materials submitted by Tenneco and may be revoked or modified at any time upon a finding that the factual basis underlying the application is incorrect.

Issued in Washington, D.C., on February 20, 1981.

T. Wendell Butler,

Acting Assistant Administrator, Office of Petroleum Operations, Economic Regulatory Administration.

[FR Doc. 81-6457 Filed 2-25-81; 8:45 am]

BILLING CODE 6450-01-M

[Docket No. ERA-TA-80-14]

Texaco, Inc., (New Orleans, Louisiana); Proposed Decision and Order Under the Tertiary Incremental Program

In the matter of the designation of the Texaco R-1 Sand, Segment G, Lake Barre Field Project (Terrebonne Parish, Louisiana) as a Tertiary Enhanced Recovery Project.

I. Introduction

On September 15, 1980, Texaco, Inc. (Texaco) submitted an application under the Tertiary Incremental Crude Oil Program (10 CFR 212.78) for an order that would permit it to sell at market prices the tertiary incremental crude oil production from its project in the R-1 Sand, Segment G, Lake Barre Field, Terrebonne Parish, Louisiana.

II. Findings and Analysis

A. Section 212.78 provides that the "incremental crude oil" from a "qualified tertiary enhanced recovery project" may be sold at prices not subject to the ceiling price limitations of Subpart D of Part 212. In order for crude oil production from a particular project to be priced in accordance with the incremental price rule § 212.78, ERA must certify the project as a qualified tertiary enhanced recovery project. Prior to granting this certification, § 212.78(e)(1) requires ERA to determine that (1) the project involves one of the enhanced oil recovery techniques listed in the definition of a qualified tertiary enhanced recovery project set forth in Section 212.78(c), and, (2) the project would not be economic at the otherwise applicable ceiling prices.

With respect to a project that was initiated prior to receipt of the required certification, § 212.78(b)(2) provides the additional requirements that (1) the producer affirms that it intends to discontinue the project (or the particular high-cost phase of the project) because continuation would be uneconomic at the otherwise applicable ceiling prices and (2) there has been a material change of circumstances since the initiation of the project. If ERA grants certification, it must also determine the amount of incremental and non-incremental crude oil (as defined in § 212.78(c)) that will result from the project.

B. Texaco has supplied information describing the nitrogen injection project on the Lake Barre reservoir. On the basis of this information, we have determined that the nitrogen injection project is a miscible fluid flood as defined in § 212.78(c) and, thus, the project meets the first requirement for certification as a qualified tertiary enhanced recovery project under § 212.78(e)(1).

C. Texaco has submitted information that at the time of its application, the project on the Lake Barre reservoir had a history of steadily increasing losses and it had projected that this trend would continue unless the incremental production from the project received the market price. On the basis of this information, we have determined that the project on the Lake Barre reservoir would not be economical if the incremental production was subject to the otherwise applicable ceiling price.

D. Since a tertiary project has already been initiated with respect to the Lake Barre reservoir, the requirements of § 212.78(b)(2) must be met prior to our granting certification. Texaco has affirmed that it would have abandoned the project at the time of its application in the absence of the potential price incentives of the Incremental Program. In addition, Texaco has shown a material change in circumstances since the nitrogen injection is now responsible for all production at the Lake Barre reservoir. Accordingly, we have determined that the requirements of § 212.78(b)(2) have been met.

E. Section 212.78 requires the ERA to determine at the time it certifies a project as a qualfied tertiary enhanced recovery project, the amount of incremental and non-incremental crude oil (as defined in § 212.78(c)) that will result from that project. In general, the incremental crude oil resulting from that project initiated prior to certification by ERA is the amount of crude oil production that would have occurred had the qualified tertiary enhanced recovery project been discontinued.

Texaco has submitted information that indicates that all non-incremental production from the Lake Barre reservoir ceased prior to July 1, 1980. On the basis of this information, we have determined that all production from the Lake Barre reservoir since July 1, 1980, should be considered incremental production.

III. Comment Procedures

10 CFR 205.98 requires this Proposed Decision and Order to be published in the **Federal Register** and sets forth the procedures for entering objection or comment on this Proposed Decision and Order. Objections or comments must be received by the designated Office in ERA within thirty calendar days from the date of publication of the Proposed Decision and Order in the **Federal Register**. All submissions with respect to this application will be available for public inspection in the DOE Reading Room, Room GA-152, James Forrestal Building, 1000 Independence Avenue, S.W., Washington, D.C., between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday (except Federal holidays) and in the Public Affairs Office, Room B-110, 2000 M Street, N.W., Washington, D.C. between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday (except Federal holidays).

IV. Order

1. The Texaco R-1 Sand, Segment G, Lake Barre Field Project (Terrebonne Parish, Louisiana) is declared to be a qualified tertiary enhanced recovery project.

2. All crude oil from the Lake Barre Project produced during the period beginning two months prior to the issue date of this order is hereby certified as non-incremental crude oil and is not subject to ceiling price limitations

described by 10 CFR Part 212, Subpart D.

3. Texaco is hereby ordered to adjust the base period control level for the Lake Barre Project as described in 10 CFR 212.78(g).

4. In all other respects, Texaco's application for the designation of allowed expenses is hereby denied.

5. This Order is based on the presumed validity of statements, assertions, and documentary materials submitted by Texaco. This Order may be revoked or modified upon determination that the factual basis underlying the Order is incorrect.

Issued in Washington, D.C., on February 20, 1981.

T. Wendell Butler,

Acting Assistant Administrator, Office of Petroleum Operations, Economic Regulatory Administration.

[FR Doc. 81-6456 Filed 2-25-81; 8:45 am]

BILLING CODE 6450-01-M

[Docket No. ERA-TA-80-08]

Texaco, Inc. (New Orleans, Louisiana); Proposed Decision and Order Under the Tertiary Incentive Program

In the matter of a designation of additional allowed expenses for No. 8 Sand, and the Lower 9000—Foot Sand Reservoir M Projects on the Paradis Field. Enhanced Oil Recovery Project.

I. Introduction

On June 2, 1980, Texaco, Inc. (Texaco) of New Orleans, Louisiana, submitted applications pursuant to § 212.78(e)(3) of the Department of Energy's Tertiary Incentive Revenue Program for an order which would permit Texaco to recover expenses in addition to those otherwise recoverable for miscible fluid displacement projects.

II. Background

On August 21, 1979, the Economic Regulatory Administration (ERA) amended 10 CFR 212.78 to establish the Tertiary Incentive Program. In general, this program permits producers that certify to ERA that they employ a self-certifiable technique to recover certain "allowed expenses" associated with such projects. An allowed expense is seventy-five percent of an environmental expense (as defined in § 212.78(c)), seventy-five percent of an engineering and laboratory expense (as defined in § 212.78(c)), or seventy-five percent of an expense listed in the Appendix to § 212.78. Section 212.78(e)(3) provides that, with respect to a project that employs a "self-certifiable technique" (as defined in section 212.78), a producer may apply for an ERA order designating allowed expenses in addition to those designated in the Appendix to section 212.78 for self-certified projects.

Texaco has an interest in the PAR 8 RA SU Lease, No. 8 Sand, Reservoir M (No. 8 (Lease), and the PAR Lwr 9000—Foot RM SU Lease, Lower 9000—Foot Sand, Reservoir M (Lower 9000—Foot Lease), both of which are located in the Paradis Field, St. Charles Parish, Louisiana. Texaco intends to employ a miscible carbon-dioxide (CO_2) injection technique to assist production from both of these leases. In order to facilitate its efforts, Texaco has requested ERA to issue an order designating additional items as allowed costs with respect to a project consisting of these two leases.

III. Findings and Analysis

On May 20, 1980, Texaco certified to ERA that it has interests in the No. 8 and Lower 9000—Foot properties and that it contributed to the operation on each of those properties of a miscible fluid displacement technique as defined in § 212.78(c). Thus, Texaco is a qualified producer with respect to both properties.

As a qualified producer, Texaco would be entitled to purchase injection quality CO_2 delivered to the project site, and to treat it as an allowed cost (See section 4a of the Appendix to § 212.78.). However, Texaco proposes an alternative plan for obtaining CO_2 which it states would be more economic, efficient, dependable and environmentally acceptable. An industrial plant along the Mississippi River in St. Charles Parish, Louisiana, is currently venting CO_2 to the atmosphere. Texaco proposes to gather, dehydrate and compress the CO_2 obtained from the industrial plant and then transmit it 7 miles to the Paradis Field for injection into the No. 8 and Lower 9000—Foot reservoirs. The entire output of CO_2 from the system will be injected into the two reservoirs comprising the project.

A 7 mile pipeline will be needed to transport the CO_2 from the facility location to the Paradis Field. An existing pipeline which is currently in service transporting natural gas on the proposed route should be available by 1981 when CO_2 delivery commerces. With the 5 miles of line available, two miles of connecting piping and upgrading would be required to make it feasible to transport the CO_2 from the plant to the field.

The data submitted by Texaco shows the cost of CO_2 provided internally by this alternative plan would be $0.55 per mcf. If acquired on the open market, the cost of CO_2 for these operations would be more than $2.63 per mcf.

As stated in a Decision and Order to Mitchell Energy Corporation, economic distortion and unnecessary interference with market mechanisms resulting from the application of the price regulations should be minimized to the maximum extent practicable in accordance with the objective set forth in Section 4(b)(1)(I) of the Emergency Petroleum Allocation Act (EPAA). The Act also specifies economic efficiency as an objective to be achieved by the regulations to the maximum extent practicable (Section 4(b)(1)(H) of the EPAA). Thus, ERA will consider granting an order designating additional items as allowed expenses if those items represent a more efficient and economical way of supplying a producer with an item already designated as an allowed expense. Since Texaco can provide itself with CO_2 on a more economical and assured basis than if it purchased CO_2 from outside source that trucked the CO_2 to the project sites, ERA is proposing to designate as allowed expenses for the No. 8 Sand and Lower 9000-Foot Sand, Reservoir M projects the following items, provided that the costs of each item are allocated proportionately to each project based on the total project expenses indicated by Texaco's self-certification submissions for the two projects:

a. Costs of purchasing and installing the 8500 BHP compressor in St. Charles Parish, Louisiana.

b. Costs of the dehydration equipment required to establish the proposed system pipeline.

c. Costs of the plant piping required to establish the proposed pipeline system.

d. The costs of converting 5 miles of Texaco's existing 14-inch natural gas pipeline to CO_2 transmission service.

e. The costs of laying 2 miles of 14-inch pipeline to tie the existing pipeline into the compressor station and into the two project's Paradis Field Reservoirs.

IV. Comment Procedures

10 CFR 205.98 requires that this Proposed Decision and Order be published in the **Federal Register** and sets forth the procedures for entering objection or comment on this Proposed Decision and Order. Objections or comments must be received by the designated Office in ERA within thirty calendar days from the date of publication of the Proposed Decision and Order in the **Federal Register.** All submissions with respect to this application will be available for public inspection in the DOE Reading Room, Room GA-152, James Forrestal Building, 1000 Independence Avenue SW., Washington, D.C., between the hours of 8 a.m. and 4:30 p.m., Monday through

Friday (except Federal holidays) and in the Public Affairs Office, Room B-110, 2000 M Street NW., Washington, D.C., between the hours of 8 a.m. and 4:30 p.m., Monday through Friday (except Federal holidays).

V. Order

1. Except as otherwise indicated in each subparagraph below, the following expenses are declared to be allowed expenses in developing a CO_2 supply system for the No. 8 Sand and Lower 9000-Foot enhanced oil recovery projects undertaken by Texaco, Inc. on the Paradis Field (Reservoir M), St. Charles Parish, Louisiana. These items are to be designated as allowed expenses provided that the cost of each item is allocated proportionately to each project based on the total project expenses indicated by Texaco's self-certification submissions for the two projects:

a. Costs of establishing the 8500 BHP Compressor Station in St. Charles Parish, Louisiana.

b. Cost of the dehydration equipment required to establish the proposed system pipeline.

c. Costs of the plant piping required to establish the proposed pipeline system.

d. The costs of converting 5 miles of Texaco's existing 14-inch natural gas pipeline to CO_2 transmission service.

e. The costs of laying 2 miles of 14-inch pipeline to tie the existing pipeline into the compressor station and into the two project's Paradis Field Reservoirs.

In all other respects Texaco's request for the designation of allowed expenses is hereby denied.

2. This Order is based on the presumed validity of statements, assertions, and documentary materials submitted by Texaco, Inc. This Order may be revoked or modified upon a determination that the factual basis underlying the Order is incorrect.

3. Pursuant to this Order any qualified producer with respect to the No. 8 Sand and the Lower 9000-Foot Sand projects may recover all allowed costs specified herein which were incurred and paid on or after August 22, 1979, so long as such producer is engaged in the project described in this Order.

Issued in Washington, D.C., on February 20, 1981.

T. Wendell Butler,

Acting Assistant Administrator, Office of Petroleum Operations, Economic Regulatory Administration.

[FR Doc. 81-6450 Filed 2-25-81; 8:45 am]

BILLING CODE 6450-01-M

[Docket No. ERA-TTA-80-14]

Texaco, Inc.; Issuance of Proposed Decision and Order

Notice is hereby given that the Economic Regulatory Administration has issued to Texaco, Inc. a proposed Decision and Order regarding Texaco's request of September 15, 1980, to sell at market prices tertiary crude oil produced by its project on the Lake Barre Field, Terrebonne Parish, Louisiana. The Decision and Order proposed would allow the request under certain specified conditions.

Under the provisions of 10 CFR 205.98, such a Proposed Decision and Order must be published in the **Federal Register**. Interested parties have thirty calendar days from the date of publication to submit objections or comments. Upon review of any matters submitted, the ERA may issue a final Decision and Order in the form proposed, issue a modified proposed or final Decision and Order, or take other appropriate action. All parties offering objections or comments will be notified of the action taken and will be furnished a copy of that action. Objections or comments should cite the docket number and be addressed to: Administrator, Economic Regulatory Administration, Department of Energy, Washington, D.C. 20461, Attention: Manager, Tertiary Enhanced Recovery Program.

A copy of the text of the Proposed Decision and Order together with a copy of the application filed by Texaco, Inc. is available in the Public Affairs Office, Room B-110, 2000 M Street, N.W., Washington, D.C., between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday (except Federal holidays) and the Department of Energy Reading Room, Room 1E-190, James Forrestal Building, 1000 Independence Avenue, Washington, D.C., between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday (except Federal holidays).

Issued in Washington, D.C., on February 20, 1981.

T. Wendell Butler,

Acting Assistant Administrator, Office of Petroleum Operations, Economic Regulatory Administration.

[FR Doc. 81-6460 Filed 2-25-81; 8:45 am]

BILLING CODE 6450-01-M

[Docket No. ERA-TA-80-08]

Texaco, Inc.; Issuance of Proposed Decision and Order

Notice is hereby given that the Economic Regulatory Administration has issued to Texaco, Inc. a proposed Decision and Order regarding Texaco's request of May 16, 1980, that would, pursuant to 10 CFR 212.78(e)(3) permit recovery expenses in addition to those otherwise recoverable for their tertiary enhanced recovery projects located on the Paradis Field in St. Charles Parish, Louisiana.

Under the provisions of 10 CFR 205.98, such a Proposed Decision and Order must be published in the **Federal Register**. Interested parties have thirty calendar days from the date of publication to submit objections or comments. Upon review of any matters submitted, the ERA may issue a final Decision and Order in the form proposed, issue a modified proposed or final Decision and Order, or take other appropriate action. All parties offering objections or comments will be notified of the action taken and will be furnished a copy of that action. Objections or comments should cite the docket number and be addressed to: Administrator, Economic Regulatory Administration, Department of Energy, Washington, D.C. 20461, Attention: Manager, Tertiary Enhanced Recovery Program.

A copy of the text of the Proposed Decision and Order together with a copy of the application filed by Texaxo, Inc. is available in the Public Affairs Office, Room B-110, 2000 M Street NW., Washington, D.C., between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday (except Federal holidays) and the Department of Energy Reading Room, 1E-190, James Forrestal Building, 1000 Independence Avenue, Washington, D.C., between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday (except Federal holidays).

Issued in Washington, D.C., on February 20, 1981.

T. Wendell Butler,

Acting Assistant Administrator, Office of Petroleum Operations, Economic Regulatory Administration.

[FR Doc. 81-6461 Filed 2-25-81; 8:45 am]

BILLING CODE 6450-01-M

Barnhart; Action Taken on Consent Order

AGENCY: Economic Regulatory Administration, Department of Energy.

ACTION: Notice of action taken and opportunity for comment on consent order.

SUMMARY: The Economic Regulatory Administration (ERA) of the Department of Energy (DOE) announces action taken to execute a Consent Order and provides an opportunity for public comment on the Consent Order and on

potential claims against the refunds deposited in an escrow account established pursuant to the Consent Order.

EFFECTIVE DATE: January 7, 1981.

COMMENTS BY: March 30, 1981.

ADDRESS: Send comments to: Wayne I. Tucker, Southwest District Manager, Economic Regulatory Administration, Department of Energy, P.O. Box 35228, Dallas, Texas 75235, Phone: 214/767-7745.

FOR FURTHER INFORMATION CONTACT: Wayne I. Tucker, Southwest District Manager, Economic Regulatory Administration, Department of Energy, P.O. Box 35228, Dallas, Texas 75235, Phone: 214/767-7745.

SUPPLEMENTARY INFORMATION: On January 7, 1981 the Office of Enforcement of the ERA executed a Consent Order with Barnhart of New Orleans, Louisiana. Under 10 CFR 205.199J(b) a Consent Order which involves a sum of $500,000 or more in the aggregate excluding penalties and interest, becomes effective upon its execution only if the DOE expressly finds it to be in the public interest to do so.

Because the DOE and Barnhart wish to expeditiously resolve this matter as agreed and to avoid delay in the payment of refunds, the DOE has determined that it is in the public interest to make the Consent Order with Barnhart effective as of the date of its execution by the DOE and Barnhart.

I. The Consent Order

Barnhart is a firm engaged in the production of crude oil and is subject to the Mandatory Petroleum Price and Allocation Regulations at 10 CFR Parts 210, 211, and 212. To resolve certain civil actions which could be brought by the Office of Enforcement of the Economic Regulatory Administration as a result of its audit of Barnhart the Office of Enforcement, ERA and Barnhart entered into a Consent Order, the significant terms of which are as follows:

1. During the period September 1, 1973 through December 31, 1978, Barnhart allegedly sold crude oil above the allowable prices specified at 10 CFR Part 212, Subpart D.

2. Barnhart and the DOE have agreed to a settlement of $630,000 plus interest. Barnhart shall refund twelve equal installments due on the 10th day of each month commencing in February 1981 and ending in January 1982. The negotiated settlement was determined to be in the public interest as well as the best interest of the DOE and Barnhart.

3. This Consent Order constitutes neither an admission by Barnhart that ERA regulations have been violated nor a finding by the ERA that Barnhart has violated ERA regulations.

4. The provisions of 10 CFR 205.199J, including the publication of this Notice, are applicable to the Consent Order.

II. Disposition of Refunded Overcharges

In this Consent Order, Barnhart agrees to refund in full settlement of any civil liability with respect to actions which might be brought by the Office of Enforcement, ERA, arising out of the transactions specified in I.1 above, the sum of $630,000 in the manner specified in I.2 above. Refunded overcharges will be in the form of certified checks made payable to the United States Department of Energy and will be delivered to the Assistant Administrator for Enforcement, ERA. The funds will remain in a suitable account pending the determination of their proper disposition. The DOE intends to distribute the refund amounts in a just and equitable manner in accordance with applicable laws and regulations. Accordingly, distribution of such refunded overcharges requires that only those "persons" (as defined at 10 CFR 205.2) who actually suffered a loss as a result of the transactions described in the Consent Order receive appropriate refunds. Because of the petroleum industry's complex marketing system, it is likely that overcharges have either been passed through as higher prices to subsequent purchasers or offset through devices such as the Old Oil Allocation (entitlements) Program, 10 CFR 211.67. In fact, the adverse effects of the overcharges may have become so diffused that it is a practical impossibility to identify specific, adversely affected persons, in which case disposition of the refunds will be made in the general public interest by an appropriate means such as payment to the Treasury of the United States pursuant to 10 CFR 205.188I(a).

III. Submission of Written Comments

A. *Potential Claimants:* Interested persons who believe that they have a claim to all or a portion of the refund amount should provide written notification of the claim to the ERA at this time. Proof of claim is not being required. Written notification of the ERA at this time is requested primarily for the purpose of identifying valid potential claims to the refund amount. After potential claims are identified, procedures for the making of proof of claims may be established. Failure by a person to provide written notification of a potential claim within the comment period for this Notice may result in the DOE irrevocably disbursing the funds to other claimants or to the general public interest.

B. *Other Comments:* The ERA invites interested persons to comment on the terms, conditions, or procedural aspects of this Consent Order. You should send your comments or written notification of a claim to Wayne I. Tucker, Southwest District Manager, Economic Regulatory Administration, Department of Energy, P.O. Box 35228, Dallas, Texas 75235. You may obtain a free copy of this Consent Order by writing to the same address or by calling 214/767-7745. You should identify your comments or written notification of a claim on the outside of your envelope and on the documents you submit with the designation "Comments on the Barnhart Consent Order." We will consider all comments received by 4:30 p.m. local time, March 30, 1981. You should identify any information or data which, in your opinion, is confidential and submit it in accordance with the procedures in 10 CFR 205.9(f).

Issued in Dallas, Texas, on the 17th day of February, 1981.

Wayne I. Tucker,

Southwest District Manager, Economic Regulatory Administration.

[FR Doc. 81-6388 Filed 2-25-81; 8:45 am]

BILLING CODE 6450-01-M

Chemcentral/New Orleans; Action Taken on Consent Order

AGENCY: Economic Regulatory Administration, Department of Energy.

ACTION: Notice of action taken and opportunity for comment on consent order.

SUMMARY: The Economic Regulatory Administration (ERA) of the Department of Energy (DOE) announces action taken to execute a Consent Order.

DATES: Effective date February 11, 1981.

FOR FURTHER INFORMATION CONTACT: Wayne I. Tucker, Southwest District Manager of Enforcement, U.S. Department of Energy, Economic Regulatory Administration, P.O. Box 35228, Dallas, Texas 75235 (phone) 214/767-7745.

SUPPLEMENTARY INFORMATION: On February 11, 1981, this Office of Enforcement of the ERA executed a Consent Order with CHEMCENTRAL/New Orleans, of Jefferson, Louisiana. Under 10 CFR 205.199J(b), a Consent Order which involves a sum of less than $500,000 in the aggregate, excluding penalties and interest, may be made effective upon its execution.

Because the DOE and CHEMCENTRAL, wish to expeditiously resolve this matter as agreed and to

avoid delay in the payment of refunds, the DOE has determined that it is in the public interest to make the Consent Order with CHEMCENTRAL, effective as of the date of its execution by the DOE and CHEMCENTRAL.

I. The Consent Order

CHEMCENTRAL, with its home office in Jefferson, Louisiana, is a firm engaged in the resale of motor gasoline, and is subject to the Mandatory Petroleum Price and Allocation Regulations at 10 CFR Parts 210, 211, 212. To resolve certain civil actions which could be brought by the Office of Enforcement of the Economic Regulatory Administration as a result of its audit of sales of motor gasoline, the Office of Enforcement, ERA, and CHEMCENTRAL entered into a Consent Order, the significant terms of which are as follows:

1. The period covered by the Consent Order was March 1, through June 30, 1979, and it included all sales of motor gasoline which were made during that period.

2. CHEMCENTRAL improperly applied the provisions of 10 CFR 212.93(a) when determining the prices to be charged for its motor gasoline, and as a consequence overcharged certain of its customers on some of their purchases.

3. Because the sales were made to ultimate consumers, and they are readily identifiable, CHEMCENTRAL will repay $4,253.84 directly to its overcharged customers. Additionally CHEMCENTRAL has agreed to pay a penalty of $1,250.

4. The provisions of 10 CFR 205.199J, including the publication of this Notice, are applicable to the Consent Order.

II. Disposition of Refunded Overcharges

In this Consent Order, CHEMCENTRAL agrees to refund, in full settlement of any civil liability with respect to actions which might be brought by the Office of Enforcement, ERA, arising out of the transactions specified in I.1. above, the sum of $4,253.84 plus interest in the manner specified in I.3. above.

III. Other Comments

The ERA invites interested persons to comment on the terms, conditions, or procedural aspects of this Consent Order.

You should send your comments to Wayne I. Tucker, Southwest District Manager, U.S. Department of Energy, Economic Regulatory Administration, P.O. Box 35228, Dallas, Texas 75235. You may obtain a free copy of this Consent Order by writing to the same address or by calling 214/767-7745.

You should identify your comments on the outside of your envelope and on the documents you submit with the designation, "Comments on CHEMCENTRAL Consent Order". We will consider all comments we receive by 4:30 p.m. local time, on March 30, 1981. You should identify any information or data which, in your opinion, is confidential and submit it in accordance with the procedures in 10 CFR 205.9(f).

Issued in Dallas, Texas, on the 11th day of February, 1981.

Wayne I. Tucker,

Southwest District Manager, Economic Regulatory Administration.

[FR Doc. 81-6369 Filed 2-25-81; 8:45 am]

BILLING CODE 6450-01-M

Federal Energy Regulatory Commission

[Project No. 3887-000]

American Hydro Power Co.; Application for Preliminary Permit

February 23, 1981.

Take notice that American Hydro Power Company (Applicant) filed on December 18, 1980, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)—825(r)] for proposed Project No. 3887 to be known as Salisbury Mills Dam Project located on Moodna Creek in Orange County, New York. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Peter A. McGrath, American Hydro Power Company, Two Aldwyn Center, Villanova, Pennsylvania 19085. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would consist of: (1) the existing Salisbury Mills Dam, a 27-foot high concrete and masonry structure having a length of 132 feet; (2) the existing Salisbury Mills Reservoir, having a surface area of approximately 18 acres at normal pool elevation of 290.4 feet; (3) a power penstock, replacing the existing damaged penstock on the right bank; (4) a powerhouse having an installed generating capacity of 657 kW; (5) new transmission lines and switchyard equipment; and (6) appurtenant works. The Salisbury Dam and Reservoir are owned by Cornwall Paper Mills, Inc. The Applicant estimates that the average annual energy output would be 2,878,000 kWh.

Purpose of Project—Project energy would be sold to local public utilities or industries.

Proposed Scope and Cost of Studies under Permit—Applicant seeks issuance of a preliminary permit for a period of three years, during which time Applicant would investigate project design alternatives, financial feasibility, environmental effects of project construction and operations, historic and aesthetic impacts and project power potential. Depending on the outcome of the studies, the Applicant would decide whether to proceed with an application for FERC license. Applicant estimates the cost of studies under the permit would be $80,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before *April 27, 1981*, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than May 26, 1981. A notice of intent must conform with the requirements of 18 CFR 4.33(b) and (c) (1980). A competing application must conform with the requirements of 18 CFR 4.33(a) and (d) (1980).

Comments, Protests, or Petitions to Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the

requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before April 27, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS," "NOTICE OF INTENT TO FILE COMPETING APPLICATION," "COMPETING APPLICATION," "PROTEST," or "PETITION TO INTERVENE," as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 3887. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street NW., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-6360 Filed 2-25-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4090]

Brazos River Authority; Application for Preliminary Permit

February 23, 1981.

Take notice that Brazos River Authority (Applicant) filed on January 30, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)—825(r)] for proposed Project No. 4090 to be known as the Waco Project located on the Bosque River near the Town of Waco, McLennan County, Texas. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Carson H. Hoge, General Manager, Brazos River Authority, 4400 Cobbs Drive, P.O. Box 7555, Waco, Texas 76710. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would utilize the existing U.S. Army Corps of Engineers Waco Dam and Reservoir and would consist of a powerhouse with one or more generating units having a total rated capacity of 4 MW, and a transmission line. The project would be capable of generating up to 5,407,000 kWh annually.

Purpose of Project.—Energy generated at the project would likely be sold to Texas Power and Light Company or Brazos Electric Power Cooperative, for distribution to their customers.

Proposed Scope and Cost of Studies under Permit—The work proposed under the preliminary permit would include economic analysis, preparation of preliminary engineering plans, and a study of environmental impacts. Based on results of these studies, Applicant would decide whether to proceed with more detailed studies and the preparation of an application for license to construct and operate the project. Applicant estimates that the cost of the work to be performed under the preliminary permit would be more than $50,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—This application was filed as a competing application to the Waco Project No. 3390 filed on August 27, 1980 by Continental Hydro Corporation under 18 CFR 4.33 (1980), and, therefore, no further competing applications or notice of intent to file a competing application will be accepted for filing.

Comments, Protests, or Petitions to Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before March 18, 1981.

Filing and Service of Responsive Documents—Any comments, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 4090. Any comments, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street NW., Washington, D.C. 20426. A copy of any petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-6361 Filed 2-25-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 3757-000]

City of Bountiful, Utah; Application for Preliminary Permit

February 23, 1981.

Take notice that The City of Bountiful, Utah (Applicant) filed on December 30, 1980, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)—825(r)] for proposed Project No. 3757 to be known as the Lost Creek Hydro Project located on Lost Creek in Morgan County, Utah. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. W. Berry Hutchings, Manager, Bountiful City Light and Power Department, 198 South 200 West, Bountiful, Utah 84010. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would utilize the existing Water and Power Resources Service's Lost Creek Dam and Reservoir, operated and maintained by the Weber Basin Water Conservancy District, and would consist of: (1) a new penstock utilizing the existing outlet works at the right dam abutment; (2) a new powerhouse containing generating units having a total rated capacity of 1,000 kW; (3) a tailrace; (4) a new 46 kV transmission line, approximately one mile long, and (5) appurtenant facilities. The Applicant estimates that the average annual energy output would be 3,830,000 kWh.

Purpose of Project—Project energy would be sold to the Utah Power and Light Company and to local consumers.

Proposed Scope and Cost of Studies under Permit—Applicant seeks issuance of a preliminary permit for a period of one year, during which time it would prepare studies of the hydraulic, construction, economic, environmental, historic and recreational aspects of the project. Depending upon the outcome of the studies, Applicant would prepare an application for an FERC license. Applicant estimates the cost of the studies under the permit would be $50,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasiblility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—This application was filed as a competing application to Utah Hydro Corporation's Application for Lost Creek Hydro Project No. 3542 filed on October 8, 1980, under 18 CFR 4.33 (1980). Anyone desiring to file a competing application must submit to the Commission, on or before, either the competing April 20, 1981 application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than May 19, 1981. A notice of intent must conform with the requirements of 18 CFR 4.33(b) and (c) (1980). A competing application must conform with the requirements of 18 CFR 4.33(a) and (d) (1980).

Comments, Protests, or Petitions to Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in §1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before April 20, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 3757. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street, NW., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-6362 Filed 2-25-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 3950-000]

Enagenics; Application for Preliminary Permit

February 23, 1981.

Take notice that Enagenics (Applicant) filed on January 9, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)—825(r)] for proposed Project No. 3950 to be known as Yuma Main Canal Siphon Drop Hydroelectric Project located on the Water and Power Resources Service's (WPRS) Yuma Main Canal in Imperial County, California. The application is on file with the Commission and is available for public inspection. correspondence with the Applicant should be directed to: Mr. Thomas H. Clarke, Jr., President, ENAGENICS, 1727 Q Street, NW., Washington , D.C. 20009. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would consist of: (1) an intake structure; (2) a penstock serving; (3) a powerhouse to operate under a head of 32 feet, with a rated capacity of 4.04 MW; (4) a tailrace channel; (5) a switchyard; and (6) approximately 500 feet of 33-kV transmission line to connect to an existing Western Area Power Administration transmission line.

The Applicant estimates that the average annual energy output would be 21.2 million kWhs.

Purpose of Project—It is anticipated the project energy would be sold to either the Western Area Power Administration or the Arizona Public Service Company.

Proposed Scope and Cost of Studies under Permit—Applicant seeks a preliminary permit for a period of 36 months during which it would conduct environmental, engineering, and economical studies to determine the feasibility of constructing and operating the proposed project. Applicant estimates that the cost of the feasibility studies would be about $30,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—This application was filed as a competing application to Western Water Power's Project No. 3524 on the Yuma Main Canal under 18 CFR 4.33 (1980), and, therefore, no further competing applications or notices of intent to file a competing application will be accepted for filing.

Comments, Protests, or Petitions to Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before March 18, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 3950. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street, N.W., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-6363 Filed 2-25-81; 8:45]

BILLING CODE 6450-85-M

[Project No. 3953-000]

Enagenics; Application for Preliminary Permit

February 23, 1981.

Take notice that Enagenics (Applicant) filed on January 12, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)—825(r)] for proposed Project No. 3953 to be known as the Bartlett Dam Project located on Verde River in Maricopa County, Arizona. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Thomas H. Clarke, Jr., President, Enagenics, 1727 Q Street, NW., Washington, D.C. 20009. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would utilize the existing U.S. Army Corps of Engineers' Bartlett Dam and would consist of: (1) a new penstock about 100-feet long extending from the existing 72-inch diameter outlet pipeline to; (2) a new powerhouse containing generating unit(s) having a total rated capacity of 19.4 MW; and (3) appurtenant facilities. The Applicant estimates that the average annual energy output would be 40.7 GWH.

Purpose of Project—Project energy would be sold to the Western Area Power Administration or to nearby public institutions or industrial users.

Proposed Scope and Cost of Studies under Permit—Applicant seeks issuance of a preliminary permit for a period of 36 months, during which time it would prepare studies of the hydraulic, construction, economic, environmental, historic, and recreational aspects of the project. Depending upon the outcome of the studies, Applicant would prepare an application for an FERC license. Applicant estimates the cost of the studies under the permit would be 50,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and cosnsistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Application—This application was filed as a competing application to Mitchell Energy

Company, Inc.'s Project No. 3694 filed on November 7, 1980, under 18 CFR 4.33 (1980). Anyone desiring to file a competing application must submit to the Commission, on or before April 6, 1981, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than June 5, 1981. A notice of intent must conform with the requirements of 18 CFR 4.33(b) and (c) (1980). A competing application must conform with the requirements of 18 CFR 4.33(a) and (d) (1980).

Comments, Protests, or Petitions to Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or § 1.8 or § 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protests, or petition to intervene must be received on or before April 6, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 3953. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street, NW, Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-6364 Filed 2-25-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 3995-000]

Enagenics; Application for Preliminary Permit

February 23, 1981.

Take notice that ENAGENICS (Applicant) filed on January 13, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)–825(r)] for proposed Buckhorn Dam project, FERC No. 3995 to be located at the U.S. Army Corps of Engineers' Buckhorn Dam and Reservoir, a flood control project, on the Middle Fork of the Kentucky River near Buckhorn, Perry County, Kentucky. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Thomas H. Clarke, Jr., President, ENAGENICS, 1727 Q Street NW., Washington, D.C. 20009. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would utilize an existing U.S. Army Corps of Engineers' dam and reservoir. Project No. 3995 would consist of: (1) a proposed penstock extending from the outlet conduit; (2) a powerhouse located on the western bank of the river; (3) transmission lines; and (4) appurtenant facilities. Applicant estimates the capacity of the proposed project to be 15.7 MW, and the annual energy output to be 23.1 GWh.

Purpose of Project—Energy produced at the proposed project would be sold to Kentucky Utilities Company.

Proposed Scope and Cost of Studies under Permit—Applicant has requested a 36 month permit to prepare a definitive project report, including preliminary design and economic feasibility studies, hydrological studies, environmental and social studies, and soil and foundation data. The cost of the aforementioned estimates along with obtaining agreements with other Federal, State and local agencies is estimated to be $50,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, an environmental feasiblility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—This application was filed as a competing application to Continental Hydro Corporation Project No. 3400 on Buckhorn Dam in Buckhorn, Perry County, Kentucky, under 18 CFR 4.33 (1980), and , therefore, no further competing applications or notices of intent to file a competing application will be accepted for filing.

Comments, Protests, or Petitions to Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before March 30, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of

these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 3995. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street NW., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-6366 Filed 2-25-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 3921-000]

Fred G. Castagna and Richard L. Bean; Application for Preliminary Permit

February 23, 1981.

Take notice that Fred G. Castagna and Richard L. Bean (Applicants) filed on December 31, 1980, an application for prelimiary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)–825(r)] for proposed Project No. 3921 to be known as Cedar Flat Project located on Cedar Flat Creek in Trinity County, California. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicants should be directed to: Fred G. Castagna and Richard L. Bean, 1388 Court Street, Suite E, Redding, California 96001. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would consist of: (1) two diversion structures; (2) a penstock; and (3) a powerhouse with a total installed capacity of 2 MW.

The Applicants estimate that the average annual energy output would be 8.5 million kWh.

Purpose of Project—Applicants propose to market the power generated by the project.

Proposed Scope and Cost of Studies under Permit—The studies to be performed under the preliminary permit would include an economic analysis, preliminary engineering, and a study of environmental impacts. Based on the results of the studies, Applicants would decide whether to proceed with more detailed studies and an application for license to construct and operate the project. Applicants estimate the cost of the studies would be $85,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before April 27, 1981, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than June 26, 1981. A notice of intent must conform with the requirements of 18 CFR 4.33 (b) and (c) (1980). A competing application must conform with the requirements of 18 CFR 4.33 (a) and (d) (1980).

Comments, Protests, or Petitions to Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.8 or § 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before April 27, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 3921. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street NW., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-6366 Filed 2-25-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ER81-188-000]

Central Maine Power Co.; Order Accepting for Filing and Suspending Proposed Rates, Denying Motions, Granting Interventions, Requiring Amended Filing, and Establishing Procedures

Issued: February 20, 1981.

Central Maine Power Company (CMP) has provided full requirements electric service to the Town of Madison Department of Electric Works (Madison) and to three other wholesale customers under its Tariff Schedule W-1.[1] Although these are full requirements service agreements, each specifies a maximum contract demand limitation. On September 30, 1980, Madison's

[1] The three remaining customers are Carrabassett Light and Power Company, Kennebunk Light and Power District, and Fox Islands Electric Cooperative, Inc.

service agreement with CMP expired. Accordingly, on October 16, 1980, in Docket No. ER81-132-000, CMP unilaterally filed a proposed Tariff Schedule W-3 for non-contract service to Madison (*i.e.*, service to a customer without an effective agreement under CMP's tariff) intended to bridge the gap between service under the expired service agreement and any further service arrangement yet to be negotiated. The October 16 filing included a letter of September 30, 1980, to this Commission indicating that CMP had unsuccessfully attempted to execute a renewal contract with Madison. By letter order of December 8, 1980, the Director of the Office of Electric Power Regulation rejected the October 16 submittal, without prejudice, for lack of necessary cost support.

Subsequently, on December 23, 1980, CMP resubmitted the superseding Tariff Schedule W-3 with data in support of the proposed rates.[2] CMP requests a February 21, 1981 effective date for Tariff Schedule W-3 or, in the alternative, a suspension not in excess of one day. CMP contends that the terms of Tariff Schedule W-1 require the wholesale customer to contract for at least five years of service and that in view of the expiration of the CMP/Madison service agreement and of the inability to negotiate a new agreement, CMP faced the option of terminating service to Madison or filing, as it did, Tariff Schedule W-3 to continue service on an interim basis.

The new Tariff Schedule W-3 provides for two-tiered rates. With respect to purchases of capacity and energy up to the previously existing contract demand limitation (3950 kW), the proposed rate schedule (Section I rates) would continue in effect the prior W-1 rates. The rates for service in excess of 3950 kW (Section II rates) would be based on the cost of capacity and energy at CMP's William F. Wyman Unit No. 4 plus wheeling charges from that unit to the Madison system.[3] According to CMP, continuation of the W-1 rates for service up to the prior contract demand limit essentially perpetuates the terms of the expired CMP/Madison contract.

Notice of the filing was issued on January 2, 1981, with responses due on or before January 23, 1981. On January 22, 1981, the Public Utilities Commission of the State of Maine (MPUC) filed a notice of intervention but did not raise any specific issues concerning CMP's filing. On January 23, 1981, Madison filed a protest, petition to intervene, and a motion to reject CMP's filing for failure to provide sufficient cost support. In addition, Madison alleges that the proposed rates and conditions are unjust and unreasonable and will have serious anticompetitive effects. CMP responded to Madison's pleading on February 9, 1981.

Discussion

Madison contends that CMP's filing is designed to prevent Madison from competing to provide retail electric service for anticipated increased loads of Madison Paper Industries (MPI), an industrial customer located in Madison's franchise service area but presently served by CMP. Madison contends that CMP's proposed new rate would preclude Madison from competing with CMP for these new loads since any such increased sales would increase Madison's load, forcing Madison to purchase power from CMP under the higher Section II rates. The Section II rates, according to Madison, are greater than either CMP's current wholesale rates or any retail rates presently in effect or requested by CMP. Madison states that the higher rates have no cost of service basis but rather have been submitted solely for anticompetitive purposes, thereby resulting in an illegal price squeeze. Madison contends that CMP has acknowledged its willingness to serve MPI at retail, but has refused to agree to sell Madison sufficient quantities of wholesale power to enable Madison to meet MPI's load requirements.

In its February 9, 1981 response, CMP asserts that its filing is adequately supported, that its rate design is appropriate, and that its proposal is not anticompetitive. CMP contends that Tariff Schedule W-3 does not discriminate against Madison *vis-a-vis* CMP's other wholesale customers, since each of the wholesale customers is subject to a contractual limitation on available CMP power. It is CMP's position that these limitations reflect reasonable load growth estimates based on load forecasts supplied by the customers.

CMP further states that Madison is currently entitled only to the amount of power specified in the expired service agreement, but that during negotiations for a new agreement Madison has requested commitments of ten times its present load. Moreover, CMP indicates that Madison sought such commitments only on an interim basis pending development of new hydroelectric generating capacity by Madison. The company contends that, under such circumstances, it might be confronted at a future date with significant excess capacity.

The Commission believes that the anticompetitive claims raised by Madison may present significant questions under the Federal Power Act which should be pursued at hearing.[4] However, given the unusual nature of the "price squeeze" allegations in this proceeding, the specific factual and legal issues in controversy are unclear, particularly in light of the asserted new contract between Madison and CMP.[5] We shall therefore refer this matter to the presiding administrative law judge to determine at the initial prehearing conference ordered below the specific factual and legal questions relating to the price squeeze issue which the parties believe must be addressed at hearing. Following such conference, the judge shall report back to us his or her findings on this question so that the Commission may determine in a further order the appropriate procedures for handling the price squeeze and related issues. In the interim, the proceedings should go forward on the other issues raised in the pleadings.

As indicated above, Madison urges rejection of CMP's filing on the grounds that it fails to comply with the requirements of section 35.13(b) of the Commission's regulations. In this regard, we note that the Section I rates are essentially identical to those presently on file under Tariff Schedule W-1, and that the Section II rates are based on specific unit costs. The Commission finds that CMP has substantially complied with the section 35.3 filing requirements, and we shall therefore deny the motion to reject.[6] Nonetheless, our analysis indicates that CMP's

[2] Designated as follows: *Central Maine Power Company*, Rate Schedule FERC No. 62 (Supersedes Service Agreement under FPC Electric Tariff Third Revised Volume No. 1.)

[3] The Tariff Schedule further provides, however, that upon written notice prior to October 31, the contract demand limitation may be increased up to a maximum of 7900 kW for the following calendar year. CMP has indicated in its transmittal letter that should Madison elect to execute a renewal service agreement, which would provide for a 7900 kW maximum contact demand limitation, for a five year term, CMP would continue to bill under the existing Tariff Schedule W-1 and withdraw the instant submittal.

[4] We do, however, question whether Madison's concerns are perhaps premature. Pursuant to a June 30, 1971 consent agreement, Madison permitted CMP to serve MPI's load at retail for a ten year initial period and additional one year terms. While that agreement would have terminated on June 30, 1982, it is our understanding that a new agreement has been executed which would permit CMP to continue serving MPI for an additional ten years, subject to certain cancellation rights, with Madison providing transmission over a new transmission line.

[5] *See Arkansas Power & Light Co.*, Docket No. ER79-339, order issued August 6, 1979.

[6] *See Municipal Light Boards of Reading and Wakefield, Massachusetts* v. *FPC*, 450 F. 2d 1341 (D.C. Cir. 1971).

proposed rates, terms, and conditions have not been shown to be just and reasonable and may be unjust, unreasonable, unduly discriminatory, preferential, or otherwise unlawful.

Accordingly, we shall accept the proposed rate schedule for filing, as modified by this order, and we shall suspend its operation as ordered below.

In a number of suspension orders,[7] we have addressed the considerations underlying the Commission's policy regarding rate suspensions. For the reasons given there, we have concluded that rate filings should generally be suspended for the maximum period permitted by statute where preliminary study leads the Commission to believe that the filing may be unjust and unreasonable or that it may run afoul of other statutory standards. We have acknowledged, however, that shorter suspensions may be warranted in circumstances where suspension for the maximum period may lead to harsh and inequitable results. No such circumstances have been presented here. Accordingly, we shall suspend the proposed rate schedule for a period of five months, permitting the rates to take effect subject to refund thereafter on July 22, 1981.

Because CMP intends to charge Madison for "excess" capacity at incremental energy costs equal to the full load costs of Wyman No. 4, CMP's fuel adjustment clause is to apply only to energy sales to Madison under the Section I rates. However, CMP's revision of its fuel adjustment clause to reflect the difference in energy pricing results in inaccurate monthly fuel adjustment calculations.

Section 35.14 of the regulations requires the fuel adjustment clause to reflect the change in fuel costs for the current period (calculated by dividing current period fuel costs by current period kWh sales exclusive of intersystem sales) from specified costs of fuel in a base period. CMP has revised its definition of sales in the current period to include only those kWh's sold under Section I rates exclusion of intersystem sales. This revision would cause the fuel adjustment to be overstated because the fuel adjustment factor would, by CMP's definition, be calculated by dividing total fuel costs by only kWh sales to Madison under Section I rates, rather than by dividing total fuel costs by total system kWh sales less sales to Madison under Section II rates and less intersystem sales. CMP's fuel adjustment clause also overstates the cost of fuel because the company has not attempted to exclude Wyman Unit No. 4 fuel costs recovered under the Section II energy charge from the total system fuel costs which are used to determine the monthly fuel adjustment factor under Section I rates. Accordingly, we shall direct CMP to revise its fuel adjustment clause to properly reflect the determination of current period fuel costs and assoicated kWh sales or to clarify its calculation procedures to verify that fuel costs are not doubly recovered and that unit fuel costs are correctly determined.

The Commission finds that participation in this proceeding by Madison is in the public interest. The petition to intervene will therefore be granted. MPUC's timely notice of intervention is sufficient to initiate its participation in the proceeding.

The Commission orders:

(A) The motions to reject the filing are nereby denied.

(B) CMP's rate schedule tendered for filing on December 23, 1980, is hereby accepted for filing, as modified by paragraph (C) below, and is suspended for five months, to become effective on July 22, 1981, subject to refund pending hearing and decision thereon.

(C) Within thirty (30) days of the issuance of this order, CMP shall file revisions to its proposed fuel adjustment clause consistent with the discussion in the body of this order.

(D) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by section 402(a) of the DOE Act and by the Federal Power Act, particularly sections 205 and 206 thereof, and pursuant to the Commission's Rules of Practices and Procedure and the regulations under the Federal Power Act [18 CFR, Chapter I (1980)], a public hearing shall be held concerning the justness and reasonableness of CMP's rate schedule.

(E) Madison's petition to intervene is hereby granted subject to the rules and regulations of the Commission; *Provided, however,* That participation by the intervenor shall be limited to matters set forth in its petition to intervene; and *Provided, further,* that the admission of the intervenor shall not be construed as recognition by the Commission that it might be aggrieved because of any order or orders by the Commission entered in this proceeding.

(F) We hereby order initiation of price squeeze procedures. Upon completion of the initial prehearing conference, and the submission of any pleadings on this question required by the presiding judge, he or she shall promptly determine and report to the Commission the specific factual and legal price squeeze and related issues remaining for resolution at hearing so that the Commission may determine in a further order the appropriate procedures for handling these issues in this docket.

(G) A presiding administrative law judge, to be designated by the Chief Administrative Law Judge, shall convene a conference in this proceeding to be held within approximately fifteen (15) days of the issuance of this order in a hearing room of the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. The designated law judge is authorized to establish procedural dates, and to rule on all motions (except motions to consolidate or sever and motions to dismiss), as provided for in the Commission's Rules of Practice and Procedure.

(H) The Secretary shall promptly publish this order in the **Federal Register.**

By the Commission.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-6402 Filed 2-25-81; 8:45 am]

BILLING CODE 6450-85-M

[7] *E.g., Boston Edison Co.*, Docket No. ER80-508 (August 29, 1980) (five month suspension); *Alabama Power Co.*, Docket Nos. ER80-506, *et al.* (August 29, 1980) (one day suspension); *Cleveland Electric Illuminating Co.*, Docket No. ER80-488 (August 22, 1980) (one day suspension).

[Docket Nos. ER80-458, and ER81-31-000]

Green Mountain Power Corp.; Order Denying Request to Reject, Granting Waiver of Notice, Accepting Transmission Agreements for Filing, and Terminating Proceeding

Issued: February 20, 1981.

As originally tendered on June 16, 1980, and completed on December 22, 1980, Green Mountain Power Corporation (Green Mountain) submitted for filing in Docket No. ER80-458 executed transmission agreements with the Villages of Readsboro and Jacksonville, Vermont (Villages) applicable to power allotted to the Villages by the Power Authority of the State of New York (PASNY).[1] Green Mountain has requested an effective date for its tender of January 1, 1980.

Notice of Green Mountain's submittal was issued on June 24, 1980, with responses due on or before July 15, 1980. On July 17, 1980, as confirmed by letter of December 12, 1980, the Vermont Public Service Board (VPSB) filed an untimely protest and a request for rejection of Green Mountain's filing.[2] By

[1] The designation of the agreements is set forth in Attachment A hereto.

[2] The VPSB has not requested that it be granted intervenor status in this proceeding.

letters dated July 25, 1980, and December 9, 1980, Green Mountain responded in opposition to VPSB's protest and request for rejection.

Background

Under the terms of separate contracts with PASNY, VPSB receives 100 MW of St. Lawrence Power (Contract S-2) and 50 MW of Niagara Power (Contract NS-20). The S-2 contract, dated January 25, 1956, extends through June 30, 1985, while the NS-20 contract, dated June 20, 1961, terminated as of December 31, 1979. VPSB, as an agent for the State of Vermont, has marketed the S-2 and NS-20 PASNY power to various allottees in the state through Vermont Electric Power Company (VELCO). VELCO, as wheeling agent for VPSB, transmits or contracts for the transmission of the S-2 and NS-20 power to the allottees. Since VELCO's transmission facilities are not physically connected to all of the state allottee's systems, VELCO previously entered into separate subtransmission agreements with Green Mountain and Central Vermont Public Service Corporation (Central Vermont) to wheel the VPSB's S-2 and NS-20 PASNY allotments to certain allottees.[3] VELCO bills VPSB for its transmission expenses as well as subtransmission charges assessed to VELCO by Green Mountain and Central Vermont for wheeling these PASNY allotments to the allottees not served directly off the VELCO system.

Historically, VPSB has rolled together PASNY and VELCO charges (including Green Mountain and Central Vermont subtransmission charges) and billed all allottees on the same average cost basis, *i.e.*, the same demand and energy charges, whether or not the allottees are served directly from the VELCO system or require further subtransmission.

VPSB and PASNY have, however, entered into a new contract which provides for an additional allotment of 50 MW of PASNY power for PSB from January 1, 1980, through June 30, 1985. In order to provide for the additional wheeling of this new PASNY allotment to those allottees not served directly from the VELCO system, Central Vermont submitted for filing on May 21, 1980, in Docket No. ER80-400, transmission agreements with various VPSB allottees.[4]

The instant submittal by Green Mountain also resulted from the new contract between VPSB and PASNY. Under this filing, transmission of the additional PASNY power will be made at Green Mountain's standard wheeling rate on file. As indicated above, Green Mountain requests an effective date of January 1, 1980.

Discussion

In its letter of protest,[5] VPSB asserts that Green Mountain and Central Vermont are contractually bound to wheel the new PASNY allotment under the terms of the prior agreements covering existing St. Lawrence and Niagara Project allotments.[6] VPSB's objective is to continue the same average cost format for all allottees of PASNY power regardless of whether such service is rendered directly from the VELCO system or requires further subtransmission by Green Mountain or Central Vermont. Since, under the instant submittals, subtransmission charges associated with the new PASNY allotment will be assessed by Green Mountain and Central Vermont directly to the applicable allottees, rather than to VELCO, VPSB will not maintain total control over the billing for transmission and distribution of the additional PASNY power and will not be able to roll together all costs for that power. Allottees served directly from the VELCO system will continue to be billed exclusively by VPSB, but others not served directly by VELCO will be billed by VPSB for their allotment of new PASNY power and by either Green Mountain or Central Vermont for the additional subtransmission service. Thus, the average cost concept desired by VPSB for the PASNY power will no longer be operative.

The prior VELCO/Green Mountain and VELCO/Central Vermont transmission agreements provide that GMP and CVPS will transmit state allotted power from VELCO to the VPSB's allottees. Such transmission contracts specify that "* * * as used in this agreement, the term 'state allotted power' shall mean power and energy purchased by the state from Power Authority of the State of New York under *St. Lawrence Contract S-2 dated January 25, 1956*, or under *Niagara Contract NS-20 dated June 20, 1961*, or both * * *" (italics added). The VELCO/Green Mountain and VELCO/Central Vermont agreements obligate Green Mountain and Central Vermont to wheel power purchased by VPSB under specific PASNY/VPSB contracts S-2 and NS-20. The new contract subsequently entered into between PASNY and VPSB is not part of the S-2 and NS-20 contracts and, therefore, the existing transmission contracts between VELCO/Green Mountain and VELCO/Central Vermont do not extend the obligations of Green Mountain and Central Vermont to transmit power purchased under the new PASNY/VPSB agreement. Thus, the Commission believes that VPSB's request to reject Green Mountain's submittal in this proceeding should be denied.[7]

The rate requested by Green Mountain in its filing is its standard transmission rate that is already on file with this Commission. Neither VPSB nor the affected customers of Green Mountain have challenged this rate level and our review does not indicate that the rate level is unlawful. Further, Green Mountain's request for an effective date of January 1, 1980, appears to be in the public interest. Service commenced on that date under executed contracts between Green Mountain and the Villages, and the proposed rate schedules will enable Green Mountain to be compensated for the service it has rendered pursuant to those contracts. The Villages have executed the contracts thereby agreeing to the contract's terms and conditions including Green Mountain's requested January 1, 1980 effective date. Under these circumstances, we find good cause to grant the waiver of notice. Therefore, we shall accept Green Mountain's tender for filing and terminate the proceeding as hereinafter ordered.

By order issued December 12, 1980, in *Green Mountain Power Corporation*, Docket Nos. ER81-31-000 and ER80-458, we, *inter alia*, conditionally accepted for filing and suspended Green Mountain's proposed increase in its transmission rates to the Villages. The conditional acceptance of the proposed increased rate was based on the fact that, at the time of the issuance of that order, Green Mountain had not completed its filing in the instant docket and, consequently, the proposed increased rate was not applicable to any rate schedules on file with this Commission for the specified service. In that order, Green Mountain

[3] Under present VELCO/Green Mountain and VELCO/Central Vermont transmission agreements, both Green Mountain and Central Vermont wheel power purchased under the specific S-2 and NS-20 contracts. Since the NS-20 contract terminated on December 31, 1979, Green Mountain and Central Vermont will continue to wheel only S-2 power through June 30, 1985—the expiration of the S-2 contract.

[4] Central Vermont proposed to wheel the additional PASNY power at its standard transmission rate on file. The submittal in Docket No. ER80-400 was accepted for filing effective January 1, 1980, by OEPR Director letter dated June 25, 1980, and the Docket No. ER80-400 proceeding was terminated. The allottees are: Allied Power and Light Company; Rochester Electric Light and Power Company; and the Village of Johnson, Vermont.

[5] VPSB's protest addressed the submittals in both Docket Nos. ER80-400 and ER80-458.

[6] Service under the instant submittals results in an increase of about $5,200 annually. VPSB has not objected to the level of the proposed rates.

[7] The same rationale and decision are applicable to VPSB's request to reject Central Vermont filing in Docket No. ER80-400.

was given 30 days to complete its original submittal in Docket No. ER80-458. Green Mountain has met that condition and the proposed increased rates in Docket No. ER81-31-000 are now accepted for filing under the suspension and procedural terms of the December 12, 1980 order.

The Commission orders:

(A) VPSB's request to reject Green Mountain's filing is hereby denied.

(B) Green Mountain's request for waiver of notice is hereby granted.

(C) Green Mountain's December 22, 1980 tender in Docket No. ER80-458 is hereby accepted for filing effective January 1, 1980, without suspension.

(D) The proceeding in Docket No. ER80-458 is hereby terminated.

(E) The Secretary shall promptly publish this order in the **Federal Register.**

By the Commission.

Kenneth F. Plumb,

Secretary.

Green Mountain Power Corporation

[Docket No. ER80-458]

Filed: December 22, 1980.
Dated: June 12, 1980.
Effective: January 1, 1980.

Designation	Description	Party
(1) Rate schedule FERC No. 72.	Transmission contract.	Readsboro.
(2) Supplement No. 1 to rate schedule FERC No. 72.	Exhibit A	Readsboro.
(3) Rate schedule FERC No. 73.	Transmission contract.	Jacksonville.
(4) Supplement No. 1 to rate schedule FERC No. 73.	Exhibit A	Jacksonville.
(5) Exhibit A to rate schedule FERC No. 73.	PASNY PSB Power Contract dated Jan. 1, 1980.	Jacksonville.
(6) Exhibit A to rate schedule FERC No. 72.	do	Readsboro.

[FR Doc. 81-6409 Filed 2-25-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 3868-000]

Appalachian Power Co.; Application for Preliminary Permit

February 23, 1981.

Take notice that Appalachian Power Company (Applicant) submitted on December 12, 1980, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)] for proposed Project No. 3868 to be known as Lynchburg Project located on the James River in Amherst County, Virginia. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. John W. Vaughan, President, Appalachian Power Company, 40 Franklin Road, Roanoke, Virginia 24009. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would consist of: (1) a proposed powerhouse located at the eastern end of the dam; (2) an existing gravity dam having two sections, a straight line section 740 feet long and an arched section 150 feet long; both having a height of 15 feet; (3) a 370 acre reservoir extending from the Lynchburg Dam to the Reusens Project No. 2376 immediately upstream, with a storage capacity of 1,800 acre feet at pool elevation of 511 m.s.l.; (4) proposed transmission line; and (5) appurtenant facilities. Applicant estimates the generating capacity of the installed unit(s) to be 5 MW. The Applicant estimates that the average annual energy output would be 19,220,000 kWh.

Purpose of Project—Energy produced at the proposed site would be utilized by Appalachian Power Company for sale to the Applicant's customers.

Proposed Scope and Cost of Studies under Permit—Applicant has requested a 36 month permit to prepare a definitive project report, including preliminary design and economic feasibility studies, hydrological studies, environmental and social studies, soil and foundation data. The cost of the aforementioned activities along with obtaining agreements with Federal, State, and local agencies is estimated to be $75,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before April 27, 1981, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than June 26, 1981. A notice of intent must conform with the requirements of 18 CFR 4.33 (b) and (c) (1980). A competing application must conform with the requirements of 18 CFR 4.33 (a) and (d) (1980).

Comments, Protests or Petitions to Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely filed a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before April 27, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS," "NOTICE OF INTENT TO FILE COMPETING APPLICATION," "COMPETING APPLICATIONS," "PROTEST," or "PETITION TO INTERVENE," as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 3868. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street, N.W., Washington, D.C. 20426. A copy of any notice of intent, competing

application, or petition to intervene must also be served upon each representative of the applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-6438 Filed 2-25-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 3987-000]

Charles Molsee; Application for Preliminary Permit

February 23, 1981.

Take notice that Charles Molsee (Applicant) filed on January 12, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)—825(r)] for proposed Project No. 3987 to be known as Panther Creek Project located on Panther Creek in Skamania County, Washington. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Charles Molsee, Carson, Washington 96810. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would consist of: (1) a diversion and intake structure; (2) pipeline; (3) surge tank; (4) dual penstocks; and (5) powerhouse with a total installed capacity of 4 MW.

The Applicant estimates that the average annual energy output would be 25 GWh.

Purpose of Project—Applicant intends to market the power generated by the proposed project to a local utility.

Proposed Scope and Cost of Studies under Permit—The studies that would be performed under the preliminary permit would consist of an economic analysis, preliminary engineering, and a study of environmental impacts. Based on the results of the studies, Applicant would decide whether to proceed with more detailed studies and the preparation of an application for license to construct and operate the project. Applicant estimates the costs of the studies would be $40,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before April 24, 1981, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than June 23, 1981. A notice of intent must conform with the requirements of 18 CFR 4.33 (b) and (c) (1980). A competing application must conform with the requirements of 18 CFR 4.3 (a) and (d) (1980).

Comments, Protests, or Petitions to Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR § 1.8 or § 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petiiton to intervene must be received on or before April 24, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS," "NOTICE OF INTENT TO FILE COMPETING APPLICATION," "COMPETING APPLICATION," "PROTEST," or "PETITION TO INTERVENE," as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 3987. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 N. Capitol St., NE., Washington, D.C. 20426. An additional copy must be sent to Fred E. Springer, Chief, Application Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First St., N.W., Washington, D.C. 20426. A copy of any notice of intent, competing application, application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-6439 Filed 2-25-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 3857-000]

Idaho Renewable Resources, Inc. and City of Ashton, Idaho; Application for Preliminary Permit

February 23, 1981.

Take notice that Idaho Renewable Resources, Inc. and City of Ashton, Idaho (Applicant) filed on December 10, 1980, and application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)–825(r)] for proposed Project No. 3857 to be known as Barber Dam Project located on the Boise River in Ada County, Idaho. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Jay R. Bingham, 415 Wright Brothers Way, Salt Lake City, Utah 84122. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would consist of: (1) the existing 25-foot high and 800-foot long Barber Dam, impounding a 150-acre reservoir; (2) a 12-foot diameter penstock through the dam; (3) a powerhouse containing four generating units, each rated at 1,500 kW; and (4) a transmission line. The Applicant estimates that the average annual energy output would be 21.4 million kWh.

Purpose of Project—The energy output of the project would be sold to the Idaho Power Company.

Proposed Scope and Cost of Studies under Permit—Applicant seeks issuance

of a preliminary permit for a period of 36 months, during which time it would conduct engineering, environmental, economic, and feasibility studies, perform preliminary designs, consult with agencies, and prepare an FERC license application. No new roads would be required to conduct the studies. The cost of the work to be performed under the preliminary permit is estimated to be $120,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—This application was filed as a competing application to Cook Electric Company's Project No. 3598 under 18 CFR 4.33. Anyone desiring to file a competing application must submit to the Commission, on or before April 13, 1981, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than June 12, 1981. A notice of intent must conform with the requirement of 18 CFR 4.33 (b) and (c) (1980). A competing application must conform with the requirements of 18 CFR 4.33 (a) and (d) (1980).

Comments, Protests, or Petitions to Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before March 19, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS," "NOTICE OF INTENT TO FILE COMPETING APPLICATION," "COMPETING APPLICATION," "PROTEST," or "PETITION TO INTERVENE," as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 3857. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street NW., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street NW., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-6440 Filed 2-25-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 3920-000]

Richard L. Bean and Fred G. Castagna; Application for Preliminary Permit

February 23, 1981.

Take notice that Richard L. Bean and Fred G. Castagna (Applicant) filed on December 20, 1980, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)—825(r)] for proposed Project No. 3920 to be known as Nelson Creek No. 2 Power Project located on Nelson Creek in Shasta County, California. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Messrs. Richard L. Bean and Fred G. Castagna, 741 Baker Road, Redding, California 96003. Any person who wishes to file a response to this notice should read the entire notice and must comply with the requirements specified for the particular kind of response that person wishes to file.

Project Description—The proposed project would consist of: (1) a diversion structure; (2) a penstock; (3) a powerhouse containing a 400 kW generating unit; and (4) a tramsmission line. The Applicant estimates that the average annual energy output would be 3,500,000 kWh.

Purpose of Project—The power generated by the proposed project would be sold to the Pacific Gas and Electric Company.

Proposed Scope and Cost of Studies under Permit—The Applicant seeks issuance of a preliminary permit for a period of 24 months, during which it would make a geographic study; prepare an environmental impact report; perform economic and financial feasibility studies; and apply for necessary permits. The cost of these studies are estimated by the Applicant to be $30,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before April 23, 1981, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the

competing application no later than June 22, 1981. A notice of intent must conform with the requirements of 18 CFR 4.33 (b) and (c) (1980). A competing application must conform with the requirements of 18 CFR 4.33 (a) and (d) (1980).

Comments, Protests or Petitions to Intervene—Anyone desiring to be heard or to make any protests about this application should file a petition to intervene or a protest with the Commission, in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be received on or before April 23, 1981.

Filing and Service of Responsive Documents—Any comments, notices of intent, competing applications, protests, or petitions to intervene must bear in all capital letters the title "COMMENTS," "NOTICE OF INTENT TO FILE COMPETING APPLICATION," "COMPETING APPLICATION," "PROTEST," or "PETITION TO INTERVENE," as applicable. Any of these filings must also state that it is made in response to this notice of application for preliminary permit for Project No. 3920. Any comments, notices of intent, competing applications, protests, or petitions to intervene must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208, 400 First Street, N.W., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-6441 Filed 2-25-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket Nos. G-5073-001, et al.]

Shell Oil Co.; Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates [1]

February 23, 1981.

Take notice that each of the Applicants listed herein has filed an application or petition pursuant to Section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

Any person desiring to be heard or to make any protest with reference to said applications should on or before March 10, 1981, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission on all applications in which no petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or to be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[1] This notice does not provide for consolidation for hearing of the several matters covered herein.

Docket No. and date filed	Applicant	Purchaser and location	Price per 1,000 ft³	Pressure base
G-5073-001, D, 1/26/81	Shell Oil Company, One Shell Plaza, P.O. Box 2463, Houston, Texas 77001.	Colorado Interstate Gas Co., Keyes Field, Cimarron and Texas Counties, Oklahoma and Stanton County, Kansas.	(1)	
G-10126-000, D, 1/23/81	Gulf Oil Corporation, P.O. Box 2100, Houston, Texas 77001.	Florida Gas Transmission Company, East Corpus Christi Bay and Encinal Channel Fields, Nueces County, Texas.	(2)	14.65
G-16139-007, C, 1/26/81	Gulf Oil Corporation, P.O. Box 2100, Houston, Texas 77001.	Transwestern Pipeline Company, Panhandle Area of Texas, Various Counties, Texas.	(3)	
G-16139-008, D, 1/23/81	Gulf Oil Corporation, P.O. Box 2100, Houston, Texas 77001.	Transwestern Pipeline Company, Panhandle Area of Texas, Various Counties, Texas.	(4)	
G-17888-004, D, 2/6/81	Shell Oil Company, One Shell Plaza, P.O. Box 2463, Houston, Texas 77001.	El Paso Natural Gas Company, Mocane-Laverne Field, Beaver County, Oklahoma.	(5)	
G-18016-000, D, 1/28/81	Shell Oil Company, One Shell Plaza, P.O. Box 2463, Houston, Texas 77001.	Cimarron Transmission, Co., S.W. Enville Field, Love County, Oklahoma.	(6)	
CI62-1041-000, D, 2/2/81	Santa Fe Energy Company, Law Department, Room 1204, 224 South Michigan Avenue, Chicago, Illinois 60604.	Natural Gas Pipeline Company of America ODC #1—737 well Section 737, Block 43, H&TC Survey Ellis Ranch Field, Cleveland Formation, Ochiltree County, Texas.	(7)	
CI69-1164-002, D, 2/2/81	Gulf Oil Corporation, P.O. Box 2100, Houston, Texas 77001.	Texas Gas Transmission Corporation, Six Mile Lake Field, St. Martin and St. Mary Parishes, Louisiana.	(8)	
CI81-180-000, B, 2/2/81	Texas West Oil & Gas Corporation, 1480 Midland National Bank Tower, Midland, Texas 79701.	Southern Natural Gas Company, Knox Field—Wallhall County, Mississippi.	(9)	
CI81-181-000 (CI63-1264), B, 2/2/81.	Gulf Oil Corporation, P.O. Box 2100, Houston, Texas 77001.	Texas Gas Transmission Corporation, Downsville Field, Union Parish, Louisiana.	(10)	
CI81-182-000, A, 2/2/81	Natresco Incorporated, P.O. Box 1521, Houston, Texas 77001.	United Gas Pipe Line Company, Block A-325, High Island Area, Offshore Texas.	(11)	14.73

Docket No. and date filed	Applicant	Purchaser and location	Price per 1,000 ft³	Pressure base
CI81-183-000, A, 2/3/81	Ocean Production Company, P.O. Box 61780, New Orleans, Louisiana 70161.	Tennessee Gas Pipeline Company, East Cameron Block 351, in the Gulf of Mexico, Offshore Louisiana.	(12)	15.025
CI81-184-000, B, 2/4/81	Partnership Properties Co., Suite 1400, 1600 Broadway, Denver, Colorado 80202.	Lone Star Gas Company, Gentry #1 Well, Stephens County, Oklahoma.	(13)	
CI81-185-000, B, 2/4/81	Eason Oil Company, 2601 N.W. Expressway, Oklahoma City, Oklahoma 73112.	Getty Oil Company, Marlow Field, Stephens County, Oklahoma.	(14)	
CI81-188-000, A, 2/4/81	The Superior Oil Company, P.O. Box 1521, Houston, Texas 77001.	United Gas Pipe Line Company, Block A-325, High Island Area, Offshore Texas.	(15)	14.73
CI81-190-000 (G-7482), B, 2/5/81.	Energy Reserves Group, Inc., P.O. Box 1201, 217 North Water Street, Wichita, Kansas 67201.	Lone Star Gas Company, Katie Field, Garvin County, Oklahoma.	(16)	
CI81-191-000, B, 2/5/81	Petroleum Corporation of Texas, P.O. Box 911, Breckenridge, Texas 76024.	United Gas Pipe Line Company, North McFaddin, Victoria County, Texas.	(17)	
CI81-192-000 (CI61-1557), B, 2/6/81.	Ladd Petroleum Corporation, Succ. to LVO Corp. (formerly Livingston Oil Co.), 830 Denver Club Building, Denver, Colorado 80202.	Ringwood Gathering Co. (formerly Oklahoma Natural Gas Gathering) and Pioneer Gas Products, Ringwood Field, Major County, Oklahoma.	(18)	

[1] Shell Oil Company is no longer able to render service from the acreage involved in this application because it has no interest in the acreage.

[2] Three dry holes were drilled, plugged and abandoned on the State of Texas Lease Tract 35, Corpus Christi Bay, Nueces County, Texas, and the lease expired on August 3, 1969.

[3] Applicant is filing under a letter agreement dated June 3, 1980, which adds the outlet side of the Alpar-Tonkawa Plant operated by Warren Petroleum Company, A Division of Gulf Oil Corporation in Section 78, Block 41, Hemphill County, Texas, as an additional point of delivery under the contract between Gulf and Transwestern dated June 19, 1958, as amended.

[4] Leases have expired by their own terms.

[5] Shell Oil Company is no longer able to render service from the acreage involved in this application because it has no interest in the acreage.

[6] Shell Oil Company is no longer able to render service from the acreage involved in this application because it has no interest in the acreage.

[7] On April 25, 1979, Diamond Shamrock Corporation released Section 737 back to Santa Fe Energy Company pursuant to the terms of the lease dated July 25, 1960. Santa Fe Energy Company has evaluated Section 737 and now wishes to drill a well in this section. The acreage in Section 737 remains dedicated to Natural Gas Pipeline Company of America. However, Diamond Shamrock Corporation has agreed to purchase the gas from Santa Fe Energy Company for processing at their McKee Plant if an abandonment is obtained from Natural Gas Pipeline Company.

[8] A 454.26 acre tract of State of Louisiana Lease No. 2963 has been released to the State of Louisiana.

[9] Dry-Hole; Plugged and Abandoned July 13, 1980.

[10] Production has ceased and the P. W. Skaris, et al Unit No. 1 Well was plugged and abandoned on February 13, 1973. All of the leases in which Gulf owned an interest that were covered by this contract have terminated.

[11] Applicant is willing to accept an initial rate consistent with that prescribed by the Natural Gas Policy Act of 1978.

[12] Applicant is filing under Gas Purchase and Sales Agreement dated November 13, 1980.

[13] Reserves underlying well depleted.

[14] Getty abandoned plant operations.

[15] Applicant is willing to accept an initial rate consistent with that prescribed by the Natural Gas Policy Act of 1978.

[16] Contract has been terminated. The well has not produced gas since the mid 1950's and the operator of the one remaining oil well, Rhoades Oil Company states the gas line has been taken up.

[17] Have plugged and abandoned both our wells in field.

[18] Purchaser (Ringwood Gathering Co.) is unable to economically justify the installation of the necessary pipeline to connect the well and has granted a release of the S/2 SE/4 of Section 7, T22N, R12W, Major County, Oklahoma, Wahl No. 1 well.

Filing code: A—Initial service. B—Abandonment. C—Amendment to add acreage. D—Amendment to delete acreage. E—Total succession. F—Partial succession.

[FR Doc. 81-6442 Filed 2-25-81; 8:45 am]

BILLING CODE 6450-85-M

FEDERAL EMERGENCY MANAGEMENT AGENCY

Signatory on Standard Flood Insurance Policy and Federal Crime Insurance Policy

AGENCY: Federal Insurance Administration, Federal Emergency Management Agency.

ACTION: Notice.

FOR FURTHER INFORMATION CONTACT: Donald L. Collins, Federal Insurance Administration, Federal Emergency Management Agency, 1725 "I" Street, Washington, D.C. 20472; telephone [202] 755-7355.

NOTICE: Richard W. Krimm, Acting Administrator, Federal Insurance Administration, is hereby providing notification that, in respect to all Standard Flood Insurance Policies and Federal Crime Insurance Program Policies of insurance newly issued or renewed by the Federal Insurance Administration/Federal Emergency Management Agency on and after January 28, 1981, the name and title "Gloria M. Jimenez, Federal Insurance Administrator" is deleted as signatory on the facsimile signature block and the name and title "Richard W. Krimm, Acting Administrator, Federal Insurance Administration", is substituted therefor. The Standard Flood Insurance Policy is incorporated as Appendix A (1) and (2) to Part 61 of Title 44 of the Code of Federal Regulations and the Federal Crime Insurance Program residential and commercial crime insurance policies are incorporated at §§ 83.5 and 83.26, respectively, of Part 83 of Title 44.

(42 U.S.C. 4001 *et seq.*; 12 U.S.C. 1749 bbb *et seq.*)

Dated: February 11, 1981.

Richard W. Krimm,

Acting Administrator, Federal Insurance Administration.

[FR Doc. 81-6406 Filed 2-25-81; 8:45 am]

BILLING CODE 6718-03-M

FEDERAL MARITIME COMMISSION

Notice of Agreements Filed

The Federal Maritime Commission hereby gives notice that on October 20, 1980, the following agreements were filed with the Commission pursuant to section 15 of the Shipping Act, 1916, as amended by section 4 of the Maritime Labor Agreements Act of 1980, Pub. L. 96-325, 94 Stat. 1021.

Agreements Nos.: LM-67, LM-68, LM-69 and LM-70.

Filing Party: James G. Howell, President, New Orleans Steamship Association, 219 Carondelet Street, New Orleans, Louisiana 70130.

Summary: Agreement No. LM-67 is a collectively-bargained deep-sea agreement between the New Orleans Steamship Association and General Longshore Workers I.L.A. Local 3000, AFL-CIO, covering the period October 1, 1980, through September 30, 1983.

Agreement No. LM-68 is a collectively-bargained labor-management agreement between the New Orleans Steamship Association and the New Orleans Clerks' and Checkers' Union, Local Union No. 1497 of the International Longshoremen's Association, AFL-CIO, covering the period October 1, 1980, through September 30, 1983.

Agreement No. LM-69 is a collectively-bargained deep-sea agreement between the New Orleans Steamship Association and Dock Loaders and Unloaders of Freight Cars and Barges, I.L.A. Local Union No. 854, AFL-CIO, covering the period October 1, 1980, through September 30, 1983.

Agreement No. LM-70 is a collectively-bargained deep-sea agreement between the New Orleans Steamship Association and the Sack Sewers, Sweepers, Waterboys and Coopers Union, I.L.A. Local No. 1802, AFL-CIO, covering the period October 1, 1980, through September 30, 1983.

The Federal Maritime Commission hereby gives notice that on October 20, 1980, the following agreements were filed with the Commission pursuant to section 15 of the Shipping Act, 1916, as amended by section 4 of the Maritime Labor Agreements Act of 1980, Pub. L. 96-325, 94 Stat. 1021.

Agreements Nos.: LM-77, LM-78 and LM-79.

Filing Party: Wm. F. Arnett, President, West Gulf Maritime Association, Cotton Exchange Building, Houston, Texas 77002.

Summary: Agreement No. LM-77 is a collectively-bargained deep-sea and coastwise longshore and cotton agreement between the West Gulf Maritime Association, Inc. and the South Atlantic and Gulf Coast District, International Longshoremen's Association, covering the period October 1, 1980, through September 30, 1983.

Agreement No. LM-78 is a collectively-bargained labor agreement between the West Gulf Maritime Association and various Clerks and Checkers Union locals affiliated with the International Longshoremen's Association, covering the period October 1, 1980, through September 30, 1983.

Agreement No. LM-79 is a collectively-bargained labor agreement between the employers of warehouse labor at the Port of Houston and the South Atlantic and Gulf Coast District, International Longshoremen's Association, covering the period October 1, 1980, through September 30, 1983.

The Federal Maritime Commission hereby gives notice that on November 12, 1980, the following agreement was filed with the Commission pursuant to section 15 of the Shipping Act, 1916, as amended by section 4 of the Maritime Labor Agreements Act of 1980, Pub. L. 96-325, 94 Stat. 1021, and was deemed approved that date, to the extent that it provides for an assessment agreement as described in the fifth paragraph of section 15, Shipping Act, 1916.

Agreement No.: LM-76.

Filing Party: Thomas W. Gleason, Esquire, One State Street Plaza, New York, New York 10004.

Summary: Agreement No. LM-76 is the collectively-bargained Assessment Agreement between the South Atlantic Employers Negotiating Committee and the International Longshoremen's Association, AFL-CIO, covering the period October 1, 1980, through September 30, 1983.

By Order of the Federal Maritime Commission.

Dated: February 23, 1981.

Francis C. Hurney,

Secretary.

[FR Doc. 81-6356 Filed 2-25-81; 8:45 am]

BILLING CODE 6730-01-M

FEDERAL RESERVE SYSTEM

Bank Holding Companies; Proposed De Novo Nonbank Activities

The bank holding companies listed in this notice have applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(1) of the Board's Regulation Y (12 CFR 225.4(b)(1)), for permission to engage de novo (or continue to engage in an activity earlier commenced de novo), directly or indirectly, solely in the activities indicated, which have been determined by the Board of Governors to be closely related to banking.

With respect to each appplication, interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interest, or unsound banking practices." Any comment on an application that requests a hearing must include a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

Each application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank indicated for that application. Comments and requests for hearings should identify clearly the specific application to which they relate, and should be submitted in writing and, except as noted, received by the appropriate Federal Reserve Bank not later than March 21, 1981.

A. *Federal Reserve Bank of Chicago* (Franklin D. Dreyer, Vice President) 230 South LaSalle Street, Chicago, Illinois 60690:

Northern Trust Corporation, Chicago, Illinois (loan production and servicing activities; Florida): to engage, through a loan production office known as Northern Trust Representative Office, in interviewing, counseling and assisting customers and potential customers of Northern Trust Corporation or its wholly-owned subsidiary, The Northern Trust Company, who desire to borrow from such organizations at their principal offices in Chicago, Illinois. The activities will be conducted from offices located in Miami, Florida, serving Florida. Comments on this application must be received by March 16, 1981.

B. *Federal Reserve Bank of St. Louis* (Delmer P. Weisz, Vice President) 411 Locust Street, St. Louis, Missouri 63166:

Tradewater Bancshares, Inc., Providence, Kentucky (insurance agency activities; Kentucky): to act, through a subsidiary, Union National Insurance Agency, Inc., as agent or broker with respect to the sale of any type of insurance in communities having a population not exceeding 5,000, including, but not limited to, the sale of fire, casualty, vehicle, accident, health, disability, rent, burglary, and life insurance, regardless of whether related to extensions of credit or not and including the sale of blanket bond insurance to Applicant or banking subsidiary. These activities will be conducted from the main office of Applicant's subsidiary bank in Providence, Kentucky, serving communities within 25 miles of Providence.

C. *Federal Reserve Bank of San Francisco* (Harry W. Green, Vice President) 400 Sansome Street, San Francisco, California 94120:

1. Security Pacific Corporation, Los Angeles, California (financing and credit-related life, accident and health insurance activities; New York): to engage through its subsidiaries, Security Pacific Finance Corp. and SPF Credit Services, Inc. in making or acquiring for its own account and for the account of others, loans and extensions of credit, including making consumer installment personal loans, purchasing consumer installment sales finance contracts, making loans to small businesses and other extensions of credit such as would be made by a factoring company or a consumer finance company, life, accident and health insurance. These activities would be conducted from offices of Security Pacific Finance Corp. and SPF Credit Services, Inc. located in Happauge and Woodbury, New York, serving the State of New York.

2. Security Pacific Corporation, Los Angeles, California (mortgage banking activities; Oregon): to engage through its subsidiary, Security Pacific Mortgage Corporation, in the origination and acquisition of mortgage loans, including development and construction loans on multi-family and commercial properties for Security Pacific Mortgage Corporation's own account or for sale to others and the servicing of such loans for others. These activities would be

conducted from an office in Portland, Oregon, serving the State of Oregon. Comments on this application must be received by March 18, 1981.

3. Wells Fargo & Company, San Francisco, California (insurance activities; California): to engage, through its subsidiary, Central Western Insurance Company, in underwriting accident insurance, health insurance, and combined life and disability insurance, written in connection with extensions of credit by Applicant's lending subsidiaries in California. These activities would be conducted from an office in Scottsdale, Arizona, serving California.

D. *Other Federal Reserve Banks:* None.

Board of Governors of the Federal Reserve System, February 19, 1981.

Jefferson A. Walker,

Assistant Secretary of the Board.

[FR Doc. 81-6416 Filed 2-25-81; 8:45 am]

BILLING CODE 6210-01-M

Mercantile International Corp.; Establishment of U.S. Branch of a Corporation Organized Under Section 25(a) of the Federal Reserve Act

Mercantile International Corporation, St. Louis, Missouri, a corporation organized under section 25(a) of the Federal Reserve Act, has applied for the Board's approval under § 211.4(c)(l) of the Board's regulation K (12 CFR 211.4(c)(l)), to establish a branch in New York, New York. Mercantile International Corporation operates as a subsidiary of Mercantile Trust Company, N.A., St. Louis, Missouri.

The factors that are to be considered in acting on this application are set forth in section 211.4(a) of the Board's Regulation K (12 CFR 211.4(a)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of St. Louis. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551 to be received not later than March 22, 1981. 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, identify specifically any questions of fact that are in dispute, and summarize the evidence that would be presented at a hearing.

Board of Governors of the Federal Reserve System, February 20, 1981.

Jefferson A. Walker,

Assistant Secretary of the Board.

[FR Doc. 81-6417 Filed 2-25-81; 8:45 am]

BILLING CODE 6210-01-M

Pawnee Bancshares, Inc.; Formation of Bank Holding Company

Pawnee Bancshares, Inc., Pawnee, Oklahoma, 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 Pawnee National Bank, Pawnee, Oklahoma. The factors that are considered in acting on the application are set forth in section 3(c) or the Act (12 U.S.C. section 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 March 22, 1981. 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, February 20, 1981.

Jefferson A. Walker,

Assistant Secretary of the Board.

[FR Doc. 81-6418 Filed 2-25-81; 8:45 am]

BILLING CODE 6210-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Public Health Service; Health Services Administration

Health Education Assistance Loan Program; "Maximum Interest Rates for Quarter Ending March 31, 1981"

Section 727 of the Public Health Service Act (42 CFR Part 60, previously 45 CFR Part 126) authorizes the Secretary to establish a Federal program of student loan insurance for graduate students in health professions schools. Section 60.13(a)(4) of the program's implementing regulations provides that the Secretary will announce the interest rate in effect on a quarterly basis.

Prior to January 27, 1981, the maximum allowable annual interest rate for the Health Education Assistance Loan (HEAL) Program was 12 percent. This was changed by Pub. L. 96-538, enacted December 17, 1980. Final regulations implementing this change, among others, and redesignating the location of the HEAL Regulations in the Code of Federal Regulations were published in the **Federal Register** on January 27, 1981.

The Secretary announces that for the period ending March 31, 1981, two interest rates are in effect for loans executed through the HEAL Program.

1. For loans made before January 27, 1981, the variable interest rate is 12⅝ percent. Using the regulatory formula (45 CFR 126.13(a) (2) and (3)), in effect prior to January 27, 1981, the Secretary would normally compute the variable rate for this quarter by finding the sum of the fixed annual rate (7 percent) and a variable component calculated by subtracting 3.50 percent from the average bond equivalent rate of 91-day U.S. Treasury Bills for the preceding calendar quarter (14.42 percent), and rounding the result (10.92 percent) upward to the nearest one-eighth percent (11 percent). Thus, the variable rate for this 3-month period would normally be at the annual rate of 18 percent (11 percent plus 7 percent). However, the regulatory formula also provides that the annual rate of the variable interest rate for a 3-month period shall be reduced to the highest one-eighth of 1 percent which would result in an average annual rate not in excess of 12 percent for the 12-month period concluded by those 3 months. For the three previous quarters the variable interest at the annual rate was as follows: 13¼ percent for the quarter ending June 30, 1980; 11 percent for the quarter ending September 30, 1980; and 11⅛ percent for the quarter ending December 31, 1980. Therefore, in order to maintain an average annual rate of 12 percent for the 12-month period ending March 31, 1981, the variable interest rate for the period ending January 26, 1981, would be at an annual rate of 12⅝ percent.

2. For all loans executed during the period of January 27, through March 31, 1981, the interest rate, fixed and variable, is 18 percent. Using the regulatory formula (42 CFR Part 60(a)(3)), in effect on January 27, 1981, the Secretary computes the maximum interest rate at the beginning of each calendar quarter by determining the average bond equivalent rate for the 91-day U.S. Treasury Bills during the preceding quarter (14.42 percent); adding 3.50 percent (17.92 percent); and rounding that figure to the next higher one-eighth of 1 percent (18.00 percent).

(Catalog of Federal Domestic Assistance No. 13.574, Health Professions Educational Assistance Act Insured Loans)

Dated: February 18, 1981.

John H. Kelso,

Acting Administrator.

[FR Doc. 81-6390 Filed 2-25-81; 8:45 am]

BILLING CODE 4110-84-M

DEPARTMENT OF THE INTERIOR

Geological Survey

Oil and Gas and Sulphur Operations in the Outer Continental Shelf

AGENCY: U.S. Geological Survey, Department of the Interior.

ACTION: Notice of the receipt of a proposed development and production plan.

SUMMARY: Notice is hereby given that Texas Gas Exploration Company has submitted a Development and Production Plan describing the activities it proposes to conduct on Lease OCS-G 3323, Block 220, East Cameron Area, offshore Louisiana.

The purpose of this Notice is to inform the public, pursuant to Section 25 of the OCS Lands Act Amendments of 1978, that the Geological Survey is considering approval of the Plan and that it is available for public review at the offices of the Conservation Manager, Gulf of Mexico OCS Region, U.S. Geological Survey, 3301 North Causeway Blvd., Room 147, Metairie, Louisiana 70002.

FOR FURTHER INFORMATION CONTACT: U.S. Geological Survey, Public Records, Room 147, open weekdays 9 a.m. to 3:30 p.m., 3301 North Causeway Blvd., Metairie, Louisiana 70002, Phone (504) 837-4720, Ext. 226.

SUPPLEMENTARY INFORMATION: Revised rules governing practices and procedures under which the U.S. Geological Survey makes information contained in Development and Production Plans available to affected States, executives of affected local governments, and other interested parties became effective December 13, 1979 (44 FR 53685). Those practices and procedures are set out in a revised § 250.34 of Title 30 of the Code of Federal Regulations.

Dated: February 18, 1981.

Lowell G. Hammons,

Conservation Manager, Gulf of Mexico OCS Region.

[FR Doc. 81-6370 Filed 2-25-81; 8:45 am]

BILLING CODE 4310-31-M

Oil and Gas and Sulphur Operations in the Outer Continental Shelf

AGENCY: U.S. Geological Survey, Department of the Interior.

ACTION: Notice of the receipt of a proposed development and production plan.

SUMMARY: Notice is hereby given that Amoco Production Company has submitted a Development and Production Plan describing the activities it proposes to conduct on Lease OCS 0590, Block 177, Ship Shoal Area, offshore Louisiana.

The purpose of this Notice is to inform the public, pursuant to Section 25 of the OCS Land Act Amendments of 1978, that the Geological Survey is considering approval of the Plan and that it is available for public review at the offices of the Conservation Manager, Gulf of Mexico OCS Region, U.S. Geological Survey, 3301 North Causeway Blvd., Room 147, Metairie, Louisiana 70002.

FOR FURTHER INFORMATION CONTACT: U.S. Geological Survey, Public Records, Room 147, open weekdays 9 a.m. to 3:30 p.m., 3301 North Causeway Blvd., Metairie, Louisiana 70002, Phone (504) 837-4720, Ext. 226.

SUPPLEMENTARY INFORMATION: Revised rules governing practices and procedures under which the U.S. Geological Survey makes information contained in Development and Production Plans available to affected States, executives of affected local governments, and other interested parties became effective December 13, 1979 (44 FR 53685). Those practices and procedures are set out in a revised § 250.34 of Title 30 of the Code of Federal Regulations.

Dated: February 20, 1981.

Lowell G. Hammons,

Conservation Manager, Gulf of Mexico OCS Region.

[FR Doc. 81-6374 Filed 2-25-81; 8:45 am]

BILLING CODE 4310-31-M

Bureau of Land Management

[A-3478, AR-032224]

Arizona; Modification of Classification of Public Lands for Multiple Use Management; Termination of Mineral Segregation

1. Pursuant to authority delegated to me by Bureau of Land Management Order No. 701 of July 23, 1964 (29 FR 10526), the following classifications for multiple use management of public land are hereby modified to terminate the segregation from appropriation under the United States mining laws (Ch. 2, Title 30 U.S.C.) and the mineral leasing laws.

Gila and Salt River Meridian, Arizona:

A-3478; published in the **Federal Register** July 11, 1970 (35 FR 11192):

Maricopa County

T. 4 N., R. 5 E.,
Sec. 24.
T. 4 N., R. 6 E.,
Sec. 30, lots 3 and 4.
T. 1 S., R. 3 E.,
Sec. 8, M.S. No 4300 lying within lots 9 and 10.

Yavapai County

T. 10 N., R. 6 W.,
Sec. 23, lots 2, 3, lots 9 to 19, inclusive, lot 21, and S½SE¼.
T. 14 N., R. 9 W.,
Sec. 11, E½NE¼.

Mohave County

T. 16 N., R. 21 W.,
Sec. 10, E½E½, and SW¼SE¼;
Sec. 14, N½, W½SW¼, N½NE¼SW¼, W½SW¼NE¼SW¼, N½NW¼SE¼, E½, SE¼NW¼SE¼, and E½SE¼.

Pima County

T. 14 S., R. 10 E.,
Sec. 12.
T. 13 S., R. 11 E.,
Sec. 8, SE¼SE¼.
T. 14 S., R. 12 E.,
Sec. 25, W½NE¼SW¼;
Sec. 35, E½SE¼NW¼.
T. 15 S., R. 12 E.,
Sec. 1, lots 13 and 14;
Sec. 3, E½SE¼NE¼;
Sec. 4 lots 9 and 10;
Sec. 5, lots 37 to 52, inclusive;
Sec. 8, lots 58 and 59;
Sec. 9, S½SE¼NW¼;
Sec. 10, lots 71, 72, lots 89 to 92, inclusive, and lots 101 to 104, inclusive;
Sec. 13, SW¼SW¼NE¼;
Sec. 14, NW¼NW¼SE¼;
Sec. 19, NE¼SE¼;
Sec. 22, NW¼NE¼SE¼;
Sec. 23, NW¼NW¼SE¼.
T. 15 S., R. 13 E.,
Sec. 4, lots 5 to 16, inclusive and lots 25 to 40, inclusive.

Cochise County

T. 19 S., R. 22 E.,
Sec. 25, S½SW¼;
Sec. 26, NW¼SW¼ and S½S½;
Sec. 27, S½SE¼;
Sec. 34, NE¼ and N½SE¼;
Sec. 35, SW¼NW¼.

Graham County

T. 8 S., R. 26 E.,
Sec. 29, N½NW¼.

The areas described aggregate 3711.85 acres.

AR-032224; published in the **Federal Register** August 8, 1967 (32 FR No. 152):

T. 12 S., R. 13 E.,
Sec. 19, lots 3 and 4, E½W½ and E½.
T. 15 S., R. 10 E.,
Sec. 30, lots 1 to 4, inclusive, E½W½ and E½;

Sec. 31, lots 1 to 4, inclusive, E½W½ and E½.
T. 16 S., R. 10 E.,
Sec. 3, lots 1 to 3, inclusive, and lots 5 to 16, inclusive, and S½;
Sec. 4, lot 1 and S½;
Sec. 9, N½;
Sec. 10, N½.
T. 11 N., R. 26 E.,
Sec. 10, NE¼, E½NW¼, NE¼SE¼, and E½NW¼SW¼;
Sec. 14, E½E½, NW¼NE¼, SW¼SE¼, N½SW¼ and SW¼SW¼;
Sec. 15, NE¼NW¼;
Sec. 23, N½NE¼ and SE¼NE¼;
Sec. 26, NW¼, W½NE¼, E½SE¼, and SW¼SE¼;
Sec. 27, W½NW¼NE¼, and SW¼SE¼.

The areas described aggregate 4943.50 acres in Pima and Apache Counties.

2. The segregative effect (closure to entry under the mining laws and the mineral leasing laws) on the lands described in this order will terminate upon publication of this notice in the **Federal Register** pursuant to Departmental regulations in 43 CFR 2461.5(c)(2). This action shall in no way affect the continued classification of the land for multiple use management and segregation from appropriation under the remaining public land laws described in the classifications.

February 18, 1981.

Clair M. Whitlock,

State Director.

[FR Doc. 81-6373 Filed 2-25-81; 8:45 am]

BILLING CODE 4310-84-M

[NM 23614]

New Mexico; Proposed Withdrawal and Reservation of Lands

February 17, 1981.

The Corps of Engineers, Department of the Army, has filed withdrawal application NM 23614, for the following described public lands from settlement, sale, location, or entry under the general land laws, including the mining laws, but not the mineral leasing laws, subject to valid existing rights;

New Mexico Principal Meridian, New Mexico

T. 12 N., R. 30 E.,
Sec. 32, lots 1 and 2.
The area described contains 52.70 acres in Quay County.

The applicant desires the withdrawal for use as a rifle range and for military purposes.

On or before March 20, 1981, 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.

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 undersigned before March 20, 1981. Upon a determination by the State Director, Bureau of Land Management, that a public hearing will be held, a notice will be published in the **Federal Register** giving the time and place of such hearing.

Public hearings are scheduled and conducted in accordance with Bureau of Land Management Manual, Section 2351.16B.

The Department of the Interior's regulations provide that the authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demands for the lands and their resources. He will ensure that the area sought is the minimum essential to meet the desired needs while providing for the maximum concurrent utilization of the lands for other purposes.

The authorized officer will also prepare a report for consideration by the Secretary of the Interior who will determine whether the lands will be withdrawn and reserved as requested. 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.

Subject to valid existing rights, the lands are temporarily segregated from the operation of the public land laws, including the mining laws, but not the mineral leasing laws, to the extent that the withdrawal applied for, if and when effected, would prevent any form of disposal or appropriation under such laws. Current administrative jurisdiction over the segregated lands will not be affected by the temporary segregation. The segregative effect of this proposed withdrawal shall continue for a period of two years from the date of publication of the notice in the **Federal Register,** unless sooner terminated by action of the Secretary of the Interior.

All communications (except for public hearing requests) in connection with this proposed withdrawal should be addressed to the State Director, Bureau of Land Management, Department of the Interior, P.O. Box 1449, Santa Fe, New Mexico 87501.

Leroy C. Montoya,

Chief, Division of Technical Services.

[FR Doc. 81-6377 Filed 2-25-81; 8:45 am]

BILLING CODE 4310-84-M

Powder River Resource Area, Montana; Intent To Initiate Management Framework Plan Amendment in Selected Portions

AGENCY: Department of the Interior, Bureau of Land Management, P.O. Box 940, Miles City, Montana 59301.

ACTION: Initiation of coal-related land use planning in parts of Big Horn, Powder River and Rosebud Counties, Montana.

The Bureau of Land Management (BLM) is initiating a Management Framework Plan (MFP) Amendment for portions of Big Horn, Powder River and Rosebud Counties as the result of three recent actions: (1) Passage of the Rattlesnake National Recreation Area and Wilderness Act of 1980 provides for an exchange of bidding rights to certain lands for energy development near Colstrip, Montana in return for title to Private lands in the Rattlesnake Area near Missoula, Montana; (2) Pub. L. 96-401, the "Northern Cheyenne" legislation which provides for the cancellation of certain coal leases and exploration permits within the Northern Cheyenne Indian Reservation in exchange for the issuance of non-competitive leases or bidding rights for competitive leases. One of the objectives of this amendment is to study certain areas to facilitate this exchange; (3) In October, 1980, the BLM Director instructed Montana BLM State Director to re-examine certain previously studied coal areas in the Powder River Resource Area for possible competitive lease sales in 1984.

This plan is a Transitional Period Category 3 MFP Amendment. In addition to the coal values, other resource values, including agriculture and wildlife habitat, will be considered. This amendment will constitute a comprehensive coal related land use plan for the area. It will result in the identification of lands, if any, as acceptable for further consideration for competitive coal leasing in 1984 and non-competitive lease exchange or sales. This amendment officially commences February 27, 1981 and is scheduled to be completed in August, 1982.

there will be three public meetings held to identify isues and concerns to be addressed in this amendment. They will

be held on March 16, 1981 from 1–4:00 p.m. and from 7–9:00 p.m. at the Miles City District Office, West of Miles City, Montana and on March 17 1981 from 1–4:00 p.m. at the Public School, Multipurpose Room, Ashland, Montana. The public is invited to attend any of these meetings to raise questions or to provide comments and information on the areas and issues to be covered in this amendment. Any written comments should be submitted to the Miles City District Office by April 17, 1981.

EFFECTIVE DATE: February 27, 1981.

FOR FURTHER INFORMATION CONTACT: Ray Brubaker, District Manager, Miles City District, BLM, P.O. Box 940, Miles City, Montana 59301 (406) 232–4331.

Robert A. Teegarden,

Acting District Manager.

[FR Doc. 81-6372 Filed 2-25-81; 8:45 am]

BILLING CODE 4310-84-M

Roswell District Grazing Advisory Board; Meeting

AGENCY: U.S. Bureau of Land Management, Roswell District.

ACTION: Notice of Grazing Advisory Board Meeting.

SUMMARY: In accordance with Pub. L. 92–463 this notice sets forth the schedule and proposed agenda of a forthcoming meeting of the Roswell District Grazing Advisory Board.

DATE: March 26, 1981, beginning at 10:00 a.m. A public comment period will begin at 11:00 a.m.

ADDRESS: U.S. Bureau of Land Management, Roswell District Office, 1717 West Second Street, Roswell, New Mexico.

FOR FURTHER INFORMATION CONTACT: James H. O'Connor, District Manager, or Dick Bastin, Assistant District Manager, U.S. Bureau of Land Management, P.O. Box 1397, Roswell, N.M. 88201 (505–622–7670).

SUPPLEMENTARY INFORMATION: The proposed agenda for the meeting includes: (1) discussion of the rangeland consultation process; (2) a discussion of allotment management plans and grazing systems; (3) a review of rangeland monitoring studies; (4) an update on rangeland improvements, including brush control programs.

The meeting is open to the public. Interested persons may make oral statements to the Board during the public comment period or may file written statements. Anyone wishing to make an oral statement must notify the District Manager or Assistant District Manager by March 25, 1981. Summary minutes of the Board meeting will be maintained in the District Office and will be available for public inspection and reproduction during regular business hours within 30 days following the meeting.

Dated: February 18, 1981.

James H. O'Connor,

District Manager.

[FR Doc. 81-6385 Filed 2-25-81; 8:45 am]

BILLING CODE 4310-84-M

Realty Action-Exchange; Public Lands in Garfield and Lewis and Clark Counties, Montana

Correction

In FR Doc. 81–3026, appearing at pages 9216–9217 in the issue for Wednesday, January 28, 1981, make the following changes:

1. On page 9217, column 1, line 11, section 12, change "E½E¼", to "E½NE¼".
2. In line 16, same column, section 25, change "N½NE¼", to "N½NW¼".
3. Same column, line 25, section 8, change "SW¼NW¼" to "SE¼NW¼".
4. In column 2, line 36, section 2, change "SE¼SE¼SW¼SE¼" to "SE¼SE¼SW¼SE¼".
5. In the same column, 9 lines from the bottom, delete "T. 32.".

BILLING CODE 1505-02-M

[OR 20227-A]

Oregon; Proposed Continuation of Withdrawal

The Bureau of Land Management, U.S. Department of the Interior, proposes that the existing land withdrawal made by the Executive Order of August 27, 1921, be continued in part as to the following described land for a 20-year period, pursuant to Section 204 of the Federal Land Policy and Management Act of October 21, 1976, 90 Stat. 2751, 43 U.S.C. 1714:

Willamette Meridian

Public Water Reserve No. 79

T. 10 S., R. 26 E.,
Sec. 30, Lot 1.

Containing 39.45 acres in Grant County, Oregon.

The purpose of the withdrawal is to protect an existing permanent water source. The land is currently segregated from operation of the public land laws generally, including non-metalliferous mineral location, under the mining laws, but not the mineral leasing laws. No change is proposed in the purpose or segregative effect of the withdrawal.

Notice is hereby given that an opportunity for a public hearing is afforded in connection with the proposed withdrawal continuation. All interested persons who desire to be heard on the proposal must submit a written request for a hearing to the undersigned on or before April 7, 1981. Upon determination by the State Director, Bureau of Land Management, that a public hearing will be held, a notice will be published in the **Federal Register** giving the time and place of such hearing. In lieu of or in addition to attendance at a scheduled public hearing, written comments or objections to the proposed withdrawal continuation may be filed with the undersigned officer on or before April 7, 1981.

The authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the land and its resources. He will review the withdrawal rejustification to insure that continuation would be consistent with the statutory objectives of the programs for which the land is dedicated; the area involved is the minimum essential to meet the desired needs; the maximum concurrent utilization of the land is provided for; and an agreement is reached on the concurrent management of the land and its resources. He will also prepare a report for consideration by the Secretary of the Interior, the President, and Congress, who will determine whether or not the withdrawal will be continued and if so, for how long. The final determination on the continuation of the withdrawal will be published in the **Federal Register**. The existing withdrawal will continue until such final determination is made.

All communications in connection with this proposed withdrawal continuation should be addressed to the undersigned officer, Bureau of Land Management, U.S. Department of the Interior, P.O. Box 2965, Portland, Oregon 97208.

Dated: February 20, 1981.

Harold A. Berends,

Chief, Branch of Lands and Minerals Operations.

[FR Doc. 81-6421 Filed 2-25-81; 8:45 am]

BILLING CODE 4310-84-M

[OR 20224-A]

Oregon; Proposed Continuation of Withdrawal

The Bureau of Land Management, U.S. Department of the Interior, proposes that the existing land withdrawal made by the Executive Order of March 8, 1920, be continued in part as to the following

described land for a 20-year period, pursuant to Section 204 of the Federal Land Policy and Management Act of October 21, 1976, 90 Stat. 2751, 43 U.S.C. 1714:

Willamette Meridian

Public Water Reserve No. 70

T. 20 S., R. 39 E.,
Sec. 17, SW¼NE¼.

Containing 40.00 acres in Malheur County, Oregon.

The purpose of the withdrawal is to protect an existing permanent water source. The land is currently segregated from location and entry under the public land laws generally including non-metalliferous mineral location, under the mining laws, but not the mineral leasing laws. No change is proposed in the purpose or segregative effect of the withdrawal.

Notice is hereby given that an opportunity for a public hearing is afforded in connection with the proposed withdrawal continuation. All interested persons who desire to be heard on the proposal must submit a written request for a hearing to the undersigned on or before April 7, 1981. Upon determination by the State Director, Bureau of Land Management, that a public hearing will be held, a notice will be published in the **Federal Register** giving the time and place of such hearing. In lieu of or in addition to attendance at a scheduled public hearing, written comments or objections to the proposed withdrawal continuation may be filed with the undersigned officer on or before April 7, 1981.

The authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the land and its resources. He will review the withdrawal rejustification to insure that continuation would be consistent with the statutory objectives of the programs for which the land is dedicated; the area involved is the minimum essential to meet the desired needs; the maximum concurrent utilization of the land is provided for; and an agreement is reached on the concurrent management of the land and its resources. He will also prepare a report for consideration by the Secretary of the Interior, the President, and Congress, who will determine whether or not the withdrawal will be continued and if so, for how long. The final determination on the continuation of the withdrawal will be published in the **Federal Register.** The existing withdrawal will continue until such final determination is made.

All communications in connection with this proposed withdrawal continuation should be addressed to the undersigned officer, Bureau of Land Management, U.S. Department of the Interior, P.O. Box 2965, Portland, Oregon 97208.

Dated: February 20, 1981.

Harold A. Berends,

Chief, Branch of Lands and Minerals Operations.

[FR Doc. 81-6422 Filed 2-25-81; 8:45 am]

BILLING CODE 4310-84-M

[OR 19002]

Oregon; Proposed Continuation of Withdrawal

The Bureau of Land Management, U.S. Department of the Interior, proposes that the existing land withdrawal made by Executive Order No. 6019 of February 7, 1933, be continued in part as to the following described land for a 20-year period, pursuant to Section 204 of the Federal Land Policy and Management Act of October 21, 1976, 90 Stat. 2751, U.S.C. 1714:

Willamette Meridian

Public Water Reserve No. 148

T. 11 S., R. 26 E.,
Sec. 18, SE¼NE¼, NE¼SE¼.

Containing 80.00 acres in Grant County, Oregon.

The purpose of the withdrawal is to protect an existing permanent water source. The land is currently segregated from operation of the public land laws generally including non-metalliferous mineral location, under the mining laws, but not the mineral leasing laws. No change is proposed in the purpose or segregative effect of the withdrawal.

Notice is hereby given that an opportunity for a public hearing is afforded in connection with the proposed withdrawal continuation. All interested persons who desire to be heard on the proposal must submit a written request for a hearing to the undersigned on or before April 7, 1981. Upon determination by the State Director, Bureau of Land Management, that a public hearing will be held, a notice will be published in the **Federal Register** giving the time and place of such hearing. In lieu of or in addition to attendance at a scheduled public hearing, written comments or objections to the proposed withdrawal continuation may be filed with the undersigned officer on or before April 7, 1981.

The authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the land and its resources. He will review the withdrawal rejustification to insure that continuation would be consistent with the statutory objectives of the programs for which the land is dedicated; the area involved is the minimum essential to meet the desired needs; the maximum concurrent utilization of the land is provided for; and an agreement is reached on the concurrent management of the land and its resources. He will also prepare a report for consideration by the Secretary of the Interior, the President, and Congress, who will determine whether or not the withdrawal will be continued and if so, for how long. The final determination on the continuation of the withdrawal will be published in the **Federal Register.** The existing withdrawal will continue until such final determination is made.

All communications is connection with this proposed withdrawal continuation should be addressed to the undersigned officer, Bureau of Land Management, U.S. Department of the Interior, P.O. Box 2965, Portland, Oregon 97208.

Dated: February 20, 1981.

Harold A. Berends,

Chief, Branch of Lands and Minerals Operations.

[FR Doc. 81-6423 Filed 2-25-81; 8:45 am]

BILLING CODE 4310-84-M

[OR 18997-A]

Oregon; Proposed Continuation of Withdrawal

The Bureau of Land Management, U.S. Department of the Interior, proposes that the existing land withdrawal made by Executive Order No. 5344 of May 8, 1930, be continued in part as to the following described lands for a 20-year period, pursuant to Section 204 of the Federal Land Policy and Management Act of October 21, 1976, 90 Stat. 2751, 43 U.S.C. 1714:

Willamette Meridian

Public Water Reserve No. 131

T. 26 S., R. 23 E.,
Sec. 24, NE¼SW¼, W½SE¼;
Sec. 25, NW¼NE¼.

Containing 160.00 acres in Lake County, Oregon.

The purpose of the withdrawal is to protect an existing permanent water source. The land is currently segregated from operation of the public land laws

generally, including non-metalliferous mineral location, under the mining laws, but not the mineral leasing laws. No change is proposed in the purpose or segregative effect of the withdrawal.

Notice is hereby given that an opportunity for a public hearing is afforded in connection with the proposed withdrawal continuation. All interested persons who desire to be heard on the proposal must submit a written request for a hearing to the undersigned on or before April 7, 1981. Upon determination by the State Director, Bureau of Land Management, that a public hearing will be held, a notice will be published in the **Federal Register** giving the time and place of such hearing. In lieu of or in addition to attendance at a scheduled public hearing, written comments or objections to the proposed withdrawal continuation may be filed with the under signed officer on or before April 7, 1981.

The authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the land and its resources. He will review the withdrawal rejustification to insure that continuation would be consistent with the statutory objectives of the programs for which the land is dedicated; the area involved is the minimum essential to meet the desired needs; the maximum concurrent utilization of the land is provided for; and an agreement is reached on the concurrent management of the land and its resources. He will also prepare a report for consideration by the Secretary of the Interior, the President, and Congress, who will determine whether or not the withdrawal will be be continued and if so, for how long. The final determination on the continuation of the withdrawal will be published in the **Federal Register**. The existing withdrawal will continue until such final determination is made.

All communciations in connection with this proposed withdrawal continuation should be addressed to the undersigned officer, Bureau of Land Management, U.S. Department of the Interior, P.O. Box 2965, Portland, Oregon 97208.

Dated: February 20, 1981.

Harold A. Berends,

Chief, Branch of Lands and Minerals Operations.

[FR Doc. 81-6424 Filed 2-25-81; 8:45 am]

BILLING CODE 4310-84-M

[OR 19004]

Oregon; Proposed Continuation of Withdrawal

The Bureau of Land Management, U.S. Department of the Interior, proposes that the existing land withdrawal made by Executive Order No. 6277 of September 8, 1933, be continued in part as to the following described land for a 20-year period, pursuant to Section 204 of the Federal Land Policy and Management Act of October 21, 1976, 90 Stat. 2751, U.S.C. 1714:

Willamette Meridian

Public Water Reserve No. 152

T. 19 S., R. 31 E.,
Sec. 11, NW¼NW¼.

Containing 40.00 acres in Harney County, Oregon.

The purpose of the withdrawal is to protect an existing permanent water source. The land is currently segregated from operation of the public land laws generally, including non-metalliferous mineral location under the mining laws but not the mineral leasing laws. No change is proposed in the purpose or segregative effect of the withdrawal.

Notice is hereby given that an opportunity for a public hearing is afforded in connection with the proposed withdrawal continuation. All interested persons who desire to be heard on the proposal must submit a written request for a hearing to the undersigned on or before April 7, 1981. Upon determination by the State Director, Bureau of Land Management, that a public hearing will be held, a notice will be published in the **Federal Register** giving the time and place of such hearing. In lieu of or in addition to attendance at a scheduled public hearing, written comments or objections to the proposed withdrawal continuation may be filed with the undersigned officer on or before April 7, 1981.

The authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the land and its resources. He will review the withdrawal rejustification to insure that continuation would be consistent with the statutory objectives of the programs for which the land is dedicated; the area involved is the minimum essential to meet the desired needs; the maximum concurrent utilization of the land is provided for; and an agreement is reached on the concurrent management of the land and its resources. He will also prepare a report for consideration by the Secretary of the Interior, the President, and Congress, who will determine whether or not the withdrawal will be continued and if so, for how long. The final determination on the continuation of the withdrawal will be published in the **Federal Register**. The exising withdrawal will continue until such final determination is made.

All communications in connection with this proposed withdrawal continuation should be addressed to the undersigned officer, Bureau of Land Management, U.S. Department of the Interior, P.O. Box 2965, Portland Oregon. 97208.

Dated: February 20, 1981.

Harold A. Berends,

Chief, Branch of Lands and Minerals Operations.

[FR Doc. 81-6425 Filed 2-25-81; 8:45 am]

BILLING CODE 4310-84-M

Public Lands Exchange

AGENCY: Bureau of Land Management (BLM), Interior.

ACTION: Notice of Realty Action—Exchange, Public Lands in Elmore and Jerome Counties, Idaho.

SUMMARY: The following described lands have been determined to be suitable for disposal by exchange (casefile No. I-16857) under Section 206 of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1716:

Section	Acres
A. Canyon Rim Lands (T. 9 S., R. 17 East, Boise Meridian)	
Sec. 19:	
Lot 2	14.59
Lot 8	33.80
Lot 9	18.20
SE¼NW¼	40.00
Total acres	106.59
B. Bell Rapids Lands (T. 6 S., R. 11 East, Boise Meridian)	
Sec. 25:	
SW¼	160.00
N½SE¼	80.00
SW¼SE¼	40.00
(T. 6 S., R. 12 East, Boise Meridian)	
Sec. 30:	
SE¼NW¼	40.00
Total acres	320.00
C. Jerome East Lands (T. 8 S., R. 18 East, Boise Meridian)	
Sec. 30:	
Lot 1	36.81
Lot 2	36.82
NE¼NW¼	40.00
Total acres	113.63
Total selected lands:	
Canyon Rim	106.59
Bell Rapids	320.00
Jerome East	113.63
Total acres	540.22

In exchange for these lands the Federal Government will acquire one parcel of non-Federal land in Elmore County from Joseph Davidson of Jerome, Idaho, described as follows:

T. 5 S., R. 11 East, Boise Meridan, Elmore County, Idaho

Sec. 1, S½SW¼; NE¼SE¼.
Sec. 2, S½SE¼.

And a parcel of land in Sections 1, 11, and 12, and being more specifically described as follows:

Commencing at the northeast corner of Section 12, said corner being the Real Point of Beginning: Thence northerly along the east boundary of Section 1 to the northeast corner of S½SE¼, Section 1; thence along the north boundary of the S½SE¼, Section 1, to the northwest corner of S½SE¼, Section 1; thence southerly along the west boundary of S½SE¼, Section 1, to the quarter corner common to Sections 1 and 12;

Thence westerly along the boundary common to Sections 1 and 12 and Sections 2 and 11 to the northwest corner of E½NW¼, Section 11; thence southerly 2595.00 feet more or less along the west boundary of E½NW¼, Section 11, to a point on the approximate southerly rim of Clover Creek; said point bears N. 26°14'15"W., 2989.89 feet from the south quarter corner of Section 11; said corner also bears N. 26°12'59" E., 2977.38 feet from the southwest corner of said Section 11;

Thence along the approximately southerly rim of Clover Creek, the following courses and distances:

N.74°05'50"East, 2482.06 feet;
N.15°44'19"West, 230.42 feet;
N.64°32'58"East, 635.11 feet;
N.88°49'30"East, 975.39 feet;
S.1°58'14"East, 294.21 feet;
N.86°57'45"East, 428.24 feet;
S.84°19'55"East, 731.21 feet;
N.80°46'26"East, 536.31 feet;
N.8°14'05"West, 810.59 feet;
N.79°58'23"East, 443.77 feet;
N.86°28'33"East, 1104.13 feet;
N.89°31'01"East, 529.37 feet;
N.37°25'32"East, 625.39 feet;
N.1°16'27"East, 261.93 feet;
N.32°00'23"East, 84.50 feet;
N.57°09'00"East, 667.69 feet;
S.76°22'13"East, 113.32 feet;
S.9°24'19"East, 569.74 feet;
N.82°04'42"East, 228.31 feet;
S.53°26'24"East, 335.97 feet;
to the easterly boundary of Section 12;

Thence N.0°22'24"West, 256.89 feet along the easterly boundary of said Section 12 to the Real Point of Beginning.

The gross area contained in this land as described above is 547 acres more or less.

The purpose of the exchange is to acquire scenic lands that exhibit a high potential for multiple uses. The public interest will be well served by making the exchange. This Notice of Realty Action is subject to the Shoshone District Canyon Planning Unit Management Framework Plan amendment notice, amendments, and their approval.

The value of the lands to be exchanged is approximately equal and the acreage will be adjusted or money will be used to equalize the values upon completion of the final appraisal of the lands.

The terms and conditions applicable to the exchange are:

1. The Reservation to the United States of a right-of-way for ditches or canals constructed by the authority of the United States, Act of August 30, 1890 (43 U.S.C. 945).

2. All valid existing rights as shown on the Master Title Plat on the date this Notice of Realty Action becomes final.

3. Mineral estates will be transferred with the surface on both the non-Federal and Federal land.

4. There will be no patent reservations for the acquired non-Federal lands.

DATES: Detailed information concerning the exchange, including the Environmental Assessment and any record of public comment, is available for review at the Shoshone District Office, P.O. Box 2B, Shoshone, Idaho 83352. An open house is scheduled for Monday, March 16, 1981, at the Jerome County Courthouse, Jerome, Idaho, between the hours of 7 and 9 p.m., for public comment.

SUPPLEMENTARY INFORMATION: For a period of 60 days interested parties may submit comments to the Secretary of the Interior, LLM-320, Washington, D.C. 20240, through the Shoshone District Manager, P.O. Box 2B, Shoshone, Idaho 83352. This routing procedure is due to the required MFP amendments. Any adverse comments will be evaluated by the Secretary, who may vacate or modify this realty action and issue a final determination. In the absence of any action by the Secretary, this realty action will become the final determination of the Department.

Charles J. Haszier,
District Manager.
February 19, 1981.

[FR Doc. 81-6387 Filed 2-25-81; 8:45 am]
BILLING CODE 4310-84-M

Butte District Grazing Advisory Board; Meeting

Notice is hereby given, in accordance with Pub. L. 92-463, that a meeting of the Butte District Grazing Advisory Board will be held on Thursday, April 2, 1981.

The meeting will begin at 8 a.m., April 2 in the conference room of the Butte District Office at 106 North Parkmont (Industrial Park), Butte, Montana.

The agenda for the meeting will include: (1) wild horse gathering in the district, (2) implementation of the Mountain Statement: (3) current status of the district's wilderness review program; (4) the East Pioneer Experimental Stewardship Program: (5) FY81 range improvement projects; (6) status of resource management planning in the Headwaters Resource Area; (7) the Bureau's new grazing regulations; (8) status of YCC-YACC programs; (9) status of resources management planning in the Garnet Resource Area; (10) district ORV plan as it may affect access to grazing allotments.

The meeting is open to the public. Interested persons may make oral statements to the board between 10 and 11 a.m. on April 2, or file written statements for the board's consideration. Anyone wishing to make an oral statement must notify the District Manager, Bureau of Land Management, P.O. Box 3388, Butte, Montana 59702 by March 31, 1981.

Summary minutes of the board meeting will be maintained in the District Office and will be available for public inspection and reproduction, during regular business hours, within 30 days following the meetings.

Dated: February 20, 1981.

Gerald L. Quinn,
Acting District Manager.

[FR Doc. 81-6489 Filed 2-25-81; 8:45 am]
BILLING CODE 4310-84-M

Craig District, Colorado; Decision on Management Framework Plan Amendment for White River Resource Area

The District Manager, Craig District, Bureau of Land Management has approved the final decision for the Management Framework Plan (MFP) Amendment for the White River Resource Area. The State Director of Colorado had concurred in that approval.

Copies of the MFP Amendment are available for public review in the Colorado State Office, Colorado State Bank Building, 1600 Broadway, Denver, Colorado; at the Craig District Office,

455 Emerson Street, Craig, Colorado; or at the White River Resource Area Office, North Highway 13, Meeker, Colorado, during regular officer hours. Individual copies of the decision summary are available from the Craig District Manager, Bureau of Land Management, P.O. Box 248, Craig, CO 81625, telephone (303) 824-8162.

Any person who participated in the planning process and who has an interest which may be adversely affected by approval of the MFP Amendment may file a protest by March 31, 1981. The protest shall be in writing and shall be filed with the State Director, Bureau of Land Management, Colorado State Office, 1600 Broadway, Denver, Colorado 80202. The protest shall contain the name, mailing address, telephone number and interest of the person filing the protest; a statement of the issue or issues being protested; a statement of the part or parts of the amendment being protested; a copy of all documents addressing the issue or issues that were submitted during the planning process by the protesting party of an indication of the date the issue or issues were discussed for the record; and a short, concise statement explaining why the District Manager's decision is wrong.

Implementation of the decisions will begin no sooner than March 31, 1981, or upon resolution of any protests received by the State Director.

Marvin W. Pearson,

District Manager.

[FR Doc. 81-6448 Filed 2-25-81; 8:45 am]

BILLING CODE 4310-84-M

Colorado; Preference Right Coal Lease Application C-0123475; Land in Moffat County; Public Hearing, Availability of Environmental Assessment, and Request for Public Comment

The Department of the Interior, Bureau of Land Management, Colorado State Office, Denver, Colorado hereby gives notice that a public hearing will be held on March 19, 1981 at 7:00 p.m. in the Moffat County Court House, Third Floor Auditorium, 221 West Victory Way, Craig, Colorado. Utah International, Inc. applied for a non-competitive coal lease covering public lands hereinafter described. The purpose of the hearing is to obtain public comments on the Environmental Assessment and on the following items: (1) The method of mining to be employed to obtain maximum economic recovery of the coal; (2) and the impact that mining the coal in the proposed leasehold may have on the area, including, but not limited to, impacts on the environment. Requests to testify orally at the March 19, 1981 public hearing should be received at the Craig District Office, Bureau of Land Management, P.O. Box 248, Craig, Colorado 81625, prior to the close of business March 18, 1981. People who indicate they wish to testify when they check in at the hearing room may have an opportunity to testify if time is available after the listed witnesses have been heard.

Both oral and written comments will be received at the public hearing, but speakers will be limited to a maximum of three or five minutes each depending on the number of persons desiring to comment. The time limitation will be strictly enforced, but the complete text of prepared speeches may be filed with the presiding officer at the hearing, whether or not the speaker has been able to finish oral delivery in the allotted minutes.

Comment should be sent to both the State Director, Colorado State Office, Bureau of Land Management, Room 700, Colorado State Bank Building, 1600 Broadway, Denver, Colorado 80202, and to the Deputy Conservation Manager, Conservation Division, (RE), C/R, Geological Survey, Box 25046, Denver Federal Center, Denver, Colorado 80225, to arrive no later than March 26, 1981.

Substantive comments, whether written or oral, will receive equal consideration prior to any lease offering.

The application area is located in the Danforth Hills south and adjacent to the Axial Basin 28 miles south of Craig, Colorado and is described as follows:

T. 4 N., R. 93 W., 6th P.M.
Sec. 29: SW¼
Sec. 30: Lots 1, 2, 3, 4, E½W½, SE¼
T. 4 N., R. 94 W., 6th P.M.
Sec. 24: Lot 9, SW¼SW¼, E½SW¼
Sec. 25: Lots 1, 3, 5, 7, 13, N½
Sec. 35: Lots 2, 3, 6, SE¼SE¼, W½E½W½
Sec. 36: Lots 1, 10, 11, 14, 16, 18, S½S½.
(Containing 2081.57 acres)

The draft Environmental Assessment will be available for review and distribution in the Craig District Office and the Colorado State Office, Bureau of Land Management, at the addresses set out above.

William J. Norton II,

Acting Leader, Craig Team, Branch of Adjudication.

[FR Doc. 81-6444 Filed 2-25-81; 8:45 am]

BILLING CODE 4310-84-M

Fairbanks District Advisory Council; Meeting

The Fairbanks District of the Bureau of Land Management will conduct a meeting of the Fairbanks District Advisory Council on Wednesday, March 25, 1981. The session will commence at 8:30 a.m. and adjourn at 5:00 p.m. with a one hour noontime break. The meeting, which is open to the public, will be held at the BLM offices on Ft. Wainwright, Gaffney and Marks Rd., Fairbanks, Alaska. The Council will continue to further examine Utility Corridor issues. Specifically, the proposed off-road vehicle planning progress will be discussed as well as a discussion on proposed facility development at Yukon Crossing and at Coldfoot. The Council will also hear a briefing on the Central Arctic Planning area. Public comment will be heard beginning at 1:00 p.m. until 3:00 p.m. Public comment may be limited by time constraints and therefore written comment is encouraged. Further information may be obtained from the Fairbanks District Office of Public Affairs, P.O. Box 1150, Fairbanks, Alaska 99707, or by calling (907) 356-2345.

Carl D. Johnson,

District Manager.

[FR Doc. 81-6487 Filed 2-25-81; 8:45 am]

BILLING CODE 4310-84-M

Las Vegas District Multiple Use Advisory Council; Meeting

The Las Vegas (NV) District Multiple Use Advisory Council will meet March 25 and 26, 1981 at the Las Vegas District Office, 4765 W. Vegas Drive.

The agenda will be as follows:

March 25: 9 a.m.—Convene, approve prior meeting minutes, old business; 9:30 a.m.—Reports on Caliente CRMP, Las Vegas Wilderness Inventory/Study, Clark County MFP/Grazing EIS, MX Deis, FY81 work plan; 12 noon—Lunch; 1 p.m.—Reconvene, Briefing on vandalism in Red Rock Canyon Recreation Lands, Clark County ORV Designation CRMP, Public Involvement on Clark County MFP, Henderson transmission corridor situation; 3 p.m.—Public Hearing; 4 p.m.—Committee assignments for March 26 workshops; 4:15 p.m. Adjourn.

March 26: 9 a.m.—Reconvene; Assembly in workshop groups to discuss and develop reports/recommendation on Red Rock Scenic Road Closure, Clark County ORV Designation CRMP, Clark County MFP Public Involvement, Henderson transmission corridor situation; 12 noon—Lunch; 1 p.m. Reconvene, Discuss and act on reports and recommendations; 3 p.m.—Adjourn.

The council meeting is opened to the public. Persons wishing to address the council on March 25 should contact Terri Hale of the Las Vegas District Office (385-6463) prior to 4:15 p.m., March 24, to reserve time during the public comment period. Members of the public are invited to participate in the workshops on March 26. Certain public officials will be invited formally to join in these workshops.

Summary minutes of the meeting will be kept and will be available for public review at the District Office during business hours (7:30 a.m. to 4:15 p.m.) within 30 days of the meeting's adjournment.

Frank Bingam,

Acting District Manager.

[FR Doc. 81-6490 Filed 2-25-81; 8:45 am]

BILLING CODE 4310-84-M

Montrose District Advisory Council; Meeting

Notice is hereby given in accordance with 43 CFR 1780 that a meeting of the Montrose District Advisory Council will be held on March 30 and 31, 1981.

The meeting will convene at 1:00 p.m. on March 30 and 8:00 a.m. on March 31 in the conference room of the Bureau of Land Management Office, Highway 550 South, Montrose, Colorado.

The agenda for March 30 will include: (1) election of officers, and (2) discussion of the on-going amendment of the Gunnison Basin and American Flats/Silverton Management Framework Plans to determine the wilderness suitability or non-suitability recommendations for the Wilderness Study Areas in the planning areas.

On March 31, the agenda will include: (1) discussion of the range management program for the Gunnison Basin Resource Area, and (2) discussion of the on-going preparation of the San Juan/San Miguel Resource Management Plan.

The meeting is open to the public. Interested persons may make oral statements to the Council between 11:00 and 11:30 a.m. on March 31 or file written statements for the Council's consideration. Anyone wishing to make an oral statement should contact the District Manager, Bureau of Land Management, P.O. Box 1269, Montrose, Colorado 81401, telephone (303)-249-7791, by March 23, 1981.

Summary minutes of the Council meeting will be maintained at the District Office and will be available for public inspection and reproduction (during regular business hours) within 30 days following the meeting.

Marlyn V. Jones,

District Manager.

[FR Doc. 81-6486 Filed 2-25-81; 8:45 am]

BILLING CODE 4310-84-M

[Coal Exploration License Application M 49838(ND)]

North Dakota; Invitation

February 18, 1981.

Members of the public are hereby invited to participate with Consolidated Coal Company in a program for the exploration of coal deposits owned by the United States of America in the following-described lands located in Oliver County, North Dakota:

T. 143 N., R. 84 W., 5th P.M.,
Sec. 8: NE¼, N½NW¼.

Any party electing to participate in this exploration program shall notify, *in writing*, both the State Director, Bureau of Land Management, P.O. Box 30157, Billings, Montana 59107, and Consolidation Coal Company, Glenharold Mine, P.O. Box 129, Stanton, North Dakota 58571. Such written notice must refer to serial number M 49838(ND) and be received no later than 30 calendar days after publication of this Notice in the **Federal Register** or 10 calendar days after the last publication of this Notice in this newspaper, whichever is later. This Notice will be published for two consecutive weeks.

The proposed exploration plan is fully described and will be conducted pursuant to an exploration plan to be approved by U.S. Geological Survey and the Bureau of Land Management. Copies of the exploration plan as submitted by Consolidation Coal Company may be examined during normal business hours at the Bureau of Land Management State Office, Granite Tower Building, 2222 North 32nd Street, Billings, Montana.

Edward H. Croteau,

Acting Chief, Branch of Lands and Minerals Operations.

[FR Doc. 81-6479 Filed 2-25-81; 8:45 am]

BILLING CODE 4310-84-M

[W-73911]

Wyoming; Application

February 17, 1981

Notice is hereby given that pursuant to Section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185), the Colorado Interstate Gas Company of Colorado Springs, Colorado, filed an application for a right-of-way to construct 4½-inch and 6⅝-inch pipelines, pig launcher and related facilities for the purpose of transporting natural gas across the following described public lands:

Sixth Principal Meridian, Wyoming

T. 13 N., R. 96 W.,
Secs. 6, 7, 18, and 19.
T. 13 N., R. 97 W.,
Secs. 6, 7, 13, 14, 15, 16, 17, 18, and 19.
T. 14 N., R. 97 W.,
Secs. 28, 31, 32, and 33.

The proposed pipelines and related facilities will serve to transport natural gas from the #1 Monument Valley Well and the #1 Federal-Twin Fork Well in Sections 28 and 32, T. 14 N., R. 97 W., to a point of connection with an existing pipeline in Section 6, T. 13 N., R. 96 W., Sweetwater County, Wyoming.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved, and if so, under what terms and conditions.

Interested persons desiring to express their views should do so promptly. Persons submitting comments should include their name and address and send them to the District Manager, Bureau of Land Management, 1300 Third Street, P.O. Box 670, Rawlins, Wyoming 82301.

Harold G. Stinchcomb,

Chief, Branch of Lands and Minerals Operations.

[FR Doc. 81-6488 Filed 2-25-81; 8:45 am]

BILLING CODE 4310-84-M

North Fork Coal Amendment

Action

Preparation of an amendment to the North Fork Management Framework Plan (MFP) to evaluate the suitability of two areas for limited competitive coal leasing in Delta County, Colorado.

Summary

A decision has been made by the State Director, Colorado, to amend the North Fork MFP to evaluate the opportunity for *limited* competitive coal leasing in the North Fork Valley.

The North Fork MFP was originally completed in 1974 and subsequently updated in 1977. The 1977 update incorporated the results of the Energy Mineral Activity Recommendation System (EMARS), public involvement, and the application of multiple-use trade-offs. The decisions in the 1977 Minerals Amendment of the North Fork MFP state that consideration for leasing of individual identified areas should occur within specified time periods to phase-in the impacts of coal development over an acceptable period of time. Three tracts were considered to have preference over other potential lease areas for social, economic, and environmental reasons. The MFP Step III recommendations on these coal lease tracts received broad public support at that time. Since the 1977 Amendment, leasing of one tract (to Western Slope Carbon) and partial leasing of another tract (to Colorado Westmoreland, Inc. [CWI]) has occurred.

In addition, subsequent to the 1977 MFP recommendations, new federal coal management and planning regulations

affecting the identification and leasing of coal areas were approved (see 43 CFR 1600 and 3400). These regulations in combination require (1) the application of unsuitability criteria in an amendment of any existing MFP before long term coal leasing may occur, or (2) waiting until an entire Resource Management Plan meeting the standards set in 43 CFR 3420.1–5 is approved before additional long term leases may be granted. Under the present planning schedule, completion of a Resource Management Plan for the Uncompahgre Basin Resource Area would not occur until 1987.

Any areas found acceptable for further consideration for leasing resulting from the amendment process will be further evaluated in the Uinta-Southwestern Utah Regional EIS update, currently scheduled for completion in 1983.

Geographic Area

Two areas, described below, will be examined during the MFP amendment process. The boundaries of these areas, though based upon the 1977 MFP lease recommendations, are not proposed lease tract boundaries. They instead encompass areas where the coal unsuitability criteria will be applied. Those lands found suitable will be subject to review of the mulitiple-use trade-offs that were previously made in 1977. Any lands remaining after the above steps will be identified as areas acceptable for further consideration for leasing.

These areas will be the end product of this MFP amendment effort. They will later be considered during the activity planning process, where lands will be identified, ranked, selected, and scheduled for lease sales after a regional coal environmental statement is prepared. The remaining coal lands in this planning unit (i.e., those not examined in this MFP amendment) will be evaluated for possible leasing during the Uncompahgre Basin RMP effort, currently scheduled for completion in 1987.

Area 1

Area 1 located approximately 6 miles west of Cedaredge, was Tract 15 as described in the 1977 MFP decision.

No leasing has occurred in Tract 15 as described in the 1977 MFP decision. The area defined in the decision is:

T. 13 S., R. 95 W., 6th P.M.,
Sec. 8: Lots 1–9, 11–17,
Sec. 17: Lots 3–16, 18–21,
Sec. 18: Lots 5–16, 21, 23, 25, 27,
Sec. 20: Lots 1, 4, 14, 15.

During the application of unsuitability criteria to Area 1, a one-mile buffer zone will be examined. This examination will ensure that influences outside of Area 1 that could render portions of Area 1 unsuitable are considered.

The buffer zone will not be part of the area to be included for further consideration for leasing, nor will unsuitability criteria be applied here.

The U.S. Forest Service must be contacted in order to examine lands in the buffer zone that are within National Forest boundaries.

Area 2

Area 2 is located approximately 2.5 miles north of Paonia and includes portions of Tracts 6 and 7 as described in the 1977 MFP decision. Tract 7 has been partially leased to Colorado Westmoreland, Inc., under Federal Coal Leases C–25079 and C–27432. The leases were obtained under emergency coal lease regulations. No other leases have been issued.

Area 2 is described as follows:

T. 13 S., R. 91 W., 6th P.M.,
Sec. 5: All
Sec. 6: All
Sec. 7: Lots 1, 2, E-½, E-½NW-¼,
Sec. 8: All
Sec. 17: E-½, N-½NW-¼,
Sec. 18: N-½NE-¼, SW-¼NE-¼, NW-¼SE-¼, S-½E-¼,
Sec. 19: Lots 1, 2, 3, NE-¼, SW-¼NW-¼,
Sec. 20: Lots 1, 2, 3.
T. 13 S., R. 92 W., 6th P.M.,
Sec. 1: All,
Sec. 2: All,
Sec. 3: All
Sec. 10: All,
Sec. 11: All,
Sec. 12: Lots 1–8, 10–14, SW-¼W-¼,
Sec. 13: Lots 2, 7–10, NW-¼,
Sec. 14: All,
Sec. 15: All,
Sec. 22: N-½, N½S-½, SW-¼SW-¼,
Sec. 23: N-½, N-½S-½, S-½SE-¼.

The boundaries of Area 2 vary from Tract 7 of the 1977 decision for the following reasons:

(1) Portions of Tract 7 have already been leased.

(2) Area 2 boundaries are not proposed lease tract boundaries. Our efforts are aimed at finding an area suitable for further consideration for leasing that is large enough to yield a lease tract offer after activity planning to satisfy the needs of all interested parties (i.e., CWI and other potential lease bidders, interested publics, local governments, and other agencies).

The unsuitability criteria will be applied to Area 2 using a one-mile buffer zone for reasons described in the discussion of Area 1 above.

Anticipated Issues and Planning Criteria

Preliminary analysis by the interdisciplinary team indicated that endangered species, critical range for mule deer and elk, flood plains and riparian area, rights-of-way, cultural resources, socio-economics, reclamation, transportation routes, cumulative impacts, and water use conflicts are issues for both areas.

The planning criteria which will be used are the Coal Unsuitability Criteria found in 43 CFR 3400.

Interdisciplinary Team

The study team is composed of the following specialists: wildlife biologist, hydrologist, realty specialist, archaeologist, geologist, economist and project coordinator. Other resource specialists will be uses as needed.

Public Participation

Public participation will occur throught the process. Scoping meetings to identify additional issues and review planning criteria will be held in Paonia and Cedaredge on March 25, 1981 (Paonia High School) and March 26 (Cedaredge Grade School) at 7:30 p.m. A second set of meetings will be held in May after completion of the draft. The public is invited to submit their concerns at any time during the planning process. Newspaper and radio releases will be used to notify the public of meeting places and times.

For further information, please contact Don Lotvedt, Uncompahgre Basin Resource Area Manager at (303) 249–2244, Bureau of Land Management, P.O. Box 1269, Montrose, Colorado 81401.

Copies of the North Fork MFP and other planning documents are available for review at the District Office, P.O. Box 1269, Montrose, Colorado 81401.

Marlyn V. Jones,
District Manager.

[FR Doc. 81–6391 Filed 2–25–81; 8:45 am]
BILLING CODE 4310–84–M

[OR 20221–B]

Oregon; Proposed Continuation of Withdrawal

The Bureau of Land Management, U.S. Department of the Interior, proposes that the existing land withdrawal made by the Executive Order of February 25, 1919, be continued in part as to the following described lands for a 20-year period, pursuant to Section 204 of the Federal Land Policy and Management Act of October 21, 1976, 90 Stat. 2751, 43 U.S.C. 1714:

Willamette Meridian

Public Water Reserve No. 61

T. 22 S., R. 40 E.,
Sec. 32, SE¼SE¼;
Sec. 33, NW¼SW¼.

T. 23 S., R. 40 E.,
Sec. 5, Lots 1 and 2.
T. 29 S., R. 41 E.,
Sec. 12, NW¼NE¼.
T. 35 S., R. 42 E.,
Sec. 19, Lots 10, 11, 12, 19 and 20.

Containing 400.53 acres in Malheur County, Oregon.

The purpose of the withdrawal is to protect existing permanent water sources. The lands are currently segregated from operation of public land laws generally, including non-metalliferous mineral location, under the mining laws, but not the mineral leasing laws. No change is proposed in the purpose or segregative effect of the withdrawal.

Notice is hereby given that an opportunity for a public hearing is afforded in connection with the proposed withdrawal continuation. All interested persons who desire to be heard on the proposal must submit a written request for a hearing to the undersigned on or before April 6, 1981. Upon determination by the State Director, Bureau of Land Management, that a public hearing will be held, a notice will be published in the **Federal Register** giving the time and place of such hearing. In lieu of or in addition to attendance at a schedule public hearing, written comments or objections to the proposed withdrawal continuation may be filed with the undersigned officer on or before April 6, 1981.

The authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the land and its resources. He will review the withdrawal rejustification to insure that continuation would be consistent with the statutory objectives of the programs for which the land is dedicated; the area involved is the minimum essential to meet the desired needs; the maximum concurrent utilization of the land is provided for; and an agreement is reached on the concurrent management of the land and its resources. He will also prepare a report for consideration by the Secretary of the Interior, the President, and Congress, who will determine whether or not the withdrawal will be continued and if so, for how long. The final determination on the continuation of the withdrawal will be published in the **Federal Register**. The existing withdrawal will continue until such final determination is made.

All communications in connection with this proposed withdrawal continuation should be addressed to the undersigned officer, Bureau of Land Management, U.S. Department of the Interior, P.O. Box 2965, Portland, Oregon 97208.

Dated: February 19, 1981.

Harold A. Berends,

Chief, Branch of Lands and Minerals Operations.

[FR Doc. 81-6447 Filed 2-25-81; 8:45 am]

BILLING CODE 4310-84-M

National Park Service

San Antonio Missions Advisory Commission; Meeting

Notice is hereby given in accordance with the Federal Advisory Committee Act that a meeting of the San Antonio Missions Advisory Commission will be held at 7:00 p.m., Tuesday, March 17, 1981 at the museum at Mission San Juan, 9101 Graf Road, San Antonio, Texas.

The San Antonio Missions Advisory Commission was established pursuant to Public Law 95-629, Title II, November 10, 1978. The purpose of the commission is to advise the Secretary of the Interior or his designee on matters relating to the park and with respect to carrying out the provisions of the statute establishing the San Antonio Missions National Historical Park.

Matters to be discussed at this meeting include:

—Mission San Jose Legislation
—Private uses of Historic Structures and Grounds
—Preservation Guidelines
—Subcommittee report on Spanish Language Land Acquisition Plan Public Meeting
—Park Protection Zone Status

The meeting will be opened to the public, however, facilities and space for accommodating members of the public will be limited and persons will be accommodated on a first come, first serve basis.

Any member of the public may file a written statement concerning the matters to be discussed with the Superintendent, San Antonio Missions National Historical Park.

Persons wishing further information regarding this meeting or who wish to submit a written statement may contact Jose A. Cisneros, Superintendent, 727 E. Durango, Room A612, San Antonio, Texas 78206; telephone (512) 229-6009.

Minutes of the meeting will be available for public review four weeks after the meeting at the office of the San Antonio Missions National Historical Park.

Dated: February 17, 1981.

Donald A. Dayton,

Acting Regional Director, Southwest Region.

[FR Doc. 81-6462 Filed 2-25-81; 8:45 am]

BILLING CODE 4310-70-M

INTERSTATE COMMERCE COMMISSION

[No. 208]

Assignment of Hearings

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 140024 (Sub-166F), J. B. Montgomery, Inc., is canceled and application is dismissed.

MC 119988 (Sub-246F), Great Western Trucking Co., Inc., now assigned for hearing February 26, 1981 at Washington, D.C., is canceled and application is dismissed.

MC-C-10713, Jenney Freight Line, Inc. v. Mclean Trucking Company, now assigned for hearing on March 16, 1981 (2 days) at Phoenix, AZ in a hearing room to be later designated.

FD-30000, Union Pacific Corporation, Pacific Rail System, Inc., and Union Pacific Railroad Company, FD-30000 (Sub-1, 2, 3, 4, 5, 6, 7, 8, 9, and 10), Union Pacific Corporation, Pacific Corporation, Pacific Rail System, Inc., and Union Pacific Railroad Company—control—Missouri Pacific Corporation and Missouri Pacific Railroad Company, MC-F-14448, Union Pacific Corporation, Pacific Rail System, Inc., and Union Pacific Railroad Company—control—WPX Freight Systems, Inc., MC-F Union Pacific Railroad Company—contorl—Missouri Pacific Truck Lines, Inc., now assigned for hearing on March 3, 1981 at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 73866 (Sub-8F), Louis J. Gardella, Inc., now assigned for hearing on February 10, 1981 (2 days) at New York, NY will be held in Rom No. F-2220, Federal Building, 26 Federal Plaza.

MC 152113F, Arrow Courier, Inc., now assigned for hearing on February 12, 1981 (2 days) at new York, NY will be held in Room No. F-2220, Federal Building, 26, Federal Plaza.

MC 117940 (Sub-363F), Nationwide Carriers, Inc., now assigned for hearing on February 23, 1981 at St. Paul, MN is postponed idefinitely.

No. 37554, Cereal Food Processors, Inc. v. Norfolk And Western Railway Company, now assigned for Prehearing Conference on February 18, 1981 at Washington, D.C., is canceled and application is dismissed.

No. 37450, Central Illinois Light Company v. The Atchison Topeka and Santa Fe Railway Company, et al., now assigned for continued hearing on March 9, 1981 at the Offices of the Interstate Commerce Commission, Washington, D.C. Ex Parte No. 371, in the matter of Louis J. Amato, now assigned for Prehearing Conference on April 14, 1981 at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 14252 (Sub-65F), Commercial Lovelace Motor Freight, Inc., now assigned for hearing on February 24, 1981 at Pittsburgh, PA will be held in Room 2214, Federal Building, 1000 Liberty Avenue on February 24, 25, 1981, and on February 26, 1981 in Room 2501, on February 27, 1981 thru March 6, 1981 in Room 2144.

MC 143799 (Sub-4F), Specialty Transport, Inc., now assigned for hearing on February 24, 1981 (4 days) at Philadelphia, PA will be held in Room No. 2609, James Byrne Courthouse, 601 Market Street.

MC 23618 (Sub-63F), McAllister Trucking Company, d.b.a. Matco, now assigned for hearing on February 17, 1981 at Houston, TX will be held at the Ramada Inn-West, 7787 Katy Freeway.

No. 37466, The Aluminum Assocciation, Inc., et al. v. The Akron, Canton & Youngstown Railroad Co., et al, now assigned for hearing on April 7, 1981 at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 141532 (Sub-81F), Pacific States Transport, Inc., is canceled and application is dismissed.

MC 146874 (Sub-2F), Palwood Transportation, Inc., is canceled and application is dismissed.

MC 149331F, City Car Releasing Co., Inc., now assigned for hearing on March 5, 1981 at Detroit, MI is canceled and application is dismissed.

MC-C-10715, Delta Lines, Inc., et al. v. Best-Way Freight Lines, of Arizona, now assigned for hearing on Februray 25, 1981 at Las Vegas, NV, is canceled and application is dismissed.

MC 136230, Container Express, Incorporated, now assigned for hearing on March 3, 1981, at Jacksonville, FL, is postponed and reassigned to April 2, 1981 (2 days) at 9:30 a.m. Local Time, at Savannah, GA, before Joint Board No. 64, in a hearing room to be later designated.

MC 96324 (Sub-43F), General Delivery, Inc., now assigned for hearing on February 10, 1981 at Washington, D.C., is transferred to Modified Procedure.

MC 148392 (Sub-3F), Service Transport, Inc., now assigned for hearing on February 24, 1981, at Cookeville, TN, is postponed to March 24, 1981, (9 days), at Cookeville, TN, before an administrative law judge, in a hearing room to be later designated.

MC 20356 (Sub-16F), Bradger Freightways, Inc., now assigned for hearing on February 23, 1981 at Milwaukee, WI is transferred to Modified Procedure.

MC 115523 (Sub-186F), Clark Tank Lines, Inc., now assigned for hearing on February 24, 1981 at Salt Lake City, UT is postponed to April 28, 1981 (9 days) at Salt Lake City, UT in a hearing room to be later designated.

MC 112989 (Sub-127F), West Coast Truck Lines, Inc., application is dismissed.

No. FF-526F, United Van Lines, Inc., now assigned for hearing on February 10, 1981 at Washington, D.C., canceled and application is dismissed.

No. 37597, Martin Marietta Aluminum, Inc. v. Atchison, Topeka and Santa Fe Railway Company, et. al. now assigned for prehearing conference on March 30, 1981, at 9:30 a.m. Local Time at the Offices of the Interstate Commerce Commission, Washington, D.C., before an Administrative Law Judge.

No. 37598, Kaiser Aluminum & Chemical Corporation v. Atchison, Topeka and Santa Fe Railway Company, et. al. now assigned for prehearing conference on March 30, 1981, at 9:30 a.m. Local Time at the Offices of the Interstate Commerce Commission, Washington, D.C., before an Administrative Law Judge.

MC 120364 (Sub-29F), A & B Freight Line, Inc., now assigned for hearing on March 30, 1981, at 9:30 a.m. Local Time at Madison, WI, (5 days), before Joint Board No. 17, in a hearing room to be later designated.

MC-C-7287, Aaacon Auto Transport, Inc.—Investigation And Revocation of Certificates, now assigned for continued hearing on February 17, 1981 at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 148968F, Universal Deliveries, Inc., now assigned for hearing on March 4, 1981 at Chicago, IL is canceled and application is dismissed.

MC 107403 (Sub-1267F), Matlack, Inc., now assigned for hearing on February 18, 1981 at San Francisco, CA is cancelled and application is dismissed.

MC 114552 (Sub-249F), Senn Trucking Company, now assigned for hearing on April 7, 1981 at Washington, D.C., is transferred to Modified Procedure.

MC 136782 (Sub-12F), R.A.N. Trucking Company, now assigned for hearing on March 11, 1981 at Pittsburgh, PA will be held in Room 2501 on March 11, 1981 in Room 2218, Federal Building, 1000 Liberty Avenue on March 12/13/81.

MC 148078 (Sub-1F), Beau Parrish Express Co., Inc., now assigned for hearing on February 24, 1981 at Baton Rouge, LA will be held in the Hilton Inn, I-10 College Drive.

MC 135524 (Sub-114F), G.F. Trucking Co., now assigned for hearing on March 12, 1981 at Kansas City, MO will be held in Room No. 303, Federal Building, 911 Walnut Street.

MC 109462 (Sub-29F), Lumber Transport, Inc., now assigned for hearing on March 16, 1981 at Kansas City, MO will be held in Room No. 303, Federal Building, 911 Walnut Street.

No. 37499, The Murray Ohio Manufacturing Company v. the Louisville & Nashville Railroad Co., now assigned for hearing on February 11, 1981 at Washington, D.C., is postponed to February 27, 1981 at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 95084 (Sub-155F), Hove Truck Line, now assigned for hearing on February 19, 1981 at St. Paul, MN is transferred to Modified Procedure.

MC 59617 (Sub-7F), Wares' Van & Storage, Inc., now assigned for hearing on February 3, 1981 at the Interstate Commerce Commission, Washington, D.C. is cancelled.

MC 117940 (Sub-363F), Nationwide Carriers, Inc., now assigned for hearing on February 23, 1981 at St. Paul, MN will be held in the Conference Room 586, Federal Building, 316 North Robert.

MC 136230, Container Express, Incorporated, now assigned for hearing on March 3, 1981 (2 days) at Jacksonville, FL in a hearing room to be later designated.

MC 148526 (Sub-1F), World Wide Joye Tours, Inc., is transferred to Modified Procedure.

MC 10715, Delta Lines, Inc., et. al. v. Best-Way Freight Lines, of Arizona, now assigned for hearing on February 25, 1981 (3 days) at Las Vegas, NV in the Convention Conference Board Room, Convention Center, 3150 Paradise Road.

MC 94201 (Sub-179F), Bowman Transportation, Inc., MC 94201 (Sub-181F), Bowman Transportation, Inc., now assigned for continued hearing on February 24, 1981 at Dallas, TX is postponed and reassigned to February 25, 1981 (2 days) at Austin, TX will be held in the Holiday Inn North, 6911 North Interregional Highway, I-35.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-6470 Filed 2-25-81; 8:45 am]

BILLING CODE 7035-01-M

[Released Rates Application No. FF-453]

Freight Forwarders Tariff Bureau, Inc.

AGENCY: Interstate Commerce Commission

ACTION: Notice, Released Rates Application No. FF-453.

SUMMARY: Freight Forwards Tariff Bureau, Inc., Agent, on behalf of all freight forwards for whom it is agent under authority of Powers of Attorney, seeks to amend Released Rates Order FF-229 for the purpose of expanding this authority by removing the individual tariff restriction, in Tariff ICC FFT 502, which would allow the bureau and individual forwarders to establish reduced exception ratings and column commodity rates based on such exception ratings on electrical appliances or instruments based on a released value not exceeding $1.50 per pound, at all points the applicants are authorized to serve.

ADDRESSES: Anyone seeking copies of this application should contact: Mr. H. G. Roeschke, General Manager, Freight Forwards Tariff Bureau, Inc., 140 Cedar Street, New York, NY 10006.

FOR FURTHER INFORMATION CONTACT: Mr. Howard Rooney, Unit Supervisor, Informal Rate Cases Branch, Bureau of Traffic, Interstate Commerce Commission, Washington, DC 20423 (Tel. 202-275-7390).

SUPPLEMENTARY INFORMATION: Relief is sought from 49 USC 10730 and 11707 of the Interstate Commerce Act for and on behalf of all freight forwards for whom Freight Forwards Tariff Bureau, Inc., Agent, is agent under authority of Powers of Attorney.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-6467 Filed 2-25-81; 8:45 am]

BILLING CODE 7035-0-M

Long- and Short-Haul Application for Relief (Formerly Fourth Section Application)

February 23, 1981.

This application for long-and-short haul relief has been filed with the I.C.C.

Protests are due at the I.C.C. within 15 days from the date of publication of the notice.

No. 43901, Southwestern Freight Bureau, Agent No. B-114, reduced rates on ethylene glycol, in tank cars, from Geismar, LA to Earl, Fiberton, NC, Darlington and Greer, SC, in Supplement 19 to its Tariff ICC SWFB 4615-A, effective March 22, 1981. Grounds for relief—market competition and rate relationship.

By the Commission.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-6469 Filed 2-25-81; 8:45 am]

BILLING CODE 7035-01-M

[Volume No. 6]

Permanent Authority Notices; Substitution Applications; Single-Line Service for Existing Joint-Line Service

The following applications, filed on or after April 1, 1979, are governed by the special procedures set forth in Part 1062.2 of Title 49 of the Code of Federal Regulations (49 CFR 1062.2). These proposals are published as "service sought", (as opposed to decision-notices), because in each case it appears questionable as to whether all or part of the authority sought should be issued, weighing applicant's evidence under 49 CFR 1062.2. (For example, questions may be raised relating to applicant's contentions concerning why the involved joint-line service has been cancelled or is in a state of deterioration which warrant a decision on the merits, regardless of whether the application is opposed.)

The rules provide, in part, that carriers may file petitions with this Commission for the purpose of seeking intervention in these proceedings. Such petitions may seek intervention either with or without leave as discussed below. However, all such petitions must be filed in the form of verified statements, and contain all of the information offered by the submitting party in opposition. Petitions must be filed with the Commission within 30 days of publication of this decision-notice.

Petitions for intervention without leave (i.e., automatic intervention), may be filed only by carriers which are, or have been, participating in the joint-line service sought to be replaced by applicant's single-line proposal, and then only if such participation has occurred within the one-year period immediately proceeding the application's filing. Only carriers which fall within this filing category can base their opposition upon the issue of the public need for the proposed service.

Petitions for intervention with leave may be filed by any carrier. The nature of the opposition, however, must be limited to issues other than the public need for the proposed service. The appropriate basis for opposition, i.e., applicant's fitness, may include challenges concerning the veracity of the applicant's supporting information, and the bona-fides of the joint-line service sought to be replaced (including the issue of its substantiality). Petitions containing only unsupported and undocumented allegations will be rejected.

Petitions not in reasonable compliance with the requirements of the rules may be rejected. An original and one copy of the petition to intervene shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or upon applicant if no representative is named.

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.*

MC 29910 (Sub-264F), filed June 5, 1980. Applicant: ABF FREIGHT SYSTEM, INC., 301 South 11th St., Ft. Smith, AR 72901. Representative: Don A. Smith, P.O. Box 43, Ft. Smith, AR 72902. Authority sought to operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, (I) Over Regular Routes, transporting (A) *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), (1) between Indianapolis, IN and Terre Haute, IN, over U.S. Hwy 40, serving Plainfield, Brazil, Seelyville, Stilesville, and Ben Davis, IN, as intermediate points and the off-route points of Mount Pleasant, Bellmore, and West Terre Haute, IN, (2) between Terre Haute, IN and Evansville, IN, over U.S. Hwy 41, serving the intermediate points of Shelburn, Sullivan, Paxton, Carlisle, Oaktown, Emison, Vincennes, and Patoka, IN, as intermediate points, and the off-route points of Farmersburg, Fort Branch, Kings-Station, Habustadt, Decker, Hazelton, Princeton, and Erskine, IN, (3) between Linden, IN and Lafayette, IN, from Linden over county road to junction IN Hwy 25, then over IN Hwy 25 to Wingate, IN, then over county road to Mellott, IN, then over county road to junction IN Hwy 28, then over IN Hwy 28 to junction IN Hwy 25, then over IN Hwy 25 to Lafayette, and return over the same route, serving all intermediate points (4) between Terre Haute, IN and Lafayette, IN, from Terre Haute over U.S. Hwy 41 to junction IN Hwy 47, then over IN Hwy 47 to Crawfordsville, IN, then over IN Hwy 43 to Lafayette, and return over the same route, serving all intermediate points and the off-route points of New Market, Marshall, Russellville, Milligan, and Judson, IN, and the Wabash River Ordnance Works on IN Hwy 63, (5) between Clinton, IN and junction U.S. Hwy 41 and IN Hwy 163 near Lyford, IN, over IN Hwy 163, serving no intermediate points, (6) between South Bend, IN and Wabash, IN, from South Bend over U.S. Hwy 20 to junction IN Hwy 15, then over IN Hwy 15 to junction IN Hwy 114, then over IN Hwy 114 to junction IN Hwy 13 to Wabash, and return over the same route, serving the intermediate points of Mishawaka, Elkhart, Goshen, Nappanee, Milford, Silver Lake, North Manchester, Urbana, and Warsaw, IN, as intermediate points and the off-route points of New Paris, Leesburg, and Claypool, IN, (7) between Indianapolis, IN and South Bend, IN, over U.S. Hwy 31, serving the intermediate points of Peru, Kokomo, Mexico, Rochester, Argos, Plymouth, Lapaz, and Lakesville, IN, as intermediate points and the off-route point of Macy, IN, (8) between Peru, IN and Elkhart, IN, over IN Hwy 19, serving chili, Gilead, Akron, Mentone, Etna, Green, and Nappanee, IN, as intermediate points and the off-route points of Roann and Wakarusa, IN, (9) between Peru, IN and Fort Wayne, IN, over U.S. Hwy 24, serving Largo and Huntington, IN, as

intermediate points and the off-route points of Rich Valley, Wabash, Andrews, Roanoke, and the facilities of B.F. Goodrich Tire Company in Mailan Township, Allen County, IN, (10) between the IN-IL State line and Anderson, IN, from the IN-IL State line over U.S. Hwy 41 to junction U.S. Hwy 6, then over U.S. Hwy 6 to junction IN Hwy 130, then over IN Hwy 130 to Valparaiso, IN, then over U.S. Hwy 30 to junction U.S. Hwy 35, then over U.S. Hwy 35 to Logansport, IN, then over U.S. Hwy 24 to Peru, IN, then over IN Hwy 21 to junction IN Hwy 18, then over IN Hwy 18 to Marion, IN, then over IN Hwy 9 to Anderson, and return over the same route, serving the intermediate points of Hammond, Whiting, Gary, Hobart, Wheeler, Valparaiso, Knox, Bass Lake, Beardstown, Winamac, Royal Center, Wanatah, Logansport, Peru, Santa Fe, Amboy, Marison, and Alexandria, IN, as intermediate points and the off-route points of East Chicago, Indiana Harbor, Hanna, Star City, Thornhope, Portage, Monticello, and Converse, IN, (11) between Marion, IN and Muncie, IN, from Marion, over IN Hwy 15 to Jonesboro, IN, then over U.S. Hwy 35 to Muncie, and return over the same route, serving Jonesboro, IN, as an intermediate point and the off-route points of Gas City, Upland, and Matthews, IN, (12) between junction U.S. Hwy 6 and IN Hwy 15 and the IN-IL State line, over U.S. Hwy 6, serving no intermediate points, but serving the off-route points of Portage and the U.S. Government

Ordnance Works at or near Kingsbury, IN, (13) between junction U.S. Hwy 35 and U.S. Hwy 6 and junction U.S. Hwy 35 and U.S. Hwy 30, over U.S. Hwy 35, serving no intermediate points, (14) between Terre Haute, IN and the IN-IL State line, over U.S. Hwy 50, serving all intermediate points, (15) between North Manchester, IN and junction IN Hwy 15 and U.S. Hwy 6, from North Manchester over IN Hwy 13 to junction U.S. Hwy 6, then over U.S. Hwy 6 to junction IN Hwy 15, and return over the same route, serving all intermediate points, (16) between Evansville, IN and the facilities of The Southern Indiana Gas and Electric Co., at or near Newburgh, IN, from Evansville, IN over IN Hwy 66 to junction county roads, then over county roads to the facilities of the Southern Indiana Gas & Electric Co., and return over the same route, serving no intermediate points, (17) serving the facilities of the Eastman Kodak Company, at Oak Brook, IL, as an off-route point in connection with applicant's otherwise authorized regular-route operations, (18) serving Portage, IN, as an off-route point in connection with applicant's otherwise authorized regular-route operations to and from Chicago, IL, (19) serving the facilities of New York Central Railroad (known as the Big Four Yards), in Hendricks County, IN, as an off-route point in connection with applicant's otherwise authorized regular-route operations to and from Indianapolis, IN, (20) serving the facilities of Old Stanley Distillery Company, at or near Stanley, KY, as an off-route point in connection with applicant's otherwise authorized regular-route operations, (21) serving Buckner, KY, as an off-route point in connection with applicant's otherwise authorized regular-route operations to and from Louisville, KY, (22) serving the facilities of Ford Motor Company, at or near Louisville, KY, as an off-route point in connection with applicant's otherwise authorized regular-route operations to and from Louisville, KY, (23) serving the facilities of B.F. Goodrich Company, in Allen County (Milan Township), IN, as an off-route point in connection with applicant's otherwise authorized regular-route operations to and from Fort Wayne, IN, (24) serving the facilities of U.S. Gypsum Company, at or near Shoals, IN, as an off-route point in connection with applicant's otherwise authorized regular-route operations in IN, (25) serving the facilities of Indiana & Michigan Electric Company and Ayrshire Collieries Corporation, at or near Fairbanks, IN, and Farmersburg, IN, as off-route points in connection with applicant's otherwise authorized regular-route operations, (26) serving the facilities of General Electric Company, at or near Mount Vernon, IN, as an off-route point in connection with applicant's otherwise authorized regular-route operations to and from Evansville, IN, (27) serving Celsetine, IN, as an off-route point in connection with applicant's otherwise authorized regular-route operations between Louisville, KY, and Evansville, IN, (28) between Louisville, KY and Evansville, IN, from Louisville over U.S. Hwy 150 to Prospect, IN, then over IN Hwy 56 to Haysville, IN, then over IN Hwy 45 to Dale, IN, then over U.S. Hwy 231 to junction U.S. Hwy 460, then over U.S. Hwy 460 to Evansvile, and return over the same route, serving all intermediate points, (29) between Huntingburg, IN and Gentryville, IN, from Huntingburg over IN Hwy 64 to junction IN Hwy 162, then over IN Hwy 162 to Gentryville, and return over the same route, serving all intermediate points and the off-route points of Buffaloville, IN, (30) between Santa Claus, IN and Dale, IN, over IN Hwy 245, serving all intermediate points, (31) between Jasper, IN and junction IN Hwys 64 and 45, from Jasper over IN Hwy 162 to junction IN Hwy 64, then over IN Hwy 64 to junction IN Hwy 145, and return over the same route, serving all intermediate points, (32) between St. Meinrad, IN and New Boston, IN, over IN Hwy 545, serving all intermediate points, (33) between Medora, IN and junction IN Hwy 235 and 135, over IN Hwy 235, serving all intermediate points, (34) between Cortland, IN and Freetown, IN, over IN Hwy 258, serving all intermediate points, (35) between French Lick, IN and Bristow, IN, over IN Hwy 145, serving all intermediate points and the off-route points of Newton, Stewart, Elan, and Wickliffe, IN, (36) between Dale, IN and junction IN Hwys 62 and 145, over IN Hwy 62, serving all intermediate points and the off-route point of Siberia, IN, (37) between Adyeville, IN and Dale, IN, over IN Hwy 62, serving St. Meinrad and

Mariah Hill, IN, as intermediate points and the off-route points of Ferdinand, Bristow, and Fulda, IN, (38) between junction IN Hwys 45 and 62, near Bradley, IN, and Owensboro, KY, from junction IN Hwys 45 and 62 over IN Hwy 45 to junction IN Hwy 66, then over IN Hwy 66 to juction U.S. Hwy 231, then over U.S. Hwy 231 to the OH River, then across the OH River to Owensboro, and return over the same route, serving no intermediate points, (39) between Huntington, IN and Logansport, IN, over U.S. Hwy 24, serving all intermediate points, (40) between Peru, IN and Marion, IN, from Peru over IN Hwy 21 to junction IN Hwy 18, then over IN Hwy 18 to Marion, and return over the same route, serving all intermediate points, (41) between Logansport, IN and Rochester, IN, over IN Hwy 25, serving all intermediate points, (42) between Marion, IN and Indianapolis, IN, from Marion over IN Hwy 15 to junction U.S. Hwy 35, then over U.S. Hwy 35 to Muncie, IN, then over IN Hwy 67 to Indianapolis, and return over the same route, serving all intermediate points and the off-route point of Anderson, IN, (43) between Fort Wayne, IN and Plymouth, IN, over U.S. Hwy 30, serving all intermediate points, (44) between Anderson, IN and Marion, IN, over IN Hwy 9, serving all intermediate points, (45) between Fort Wayne, IN and Baer Field, IN, over IN Hwy 3, serving no intermediate points, (46) between Hammond, IN and junction U.S. Hwys 41 and 6 and IN Hwy 152, over IN Hwy 152, serving no intermediate points, (47) between Mitchell, IN and junction U.S. Hwy 50 and IN Hwy 235, from Mitchell over unnumbered county Hwy to Medora, IN,

then over IN Hwy 235 to junction U.S. Hwy 50, and return over the same route, serving all intermediate points, but restricted against service to or from Mitchell. (48) between Salem, IN and Brownstown, IN, from Salem over IN Hwy 56 to junction IN Hwy 39, then over IN Hwy 39 to Brownstown, and return over the same route, serving all intermediate points, and the off-route point of New Philadelphia, but restricted against service at the termini. (49) between Bedford, IN and Ogilville, IN, over IN Hwy 58, serving all intermediate points and the off-route points of Clear Springs and Houston, IN, but restricted against service at Bedford. (50) between junction U.S. Hwy 50 and IN Hwy 135 and Stone Head, IN, over IN Hwy 135, serving all intermediate points, but restricted against service at the termini. (51) serving Latrobe, PA, as an off-route point in connection with applicant's otherwise authorized regular-route operations to and from Pittsburgh, PA. (52) serving Portage, IN, as an off-route point in connection with applicant's otherwise authorized regular-route operations to and from Chicago, IL. (53) between Plymouth, IN and Indianapolis, IN, over U.S. Hwy 31, serving all intermediate points. (54) between Fort Wayne, IN and Indianapolis, IN, over IN Hwy 37, serving all intermediate points, and the off-route points of Jonesboro, IN. (55) between Pittsburgh, PA and Chicago, IL, from Pittsburgh over PA Hwy 65 (portion formerly PA Hwy 88) to Rochester, PA, then over PA Hwy 51 to the PA-OH State line, then over OH Hwy 14 to Salem, OH, then over U.S. Hwy 62 to Canton, OH, then over U.S. Hwy 30 to junction U.S. Hwy 30N, then over U.S. Hwy 30N to Delphus, OH, then over U.S. Hwy 30 to Ft. Wayne, IN, then over U.S. Hwy 33 to junction U.S. Hwy 6, then over U.S. Hwy 6 to junction U.S. Hwy 41, then over U.S. Hwy 41 to Chicago, and return over the same route, serving all intermediate points and the off-route points of Xenia, Cleveland, Toledo, Youngstown, and Columbus, OH, Weirton and Wheeling, WV, and New Castle and Erie, PA, points in the Chicago, IL Commercial Zone, and points within 5 miles of Fort Wayne, IN and Baer Field, IN. (56) serving Akron and Lima, OH, as off-route points in connection with applicant's otherwise authorized regular-route operations between Pittsburgh, PA and Chicago, IL. (57) serving the facilities of PPG Industries, Inc., at or near Kebert Park, in Crawford County, PA (Greenwood Township), as an off-route point in connection with applicant's otherwise authorized regular-route operations to and from Pittsburgh, PA. (58) serving those points in IN within 10 miles of the city limits of Terre Haute, the facilities of Snow Hill Mine at or near Terre Haute, points within 5 miles of the city limits of Evansville, points within 10 miles of the city limits of Vincennes, and points within 8 miles of the city of Sullivan (except Dugger and Hymera), points in the Chicago, IL Commercial Zone, Bensenville, IL and points within 3 miles of Bensenville, as intermediate or off-route points in connection with applicant's otherwise authorized regular-route operations between Chicago, IL and Evansville, IN. (59) between Terre Haute, IN and Evansville, IN, over U.S. Hwy 41, serving all intermediate points and the facilities of the Warrick Works of the Aluminum Company of America, in Warrick County, IN, as an off-route point. (60) serving the facilities of Harvey Aluminum Company, at or near Lewisport, KY, as an off-route point in connection with applicant's otherwise authorized regular-route operations to and from Owensboro, KY. (61) between Chicago, IL and Evansville, IN, (a) over U.S. Hwy 41, and (b) from Chicago over IL Hwy 1 (portion formerly IL Hwy 1A) to Goodenow, IL, then over IL Hwy 1 to Paris, IL, then over U.S. Hwy 150 to Terre Haute, IN, then over U.S. Hwy 41 to Evansville, and return over the same route, serving all intermediate points and the facilities of Southern Indiana Gas and Electric Company near Yankeetown, IN, as an off-route point. (62) between Chicago, IL and Terre Haute, IN, over U.S. Hwy 41, serving all intermediate points and Brazil, IN and those within 10 miles of Terre Haute, IN, as off-route points. (63) between Indianapolis, IN and Louisville, KY, from Indianapolis over IN Hwy 37 to Paoli, IN, then over U.S. Hwy 150 to Palmyra, IN, then over IN Hwy 135 to Corydon, IN, then over IN Hwy 62 to New Albany, IN, then across the OH River to Louisville, and return over the same route, serving all intermediate points. (64) between Columbus, IN and Terre Haute, IN, from Columbus over IN Hwy 46 to junction IN Hwy 59, then over IN Hwy 59 to Brazil, IN, then over U.S. Hwy 40 to Terre Haute, and return over the same route, serving all intermediate points. (65) between Bloomington, IN and Terre Haute, IN, from Bloomington over IN Hwy 45 to junction IN Hwy 54, then over IN Hwy 54 to junction U.S. Hwy 41, then over U.S. Hwy 41 to Terre Haute, and return over the same route, serving all intermediate points. (66) between junction IN Hwy 46 and unnumbered Hwy and junction unnumbered Hwy and IN Hwy 59, over unnumbered Hwy, serving Centerpoint, IN, as an intermediate point. (67) between junction IN Hwys 45 and 54 and junction IN Hwy 45 and 158, from junction IN Hwys 45 and 54 over IN Hwy 45 to junction IN Hwys 45 and 58 and an unnumbered Hwy, then over unnumbered Hwy to junction IN Hwy 158, and return over the same route, serving all intermediate points, and the off-route points of Hobbieville and Owensburg, IN, and the U.S. Naval Ammunition Depot in Martin County, IN. (68) between Emlenton, PA and South Bend, IN, from Emlenton over PA Hwy 208 to Barkeyville, PA, then over PA Hwy 8 to junction PA Hwy 108, then over PA Hwy 108 to New Castle, PA, then over U.S. Hwy 224 to Canfield, OH, then over U.S. Hwy 62 to Canton, OH, then over U.S. Hwy 30 to junction U.S. Hwy 30N, then over U.S. Hwy 30N to Delphos, OH, then over U.S. Hwy 30 to Fort Wayne, IN, then over U.S. Hwy 33 to South Bend, IN, and return over the same route, serving no intermediate points. (69) between Fort Wayne, IN, and Chicago, IL, from Fort Wayne, IN over U.S. Hwy 30 to junction U.S. Hwy 41, then over U.S. Hwy 41 to Chicago, IL, and return over the same route, serving no intermediate points. (70) between junction U.S. Hwys 41 and 30 and Rockford, IL, for junction U.S. Hwys 41 and 30 over U.S. Hwy 30 to Aurora, IL, then over IL Hwy 31 to Elgin, IL, then over U.S. Hwy 20 to Rockford, IL, and return over the same route, serving no intermediate points. (71) serving Sheldon, IL, as an off-route point in connection wih applicant's otherwise authorized regular-route operations. (72) serving Champaign, IL, as an off-route point in connection with applicant's otherwise authorized regular-route operations, restricted to traffic originating at Champaign, IL. (73) serving the facilities of Agar Packing Company, at Momence, IL, as an off-route point in connection with applicant's otherwise authorized regular-route operations to and from Chicago, IL, restricted to traffic originating at or destined to the named facilities. (74) between junction IN Hwys 64 and 145 at Eckerty, IN, and junction IN Hwy 64 and 135, near New Salisbury, IN, over IN Hwy 64, serving no intermediate points. (75) between junction IN Hwys 64 and 135 near New Salisbury, IN and junction IN Hwy 64 and U.S. Hwy 460, at Edwardsville, IN, over IN Hwy 64, serving no intermediate points. (76) between Kentland, IN and junction U.S. Hwy 24 and IL Hwy 1, over U.S. Hwy 24, serving no intermediate points. (77) between junction IL Hwys 1 and 119 and junction IN Hwy 28 and U.S. Hwy 41, from junction IL Hwys 1

and 119 over IL Hwy 119 to the IL/IN State line, then over IN Hwy 28 to junction U.S. Hwy 41, and return over the same route, serving no intermediate points, (78) between Vincennes, IN and Indianapolis, IN, over IN Hwy 67, serving no intermediate points, (79) between junction U.S. Hwy 41 and IN Hwy 57 and Indianapolis, IN, from junction U.S. Hwy 41 and IN Hwy 57 over in Hwy 57 to junction IN Hwy 67, then over In Hwy 67 to Indianapolis, IN, and return over the same route, serving no intermediate points,

(80) between Danville, IL and Indianapolis, IN, over U.S. Hwy 136, serving no intermediate points, restricted against traffic (a) originating at Danville, IL and destined to Indianapolis, IN, or (b) originating at Indianapolis, IN and destined to Danville, IL, (81) between Indianapolis, IN and junction U.S. Hwys 41 and 52, over U.S. Hwy 52, serving no intermediate points, (82) between Corydon, IN and junction IN Hwy 145 and U.S. Hwy 460, over U.S. Hwy 460, serving no intermediate points, (83) serving the facilities of Eli Lilly and Company near Clinton, IN, as an off-route point in connection with applicant's otherwise authorized regular-route operations, (84) between Lawrence, IL and Paris, IL, over IL Hwy 1, serving all intermediate points, (85) between Chicago, IL and Fairfield, IL, from Chicago over U.S. Hwy 54 to junction U.S. Hwy 45, then over U.S. Hwy 45 to Fairfield, and return over the same route, serving all intermediate points except those in Will and Kankakee Counties, IL, (86) between Danville, IL and Lincoln, IL, over IL Hwy 10, serving all intermediate points, (87) between Marshall, IL and Vandalia, IL, over U.S. Hwy 40, serving all intermediate points, (88) between Springfield, IL and junction U.S. Hwy 36 and IL Hwy 1, over U.S. Hwy 36, serving all intermediate points, (89) between Lawrence, IL and Sandoval, IL, over U.S. Hwy 50, serving all intermediate points, (90) between junction IL Hwys 33 and 49 and junction IL Hwy 49 and U.S. Hwy 45, over IL Hwy 49, serving all intermediate points, (91) between Bloomington, IL and Ashley, IL, over U.S. Hwy 51, serving all intermediate points, (92) between Paris, IL and Gillespie, IL, over IL Hwy 16, serving all intermediate points, (93) between Bloomington, IL and Litchfield, IL, over U.S. Hwy 55 serving all intermediate points, (94) between Olney, IL and Charleston, IL, over IL Hwy 130, serving all intermediate points, (95) between Palestine, IL and junction IL Hwys 33 and 128, over IL Hwy 33, serving all intermediate points, (96) between Mount Vernon, IL and junction IL Hwy 37 and U.S. Hwy 45, over IL Hwy 37, serving all intermediate points, (97) between junction IL Hwys 10 and 48 and junction IL Hwy 48 and U.S. Hwy 55, over IL Hwy 48, serving all intermediate points, (98) between Greenup, IL and Lincoln, IL, over IL Hwy 121, serving all intermediate points, (99) between Clinton, IL and Springfield, IL, over U.S. Hwy 54, serving all intermediate points, (100) between junction U.S. Hwy 40 and IL Hwy 128 and junction IL Hwys 128 and 121, over IL Hwy 128, over IL Hwy 128, serving all intermediate points, (101) between Ashley, IL and Fairfield, IL over IL Hwy 15, serving all intermediate points, (102) between Paris, IL and junction IL Hwy 133 and U.S. Hwy 36, over IL Hwy 133, serving all intermediate points, (103) between Effingham, IL and junction IL Hwys 105 and 47, from Effingham over IL Hwy 32 to junction IL Hwy 105, then over IL Hwy 105 to junction IL Hwy 47, and return over the same route, serving all intermediate points, (104) between Raymond, IL and junction IL Hwys 127 and 16, over IL Hwy 127, serving all intermediate points, (105) between Taylorville, IL and junction IL Hwy 104 and U.S. Hwy 55, over IL Hwy 104, serving all intermediate points, (106) between Pana, IL and Springfield, IL, over IL Hwy 28, serving all intermediate points, (107) between Paris, IL and Bloomington, IL, over U.S. Hwy 150, serving all intermediate points, (108) between Springfield, IL and Gillespie, IL, over IL Hwy 4, serving all intermediate points, (109) between Dalton City, IL and junction IL Hwy 128 and U.S. Hwy 40, over IL Hwy 128, serving all intermediate points, (110) between Bloomington, IL and Chicago, IL, over U.S. Hwy 55, serving all intermediate points except those in Will County, IL, (111) between Bloomington, IL and Peoria, IL, over U.S. Hwy 150, serving no intermediate points, (112) serving the facilities of American Cyanamid Co., at South River Mo., as an off-route point in connection with applicant's otherwise authorized regular-route operations, (113) between Jacksonville, IL and Detroit, IL, from Jacksonville over IL Hwy 104 to junction IL Hwy 100, then over IL Hwy 100 to Detroit, and return over the same route, serving all intermediate points and the off-route point of Meredosia, IL, (114) between Pearl, IL and Barry, IL, over unnumbered Hwy, serving all intermediate points and the off-route points of Summer Hill and New Hartford, IL, (115) between Pittsfield, IL and Perry, IL, over IL Hwy 107, serving all intermediate points, (116) between Detroit, IL and Jerseyville, IL, from Detroit over IL Hwy 100 to Hardin, IL, then over IL Hwy 16 to Jerseyville, and return over the same route, serving all intermediate points, (117) between Quincy, IL and St. Louis, MO, (a) from Quincy over IL Hwy 96 to junction U.S. Hwy 36, then over U.S. Hwy 36 to Jacksonville, IL, then over U.S. Hwy 67 to junction unnumbered Hwy (formerly portion U.S. Hwy 67), then over unnumbered Hwy to junction IL Hwy 267, then over IL Hwy 267 to junction U.S. Hwy 67, then over U.S. Hwy 67 to Alton, IL, then over IL Hwy 3 to junction unnumbered Hwy (formerly portion Alternate U.S. Hwy 67), then over unnumbered Hwy to junction IL Hwy 203, then over IL Hwy 203 to junction U.S. Hwy 460, then over U.S. Hwy 460 to St. Louis, and return over the same route, and (b) from Quincy over U.S. Hwy 24 to Taylor, MO, then over U.S. Hwy 61 to Wentzville, MO, then over Bypass U.S. Hwy 40 to junction MO Hwy 115 to junction MO Hwy 180, then over MO Hwy 180 to St. Louis, and return over the same route, serving all intermediate points and the off-route points of St. Louis, MO-East St. Louis, IL Commercial Zone, (118) serving the facilities of Hussmann Refrigerator Company, at Bridgeton, MO, as an off-route point in connection with applicant's otherwise authorized regular-route operations, (119) between Morton, IL and Peoiria, IL, over U.S. Hwy 150, serving no intermediate points, (120) between St. Louis, MO and Lawrenceville, IL, from St. Louis over U.S. Hwy 50 to junction unnumbered Hwy (formerly Alternate U.S. Hwy 50) near Sumner, IL, then over unnumbered Hwy to Lawrenceville, and return over the same route, serving all intermediate points, (121) between Sandoval, IL and Normal, IL, over U.S. Hwy 51, serving all intermediate points, (122) between Sandoval, IL and Champaign, IL, from Sandoval over U.S. Hwy 50 to Salem, IL, then over IL Hwy 37 to junction U.S. Hwy 45, then over U.S. Hwy 45 to Champaign, and return over the same route, serving all intermediate points, (123) between St. Louis, MO and Bloomington, IL, from St. Louis over U.S. Hwy 55 to junction IL Hwy 4, then over IL Hwy 4 to Staunton, IL, then over unnumbered Hwy to junction U.S. Hwy 55 near Mt. Olive, IL, then over U.S. Hwy 55 to Bloomington, and return over the same route, serving all intermediate points, (124) between Springfield, IL and Peoria, IL, over IL Hwy 29, serving all intermediate points, (125) between Mason City, IL and Danville, IL, from Mason City over IL Hwy 10 to

Champaign, IL, then over U.S. Hwy 150 to Danville, and return over the same route, serving all intermediate points, (126) between Springfield, IL and Tuscola, IL, over U.S. Hwy 36, serving all intermediate points, (127) between Lithchfield, IL and Paris, IL, over IL Hwy 16, serving all intermediate points, (128) between junction U.S. Hwy 55 and IL Hwy 48 and Decatur, IL, over IL Hwy 48, serving all intermediate points, (129) between St. Louis, MO and Marshall, IL, from St. Louis over U.S. Hwy 40 to junction unnumbered Hwy, then over unnumbered Hwy to junction U.S. Hwy 40, then over U.S. Hwy 40 to junction Alternate U.S. Hwy 40, then over Alternate U.S Hwy 40 to Mulberry Grove, IL, then over U.S. Hwy 40 to Marshall, and return over the same route, serving all intermediate points, (130) between Springfield, IL and Pana, IL, over IL Hwy 29, serving all intermediate points, (131) between Dalton City, IL and St. Elmo, IL, from Dalton City over U.S. Hwy 128 to junction U.S. Hwy 40, then over U.S. Hwy 40 to St. Elmo, and return over the same route, serving all intermediate points, (132) between Decatur, IL and Greenup, IL, over IL Hwy 121, serving all intermediate points, (133) between Decatur, IL and Robinson, IL, from Decatur over U.S. Hwy 36 to La Place, then over IL Hwy 32 to juction IL Hwy 33, then over IL Hwy 33 to Robinson, and return over the same route, serving all intermediate points, (134) Between Lovington, IL and Arcola, IL, over IL Hwy 133, serving all intermediate points, (135) between St. Louis, MO and Indianapolis, IN, over U.S. Hwy 40, serving the intermediate point of Terre Huate, IN, (136) between St. Louis, MO and Petersburg, IN, from St. Louis over U.S. Hwy 50 to Washington, IN, then over IN Hwy 57 to Petersburg, and return over the same route, serving Wheatland and Washington, IN, as intermediate points, (137) between Effingham, IL and Bicknell, IN, from Effingham, IL over IL Hwy 33 to junction IL Hwy 1, then over IL Hwy 1 to Lawrenceville, IL, then over U.S. Hwy 50 to Vincennes, IN, then over IN Hwy 67 to Bicknell, and return over the same route, serving the off-route points of Flat Rock and Birds, IL, (138) between Vincennes, IN and Petersburg, IN, over IN Hwy 61, (139) between Peoria, IL and Jacksonville, IL, from Peoria over U.S. Hwy 24 to junction IL Hwy 78, then over IL Hwy 78 to junction U.S. Hwy 67, then over U.S. Hwy 67 to Jacksonville, and return over the same route, serving no intermediate points, (140) between Lincoln, IL and junction IL Hwys 121 and 98, Interstate Hwy 74 and U.S. Hwy 150 at or near Morton, IL, over IL Hwy 121, serving no intermediate points, (141) between Bloomington, IL and junction IL Hwy 98, Interstate Hwy 74, and U.S. Hwy 150, over U.S. Hwy 150, serving no intermediate points, (142) between Bloomington, IL and Champaign, IL, over U.S. Hwy 150, serving no intermediate points, (143) between Decatur, IL and junction IL Hwys 47 and 10, over IL Hwy 47, serving no intermediate points, (144) serving the facilities of Anaconda Aluminum Company at or near Sebree, KY, as an off-route point in connection with applicant's otherwise authorized regular-route operations, (145) serving the facilities of Brothers Furniture Corporation, Inc., at or near Livermore, KY, as an off-route point in connection with applicant's otherwise authorized regular-route operations, (146) serving the facilities of Flo-Con Systems, Inc., at Fisher, IL, as an off-route point in connection with applicant's otherwise authorized regular-route operations, (147) serving the facilities of Southwind Maritime Centre at or near Mt. Vernon, IN, as an off-route point in connection with applicant's otherwise authorized regular-route operations, (148) serving the facilities of Mead Johnson & Company at or near Mt. Vernon, IN, as an off-route point in connection with applicant's otherwise authorized regular-route operations, (149) between junction U.S. Hwys 31 and 431 and Indianapolis, IN, from junction U.S. Hwys 31 and 431 over U.S. Hwy 31 to junction 71st St. (also known as the Delaware Trail), then over 71st St. to junction IN Hwy 29, then over IN Hwy 29 to Indianapolis and return over the same route, as an alternate route for operating convenience only, serving no intermediate points, (150) between junction U.S. Hwys 30 and 35 near Hamlet, IN and Fort Wayne IN, over U.S. Hwy 30, as an alternate route for operating covenience only, serving no intermediate points, (151) between Hammond, IN and junction U.S. Hwy 41 and IN Hwy 47 near Annapolis, IN, over U.S. Hwy 41, as an alternate route for operating convenience only, serving no intermediate points, (152) between Indianapolis, IN and junction U.S. Hwys 41 and 52, over U.S. Hwy 52, as an alternate route for operating convenience only, serving no intermediate points, (153) between Sterling, IN and Indianapolis, IN, over U.S. Hwy 136, as an alternate route for operating covenience only, serving no intermediate points, (154) between Vincennes, IN and Muncie, IN, over IN Hwy 67, as an alternate route for operating covenience only serving no intermediate points, (155) between Lafayette, IN and Warsaw, IN, over IN Hwy 25, as an alternate route for operating convenience only, serving no intermediate points, (156) between Rochester, IN and Wabash, IN, from Rochester over IN Hwy 14 to Silver Lake, IN, then over IN Hwy 15 to Wabash, and return over the same route, as an alternate route for operating covenience only, serving no intermediate points, (157) between Kokomo, IN and Huntington, IN, from Kokomo over U.S. Hwy 35 to junction IN Hwy 9 near Jonesboro, IN, then over IN Hwy 9 to Huntington, and return over the same route, as an alternate route for operating convenience only, serving no intermediate points, (158) between Akron, IN and junction IN Hwys 114 and 15, over IN Hwy 114, and as an alternate route for operating convenience only, serving no intermediate points, (159) between Valparaiso, IN and the IN–IL State line and U.S. Hwy 30, over U.S. Hwy 30, as an alternate route for operating convenience only, serving no intermediate points, (160) between Indianapolis, IN and Logansport, IN, from Indianapolis, IN over U.S. Hwy 421 to junction IN Hwy 29 near Boyleston, IN, then over IN Hwy 29 to Logansport, and return over the same route, as an alternate route for operating convenience only, serving no intermediate points, (161) between South Bend, IN and the IN–IL State line and U.S. Hwy 20, from South Bend, IN over IN Hwy 2 to junction U.S. Hwy 20 near Byron, IN, then over U.S. Hwy 20 to the IN–IL State line, and return over the same route, as an alternate route for operating convenience only, serving no intermediate points, (162) between Fort Wayne, IN and Chicago, IL, from Fort Wayne over U.S. Hwy 30 to junction U.S. Hwy 41 at or near Dyer, IN, then over U.S. Hwy 41 to Chicago, and return over the same route, as an alternate route for operating convenience only, serving no intermediate points, (163) between Muncie, IN and Fort Wayne, IN, over IN Hwy 3, as alternate route for operating convenience only, serving no intermediate, (164) between Columbia City, IN and Huntington, IN, over IN Hwy 9, as an alternate route for operating convenience only, serving no intermediate points, (165) between Wabash, IN and Warsaw, IN, over IN Hwy 15, as an alternate route for operating convenience only, serving no intermediate points, (166) between Wabash, IN and Marion, IN, over IN Hwy 15, as an alternate route for operating convenience only, serving no intermediate points, (167) between

Kokomo, IN and junction U.S. Hwy 35 and IN Hwy 15, over U.S. Hwy 35, as an alternate route for operating convenience only, serving no intermediate points, (168) between Westfield, IN at junction U.S. Hwy 31 and IN Hwy 32 and Noblesville, IN, over IN Hwy 32, as an alternate route for operating convenience only, serving no intermediate points, (169) between Noblesville, IN and Anderson, IN, over IN Hwy 32, as an alternate route for operating convenience only, serving no intermediate points, (170) between Anderson, IN and junction unnumbered Hwy (formerly IN Hwy 232) and IN Hwy 67, over unnumbered Hwy, as an alternate route for operating convenience only, serving no intermediate points, (171) between Paoli, IN and Bedford, IN, over IN Hwy 37, as an alternate route for operating convenience only, serving no intermediate points, but serving the termini for the purpose of joinder only, (172) between Bedford, IN and Brownstown, IN, over U.S. Hwy 50, as an alternate route for operating convenience only, serving no intermediate points, but serving the termini for purpose of joinder only, (173) between Paoli, IN and Salem, IN, over IN Hwy 56, as an alternate route for operating convenience only, serving no intermediate points, but serving the termini for purpose of joinder only, (174) between Palmyra, IN and Brownstown, IN, over IN Hwy 135, as an alternate route for operating convenience only, serving no intermediate points, but serving the termini for the purpose of joinder only, (175) between Columbus, IN and Indianapolis, IN, from Columbus over Alternate U.S. Hwy 31 to junction U.S. Hwy 31, then over U.S. Hwy 31 to Indianapolis, and return over the same route, as an alternate route for operating convenience only, serving no intermediate points, but serving the termini for the purpose of joinder only, (176) between Vincennes, IN and Prospect, IN, over U.S. Hwy 150, as an alternate route for operating convenience only, serving no intermediate points, but serving Vincennes for the purpose of joinder only, (177) between Mitchell, IN and Louisville, KY, (a) from Mitchell over IN Hwy 60 to junction U.S. Hwy 31–W, then over U.S. Hwy 31–W to Louisville, and return over the same route, (b) from Mitchell over IN Hwy 60 to junction U.S. Hwy 31–E, then over U.S. Hwy 31–E to Louisville, and return over the same route, and (c) from Mitchell over IN Hwy 60 to junction Interstate Hwy 65, then over Interstate Hwy 65 to Louisville, and return over the same route, serving no intermediate points, but serving junction IN Hwy 60 and U.S. Hwy 31–W, junction IN Hwy 60 and U.S. Hwy 31–E, and junction IN Hwy 60 and Interstate Hwy 65 for purposes of joinder only in (a), (b), and (c) above, (178) between Lincoln, IL and Morton, IL, over IL Hwy 121, as an alternate route for operating convenience only, serving no intermediate points, but serving Morton for the purpose of joinder only, (179) between Jacksonville, IL and Springfield, IL, over U.S. Hwy 36, as an alternate route for operating convenience only, serving no intermediate points,

(B) *General commodities* (except classes A, B, and C explosives, malt beverages, and empty containers for malt beverages), (1) between Chicago, IL and Terre Haute, IN, over U.S. Hwy 41, serving no intermediate points, and (2) between Hammond, IN and junction U.S. Hwys 6 and 41 and IN Hwy 152, over IN Hwy 152, serving no intermediate points, (C) *General commodities* (except those of unusual value, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, (1) between Palmyra, IN and Louisville, KY, over U.S. Hwy 150, serving no intermediate points, (2) serving points in Monroe County, IN, those in Marion County, IN, those within 5 miles of Louisville, KY, those in IN within 5 miles of Evansville, IN, and those within 5 miles of Terre Haute, IN, as intermediate or off-route points in connection with applicant's otherwise authorized regular-route operations, (3) between Bedford, IN and Burns City, IN, from Bedford over IN Hwy 450 to junction unnumbered Hwy then over unnumbered Hwy to junction IN Hwy 158, then over IN Hwy 158 to Burns City, and return over the same route, serving all intermediate points and the off-route points of Hobbieville and Owensburg, IN and the U.S. Naval Ammunition Depot in Martin County, IN, (4) between junction IN Hwys 45 and 445 and junction IN Hwys 445 and 54, over IN Hwy 445, serving no intermediate points, (5) between junction IN Hwys 37 and 58 and junction IN Hwys 58 and 45, over IN Hwy 58, serving no intermediate points, (6) between junction IN Hwy 37 and 54 and Cincinnati, OH, over IN Hwy 54, serving no intermediate points, (7) between junction IN Hwy 46 and 59 and Terre Haute, In, over IN Hwy 46, serving no intermediate points, (8) between junction IN Hwy 45 and 54 and junction IN Hwys 54 and 445, over IN Hwy 54, serving no intermediate points, (9) between junction IN Hwy 45 and 58 and Haysville, IN, over IN Hwy 45, serving no intermediate points, (10) between Bloomfield, IN and junction U.S. Hwy 231 and IN Hwy 58, over U.S. Hwy 231, serving no intermediate points, (11) between Indianapolis, IN and Brazil, IN, over U.S. Hwy 40, serving no intermediate points, (12) between Terre Haute, IN and junction IN Hwys 46 and 59, over IN Hwy 46, serving no intermediate points, (13) between Chicago, IL and junction IN Hwy 152 and U.S. Hwy 41, from Chicago over Alternate U.S. Hwy 30 to junction 130th St. and Calumet Expressway, then over Calumet Expressway to junction Tri-State Tollway near Lansing, IL, then over Tri-State Tollway to junction IN Hwy 152, then over IN Hwy 152 to junction U.S. Hwy 41, and return over the same route, serving no intermediate points, (14) between Indianapolis, IN and Louisville, KY, from Indianapolis over U.S. Hwy 31 to Sellersburg, IN, then over U.S. Hwys 31E and 31W to Louisville, and return over the same route, serving no intermediate points, II OVER IRREGULAR ROUTES, transporting (A) *general commodities* except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), (1) between Fort Wayne, IN, on the one hand, and, on the other, Ferguson, Baer Field (at or near Ferguson), and points within 5 miles of Fort Wayne, IN, (2) between points in the Chicago, IL Commerical Zone, (3) between Pittsburgh, PA, on the one hand, and, on the other, those points in PA bounded by a line beginning at the PA-OH State line and extending along U.S. Hwy 422 to Indiania, PA, then along U.S. Hwy 119 to Uniontown, PA, then along U.S. Hwy 40 to the PA–WV State line, then along the PA–WV State line to the PA–OH State line, then along the PA–OH State line to the Point of beginning, including points on the indicated portions of the highways specified, (B) General commodities, between points in IL within the Chicago, IL Commerical Zone, (C)(1) *iron and steel articles*, from the facilities of Jones & Laughlin Steel Corporation, in Putnam County, IL, to points in IN and OH, and (2) *materials, equipment, and supplies* used in the manufacture and distribution of iron and steel articles, from points in IN and OH to the facilities of Jones & Laughlin Steel Corporation, in Putnam County, IL, restricted in (1) and (2) above (a) against transporting oilfield and pipeline commodities and commodities in bulk, and (b) to traffic originating at or destined to the named origins and destinations, (D) *salt*, from Rittman, OH, to Peru, Decatur,

Fort Wayne, Columbia City, and Plymouth, IN, and Freeport, IL, (E) *fish*, from Cleveland, OH, to Fort Wayne, IN, (F) *butter and cheese*, (a) from Decatur and Huntington, IN, to Freeport, IL, and (b) from Freeport, IL, to Pittsburgh, PA, (G) *Motor oil and grease*, in containers, from Petrolia, Emlenton, Coraopolis, Oil City, McClintock, Rouseville, East Butler, Freedom, and Pittsburgh, PA, to Fort Wayne, IN, (H) *refrigerators*, from Mansfield, OH, to Fort Wayne, IN, (I) *kraut and oleomargarine*, from Norwalk, OH, to Fort Wayne, IN, (J) *dairy products and packing house products*, (a) from Fort Wayne, IN, to Akron and Lima, OH, Sharon, Farrell, Philadelphia, Harrisburg, and Pittsburgh, PA, and Wilmington, DE, and (b) from Fort Wayne, IN, to Buffalo, Syracuse, and New York, NY, Camden, NJ, Baltimore, MD, Washington, DC, Norfolk, VA, Boston, MA, Altoona, Shippensburg, and Lebanon, PA, Bridgeport, CT, Providence, RI, and Fairmount, WV, (K) *cream*, in cans, *canned condensed milk, butter, and cheese*, Peru, IN, to Bucyrus, Canton, Cleveland, Columbus, Kenton, Lima, Mansfield, Marion, Toledo, Upper Sandusky, Wooster, and Youngstown, OH, Braddock, Butler, Erie, East Pittsburgh, IN, Jeannette, New Castle, Oil City, Pittsburgh, Uniontown, and West Pittsburgh, PA, and Wheeling and Wierton, WV, (L) *butter, cheese, cream, and butter tubs*, between Decatur, IN, on the one hand, and, on the other, Chicago, IL, Cleveland and Youngstown, OH, and Pittsburgh, PA, (M) *butter, cheese, cream, frozen poultry, and frozen eggs*, between Fort Wayne, Decatur, and Huntington, IN, on the one hand, and, on the other, Cleveland and Youngstown, OH, and Pittsburgh, PA, (N) *synthetic resin lacquer*, and *thinner* used in connection therewith, in bulk, in tank vehicles, from Pittsburgh and Rochester, PA, to Chicago, IL, Milwaukee, WI, and St. Louis, MO, (O) *empty tank trailer equipment* used in connection with the commodities in (N) above, from Chicago, IL, Milwaukee, WI, and St. Louis, MO, to Pittsburgh and Rochester, PA, and (P) *general commodities* (a) between points within fifty mile radius of Chicago, IL, and (b) between points within a fifty mile radius of Chicago, IL on the one hand, and, on the other, points in the U.S. Condition: To the extent that any certificate issued in this proceeding authorizes the transportation of classes A and B explosives, it shall expire 5 years from its date of issuance.

Note.—Applicant intends to tack this authority with its existing authority. The purpose of this application is to substitute single-line for joint-line operations.

MC 29910 (Sub-271F), filed June 9, 1980. Applicant: ABF FREIGHT SYSTEM, INC., 301 South 11th St., Fort Smith, AR 72901. Representative: Don A. Smith (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, in interstate or foreign commerce, (I) OVER REGULAR ROUTES, transporting (A) *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), (1) between Eau Claire and Mondovi, WI, over WI Hwy 37, (2) between Eau Claire and Eleva, WI, over WI Hwy 93, (3) between Eau Claire and Black River Falls, WI, from Eau Claire over U.S. Hwy 53 to junction U.S. Hwy 10, then over U.S. Hwy 10 to junction WI Hwy 27, then over WI Hwy 27 to Black River Falls, and return over the same route, (4) between Mondovi, WI, and junction U.S. Hwys 53 and 10, over U.S. Hwy 10, (5) between Hixton and Neillsville, WI, over WI Hwy 95, (6) between Hudson and Frederic, WI, over WI Hwy 35, (7) between Roberts, WI, and junction WI Hwys 46 and 35 at or near Milltown, WI, from Roberts over U.S. Hwy 12 to junction WI Hwy 65, then over WI Hwy 65 to junction U.S. Hwy 8, then over U.S. Hwy 8 to junction WI Hwy 46, then over WI Hwy 46 to junction WI Hwy 35 at or near Milltown, and return over the same route, (8) between Somerset, WI, and junction WI Hwy 64 and County Hwy M at or near Sand Creek, WI, over WI Hwy 64, (9) between Star Prairie and Osceola, WI, over County Hwy M, (10) between St. Croix Falls and Hawkins, WI, over U.S. Hwy 8, (11) between Baldwin and Spooner, WI, over U.S. Hwy 63, (12) between junction WI Hwys 64 and 46, and junction WI Hwy 46 and U.S. Hwy 8, over WI Hwy 46, (13) between Luck and Rice Lake, WI, over WI Hwy 48, (14) between Cameron and Spooner, WI, over U.S. Hwy 53, (15) between Menomonee, WI, and junction WI Hwys 48 and 25 at or near Rice Lake, WI, over WI Hwy 25, (16) between Colfax and Glenwood City, WI, over WI Hwy 170, (17) between Connersville and Turtle Lake, WI, over County Hwy K, (18) between Woodville, WI, and junction County Hwy D and WI Hwy 64, over County Hwy D, (19) between junction WI Hwy 46 and County Hwy F at or near Amery, WI, and junction County Hwy F and WI Hwy 65, over County Hwy F, (20) between Deronda, WI, and junction County Hwy C and WI Hwy 65, from Deronda over County Hwy P to junction County Hwy C, then over County Hwy C to junction WI Hwy 65, and return over the same route, (21) between Clayton and Range, WI, over County Hwy D, (22) between Chetek and Prairie Farm, WI, from Chetek over County Hwy I to junction County Hwy A, then over County Hwy A to Prairie Farm, and return over the same route, (23) between Connorsville and Menomonee, WI, from Connorsville over WI Hwy 79 to junction U.S. Hwy 12, then over U.S. Hwy 12 to Menomonee, and return over the same route, (24) between junction U.S. Hwy 12 and WI Hwy 128 at or near Hersey, WI, and junction WI Hwys 128 and 64, over WI Hwy 128, (25) between junction U.S. Hwy 8 and County Hwy F at or near Poskin, WI, and junction County Hwy F and WI Hwy 64, over County Hwy F, (26) between Dallas, and Holcombe, WI, from Dallas over County Hwy U to junction County Hwy M at or near Sand Creek, WI, then over County Hwy M to Holcombe, and return over the same route, (27) between Chippewa Falls, WI, and junction WI Hwy 29 and U.S. Hwy 12, over WI Hwy 29, (28) between junction WI Hwys 64 and 40, and Bruce, WI, over WI Hwy 40, (29) between junction WI Hwys 64 and 27, and Gilman, WI, over WI Hwy 64, (30) between Eau Claire and Cameron, WI, over U.S. Hwy 53, (31) between Chippewa Falls and Owen, WI, over WI Hwy 29, (32) between Fairchild and Withee, WI, from Fairchild over U.S. Hwy 10 to Neillsville, WI, then over WI Hwy 73 to Withee, and return over the same route, (33) between Augusta and Cornell, WI, over WI Hwy 27, (34) between Sand Creek and Cornell, WI, from Sand Creek over Dunn County Trunk Hwy M to junction WI Hwy 64, then over WI Hwy 64 to Cornell, and return over the same route, serving all intermediate points, and the off-route points of Arland, Boardman, Burkhardt, Canton, Cylon, Huntington, Jewett, Ubet, and Wanderoos, WI, in connection with routes (1) through (34) above, (35) between Minneapolis, MN and Chicago, IL, over U.S. Hwy 12, serving all intermediate points between Fairchild and Black River Falls, WI, and serving the intermediate or off-route points of Chemolite Siding, MN, Chicago Heights, IL, those in the Minneapolis-St. Paul, MN, commercial zone, South St. Paul, Inver Grove Heights, West St. Paul, Newport, North St. Paul, Columbia Heights, Robbinsdale, St. Louis Park, Hopkins, Edina, Richfield, Red Rock, Roseville, Ft. Snelling, and State Fair Grounds, MN, and those in the Chicago, IL, commercial zone, and Rusk, WI, (36) between Bloomer, WI, and junction U.S. Hwy 12 and WI Hwy 40, over WI Hwy 40, serving all

intermediate points (except those between Fairchild, WI, and Chicago, IL), and the off-route points of Albertville, Conrath, Sheldon, and Tilden, WI, (37) between Ridgeland, WI, and junction WI Hwy 64 and Dunn County Trunk Hwy M, from Ridgeland over WI Hwy 25 to junction WI Hwy 64, then over WI Hwy 64 to junction Dunn County Trunk Hwy M, and return over the same route, serving no intermediate points, (38) between Stillwater, MN, and junction WI Hwy 64 and Dunn County Trunk Hwy M, south of Sand Creek, WI, from Stillwater across the St. Croix River to Houlton, WI, then over WI Hwy 64 to junction Dunn County Trunk Hwy M, and return over the same route serving no intermediate points, as an alternate route for operating convenience only, (39) between Stillwater and St. Paul, MN, over MN Hwy 212, serving no intermediate points, as an alternate route for operating convenience only, (40) between junction U.S. Hwy 12 and unmarked town road west of Eau Claire, WI, at or near Union, WI, and junction U.S. Hwys 12 and 53 east of Eau Claire, over U.S. Hwy 12, serving no intermediate points, as an alternate route for operating convenience only, (41) between Madison, WI, and Chicago, IL, from Madison over U.S. Hwy 14 to junction IL Hwy 53, then over IL Hwy 53 to junction IL Hwy 72, then over IL Hwy 72 to junction IL Hwy 83, then over IL Hwy 83 to junction Interstate Hwy 55, then over Interstate Hwy 55 to Chicago, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only, serving Madison, WI for the purpose of joinder only, (42) serving Portage, IN, as an off-route point in connection with applicant's otherwise authorized regular-route operations between Chicago, IL and points in MN, WI, and IL, (43) between Chicago, IL, and Davenport, IA, from Chicago over Interstate Hwy 55 to junction IL Hwy 53, then over IL Hwy 53 to Joliet, IL, then over U.S. Hwy 6 to Briarbluff, IL, then over unnumbered Hwy to Silvis, IL, then over IL Hwy 92 to Moline, IL, then over U.S. Hwy 6 to Davenport, and return over the same route, (44) between Joliet and Peru, IL, from Joliet over U.S. Hwy 52 to junction U.S. Hwy 51, then over U.S. Hwy 51 to Peru, and return over the same route, serving Aurora, Oswego, Plane, Sandwich, Somonauk, Leland, Earlville, Meriden, Mandota, Joliet, Morris, Marseilles, Ottawa, LaSalle, Peru, Spring Valley, Princeton, Geneseo, Eola, Batavia, Geneva, St. Charles, Elgin, and Carpentersville, IL, and those points within 25 miles of Chicago, and those within 10 miles of Davenport as intermediate or off-route points in connnection with routes (43) and (44) above, (45) between Chicago and Mendota, IL, from Chicago over U.S. Hwy 34 to junction IL Hwy 65, then over IL Hwy 65 to Aurora, IL, then over IL Hwy 31 to Oswego, IL, then over U.S. Hwy 34 to Mendota, and return over the same route, serving Aurora, Oswego, Plano, Sandwich, Somonauk, Leland, Earlville, Meriden, Mendota, Joliet, Morris, Marseilles, Ottawa, LaSalle, Peru, Spring Valley, Princeton, Geneseo, Eola, Batavia, Geneva, St. Charles, Elgin, and Carpentersville, IL, and those points within 25 miles of Chicago, and those within 10 miles of Davenport as intermediate or off-route points, (46) between Joliet and Aurora, IL, over U.S. Hwy 30, (47) between Aurora and Oswego, IL, over IL Hwy 25, (48) between Peru and Mendota, IL, over U.S. Hwy 51, (49) between Princeton and LaMoille, IL, over U.S. Hwy 34, (50) between Geneseo, IL and junction IL Hwys 82 and 92, over IL Hwy 82, serving no intermediate points in routes (46) through (50) above, (51) serving the facilities of Jackson County Iron Company near Black River Falls, WI, as an off-route point in connection with applicant's otherwise authorized regular-route operations, (52) between Eau Claire, WI and junction U.S. Hwy 53 and Interstate Hwy 94, over U.S. Hwy 53, serving no intermediate points, and serving the junction of U.S. Hwy 53 and Interstate Hwy 94 for purpose of joinder only, (53) between the junction of U.S. Hwy 53 and Interstate Hwy 94 and Moline, IL, from junction U.S. Hwy 53 and Interstate Hwy 94 over U.S. Hwy 53 to junction U.S. Hwy 61, then over U.S. Hwy 61 to Davenport, IA, then over city streets to Moline, and return over the same route, serving no intermediate points, and serving Hager City, WI, as an off-route point and the junction of U.S. Hwy 53 and Interstate Hwy 94 for the purpose of joinder only, (54) between the junction U.S. Hwy 53 and Interstate Hwy 94 and Mendota, IL, from the Junction of U.S. Hwy 53 and Interstate Hwy 94 over Interstate Hwy 94, then over Interstate Hwy 94 and junction WI Hwy 15, then over WI Hwy 15 to junction U.S. Hwy 51, then over U.S. Hwy 51 to Mendota, and return over the same route serving no intermediate points, and serving the junction of U.S. Hwy 53 and Interstate Hwy 94 and the junction of Interstate Hwy 90 and U.S. Hwy 20 By-Pass, at or near Rockford, IL, for the purpose of joinder only, (55) between the junction of Interstate Hwy 90 and U.S. Hwy 20 By-Pass at or near Rockford, IL, and Moline, IL, from the junction of Interstate Hwy 90 and U.S. Hwy 20 By-Pass, over U.S. Hwy 20 By-Pass to junction IL Hwy 2, then over IL Hwy 2 to Moline, and return over the same route, serving no intermediate points, and serving the junction of Interstate Hwy 90 and U.S. Hwy 20 By-Pass for the purpose of joinder only, (56) serving the facilities of Jonathan Industrial Center at or near Chaska, MN, as an off-route point in connection with applicant's otherwise authorized regular-route operations, (57) serving the facilities of Olin Corporation located approximately 5.5 miles northwest of Peru, IN, and approximately 3 miles west of U.S. Hwy 31, as an off-route point in connection with applicant's otherwise authorized regular-route operations, (58) serving the facilities of the Bethlehem Steel Corporation in Burns Harbor, Porter County, IN, as an off-route point in connection with applicant's otherwise-authorized regular-route operations from and to points in IL, IN, OH, and KY, restricted to traffic originating at or destined to the named facilities, (59) serving Sharpsville, IN, as an off-route point in connection with applicant's otherwise-authorized regular-route operations at Kokomo, IN, (60) serving Upland, IN, as an intermediate point in connection with applicant's otherwise-authorized regular-route operations, (61) serving points in the Cincinnati, OH, commercial zone, as intermediate or off-route points in connection with applicant's otherwise-authorized regular-route operations authorized to and from Cincinnati, OH, (62) between Cincinnati and Hamilton, OH, over U.S. Hwy 127, serving no intermediate points, (63) between Hamilton and Millville, OH, over OH Hwy 129, serving all intermediate points, restricted against traffic moving between Cincinnati and Hamilton, OH, (64) between Hamilton and Oxford, OH, from Hamilton over OH Hwy 177 to junction OH Hwy 73, then over OH Hwy 73 to Oxford, and return over the same route, serving all intermediate points, (65) between junction OH Hwy 177 and unnumbered Hwy (formerly OH Hwy 130) and McGonigle, OH, over unnumbered Hwy, serving all intermediate points, (66) between Oxford, OH, and Richmond, IN, over U.S. Hwy 27, serving all intermediate points, and the off-route points of Boston and Kitchell, IN, (67) between Marion, IN, and Chicago, IL, from Marion over IN Hwy 21 to Peru, IN, then over U.S. Hwy 31 to Plymouth, IN, then over U.S. Hwy 30 to Valparaiso, IN, then over IN Hwy 130 to junction U.S. Hwy 6, then over U.S. Hwy 6 to junction Alternate U.S. Hwy 30, then over Alternate U.S. Hwy 30 to Chicago, and

return over the same route, (68) between Marion and Peru, IN, from Marion over IN Hwy 9 to junction U.S. Hwy 35, then over U.S. Hwy 35 to Kokomo, IN, then over U.S. Hwy 31 to Peru, and return over the same route, serving the intermediate points of Converse, Peru, Plymouth, and Kokomo, IN, in connection with routes (67) and (68) above, (69) between junction U.S. Hwy 35 and IN Hwy 9 and Anderson, IN, over IN Hwy 9, serving the intermediate point of Alexandria, IN, and the off-route points of Gas City, Hartford City, and Jonesboro, IN, (70) between Anderson and Muncie, IN, over IN Hwy 32, serving the intermediate points of Alexandria, Chesterfield, Daleville, and Yorktown, IN, (71) between junction IN Hwys 9 and 28 and Muncie, IN, fron junction IN Hwys 9 and 28 over IN Hwy 28 to junction U.S. Hwy 35, then over U.S. Hwy 35 to Muncie and return over the same route, serving no intermediate points, and serving the off-route points of Alexandria, Gas City, Hartford City, and Jonesboro, IN, (72) between Marion and Muncie, IN, from Marion over IN Hwy 21 to junction IN Hwy 22, then over IN Hwy 22 to Hartford City, then over IN Hwy 3 to Muncie, and return over the same route, serving the intermediate points of Gas City and Hartford City, IN, and the off-route points of Alexandria and Jonesboro, IN, (73) between Richmond and Muncie, IN, over U.S. Hwy 35, serving no intermediate points, (74) between Muncie and Connersville, IN, from Muncie over IN Hwy 3 to junction IN Hwy 38, then over IN Hwy 38 to New Castle, IN, then over IN Hwy 103 to junction U.S. Hwy 40, then over U.S. Hwy 40 to junction IN Hwy 1, then over IN Hwy 1 to Connersville, and return over the same route, serving all intermediate points, (75) between New Castle and Richmond, IN, from New Castle over IN Hwy 38 to Hagerstown, IN, then over IN Hwy 1 to Cambridge City, IN, then over U.S. Hwy 40 to Richmond, and return over the same route, serving all intermediate points, (76) between Chicago, IL, and junction IN Hwy 49 and U.S. Hwy 30, from Chicago over the Calumet-Tri-State Expressway to junction U.S. Hwy 41, then over U.S. Hwy 41 to junction U.S. Hwy 30, then over U.S. Hwy 30 to junction IN Hwy 49, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only, (77) between Marion and Hartford City, IN, from Marion over IN Hwy 18 to junction IN Hwy 3, then over IN Hwy 3 to Hartford City, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only, (78) between Anderson, IN and junction IN Hwys 9 and 109, over IN Hwy 109, serving no intermediate points, as an alternate route for operating convenience only, (79) between Hagerstown and Richmond, IN, over IN Hwy 38, serving no intermediate points, as an alternate route for operating convenience only, (80) serving the facilities of Tennant Company at or near Maple Grove, MN, as an off-route point in connection with applicant's otherwise authorized regular-route operations, (81) between Milton and Indianapolis, IN, from Milton over IN Hwy 1 to junction U.S. Hwy 40, then over U.S. Hwy 40 to Indianapolis, and return over the same route, serving all intermediate points, and the off-route points of Gulf Pipe Line at or near Straughn, IN, and Soldiers and Sailers Orphans Home at or near Knightstown, IN, (82) betweeen Black River Falls and North Bend, WI, over WI Hwy 54, serving all intermediate points, (83) between LaCrosse and West Salem WI, over U.S. Hwy 16, serving all intermediate points, (84) between West Salem and Melrose, WI, over WI Hwy 108, serving all intermediate points, (85) between North Bend and Burr Oak, WI, over unnamed town road, serving all intermediate points, (86) between Richmond, IN and Dayton, OH, from Richmond over U.S. Hwy 40 to junction Interstate Hwy 70, then over Interstate Hwy 70 to junction OH Hwy 49, then over OH Hwy 49 to Dayton and return over the same route, (87) between Chicago, IL and Indianapolis, IN, from Chicago over Interstate Hwy 94 to junction Interstate Hwy 80, then over Interstate Hwy 80 to junction Interstate Hwy 65, then over Interstate Hwy 65 to Indianapolis, and return over the same route, serving no intermediate points, as an alternate route for operating then over U.S. Hwy 77 to Brookings, and return over the same route, (93) between Brookings, SD, and junction of SD Hwys 34 and 37, from Brookings over U.S. Hwy 77 to junction SD Hwy 34, then over SD Hwy 34 to junction SD Hwy 37, and return over the same route, (94) between Arlington, SD, and junction SD Hwy 38 and U.S. Hwy 16, approximately 12 miles east of Mitchell, SD, from Arlington over U.S. Hwy 81 to Salem, SD, then over SD Hwy 38 to junction U.S. Hwy 16, then over U.S. Hwy 16 to Mitchell, and return over the same route, (95) between Sioux Falls, SD, and junction U.S. Hwy 77 and SD Hwy 34, over U.S. Hwy 77, (96) between Stanley Corners and Yanktown, SD, over U.S. Hwy 81, (97) between Vermillion and Pumpkin Center, SD, over U.S. Hwy 19, (98) between Sioux Falls and Vermillion, SD, from Sioux Falls over U.S. Hwy 77 to junction SD Hwy 50, then over SD Hwy 50 to Vermillion, and return over the same route, serving all intermediate points in connection with routes (91) through (98) (except Beresford, SD), (99) between St. Paul, MN, and Fargo, over U.S. Hwy 52, (100) between junction SD Hwys 37 and 34 and Ft. Thompson, SD, from junction SD Hwys 37 and 34 over SD Hwy 34 to junction SD Hwy 45, then over SD Hwy 45 to junction unnumbered Hwy, then over unnumbered Hwy to junction SD Hwy 47, then over SD Hwy 47 to Ft. Thompson, and return over the same route, serving the intermediate points of Letcher, Cuthbert, Forestburg and Alpena, SD, (102) between Newcastel, NE and Sioux City, IA, from Newcastel over NE Hwy 12 to junction convenience only, (88) between Eau Claire and Ladysmith, WI, from Eau Claire over U.S. Hwy 53 to Chippewa Falls, WI, then over County Hwy S to Jim Falls, WI, then over County Hwy 1 to Cornell, WI, then over WI Hwy 64 to junction WI Hwy 27, then over WI Hwy 27 to Ladysmith, and return over the same route, serving the intermediate points of Chippewa Falls, Anson, Jim Falls, Cobban, Cornell and Holcombe, WI, (89) between Chippewa Falls and Cornell, WI, from Chippewa Falls over WI Hwy 29 to Cadott, then over WI Hwy 27 to Cornell, and return over the same route, seving the intermediate point of Crescent, WI, and the off-route point of Drywood, WI, (90) between Sioux City, IA, and Parkston, SD, from Sioux City over U.S. Hwy 77 to junction SD Hwy 50, then over SD Hwy 50 to junction SD Hwy 37, then over SD Hwy 37 to Parkston, and return over the same route, serving no intermediate points and serving the off-route points of Armour, Corsica, Delmont, and Stickney, SD, (91) between St. Paul, MN, and Mitchell, SD, from St. Paul over city streets to Minneapolis, MN, then over U.S. Hwy 212 to Glencoe, MN, then over MN Hwy 22 to Gaylord, MN, then over MN Hwy 19 to Winthrop, MN, then over MN Hwy 15 to New Ulm, MN, then over U.S. Hwy 14 to Huron, SD, then over SD Hwy 37 to Mitchell, and return over the same route, (92) between Winthrop MN, and Brookings, SD, from Winthrop over MN Hwy 19 to the MN-SD State Line, then over unnumbered Hwy to junction U.S. Hwy 77, U.S. Hwy 20, then over U.S. Hwy 20 to Sioux City, and return over the same route, serving those points in NE within 20 miles of Newcastle as intermediate or off-route points, (103) between Newcastle, NW, and Yankton, SD, from Newcastle over NW Hwy 12 to junction NE Hwy 15, then over NW Hwy 15 to junction U.S.

Hwy 81, then over U.S. Hwy 81 to Yankton, and return over the same route, serving those points in NW within 20 miles of Newcastle as intermediate or off-route points, (104) between Salem and Sioux Falls, SD, from Salem over U.S. Hwy 81 to junction U.S. Hwy 16, then over U.S. Hwy 16 to Sioux Falls, and return over the same route, serving no intermediate points, (105) between Moline, IL and Des Moines, IA, over U.S. Hwy 6, serving all intermediate points, (106) serving the facilities of Duane Arnold Energy Center at or near Palo, IA, and the facilities of Minnesota Mining and Manufacturing Company at or near Knoxville, IA, as off-route points in connetion with applicant's otherwise-authorized regular-route operations, (107) between Chicago, IL, and South Haven, MI, from Chicago, IL, over U.S. Hwy 12 to junction Interstate Hwy 94, then over Interstate Hwy 94 to St. Joseph, MI, then over U.S. Hwy 31 to South Haven, and return over the same route, (108) between Chicago, IL, and junction U.S. Hwy 12 and Interstate Hwy 94, from Chicago, IL, over U.S. Hwy 20 to junction IN Hwy 212, then over IN Hwy 212 to junction U.S. Hwy 12, then over U.S. Hwy 12 to junction Interstate Hwy 94, and return over the same route, serving all intermediate points in connection with routes (107) and (108) above, and the off-route points of Baroda, Derby, and Three Oaks, MI, (109) between South Bend, IN, and Kalamazoo, MI, from South Bend, IN, over U.S. Hwy 31 to Benton Harbor, MI, then over Interstate Hwy 94 to Kalamazoo, MI, and return over the same route, serving all intermediate points and serving the off-route points of Berrien Center, Keeler, Lawton, Matawan and Milburg, MI, (110) betwen Benton Harbor, MI, and junction MI Hwy 51 and Interstate Hwy 94, from Benton Harbor, MI, over unnumbered Hwy to Eau Claire, MI, then over MI Hwy 62 to Dowagiac, MI, then over MI Hwy 51 to junction Interstate Hwy 94, and return over the same route, serving all intermediate points, (111) between South Bend and Gary, IN, over U.S. Hwy 20, serving no intermediate points, as an alternate route for operating convenience only, (112) serving the facilities of Upjohn Company located approximately four and one-half miles southeast of Kalamazoo, MI, as an off-route point in connection with applicant's otherwise-authorized regular-route operations to and from Kalamazoo, (113) serving points within two miles of Kalamazoo, MI, as intermediate or off-route points in connection with applicant's otherwise-authorized regular-route operations, (114) between Niles, MI, and junction U.S. Hwy 12 and Interstate Hwy 94, over U.S. Hwy 12, serving no intermediate points, as an alternate route for operating convenience only, (115) between Niles and Dowagiac, MI, over MI Hwy 51, serving no intermediate points, as an alternate route for operating convenience only, (116) between South Haven and Watervliet, MI, over MI Hwy 140, serving no intermediate points, as an alternate route for operating convenience only, (117) between Watervliet and Niles, MI, from Watervliet over MI Hwy 140 to junction U.S. Hwy 31, then over U.S. Hwy 31 to Niles, and return over the same route, serving no intermediate points, as an alternate route for operating convience only, (118) between Benton Harbor, MI and junction U.S. Hwy 31 and MI Hwy 139, over MI Hwy 139, serving no intermediate points, as an alternate route for operating convenience only, and (119) between Ft. Wayne and Hartford City, IN, from Ft. Wayne over IN Hwy 1 to Fiat, IN, then over IN Hwy 18 to junction IN Hwy 3, then over IN Hwy 3 to Hartford City, and return over the same route, serving all intermediate points, (B) *general commodities* (except those of unusual value, household goods as defined by the Commission, and commodities in bulk) between Connersville, IN, and College Corner, OH, from Connersville over IN Hwy 44 to junction U.S. Hwy 27, then over U.S. Hwy 27 to College Corner, and return over the same route, serving all intermediate points and the off-route point of Brownsville, IN, and (C) *General commodities* (except those of unusual value, household goods as defined by the Commission, and commodities in bulk, in tank vehicles) between Cincinnati and College Corner, OH, over U.S. Hwy 27, serving all intermediate points, and (II) over irregular routes, transporting (A) *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 the use of special equipment), (1) between Eau Claire, WI, on the one hand, and, on the other, those points in WI within 75 miles of Eau Claire, WI (except those east of a line beginning at the northeastern perimeter of said 75 mile radius from Eau Claire, near Prentice, WI, and extending along WI Hwy 13 to Abbottsford, WI, then along WI Hwy 29) to junction WI Hwy 73 near Owen, WI, then along WI Hwy 73 to junction WI Hwy 98 near Greenwood, WI, then along WI Hwy 98 to Spencer, WI, then along WI Hwy 13 to junction WI Hwy 80 near Pittsville, WI, and then along WI Hwy 80 to the southeastern perimeter of said 75 miles radius from Eau Clair, near Dexterville, WI, (2) between points in the Chicago, IL, commercial zone, (3) between those points in IL within 50 miles of Palatine, IL, (4) between those points in IL within 50 miles of Paletine, IL, on the one hand, and, on the other, points in IL, and (5) between Oxford, OH, on the one hand, and, on the other, those points in OH within a 50 mile radius of Oxford, OH, (B) *building materials and supplies, and iron and steel articles* (except commodities in bulk, in tank vehicles), between Oxford, OH, and those points within 25 miles of Oxford, OH, on the one hand, and, on the other, points in OH, and those in IN south of U.S. Hwy 24 and east of U.S. Hwy 41, including points on the indicated portions of the Hwys specified, (C) *prepared roofing and roofing material* (except commodities in bulk, in tank vehicles), from Joliet, IL, to Marion, IN, (D) *general commodities* (except household goods as defined by the Commission, commodities in bulk, and those requiring the use of special equipment) between points in OH and those in IN within 40 miles of Oxford, OH, (E) *iron and steel articles*, from the facilities of Jones & Laughlin Steel Corporation at points in Putnam County, IL, to points in IN and OH, and materials, equipment, and supplies used in the manufacture and distribution of iron and steel articles (except commodities in bulk), in the reverse direction, restricted to traffic originating at or destined to the named origins and destinations, and (F) *general commodities*, (1) between those points within a fifty mile radius of Palatine, IL, and (2) between those points within a fifty mile radius of Palatine, IL, on the one hand, and, on the other, points in the U.S. condition: To the extent that the certificate in this proceeding authorizes the transportation of class A and B explosives, it will expire 5 years from the date of issuance.

Note.—Applicant intends to tack this authority with its existing authority. The purpose of this application is to substitute single-line for joint-line operations.

Permanent Authority Decisions; Decision-Notice; Substitution Applications; Single-Line Service for Existing Joint-Line Service

The following applications, filed on or after April 1, 1979, are governed by the special procedures set forth in Part 1062.2 of Title 49 of the Code of Federal Regulations (49 CFR 1062.2).

The rules provide, in part, that carriers may file petitions with this Commission for the purpose of seeking intervention in these proceedings. Such

petitions may seek intervention either with or without leave as discussed below. However, all such petitions must be filed in the form of verified statements, and contain all of the information offered by the submitting party in opposition. Petitions must be filed with the Commission within 30 days of publication of this decision-notice.

Petitions for intervention without leave (i.e. automatic intervention), may be filed only by carriers which are, or have been, participating in the joint-line service sought to be replaced by applicant's single-line proposal, and then only if such participation has occured within the one-year period immediately proceeding the applciation's filing. Only carriers which fall within this filing category can base their opposition upon the issue of the public need for the proposed service.

Petitions for intervention with leave may be filed by any carrier. The nature of the opposition; however, must be limited to issues other than the public need for the proposed service. The appropriate basis for opposition, i.e. applicant's fitness, may include challenges concerning the veracity of the applicant's supporting information, and the bona-fides of the joint-line service sought to be replaced (including the issue of its substantiality). Petitions containing only unsupported and undocumented allegations will be rejected.

Petitions not in reasonable compliance with the requirements of the rules may be rejected. An original and one copy of the petition to intervene shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or upon applicant if no representative is named.

Further processing steps will be by Commission notice, decision, or letter which will be served on each party of record. *Broadening amendments will not be accepted after the date of this publication.*

Any authority granted may reflect administratively acceptable restrictive amendments to the service proposed below. Some of the applications may have been modified to conform to the Commission's policy of simplifying grants of operating authority.

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 applicant has demonstrated that its proposed service is required by the present and future public convenience and necessity. Each applicant is fit, willing, and able properly to perform the service proposed and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the Commission's regulations. Except where specifically noted, this decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

In those proceedings containing 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 within 30 days of publication of this decision-notice (or, if the application later becomes unopposed), appropriate authority will be issued to each applicant (except those with duly noted problems) upon compliance with certain requirements which will be set forth in a notification of effectiveness of 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 grant or grants of authority within 90 days after the service of the notification of the effectiveness of this decision-notice, or the application of a non-complying applicant shall stand denied.

By the Commission, Review Board Number 4, Members Fitzpatrick Fisher, and Dowell.

MC 113170 (Sub-8F), filed June 19, 1980. Applicant: PEET FRATE LINE, INC., R.R. 47, P.O. Box 529, Woodstock, IL 60098. Representative: Eugene L. Cohn, One North LaSalle St., Chicago, IL 60602. To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Chicago, IL and points in Stephenson, Winnebago, Boone, McHenry, Lake, Ogle, Lee, DeKalb, La Salle, Kendall, Kane, Du Page, Cook, and Will Counties, IL, on the one hand, and, on the other, Milwaukee, Racine, and Kenosha, WI.

Note.—The purpose of this application is to substitute single-line for joint-line operations.

Motor Carrier Intrastate Application(s)

The following application(s) for motor common carrier authority to operate in intrastate commerce seek concurrent motor carrier authorization in interstate or foreign commerce within the limits of the intrastate authority sought, pursuant to Section 10931 (formerly Section 206(a)(6)) of the Interstate Commerce Act. These applications are governed by Special Rule 245 of the Commission's *General Rules of Practice* (49 CFR 1100.245), which provides, among other things, that protests and requests for information concerning the time and place of State Commission hearings or other proceedings, any subsequent changes therein, and any other related matters shall be directed to the State Commission with which the application is filed and shall *not* be addressed to or filed with the Interstate Commerce Commission.

MC 107587 (deviation No. 16), TRAILWAYS BUS SYSTEM, INC., 315 Continental Ave., Dallas, TX 75207, filed February 9, 1981. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage* and *express* and *newspapers* in the same vehicle with passengers, over a deviation route as follows: From San Antonio, TX over Interstate Hwy 37 (using portions of US Hwy 281 and TX Hwy 9 where Interstate Hwy 37 is incomplete) to Corpus Christi, TX, with the right of access wherever there is an interchange at a junction with its presently certificated route, and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property over a pertinent service route as follows: From San Antonio, TX over US Hwy 281 to junction TX Hwy 9, then over TX Hwy 9 via Oakville, TX to Corpus Christi, TX and rturn over the same route.

By the Commission.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-6466 Filed 2-25-81; 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(1) 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 within 30 days of publication of this decision-notice (or, if the application later becomes unopposed), appropriate authority will be issued to each applicant (except those with duly noted problems) upon compliance with certain requirements which will be set forth in a notification of effectiveness of 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. 411

Decided: February 9, 1981.

By the Commission, Review Board No. 3, Members Parker, Fortier, and Hill.

MC 119741 Sub 262F, filed April 4, 1980, and previously noticed in **Federal Register** issue of July 15, 1980. Applicant: GREEN FIELD TRANSPORT COMPANY, INC., 1515 Third Ave., N.W., P.O. Box 1235, Fort Dodge, IA 50501. Representative: D. L. Robson (same address as applicant). Transporting *plastic and plastic articles* (except in bulk, in tank vehicles), from the facilities of Honeycorr, Div. McCardell Enterprises, at Newton, IA, to points in AL, AR, CO, CT, DE, FL, GA, IA, IL, IN, KS, KY, LA, MA, MD, ME, MI, MN, MO, MS, NC, ND, NE, NH, NJ, NY, OH, OK, PA, RI, SC, SD, TN, TX, VA, VT, WI, WV, and DC.

Note.—This republication shows MN as a destination state.

MC 134300 (Sub-51F), filed June 26, 1980. Applicant: TRIPLE R EXPRESS, INC. 498 First St., N.W., New Brighton, MN 55112. Representative: Samuel Rubenstein, P.O. Box 5, Minneapolis, MN 55440. Transporting *building materials* (except commodites in bulk), between Cleveland, OH, on the one hand, and, on the other, points in IA, IL, MN, ND, NE, SD, and WI.

MC 146071 (Sub-32F), filed June 26, 1980. Applicant: DEETZ TRUCKING, INC., P.O. Box 2, Strum, WI 54770. Representative: Jack B. Wolfe, 350

Capitol Life Center, 1600 Sherman St., Denver, CO 80203. Transporting *meats, meat products, meat byproducts, and articles distributed by meat-packing houses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the facilities of MBPXL Corporation at or near Plainview, TX to points in MI.

MC 146820 (Sub-6F), filed September 13, 1979, and previously noticed in **Federal Register** issue of September 16, 1980. Applicant: B & G TRUCKING, INC., 77 East Wilson Bridge Road, Worthington, OH 43085. Representative: David A. Turano, Suite 1800, 100 East Board St., Columbus, OH 43215. Transporting (1)(a) *pulpboard, pulpboard products, fibreboard, and fibreboard products*, and (b) *materials and supplies* used in the manufacture and distribution of the commodities in (1) above (except commodities in bulk), between points in the U.S., under continuing contract(s) with Weyerhaeuser Company, of Chicago, IL, and (2)(a) *paper, paper products, and plastic containers*, and (b) *materials and supplies* used in the manufacture and distribution of the commodities in (2) above, (except commodities in bulk), and (3) *scrap paper*, between points in the U.S., under continuing contract(s) with Packaging Corporation of America, of Evanston, IL.

Note.—This republication includes pulpboard products, fibreboard, and fibreboard products in (1) above and the authority is modified to reflect the Motor Carrier Act of 1980.

MC 148950 (Sub-1F), filed October 22, 1979. Applicant: OCCO TRANSPORT, INC., Industrial Park Blvd., Cokato, MN 55321. Representative: Robert P. Sack, P.O. Box 6010, West St. Paul, MN 55118. Transporting *cotton waste materials, fabric pads or padding, pillows and pillow forms, and furniture*, from Cokato, MN to points in IA, IL, ND, SD, and WI.

Volume No. 412

Decided: February 2, 1981.

By the Commission, Review Board No. 2, Members Chandler, Eaton, and Liberman.

MC-119741 Sub 195F, filed June 7, 1979, and previously noticed in **Federal Register** issue of December 11, 1979. Applicant: GREEN FIELD TRANSPORT COMPANY, INC., 1515 Third Ave., N.W., P.O. Box 1235, Fort Dodge, IA 50501. Representative: D. L. Robson (same address as applicant). Transporting *meats, meat products and meat byproducts, 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, C, and D of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), between the facilities of Lauridsen Foods, Inc., at Britt, IA, and Armour & Company, at Mason City, IA, on the one hand, and, on the other, points in AR, CO, CT, DE, IL, IN, KS, MD, MA, MI, MO, NE, NJ, NY, OH, OK, PA, RI, TX, VA, WV, and DC, restricted to traffic originating at or destined to the named points.

Note.—This republication clarifies the commodity description.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-6471 Filed 2-25-81; 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. For compliance procedures, refer to the **Federal Register** issue of December 3, 1980, at 45 FR 80109.

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.g., 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 interest in the form of verified statements filed on or before [45 days from date of publication], (or, if the application later becomes unopposed) appropriate authorizing documents will be issued to applicants with regulated operations (except those with duly noted problems) and will remain in full effect only as long as the applicant maintains appropriate compliance. The unopposed applications involving new entrants will be subject to the issuance of an effective notice setting forth the compliance requirements which must be satisfied before the authority will be issued. Once this compliance is met, the authority will be issued.

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. OP1-040

Decided: February 13, 1981.

By the Commission, Review Board No. 1; Members Carleton, Joyce, and Jones.

MC 200 (Sub-549), filed February 4, 1981. Applicant: RISS INTERNATIONAL CORPORATION, P.O. Box 100, 215 W. Pershing Rd., Kansas City, MO 64141. Representative: H. Lynn Davis (same address as applicant). Transporting *general commodities* (except classes A and B explosives), between points in AL, AR, CA, DE, FL, IL, KY, LA, MI, MN, NE, NJ, NY, OH, OR, PA, SC, TN, TX, WV, and WY, on the one hand, and, on the other, points in the U.S.

MC 29710 (Sub-12), filed January 30, 1981. Applicant: F. W. TRANSPORTS, INC., 130 North 9th St., P.O. Box 503, Burwell, NE 68823. Representative: Lavern R. Holdeman, P.O. Box 81849, Lincoln, NE 68501. Transporting *petroleum, natural gas and their products*, between points in CO, IA, KS, and NE.

MC 35320 (Sub-631), filed February 2, 1981. Applicant: T.I.M.E.-DC, INC., 2598 74th St., P.O. Box 2550, Lubbock, TX 79408. Representative: Kenneth G.

Thomas (same address as applicant). Transporting *general commodities* (except classes A and B explosives), (1) between points in Fulton County, IN, on the one hand, and, on the other, points in the U.S., and (2) between points in Kosciusko County, IN, on the one hand, and, on the other, points in the U.S.

Note.—Applicant intends to tack this authority with its existing regular-route authority.

MC 60170 (Sub-7), filed February 3, 1981. Applicant: ANNUNZIATO DEGEORGE, d.b.a. A. D. GEORGE, 1008 Monroe St., Berwick, PA 18603. Representative: Richard M. Goldberg, 700 United Penn Bank Bldg., Wilkes-Barre, PA 18701. Transporting *household goods, furniture and fixtures, and machinery*, (1) between points in Luzerne County, PA, on the one hand, and, on the other, points in CT, DE, FL, GA, IN, KY, MA, MD, MI, NC, NH, NJ, NY, OH, RI, SC, VA, WV, and DC, and (2) between points in Columbia County, PA, on the one hand, and, on the other, points in CT, DE, FL, GA, IN, KY, MA, MD, MI, NC, NH, NJ, NY, OH, RI, SC, VA, WV, and DC.

MC 85970 (Sub-46), filed January 30, 1981. Applicant: SARTAIN TRUCK LINE, INC., 1625 Hornbrook St., Dyersburg, TN 38024. Representative: Warren A. Goff, 2008 Clark Tower, 5100 Poplar Ave., Memphis, TN 38137. Transporting *such commodities* as are dealt in or used by manufacturers and distributors of packaging, between Chicago, IL, and point in Tipton and Shelby Counties, TN, on the one hand, and, on the other, points in AL, AR, GA, IL, IN, KS, KY, LA, MI, MO, MS, OH, PA, TN, TX, and WV.

MC 87451 (Sub-3), filed January 28, 1981. Applicant: CARGO TRANSPORT, INC., P.O. Box 268, Somerville, MA 02143 . Representative: William F. Mix, 153 Grove St., Lexington, MA 02173. Transporting *general commodities* (except classes A and B explosives), between the facilities of W. R. Grace & Co., in the U.S., on the one hand, and, on the other, points in the U.S. Condition: Issuance of a certificate in this proceeding is subject to the coincidental cancellation, at applicant's written request of its Certificate of Registration in MC 87451 (Sub-2).

MC 114011 (Sub-7), filed January 30, 1981. Applicant: PETE'S SERVICE & TRUCK RENTAL, INC., 550 Brunson St., St. Paul, MN 55101. Representative: Samuel Rubenstein, P.O. Box 5, Minneapolis, MN 55440. Transporting *food and related products*, between Milwaukee, WI, Detroit, MI, points in La Crosse County, WI and Peoria County, IL, on the one hand, and, on the other, points in Anoka and Dakota Counties, MN.

MC 117730 (Sub-85), filed February 2, 1981. Applicant: KOUBENEC MOTOR SERVICE, INC., Route 47, Huntley, IL 60142. Representative: Stephen H. Loeb, Suite 2027, 33 North LaSalle St., Chicago, IL 60602. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with Kraft, Inc., of Glenview, IL.

MC 119741 (Sub-291), filed February 2, 1981. Applicant: GREEN FIELD TRANSPORT COMPANY, INC., 1515 Third Ave., NW., P.O. Box 1235, Fort Dodge, IA 50501. Representative: D. L. Robson (same address as applicant). Transporting *food and related products*, between points in Berks County, PA, on the one hand, and, on the other, St. Louis, MO, and points in Marion County, IL.

MC 121470 (Sub-74), filed February 3, 1981. Applicant: TANKSLEY TRANSFER COMPANY, a corporation, 801 Cowan St., Nashville, TN 37207. Representative: Helen Jones (same address as applicant). Transporting *metal products*, and *those commodities which because of their size or weight require the use of special handling or equipment*, between Savannah, GA, on the one hand, and, on the other, points in the U.S.

MC 126900 (Sub-4), filed February 3, 1981. Applicant: FLAMINGO MOVING & STORAGE CO., a corporation, RD No. 3 Box 678, Mansfield, PA 16933. Representative: Thomas F.X. Foley, P.O. Box F, Colts Neck, NJ 07722. Transporting *such commodities* as are dealt in or used by a manufacturer of doors, between points in Lycoming County, PA, on the one hand, and, on the other, points in the U.S.

MC 128290 (Sub-16), filed February 2, 1981. Applicant: EARL HAINES, INC., P.O. Box 2557, Winchester, VA 22601. Representative: Bill R. Davis, Suite 101, Emerson Center, 2814 New Spring Rd., Atlanta, GA 30339. Transporting (1) *pulp, paper and related products* and (2) *printed matter*, between Convington, VA, and points in Aleghany County, VA, Allegany County, MD, Providence County, RI, and Suffolk County, MA, on the one hand, and, on the other, points in RI, MA, NH, NY, NJ, CT, PA, MD, VA, WV, NC, SC, GA, OH, WI, DE, IN, MI, and IL.

MC 129301 (Sub-19), filed January 27, 1981. Applicant: ENGLISH AND SONS CORPORATION, 412 Kingshighway, Thorofare, NJ 08086. Representative: James H. Sweeney, 468 Kentucky Ave., Williamstown, NJ 08094. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with Giant Food, Inc., of Landover, MD.

MC 134221 (Sub-2), filed January 28, 1981. Applicant: C. B. L. TRUCKING & LEASING, INC., P.O. Box 8, Delanco, NJ 08075. Representative: George A. Olsen, P.O. Box 357, Gladstone, NJ 07934. Transporting *general commodities* (except classes A and B explosives), between points in NJ, NY, PA, DE, MD, CT, and DC.

MC 135410 (Sub-120), filed February 2, 1981. Applicant: COURTNEY J. MUNSON, d.b.a. MUNSON TRUCKING, P.O. Box 266, Monmouth, IL 61462. Representative: Jack H. Blanshan, 205 West Touhy Ave., Suite 200, Park Ridge, IL 60068. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with Fedders Corporation, of Edison, NJ.

MC 136771 (Sub-7), filed February 2, 1981. Applicant: HY-WAY TRANSIT, INC., Route No. 1, Cedar Grove, WI 53013. Representative: Richard A. Westley, 4506 Regent St., Suite 100, Madison, WI 53705. Transporting *food or related products*, between points in the U.S., under continuing contract(s) with The Krier Preserving Company, of Belgium, WI, and (2) Korth Brokerage Ltd., of Port Washington, WI.

MC 138420 (Sub-49), filed January 26, 1981. Applicant: CHIZEK ELEVATOR & TRANSPORT, INC., Route 1, P.O. Box 147, Cleveland, WI 53015. Representative: Wayne W. Wilson, 150 East Gilman Street, Madison, WI 53703. Transporting *such commodities* as are dealt in or used by manufacturers and distributors of beverages, between points in the U.S.

MC 141601 (Sub-1), filed January 28, 1981. Applicant: ARROW DRIVEAWAY, INC., 100 Pavonia Ave., Jersey City, NJ 07302. Representative: George A. Olsen, P.O. Box 357, Gladstone, NJ 07934. Transporting *trucks, chassis, and tractors*, in secondary movements, in driveaway service, between points in the U.S.

MC 143500 (Sub-13), filed January 26, 1981. Applicant: R. B. CARRIERS, INC., P.O. Box 92, Jeffersonville, IN 47130. Representative: Dean N. Wolfe, Suite 145, 4 Professional Dr., Gaithersburg, MD 20760. Transporting *metal products*, between points in the U.S., under continuing contract(s) with Anaconda Industries Brass Division, of Buffalo, NY.

MC 145230 (Sub-7), filed February 3, 1981. Applicant: H & S TRUCKING, INC., P.O. Box 127, Wesson, MS 39191.

Representative: Fred W. Johnson, Jr., P.O. Box 22807, Jackson, MS 39205. Transporting *building materials*, between points in the U.S., under continuing contract(s) with Apache Building Products Company, of Linden, NJ.

MC 145841 (Sub-1), filed January 30, 1981. Applicant: LE FEBVRE & SONS, INC., 615 Quinn Ave., Elk River, MN 55330. Representative: Samuel Ruenstein, P.O. Box 5, Minneapolis, MN 55440. Transporting *clay, concrete, glass or stone products*, between points in the U.S., under continuing contract(s) with Elk River Concrete Products, Division of Cretex Companies, Inc., of Minneapolis, MN, and Prestressed Concrete, Inc., of Anoka, MN.

MC 145990 (Sub-4), filed February 3, 1981. Applicant: LAWRENCEBURG TRUCKING, INC., 21 Catalpa Ave., Lawrenceburg, IN 47025. Representative: John R. Bagileo, 918 16th St., N.W., Washington, DC 20006. Transporting *alcoholic beverages*, between points in KY, OH, and TN, on the one hand, and, on the other, points in IL, MI, MO, OH, TN, and WI.

MC 146890 (Sub-30), filed February 2, 1981. Applicant: C & E TRANSPORT, INC., d.b.a. C.E. ZUMSTEIN CO., P.O. Box 27, Lewisburg, OH 45338. Representative: E. Stephen Heisley, 805 McLachlen Bank Bldg., 666 Eleventh St., N.W., Washington, DC 20001. Transporting *rubber and plastic products, chemicals and related products, metal products, textile mill products, and petroleum, natural gas, and their products*, between points in Rockdale County, GA, on the one hand, and, on the other, points in the U.S.

MC 147681 (Sub-16), filed January 30, 1981. Applicant: HOYA EXPRESS, INC., P.O. Box 543, West Middlesex, PA 16159. Representative: David M. O'Boyle, 2310 Grant Bldg., Pittsburgh, PA 15219. Transporting *such commodities* as are dealt in or used by manufacturers and distributors of electric lamps and lighting fixtures, between points in CT, DE, GA, IL, IN, KY, MA, MD, MI, MO, MS, NC, NJ, NY, OH, PA, RI, TX, TN, VA, WV, and DC.

MC 148060 (Sub-8), filed January 28, 1981. Applicant: STOVER LINES, INC., 5636 NW 17th St., Topeka, KS 66618. Representative: Clyde N. Christey, Kansas Credit Union Bldg., 1010 Tyler, Suite 110L, Topeka, KS 66612. Transporting *metal products*, between points in Wyandotte County, KS, on the one hand, and, on the other, points in the U.S.

MC 149440 (Sub-6), filed February 2, 1981. Applicant: JOHN CHEESEMAN TRUCKING, INC., 501 North First St., Fort Recovery, OH 45846. Representative: Earl N. Merwin, 85 East Gay St., Columbus, OH 43215. Transporting *general commodities* (except classes A and B explosives), between points in Auglaize County, OH, on the one hand, and, on the other, points in the U.S.

MC 150080 (Sub-4), filed January 29, 1981. Applicant: CONTROLLED CARRIERS, INC., P.O. Box 367, Exton, PA 19341. Representative: Edward N. Button, 580 Northern Ave., Hagerstown, MD 21740. Transporting *rubber and plastic products*, between points in the U.S., under continuing contract(s) with Mobil Chemical Company, Plastics Division, a Division of Mobil Oil Corporation, of Macedon, NY.

MC 150951 (Sub-2), filed January 30, 1981. Applicant: CRANSTON TRUCKING COMPANY, a DIVISION OF CRANSTON PRINT WORKS COMPANY, 1381 Cranston St., Cranston, RI 02920. Representative: A. Joseph Mega, 175 Forbes St., Riverside RI 02915. Transporting *food and related products, and plastic products*, between points in the U.S., under continuing contract(s) with Van Brode Milling Company, Inc., of Clinton, MA.

MC 151220 (Sub-2), filed February 4, 1981. Applicant: DULANEY INVESTMENTS, INC., 305 W. Chesapeake Ave., Suite 111, Towson, MD 21204. Representive: Raymond P. Keigher, 401 E. Jefferson St., Suite 102, Rockville, MD 20850. Transporting *such commodities* as are dealt in or used by manufacturers or distributors of heating and cooling equipment, between points in the U.S., under continuing contract(s) with Slant/Fin Corporation, of Greenvale, NY.

MC 152390 (Sub-4), filed February 3, 1981. Applicant: MURRAY TRUCKING, INC., P.O. Box 2138, Calcutta Branch, East Liverpool, OH 43920. Representive: James M. Burtch, 100 East Broad St., Columbus, OH 43215. Transporting *clay, concrete, glass or stone products*, between points in Hancock County, WV, 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 153791, filed January 26, 1981. Applicant: SHANNON TRUCKING COMPANY, INC., Route 5, Box 299, Lubbock, TX 79407. Representive: Richard Hubbert, P.O. Box 10236, Lubbock, TX 79408. Transporting *metal products* and *industrial starch*, between points in Lubbock and Hale Counties, TX, on the one hand, and, on the other, points in CA, AZ, NM, CO, and LA.

MC 153841, filed January 21, 1981. Applicant: LIVERY SERVICES, INC., 708 Bethlehem Pike, Ambler, PA 19002. Representive: Alan Kahn, 1430 Land Title Bldg., Philadelphia, PA 19110. Transporting *passengers and their baggage*, in the same vehicle with passengers, in special and charter operations, limited to the transportation of not more than 8 passengers (not including the driver) in one vehicle at one time, in non-scheduled door-to-door service, between Stamford, CT, New York, NY, Washington, DC, and points in DE, NJ, Bucks, Chester, Delaware, Montgomery, and Philadelphia Counties, PA, and those points in MD on the east of Interstate Hwy 81.

MC 153851, filed January 26, 1981. Applicant: OKLAHOMA NURSING HOME SUPPLY, INC., P.O. Box 10, Sallisaw, OK 74955. Representive: Don Garrison, P.O. Box 1065, Fayetteville, AR 72701. Transporting *food and related products*, between Indianapolis, IN, and Kansas City, KS, and points in Cook County, IL, on the one hand, and, on the other, Dallas and Houston, TX, and points in Los Angeles County, CA, Jefferson County, LA, and Hinds County, MS.

MC 153890, filed January 26, 1981. Applicant: STAMATS DISTRIBUTING COMPANY, INC., 230 Commerce Rd, Jacksonville, NC 28540. Representative: Charles S. Lanier, 114 Old Bridge St., Jacksonville, NC 28540. Transporting *general commodities* (except classes A and B explosives), between points in Onslow County, NC, on the one hand, and, on the other, Baltimore, MD and points in Houston County, GA, Wayne County, MI, Lehigh County, PA, and Allen County, IN.

MC 153900, filed January 22, 1981. Applicant: BUCKEYE MOLDING COMPANY, a Corporation, 5566 New Vienna Rd., New Vienna, OH 45159. Representative: John P. McMahon, 100 E. Broad St., Columbus, OH 43215. Transporting *such commodities* as are dealt in or used by wholesale and retail grocery stores, between points in the U.S., under continuing contract(s) with Procter & Gamble Company, of Cincinnati, OH.

MC 153921, filed January 21, 1981. Applicant: AUTOBUS DE COATICOOK, INC., 356 Major St., Coaticook, P. Quebec, Canada G1R 1R7. Representative: Guy Poliquin, 580 East Grande-Allee St., Suite 140, Quebec, P. Quebec, Canada G1R 2K3. Transporting *passengers and their baggage*, in charter and special operations, beginning and ending at ports of entry on the international boundary line between the U.S. and Canada at points in ME, MI,

NH, NY, and VT, and extending to points in the U.S.

MC 153931, filed February 2, 1981. Applicant: SCHOLL OIL AND TRANSPORTATION COMPANY, a Corporation, P.O. Box 148, Holyoke, CO 80734. Representative: Arlan Scholl (same address as applicant). Transporting *petroleum, natural gas and their products*, between points in Phillips County, CO, on the one hand, and, on the other, points in KS, NE, and WY.

Volume No. OP4-027

Decided: February 19, 1981.

By the Commission, Review Board No. 2, Members Chandler, Eaton, and Liberman.

MC 67866 (Sub-39F), filed January 2, 1981, previously published in the **Federal Register** issue of January 23, 1981, and republished this issue. Applicant: FILM TRANSIT, INC., 3931 Homewood Rd., Memphis, TN 38118. Representative: Warren A. Goff, 2008 Clark Tower, 5100 Poplar Ave., Memphis, TN 38137. Transporting *general commodities* (except classes A and B explosives), between points in New Madrid County, MO, points in LA, AR, MS, those in KY on and west of a line beginning at the IL-KY State line and extending along U.S. Hwy 68 to junction U.S. Hwy 641, then along U.S. Hwy 641 to the KY-TN State line, those in TN on and west of a line beginning at the KY-TN State line and extending along U.S. Hwy 31W to Nashville, then along U.S. Hwy 31 to Columbia, then along TN Hwy 50 to Lewisburg, then along U.S. Hwy 431 to the TN-AL State line, those in AL (a) on, west, and north of a line beginning at the TN-AL State line and extending along AL Hwy 17 to Hamilton, then along U.S. Hwy 78 to the AL-MS State line, and (b) on and south of a line extending from the MS-AL State line over U.S. Hwy 45 to Mobile, AL, then over Interstate Hwy 10 to the AL-FL State line, those in Washington, Mobile, and Baldwin Counties, AL, those in Escambia County, FL, those in MO on and south of a line beginning at the AR-MO State line and extending along U.S. Hwy 62 to New Madrid and the Mississippi River, those in OK on and east of a line beginning at the OK-TX State line and extending along U.S. Hwy 277 to junction U.S. Hwy 81, then north along U.S. Hwy 81 to the OK-KS State line, restricted against the transportation of (1) any package of article weighing more than 100 pounds, or exceeding 110 inches in length or 150 inches in length and girth combined, and (2) packages or articles weighing in the aggregate more than 500 pounds from one consignor to one consignee on any one day. Condition: Issunace of a certificate in this proceeding is subject to prior or conditional cancellation, at applicant's written request, of Certificates MC 67866 (Subs-36 and 37).

Note—The purpose of this republication is to remove the radial restriction imposed in the original publication.

Volume No. OP4-028

Decided: February 19, 1981.

By the Commission, Review Board No. 3, Members Parker Fortier, and Hill. (Member Fortier not participating.)

MC 152917 (Sub-1F), filed December 16, 1980, and noticed in the **Federal Register** issue of January 8, 1980, and republished this issue. Applicant: J. HOOVER ENTERPRISES, INC., d.b.a. GO-FER EXPRESS 903 East Lincolnway, LaPorte, IN 46350. Representative: Patrick H. Smyth, 19 South LaSalle St., Suite 401, Chicago, IL 60603. Transporting *plastic products, glass products, metal products* and *machinery*, between points in Porter, LaPorte, St. Joseph, Elkhart, and Marchall Counties, IN, on the one hand, and, on the other, points in IL, IA, MI, MO, OH, and WI.

Note.—The purpose of this republication is to correctly reflect the commodity description.

Volume No. OP4-029

Decided: February 19, 1981.

By the Commission, Review Board No. 2, Members Chandler, Eaton, and Liberman.

MC 121677 (Sub-3F), filed January 5, 1981, and noticed in the **Federal Register** issue of January 29, 1981, and republished this issue. Applicant: WARREN COUNTY FREIGHT LINE, INC., 601 Red Rd., McMinnville, TN 37110. Representative: Henry E. Seaton, 929 Pennsylvania Bldg., 425 13th St., N.W. 20004. Transporting *general commodities* (except classes A and B explosives), between points in Davidson County, TN, on the one hand, and, on the other, points in the U.S.

Note.—Applicant intends to tack the requested authority with its regular route authority in its lead certificate and (Subs-1 and 2). The purpose of this republication is to include the above tacking statement.

Volume No. OP4-030

Decided: February 19, 1981.

By the Commission, Review Board No. 3, Members Parker, Fortier, and Hill.

MC 152626F, filed November 4, 1980. Applicant: M & D TRUCKING LINES, RD No. 1, Box 346B, Covington, PA 16917. Representative: David Earl Tinker, 1000 Connecticut Ave., N.W., Suite 1200, Washington, DC 20036. Transporting *malt beverages*, between points in KY, MD, MI, NC, NJ, NY, OH, PA, and VA.

Volume No. OP4-032

Decided: February 19, 1981.

By the Commission, Review Board No. 3, members Parker, Fortier, and Hill.

MC 26396 (Sub-390), filed February 3, 1981. Applicant: THE WAGGONERS TRUCKING, a corporation, P.O. Box 31357, Billings, MT 59107. Representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, NE 68501. Transporting *general commodities* (except classes A and B explosives), between the facilities of Bird & Son, Inc., on the one hand, and, on the other, points in the U.S.

MC 67646 (Sub-95), filed February 4, 1981. Applicant: HALL'S MOTOR TRANSIT COMPANY, a corporation, 6060 Carlisle Pike, Mechanicsburg, PA 17055. Representative: Edward W. Kelliher, (same address as applicant). Over regular routes, transporting *general commodities* (except classes A and B explosives), (1) between Richmond, VA, and Charleston, WV: from Richmond over Interstate Hwy 64 to junction U.S. Hwy 60, then over U.S. Hwy 60 to Charleston, and return over the same route, serving all intermediate points; (2) between Charleston, WV, and Chicago, IL: from Charleston over Interstate hwy 64 to Louisville, KY, then over Interstate Hwy 65 to junction Interstate Hwy 94, then over Interstate Hwy 94 to Chicago, and return over the same route, serving all intermediate points; and (3) between Cincinnati, OH, and Danville, KY: (a) from Cincinnati over Interstate Hwy 75 to junction Interstate 64, then over Interstate Hwy 64 to junction U.S. Hwy 127, then over U.S. Hwy 127 to Danville, and return over the same route, and (b) from Cincinnati over Interstate Hwy 75 to junction KY Hwy 922, then over KY Hwy 922 to junction KY Hwy 68, then over U.S. Hwy 68 to junction U.S. Hwy 127, then over U.S. Hwy 127 to Danville, and return over the same route, serving in (a) and (b) above all intermediate points, and serving points in Boyle County, KY, as intermediate or off-route points.

Note.—Applicant states it intends to take the above routes with one another, and with its existing authority.

MC 118446 (Sub-6), filed February 4, 1981. Applicant: PARCEL DELIVERY & TRANSFER, INC., 1301 Whitney Rd., Anchorage, AK 99501. Representative: Michael D. Duppenthaler, 211 S. Washington St., Seattle, WA 98104. Transporting *general commodities* (except classes A and B explosives), (1) between points in King and Pierce

Counties, WA, and (2) between points in (1) above, and Anchorage, AK, on the one hand, and, on the other, points in AK.

MC 121496 (Sub-51); filed February 3, 1981. Applicant: CANGO CORPORATION, 2727 North Loop West, Houston, TX 77008. Representative: E. Stephen Heisley, 666 Eleventh St., NW., No. 805, Washington, DC 20001. Transporting *commodities in bulk*, between points in Gray, Nueces, and Matagorda Counties, TX, on the one hand, and, on the other, points in the U.S.

MC 136786 (Sub-240), filed January 29, 1981. Applicant: ROBCO TRANSPORTATION, INC., P.O. Box 10375, Des Moines, IA 50306. Representative: Larry E. Knox, 600 Hubbell Bldg., Des Moines, IA 50309. Transporting (1) *horticultural equipment, implements, and tools*, (2) *rubber and plastic articles*, (3) *chemicals*, and (4) *plant foods*, between the facilities Ross Daniels, Inc., on the one hand, and, on the other, points in the U.S.

MC 138076 (Sub-21), filed February 2, 1981. Applicant: HEAVY HAULING, INC., P.O. Box 937, 1100 West Grand, Salina, KS 67401. Representative: Clyde N. Christey, KS Credit Union Bldg., 1010 Tyler, Suite 110L, Topeka, KS 66612. Transporting *metal products*, between points in the U.S., under continuing contract(s) with Brown-Strauss Corp., a Division of Azcon, of Kansas City, KS, and Brown-Strauss Corp., a Division of Azcon, of Denver, CO.

MC 139906 (Sub-141), filed February 2, 1981. Applicant: INTERSTATE CONTRACT CARRIER CORPORATION, P.O. Box 30303, Salt Lake City, UT 84127. Representative: Richard A. Peterson, P.O. Box 81849, Lincoln, NE 68501. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with Hollywood Brand Candy, of Centralia, IL.

MC 139906 (Sub-142), filed February 2, 1981. Applicant: INTERSTATE CONTRACT CARRIER CORPORATION, P.O. Box 30303, Salt Lake City, UT 84127. Representative: Richard A. Peterson, P.O. Box 81849, Lincoln, NE 68501. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with Philipp Bros., Division of Engelhard Minerals and Chemicals Corp. and its divisions and subsidiaries, of New York, NY.

MC 146026 (Sub-3), filed February 4, 1981. Applicant: CROSS COUNTRY FARMING CO., INC., P.O. Box 134, Pine Island, NY 10969. Representative: George A. Olsen, P.O. Box 357, Gladstone, NJ 07934. Transporting (1) *pulp, paper and related products*, and (2) *rubber and plastic products*, between the facilities of Georgia-Pacific Corporation on the one hand, and, on the other, points in the U.S.

MC 146026 (Sub-4), filed February 4, 1981. Applicant: CROSS COUNTRY FARMING CO., INC., P.O. Box 134, Pine Island, NY 10969. Representative: George A. Oslen, P.O. Box 357, Gladstone, NJ 07934. Transporting *pulp, paper and related products*, between the facilities of Clarke Printing Company on the one hand, and, on the other, points in the U.S.

MC 151556 (Sub-2), filed February 6, 1981. Applicant: ALLSTATE TRANSPORTATION COMPANY, 10700 Lyndale Ave., South, Minneapolis, MN 55420. Representative: George L. Hirschback, 920 West 21st St., P.O. Box 155, South Sioux City, NE 68776. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with K mart Corporation, of Troy, MI.

Volume No. OP 4–033

Decided: February 19, 1981.

By the Commission, Review Board No. 3, Members Parker, Fortier, and Hill.

MC 37896 (Sub-40), filed January 29, 1981. Applicant: YOUNGBLOOD TRUCK LINES, INC., P.O. Box 1048, Fletcher, NC 28732. Representative: Henry B. Stockinger (same address as applicant). Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with American Cyanamid Company, of Wayne, NJ.

MC 95876 (Sub-380), filed February 4, 1981. Applicant: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Ave. No., St. Cloud, MN 56301. Representative: Robert D. Gisvold, 1600 TCF Tower, 121 So. 8th St., Minneapolis, MN 55402. Transporting *general commodities* (except classes A and B explosives), between the facilities of or utilized by American Hoist & Derrick Company, its subsidiaries and suppliers, on the one hand, and, on the other, points in the U.S.

MC 109346 (Sub-9), filed February 3, 1981. Applicant: J. L. COX & SON, INC., 777 Action St., Odessa, MO 64076. Representative: Tom B. Kretsinger, 20 E. Franklin, Liberty, MO 64068. Transporting *those commodities which because of their size or weight require the use of special handling or equipment*, between points in the U.S.

MC 111936 (Sub-22), filed February 4, 1981. Applicant: MURROW'S TRANSFER, INC., P.O. Box 4095, High Point, NC 27263. Representative: Wilmer B. Hill, 805 McLachlen Bank Bldg., 666 Eleventh St., N.W., Washington, DC 20001. Transporting *furniture and fixtures*, between points in Washington County, TN, on the one hand, and, on the other, points in AL, FL, GA, IL, IN, KY, MI, MS, NC, OH, SC, VA, WV, and WI.

MC 121066 (Sub-14), filed February 2, 1981. Applicant: NEBRASKA TRANSFER CO., INC., P.O. Box 621, Scotts Bluff, NE 69361. Representative: Lavern R. Holdeman, P.O. Box 81849, Lincoln, NE 68501. Transporting *food and related products*, between points in Scotts Bluff and Morrill Counties, NE, on the one hand, and, on the other, points in KS.

MC 121496 (Sub-52), filed February 3, 1981. Applicant: CANGO CORPORATION, 2727 No. Loop West, Houston, TX 77008. Representative: E. Stephen Heisley, 666 Eleventh St., N.W. No. 805, Washington, DC 20001. Transporting *commodities in bulk*, between points in Ouachita Parish, LA, on the one hand, on the other, points in TX, AR, LA, MS, and OK.

MC 142126 (Sub-12), filed February 4, 1981. Applicant: FOAM TRANSPORT, INC., 201 Ballardvale St., Wilmington MA 01887. Representative: Wesley S. Chused, 15 Court Square, Boston MA 02108. Transporting *rubber and plastic products*, between points in the U.S., under continuing contract(s) with Dart Container Corporation of Pennsylvania, of Leola, PA.

MC 145746 (Sub-5), filed February 2, 1981. Applicant: MINDEMANN TRUCKING, INC., N63 W22985 Main St., Sussex, WI 53089. Representative: Daniel R. Dineen, 710 North Plankinton Ave., Milwaukee, WI 53203. Transporting *food and related products*, between points in the U.S., under continuing contract(s) with Friday Canning Corporation, of New Richmond, WI.

MC 146496 (Sub-4), filed January 26, 1981. Applicant: JOSEPH MOVING & STORAGE CO., INC., d.b.a. ST. JOSEPH MOTOR LINES, 5724 New Peachtree Rd., Chamblee, GA 30341. Representative: Richard M. Tettelbaum, Fifth Floor, Lenox Towers S, 3390 Peachtree Rd., NE., Atlanta, GA 30326. Transporting *rubber products*, between points in the U.S., under continuing

contract(s) with The Kelly Springfield Tire Company, of Cumberland, MD.

MC 153866, filed January 19, 1981. Applicant: EUSTACHIO F. ESPOSITO, 34 Morse Place, New Haven, CT 06512. Representative: LeRoy Jones, 26 Elm St., P.O. Box 415, New Haven, CT 06502. Transporting *general commodities*, between points in New Haven County, CT, on the one hand, and, on the other, points in CT, NY, NJ, PA, DE, MD, RI, and MA.

MC 153286 (Sub-1), filed February 4, 1981. Applicant: RICHARD G. CONAWAY, R.D. #1, Box 106, Frenchville, PA 16836. Representative: Dwight L. Koerber, Jr., P.O. Box 1320, 110 N. 2nd St., Clearfield, PA 16830. Transporting *coal and coal products*, between points in Clearfield and Centre Counties, PA, on the one hand, and, on the other, points in NY.

Volume No. OP5-053

Decided: February 11, 1981.

By the Commission, Review Board No. 3, Members Parker, Fortier, and Hill.

FF-538, filed December 31, 1980. Applicant: THRIFTY EXPRESS, INC., P.O. Box 43308, Atlanta, GA 30336. Representative: Joseph T. Bambrick, Jr. (same address as applicant). Transporting *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission), between points in AL, AR, FL, GA, KY, LA, MS, NC, SC, TN, and VA.

MC 25798 (Sub-401), filed February 2, 1981. Applicant: CLAY HYDER TRUCKING LINES, INC., P.O. Box 1186, Auburndale, FL 33823. Representative: Tony G. Russell (same address as applicant). Transporting *general commodities* (except classes A and B explosives), between points in the U.S.

Note:—Any certificate issued in this proceeding is subject to the prior or coincidental cancellation, at applicant's written request, of all existing certificates.

MC 88368 (Sub-49), Filed January 19, 1981. Applicant: CARTWRIGHT VAN LINES, INC., 11901 Cartwright Ave., Grandview, MO 64030. Representative: Thomas R. Kinglsey, 10614 Amherst Ave., Silver Spring, MD 20902. Transporting (1) *Navigation instruments, equipment, fixtures, and systems*, (2) *Component parts and accessories* for the commodities in (1), and (3) *Materials, equipment and supplies* used in the manufacture and distribution of the commodities in (1) and (2) between Kansas City, MO, on the one hand, and, on the other, points in the U.S.

MC 117119 (Sub-836), Filed January 26, 1981. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., P.O. Box 188, Elm Springs, AR 72728. Representative: L. M. McLean (same address as applicant). Transporting *such commodities* as are dealt in or used by discount or variety stores, between points in CO, ID, IL, IN, IA, KS, KY, MI, MN, MT, MO, NE, NV, ME, VT, TN, OK, AR, ND, OH, OR, SD, UT, WA, WI, and WY, on the one hand, and, on the other, points in AL, AR, IL, KS, KY, LA, MS, MO, OK, TN, and TX.

MC 119399 (Sub-143), Filed January 19, 1981. Applicant: CONTRACT FREIGHTERS, INC., P.O. Box 1375, 2900 Davis Blvd., Joplin, MO 64801. Representative: Don D. Lacy (same address as applicant). Transporting *pulp, paper and related products*, between points in Muskogee County, OK, on the one hand, and, on the other, points in AL, AR, FL, KS, LA, MO, TX, and UT.

MC 125368 (Sub-124), Filed January 23, 1981. Applicant: CONTINENTAL COAST TRUCKING CO., INC., P.O. Box 26, Holly Ridge, NC 28445. Representative: Roland M. Lowell, 618 United American Bank Bldg., Nashville, TN 37219. Transporting *foods and related products*, between points in Allegheny County, PA, Sandusky County, OH, and Ottawa County, MI, on the one hand, and, on the other, points in FL, SC, and TX.

MC 133689 (Sub-353), Filed January 23, 1981. Applicant: OVERLAND EXPRESS, INC., 8651 Naples St., NE, Blaine, MN 55434. Representative: Robert P. Sack, P.O. Box 6010, West St. Paul, MN 55118. Transporting *general commodities* (Except classes A and B explosives), between Riverside, CA, and points in Wood and Portage Counties, WI, on the one hand, and, on the other, points in the U.S.

MC 134798 (Sub-4), filed January 30, 1981. Applicant: VLAIE CARTAGE, INC., P.O. Box 252, Newbury, OH 44065. Representative: Lewis S. Witherspoon, 88 E. Broad St., Columbus, OH 43215. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with The Clorox Company, of Oakland, CA.

MC 135678 (Sub-27F), filed November 19, 1980. Applicant: MIDWESTERN TRANSPORTATION, INC., 20 S.W. 10th, Oklahoma City, OK 73106. Representative: C. L. Phillips, Room 248, Classen Terrace Bldg., 1411 N. Classen, Oklahoma City, OK 73106. Over *regular* routes, transporting *general commodities* (except household goods as defined by the Commission and classes A and B explosives), between Amarillo, TX, and Denver, Co, from Amarillo over U.S. Hwy 287 to Limon, CO, then over U.S. Hwy 70 to Denver and return over the same routes.

Note.—Applicant intends to tack this authority with its existing authority in NO. MC-135678.

MC 139379 (Sub-8), filed January 29, 1981. Applicant: LES MATHRE TRUCKING, INC., 417 8th St., Story City, IA 50248. Representative: Larry D. Knox, 600 Hubbell Bldg. Des Moines, IA 50309. Transporting *such commodities* as are dealt in by grocery and food business houses, between points in the United States, under continuing contract(s) with Swift Independent Packing Company, of Chicago, IL.

MC 142258 (Sub-7), filed January 22, 1981. Applicant: DALE BLAND TRUCKING, INC., RR 1, Switz City, IN 47465. Representative: Donald W. Smith, P.O. Box 40248, Indianapolis, IN 46240. Transporting *commodities in bulk*, between points in IL, IN, and OH.

MC 144918 (Sub-2), filed January 23, 1981. Applicant: J. P. JENKS, INC., P.O. Box 585, Geneva, OH 44041. Representative: Lewis S. Witherspoon, 88 E. Broad St., Columbus, OH 43215. Transporting (1) *metal products*, (2) *food and related products*, (3) *petroleum, natural gas and their products*, (4) *rubber and plastic products*, and (5) *machinery*, between points in Ashtabula and Lake Counties, OH, on the one hand, and, on the other, points in the U.S. in and east of MN, IA, MO, AR, and TX.

MC 150339 (Sub-23), filed January 21, 1981. Applicant: PIONEER TRANSPORTATION SYSTEMS, INC., 151 Easton Blvd., Preston, MD 21655. Representative: J. Cody Quinton, Jr. (same address as applicant). Transporting *general commodities*, (except classes A and B explosives between points in the U.S., under continuing contract(s) with Great Plains Bag Corp., of New Philadelphia, OH.

MC 150578 (Sub-11), filed January 21, 1981. Applicant: STEVENS TRANSPORT, a division of STEVENS FOODS, INC., 2944 Motley Drive, Suite 302, Mesquite, TX 75150. Representative: E. Lewis Coffey (same address as applicant). Transporting *food and related products*, between points in LaPorte County, IN, St. James and St. Martin Parish, LA, Harrison County, MS, Passaic County, NJ, Allegheny County, PA, and Galveston County TX, on the one hand, and, on the other, points in the U.S.

MC 152458 (Sub-2), filed January 26, 1981. Applicant: KNOWLES TRUCKING CO., INC., P.O. Box 309,Tyrone, GA 30290. Representative: Virgil H. Smith,

1587 Phoenix Blvd., Suite 12, Atlanta, GA 30349. Transporting *textile mill products* between points in the U.S., on the one hand, and, on the other, Salt Lake City, UT.

MC 153258 (Sub-1), filed January 26, 1981. Applicant: DENNIS R. HILKER TRUCKING, INC., 712 W. Millard St., New London, WI 54961. Representative: Norman A Cooper, 145 W. Wisconsin Ave., Neenah, WI 54956. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with Consolidated Foods Corporation, Div. of Hillshire Farms Co., of New London, WI.

MC 153809 (Sub-1), filed February 4, 1981. Applicant: A & B DELIVERY, INC., 1817 Pittston Ave., Scranton, PA 18505. Representative: Edward F. V. Pietrowski, 3300 Birnley Ave., Moosic, PA 18507. Transporting *food and related products* between points in WA, CA, TX, NV, OR, AZ, and NM. Condition: The person or persons who appear to be engaged in common control of applicant and another regulated carrier must either file an application for approval of common control under 49 U.S.C. 11343, or submit an affidavit indicating why such approval is unnecessary.

MC 153889, filed January 27, 1981. Applicant: MANCHESTER MOTOR FREIGHT, INC., 23 Knollcrest Rd., Goffstown, NH 03045. Representative: James T. McKenna (same address as applicant). Transporting *general commodities* (except classes A and B explosives), between points in NH, ME, VT, MA, CT, and RI.

Volume No. OP5-052

Decided: February 11, 1981.

By the Commission, Review Board No. 3, Members Parker, Fortier, and Hill.

MC 3468 (Sub-180), filed January 23, 1981. Applicant: F. J. BOUTELL DRIVEAWAY CO., INC., 705 South Dort Highway, Flint, MI 48501. Representative: Harry C. Ames, Jr, 805 McLachlen Bank Bldg., 666 Eleventh St. NW., Washington, DC 20001. Transporting *transportation equipment* between points in the U.S.

MC 12669 (Sub-2), filed January 26, 1981. Applicant: KNOXVILLE TOURS, INCORPORATED, 5833 Clinton Highway, Knoxville, TN 37912. Representative: Charles J. Williams, P.O. Box 186, Scotch Plains, NJ 07076. To operate as a *broker*, at Knoxville and Chattanooga, TN, in arranging for the transportation by motor vehicle, of *passengers and their baggage*, in special or charter operations, between points in the U.S., including AK and HI.

MC 47038 (Sub-23), filed January 28, 1981. Applicant: GRAHAM SHIP BY TRUCK COMPANY, 721 South Packard, Kansas City, KS 66105. Representative: Richard R. Arnold (same address as applicant). Transporting *general commodities* (except classes A and B explosive between points in the U.S., under continuing contract(s) with Hallmark Cards, Inc., of Liberty, MO.

MC 108119 (Sub-279), filed January 28, 1981. Applicant: E. L. MURPHY TRUCKING COMPANY, a corporation, P.O. Box 43010 St. Paul, MN 55164. Representative: James L. Nelson, 1241 Pierce Butler Route, St. Paul, MN 55104. Transporting (1) *those commodities* which because of their size or weight require the use of special handling or equipment, (2) *self-propelled articles*, (3) *metal products*, (4) *contractors' and construction equipment, materials, and supplies*, and (5) *machinery*, between points in the U.S. in and west of ND, SD, NE, KS, OK, and TX.

MC 116328 (Sub-3), filed January 26, 1981. Applicant: CROSS & MURRAY, INC., 710 Third Ave. North, Minneapolis, MN 55403. Representative: Timothy H. Butler, 4200 IDS Center, 80 South 8th St., Minneapolis, MN 55402. Transporting *food and related products*, between Minneapolis, MN, on the one hand, and, on the other, points in IA, SD, and NE.

MC 117119 (Sub-835), filed January 26, 1981. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., P.O. Box 188, Elm Springs, AR 72728. Representative: L. M. McLean (same address as applicant). Transporting *rubber and plastic products* between Tyler, TX, on the one hand, and, on the other, points in the U.S.

MC 118159 (Sub-375), filed February 4, 1981. Applicant: DISTRIBUTION SERVICE SYSTEMS, INC., 2961 Interstate Street, Charlotte, NC 28208. Representative: Thomas E. Vandenberg, 3061 Ridge Road, Green Bay, WI 54304. Transporting *general commodities* (except classes A and B explosives) between points in the U.S.

MC 126119 (Sub-6), filed January 26, 1981. Applicant: EASTERN MOTOR TRANSPORT, INC., P.O. Box 501, Richmond, VA 23204. Representative: Carroll B. Jackson, 1810 Vincennes Road, Richmond, VA 23229. Transporting *petroleum, natural gas and their products*, between points in Bedford and Roanoke Counties, VA, on the one hand, and, on the other, points in WV.

MC 135678 (Sub-30), filed January 28, 1981. Applicant: MIDWESTERN TRANSPORTATION, INC., 20 S.W. 10th, Oklahoma City, OK 73125. Representative: C. L. Phillips, Room 248, Classen Terrace Bldg., 1411 N. Classen, Oklahoma City, OK 73106. Transporting *metal products*, between points in Washita County, OK, and points in AZ, NV, and CA.

MC 138469 (Sub-263), filed January 26, 1981. Applicant: DONCO CARRIERS, INC., P.O. Box 75354, Oklahoma City, OK 73107. Representative: Daniel O. Hands, Suite 200, 205 W. Touhy Ave., Park Ridge, IL 60068. Transporting *food and related products*, between points in Fulton and Henry Counties, OH, on the one hand, and, on the other, points in AL, AR, FL, GA, LA, MS, NC, OK, SC, TN, and TX.

MC 142059 (Sub-155), filed January 26, 1981. Applicant: CARDINAL TRANSPORT, INC., 1830 Mound Rd., Joliet, IL 60436. Representative: Fred H. Daly, 2550 M St., NW., Suite 475, Washington, DC 20037. Transporting *such commodities* as are dealt in by manufacturers of pulp, paper, and related products, between points in Lawrence County, AL, on the one hand, and, on the other, points in the U.S.

MC 142059 (Sub-156), filed January 26, 1981. Applicant: CARDINAL TRANSPORT, INC., 1830 Mound Rd., Joliet, IL 60436. Representative: Jack Riley (same address as applicant). Transporting (1) *clay, concrete, glass or stone products*, (2) *ores and minerals*, (3) *metal products*, (4) *rubber and plastic products*, and (5) *machinery*, between points in the U.S.

MC 145219 (Sub-20), filed January 26, 1981. Applicant: BUILDERS TRANSPORT, INC., P.O. Box 500, Camden, SC 29020. Representative: B. M. Shirley (same address as applicant). Transporting *building materials*, between points in Elkhart County, IN, Alpena County, MI, Wilkes County, NC, and Lucas County, OH, on the one hand, and, on the other, those points in the U.S. in and east of ND, SD, NE, CO, and NM.

MC 150939 (Sub-10), filed January 26, 1981. Applicant: GEMINI TRUCKING, INC., 1533 Broad St., Greensburg, PA 15601. Representative: William A Gray, 2310 Grant Bldg., Pittsburgh, PA 15219. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with Haskell of Pittsburgh, Inc., of Verona, PA.

MC 151748 (Sub-1), filed January 27, 1981. Applicant: GRAPHIC ARTS PUBLISHING CO., INC., d.b.a. GAP TRUCKING ., 2285 Warm Springs Ave., Boise, ID 83706. Representative: Donald A. Ericson, 708 Old National Bank Bldg., Spokane, WA 99201. Transporting (1)

printed matter, and (2) *pulp, paper and related products*, between points in the U.S., under continuing contract(s) with (a) the Tribune Publishing Co., Inc. of Lewiston, ID, (b) the News-Review Publishing Co., Inc., of Moscow, ID, and (c) Graphic Arts Publishing Co., Inc., and Lewis-Clark Paper Co., Inc., both of Boise, ID.

MC 152389 (Sub-1), filed January 28, 1981. Applicant: JIM's HOTSHOT SERVICE, INC., Box 212, Mandan, ND 58554. Representative: Richard P. Anderson, 502 First National Bank Bldg., Fargo, ND 58126. Transporting *mercer commodities*, between points in ND on and west of U.S. Hwy 83, on the one hand, and, on the other, points in MT, WY, UT, CO, SD, NE, KS, NM, LA, OK, and TX.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-6472 Filed 2-25-81; 8:45 am]

BILLING CODE 7035-01-M

[Permanent Authority Decisions Volume No. 26]

Restriction Removals; Decision-Notice

Decided: February 20, 1981.

The following restriction removal applications, filed after December 28, 1980, are governed by 49 CFR Part 1137. Part 1137 was published in the **Federal Register** of December 31, 1980, at 45 FR 86747.

Persons wishing to file a comment to an application must follow the rules under 49 CFR 1137.12. A copy of any application can be obtained from any applicant upon request and payment to applicant of $10.00.

Amendments to the restriction removal applications are not allowed.

Some of the applications may have been modified prior to publication to conform to the special provisions applicable to restriction removal.

Findings

We find, preliminarily, that each applicant has demonstrated that its requested removal of restrictions or broadening of unduly narrow authority is consistent with 49 U.S.C. 10922(h).

In the absence of comments filed within 25 days of publication of this decision-notice, appropriate reformed authority will be issued to each applicant. Prior to beginning operations under the newly issued authority, compliance must be made with the normal statutory and regulatory requirements for common and contract carriers.

By the Commission, Restriction Removal Board, Members Sporn, Alspaugh, and Shaffer.

Agatha L. Mergenovich,

Secretary.

MC 80443 (Sub-45)X, filed February 6, 1981. Applicant: OVERNIGHT EXPRESS, INC., 2550 Long Lake Rd., Roseville, MN 55113. Representative: Samuel Rubenstein, P.O. Box 5, Minneapolis, MN 55440. Applicant seeks to remove restrictions in its authority by (1) changing the commodity description in Sub-No. 11F from prefabricated houses, knocked down to "lumber and wood products"; in Sub-No. 12F various air systems, internal combustion engines and parts therefor (except in bulk in tank vehicles) to "machinery"; in Sub-No. 13F dust collectors parts and materials, to "machinery"; and remove the restriction against transportation of chemicals in bulk, in tank vehicles; in Sub-No. 15F refrigerators, freezers and cooling units and materials (except in bulk) to "machinery" in Sub-No. 16F air systems, internal combustion, and mufflers to "machinery" and fabricated steel articles to "metal products" in Sub-No. 17F iron and steel articles to "metal products"; in Sub-No. 19F anti-freeze and de-icing compounds (except in bulk), pressure tanks and vaporizers to "chemicals and related products" and "metal products"; in Sub-No. 22F pet food and materials (except in bulk, in tank vehicles), to "food and related products"; in Sub-No. 25F air conditioners, evaporators, condensers, and ice-making machines and parts and materials (except in bulk) to "machinery"; in Sub-No. 26F bentonite clay to "clay, concrete, glass or stone products"; in Sub-No. 27F salt and salt products (except in bulk) to "chemicals and related products"; in Sub-No. 30F plastic articles to "rubber and plastic products"; in Sub-No. 33F cocks and valves to "metal products"; in Sub-34F games and toys to miscellaneous products of manufacturing"; in Sub-No. 35F washing and drying machines, part, and materials to "machinery"; in Sub-No. 37, mattresses, furniture, batting, padding, etc. and materials to "furniture and fixtures and textile mill products"; in Sub-No. 40, household appliance and equipment to "machinery"; in Sub-No. 41F plastic articles, chemicals and petroleum products to "chemicals and related products", "rubber and plastic products", and "petroleum, natural gas and their products"; in Sub-No. 42 small arms ammunition, and related components and electrical switch boxes, and related electric apparatus (except electrical appliances) to "ordnance and accessories" and "machinery", and in Sub-No. 43F electrohydraulic testing equipment and materials to "machinery" (2) replacing one-way authority to or from points in the U.S. (except as noted) with radial authority and substituting counties for named facilities or points, Sub-No. 11F between Minneapolis, MN, and 6 States; in Sub-No. 12F Waseca County (for Waseca), MN, in Sub-No. 13F St. Croix County (for Baldwin; in Sub-No. 15F, St. Cloud, MN, in Sub-No. 16F McLeod County (for Hutchinson) and Yellow Medicine County (for Canby), MN; in Sub-No. 17F Washington County (for Newport) MN; in Sub-No. 19F Sauk Rapids, MN; in Sub-No. 22F Otter Tail County (for Perham), MN; in Sub-No. 25F Fairbault and Minneapolis, MN, and Spirit Lake, IA; in Sub-No. 26 Phillips County (for Malta), MT; in Sub-No. 27F between Manistee County (for Manistee), MI and 15 States; in Sub-No. 28F Middlesex County (for Woodbridge), NJ, Wabasha County (for Lake City) and Winona County (for Winona), MN, Los Angles County (for Gardena), CA, and Chicago, IL, Minneapolis, MN, Dallas, TX, and Atlanta, GA; in Sub-No. 30F Grundy County (for Grundy Center), IA, Scott County (for Belle Plaine) and Hennepin County (for Bonifacius), MN, Gaston County (for Gastonia), NC, and Spartanburg County (for Spartanburg), SC; in Sub-No. 33F Stearns County (for Sartell), MN, Warren County (for McMinnville), TN, Lewis County (for Chehalis), WA, and Troupe County (for La Grange), GA; in Sub-No. 34F, Meeker County (for Eden Valley), MN, in Sub-No. 35F Hamilton County (for Webster City), Webster County (for Fort Dodge), and Greene County (for Jefferson), IA; in Sub-No. 37F Hamilton County (for Lockland), OH, Lauren County (for London), KY, Pontotoc County (for Pontotoc), MS, and Los Angles County (for City of Industry), CA; in Sub-No. 40F between Louisville, KY and 6 States; in Sub-No. 42F Anoka County (for Anoka), MN; and in Sub-No. 43F Minneapolis, MN, (3) deleting originating at or destined to restrictions in Sub-Nos. 28F, 30F, and 41F; and (4) deleting the exception of AK and HI and in some instances, the origin State on nationwide grants in Sub-Nos. 12F 13F, 15F, 16F, 17F, 19F, 22F, 25F, 26F, 28F, 30F, 33F, 34F, 34F, 37F, 41F, and 42F.

MC 99439 (Sub-18) X, filed February 12, 1981. Applicant: SUWANNE TRANSFER, INC., 9800 Normanly Boulevard, P.O. Box 40764, Jacksonville, FL 32203. Representative: Martin Sack, Jr., 203 Marine National Bank Bldg., 311 W. Duval Street, Jacksonville, FL 32202. Applicant seeks to remove restrictions in its Sub-No. 3F, 5, 6, 7, 9, 10F, 11F, 13F,

and 15F certificates to broaden its commodity descriptions from (a) commodities the transportation of which by reason of size or weight require the use of special equipment, and related machinery and parts and related contractors' machinery and supplies when their transportation is incidental to the transportation of commodities which by reason of size or weight require special equipment (b) iron and steel articles as described in Appendix V to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, and (c) plastic, plastic articles, plastic pipe, tubing, fittings, and connections and materials, supplies, and accessories used in the manufacture and installation of all such commodities in part (c), to "commodities which because of size or weight require the use of special handling or equipment, machinery, metal products, and rubber and plastic products" in Sub-No. 3F; from tractors (except truck tractors), and attachments, parts, and accessories for tractors, to "machinery", in Sub-No. 5; from (1) plastic pipe and fittings, and (2) materials used in the manufacture and installation of the commodities in (1) above to "rubber and plastic products" in Sub-No. 6; from plastic, plastic articles, plastic pipe, tube, fittings, and connections, materials, supplies, and accessories used in the manufacture and installation of all such commodities, to "rubber and plastic products" in Sub-No. 7; from plastic pipe, conduct, fittings, and products, and materials, supplies and accessories used in the manufacture installation of all such commodities, to "rubber and plastic products" in Sub-No. 9; from iron and steel articles, to "metal products" in Sub-No. 10F; from (1) commodities the transportation of which by reason of size or weight require the use of special equipment, (2) machinery, contractor's materials and contractor's supplies when moving in mixed loads with the commodities in (1) above, and (3) self-propelled vehicles (except automobiles, truck, truck-tractors, and buses) to commodities which because of size of weight require the use of special handling or equipment, machinery, and transportation equipment, in Sub-No. 11F; from roofing, materials, asbestos building paper, asbestos sheathing paper, shingles, siding, and asbestos wallboard, to "building materials" in Sub-No. 13F; from (1) package water and waste water treatment equipment and materials and (2) accessories, and materials, and supplies used in the installation of the commodities in (i) above, to "machinery" in Sub-No. 15F; and to remove the "except in bulk, in tank vehicles" restrictions in various Sub numbered authorities. Applicant also seeks to broaden Tamper, FL to Hillsborough County, FL and to expand its one-way authority to radial authority between Jacksonville, FL and Hillsborough County, FL in Sub-No. 5; remove the named facilities in Palm Beach County, FL to authorize service radially between the named county, and points in AL, KY, LA, MS, NC, SC, TN, and VA, in Sub-No. 6; remove the named facilities at Anderson, SC; and expand Anderson to Anderson County, SC, to authorize service radially between the named county, and, points in AL, FL, and GA in Sub-No. 7; remove the named plantsite at Savannah, GA, expand Savannah to Chathan County to authorize service radially between the named county, and, points in FL, in Sub-No. 13F; remove the named facilities at Jacksonville, FL and expand its one-way authority to radial authority between Jacksonville, FL, and,pionts in AL, AR, FL, GA, IA, IL, IN, KS, KY, LA, MD, MS, MO, NE, NY, NC, OK, PA, SC, TN, TX, VA, and WV, in Sub-No. 15F. Also, it seeks to remove a restriction against the transportation of aerospacecraft, aerospacecraft parts, and aerospacecraft ground support equipment in Sub-No. 3F; and remove a restriction limiting the transportation of shipments having a prior or subsequent movement by rail, in Sub-No. 5.

MC 113855 (Sub-523)X, filed February 11, 1981. Applicant: INTERNATIONAL TRANSPORT, INC., 2450 Marion Road, SE, Rochester, MN 55901. Representative: Michael C. Miller, 502 First National Bank Bldg., Fargo, ND 58126. Applicant seeks to remove restrictions in its Sub-Nos. 346, 404F, and 405F certificates (1) by changing the commodity description from (a) in Sub-No. 346 precast stone, (b) in Sub-No. 404F artifical stone and (c) in Sub-No. 405F granite, marble, slate, stone and precast stone to "clay, concrete, glass or stone products," (2) by removing the exception of AK, HI, and CA from its nation wide grant, and (3) changing one-way to radial authority between Napa, Sacramento, and Yolo Counties, CA, ID, MT, and UT, and points in the U.S.

MC 115826 (Sub-598)X, filed February 13, 1981. Applicant: W.J. DIGBY, INC., 6015 East 58th Avenue, Commerce City, CO 80022. Representative: Jack B. Wolfe, 350 Capitol Life Center, 1600 Sherman St., Denver, CO 80203. Applicant seeks to remove restrictions in its Sub-Nos. 268 and 429F certificates. Sub-No. 268 authorizes the transportation of (a) foodstuffs, pharmaceutical materials, supplies and products, chemicals, alcoholic beverages, tobacco products, pet foods, and such commodities as are dealt in by distribution or consolidation warehouses for the above-named commodities, when moving in the same vehicle at the same time as the above-named commodities, except commodities in bulk, in vehicles equipped with mechanical refrigeration, (b) foodstuffs, except in bulk, and (c) foodstuffs and restaurant materials, equipment and supplies, except commodities in bulk. It seeks to (1) remove restrictions which limit service to transportation of "such commodities" when moving in the same vehicle at the same time as other named commodities; of commodities moving in vehicles equipped with mechanical refrigeration, and (2) remove restrictions against the transportation of commodities in bulk. It also seeks to (1) remove restrictions to traffic originating at or destined to facilities at Albuquerque, NM, originating at and destined to, or moving from and to storage-in-transit, at Denver, CO, and, originating at the named origins and destined to the named destinations in Sub-268; (2) remove restrictions against service to AK and HI in Sub-Nos. 268 and 429F; (3) substitute county-wide authority for facilities at Albuquerque, NM, and Laramie, WY in Sub-268; at Cleveland, OH, Anaheim, CA, Pottsdam, NY, Carlstadt and West Caldwell, NJ, and Apex, NC; and Brown, TX in Sub-429F; (4) change the territorial descriptions from one-way authority to radial service: (a) between Denver, CO, Bernalillo County, NM, and points in the U.S. in and west of MN, IA, MO, AR and LA, (b) between Albany County, WY, and the same territory as in (a) above, (c) between points in the U.S. in and west of MN, IA, MO, AR and LA, Denver, CO, and Bernalillo County, NM, in Sub-268; and (a) between Cuyahoga County, OH, Orange County, CA, St. Lawrence County, NY, Bergen and Essex Counties, NJ, Wake County, NC, and points in the United States, and (b) between Brown County, TX, and points in the U.S. (except NE) in Sub-429F.

MC 117344 (Sub-291)X, filed February 9, 1981. Applicant: THE MAXWELL CO., 10300 Evendale Drive, Cincinnati, OH 45241. Representative: James R. Stiverson, 1396 West Fifth Avenue, Columbus, OH 43212. Applicant seeks to remove restrictions in its Sub-Nos. 58, 89, 97, 101, 106, 113, 115, 119, 123, 124, 133, 136, 137, 145, 147, 153, 166, 167, 173, 175, 180, 185, 188, 191, 197, 198, 202, 205, 206, 219, 227, 228, 234G, 246, and 259 certificates to broaden its various specified commodity descriptions such as core compound, aluminum sulphate, chemicals, liquid adhesives, vegetable

oils, and fertilizer solutions, most of which are limited to movement in bulk, to "commodities in bulk", and to remove the equipment restriction "in tank vehicles" or "in hopper vehicles". In addition, it seeks to broaden specific points and plantsite facilities to city or county-wide authority as follows: In Sub-No. 145, Sheet No. 4, Michigan City, IN to La Porte County, IN, Sheet No. 7, 12, and 13, Nitro, WV to Kanawha County, WV and Sheet No. 7, St. Bernard, OH to Hamilton County, OH; in Sub-No. 153, Fulton, IN to Fulton County, IN; in Sub-No. 166, Kenton, OH to Hardin County, OH; in Sub-No. 175, Thorntown, Eaton, and Warsaw, IN to Boone, Delaware, and Kosciusko Counties, IN; in Sub-No. 219, Lawrenceburg, IN to Dearborn County, IN; in Sub-No. 228, Greenville, OH to Darke County, OH; in Sub-No. 234G, Sheet No. 2, Delaware to Delaware County, OH; in Sub-No. 246, remove the named facilities limitation Owensboro, KY; in Sub-No. 259, Middletown, OH to Butler County, OH. It seeks to expand its one-way authority to radial authority as follows: (1) Between Dayton, OH, and, points in IA, MO, and WI in Sub-No. 58; (2) between Butler County, OH, and, points in KY and WV in Sub-No. 89; (3) between Delaware County OH, and, points in IN and KY in Sub-No. 97; (4) between Columbus, OH, and, points in IL, IN, and KY in Sub-No. 101; (5) between Columbus, OH, and, points a in described portion of MO in Sub-No. 106; (6) between Columbus, OH, and, points in KY, MO, NC, SC, VA, and WV in Sub-No. 113; (7) between Columbus, OH, and, points, in WI in Sub-No. 115; (8) between Columbus, OH, and, points in GA in Sub-No. 119; (9) between Wilder, KY, and, points in IN, MI, OH, WV (except points in 10 named counties in WV, in Sub-No. 123; (10) between Columbus, OH, and points in IL in Sub-No. 124; (11) between those points within the Louisville, KY, commercial zone lying in KY, and, points in IL and IN, in Sub-No. 133; (12) (a) between Columbus, OH, and, points, in KY, and (b) between Columbus, OH, and, points in TN, in Sub-No. 136; (13) between Columbus, OH, and, points in a described portion of MN, in Sub-No. 137; (14) (a) between Cincinnati, OH, and Louisville, KY, and, points in IN and OH within 150 miles of Cincinnati, OH, and (b) between Cincinnati, OH, and, Covington, and Newport, KY, in Sheet No. 1, (c) between La Porta County, IN, and, points in IL, MI, KY, and OH, in Sheet No. 4, (d) between Kanawha County, WV, and, points in Hamilton County, OH, in Sheet No. 7, (e) between Mercer County, OH, and, points in MI, IL, IN, MO, GA, KY, and WI, in Sheet No. 10, (f) between Montgomery County, OH, and, points in TN (except Hamilton County, TN), in Sheet No. 10, (g) between Cincinnati, OH, and, points in NH, VT, a described portion in ME, and AR, in Sheet No. 11, (h) between Columbus, OH, and, points in PA, NY, NJ, MA, and MI, in Sheet No. 11, (i), between Kanawha County, WV, and, points in IL and WI in Sheet No. 12, (j) between Cincinnati, OH, and, points in OK, in Sheet No. 12, (k) between St. Bernard and Cincinnati, OH, and points, in DE, KS, MD, MO, NJ, and VA, in Sheet No. 13, (l) between Cincinnati, OH, and, points in Kanawha County, WV, in Sheet No. 13; (15) between points in IN, KY, (except Daviess and Jefferson Counties), and OH, and, points in IN and OH, in Sub-No. 147; (16) between Fulton County, IN, and points in IL, IN, MI, OH, and WI, in Sub-No. 153; (17) between Hardin County, OH, and, points in AL, GA, IL, IN, IA, MI, NE, NC, PA, TN (except Kingsport and Elizabethton) and WI in Sub-No. 166; (18) between Columbus, OH, and, points in CT, MA, and RI, in Sub-No. 167; (19) between points in Hamilton County, OH, and, points in IA, KS, NE, OK, SD, and TX, in Sub-No. 173; (20) between points in Boone, Delaware, and Kasciusko Counties, IN, and, points in OH, in Sub-No. 175; (21) between Covington, KY, and, points in OH, in Sub-No. 180; (22) between points in Fayette County, OH, and, points in IN, KY, and MI, in Sub-No. 185; (23) between St. Louis, MO, and Chicago, IL, and Cincinnati and St. Bernard, OH, in Sub-No. 88; (24) between points in Delaware County, OH, and, points in MI, in Sub-No. 191; (25) between points in Delaware County, OH, and, points in AL, AR, IA, IL, MN, MO, TN, and WI, in Sub-No. 197; (26) (a) between points in Jackson County, IN, and, points in IL (except the St. Louis, MO—East St. Louis, IL CZ), IN, KY, MI (except Kalamazoo and Grand Rapids and points in those CZ), OH, TN (except Kingsport and points in its CZ), and WI, and (b) between points in IN, KY, and TN (except Shelby County and Kingsport and its CZ), and, points in Jackson County, IN, in Sub-No. 198; (27) between Cincinnati, OH, and, points in WV, in Sub-No. 202; (28) between Owensboro, KY, and, points in AL, AR, GA, IL (except points in the St. Louis, MO—East St. Louis, IL CZ), IN, IA, KS, LA, MN, MS, MO (except points in the St. Louis, MO—East St. Louis, IL CZ), NC, OH, OK, SC, TN (except Kingsport and Elizabethton), TX and WI, in Sub-No. 205; (29) between Dayton OH, and points in KY, in Sub-No. 206; (30) between Dearborn County, IN, and, points in KY and OH, in Sub-No. 219; (31) between Columbus, OH, and, points in IN, KY, MI, PA, and WV, in Sub-No. 227; (32) between points in Darke County, OH, and, points in AL, FL, GA, IL, IN, IA, KY, MO, ME, MI, MN, MS, NY, NJ, NC, PA, TN, TX, and WI, in Sub-No. 228; (33) (a) between Cincinnati, OH, and, points in IL (except points in the St. Louis, MO—East St. Louis, IL CZ), IN, IA, GA, MI, MN, MO (except points in the St. Louis, MO—East St. Louis, IL CZ), NC, SC, TN (except Kingsport), and WI, (b) between Delaware County, OH, and, points in GA, IL (except points in the St. Louis, MO—East St. Louis, IL CZ), NC, SC, TN, (except Kingsport), and WI, and (c) between Columbus, OH, and, points in IN, IA, MN, MO (except points in the St. Louis, MO—East St. Louis, IL CZ), NC, SC, and WI, in Sub-No. 234G; (34) between Owensboro, KY, and, points in IL, IN, KY, MO, TN, OH, VA and WV, in Sub-No. 246; (35) between Butler County, OH, and, points in IN and KY in Sub-No. 259. It also seeks to remove the following restrictions: In Sub-No. 89, a restriction against the transportation of liquid aluminum sulphate from points in Butler County, OH, to points in Jefferson County, KY, Brooke, Hamphshire, Hancock, Kanawha, Monongalia, and Ohio Counties, WV, and to Fairmont, WV; in Sub-No. 97, a restriction against the transportation of (1) lards, fats, greases, oils, and tallows to points in IN, and (2) petrochemicals to points in that part of KY on and east of US Hwy 31W; in Sub-No. 124, a restriction against the transportation of dry chemicals from Columbus, OH, to points in IL within the St. Louis, MO—East St. Louis, IL CZ; in Sub-No. 136, a restriction against the transportation of (a) petroleum products listed in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, which are also listed as acids and chemicals in Appendix XV to that report to points in KY on and east of US Hwy 31W, and (b) liquid hydrogen, liquid oxygen, and liquid nitrogen to missile storage or missile launching sites, missile test facilities, or manufacturing plants producing liquid hydrogen, liquid oxygen, and liquid nitrogen located in TN; in Sub-No. 147, a restriction to transportation of shipments having a prior or subsequent movement by water or rail; in Sub-No. 166, restrictions (a) limiting service to traffic originating at Kenton, OH, and destined to points in named states, (b) against the transportation of dry plastic materials destined to East St. Louis, IL, and (c) against the transportation of liquid

plastic materials to points in NC; in Sub-No. 173, and originating at and destined to restrictions; in Sub-No. 185, restriction against the transportation of (a) dry fertilizer and dry fertilizer ingredients, in dump vehicles, to points in part of MI, and (b) liquid fertilizer and liquid fertilizer ingredients, to points in a part of KY; in Sub-No. 188, a restriction limiting the transportation of shipments to those destined to named plantsites; in Sub-No. 205, a restriction against the transportation of dry chemicals to points in 7 named counties in TX; and in Sub-No. 228, a restriction limiting the transportation of shipments to those originating at Greenville, OH.

MC 119934 (Sub-238)X, filed February 13, 1981. Applicant: ECOFF TRUCKING, INC., R.R. 10, Box 100A, Greenfield, IN 46140. Representative: Robert W. Loser II, 1101 Chamber of Commerce Bldg., 320 N. Meridian Street, Indianapolis, IN 46204. Applicant seeks to remove restrictions in its Sub-No. 208 certificate to (1) broaden the commodity description from hydrochloric acid, in bulk, in tank vehicles, to "commodities in bulk," (2) remove the plantsite limitation and replace it with city-wide authority to serve Louisville, KY, and (3) broaden the one-way authority to radial authority between Louisville, KY, and points in IL, IN, MO, and OH.

MC 123057 (Sub-14)X, filed February 12, 1981. Applicant: HO-RO TRUCKING CO., INC., P.O. Box 487, Woodbridge, NJ 07095. Representative: Morton E. Kiel, Suite 1832, 2 World Trade Center, New York, NY 10048. Applicant seeks to remove restrictions from its lead and Sub-Nos. 3, 7, 12, and 13 certificates by (1) eliminating from its general commodity authority all exceptions except "classes A and B explosives," in the lead, sheet 2, and Sub-Nos. 3 and 7, sheet 1; (2) eliminating all exceptions to the commodity descriptions as follows: "except lumber and lumber products, metal laths" and "except liquids, in bulk, in tank vehicles" in the lead; "except glass products, commodities in bulk, stone, slate, brick, lumber products, and unfabricated metals"; and all "except in bulk" restrictions in Sub-No. 12; (3) broadening the following commodity descriptions: iron and steel to "metal products" in the lead; and steel studding to "metal products" in Sub-No. 13; cut stone, slate, and brick, and glass products, to "clay, concrete, glass or stone products" in the lead, sheets 1 and 2; roofing and building materials to "building materials" and metals to "metal products" in the lead, sheet 2; wearing apparel to "textile mill products", radio and electrical goods to "machinery", lumber products to "lumber and wood products", paper products to "pulp, paper and related products" in Sub-No. 3, sheet 2; gypsum and gypsum products and paint and paint products to "chemicals and related products", and paper bags, and gypsum board paper to "pulp, paper and related products" in Sub-No. 12, sheet 1; (4) changing city-wide to county-wide authority: from Montrose, NY, to Westchester County, NY; from Port Allegany, PA, to McKean County, PA, in the lead, sheets 1 and 2; Woodbridge Township, NJ, to Middlesex County, NJ, and Stony Point, NY, to Rockland County, NY, in Sub-No. 12, sheet 2; and Westbury, NY, to Nassau County, NY, in Sub-No. 13; (5) authorizing radial authority between: Westchester County, NY, and New York, NY, and points in Connecticut and specified points in New York; McKean County, PA, and New York, NY, and points in six NJ Counties; Elizabeth and 3 other NJ cities, and points in specified CT, NY and PA Counties, in the lead, sheets 1 and 2; and Nassau County, NY and points in 13 eastern States and DC, in Sub-No. 13; (6) changing the territorial description in Sub-No. 7, sheet 2, to read "between points in the New York, NY Commercial Zone"; (7) removing the "ex-water" restriction from Sub-No. 7, sheet 2; (8) eliminating the named plant and warehouse sites from Sub-No. 12, sheet 2, paragraph 1; and (9) removing the "originating at or destined to" restrictions in Sub-No. 12, sheet 2; and Sub-No. 13.

MC 134477 (Sub-427)X, filed February 12, 1981. Applicant: SCHANNO TRANSPORTATION, INC., 5 West Mendota Road, West St. Paul, MN 55118. Representative: Thomas D. Fischbach, P.O. Box 43496, St. Paul, MN 55164. Applicant seeks to remove restrictions in its Sub-No. 21, 30, 75, 107, 276F, and 301F certificates to (1) broaden the commodity description from general commodities (with exceptions) to "general commodities (except classes A and B explosives)" in all the above Sub-Nos., (2) eliminate restrictions limiting sevice to traffic moving on bills of lading of freight forwarders in all the above Sub-Nos., (3) delete plantsite facilities restrictions and replace them with county-wide authority: Hartford County for East Hartford, CT, Bridgeport County for Stratford, CT, Union County for Elizabeth, NJ, in Sub-No. 21; Essex County for Newark, NJ, in Sub-No. 107; New Haven County for New Haven, CT, Hampden County for Springfield, MA, Hudson County for North Bergen, NJ, in Sub-No. 276F; Mecklenburg County for Charlotte, NC, in Sub-No. 301F, (4) authorize radial in lieu of existing one-way authority in all referenced Sub-Nos.

MC 136123 (Sub-19)X, filed February 12, 1981. Applicant: MEAT DISPATCH, INC., P.O. Box 1058, Palmetto, FL 33561. Representative: William L. Beasley (same address as above). Applicant seeks to remove restrictions from its No. MC 128555 (Sub-No. 20) permit to (1) broaden its commodity description from plastic parts and cabinet housings, for the manufacture of office copiers, to "such commodities as are used in or dealt in by manufacturers of office copiers"; and (2) broaden its territorial descriptions to between points in the U.S. under a continuing contract(s) with a named shipper.

MC 136208 (Sub-10)X, filed February 12, 1981. Applicant: CREAGER TRUCKING CO., INC., P.O. Box 308, Yreka, CA 96097. Representative: O. L. Stidham (same as applicant). Applicant seeks removal of restrictions in its lead and Sub-No. 4 certificates, to (1) broaden the commodity description in each to "metal and metal products" from iron, steel, and aluminum in one portion of the lead, and from aluminum extrusions, except those used in the manufacture of mobile homes, motor homes and campers, in Sub-No. 4; (2) substitute county-wide authority for Los Angeles and Berkeley, CA, Portland, OR, and Kent, WA in both certificates; and (3) authorize radial service between Los Angeles and San Francisco Counties, CA, Multnomah County, OR and Pierce County, WA in Sub-No. 4.

MC 136828 (Sub-39)X, filed February 10, 1981. Applicant: COOK TRANSPORTS, INC., P.O. Box 6362-A, Birmingham, AL 35217. Representative: John R. Frawley, Jr., Suite 200, 120 Summit Parkway, Birmingham, AL 35209. Applicant seeks to remove restrictions in its Sub-No. 26F certificate to (1) remove the "commodities in bulk, in dump, tank and hopper vehicles," exceptions from its authority to transport metals, metal articles, metal fabrications and materials, equipment and supplies therefor, radially between a portion of AL and points in the U.S. (2) remove "except AK and HI," in its territorial authority and "originating at or destined to" restriction and (3) remove a restriction against the transportation of prefabricated buildings and panels.

MC 142835 (Sub-14)X, filed February 10, 1981. Applicant: CARSON MOTOR LINES, INC., P.O. Box 337, Auburndale, FL 33823. Representative: A. Charles Tell, Suite 1800, 100 East Broad St., Columbus, OH 43215. Applicant seeks to remove restrictions in its lead and (Sub-1F, 2F, 4F, 5F, 6F, 7F, 10F) certificates (1)

by changing the commodity description (a) in its lead from frozen foods, frozen seafood, frozen fruits, frozen vegetables, frozen citrus juice concentrate, citrus products and frozen vegetable juice, in (Sub-1F) from beverages, beverage preparations and citrus products, in (Sub-4F) from bananas, in (Sub-5F) from foodstuffs and pet food, in (Sub-6F) from canned and preserved foodstuffs, in (Sub-7F) from bakery products, and in (Sub-10F) from food or kindred products as described in Item 20 of the STCC, to "food and related products," and (b) in (Sub-2F) from new furniture to "furniture," (2) by substituting counties for named facilities or points and changing one-way to radial authority in its lead (a) between Boston and Essex County (for Gloucester), MA, and FL, GA, LA, NC, SC, TN, VA, AL, and WV, (b) between Middlesex County (for Watertown), MA, and NC, SC, GA, FL, AL, MS, and LA, (c) between Boston, MA, and MS, (d) between Washington, DC, and NC, SC, GA, and Al, (e) between Bibb County (for Macon), GA, and 20 cities in mid-Atlantic and northeastern States, (f) between St. Lawrence County (for Heuvelton) and Franklin County (for Chateaugay), NY and AL, (g) between FL and ME, NH, VT and 30 cities in mid-Atlantic and Norteastern States, (h) between Hillsborough County (for Plant City), FL and MD, PA, and VA, (i) between Duval County (for Jacksonville) FL and 25 cities in mid-Atlantic and northeastern States, (j) between Hillsborough County (for Tampa), FL, and 6 cities in NY, VA, MD, DC, and NJ, and (k) between Polk County (for Auburndale), Lake County (for Leesburg), and Orange County (for Plymouth), FL, and ME, NH, VT, and 30 cities in mid-Atlantic and northeastern States; in (Sub-1F) between points in FL and CT (with exceptions), MD, MA (with exceptions), NJ (with exceptions), NY (with exceptions), OH, PA (with exceptions), RI, VA (with exceptions), and DC; in (Sub-2f) between Guilford County (for High Point), NC, and FL; in (Sub-4F) between Hillsborough County (for Tampa) and DE, KY, MD, NJ, NY, OH, TN, and VA; in (Sub-5F) between Camden, NJ, and Robeson County (for Maxton), NC, CT, ME, MA, NH, and RI; in (Sub-6F) between Pittsburgh, PA, Sandusky County (for Fremont) and Lucas County (for Toledo), OH, and FL, GA, SC; in (Sub-7F) betweeen Richmond, VA and CT, FL, and ME, MA, NH, NJ, NY, PA, RI, and VT; in (Sub-10F) (a) between Atlanta, GA, and 18 Eastern and Southern States, (b) between Houston, TX, and 12 Eastern and Southern States, (c) between Bergen County (for Fair Lawn), NJ, and Philadelphia, PA, and FL, ME, TX, and VT, (d) between Pittsburgh, PA, and FL and TX, and (e) between Richmond, VA, and TX, MD, and LA, and (3) by deleting an originating at or destined to restriction in (Sub-6F).

MC 143059 (Sub-159)X, filed February 9, 1981. Applicant: MERCER TRANSPORTATION CO., P.O. Box 35610, Louisville, KY 40232. Representative: John M. Nader, 1600 Citizens Plaza, Louisville, KY 40202. Applicant seeks to remove restrictions in its (Sub-7, 11F, 19F, 21F, 31F, 33F, and 63F) certificates by (a) broadening the commodity descriptions to "rubber and plastic products," "clay, concrete, glass, or stone products," and "metal products," from respectively, (Sub-7) pipe fittings and connections, pipe hangers, indicator posts, hydrants, pipe, bars and rods, valves, and castings, (Sub-11F) pipe and fittings; (Sub-19F) pipe, (Sub-21F) pipe, valves, pipe fittings, and fire hydrants, (Sub-31F) pipe and tanks, (Sub-33F) pipe, pipe fittings, and commodities used in the installation of pipe and pipe fittings, and (Sub-63F) iron and steel articles, plastic articles, and aluminum articles, and materials, equipment, and supplies used in the installation thereof; (b) authorizing round-trip operations in substitution for the one-way authority now authorized in (Subs-11F, 19F, 31F, 33F, and 63F); (c) eliminating reference to the facilities of named shippers in (Sub-7, 21F, 33F and 63F); (d) broadening the territorial description by substituting counties for named points in (Sub-7F) Chemung County for Elmira, NY, Lancaster County for Columbia, PA, Trumbull County for Warren, OH, Bullock County for Statesboro, GA and Bell County for Temple, TX; in (Sub-11F) Guilford County for Colfax, NC; in (Sub-19F) Venango County for Oil City, PA; in (Sub-21F) Jefferson County for Birmingham and Morgan County for Decatur, AL, and Jefferson Parish for Kenner, LA; in (Sub-31F) Carter County for Ardmore, OK; in (Sub-33F) Tulsa County for Broken Arrow, OK; and in (Sub-63F) Mercer County for Greenville, PA, (e) including AK and HI in (Sub-7, 11F, 21F, 31F and 63F), radial United States territorial authority and (f) deleting originating at or destined to restrictions in (Sub-7, 21F, and 63F).

MC 145235 (Sub-10)X, filed February 12, 1981. Applicant: DUTCH MAID PRODUCE, INC., Route 2, Willard, OH 44890. Representative: David A. Turano, 100 East Broad St., Columbus, OH 43215. Applicant seeks to remove restrictions from its (Sub-4F) permit which authorizes the transportation of paints (except commodities in bulk) and materials, equipment and supplies used in the manufacture of paints (except commodities in bulk) by broadening its territorial description to between points in the U.S. under continuing contract(s) with a named shipper.

MC 145359 (Sub-33)X, filed February 12, 1981. Applicant: THERMO TRANSPORT, INC., P.O. Box 41587, Indianapolis, IN 46241. Representative: Donald W. Smith, P.O. Box 40248, Indianapolis, IN 46240. Applicant seeks to remove restrictions in its (Sub-6F, 9F, 14F, and 26F) certificates to (1) broaden the commodity descriptions to (a) "rubber and plastic products" from: laminated plastic sheets in (Sub-16F); plastic materials in (Sub-9F and 14F); and vinyl siding in (Sub-26F); (b) "chemicals and related products" from magnesite, varnish, and liquid resin in (Sub-9F), and (c) "metal products" from iron and steel in (Sub-14F), and aluminum steel in (Sub-26F), (2) remove "except commodities in bulk" restrictions in (Sub-6F and 9F), (3) eliminate restrictions against service to or from AK and HI in (Sub-6F, 9F, and 26F), (4) eliminate "in tank vehicles" restriction in (Sub-6F), (5) remove plantsite restrictions and replace with county-wide or city-wide authority; Coshocton County, OH, for Coshocton, OH, in (Sub-6F); Berkshire County, MA, for Pittsfield and Dalton, MA, in (Sub-9F); Los Angeles County, CA, in (Sub-14F); and Franklin Park, IL in (Sub-26F), and (6) broaden territorial descriptions from one-way authority to radial authority in the above Sub Nos. to authorize service between specified cities or counties and points in the United States.

MC 145359 (Sub-35)X, filed February 12, 1981. Applicant: THERMO TRANSPORT, INC., P.O. Box 41587, Indianapolis, IN 46241. Representative: Donald W. Smith, P.O. Box 40248, Indianapolis, IN 46240. Applicant seeks to remove restrictions in its lead and Sub-Nos. 22F and 24F certificates, (1) to broaden the commodity descriptions in Sub-No. 22F, from (a) lawn and garden equipment and supplies, and (b) materials, equipment and supplies used in the manufacture and distribution of commodities named in (a) above, to "such commodities as are dealt in by lawn, garden, and farm equipment dealers;" (2) to remove restrictions to authorize country-wide authority for specified plantsites and cities: (a) in its lead certificate, Ventura County, CA, for Carpinteria, CA; (b) in Sub-No. 22F, Union, Franklin and Erie Counties, OH, for named facilities at Marysville, Columbus, and Vermillion, OH; and (c) in Sub-No. 24F, Monroe County, NY, for

named facilities at Rochester, NY; (3) to expand one-way authority to radial authority (a) in Sub-No. 22F, between Union, Franklin, and Erie Counties, OH, and points in the United States, and (b) in Sub-No. 24F, between Monroe County, NY, and points in the United States; and (4) remove AK and HI as exceptions from its nationwide grants in Sub-Nos. 22F and 24F.

MC 145559 (Sub-8)X, filed February 12, 1981. Applicant: NORTH ALABAMA TRANSPORTATION, INC., P.O. Box 38, Ider, Alabama 35981. Representative: William P. Jackson, Jr., 3426 N. Washington Boulevard, Post Office Box 1240, Arlington, VA 22210. Applicant seeks to remove restrictions in its Sub-No. 2F certificate to (1) broaden the commodity description from general commodities (with the usual exceptions) to "general commodities (except classes A and B explosives)", (2) replace authority to serve named cities with county-wide authority: Wilson, Summer, Robertson, Putnam, Rutherford, and Warren Counties, TN, for Lebanon, Millersville, Green Brier, Cookeville, Murfreesboro, and McMinnville, TN, (3) change one-way authority to radial authority between Nashville, TN and named counties and points in AZ, CA, CO, ID, NV, OR, UT, WA, and WY, and (4) remove the restriction limiting service to the transportation of shipments moving on bills of lading of shippers cooperative associations.

MC 146336 (Sub-19)X, filed February 13, 1981. Applicant: WESTERN TRANSPORTATION SYSTEMS, INC., 1609 109th Street, Grand Prairie, Texas 75050. Representative: Edwin M. Synder, P.O. Box 45538, Dallas, Texas 75235. Applicant seeks to remove restrictions from its Sub-No. 2F and 13F permits to (1) broaden its commodity descriptions from high fidelity reproduction equipment, video equipment, and components for such equipment, to "machinery"; and (2) broaden its territorial descriptions to between points in the U.S. under a continuing contract(s) with a named shipper.

MC 146753 (Sub-18)X, filed February 10, 1981. Applicant: SAM YOUNG, INC., P.O. Box 337, Wolcott, IN 47995. Representative: E. Stephen Heisley, 805 McLachlen Bank Building, 666 Eleventh Street NW., Washington, DC 20001. Applicant seeks to remove restrictions in its Sub-No. 2 certificate to (1) remove all exceptions in its general commodity authority except "classes A and B explosives" and (2) broaden the territorial description by (a) eliminating the facilities restriction at Chicago, IL, and (b) eliminating "except AK and HI," in its authority to provide radial service between Chicago and points in the United States.

MC 147906 (Sub-2)X, filed February 12, 1981. Applicant: KOHN BEVERAGE, INC., d.b.a. KOHN TRANSPORT, 480 Southway, SW., Canton, OH 44706. Representative: David A. Turano, 100 East Broad St., Columbus, OH 43215. Applicant seeks removal of restrictions in its Permit No. MC-141925 (Sub-No. 5F) to broaden the territorial description to authorize service between points in the United States, under continuing contract(s) with a named shipper.

MC 148301 (Sub-2)X, filed February 13, 1981. Applicant: FRANCIS J. BURKE, d.b.a. BEE TRUCKING, 2812 South Hillock Avenue, Chicago, IL 60608. Representative: William H. Towle, 180 North LaSalle St., Chicago, IL 60601. Applicant seeks to (1) remove all restrictions in its general commodities authority "except classes A and B explosives," and (2) remove the restriction limiting service to shipments moving on bills of lading of named freight forwarders, in its Sub-No. 1F certificate.

MC 149527 (Sub-2)X, filed February 13, 1981. Applicant: R. J. TAYLOR AND G. G. TAYLOR CO., 180 Jefferson Blvd., Warwick, RI 02888. Representative: Richard A. Bogue, 406 World Center Bldg., 918 16th Street NW., Washington, DC 20006. Applicant seeks to remove restrictions in its Permit No. MC-19306 Sub-No. 2F to broaden its territorial description in CT, ME, MA, NH, NJ, NY, PA, RI, and VT, to between points in the United States, restricted to service in which the carrier leases trucks, with drivers, to the shippers for the transportation of such shippers' property.

MC 150211 (Sub-12)X, filed February 17, 1981. Applicant: ASAP EXPRESS, INC., P.O. Box 3250, Jackson, TN 38301. Representative: Louis J. Amato, P.O. Box E, Bowling Green, KY 42101. Applicant seeks to remove restrictions in its Sub-No. 2F certificate to (1) broaden the commodity description from general commodities (with exceptions) to "general commodities (except classes A and B explosives)", and (2) eliminate the originating at and/or destined to named plantsite facilities restriction to allow radial service between named facilities at points in the U.S. east of ND, SD, NE, and NM, and points in the above described part of the U.S.

[FR Doc. 81-6466 Filed 2-25-81; 8:45 am]

BILLING CODE 7035-01-M

Decision-Notice

Correction

In FR Doc. 81-3578 appearing at page 10212, in the issue of Monday, February 2, 1981, make the following correction:

On page 10220, in the second column, third paragraph, "MC 62110", application of Billings Trucking Corp., in the 10th line, "from points in Wilkes County, N.C.", should have read "from points in AL and OH to points in Wilkes County, N.C.".

BILLING CODE 1505-01-M

Motor Carrier Permanent Authority Decisions; Decision-Notice

Correction

In FR Doc. 81-3741 appearing at page 10560 in the issue for Tuesday, February 3, 1981, make the following correction:

On page 10561, in the second column, under "MC 74165 (Sub-540)", application of Eagle Motor Lines, Inc., in the first line, "MC 74165" should have read "MC 73165".

BILLING CODE 1505-01-M

Motor Carrier Permanent Authority Decisions; Decision-Notice

Correction

In FR Doc. 80-38939 appearing at page 82733 in the issue for Tuesday, December 16, 1980, make the following correction:

On page 82757, in the third column, in paragraph "MC 152568 (Sub-1F)," application of Kristler-Ameling Transportation Co., Inc., in the second line, "Kristler" should have read "Kistler".

BILLING CODE 1505-01-M

[Vol. No. OP3-115]

Motor Carriers; Permanent Authority Decisions; Decision-Notice

Correction

In FR Doc. 81-392, on page 1361, in the issue of Tuesday, January 6, 1981; in the last column, the first full paragraph, in the first line correct "MC 145904 (Sub-2F)," read "MC 145894 (Sub-2F)," and in the third line, correct "SUPPLIERS" to read "SUPPLIES".

BILLING CODE 1505-01-M

INTERNATIONAL BOUNDARY AND WATER COMMISSION

Operational Procedures for Implementing the National Historic Preservation Act of 1966, Other Laws Pertaining to Historic and Cultural Properties, and Applicable Executive Orders

AGENCY: United States Section, International Boundary and Water Commission, United States and Mexico.

ACTION: Notice of Draft Operation Procedures for Implementing the National Historic Preservation Act of 1966, Other Laws Pertaining to Historic and Cultural Properties, and Applicable Executive Orders.

SUMMARY: This document prescribes policies and procedures utilized or to be utilized by the United States Section in implementing the National Historic Preservation Act of 1966, Other Laws Pertaining to Historic and Cultural Properties, and Applicable Executive Orders.

DATE OF COMMENTS: Comments must be received on or before April 13, 1981.

FOR FURTHER INFORMATION CONTACT: Mr. Frank P. Fullerton, Legal Adviser, United States Section, International Boundary and Water Commission, United States and Mexico, 4110 Rio Bravo, El Paso, Texas 79902. Telephone: (915) 543-7393 FTS: 572-7393

Dated: February 18, 1981.

Frank P. Fullerton,

Legal Adviser, United States Section, International Boundary and Water Commission, United States and Mexico, 4110 Rio Bravo IBWC Building, El Paso, Texas 79902 Telephone: 915-543-7393 FTS: 8-572-7393.

Operational Procedures for Implementing the Natural Historic Preservation Act of 1966, Other Laws Pertaining to Historic and Cultural Properties, and Applicable Executive Orders

200. *National Historic Preservation Act*

The National Historic Preservation Act (hereafter NHPA) of 1966, as amended [80 Stat. 915, 16 U.S.C.A. 470, as amended; 84 State. 204 (1970), 87 Stat. 139 (1973), 90 Stat. 1320 (1976); 92 Stat. 3467 (1978)], Executive Order No. 11593, May 13, 1971, Protection and Enhancement of the Cultural Environment (36 FR 21, 16 U.S.C.A. 70), the President's Memorandum on Environmental Quality Water Resources Management, July 12, 1978 and the Regulations of the Advisory Council on Historic Preservation [ACHP or Council] dated January 21, 1970 provide that certain considerations are to be given and actions taken in proposing any Federal undertaking which may affect a historical or cultural property which has National, State or local significance. The requirements of the NHPA are to be integrated with other planning and environmental review procedures required by law or by agency practice so that all such procedures run concurrently rather than consecutively. The United States Section will hereafter be referred to as the Section.

200.1 *Purpose*

The Operational Procedures:

a. Prescribe guides to be utilized by the Section to implement NHPA and supplement ACHP Final Regulations for Protection of Historic and Cultural Properties, dated January 30, 1979, (44 FR 6072).

b. Insure initiation of the ACHP process at the earlier possible time, provide for assistance and consultation to individuals and non-federal entities who plan to take action before involvement of the Section, the State Historic Preservation Officer (hereafter SHPO), appropriate state and local agencies, and with interested private persons and organizations.

c. Establish early identification of undertakings that may have an affect on a signficant historical or cultural property.

d. Provide procedures for decision documents pertaining to historical and cultural properties.

e. Provide that information is to be made available to the public before decisions are made about undertakings that may affect historical or cultural properties.

f. Direct that documents are to concentrate on the issues and properties that pertain to the proposed undertaking.

g. Define responsibilities within the Section.

200.2 *Policy*

The Section's Policy is to:

a. Give proper attention to undertakings that could affect significant historic and cultural properties to enable early and appropriate consideration of such actions on all historical and cultural values.

b. Invite early and continued cooperation, where appropriate, from the SHPO and Council, federal, state, regional and local authorities and the public, in the Section's planning and decision-making processes to develop alternatives and measures which will protect, restore or enhance historical and cultural properties, and to minimize and mitigate unavoidable adverse effects on such properties.

c. Implement domestic legislation and directives to the extent practicable without impairing the Section's international mission because the international projects under the jurisdiction of the International Boundary and Water Commission are partly or wholly located within the United States.

200.3 *Applicability*

The Operational Procedures apply to all Section programs and activities insofar as is possible or practicable without impairing its international mission. Domestic requirements must not impair the Section's performance of the United States international obligations which are carried out consistent with the treaties and foreign policy of the United States.

200.4 *References*

a. Treaties

(1) Convention between the United States and Mexico concerning the equitable distribution of the waters of the Rio Grande (T.S. 455, 54 Stat. 2953, signed May 21, 1906, entered into force January 16, 1907).

(2) Treaty between the United States of America and Mexico entitled "Utilization of the Waters of the Colorado and Tijuana Rivers and of the Rio Grande" (T.S. 994, 59 Stat. 1219, signed February 3, 1944, entered into force November 8, 1945).

(3) Convention Between the United States of America and Mexico entitled "Rectification of the Rio Grande" (T.S. 884, 48 Stat. 1621, signed February 1, 1933, entered into force November 13, 1933).

(4) Convention Between the Untied States of America and the United Mexican States for the Solution of the Problem of the Chamizal (T.S. 5515-15 U.S.T. 21, signed August 29, 1963, entered into force January 14, 1964).

(5) Treaty Between the United States of America and the United Mexican States entitled "Treaty to Resolve Pending Boundary Differences and Maintain the Rio Grande and Colorado River as the International Boundary" (TIAS 7313, signed November 23, 1970, entered into force April 18, 1972).

b. International Agreements

International projects were constructed in accordance with the provisions of the above-referenced treaties. In addition, the United States and Mexico, through the International Boundary and Water Commission, have constructed international projects in

accordance with each of the following agreements.

(1) Minute No. 144, "Plans for Final Location of Rectified Channel of the Rio Grande in El Paso-Juarez Valley," signed June 14, 1934.

(2) Minute No. 148, "Allocation of Works for each Government to Undertake on the Rio Grande Rectification Project in Accordance with the Convention of February 1, 1933," signed October 28, 1935.

(3) Minute No. 165, "Adoption of Rules and Regulations for the Maintenance and Preservation of the Rio Grande Rectification Project, in the El Paso-Juarez Valley," signed August 13, 1938.

(4) Minute No. 174, "Supplemental Construction Work Which Each Government Should Undertake Under the Convention of February 1, 1933 to Preserve the Benefits that Have Been Obtained by Previous Construction on Rio Grande Rectification Project in the El Paso-Juarez Valley," signed March 3, 1942.

(5) Minute No. 182, "Approval of Joint Report on Engineering Conference on Studies, Investigations and Procedures for the Planning of Works To Be Built in Accordance with the Treaty of February 3, 1944," signed September 23, 1946.

(6) Minute No. 187, "Determinations as to Site and Required Capacities of the Lowest Major International Storage Dam to be Built on the Rio Grande, in Accordance with the Provisions of Article 5 of the Treaty Concluded February 3, 1944," signed December 20, 1947.

(7) Minute No. 190, "Allocation to the Two Sections of the Commission of Remaining Items of Work Preparatory to Construction of Falcon Dam," signed August 13, 1948.

(8) Minute No. 192, "Plans and Procedures for Construction of Falcon Dam and Recommendations for Construction of Falcon Hydroelectric Plants," signed September 7, 1949.

(9) The Lower Rio Grande Flood Control Project was approved in an exchange of Notes in 1932 between the two Governments in which each country agreed to a coordinated plan for flood protection and to perform the work within its own territory. Subsequently, additions and modifications to the plan were adopted in the following agreements: Minute No. 196, "Improvement of the Channel of the Lower Rio Grande," signed December 22, 1961; and Minute No. 238, "Improvement of the International Flood Control Works of the Lower Rio Grande," signed September 10, 1970.

(10) The Joint Report of the United States and Mexican Commissioners for a coordinated plan of international flood protection facilities for Nogales, Arizona and Nogales, Sonora, signed on November 22, 1932, was subsequently approved by the two Governments by an exchange of notes.

(11) Minute No. 202, "Bases for Joint Operation and Maintenance of the Falcon Dam and Hydroelectric Plant and for Division of Cost Thereof," signed January 11, 1955.

(12) Minute No. 207, "Consideration of Joint Report of the Principal Engineers on Site, Capacities and Type of Dam for the Second Major International Storage Dam on the Rio Grande," signed June 19, 1958.

(13) Minute No. 210, "Recommendations Regarding Construction of Amistad Dam," signed January 12, 1961.

(14) Minute No. 215, "Design and Procedures for Construction of Amistad Dam," signed September 28, 1963.

(15) Minute No. 217, "Clearing of the Colorado River Channel Downstream from Morelos Dam," signed November 30, 1964.

(16) Minute No. 220, "Improvement and Expansion of the International Plant for the Treatment of Douglas, Arizona and Agua Prieta, Sonora Sewage," signed July 16, 1965.

(17) Minute No. 222, "Emergency Connection of the Sewage System of the City of Tijuana, Baja, California to the Metropolitan Sewage System of the City of San Diego, California," signed September 29, 1965.

(18) Minute No. 224, "Recommendations Concerning the Lower Rio Grande Salinity Problem," signed January 16, 1967.

(19) Minute No. 225, "Channelization of the Tijuana River," signed June 19, 1967.

(20) Minute No. 227, "Enlargement of the International Facilities for the Treatment of Nogales, Arizona and Nogales, Sonora Sewage," signed September 5, 1967.

(21) Minute No. 235, "Division of Operation and Maintenance Cost of Amistad Dam," signed December 3, 1969.

(22) Minute No. 236, "Construction of Works for Channelization of the Tijuana River," signed July 2, 1970.

(23) Minute No. 242, "Permanent and Definitive Solution to the International Problem of the Salinity of the Colorado River," signed August 30, 1973.

(24) Minute No. 247, "International Plan for the Protection of the Presidio-Ojinaga Valley Against Floods of the Rio Grande," signed February 7, 1975.

(25) Minute No. 258, "Modification of the United States Portion of the Plan for the Channelization of the Tijuana River," signed May 27, 1977.

(26) Minute No. 262, "Work to Preserve for the Rio Grande its character as the International Boundary in the reach from Cajoncitos, Chihuahua to Haciendita, Texas.

At the time the Final Procedures are published in the **Federal Register**, it is contemplated, as a matter of simplification to eliminate the title and date of signing of the Minutes and include in a single paragraph all of the Minute numbers.

c. Laws

(1) National Environmental Policy Act, 42 U.S.C.A. § 4331.

(2) National Historic Preservation Act, 16 U.S.C.A. § 470, 470f.

(3) Archeological and Historic Preservation Act of 1974, 18 U.S.C.A. § 469a–1.

(4) Rio Grande Bank Protection Act, Pub. L. 59 Stat. 89; Act of April 25, 1945.

d. Executive Orders

(1) Executive Order No. 11514, "Protection and Enhancement of Environmental Quality," March 7, 1970; 35 FR 4247.

(2) Executive Order No. 11593, "Protection and Enhancement of the Cultural Environment," May 13, 1971; 36 FR 8921.

(3) Executive Order No. 11752, "Prevention, Control, and Abatement of Environmental Pollution at Federal Facilities," December 17, 1973; 38 FR 34793.

(4) Executive Order No. 11988, "Floodplain Management," May 24, 1977; 42 FR 26951.

(5) Executive Order No. 11990, "Protection of Wetlands," May 24, 1977; 42 FR 26961.

(6) Executive Order No. 11991, "Relating to Protection and Enhancement of Environmental Quality," May 24, 1977; 42 FR 26927.

(7) Executive Order No. 12114, "Environmental Effects Abroad of Major Federal Actions," January 4, 1979; 44 FR 957.

e. Regulation

Advisory Council on Historic Preservation Rules and Regulations, "Protection of Historic and Cultural Properties dated January 30, 1979; 44 FR 6067.

200.5 *Responsibilities Within the U.S. Section.*

a. Chief, Planning and Reports Branch

The Chief, Planning and Reports Branch, under the supervision of the Principal Engineer, Investigations and Planning Division, is the designee authorized to act for the Agency Official within the meaning of the Council's

regulations and is responsible for the preparation of reviews of individual undertakings, the identification of National Register and eligible properties, coordination with appropriate State Historical Preservation officers, making determinations of the effect of proposed undertakings, and preparation of documented determinations of no adverse effect and of adverse efects. For each proposed undertaking, he will submit to the Principal Engineer an outine of the actions to be taken pertaining to historic and cultural properties, including analyses surveys, and the coordination and consultation with SHPO, other agencies, groups and individuals. When it is appropriate to obtain supplemental information in evaluating effects of a proposed undertaking, he will solicit information from other government agencies (Federal, State and local) with jurisdiction by law or special expertise with respect to any historical or cultural effect involved, and interested Universities, individuals, associations, or groups.

Chief, Planning and Reports Branch will draft and obtain Section approval of all notices to be published in the **Federal Register** except when another agency or agencies act as agent for the Section.

Persons interested in obtaining information or status reports on studies or evaluations within these Historical and Cultural Properties Procedures should address their requests to: Chief, Planning and Reports Branch, United States Section, International Boundary and Water Commission, 410 Rio Bravo, El Paso, Texas 79902.

In the case of an agency or agencies acting as agent for the Section in the preparation of project feasibility studies and/or similar type studies, that agent will prepare evaluations and coordinate with the State Historic Preservation Office according to its established procedures, except that transmittals to the Department of State and to the Advisory Council on Historic Preservation will be by the Commissioner, Head of the Agency. The agent has the responsibility to confer with the Section through the agency's designee and to keep it fully informed.

b. Principal Engineer, Investigations and Planning Division

In addition to responsibilities under a., the Principal Engineeer, Investigations and Planning Division, will assure review is made of studies and analyses to insure the professional and scientific integrity of discussion, analyses and conclusions in the historical and cultural documents, and that a technically sound approach has been used in the evaluations.

The Principal Engineer will also be responsible for consultation with the State Historic Preservation Officer and to the Advisory Council on mitigation measures, and the transmittal to agencies, associations and individuals of information pertaining to mitigation.

c. Secretary

The Secretary will be responsible for providing policy guidance on the international aspects of proposed undertakings, inputs to the historical and cultural documents pertaining to international considerations, including treaties and agreements, and review of draft historical and cultural documents for international considerations.

d. Legal Adviser

The Legal Adviser shall provide staff advice concerning interpretation of the National Historic Preservation Act and other acts, executive orders, regulations, and all legal requirements pertaining to proposed undertakings.

When uncertainty exists within the Section as to the requirement in a specific case for action under the Historic Preservation Act or other acts, executive orders or regulations, the Legal Adviser will initiate consultations with the Office of Environment and health (OES/ENH—Department of State), and follow through to a final determination. In every case where the Section determines from its evaluation that a Determination of No Adverse Effect will be made, the Legal Adviser shall so inform OES/ENH.

The Legal Adviser will approve and be responsible for the publication of the necessary notices in the **Federal Register**.

200.6 *Review of Individual Undertakings.*

As early as possible before the Section makes a final decision concerning an undertaking, and in any event prior to taking any action that would foreclose alternatives, the following steps will be taken to comply with requirements of Section 106, NHPA and Section 2(b) of E.O. 11593, to the extent that such actions do not impair the United States' international obligations:

Identifying historical and cultural resources, including any necessary surveys;

Initiating eligibility determinations;

Determining effects, if any, of the proposed undertaking on National Register or eligible properties;

Applying the criteria of adverse effect when the proposed undertaking has an effect on a property;

Identifying and evaluation alternatives to the proposed undertaking, including the no-action alternative;

Identifying mitigation measures;

Coordination as appropriate throughout the evaluation with the SHPO and the Council; and

Informing the public at appropriate times.

a. Identifying Resources

The objective of this step is to examine the area of the undertaking's potential environmental impact for the presence of historic, cultural, architectural, and archeological resources in order to determine whether such resources are included in or eligible for the National Register. The National Register shall be checked and contact made with the SHPO to ascertain if there are any proposed eligible properties in the area of the undertaking. Contacts may be made with professional archeological organizations and academic archeologists, historical societies, and landmark commissions, as applicable, to obtain information to identify potential resources. Consultations will be had with the State Archeologist (if applicable to the particular State) through the SHPO. A log will be maintained of all actions taken in this identification step for use in demonstrating that the Section has made a reasonable effort to identify National Register and eligible properties.

The examination of the area will vary with the type, location and size of the proposed undertaking, with the scope of the surveys to be made considering the likelihood of finding eligible resources and of the kinds of resources potentially present.

Studies and surveys to provide basic information and to forecast changes under proposed conditions will be performed by professionally competent personnel using generally recognized and accepted scientific methods. The disciplines of the preparers shall be appropriate to the scope and issues identified in preliminary reviews of the undertaking. Studies may be performed by the staff, by consultants, including university personnel, and by federal, state or local agencies. Staff studies will be scheduled with the approval of the Principal Engineer, Investigation and Planning Division. The scope of studies to be performed by consultants and agencies and the agencies or consultants to perform the studies, will be recommended to the Commissioner, by the Principal Engineer, Investigations and Planning Division. The Chief,

Planning and Reports Branch will be the Section's representative in monitoring studies being performed for it, and be responsible for review of the draft reports of the studies.

As such studies, surveys and tests will provide information important to compliance with both the requirements of NHPA and NEPA, the scope of work to be done should be designed to provide the information required for compliance with both acts.

b. Initiating National Register Eligibility Determinations

The National Register Criteria (36 CFR Part 60.6) will be applied to those resources located by the surveys which have either not been listed in nor previously have been determined to be eligible for listing in the National Register. The SHPO will be consulted on these determinations. If any property appears to be eligible for listing under one or more of the four critieria, a request will be made to the Secretary of the Interior for a formal determination.

c. Determining Effects

An effect is any alteration to the National Register quality of a property which may result from an undertaking or any of its related activities. Effects may be either beneficial or adverse, may be direct or indirect, may be concentrated or dispersed, caused or induced, and short-or long-term. In order for there to be an effect, the potential to change must relate to the characteristics of the property that qualify its inclusion in the National Register. The basis for the determination of the change in the characteristics should be described. A copy will be requested from the SHPO of the National Register from or the documentation submitted to support a determination of eligibility to provide information on the qualities of the property that make it eligible for inclusion in the National Register and, hence, to determine the effect of the undertaking.

(1) No effect. Basically a determination of no effect means that the proposed undertaking, or a preferred alternative, and related activities have no potential to alter the National Register qualities of the resources present within the area of undertakings potential environmental impact. There would also be no effect if a determination has been made that there are no National Register or eligible properties within the impact area of the undertaking.

(2) Documentation. A summary memorandum should be prepared fully describing the actions taken and the evaluations made which led to determination of no effect. The memorandum shall summarize the coordination with the SHPO and the information and comments from SHPO.

d. Applying Criteria of Adverse Effects

When any effect on a National Register or eligible property is determined to be a potential of the proposed undertaking the Criteria of Adverse Effect shall be applied to determine if the effect is adverse or beneficial. An effect will be considered to be adverse if it will cause:

(1) Restriction or alteration of all or part of a property;

(2) Isolation from or alteration of the property's surrounding environment;

(3) Introduction of visual, audible, or atmospheric elements that are out of character with the property or alter its setting;

(4) Neglect of a property resulting in its deterioration or destruction.

(5) Transfer or sale of a property without adequate conditions or restrictions regarding preservation, maintenance or use.

When a determination has been made of no adverse effect, documentation shall be prepared of the determination, including written views of the SHPO and the topics listed in the ACPH Regulation 800.13(a). If the SHPO fails to respond to our request for consultation on the determination, the documentation shall include evidence of having contacted the SHPO.

The Determination of No Adverse Effect shall be submitted to the Executive Director of the Council for review in accordance with ACHP Regulation 800.6.

When a determination has been made that the effect on a property is adverse, or if the Executive Director does not accept the Section's Determination of No Adverse Effect, the following actions will be taken:

(1) Prepare and submit a Preliminary Case Report requesting the comments of the Council in accordance with ACHP Regulation 800.13(b).

(2) Notify the SHPO of the request, providing him a copy of the Preliminary Case Report.

(3) Proceed with the consultation process in ACHP Regulation 800.6(b).

In the consultation process the Principal Engineer, Investigations and Planning Division, and the Chief, Planning and Reports Branch, meeting with the SHPO and Executive Director, will consider feasible and prudent alternatives to the undertaking that could avoid, mitigate or minimize effects on a National Register or eligible property. The alternatives to be evaluated shall include the alternatives being considered in environmental evaluations being made for NEPA. If the consulting parties cannot agree on an alternative to avoid the adverse effects on a National Register or eligible property, they shall consult further to determine if there are alternatives that could satisfactorily mitigate the adverse effects. The purpose of mitigation is to avoid, reduce, or counter damages to archeological or historical sites in a systematic manner that results is the least losses, or minimizes the impact on the characteristics of historical structures. Total avoidance of adverse effects is to be considered.

If the consulting parties agree upon a feasible and prudent alternative to avoid or satisfactorily mitigate the adverse effects of the undertaking on the National Register or eligible property, A Memorandum of Agreement shall be executed in accordance with ACHP Regulation 800.6(c) specifying how the undertaking will proceed to avoid or mitigate the adverse effect.

If the consulting parties determine that there are no feasible and prudent alternatives that could avoid or satisfactorily mitigate the adverse effects and it is in the public interest to proceed with the proposed undertaking, they shall execute a Memorandum of Agreement in accordance with ACHP Regulation 800.6(c) acknowledging this determination and specifying any recording, salvage, or other measures to minimize the adverse effects that shall be taken before the undertaking proceeds.

The Preparation, Review, and Amendment of a Memorandum of Agreement shall be in accordance with ACHP Regulations 800.6(c)(1), (2), and (4).

Upon the failure of the consulting parties to agree upon the terms of a Memorandum of Agreement, or upon notice of such failure by any of the consulting parties to the Executive Director, the Executive Director shall notify the Chairman of the Council within fifteen (15) days and shall recommend whether or not the matter should be scheduled for consideration at a Council meeting. The "Agency Official" and the SHPO shall be notified in writing of the Executive Director's recommendation. The "Agency Official" shall provide such reports and information as may be required to assist the Chairman in this determination.

In the event the Chairman or the Council determine to consider an undertaking at a meeting, the Section, through the Commissioner, will provide reports requested at least 21 days before a council or panel meeting.

Upon receipt of the comments of a Panel or of the Council, the Commissioner shall take these comments into account in reaching a decision in regard to the proposed undertaking. If the Commissioner determines not to follow the Panel or the Council's comments, a written notice shall be immediately provided to the Council.

When a final decision regarding the proposed undertaking is reached by the Commissioner, a written report shall be submitted to the Council describing the actions taken by the Section in response to the Council's comments; the actions taken by other parties pursuant to the actions of the Section; and the effect that such actions will have on the affected National Register or eligible property. Receipt of this report by the Chairman shall be evidence that the Section has satisfied its responsibilities for the proposed undertaking under the NHPA, the Executive Order and the ACHP Regulations.

200.7 *Concurrent Action Under Other Laws, Regulations and Executive Orders.*

During inventory and evaluation studies of historic and cultural properties, the designated official will take all appropriate actions to assure that there will be concurrent consideration of the requirements established in other laws, regulations, and in Executive Orders, including but no limited to studies and actions under the Natural Environmental Policy Act. This concurrent consideration will be documented and summarized in any documentation described hereinbefore.

200.8 *Consultation with Agencies and Individuals.*

After preparing a draft description of the proposed undertaking, the SHPO, historical and archeological societies and individuals in the general area will be consulted to obtain their views, comments, and suggestions on the effects, if any, of the proposed undertaking. The extent of these consultations will vary with the type and subject matter of the undertaking being considered, with the SHPO being consulted on most matters. Individuals and historical and archeological societies who have expressed an interest in specific areas or subjects will be contacted for their comments. Subsequent required documentation will list the agencies, societies and individuals consulted and summarize their views.

200.9 *Preparing Documentation.*

Documentation necessary to comply with these procedures shall be written in plain language and make use of appropriate illustrations so that users, including the public, can readily understand its contents, meaning and applications, and the effects on National Register or eligible properties. The draft documentation shall be prepared minimizing the use of technical terms and shall be rewritten or edited to assure clarity. The edited draft shall be given a thorough review by qualified personnel to asssure its accuracy. The documentation shall include only sufficient detail to understand the proposed undertaking, alternatives, and the consequences. Where possible, photographs which assist in understanding important topics will be used. Extraneous data and information should be omitted from the documentation and be included in the investigation's supporting information file or record.

200.10 *Exceptions.*

The nature of negotiations and relations at the international level may make it necessary to depart in some instances from the procedures in the ACHP Regulations. Exceptions applicable to the Section are set forth below.

A. The documents which are written to comply with NHPA should not normally include any classified or administratively controlled material nor should they normally include statements with respect to positions other than the preferred position of the United States in any ensuring negotiation or discussion. Although such documents should, whenever possible, be unclassified and hence available to the public, there may be situations where such documents cannot adequately discuss effects without disclosure of classified information. In these instances the documents will be appropriately classified. Whenever possible, the classification should terminate on a specified date or upon the happening of a described event. Such documentation, so long as it is classified, will not be made available to the public. Consultation will be carried on with appropriate agencies on classified matters.

b. Every attempt will be made to comply with coordination and time requirements provided in ACHP regulations. Where schedules of international conferences make this impossible, the Section will notify ACHP as soon as possible of the circumstances with the purpose of fulfilling the intent of NHPA insofar as possible.

c. From time to time there will arise good and valid reasons for a deviation from these procedures. The procedures are not intended to be a substitute for sound professional judgement. Accordingly, if and as problems arise which justify a deviation, the proposed deviation and supporting rationale shall be forwarded to the United States Commissioner, the head of the agency.

d. ACHP Regulation 800.15 encourages maximum public participation in the review process, and envisions use of public information meetings. Public meetings will be utilized by the Section only upon a determination by the United States Commissioner that the requirements of carrying on international relations, including the constraints of time and the posture of the United States in negotiations allow such meetings to be carried out without prejudice to the national interests.

200.11 *Definition of Key Terms.*

The definitions contained within ACHP Regulations, Part 800, apply to these procedures.

200.12 *Effective Date.*

These procedures will become effective upon the date of their publication in final form in the **Federal Register.**

[FR Doc. 81-6436 Filed 2-25-81; 8:45 am]
BILLING CODE 4710-03-M

DEPARTMENT OF JUSTICE

Proposed Stipulation and Judgment Approving Settlement Agreement in Action Under the Safe Drinking Water Act and the Solid Waste Act as Amended by the Resource Conservation and Recovery Act of 1976

In accordance with Departmental policy, 28 CFR 50.7, 38 FR, 19029, notice is hereby given that on February 6, 1981, a stipulation and judgment approving settlement in *United States of America and People of the State of California ex rel. George Deukmejian, Attorney General, California Regional Water Quality Control Board, Central Valley Region and State of California Department of Health Services* v. *Occidental Petroleum Corporation, Occidental Petroleum Investment Corporation, Hooker Chemical Corporation, Wholly Owned Subsidiaries of Occidental Petroleum Corporation, and Occidental Chemical Company, a Wholly Owned Subsidiary of Hooker Chemical Corporation,* Civil No. S-79-989 MLS, was lodged with the United States District Court for the Eastern District of California. The decree requires defendant to clean up contaminated groundwater and soil in the vicinity of the Occidental Chemical

Company's facility located in Lathrop, California.

Notice is also hereby given that on February 6, 1981, a stipulation relating to Paragraph IV E.3. of the above-referenced stipulation was filed with the United States District Court for the Eastern District of California. The stipulation places the burden of proof by a preponderance of the evidence on the defendants regarding "Remedial Technology."

The proposed stipulation and judgment approving settlement agreement and the concurrent stipulation may be examined at the Office of the United States Attorney, 2058 Federal Building, 650 Capitol Mall, Sacramento, California 95814; at the Region IX Office of the U.S. Environmental Protection Agency, 215 Fremont Street, San Francisco, California 94123; at the U.S. Environmental Protection Agency, Enforcement Division, Room W1119, 401 M Street, S.W., Washington, D.C. 20460; and at the Hazardous Waste Section, Land and Natural Resources Division, U.S. Department of Justice, Room 1521, Ninth and Pennsylvania Avenue, N.W., Washington, D.C. 20530. A copy of the proposed stipulation and judgment approving settlement agreement and concurrent stipulation may be obtained in person or by mail form the Hazardous Waste Section, Land and Natural Resources Division, U.S. Department of Justice. When requesting copies, please enclose a check in the amount of $3.90 (10 cents per page reproduction charge) per copy, payable to the Treasurer of the United States.

The U.S. Department of Justice will receive written comments relating to the proposed stipulation and judgment approving settlement agreement and the concurrent stipulation on or before March 30, 1981. Comments should be directed to the Deputy Assistant Attorney General of the Land and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and refer to *United States of America* v. *Occidental Petroleum Corp., et al.*, D.J. Ref. 90-7-1-4.

Angus Macbeth,

Deputy Assistant Attorney General, Land and Natural Resources Division.

[FR Doc. 81-6451 Filed 2-25-81; 8:45 am]

BILLING CODE 4410-01-M

Foreign Claims Settlement Commission

Second China Claims Program

AGENCY: Foreign Claims Settlement Commission of the United States.

ACTION: Notice.

SUMMARY: Notice of the completion date of the Second China Claims Program—July 31, 1981.

EFFECTIVE DATE: February 26, 1981.

FOR FURTHER INFORMATION CONTACT: Karl D. Klauck, Deputy General Counsel Foreign Claims Settlement Commission, 1111 20th Street, N.W., Washington, D.C. 20579; Telephone No. (202) 653-6166.

Notice of Completion Date

Notice is hereby given that at the meeting of the Foreign Claims Settlement Commission on February 18, 1981, the Commission set July 31, 1981 to be the completion date of the Second China Claims Program, at which time the results will be certified to the Department of the Treasury. This program was commenced by the Commission on June 1, 1979 pursuant to the authority of Section 4, Title I of the International Claims Settlement Act of 1949, as amended, and in implementation of the claims agreement between the Government of the United States and the People's Republic of China concluded on May 11, 1979.

After the stated completion date of July 31, 1981, the Foreign Claims Settlement Commission will no longer have any authority to review or take any action with regard to claims filed in the Second China Claims Program.

Dated at Washington, D.C. on February 19, 1981.

Richard W. Yarborough,

Chairman.

[FR Doc. 81-6463 Filed 2-25-81; 8:45 am]

BILLING CODE 6770-01-M

Vietnam Veterans Claims Program

AGENCY: Foreign Claims Settlement Commission of the United States.

ACTION: Notice.

SUMMARY: Notice of commencement of a program to consider claims for losses by U.S. nationals in Vietnam, deadline for filing claims—July 31, 1982, and time for consideration of claims pursuant to Public Law 96-606.

EFFECTIVE DATE: February 26, 1981.

FOR FURTHER INFORMATION CONTACT: Karl D. Klauck, Deputy General Counsel, Foreign Claims Settlement Commission, Room 414, 1111 20th Street, N.W., Washington, D.C. 20579 (202) 653-6166.

Notice of Commencement of Vietnam Claims Program

Notice is hereby given that pursuant to Title VII of the International Claims Settlement Act of 1949, as amended, the Foreign Claims Settlement Commission of the United States will commence a program, to be known as the Vietnam Claims Program, beginning on February 26, 1981 to consider claims for losses against Vietnam as authorized by Title VII of the International Claims Settlement Act of 1949, as amended by Public Law 96-606, approved December 28, 1980 (94 Stat. 3534; 22 U.S.C. 1645) and in accordance with the Regulations of the Commission.

Title VII of the International Claims Settlement Act, as amended, provides for the determination of the validity and amounts of outstanding claims against Vietnam for losses incurred as a result of the nationalization, expropriation, or other taking of (or special measures directed against) property interests of nationals of the United States.

Notice of Time for Filing Claims

Notice is hereby given that the deadline for filing such claims is July 31, 1982. Claims filed after that date will not be considered as timely filed.

Beginning on April 28, 1981 copies of the statute, Commission Regulations, official claim forms and instructions for filing claims of nationals of the United States against Vietnam will be available for distribution from the Office of the General Counsel, Foreign Claims Settlement Commission, Room 414, 1111 20th Street, N.W., Washington, D.C. 20579 (202) 653-6166. Written requests for such materials should be directed to that office.

Such claims to be considered by the Commission must be filed on the official claim form, which will be numbered FCSC Form 606, with the Office of the General Counsel, Room 414, 1111 20th Street, N.W., Washington, D.C. 20579 prior to the deadline for filing such claim.

Notice of Time for Consideration of Claims

Notice is hereby given that claims filed against Vietnam will be considered and determined by the Commission pursuant to provisions of Title VII of the International Claims Settlement Act of 1949 (Public Law 96-606, approved December 28, 1980; 94 Stat. 3534; 22 U.S.C. 1645) and in accordance with the Regulations of the Commission (45 CFR 500).

The completion date for the Vietnam Claims Program shall be not later than three (3) years after the final date for filing claims during this program pursuant to the provisions of Public Law 96-606.

Dated at Washington, D.C. on February 23, 1981.

Richard W. Yarborough,

Chairman.

[FR Doc. 81-6464 Filed 2-25-81; 8:45 am]

BILLING CODE 6770-01-M

Proposed Consent Decree To Enjoin Discharge of Water Pollutants

In accordance with Departmental Policy, 28 CFR 50.7, 38 FR 19029, notice is hereby given that on January 29, 1981, a proposed Consent Decree in *United States of America* v. *Eastgate Miramar Associates*, Civil No. 80-0756-E(M), was lodged with the United States District Court for the Southern District of California.

The proposed consent decree will require Eastgate Miramar Associates to comply with the Clean Water Act by setting aside almost the entire area in which vernal pools were located, prior to the discharges which are the subject of this action, as a recovery area for scientific study and paying $20,000 to support the study.

The Department of Justice will receive on or before March 30, 1981, written comments related to the proposed judgment. Comments should be addressed to the Deputy Assistant Attorney General of the Land and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and refer to *United States of America* v. *Eastgate Miramar Associates*, D.J. Ref. No. 90-5-1-4-94.

The proposed consent decree may be examined at the Office of the United States Attorney, United States Courthouse, 940 Frong Street, San Diego, California, 92189, at the Region IX Office of the Environmental Protection Agency, Enforcement Division, 215 Fremont Street, San Francisco, California 94105, and at the Environmental Enforcement Section, Land and Natural Resources Division, Department of Justice, Room 1250, Tenth Street and Pennsylvania Avenue, N.W., Washington, D.C. 20530. A copy of the proposed consent decree may be obtained in person or by mail from the Environmental Enforcement Section, Land and Natural Resources Division, Department of Justice. In requesting a copy, please enclose a check in the amount of $1.70 (10 cents per page reproduction charge) payable to the Treasurer of the United States.

Angus MacBeth,

Deputy Assistant Attorney General, Land and Natural Resources Division.

[FR Doc. 81-6381 Filed 2-25-81; 8:45 am]

BILLING CODE 4410-01-M

NATIONAL TRANSPORTATION SAFETY BOARD

[N-AR 81-9]

Reports, Recommendations and Responses; Availability

Marine Accident Reports—Summary Format, Issue No. 1, January through June 1978 (NTSB-MAB-80-1).—This publication, released by the National Transportation Safety Board on February 19, provides summary reports showing the basic facts, conditions, and probable cause(s) of the following major marine accidents which occurred during the first 6 months of 1978:

Towboat ROBERT W. STEELE, fire, February 19.
Clam Dredge PARI PASSU, capsized and sank, February 27.
Fishing Vessel MARGARET L, burned and sank, March 7.
Tankship SANTA CLARA, rammed a pier, March 8.
Bulk Carrier ESSI CAMILLA, collisions in anchorage, April 8.
Bulk Carrier ARCHIMEDES, rammed barge fleet, April 25.
Cargo Vessel NANCY LYKES, heavy weather cargo loss, May 5.
Tankship USNS NECHES, fire in engineroom, May 10.
Dredge LOUISIANA, fire in engineroom, June 2.
Barge ALASKA, capsized while under tow, June 10.
Fishing Vessel LIBERTY BELL, sank, June 18.
Fishing Vessel NORSEMAN, grounded and sank, June 18.

Copies of this publication may be purchased from the National Technical Information Service, U.S. Department of Commerce, Springfield, Va. 22161.

Safety Board Recommendation Letters

Aviation: A-80-112 through A-80-114, to the Federal Aviation Administration, November 14, 1980.—Cited as the basis for issuing these recommendations are two fatal crashes on takeoff: an Allegheny Airlines Nord 262 at Clarksburg, W.Va., on February 12, 1979; and a Redcoat Air Cargo, Ltd., Bristol Brittania 253, at Logan International Airport, Boston, Mass., February 18, 1980. Both aircraft had been deiced less than an hour prior to takeoff with an ethylene glycol-water mix. Only the undiluted fluid is recommended by the manufacturer as an antiicing agent. The Board noted that in both accidents, the very fact that the exposed airfoil surfaces were wetted may have actually enhanced the accumulation of wet snow and created a condition in which the wet snow was not blown off by air moving over the surfaces. The Board recommended that FAA:

Advise operators of the potential hazard of an accumulation of wet snow on airfoil surfaces after deicing with a diluted ethylene glycol solution. (Class I, Urgent Action) (A-80-112)

Initiate a study of the effectiveness of ethylene glycol-based deicing fluid concentrations as an anti-icing agent under differing icing and snow conditions. (Class II, Priority Action) (A-80-113)

Publish and distribute to operators detailed information regarding the characteristics of deicing/anti-icing fluids and guidelines regarding their use. (Class II, Priority Action) (A-80-114)

Highway: H-81-1, to the National Highway Traffic Safety Administration, February 11, 1981.—The Board's letter notes that on April 28, 1980, an eastbound tractor-semitrailer loaded with 50,000 pounds of potatoes lost braking capability while descending a 1½-mile downgrade on I-279 in downtown Pittsburgh, Pa. The runaway vehicle combination exited I-279 at the Liberty Avenue ramp, traveled 900 feet, mounted the sidewalk, struck pedestrians, and crashed into an office building. Five persons were killed and six persons were injured.

Postcrash inspection revealed that all of the tractor and trailer service brakes were out of adjustment.

Investigations of earlier accidents involving runaway combination vehicles prompted the Safety Board, on June 23, 1978, to recommend that NHTSA develop a Federal Motor Vehicle Safety Standard stating a performance requirement for all newly manufactured commercial vehicles to have equipment that would insure brakes being in proper adjustment at all times. (Class II, Priority Action, recommendation H-78-48) The Board is concerned that, according to an advance notice of proposed rulemaking issued February 22, 1980, NHTSA considers the subject of automatic brake adjustment as one of its long-range rulemaking objectives for improving medium and heavy duty vehicle braking performance. The Board now urges that a higher priority be assigned to recommendation H-78-48, and recommends that NHTSA:

Require manufacturers of air brake actuation devices to incorporate indicators which will warn users when brakes must be adjusted. (Class II, Priority Action) (H-81-1)

Responses to Safety Recommendations

Aviation

A-80-112 through A-80-114, from the Federal Aviation Administration, February 11, 1981.—Response to these recommendations, reported above, indicates that FAA concurs with A-80-112 and is preparing an operations bulletin to emphasize the dangers of

snow accumulation on aircraft following deicing. Operators will be requested to review their deicing and anti-icing procedures in view of these accidents.

With respect to A-80-113, FAA reports that during the April 1969 FAA Aircraft Ice Protection Symposium it was emphasized that prior to flight, the final inspection must assure a clean-surfaced wing. This requirement remains valid regardless of the effectiveness of either fluid used—deicing or anti-icing. FAA believes these criteria are adequate for release to taxi. However, a study of ethylene glycol-water deicing mix as anti-icing agent under differing icing and snow conditions will provide significant information on wing surface snow accumulation from taxi to takeoff. FAA will initiate the study through its R&D organization and will inform the Board of results.

FAA does not concur in A-80-114. FAA believes the manufacturer, rather than FAA, should be charged with the recommended action since detailed information regarding the characteristics of deicing/anti-icing fluids and guidelines as to their use are obtainable from the manufacturer and only this source has the test data to back up claims of product effectiveness. FAA appreciates the intent of A-80-114 and plans to issue an operations bulletin which will request air carrier certificate holders to ensure that deicing/anti-icing procedures are included in their manuals.

A-80-141, from the Federal Aviation Administration, February 11, 1981.—Response is to a recommendation issued last December 31 jointly to FAA and the National Oceanic and Atmospheric Administration, following investigation of the crash of a Texas International Airlines DC-9-10 on March 17, 1980, at Ryan Airport, Baton Rouge, La. The aircraft ran off the side of the runway during landing rollout, causing injuries to two crewmembers and considerable damage to the aircraft. (See 46 FR 3676, January 15, 1981.)

In response, FAA says for some time it has been exploring the area of accurate recording of wind information and it would be prudent to continue research for the next 60 to 90 days to retain continuity and momentum in this program. FAA will examine current accuracy requirements for providing wind information to the pilot, current wind recording procedures, recording capability planned for future terminal systems, and coordinating procedures and capabilities with the National Weather Service. Further response will be made about April 30, 1981.

Marine

M-79-56, from the United States Coast Guard, August 6, 1980.—Response is to Safety Board comments of February 25, 1980, regarding Coast Guard's initial response dated November 6, 1979 (44 FR 68540, November 29, 1979). The recommendation was developed following investigation of the collision of the M/V WORLD NOBILITY and the SS PENNSYLVANIA GETTY at the mouth of the Chesapeake Bay near Norfolk, Va., December 29, 1978. The recommendation asked that the Coast Guard amend the navigation safety regulations (33 CFR Part 164) to quantify minimum manning levels for large oceangoing vessels. The Board's February 25 letter urged Coast Guard to actively pursue quantifiable manning standards for watches on the international level and to reconsider amending § 164.11 to provide for a specific definition of the persons to be on duty in the wheelhouse while underway.

Coast Guard's response of August 6 notes that § 164.11 requires that the wheelhouse be manned by competent personnel who fix the vessel's position, plot the fix, and keep the person in charge of directing the movement of the vessel aware of that position. Also, each visual or radar contact closure is to be evaluated. In applying § 164.11 a master must consider traffic density, weather, and local characteristics to determine personnel requirements.

Coast Guard says it deliberately pursued a position favorable to quantifiable manning standards of an international level through three sessions of the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978. The U.S. position was supported by only two other countries in the subcommittee sessions, and it appears that this issue is buried on an international level. Coast Guard, under the Port and Harbor Safety Act of 1978, will publish proposed minimum manning scales for foreign tank vessels operating in U.S. Waters. Beyond this, Coast Guard feels it would be impractical to attempt to more definitely specify all of the master's responsibilities due to such criteria as characteristics of the many U.S. ports, variance of traffic density from day to day, and changing weather conditions. Coast Guard notes that the Navigation Safety Regulations, the International Regulations for Preventing Collisions at Sea, 1972, provide minimum precautions and actions to be considered by the master when assigning duties of watch personnel.

Railroad

R-76-32 and R-76-33; R-79-60; and R-80-5, from Consolidated Rail Corporation (Conrail), January 29, 1981.—Letter is in response to Safety Board inquiry of November 18, 1980, concerning status of implementation of these recommendations. R-76-32 and R-76-33 were issued July 30, 1976, following investigation of the collision of three Penn Central passenger trains near Wilmington, Del., October 17, 1975 (41 FR 32794, August 5, 1976); R-79-60, issued August 9, 1979, followed investigation of the collision of two Conrail freight trains at Muncy, Pa., January 31, 1979 (44 FR 48003, August 16, 1979); and R-80-5, issued March 5, 1980, resulted from investigation of the October 1, 1979, collision of two Conrail freight trains at Royersford, Pa. (45 FR 16366, March 13, 1980).

With respect to R-76-32, which asked Conrail to require that trains be equipped with reasonably accurate speed indicators, Conrail says its road locomotives are generally so equipped. Multiple unit cars operated by Conrail in commuter service are owned by the various commuter authorities, rather than Conrail; hence, Conrail has forwarded R-76-32 to these authorities for consideration. Conrail notes that most of the multiple unit cars operated by Conrail in commuter service are now equipped with reasonably accurate speed indicators. According to Conrail, a speed indicator is not necessary for an engineer to stop short of a train ahead. "The engineer's obligation is always to regulate his speed in accord with the signals and timetable instruction, and he is trained accordingly."

Recommendation R-76-32 asked Conrail to study recommendations R-76-24 through R-76-31, issued July 30, 1976, to the Federal Railroad Administration, and take immediate appropriate action. Those recommendations were also issued in connection with the Penn Central accident at Wilmington. (See 41 FR 32794, August 5, 1976.)

With respect to R-76-24, calling for regulations on mainlines used by passenger trains to require trains to stop if the block in front of them is occupied, Conrail notes that under most circumstances its ABS rules require trains to stop at the signal governing entrance to an occupied block, then to proceed at restricted speed. Conrail believes a requirement that trains stop-and-stay-stopped at all stop-and-proceed signals would create an intolerable operating situation. For this reason, Conrail concentrates upon

educating its engineers on the strict application of the restricted speed rule.

Conrail notes that FRA has established standards for rear end visibility of trains, as recommended in R-76-25, and that the equipment owned by commuter authorities and operated by Conrail is in compliance with those standards.

R-76-26 and R-76-27 recommended that all trains be equipped with emergency flagging equipment and that regulations be established for protection by flagging of the rear end of all stopped trains in passenger territory. Conrail notes that neither FRA nor Conrail require flagging protection against following trains. Rather, it is the duty of the engineer of a train moving under a "restricted" or "stop-and-proceed" indication, to proceed at reduced speed capable of stopping short of train ahead, or other obstruction. Conrail says it would be unsafe to create a situation in which the engineer of the following train might proceed expecting to find the first train protected by a flagman, when, in fact, it was not. To insure against such divided responsibility, Conrail, along with most other American railroads has placed the responsibility (for stopping short of a train ahead) solely with the engineer of the second train. Conrail engineers are trained accordingly.

With respect to R-76-28, Conrail notes that most new passenger equipment is equipped with emergency lighting and communication systems which meet or exceed Federal standards and are inspected during periodic inspections and servicing programs.

R-76-29 and R-76-30 recommended that railroads train employees in emergency procedures to be used after an accident, and that operating employees be trained in emergency cab evaluation. Conrail believes its present employee programs adequately prepare employees to respond to emergencies in commuter territories.

R-76-31 recommended that FRA observe a statistically adequate sample of trains equipped with cab signals to establish the reliability of this system. Conrail says it has no information regarding the outcome of such observations.

Conrail concurs in R-79-60, which recommended that the Corporation insure that its train operations are conducted in accordance with its operating rules. Conrail has accelerated its programs for operating rules surveillance, and has used the January 31, 1979, Conrail collision at Muncy, Pa., as an example in a booklet entitled "The Rules: What Happens When They Are Not Followed." A copy of the booklet has been mailed to the homes of every employee involved in train and engine service. In addition, the field tests of operating rules compliance have concentrated increasingly on rules involving signal indications.

With respect to R-80-5, which recommended provision of adequate supervision of night train operations and inclusion in supervisory efficiency checks, periodic checks of train crewmembers' fitness for duty at reporting points and on trains en route, Conrail concurs and has taken appropriate action. All Division Superintendents have been made aware of the accident at Royersford, Pa., and have been required to set up schedules for supervisory officers on each Division to adequately supervise night operations and check the fitness of employees for duty, both at reporting points and en route. This procedure will continue.

R-76-32 and R-76-34, from the Southeastern Pennsylvania Transportation Authority (SEPTA), January 12, 1981.—Letter is in response to the Safety Board's January 12, 1981, request for updated information on implementation of these recommendations, issued July 30, 1976, jointly to SEPTA and Amtrak following investigation of the Penn Central collision near Wilmington, Del., October 17, 1975 (41 FR 32795, August 5, 1976).

In compliance with recommendation R-76-32, SEPTA has equipped all Silverliner cars with speedometers. With respect to R-76-34, Conrail notes that the SEPTA/Conrail Operating Agreement, originally signed September 28, 1976, provides that Conrail shall have exclusive control of the management and operation of the contract service. SEPTA reviewed Conrail's "Rules for Conducting Transportation" and approved same for Conrail's operation of the SEPTA commuter service. SEPTA believes that Conrail's Rules provide for safety of employees and the public, for efficiency of operation, and the protection of property.

Note.—Copies of the Safety Board's recommendation letters, as well as responses and related correspondence, are provided free of charge. All requests for copies must be in writing, identified by recommendation number. Address requests to: Public Inquiries Section, National Transportation Safety Board, Washington, D.C. 20594.

(49 U.S.C. 1903(a)(2), 1906)

Margaret L. Fisher,

Federal Register Liaison Officer.

February 20, 1981.

[FR Doc. 81-6409 Filed 2-25-81; 8:45 am]

BILLING CODE 4910-58-M

[Docket No. SA-474]

Aviation Accident Investigation Hearing; Spokane, Washington

Notice is hereby given that the National Transportation Safety Board will convene an accident investigation hearing at 9:00 a.m. (local time), April 7, 1981, in the Ballroom of the Ramada Inn, Spokane International Airport, Spokane, Washington 99212. The public hearing will be held in connection with the Safety Board's investigation of an accident involving Cascade Airways, Inc., Beech 99A which occurred at Spokane, Washington, on January 20, 1981.

David F. Thomas,

Hearing Officer.

February 18, 1981.

[FR Doc. 81-6410 Filed 2-25-81; 8:45 am]

BILLING CODE 4910-58-M

OFFICE OF MANAGEMENT AND BUDGET

Agency Forms Under Review

February 23, 1981.

Background

When executive departments and agencies propose public use forms, reporting, or recordkeeping requirements, the Office of Management and Budget (OMB) reviews and acts on those requirements under the Federal Reports Act (44 USC, 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 (burden change), extensions (no change), or reinstatements. 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;

The Standard Industrial Classification (SIC) codes, referring to specific respondent groups that are affected;

Whether small businesses or organizations are affected;

A description of the Federal budget functional category that covers the information collection;

An estimate of the number of responses;

An estimate of the total number of hours needed to fill out the form;

An estimate of the cost to the Federal Government;

The number of forms in the request for approval;

The name and telephone number of the person or office responsible for OMB review; and

An abstract describing the need for and uses of the information collection.

Reporting of 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 interest 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 you 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—202-447-6201

Revisions

• Economics and Statistics Service
Sheep and Lamb Inquiries
Other—see SF83
Farms
Sheep producers
SIC: 021
Agricultural research and services, 41,250 responses, 6,446 hours; $299,000 Federal cost, 7 forms
Off. of Federal Statistical Policy & Standard, 202-673-7974

Provides data to estimate January 1 sheep and lambs inventory and value. Estimates also prepared of lamb crop, wool production and sheep and lambs on feed. Information used by sheep industry in decisions affecting production, marketing and policy.

• Economics and Statistics Service
Dry Bean, Pea, and Lentil Survey
Other—see SF83
Farms 3
Small Businesses or Organizations
Agricultural Research and Services, 7,500 responses, 1,451 hours, $120,000 Federal cost, 2 forms
Off. of Federal Statistical Policy & Standard, 202-673-7974

Provides data to estimate acreage, yield and production of dry beans, dry peas and lentil in major producing States. Estimates used by dry bean, dry pea and lentil industries in production and marketing decision.

DEPARTMENT OF COMMERCE

Agency Clearance Officer—Edward Michals—202-377-3627

New

• National Oceanic and Admospheric Administration
Fishermen's Gyaranty Fund
On occasion
Businesses or Other Institutions
Commercial Fishermen
SIC: 091
Small Businesses or Organizations
Other Advancement and Regulation of Commerce, 54 responses, 3,240 hours, $18,100 Federal cost, 1 form
William T. Adams, 202-395-4814

This program provides compensation to U.S. commercial fishermen seized by foreign governments under certain circumstances if a guaranty agreement is in effect.

Revisions

• Maritime Administration
Statement of shipbuilder or ship Operator in compliance with Section 807 of the Merchant Marine Act, 1936
MA-807-1 MA-807-2
On occasion
Individuals or Households/Businesses or Other Institutions Law Firm, shipowner, shipbuilders
SIC: Multiple
Water Transportation, 980 responses, 327 hours, $5,080 Federal cost, 2 forms
William T. Adams, 202-395-4814

The statement is mandatd by section 807 of the Merchant Marine Act, 1936, as amended, 46 U.S.C. 1225.

• Economic Development Administration
Data Collection Guides for an Assessment of EDA's
Metropolitan Capacity Building Demonstration Program
ED-453-Q-1, 453-1, 453-Q-2 453-Q-3, 453-Q-4
Nonrecurring
State or local governments businesses or other institutions
Staff of metrop. Planning organiza., S, etc.
SIC: 913 911 861 864
Area and regional development, 216 responses, 351 hours; $170,000 Federal cost, 4 forms
William T. Adams, 202-395-4814

The economic Development Administration funded 18 metropolitan planning organizations to demonstrate the potential roles regional planning and development institutions have in the formulation and implementation of regional economic development strategies. The study results will be used to evaluate the effectiveness of the demonstration program, and to aid further program development.

• Economic and Statistical Analysis
Transactions of U.S. Affiliate, expect an Unincorporated Bank, With Foreign Parent
BE 606
Quarterly
Businesses or other institutions
Fgn. owned us. corp & unincorp bus entprs except bank, etc.
SIC: All
Small businesses or ogranizations
Other advancement and regulation of commerce, 8,800 responses, 8,800 hours; $80,000 Federal cost, 1 FORM
Off. of Federal Statistical Policy and Standard, 202-673-7974

Secures data on current and capital account transactions between foreign persons and unincorporated non-bank U.S. business, enterprises in which they have an equity interest of 10 percent or more. Consists of data on earnings;

interest and fees and royalties paid; and outstanding equity position. Authorized by the International Investment Survey Act of 1976 (P.L. 94-472). Required for the preparaton of the balance of payment accounts of reinstatements.

• Bureau of the Census
Census Long Form—1980 Census of Population and Housing D-2
Nonrecurring
Individuals or households
Hsehlds in enumeration dist. that failed sample tolerance other advancement and regulation of commerce, 5,000 responses, 3,750 hours; $100,000 Federal cost, 1 form
Off. of Federal statistical Policy and Standard, 202-673-7974

It has been discovered that certain enumeration districts (ED) do not contain a sufficient number of sample, long form questionnaires. The data collected will be utilized to bring these ed's within sample tolerance and thereby improving the reliability of the sample information.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Agency Clearance Officer—Joseph Strnad—202-245-7488

New

• Office of Assistant Secretary for Health
Evaluation of High Risk Pregnancy Education Program
Nonrecurring
Individuals or households
Preg. women who rec. med.-funded prenatal care at Fed., etc.
Small businesses or organizations
Health, 336 reponses, 84 hours; $21,643 Federal cost, 3 forms
Gwendolyn Pla, 202-395-6800

In this study, health outcomes, knowledge, attitudes, and behavior of high-risk pregnant women, some of whom receive special counseling and some who do not, will be compared. Most data will be extracted from the medical and hospital records of the participating clinic, but some primary data, collected by interview, is needed.

• Health Care Financing Administration
Municipal Health Service Program Cost Report
• HCFA-255
Quarterly
Businesses or other institutions
Mun. Hlt. Clin. loc. in San Jose, Balt., St. Louis, Cinn. etc
SIC: 808
Health, 80 responses, 2,880 hours; $100 federal cost, 1 form
Richard Eisinger, 202-395-6880

This cost report is needed to monitor the payments to the MHSP clinics and to insure that only covered services are being paid for by medicare. This cost information will be used to report those services provided by the MHSP clinics.

Extensions (Burden Change)

• Health Care Financing Administration
Outpatient Physical Therapy Outpaient Speech Pathology Provider Cost Reports
HCFA-2808
Annually
Businesses or other institutions
All rehab agen, clin, and pub. hlt agen prov. outpat., etc
SIC: 808
Small business or organizations
Health, 419 responses, 13,827 hours; $221,100 Federal cost, 1 form
Richard Eisinger, 202-395-6880

The cost report will ensure proper payments by the fiscal intermediary to the provider for medicare covered services. The fiscal intermediary also uses the cost report in deciding whether to audit the records of the provider. In addition, the fiscal intermediary extracts data from the cost report for transmission to HCFA used for making projections.

DEPARTMENT OF JUSTICE

Agency Clearance Officer—Donald E. Larue—202-633-3526

Extensions (No Change)

• Federal Bureau of Investigation
Number of Full-time law enforcement employees as of October 31
4-73, 4-73A, 4-73B
Annually
State or local governments
All city, cty. and State law enforcement agencies in the United States
SIC: 992
Federal law enforcement activities, 15,000 responses, 7,500 hours; $50,000 Federal cost, 3 forms
Andy Uscher, 202-395-4814

Needed to determine the number of civilian and sworn law enforcement employees in the United States. Summary statistics are published annually in "Crime in the United States."

• Federal Bureau of Investigation
Law Enforcement Officers Killed or Assaulted
4-738
Monthly
State or local governments
City, cty, and State law enforcement agencies w/off. assaul, etc.
SIC: 922
Federal law enforcement activities, 114,000 responses, 22,800 hours; $13,000 Federal cost, 1 form
Andy Uscher, 202-395-4814

Needed to collect information re any local law enforcement officer assaulted or killed in the U.S. Summary Statistics published annually in "Crime in the United States."

DEPARTMENT OF TRANSPORTATION

Agency Clearance Officer—John Winsor—202-426-1887

New

• National Highway Traffic Safety Administration
49 CFR Part 551.45 Designation of Agent
Nonrecurring
Businesses or other institutions
Motor Veh. Mfgrs and Mtr Veh Equip Mfgr in Foreign Cos., etc.
SIC: 371
Ground transportation
50 responses, 25 hours, $500 Federal cost, 1 form
Corrinne Hayward, 202-395-7340

15 U.S.C. 1399(e) requires manufacturers offering motor vehicle or motor vehicle equipment for importation into the U.S. to designate in writing an agent upon whom service of process may be made.

• National Highway Traffic Safety Administration
49 CFR Part 576 Record Retention (Manufacturers of Motor Vehicles)
On occasion
Businesses or other institutions
Motor vehicles manufacturers
SIC: 371
Small businesses or organizations
Ground transportation, 1,000 responses, 200,000 hours, 1 form
Corrinne Hayward, 202-395-7340

Manufacturers retain complaints, reports, and other records of motor vehicle malfunctions that may be related in motor vehicle safety. Information used to investigate posmy safety defects and noncompliances.

• National Highway Traffic Safety Administration
49 CFR Part 566, Manufacturer ID
On occasion
Businesses or other institutions
Motor vehicle and equipment manufacturers
SIC: 371
Small businesses or organizations
Ground transportation, 1,000 responses, 250 hours, $1,000 Federal cost, 1 form
Corrinne Hayward, 202-395-7340

This regulation requires all vehicle manufacturers to submit basic identifying information to the agency to allow it to contact the manufacturer in the event of defect or noncompliance found in its vehicles.

• National Highway Traffic Safety Administration

Names and Addresses of Motor Vehicle Purchases (15 U.S.C. 1418(B))
Other—see SF83
Businesses or other institutions
Motor vehicle manufacturers
SIC: 371
Small businesses or organizations
Ground transportation, 15,000,000 responses, 1,000,000 hours, 1 form
Corrinne Hayward, 202-395-7340

15 U.S.C. 1418(B) requires vehicle manufacturers to record the name and address of each vehicle purchaser. The agency has no regulation in this area.

• National Highway Traffic Safety Administration
49 CFR Part 556, Petitions for Inconsequentiality
On occasion
Businesses or other institutions
Manufacturers of Motor vehicles and equipment
SIC: 371
Small businesses or organizations
Ground transportations, 15 responses, 30 hours, $10,000 Federal cost, 1 form
Corrinne Hayward, 202-395-7340

This regulation establishes procedures for petitioning the agency for an exemption from the notice and remedy requirements of the act due to an inconsequential defect or noncompliance.

• National Highway Traffic Safety Administration
49 CFR Part 552, Petitions for Rulemaking
On occasion
Indivduals or households/State or local governments
All indiv. or bus. and State or local governments
SIC: Multiple
Small businesses or organizations
Ground transportation, 100 responses, 100 hours, $50,000 Federal cost, 1 form
Corrinne Hayward, 202-395-7340

This regulation establishes procedures for filing petitions with the agency to commence rulemaking or to make a defect or noncompliance determination.

Revisions

• Federal Highway Administration
Driver's Log
MCS-59, 139, and 139A
Other—see SF83
Businesses or other institutions
Motor carrier and drivers operating in interstate commerce
SIC: 962
Ground transportation, 114,760,000 responses, 22,952,000 hours, 3 forms
Terry Grindstaff, 202-395-7340

Driver's log required by 49 U.S.C. 304 and 320 used by the Federal Highway Administration and carriers to determine compliance with maximum time limitations required by 49 CFR 395.3 and determine carriers' overall safety compliance status.

Reinstatements

• Federal Aviation Administration Aviation Maintenance Technician Schools—FAR 147 FAA 8310-6
On occasion
Businesses or Other Institutions
Aviation Maintenance Technican Schools
SIC: 824
Small Businesses or Organizations
Air Transportation, 11,044 responses; 66,539 hours; $80,000 Federal cost, 1 FORM
Corrinne Hayward, 202-395-7340

Federal Aviation Act of 1958, section 607 (49 USC 1427) authorizes certification of civilian aviation mechanic schools. 14 CFR 147 prescribes requirements for certification and operation of aviation mechanic schools. Information collected is used to determine applicant eligibility and compliance.

• Coast Guard
License and Renewal Application
CG-866
On occasion
Individuals or Households
Persnl Appl. for Orig., renew. or upgrad. of Mercht Mari Lic
Water Transportation, 26,000 responses; 26,000 hours; $327,730 Federal cost, 1 form
Terry Grindstaff, 202-395-7340

Application is used to determine an applicant's overall qualifications for an original license or certificate of registry as staff officer and to determine an applicant's overall qualifications for renewal of a license.

VETERANS ADMINISTRATION

Agency clearance Officer—R.C. Whitt—202-389-2146

Revisions

Application for Reinstatement (Non-Medical Health Statement)
29-353
On occasion
Individuals or Households
Insured
Income Security for Veterans, 2,000 responses; 500 hours; $7,043 Federal cost, 1 form
Robert Neal, 202-395-6880

The completed application is required by law, 38 C.F.R. 6.79 and 8.23. The information collected is used to process the insured's request to reinstate a lapsed insurance policy.

Transfer of (Scholastic) Credit (Schools)
FL-22-3L5
On occasion
State or Local Governments/Individuals or Households
Schools
SIC: 822
Veterans Education, Training, and Rehabilitation, 1,600 responses; 267 hours; $4,063 Federal Cost, 1 form
Robert Neal, 202-395-6880

As provided by 38 U.S.C. 1683 and 1714, no benefits based on concurrent enrollment can be paid unless information requested by this letter is received. Information obtained by this letter certifies that the student will recieve full credit for courses taken at another educational institution.

Notice of Past Due Payment (National Service Life Insurance)
29-389E
On occasion
Individuals or Households
Veterans Who Have NSLI (RH) Insurance Policies
Income Security for Veterans, 18,000 responses; 4,500 hours; $9,515 Federal cost, 1 form
Robert Neal, 202-395-6880

The completed form is required by law, 38 C.F.R. 6.79 and 8.23. the information collected is used to process the insured's request to reinstate his/her insurance contract.

Application for Exchange of Total Disability Income provision
29-467A
On Occasion
Individuals or Households
Insured Veterans
Income Security for Veterans, 500 responses; 125 hours; $2,248 Federal cost, 1 form
Robert Neal, 202-395-6880

The completed form is required by law, 38 U.S.C. 715 and 748. The information collected is used to process the insured's request to exhange or add the TDIP total disability income provision.

C. Louis Kincannon,
Assistant Administrator For Reports Management.

[FR Doc. 81-6494 Filed 2-25-81; 8:45 am]
BILLING CODE 3110-01-M

RAILROAD RETIREMENT BOARD

Determination of Quarterly Rate of Excise Tax for Railroad Retirement Supplemental Annuity Program

In accordance with directions in Section 3221(c) of the Railroad Retirement Tax Act (26 U.S.C. § 3221(c)), the Railroad Retirement Board has determined that the excise tax imposed

by such Section 3221(c) on every employer, with respect to having individuals in his employ, for each work-hour for which compensation is paid by such employer for services rendered to him during the quarter beginning April 1, 1981, shall be at the rate of 14½ cents.

In accordance with directions in Section 15(a) of the Railroad Retirement Act of 1974, the Railroad Retirement Board has determined that for the quarter beginning April 1, 1981, 20.6 percent of the taxes collected under Sections 3211(b) and 3221(c) of the Railroad Retirement Tax Act shall be credited to the Railroad Retirement Account and 79.4 percent of the taxes collected under such Sections 3211(b) and 3221(c) plus one hundred percent of the taxes collected under Section 3221(d) of the Railroad Retirement Tax Act shall be credited to the Railroad Retirement Supplemental Account.

Dated: February 13, 1981.

By Authority of the Board.

R. F. Butler,

Secretary of the Board.

[FR Doc. 81-6407 Filed 2-25-81; 8:45 am]

BILLING CODE 7905-01-M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-17536; File No. SR-OCC-81-1]

Self-Regulatory Organizations

In the matter of proposed rule change by the Options Clearing Corporation relating to the valuation of government securities deposited to meet clearing fund and margin obligations.

Comments requested on or before March 19, 1981.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1), notice is hereby given that on February 6, 1981, The Options Clearing Corporation filed with the Securities and Exchange Commission the proposed rule change as described in Items I, II, and III below, which items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

Item I. Statement of the Terms of Substance of the Proposed Rule Change

OCC's By-Laws and Rules are proposed to be amended to change the timing and method of the valuation of government securities deposited by OCC Clearing Members to meet clearing fund and margin obligations. Under the rule change, government securities would be valued at the bid (rather than the asked) price at such intervals as the Corporation may determine, but not less often than monthly.

Item II. Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The self-regulatory organization has prepared summaries, set forth in Sections (A), (B), and (C) below, of the most significant aspects of such statements.

(A) Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

Under OCC's current By-Laws and Rules, government securities which may be deposited to meet OCC clearing fund and margin requirements are to be valued by the Corporation on the basis of the quoted asked price supplied by the Federal Reserve Bank of New York on the last day of the preceding month or such later date as the Margin Committee shall designate. This practice is inconsistent with OCC's general policy of valuing margin and clearing fund deposits on a conservative basis and could result in giving more credit for those deposits than OCC is likely to receive if it is required to liquidate those deposits pursuant to Chapter XI of its Rules. In such circumstances, OCC is more likely to liquidate the securities at the bid price rather than the asked. For this reason, OCC's By-Laws and Rules are proposed to be amended to value the government securities at the bid price. The proposed rule change would also make it clear that OCC may value those deposits more frequently than once a month.

The proposed rule change is consistent with the requirements of Section 17A of the Securities Exchange Act of 1934. The rule change would strengthen OCC's requirements with respect to the clearing fund and margin deposits which secure OCC's performance on all option contracts, and in that respect relates to the protection of investors and the public interest.

(B) Statement on Burden on Competition

OCC does not believe that the proposed rule change would have any material impact on competition.

(C) Statement on Comments on the Proposed Rule Change Received From Members, Participants or Others

Comments were not and are not intended to be solicited with respect to the proposed rule change. No written comments have been received.

Item III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3) of the Securities Exchange Act of 1934 and subparagraph (e) of Securities Exchange Act Rule 19b-4. At any time within 60 days of the filing of such proposed rule change, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Securities Exchange Act of 1934.

Item IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Section, 1100 L Street NW., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number in the caption above and should be submitted on or before March 19, 1981.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

Dated: February 19, 1981.

George A. Fitzsimmons,

Secretary.

[FR Doc. 81-6428 Filed 2-25-81; 8:45 am]

BILLING CODE 8010-01-M

[File No. 500-1]

Black Hawk Resources Co.; Order of Suspension of Trading

February 20, 1981.

Securities Exchange Act of 1934, section 12(k).

It appearing to the Securities and Exchange Commission that Black Hawk Resources Company cannot presently provide for the transfer of its securities and does not have custody or control of its transfer records, the Commission is of the opinion that the public interest and the protection of investors require a summary suspension of trading in the securities of Black Hawk Resources Company.

On February 5, 1981 the Commission ordered a suspension of trading in the securities of Black Hawk which terminated at midnight February 14, 1981. At that time the Commission announced its concerns about recent unusual and unexplained market activity in the Securities of Black Hawk in view of the lack of adequate current information concerning the affairs of the company.

Therefore, it is ordered, pursuant to Section 12(k) of the Securities Exchange Act of 1934, that the suspension of trading of such securities will be effective at 9:30 a.m. on February 20, 1981, and terminate at midnight on March 1, 1981.

By the Commission.

George A. Fitzsimmons,

Secretary.

[FR Doc. 81-6430 Filed 2-25-81; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 11634 (812-4785)]

Fiduciary Money Market Trust; Application

February 19, 1981.

Notice of filing of application for an order of the Commission pursuant to Section 6(c) of the Investment Company Act of 1940 granting exemptions from the provisions of Section 2(a)(41) of the Act and Rules 2a-4 and 22c-1 thereunder.

Notice is hereby given that Fiduciary Money Market Trust ("Applicant"), 421 Seventh Avenue, Pittsburgh, Pennsylvania 15219, registered under the Investment Company Act of 1940 ("Act") as an open-end, diversified, management investment company, filed an application on December 19, 1980, and amendments thereto on January 12, 1981, and January 30, 1981, requesting an order of the Securities and Exchange Commission ("Commission") pursuant to Section 6(c) of the Act, exempting Applicant from the provisions of Section 2(a)(41) of the Act and Rules 2a-4 and 22c-1 under the Act to the extent necessary to permit Applicant to value its portfolio assets pursuant to the amortized cost method of valuing portfolio securities. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein which are summarized below.

Applicant states that it is a "money market" fund organized as a Massachusetts business trust and that Cash Management Research Corporation, a wholly-owned subsidiary of Federated Investors, Inc., serves as Investment Adviser to Applicant. Applicant further states that it is designed as an investment vehicle for investors with temporary cash balances or cash reserves seeking stability of principal and current income consistent with stability of principal and that its portfolio may be invested in a variety of money market instruments. The Applicant's portfolio may include U.S. Government obligations, certificates of deposit, prime commercial paper, repurchase agreements and instruments secured by such obligations. The obligations that Applicant may purchase include both fixed rate and variable rate securities. Variable rate obligations have a yield which is adjusted periodically based upon changes in the level of prevailing interest rates. As a result, the value of variable rate notes is less affected by changes in interest rates. All variable rate notes will be restricted to short-term, high quality obligations. With respect to variable rate certificates of deposit maturing in 180 days or less from the time of purchase with interest rates adjusted on a monthly cycle, the Applicant may use the period remaining until the next rate adjustment date for purposes of determining the Applicant's average weighted portfolio maturity. Until such time as the Commission has determined otherwise, the Applicant will use the remaining period to maturity of all other variable rate notes for purposes of determining the Applicant's average weighted portfolio maturity.

According to the application, the Applicant does not invest in instruments issued by banks or savings and loan associations unless: (a) at the time of investment they have capital, surplus and undivided profits in excess of $100,000,000 at the date of their most recently published financial statements; or (b) the principal amount of the instrument is insured in full by the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation. The application states that the investments in commercial paper are limited to commercial paper rated A-1 by Standard & Poor's Corporation, Prime-1 by Moody's Investors Service of F-1 by Fitch Investors Service.

The order requested herein would exempt Applicant from the provisions of Section 2(a)(41) of the Act and Rules 2a-4 and 22c-1 thereunder. Section 2(a)(41) of the Act defines value to mean: (1) with respect to securities for which market quotations are readily available, the market value of such securities and, (2) with respect to other securities and assets, fair value as determined in good faith by the investment company's board of directors.

Rule 22c-1 provides, in part, that no registered investment company, or and no principal underwriter or dealer therefor issuing any redeemable security shall sell, redeem or repurchase any such security except at a price based on the current net asset value of such security which is next computed after receipt of a tender of such security for redemption or of an order to purchase or sell such security.

Rule 2a-4 provides, as here relevant, that the current net asset value of a redeemable security issued by a registered investment company used in computing its price for the purposes of distribution, redemption, and repurchase shall be an amount which reflects calculations, whether or not recorded in the books of account, made substantially in accordance with the provisions of that rule, with estimates used where necessary or appropriate. Rule 2a-4 further states that portfolio securities with respect to which market quotations are readily available shall be valued at current market value, and other securities and assets shall be valued at fair value as determined in good faith by the board of directors of the registered investment company. Prior to the filing of this application, the Commission expressed its view that, *inter alia:* (1) Rule 2a-4 under the Act requires that portfolio instruments of "money market" funds be valued with reference to market factors, and (2) it would be inconsistent generally with the provisions of Rule 2a-4 for a "money market" fund to value its portfolio instruments on an amortized cost basis (Investment Company Act Release No. 9786, May 1, 1977).

Section 6(c) of the Act provides, in part, that upon application the

Commission may conditionally or unconditionally exempt any person, security, or transaction, or any class or classes of persons, securities, or transactions, from any provision or provisions of the Act or 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.

In support of its request for exemptive relief Applicant states that investors are not concerned with the theoretical difference which might occur between yield achieved through pricing to some sort of "market" and yield computed by using the amortized cost valuation method. Applicant states that by valuing its portfolio of high quality instruments of short-term maturities at amortized cost, it would be able to achieve the two qualities which investors in a money market fund seek: (1) continuity of stability of principal and (2) steady flow of predictable and competitive investment income. Applicant states that by declaring income daily as earned and valuing its portfolio assets by the amortized cost method, investors would achieve a steady income flow and avoid the volatility which might result from valuing its assets based on market prices.

Applicant represents that it has found through experience that investment in a portfolio of high quality money market instruments of short-term maturities will enable it to provide the required stability to investors. Applicant states that maintaining an average portfolio maturity of 120 days accomplishes both aforementioned investor aims because such a portfolio obviates the possibility of significant volatility in the value of portfolio instruments as effectively as does an average maturity of shorter duration, and such a portfolio provides a yield on portfolio instruments commensurate with yields available in the general money market which would not be otherwise available with a portfolio having an average maturity of shorter duration.

Applicant further states that its request for exemptions is based on its existing and proposed investment policies, which have been adopted by the board of trustees and authorized executive committees and are described in its application and prospectus. Applicant represents that its board of trustees has determined in good faith that use of the amortized cost valuation method to value Applicant's portfolio instruments is appropriate in the public interest, and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Applicant has agreed that the following conditions may be imposed in any order of the Commission granting the exemptive relief requested:

1. In supervising Applicant's operations and delegating special responsibilities involving portfolio management to Applicant's investment adviser, Applicant's board of trustees undertakes—as a particular responsibility within the overall duty of care owed to its shareholders—to establish procedures reasonably designed, taking into account current market conditions and Applicant's investment objectives, to stabilize Applicant's net asset value per share, as computed for the purpose of distribution, redemption and repurchase, at $1.00 per share.

2. Included within the procedures to be adopted by the board of trustees shall be the following duties and responsibilities:

(a) Review by the board of trustees, as it deems appropriate and at such intervals as are reasonable in light of current market conditions, to determine the extent of deviation, if any, of the net asset value per share as determined by using available market quotations from Applicant's $1.00 amortized cost price per share, and the maintenance of records of such review.[1]

(b) In the event such deviation from Applicant's $1.00 amortized cost price per share exceeds ½ of 1 percent, a requirement that the board of trustees will promptly consider what action, if any, should be initiated by it.

(c) Where the board of trustees believes that the extent of any deviation from Applicant's $1.00 amortized cost price per share may result in material dilution or other unfair results to investors or existing shareholders, it shall take such action as it deems appropriate to eliminate or to reduce to the extent reasonably practicable such dilution or unfair results, which may include: redeeming shares in kind; selling portfolio instruments prior to maturity to realize capital gains or losses, or to shorten Applicant's average portfolio maturity; withholding dividends; or utilizing a net asset value per share as determined by using available market quotations.

3. Applicant will maintain a dollar-weighted average portfolio maturity appropriate to its objective of maintaining a stable net asset value per share; provided, however, that Applicant will neither (a) purchase any instrument with a remaining maturity of greater than one year, nor (b) maintain a dollar-weighted average portfolio maturity which exceeds 120 days.[2]

4. Applicant will record, maintain, and preserve permanently in an easily accessible place a written copy of the procedures (and any modifications thereto) described in condition 1 above, and Applicant will record, maintain and preserve for a period of not less than six years (the first two years in an easily accessible place) a written record of the board of trustees' considerations and actions taken in connection with the discharge of its responsibilities, as set forth above, to be included in the minutes of the board of trustees' meetings. The documents preserved pursuant to this condition shall be subject to inspection by the Commission in accordance with Section 31(b) of the Act, as if such documents were records required to be maintained pursuant to rules adopted under Section 31(a) of the Act.

5. Applicant will limit its portfolio investments, including repurchase agreements, to those United States dollar-denominated instruments which the board of trustees determines present minimal credit risks, and which are of high quality as determined by any major rating service or, in the case of any instrument that is not rated, of comparable quality as determined by the board of trustees.

6. Applicant will include in each of its quarterly reports, as an attachment to Form N-1Q, a statement as to whether any action pursuant to condition 2(c) above as taken during the preceding fiscal quarter and, if any such action was taken, will describe the nature and circumstances of such action.

Notice is further given that any interested person may, not later than March 16, 1981, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the application accompanied by a statement as to the nature of his interest, the reasons for such request, and the issues, if any, of fact or law proposed to be controverted,

[1] To fulfill this condition, Applicant states that it intends to use actual quotations or estimates of market value reflecting current market conditions chosen by its board of trustees in the exercise of its discretion to be appropriate indicators of value, which may include among others, (i) quotations or estimates of market value for individual portfolio instruments, or (ii) values obtained from yield data relating to classes of money market instruments published by reputable sources.

[2] In fulfilling this condition, if the disposition of a portfolio security results in a dollar-weighted average portfolio maturity in excess of 120 days, Applicant will invest its available cash in such a manner as to reduce the dollar-weighted average portfolio maturity to 120 days or less as soon as reasonably practicable.

or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail upon Applicant at the address stated above. Proof of such service (by affidavit or, in the case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0-5 of the Rules and Regulations promulgated under the Act, an order disposing of the application herein 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. 81-6431 Filed 2-25-81; 8:45 am]

BILLING CODE 8010-01-M

Midwest Stock Exchange, Inc.; Application for Unlisted Trading Privileges and of Opportunity for Hearing

February 19, 1981.

The above named national securities exchange has filed an application with the Securities and Exchange Commission pursuant to Section 12(f)(1)(B) of the Securities and Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the common stock of:

Seagull Pipeline Corp.

Common Stock, $.10 Par Value (File No. 7-5864)

This security is listed and registered on one or more other national securities exchanges and is reported on the consolidated transaction reporting system.

Interested persons are invited to submit on or before March 12, 1981 written data, views and arguments concerning the above-referenced application. Persons desiring to make written comments should file three copies thereof with the Secretary of the Securities and Exchange Commission, Washington, D.C. 20549. Following this opportunity for hearing, the Commission will approve the application if it finds, based upon all the information available to it, that the extension of unlisted trading privileges pursuant to such application is consistent with the maintenance of fair and orderly markets and the protection of investors.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 81-6432 Filed 2-25-81; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 11637 (812-4808)]

Nuveen Tax-Exempt Money Market Fund, Inc.; Application

February 19, 1981.

Notice of filing of application for an order of the Commission pursuant to section 6(c) of the Investment Company Act of 1940 granting exemptions from the provisions of Section 2(a)(41) of the Act and Rules 2a-4 and 22c-1 thereunder.

Notice is hereby given that Nuveen Tax-Exempt Money Market Fund, Inc., a Maryland corporation ("Applicant"), 115 South LaSalle Street, Chicago, Illinois 60603, filed an application on January 6, 1981, and an amendment thereto on Feburary 2, 1981, for an order of the Securities and Exchange Commission ("Commission") pursuant to Section 6(c) of the Investment Company Act of 1940 (the "Act") exempting Applicant from the provisions of Section 2(a)(41) of the Act and Rules 2a-4 and 22c-1 thereunder to the extent necessary to permit Applicant to compute its net asset value per share using the amortized cost method of valuing portfolio securities. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

Applicant was incorporated on November 19, 1980, and has registered with the Commission under Section 8(a) of the Act as an open-end, diversified management investment company. On January 9, 1981, Applicant filed its Form N-1 Registration Statement under the Act and under the Securities Act of 1933 registering its shares of common stock, par value $.01 per share, for public distribution. This Registration Statement has not yet been declared effective and the Applicant has not commenced distribution of its shares. Applicant states that it is a tax-exempt "money market" fund offering to banks and other institutional investors, as well as substantial individual investors, a convenient and economic means of investment in a professionally managed portfolio of municipal obligations with the objective of obtaining as high a level of current interest income that is exempt from federal income tax as is consistent with stability of principal and maintenance of liquidity. Nuveen Advisory Corp. ("Adviser"), a wholly-owned subsidiary of John Nuveen & Co. Incorporated, will act as investment adviser to Applicant pursuant to an Investment Management Agreement. Nuveen Advisory Corp. is investment adviser to the Nuveen Municipal Bond Fund, Inc. and is registered with the Commission under the Investment Advisers Act of 1940. Applicant's shares will be sold without a sales charge.

The Applicant states that all of its assets will consists of (1) municipal obligations which are rated at the time of purchase within the two highest grades by Moody's Investors Service, Inc. ("Moody's")—Aaa or Aa—, or by Standard & Poor's Corporation, Inc. ("S&P")—AAA or AA—, or in the case of municipal notes rated MIG 1 by Moody's or A-1 by S&P, or F-1 by Fitch's Investors Service ("Fitch's"); (2) unrated municipal obligations which, as determined by the Adviser in accordance with standards established by the board of directors to ensure that such securities are deemed "high quality", have credit characteristics equivalent to obligations rated Aa or MIG 1 by Moody's or AA or A-1 by S&P, or F-1 by Fitch's; (3) obligations exempt from federal income tax which at the time of purchase are backed by the full faith and credit of the U.S. Government as to payment of principal and interest; (4) certain temporary investments; and (5) cash. Except to the extent that Applicant is invested in temporary investments for defensive purposes Applicant states that it will, at all times, invest at least 80% of its assets in obligations exempt from federal income tax. Applicant further states that all of its investment will mature in less than one year, and the dollar-weighted averaged maturity of its portfolio will not exceed 120 days. Applicant represents that it has authority to purchase securities at a price which would result in a yield to maturity lower than that generally offered by the seller at the time of purchase when it can acquire at the same time the right to sell the securities back to the seller at an agreed upon price at any time during a stated period or on a specified date. Such a right is generally denoted as a "put." Applicant states that it does not currently intend to enter into such transactions but reserves the right to do so in the future. Applicant represents

that such transactions will not be entered into unless the board of directors has approved the proposed terms of such transactions and such terms are specified in a subsequent prospectus that has been declared effective by the Securities and Exchange Commission. Applicant states that it will also purchase short-term high quality municipal obligations on a "when issued" or delayed delivery basis. Applicant represents that such securities will be carried and treated on Applicant's books and will be valued in accordance with all the conditions set forth in Investment Company Act Release No. 10666, dated April 18, 1979.

Applicant seeks an order of the Commission pursuant to Section 6(c) of the Act exempting it from the provisions of Section 2(a)(41) of the Act and Rules 2a-4 and 22c-1 thereunder to the extent necessary to permit Applicant's assets to be valued according to the amortized cost valuation method. Under the amortized cost valuation method, portfolio instruments are valued at their cost as of the date of acquisition and thereafter assuming a constant rate of amortization to maturity of any discount or premium, regardless of the impact of fluctuating interest rates on the market value of such instruments.

As here pertinent, Section 2(a)(41) of the Act defines value to mean: (1) with respect to securities for which market quotations are readily available, the market value of such securities, and (2) with respect to other securities and assets, fair value as determined in good faith by the board of directors. Rule 22c-1 adopted under the Act provides, in part, that no registered investment company or principal underwriter therefor issuing any redeemable security shall sell, redeem or repurchase any such security except at a price based on the current net asset value of such security which is next computed after receipt of a tender of such security for redemption or of an order to purchase or sell such security.

Rule 2a-4 adopted under the Act provides, as here relevant, that the "current net asset value" of a redeemable security issued by a registered investment company used in computing its price for the purposes of distribution, redemption and repurchase shall be an amount which reflects calculations made substantially in accordance with the provisions of that rule, with estimates used where necessary or appropriate. Rule 2a-4 further states that portfolio securities with respect to which market quotations are readily available shall be valued at current market value, and other securities and assets shall be valued at fair value as determined in good faith by the board of directors of the investment company. Prior to the filing of the application, the Commission expressed its view that, among other things, (1) Rule 2a-4 under the Act requires that portfolio instruments of "money market" funds be valued with reference to market factors, and (2) it would be inconsistent, generally, with the provisions of Rule 2a-4 for a "money market" fund to value its portfolio instruments on an amortized cost basis (Investment Company Act Release No. 9786, May 31, 1977).

Section 6(c) of the Act provides, in pertinent part, that the Commission, by order upon application, may conditionally or unconditionally exempt any person, security or transaction, or any class or classes of persons, securities or transactions, from any provision or provisions of the Act or of any rule or regulation thereunder, if and to the extent that such exemption is necessary of appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Applicant states that it wishes to attract sophisticated bank and other institutional investors, as well as substantial and sophisticated individual investors; many of these investors require an investment company with a portfolio of short-term municipal obligations and which maintains a constant net asset value per share and pays dividends that do not fluctuate due to daily changes in the values of its portfolio securities. Applicant believes that in order to attract such investors and retain them as shareholders, it must have a stable net asset value, preferably $1.00 per share, and a steady flow of investment income.

Applicant believes that the valuation of the investment securities in its portfolio on the amortized cost basis will benefit its shareholders by enabling it to maintain a $1.00 price per share while providing shareholders with the opportunity to receive a flow of investment income less subject to fluctuation than under procedures whereby its daily dividend would be adjusted by all realized and unrealized gains and losses on its portfolio securities. Applicant's board of directors has determined that the amortized cost method of calculating its net asset value per share under such circumstances is appropriate and in the best interest of shareholders.

As a condition to the granting of the exemption requested herein, Applicant agrees that the following may be made conditions of the order:

1. In supervising the operations of Applicant and delegating special responsibilities involving portfolio management to Applicant's investment adviser, Applicant's board of directors undertakes—as a particular responsibility within its overall duty of care owed to Applicant's shareholders—to establish procedures reasonably designed, taking into account current market conditions and the Applicant's investment objectives, to stabilize the Applicant's net asset value per share, as computed for the purpose of distribution, redemption and repurchase at $1.00 per share.

2. Included within the procedures to be adopted by the board of directors shall be the following:

(a) Review by the board of directors, as it deems appropriate and at such intervals as are reasonable in light of current market conditions, to determine the extent of deviation, if any, of the net asset value per share as determined by using available market quotations from Applicant's $1.00 amortized cost price per share, and maintenance of records of such review.[1]

(b) In the event such deviation from Applicant's $1.00 amortized cost price per share exceeds ½ of 1 percent, a requirement that the board of directors will promptly consider what action, if any, should be initiated.

(c) Where the board of directors believes that the extent of any deviation from Applicant's $1.00 amortized cost price per share may result in material dilution or other unfair results to investors or existing shareholders, it shall take such action as it deems appropriate to eliminate or to reduce to the extent reasonably practicable such dilution or unfair results, which may include: redeeming shares in kind; selling portfolio instruments prior to maturity to realize captial gains or losses, or to shorten Applicant's average portfolio maturity; withholding dividends; or utilizing a net asset value per share as determined by using available market quotations.

3. Applicant will maintain a dollar-weighted average portfolio maturity appropriate to its objective of maintaining a stable net asset value per share; provided, however, that

[1] To fulfill this condition, Applicant states that it intends to use actual quotations or estimates of market value reflecting current market conditions chosen by its board of directors in the exercise of its discretion to be appropriate indicators of value, which may include among others, (i) quotations or estimates of market value for individual portfolio instruments, or (ii) values obtained from yield data relating to classes of money market instruments published by reputable sources.

Applicant will not (a) purchase any instrument with a remaining maturity of greater than one year, or (b) maintain a dollar-weighted average portfolio maturity which exceeds 120 days.[8]

4. Applicant will record, maintain and preserve permanently in an easily accessible place a written copy of the procedures (and any modifications thereto) described in condition 1 above, and Applicant will record, maintain and preserve for a period of not less than six years (the first two years in an easily accessible place) a written record of the board of directors' considerations and actions taken in connection with the discharge of its responsibilities, as set forth above, to be included in the minutes of the board of directors' meetings. The documents preserved pursuant to this condition shall be subject to inspection by the Commission in accordance with Section 31(b) of the Act as though such documents were records required to be maintained pursuant to rules adopted under Section 31(a) of the Act.

5. The Applicant will limit its portfolio investments, including repurchase agreements, if any, to those U.S. dollar-denominated instruments which the board of directors determines present minimal credit risks, and which are of high quality as determined by any major rating service, or, in the case of any instrument that is not rated, of comparable quality as determined by the board of directors.

6. Applicant will include in each quarterly report, as an attachment to Form N-1Q, a statement as to whether any action pursuant to condition 2(c) was taken during the preceding fiscal quarter, and, if any action was taken, will describe the nature and circumstances of such action.

Applicant respectfully requests an order of the Commission exempting it from the provisions of Section 2(a)(41) of the Act and Rules 2a-4 and 22c-1 thereunder to the extent necessary to permit Applicant to value its portfolio securities using the amortized cost method of valuation. Applicant submits that such order is appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than March 16, 1981, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the application accompained by a statement as to the nature of his interest, the reasons for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail upon Applicant at the address stated above. Proof of such service (by affidavit or, in the case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0-5 of the Rules and Regulations promulgated under the Act, an order disposing of the application herein 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. 81-6433 Filed 2-25-81; 8:45 am]

BILLING CODE 8010-01-M

[8] In fulfilling this condition, if the disposition of a portfolio instrument results in a dollar-weighted average portfolio maturity in excess of 120 days, Applicant will invest its available cash in such a manner as to reduce the dollar-weighted average portfolio maturity to 120 days or less as soon as reasonably practicable.

[Release No. 11636 (812-4812)]

The Texas Money Fund, Inc.; application

February 19, 1981.

Notice of filing of application for an order of the Commission pursuant to Section 6(c) of the Investment Company Act of 1940 granting exemptions from the provisions of Section 2(a)(41) of the Act and Rules 2a-4 and 22c-1 thereunder.

Notice is hereby given that The Texas Money Fund, Inc. ("Applicant"), 6350 L.B.J. Freeway, Suite 133, Dallas, Texas, 74240, registered under the Investment Company Act of 1940 ("Act") as an open-end, diversified, management investment company, filed an application on January 30, 1981, requesting an order of the Securities and Exchange Commission ("Commission") pursuant to Section 6(c) of the Act, exempting Applicant from the provisions of Section 2(a)(41) of the Act and Rules 2a-4 and 22c-1 under the Act to the extent necessary to permit Applicant to value its portfolio assets pursuant to the amortized cost method of valuing portfolio securities. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein which are summarized below.

Applicant was organized under the laws of the State of Texas on April 2, 1980. A Notification of Registration under the Act and a Registration Statement under the Act and the Securities Act of 1933 were filed with the Commission on November 4, 1980. the Applicant's Registration Statement has not yet become effective. The Applicant's investment objective is to achieve the highest level of current income consistent with safety and stability of capital through investments in money market instruments maturing in twelve months or less. Such instruments include securities issued or guaranteed by the United States, its agencies and instrumentalities, bank certificates of deposit, letters of credit, bankers' acceptances, commercial paper obligations rated A-1 by Standard & Poor's Corporation or Prime-1 by Moody's Investors Service and repurchase agreements and reverse repurchase agreements with respect to such securities. According to the application, all of the Applicant's assets are invested in high quality money market instruments maturing in less than one year, and the dollar weighted average portfolio maturity of its portfolio may not exceed 120 day. CMC Funding, Ltd., registered under the Investment Advisers Act of 1940, will serve as investment adviser to Applicant. As here pertinent, Section 2(a)(41) of the Act defines value to mean: (1) with respect to securities for which market quotations are readily available, the market value of such securities, and (2) with respect to other securities and assets, fair value as determined in good faith by the board of directors. Rule 22c-1 adopted under the Act provides, in part, that no registered investment company or principal underwriter therefor issuing any redeemable security shall sell, redeem, or repurchase any such security except at a price based on the current net asset value of such security which is next computed after receipt of a tender of such security for redemption or of an order to purchase or sell such security. rule 2a-4 adopted under the Act provides, as here relevant, that the "current net asset value" of a redeemable security issued by a registered investment company used in computing its price for the purposes of

distribution, repurchase and redemption shall be an amount which reflects calculations made substantially in accordance with the provisions of that rule, with estimates used where necessary or appropriate. Rule 2a-4 further states that portfolio securities with respect to which market quotations are readily available shall be valued at current market value, and that other securities and assets shall be valued at fair value as determined in good faith by the board of directors of the registered company. Prior to the filing of the application, the Commission expressed its view that, among other things: (1) rule 2a-4 under the Act requires that portfolio instruments of "money market" funds be valued with reference to market factors, and (2) it would be inconsistent, generally, with the provisions of Rule 2a-4 for a "money market" fund to value its portfolio instruments on an amortized cost basis (Investment Company Act Release No. 9786, May 31, 1977).

Section 6(c) of the Act provides, in part, that the Commission, by order upon application, may conditionally or unconditionally exempt any person, security or transaction, or any class or classes of persons, securities or transactions, from any provision or provisions of the Act or of the rules or regulations thereunder, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Applicant hereby requests an exemption from the provisions of Section 2(a)(41) of the Act and Rules 2a-4 and 22c-1 thereunder to the extent necessary to permit it to value its portfolio by means of the amortized cost method of valuation (i.e., valuing securities at cost, adjusted for amortization of premium or accretion of discount).

In support of the relief requested, Applicant states that many sophisticated individual and institutional investors require an investment vehicle that has a stable capital value and a constant and steady flow of investment income. The Applicant believes that, in order to attract such investors and retain them as shareholders, it must have a stable net asset value per share and must be able to pay dividends that do not fluctuate as a consequence of changes in the values of its portfolio securities.

By investing in high quality, short term municipal obligations and valuing such securities on the basis of their amortized cost, Applicant maintains that it will benefit such investors by providing an investment vehicle less subject to fluctuation than under alternative procedures whereby its daily dividend would be adjusted by all realized and unrealized gains and losses on its portfolio securities. Management of Applicant believes that, with respect to a portfolio of municipal obligations with a dollar-weighted average maturity of 120 days or less, the discrepancy between market value and amortized cost is negligible. Furthermore, applicant states that a number of money market funds with which it will be in competition now value their securities portfolio using amortized cost.

Applicant's board of directors has determined in good faith that in light of the characteristics of its securities portfolio as described above, absent unusual or extraordinary circumstances, the amortized cost method of calculating the new asset value per share of Applicant is appropriate and in the best interests of its shareholders and reflects fair value of such securities.

As a condition to the granting of the exemption requested herein, Applicant agrees that the following may be made conditions of the order:

1. In supervising Applicant's operations and delegating special responsibilities involving portfolio management to Applicant's investment adviser, Applicant's board of directors undertakes—as a particular responsibility within its overall duty of care owed to Applicant's shareholders—to establish procedures reasonably designed, taking into account current market conditions and Applicant's investment objectives, to stablize Applicant's net asset value per share, as computed for the purpose of distribution, redemption and repurchase at $1.00 per share.

2. Included within the procedures to be adopted by the board of directors shall be the following:

(a) Review by the board of directors, as it deems appropriate and at such intervals as are reasonable in light of current market conditions, to determine the extent of deviation, if any, of the net asset value per share as determined by using available market quotations from Applicant's $1.00 amortized cost price per share, and maintenance of records of such review. To fulfill this condition, Applicant will use actual quotations or estimates or market value which reflect current market conditions chosen by its board of directors in the exercise of its discretion to be appropriate indicators of value. The quotations or estimates utilized may include, *inter alia*, (1) quotations or estimates of market value for individual portfolio instruments, or (2) values obtained from yield data relating to classes of municipal securities furnished by reputable sources.

(b) In the event such deviation from the $1.00 amortized cost price per share exceeds ½ of 1%, the board of directors will promptly consider what action, if any, should be initiated.

(c) Where the board of directors believes the extent of any deviation from Applicant $1.00 amortized cost price per share may result in material dilution or other unfair results to investors or existing shareholders, it shall take such action as it deems appropriate to eliminate or to reduce to the extent reasonably practicable such dilution or unfair results, which action may include: redemption of shares in kind; the sale of portfolio securities prior to maturity to realize capital gains or losses, or to shorten Applicant's average portfolio maturity, withholding dividends; or utilizing a net asset value per share as determined by using available market quotations.

3. Applicant will maintain a dollar-weighted average portfolio maturity appropriate to its objective of maintaining a stable net asset value per share, provided, however, that Applicant will not (a) purchase any instrument with a remaining maturity at the date of acquisition of greater than one year, or (b) maintain a dollar-weighted average portfolio maturity in excess of 120 days. In fulfilling this condition, if the disposition of a portfolio instrument results in a dollar-weighted average portfolio maturity in excess of 120 days, Applicant will invest its available cash in such a manner as to reduce its dollar-weighted average portfolio maturity to 120 days or less as soon as reasonably practicable.

4. Applicant will record, maintain and preserve permanently in an easily accessible place a written copy of the procedures (and any modifications thereto) described in condition 1 above, and Applicant will record, maintain and preserve for a period of not less than six years (the first two years in an easily accessible place) a written record of the board of directors' considerations and actions taken in connection with the discharge of its responsibilities, as set forth above, to be included in the minutes of the board of directors' meetings. The documents preserved pursuant to this condition shall be subject to inspection by the Commission in accordance with Section 31(b) of the Act as though such documents were records required to be maintained pursuant to rules adopted under Section 31(a) of the Act.

5. Applicant will limit its portfolio investments, including repurchase agreements, if any, to those U.S. dollar-denominated instruments which the board of directors determines present minimal credit risks, and which are of high quality as determined by any major rating service, or, in the case of any instrument that is not rated, of comparable quality as determined by the board of directors.

6. Applicant will include in each quarterly report, as an attachment to Form N-1Q, a statement as to whether any action pursuant to condition 2(c) was taken during the preceding fiscal quarter, and, if any action was taken, will describe the nature and circumstances of such action.

Applicant respectfully requests an order of the Commission exempting it from the provisions of Section 2(a)(41) of the Act and Rules 2a-4 and 22c-1 thereunder to the extent necessary to permit it to value its portfolio securities using the amortized cost method of valuation. Applicant submits that such order is appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than March 16, 1981, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the application accompanied by a statement as to the nature of his interest, the reasons for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail upon Applicant at the address stated above. Proof of such service (by affidavit or, in the case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0-5 of the Rules and Regulations promulated under the Act, an order disposing of the application herein 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. 81-6434 Filed 2-25-81; 8:45 am]

BILLING CODE 8010-01-M

Self-Regulatory Organizations

The Securities and Exchange Commission announced today that it has responded to the issues remanded by the United States Court of Appeals for the District of Columbia Circuit in *Bradford National Clearing Corporation v. Securities and Exchange Commission*, 590 F.2d 1085 (D.C. Cir. 1978). The Commission has affirmed the use by the National Securities Clearing Corporation (NSCC) of the pricing policy known as geographic price mutualization and has affirmed NSCC's selection of the Securities Industry Automation Corporation as its facilities manager without the use of competitive bidding. The order, Release No. 34-17562, will appear in the *SEC Docket*, Volume 22, Number 1.

George A. Fitzsimmons,

Secretary.

February 20, 1981.

[FR Doc. 81-6429 Filed 2-25-81; 8:45 am]

BILLING CODE 8010-01-M

SMALL BUSINESS ADMINISTRATION

[License No. 02/02-5323]

Situation Ventures Corp.; Filing of Application for Transfer of Control of a Licensed Small Business Investment Company

Notice is hereby given that an application has been filed with the Small Business Administration (SBA) pursuant to § 107.701 of the Regulations governing small business investment companies (13 CFR 107.701 (1980)), to transfer control of Situation Ventures Corporation, 67 Taaffee Place, Brooklyn, New York 11205, a Federal Licensee under the Small Business Act of 1958, as amended (Act).

Situation Ventures Corporation was licensed on February 16, 1977, and has private capital of $500,000. The proposed transfer of control will result from Alle Processing Corp. purchasing 820 shares of the Licensee's common stock at $610 per share increasing the Licensee's capitalization to $1,018,500.

The proposed officers, directors and stockholders will be:

Sam Hollander, 1615-51st Street, Brooklyn, New York 11204, President and Director—19

Herman Lebovitz, 1614-51st Street, Brooklyn, New York 11204, Secretary, Treasurer and Director—9

Moses Hollander, 1663-49th Street, Brooklyn, New York 11204, Vice-President and Director—21

Max Berg, 1569-50th Street, Brooklyn, New York 11219, Director—6

*Mendal Weinstock, 5401-15th Avenue, Brooklyn, New York 11219, Director and 33% Stockholder of Alle Processing Corp.

*Alle Processing Corp., 502 Flushing Avenue, Brooklyn, New York 11205—45

*Albert Weinstock, 5401-15th Avenue, Brooklyn, New York 11219, President and 33% Stockholder of Alle Processing Corp.

Matters involved in SBA's consideration of the application include the general business reputation and character of the proposed new owners, and the probability of successful operation of Beacon under their management, including adequate profitability and financial soundness, in accordance with the Act and the SBA Rules and Regulations.

Any person may, on or before March 13, 1981, submit to SBA written comments on the proposed transfer of control. Any such communications should be addressed to the Associate Administrator for Investment, Small Business Administration, 1441 "L" Street NW., Washington, D.C. 20416.

A copy of this Notice shall be published in newspapers of general circulation in Brooklyn, New York.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies)

Dated: February 19, 1981.

Peter F. McNeish,

Acting Associate Administrator for Investment.

[FR Doc. 81-6475 Filed 2-25-81; 8:45 am]

BILLING CODE 8025-01-M

[Declaration of Disaster Loan Area No. 1974]

Maine; Declaration of Disaster Loan Area

Oxford County and adjacent counties within the State of Maine constitute a disaster area as a result of damage caused by wind storm which occurred on December 3-4, 1980. Eligible persons, firms and organizations may file applications for loans for physical damage until the close of business on April 13, 1981, and for economic injury until the close of business on November 12, 1981, at: Small Business Administration, District Office, 40 Western Avenue, Augusta, Maine 04330, or other locally announced locations.

(Catalog of Federal Domestic Assistance Program Nos. 59002 and 59008)

*Owners of Alle Processing Corp.

Dated: February 12, 1981.

Roger H. Jones,

Acting Administrator.

[FR Doc. 81-6476 Filed 2-25-81; 8:45 am]

BILLING CODE 8025-01-M

Region II Advisory Council; Public Meeting

The U.S. Small Business Administration Region II Advisory Council, located in the geographical area of Newark, New Jersey, will hold a public meeting at 9:30 a.m., on Tuesday, March 24, 1981, at the Ramada Inn, 36 Valley Road, Clark, New Jersey 07066, to discuss such business as may be presented by members, the staff of the U.S. Small Business Administration, and others attending.

For further information, write or call Andrew P. Lynch, District Director, U.S. Small Business Administration, 970 Broad Street, Newark, New Jersey 07102 (201) 645-3580.

Dated: February 20, 1981.

Robert P. O'Malley,

Executive Director, Office of Advisory Councils.

[FR Doc. 81-6477 Filed 2-25-81; 8:45 am]

BILLING CODE 8025-01-M

Region V Advisory Council; Public Meeting

The U.S. Small Business Administration Region V Advisory Council, located in the geographical area of Indianapolis, Indiana, will hold a public meeting at 10:00 a.m. (EST) on Thursday, March 26, 1981, at the Essex Hotel, 421 North Pennsylvania Street, Indianapolis, Indiana, to discuss such business as may be presented by members, the staff of the U.S. Small Business Administration, and others attending.

For further information, write or call Robert D. General, District Director, U.S. Small Business Administration, 575 North Pennsylvania Street, Room 578, Indianapolis, Indiana 46209 (317) 269-7275.

Dated: February 20, 1981.

Robert P. O'Malley,

Executive Director, Office of Advisory Councils.

[FR Doc. 81-6478 Filed 2-25-81; 8:45 am]

BILLING CODE 8025-01-M

Region VI Advisory Council; Public Meeting

The U.S. Small Business Administration Region VI Advisory Council, located in the geographical area of Little Rock, Arkansas, will hold a public meeting at 1 p.m., on Friday, March 20, 1981, in the Conference Room of the U.S. Small Business Administration, Capitol and Spring Streets, Little Rock, Arkansas, to discuss such business as may be presented by members, the staff of the U.S. Small Business Administration, and others attending.

For further information, write or call Maurice Britt, District Director, U.S. Small Business Administration, P.O. Box 1401, Little Rock, Arkansas 72203 (501) 378-5277.

Dated: February 23, 1981.

Robert P. O'Malley,

Executive Director, Office of Advisory Councils.

[FR Doc. 81-6479 Filed 2-25-81; 8:45 am]

BILLING CODE 8025-01-M

Region VII Advisory Council; Public Meeting

The U.S. Small Business Administration Region VII Advisory Council, located in the geographical area of St. Louis, Missouri, will hold a public meeting at 9:30 a.m. on Thursday, March 19, 1981, at the Cheshire Inn, Windsor Room, 6306 Clayton Road, St. Louis, Missouri, to discuss such business as may be presented by members, the staff of the U.S. Small Business Administration, and others attending.

For further information, write or call John L. Carey, District Director, U.S. Small Business Administration, One Mercantile Center, Suite 2500, St. Louis, Missouri 63101—(314) 425-4191.

Dated: February 20, 1981.

Robert P. O'Malley,

Executive Director, Office of Advisory Councils.

[FR Doc. 81-6480 Filed 2-25-81; 8:45 am]

BILLING CODE 8025-01-M

Region IX Advisory Council; Public Meeting

The U.S. Small Business Administration Region IX Advisory Council, located in the geographical area of San Diego, California, will hold a public meeting at 2:30 p.m., on Thursday, March 19, 1981, at the U.S. Small Business Administration, 880 Front Street, Room 4-S-29, San Diego, California, to discuss such business as may be presented by members, the staff of the U.S. Small Business Administration, and others attending.

For further information, write or call George P. Chandler, Jr., District Director, U.S. Small Business Administration, 880 Front Street, Room 4-S-29, San Diego, California 92188 (714) 895-5430.

Dated: February 20, 1981.

Robert P. O'Malley,

Executive Director, Office of Advisory Councils.

[FR Doc. 81-6481 Filed 2-25-81; 8:45 am]

BILLING CODE 8025-01-M

Region IX Advisory Council; Public Meeting

The U.S. Small Business Administration Region IX Advisory Council, located in the geographical area of Honolulu, Hawaii, will hold a public meeting at 10:00 a.m., on Tuesday, March 31, 1981, at the Prince Kuhio Federal Building, 300 Ala Moana Boulevard, Room 7323 (7th Floor), Honolulu, Hawaii, to discuss such business as may be presented by members, the staff of the U.S. Small Business Administration, and others attending.

For further information, write or call David K. Nakagawa, District Director, U.S. Small Business Administration, 300 Ala Moana Boulevard, Room 2213, Honolulu, Hawaii 96850 (808) 546-8950.

Dated: February 20, 1981.

Robert P. O'Malley,

Executive Director, Office of Advisory Councils.

[FR Doc. 81-6482 Filed 2-25-81; 8:45 am]

BILLING CODE 8025-01-M

Region X Advisory Council; Public Meeting

The U.S. Small Business Administration Region X Advisory Council, located in the geographical area of Anchorage, Alaska, will hold a public meeting at 10 a.m., on Friday, March 20, 1981, at 1016 West Sixth Avenue, Suite 200, Anchorage, Alaska, to discuss such business as may be presented by members, the staff of the U.S. Small Business Administration, and others attending.

For further information, write or call Frank D. Cox, District Director, U.S. Small Business Administration, 1016 West Sixth Avenue, Suite 200, Anchorage, Alaska 99501, (907) 271-4022.

Dated: February 20, 1981.

Robert P. O'Malley,

Executive Director, Office of Advisory Councils.

[FR Doc. 81-6483 Filed 2-25-81; 8:45 am]

BILLING CODE 8025-01-M

Region X Advisory Council; Public Meeting

The U.S. Small Business Administration Region X Advisory

Council, located in the geographical area of Seattle, Washington, will hold a public meeting at 9:00 a.m., on Thursday, March 19, 1981, at the Washington Athletic Club, 6th and Union, Room 2105, Seattle, Washington, to discuss such business as may be presented by members, the staff of the U.S. Small Business Administration, and others attending.

For further information, write or call Maxine Wood, District Director, U.S. Small Business Administration, Room 1744 Federal Building, 915 2nd Avenue, Seattle, Washington 98174, (206), 442-7791.

Dated: February 20, 1981.

Robert P. O'Malley,

Executive Director, Office of Advisory Councils.

[FR Doc. 81-6484 Filed 2-25-81; 8:45 am]

BILLING CODE 6025-01-M

DEPARTMENT OF STATE

[Public Notice 743]

Fishery Conservation and Management; Applications for Permits to Fish Off the Coasts of the United States

The Fishery Conservation and Management Act of 1976 (Pub. L. 94-265) as amended ("the Act") provides that no fishing shall be conducted by foreign fishing vessels in the Fishery Conservation Zone of the United States after February 28, 1977, except in accordance with a valid and applicable permit issued pursuant to Section 204 of the Act.

The Act also requires that a notice of receipt of all applications for such permits, a summary of the contents of such applications, and the names of the Regional Fishery Management Councils that receive copies of these applications, be published in the **Federal Register.**

Individual vessel applications for fishing in 1981 have been received from Taiwan and the Governments of Japan, Korea, Italy, Cuba, the Polish People's Republic, and the Union of Soviet Socialist Republics and are summarized herein.

If additional information regarding any applications is desired, it may be obtained from: Permits and Regulations Division (F37), National Marine Fisheries Service, Department of Commerce, Washington, D.C. 20235, (Telephone: (202) 634-7432).

Dated: February 17, 1981.

James A. Storer,

Director, Office of Fisheries Affairs.

Fishery Codes and Designation of Regional Councils Which Review Applications for Individual Fisheries

Code	Fishery	Regional Council
ABS	Atlantic billfishes and sharks	New England. Mid-Atlantic. South Atlantic. Gulf of Mexico. Carib'bean.
BSA	Bering Sea and Aleutian Islands trawl, longline and herring gilnet.	North Pacific.
CRB	Crab (Bering Sea)	North Pacific.
GOA	Gulf of Alaska	North Pacific.
NWA	Northwest Atlantic	New England. Mid-Atlantic.
SMT	Seamount groundfish (Pacific Ocean).	Western Pacific.
SNA	Snails (Bering Sea)	North Pacific.
WOC	Washington, Oregon, California trawl.	Pacific.
PBS	Pacific billfish and sharks	Western Pacific.

Activity Codes Specify Categories of Fishing Operations Applied for

Activity code	Fishing operations
1	Catching, processing, and other support.
2	Processing and other support only.
3	Other support only.

Nation, vessel name, and vessel type	Application No.	Fishery	Activity
Japan:			
Kaiun Maru No. 62, Danish seiner	JA-81-1482	BSA	1
Tenyu Maru No. 28, Danish seiner	JA-81-1483	BSA	1
Tomi-Maru No. 81, medium stern trawler	JA-81-0416	BSA	1
Haikyu Maru No. 35, Danish seiner	JA-81-0567	BSA	1
Shinmei Maru No. 18, longliner	JA-81-1481	ABA	1
Takashiro Maru No. 53, cargo/transport vessel	JA-81-0916	ABS, BSA, CRB, GOA, NWA, WOC	3
Taiko Maru No. 88, longline fishing vessel	JA-81-1353	ABS	1
Kosei Maru No. 31, longliner	JA-81-3878	PBS	1
Kosei Maru No. 11, longliner	JA-81-2877	PBS	1
Daikichi Maru No. 73, longliner	JA-81-3876	PBS	1
Kandrick, cargo/transport vessel	JA-81-0912	NWA, BSA, GOA, SMT	3
Fukuyo Maru No. 18, pot fishing vessel	JA-81-0703	CRB	1
Hokko Maru No. 12, pot fishing vessel	JA-81-0704	CRB	1
Koyo Maru No. 38, pot fishing vessel	JA-81-0711	CRB	1
Kaiun Maru No. 21, pot fishing vessel	JA-81-0717	CRB	1
Koyo Maru No. 3, pot fishing vessel	JA-81-0812	CRB	1
Eikyu Maru, pot fishing vessel	JA-81-0817	CRB	1
Matsuei Maru No. 72, pot fishing vessel	JA-81-0821	CRB	1
Eikyu Maru No. 26, pot fishing vessel	JA-81-0822	CRB	1
Hakuyo Maru, pot fishing vessel	JA-81-0837	CRB	1
Kaisei Maru No. 8, pot fishing vessel	JA-81-0900	CRB	1
Koyo Maru No. 17, pot fishing vessel	JA-81-0902	CRB	1
Poland:			
Manta, large stern trawler	PL-81-0052	WOC, GOA, BSA	1
Orlen, large stern trawler	PL-81-0078	WOC, GOA, BSA	1
Tunek, large stern trawler	PL-81-0045	WOC, GOA, BSA	1
Tasar, large stern trawler	PL-81-0054	WOC, GOA, BSA	1
Kaszuby 2, cargo/transport vessel	PL-81-0027	NWA, WOC, GOA, BSA	3
Halniak, cargo/transport vessel	PL-81-0029	NWA, WOC, GOA, BSA	3
Lewanier, cargo/transport vessel	PL-81-0030	NWA, WOC, GOA, BSA	3
Pomorze, cargo/transport vessel	PL-81-0031	NWA, WOC, GOA, BSA	3
Buran, cargo/transport vessel	PL-81-0033	NWA, WOC, GOA, BSA	3
Zulawy, cargo/transport vessel	PL-81-0041	NWA, WOC, GOA, BSA	3
Gryf Pomorski, cargo/transport vessel	PL-81-0049	NWA, WOC, GOA, BSA	3
Winetta, cargo/transport vessel	PL-81-0061	NWA, WOC, GOA, BSA	3
Terrat, refrigerated transport vessel	PL-81-0066	NWA, WOC, GOA, BSA	3
Kapitan Ledochowski, training cargo vessel	PL-81-0067	BSA, GOA, WOC, NWA	3
Taiwan:			
Jui Man No. 3, longline fishing vessel	TW-81-3093	PBS	1
Feng Bang No. 81, longline fishing vessel	TW-81-0012	GOA	1
Korea:			
Pung Yang Ho, large stern trawler	KS-81-0004	BSA, GOA	1
Heung Yang Ho, large stern trawler	KS-81-0006	BSA, GOA	1
No. 31 Dongwon, longline fishing vessel	KS-81-0053	BSA, GOA	1

Nation, vessel name, and vessel type	Application No.	Fishery	Activity
Italy: *Tontini Pesca Terzo*, medium stern trawler	IT-81-0002	NWA	1
Cuba:			
Las Guasimas, tanker fuel/water	CU-81-0111	NWA	3
Playa Giron, large stern trawler	CU-81-0114	NWA	1
Ptaya Varadero, large stern trawler	CU-81-0115	NWA	1
Ptay Duaba, large stern trawler	CU-81-0123	NWA	1
Mar Caribe, large stern trawler	CU-81-0148	NWA	1
Golfo de Tonkin, large stern trawler	CU-81-0149	NWA	1
Mar Oceano, large stern trawler	CU-81-0150	NWA	1
Japan: *Heikyu Maru No. 35*, danish seiner	JA-81-0567	BSA	1
U.S.S.R.:			
Mys Grotovyi, stern trawler	UR-81-0092	GOA, BSA	2
Mys Prokofyeva, stern trawler	UR-81-0186	GOA, BSA	2
Mys Skalisty, stern trawler	UR-81-0168	GOA, BSA	2
Mys Yudina, stern trawler	UR-81-0545	GOA, BSA	2
Novaya Era, stern trawler	UR-81-0065	GOA, BSA	2
Passionariya, stern trawler	UR-81-0060	GOA, BSA	2
Turkul, stern trawler	UR-81-0172	GOA, BSA	2
Sulak, factory/mother ship	UR-81-0238	WOC, GOA, BSA	2
Karagach, stern trawler	UR-81-0028	WOC	2
Klimovo, stern trawler	UR-81-0706	WOC	2
Mys Belkina, stern trawler	UR-81-0214	WOC	2
Mys Chasovoy, stern trawler	UR-81-0176	WOC	2
Mys Lopatka, stern trawler	UR-81-0174	WOC	2
Mys Orekhova, stern trawler	UR-81-0017	WOC	2
Oktant, stern trawler	UR-81-0564	WOC	2
Paudzha, stern trawler	UR-81-0704	WOC	2
Serdolik, stern trawler	UR-81-0707	WOC	2
18 Syezd Viksm, stern trawler	UR-81-0617	WOC	2
Sulak, factory/mothership	UR-81-0238	WOC, GOA, BSA	2
Khudozhnik S. Gerasimov, cargo/transport	UR-81-0277	GOA, BSA, WOC	3
Khudozhnik Vrubel, cargo/transport	UR-81-0276	GOA, BSA, WOC	3
Marshal Malinovskiy, cargo/transport	UR-81-0273	GOA, BSA, WOC	3
Marshal Rokossovskiy, cargo/transport	UR-81-0274	GOA, BSA, WOC	3
Omsk, tanker fuel/water	UR-81-0296	GOA, BSA, WOC	3
Mys Kodosh, tanker fuel/water	UR-81-0731	GOA, BSA, WOC	3
Okhaneft, tanker fuel/water	UR-81-0730	GOA, BSA, WOC	3
Okhotskoe More, cargo/transport	UR-81-0252	GOA, BSA, WOC	3
Ostrov Shmidta, cargo/transport	UR-81-0256	GOA, BSA, WOC	3
Ostrov Shokalskogo, cargo/transport	UR-81-0257	GOA, BSA, WOC	3
Ostrov Ushakova, cargo/transport	UR-81-0258	GOA, BSA, WOC	3
Ostrov Karaginskiy, cargo/transport	UR-81-0255	GOA, BSA, WOC	3
Ostrov Lisyanskogo, cargo/transport	UR-81-0254	GOA, BSA, WOC	3
Proliv Laperuza, cargo/transport	UR-81-0253	GOA, BSA, WOC	3
Reshitelnyi, salvage/repair	UR-81-0644	GOA, BSA, WOC	3
Sakhalinskie Gory, cargo/transport	UR-81-0261	GOA, BSA, WOC	3
Sajanskie Gory, cargo/transport	UR-81-0262	GOA, BSA, WOC	3
Sibirneft, tanker fuel/water	UR-81-0298	GOA, BSA, WOC	3
Sovorovets, salvage/repair	UR-81-0729	GOA, BSA, WOC	3
Surgutneft, tanker fuel/water	UR-81-0297	GOA, BSA, WOC	3
Ust-Karsk, tanker fuel/water	UR-81-0728	GOA, BSA, WOC	3
Ust-Kut, tanker fuel/water	UR-81-0727	GOA, BSA, WOC	3
Vasilty Perov, cargo/transport	UR-81-0266	GOA, BSA, WOC	3
Vasilty Vereshchagin, cargo/transport	UR-81-0265	GOA, BSA, WOC	3
Viktor Vasnetsov, cargo/transport	UR-81-0267	GOA, BSA, WOC	3
Yugansk, tanker fuel/water	UR-81-0637	GOA, BSA, WOC	3
Zvezdnyy Berge, cargo/transport	UR-81-0726	GOA, BSA, WOC	3
Birjusa, tanker fuel/water	UR-81-0734	GOA, BSA, WOC	3
Almazny, cargo/transport	UR-81-0264	GOA, BSA, WOC	3
Altayskie Gory, cargo/transport	UR-81-0259	GOA, BSA, WOC	3
Arkhip Kuindji, cargo/transport	UR-81-0263	GOA, BSA, WOC	3
Diokl, salvage/repair	UR-81-0612	GOA, BSA, WOC	3
Galve, tanker fuel/water	UR-81-0733	GOA, BSA, WOC	3
Goresis, cargo/transport	UR-81-0269	GOA, BSA, WOC	3
Ivan Kramskoy, cargo/transport	UR-81-0271	GOA, BSA, WOC	3
Kamchatskie Gory, cargo/transport	UR-81-0260	GOA, BSA, WOC	3
Karskoe More, cargo/transport	UR-81-0246	GOA, BSA, WOC	3
Khrustalnyy Berege, cargo/transport	UR-81-0732	GOA, BSA, WOC	3
Joint Ventures			
Korea:[4]			
Gae Cheog Ho, factory ship	KS-81-0112	BSA, GOA	2
Kyung Yang Ho, large stern trawler	KS-81-0085	BSA, GOA	2
Heung Yang Ho, large stern trawler	KS-81-0006	BSA, GOA	2
Soo Gong 51, large stern trawler	KS-81-0042	BSA, GOA	2
No. 20 Hanransan Ho, stern trawler	KS-81-0113	BSA, GOA	2
Keum Yong 102 Ho, stern trawler	KS-81-0114	BSA, GOA	2
USSR:[4]			
Mys Grotovyi, stern trawler	KS-81-0092	BSA, GOA	2
Mys Prokofyeva, stern trawler	KS-81-0186	BSA, GOA	2
Mys Skalisty, stern trawler	KS-81-0168	BSA, GOA	2
Mys Yudina, stern trawler	KS-81-0545	BSA, GOA	2
Novaya Era, stern trawler	KS-81-0065	BSA, GOA	2
Passionariya, stern trawler	KS-81-0060	BSA, GOA	2
Turkul, stern trawler	KS-81-0172	BSA, GOA	2
Sulak, factory/mothership	UR-81-0238	WOC, GOA, BSA	2
Karagach, stern trawler	UR-81-0028	WOC	2
Klimovo, stern trawler	UR-81-0233	WOC	2
Mys Belkina, stern trawler	UR-81-0214	WOC	2
Mys Chasovoy, stern trawler	UR-81-0176	WOC	2
Mys Lopatka stern trawler	UR-81-0174	WOC	2

Nation, vessel name, and vessel type	Application No.	Fishery	Activity
Joint Ventures—Continued			
Mys Orekhova, stern trawler	UR-81-0017	WOC	2
Oktant, stern trawler	UR-81-0564	WOC	2
Paudzha, stern trawler	UR-81-0704	WOC	2
Serdolik, stern trawler	UR-81-0218	WOC	2
18 Syezd Viksm, stern trawler	UR-81-0617	WOC	2
Sulak, factory/mothership	UR-81-0238	WOC, GOA, BSA	2

[1] All vessels listed are participating in the Fish Processors Associated (215 W 12th St., Vancouver, WA)/KMIDC joint venture, which will be conducted between Jan. 15 and Oct. 20, 1981, in the BSA and GOA fisheries.

[2] All vessels listed are licensed to participate in the USSR/Marine Resources Co. (4215 21st Ave. West, #206, Seattle, WA) joint venture, which will be conducted in the BSA, GOA, and WOC fisheries between Apr. 15 and Dec. 31, 1981.

[FR Doc. 81-6404 Filed 2-25-81; 8:45 am]

BILLING CODE 4710-09-M

[Public Notice 744]

International Pipeline Permit Application for Steam Pipeline Between Edmunston, N.B., and Madawaska, Me.

Notice is hereby given that the Department of State has received an application for a permit authorizing Fraser, Inc. to construct a steam pipeline project across the St. John River between Edmunston, New Brunswick and Madawaska, Maine. The Company operates pulp and paper plants on opposite sides of the river. In an effort to reduce costs and dependence on fuel oil, the company proposes to generate steam by means of a new bark and wood waste fuel power plant in Edmunston. The steam would be transported through the pipeline across the St. John River (the U.S.-Canadian boundary). A parallel pipeline would return the condensate from the Madawaska plant to Canada. The pipeline would cross the river on a new suspension bridge to be constructed about 900 feet east of the existing international bridge.

The Department's jurisdiction with respect to this application is based upon Executive Order 11423, dated April 16, 1968 (the Order), and the International Bridge Act of 1972 (33 U.S.C. sec. 535), approved September 26, 1972. As required by the Order, the Department is circulating this application to concerned agencies for comment. In addition, the Department's Office of Environment and Health is reviewing an assessment of the environmental effects of the proposal, which has been submitted as part of the application, in order to determine if an environmental impact statement will be required. Interested persons may submit their views regarding this application in writing by March 20, 1981 to Mr. Haley D. Collums, Attorney Adviser, Office of the Assistant Legal Adviser for European Affairs, Room 5417A, Department of State, 2201 C Street, NW., Washington, D.C. 20520.

The application and related documents which are made part of the record to be considered by the Department of State in connection with this application are available for inspection and copying in the Office of the Assistant Legal Adviser for European Affairs during normal business hours.

Any questions relating to this notice may be addressed to Mr. Collums at the above address (phone: 202-632-1217).

Dated: February 18, 1981.

John R. Crook,

Assistant Legal Adviser for Economic and Business Affairs.

[FR Doc. 81-6408 Filed 2-25-81; 8:45 am]

BILLING CODE 4710-08-M

[CM-8/376]

Shipping Coordinating Committee; Subcommittee on Safety of Life at Sea; Meeting

The U.S. SOLAS Working Group on Subdivision, Stability and Load Lines will conduct an open meeting on March 11, 1981, at 10:00 a.m., Room 1303 of Coast Guard Headquarters, 2100 Second Street, S.W., Washington, D.C. 20593.

The purpose of the meeting will be a review of the agenda items and delegation papers received by that time in preparation for the 26th Session of the Subcommittee.

In particular the Working Group will discuss:

—Final U.S. positions for all agenda items, in particular:
—Improvement of Load Line Convention
—Intact Stability
—Subdivision of Dry Cargo Ships—Info to Master

For further information contact Mr. William A. Cleary, Jr., U.S. Coast Guard (G-MMT-5/TP12), 2100 2nd Street, S.W., Washington, D.C. 20593. Telephone (202) 426-2188.

Dated: February 20, 1981.

John Todd Stewart,

Chairman, Shipping Coordinating Committee.

[FR Doc. 81-6465 Filed 2-25-81; 8:45 am]

BILLING CODE 4701-07-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Docket No. 81-ASW-3AC]

Gulfstream American Corporation (Formerly Rockwell International); Models 690D and 695A; Aircraft Certification and Availability of Documents

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Announcement of certification program and type certification basis.

SUMMARY: This document announces the type certification program and type certification basis for the Gulfstream American Models 690D and 695A. Gulfstream American Corporation has applied for an amended type certificate for the Models 690D and 695A. Application was originally requested by Rockwell International, however, Rockwell International was purchased by Gulfstream American Corporation with ownership effective February 3, 1981. As both models have identical geometry and are both outgrowths of previously approved models, they are included in one announcement.

DATES: The closing date for comments will be specified in a later announcement.

ADDRESSES: Send comments on the program in duplicate to: Regional Counsel, Attention: Docket No. 81-ASW-3AC, Southwest Region, Federal

Aviation Administration, P.O. Box 1689, Fort Worth, Texas 76101.

FOR FURTHER INFORMATION CONTACT: James L. Patras, Airframe Section, Engineering and Manufacturing Branch, ASW-212, Federal Aviation Administration, P.O. Box 1689, Forth Worth, Texas 76101, telephone (817) 624-4911, extension 516.

SUPPLEMENTARY INFORMATION: Persons may participate in the certification proceedings by submitting their views or data. Communications must identify the regulatory docket number and be submitted in duplicate to the above address. Comments received on or before the closing date will be considered and may cause the program to be changed. Comments can be examined in the Office of Regional Counsel, Federal Aviation Administration, Southwest Region, 4400 Blue Mound Road, Fort Worth, Texas. Request for copies of this announcement must include the docket number and be submitted to the Federal Aviation Administration, Public Affairs Officer, Southwest Region, P.O. Box 1689, Forth Worth, Texas 76101, telephone (817) 624-4911, extension 207.

Background

On June 14, 1977, Gulfstream American applied to the FAA, Southwest Region, for type certificatation of the Models 690C and 695. These models would be an outgrowth of the already certificated Model 690B (Type Certificate Data Sheet 2A4). Changes to the wing, fuselage, engines, systems, and equipment were proposed. A Preliminary Type Certification Board Meeting was held under Delegation Option Authorization procedures with FAA personnel in attendance on November 15, 1977. At an Interim Type Certification Board Meeting requested by Gulfstream American with FAA participation, Gulfstream American advised that it was their intent to accomplish their original proposed changes (Models 690C and 695) on four models rather than two. Therefore, they intended to certify models designated as 690C, 695, 690D, and 695A. The changes that would be accomplished on each model were defined at this meeting held on August 29, 1978. Application for type certificate for the Models 690D and 695A was received on July 16, 1979. Models 690C and 695 were subsequently certificated under Delegation Option Authorization and are now included in the Type Certificate Data Sheet 2A4.

The Model 690D will be the same as the Model 690C except for the following changes:

1. Increased gross weight.
2. Increase in cabin pressure.
3. Revised interior items.

The Model 695A will be the same as a Model 690D except for the following changes:

1. Install Garrett TPE 331-10-501K engines.
2. Increased fuel capacity.
3. Increased gross weight.
4. Increased speed.

Based on the date of application, July 16, 1979, and pursuant to § 21.17(a)(1), the type certification basis of the Models 690D and 695A airplanes will be:

CAR 3 dated May 15, 1956, including paragraphs 3.197, 3.270, 3.395, and 3.396 of Amendment 3-2 dated August 12, 1957; Amendment 3-3 dated May 17, 1958, 3-4 dated October 6, 1958, 3-6 dated September 13, 1961, paragraphs 23.473, 23.479, 23.481, and 23.483 of FAR 23, Amendment 23-7 dated September 14, 1969, plus Special Conditions letter dated April 1, 1965, and August 12, 1970; Docket No. 10506.

FAR 36 dated December 1, 1969, through Amendments 36-6 dated January 24, 1977.

Note.—This is a nonrulemaking proceeding within the meaning of the administrative procedure provision of 5 U.S.C. 551 *et. seq.* Notices of Proposed Rule Making (NPRM) will be used for the issuance of special conditions and retroactive application of previously adopted airworthiness regulations.

Issued in Forth Worth, Texas, on February 13, 1981.

F. E. Whitfield,

Acting Director, Southwest Region.

[FR Doc. 81-6386 Filed 2-25-81; 8:45 am]

BILLING CODE 4910-13-M

[Docket No. 81-ASW-2AC]

Mancro Aircraft Co.; Model C-123B; Aircraft Certification and Availability of Documents

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Announcement of certification program and type certification basis.

SUMMARY: Mancro Aircraft Company, Waco, Texas, has made application for type certification of a surplus military Model C123B airplane. This document announces the type certification program and type certification basis for the airplane. Subsequent announcements will provide updates on the C-123B program.

DATES: The closing date for comments will be specified in a later announcement.

ADDRESSES: Send comments on the progam in duplicate to Regional Counsel, Attention: Docket No. 81-ASW-2AC, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, Texas 76101.

FOR FURTHER INFORMATION CONTACT: William A. Simmons, Airframe Section, Engineering and Manufacturing Branch, ASW-212, Federal Aviation Administration, P.O. Box 1689, Fort Worth, Texas 76101, telephone (817) 624-4911, extension 516.

SUPPLEMENTARY INFORMATION: Persons may participate in the certification proceedings by submitting their views or data. Documents must identify the regulatory docket number and be submitted in duplicate to the above address. Comments received on or before the closing date will be considered and may cause the program to be changed. Comments can be examined in the Office of Regional Counsel, Federal Aviation Administration, Southwest Region, 4400 Blue Mound Road, Fort Worth, Texas. Request for copies of this announcement must include the docket number and be submitted to the Federal Aviation Administration, Public Affairs Officer, Southwest Region, P.O. Box 1689, Fort Worth, Texas 76101, telephone (817) 624-4911, extension 207.

Background

Mancro Aircraft Company, Waco, Texas, submitted an Application for Type Certificate dated September 22, 1980, for a new configuration of the military surplus C-123B airplane. The company proposed to modify the airplane during the initial type certification program by replacing the R-2800 radial engines with Allison 501 series turboprop engines. The Federal Aviation Administration determined that the applicant should first obtain a type certificate for the C-123B airplane under the provisions of § 21.27 of the Federal Aviation Regulations. Subsequently, the type certificate could be amended to include the installation of the Allison 501 series turbo-prop engines. Details of a Familiarization Board Meeting between Mancro Aircraft Company and the Federal Aviation Administration held October 30, 1980, are listed below:

(a) Mancro presented highlights of the program for the C-123 airplane.

(b) Section 21.27 provides for type certification of the production configuration C-123B airplane that entered service with the Air Force 309th Troop Carrier Group in July 1955, and the applicable regulations are CAR 4b through amendment 4b-2, effective August 25, 1955.

(c) The Air Force accomplished a fatigue analysis and flight loads survey to identify critical fatigue areas and improve the airplane inspection program. The results will be evaluated to determine acceptability for establishing the remaining service life of the surplus airplanes.

Additional Type Certification Board Meetings for the C-123B will be scheduled as required. At the appropriate time a new original announcement will provide notification of an amended type certification program for installation of the Allison 501 series turboprop engines.

Note.—This is a nonrulemaking proceeding within the meaning of the administrative procedure provision of 5 U.S.C. 551 *et sec.* Notices of Proposed Rule Making (NPRM) will be used for the issuance of special conditions and retroactive application of previously adopted airworthiness regulations.

Issued in Fort Worth, Texas, on February 18, 1981.

C. R. Melugin, Jr.,

Director, Southwest Region.

[FR Doc. 81-6371 Filed 2-25-81; 8:45 am]

BILLING CODE 4910-13-M

Federal Highway Administration

Environmental Impact Statement; Randolph and Montgomery Counties, North Carolina

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 Randolph and Montgomery Counties, North Carolina.

FOR FURTHER INFORMATION CONTACT: Gary D. Holly, Environmental Engineer, Federal Highway Administration, 310 New Bern Avenue, P.O. Box 26806, Raleigh, North Carolina 27611, Telephone (919) 755-4270.

SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the North Carolina Department of Transportation (NCDOT), will prepare an environmental impact statement (EIS) on a proposed US 220 improvement from Ulah to Steed in Randolph and Montgomery Counties. This project is a segment of the planned development and completion of a four-lane freeway or expressway from Greensboro to Rockingham. Planning, environmental and location studies are being initiated.

Alternatives under consideration include (1) the "no-build", (2) improving the existing US 220 roadway, and (3) major relocation alternatives for construction of a new facility.

Letters describing the proposed action and soliciting comments are being sent to appropriate Federal, State and local agencies. A public meeting and a meeting with local officials will be held in the study area. A public hearing will also be held. Information on the time and place of the public hearing will be provided in the local news media. The draft EIS will be available for public and agency review and comment at the time of the hearing. No formal scoping meeting is planned at this time.

To ensure that the full range of issues related to the proposed action are addressed and all significant issues identified, comments and suggestions are invited from all interested parties. Comments and questions concerning the proposed action 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 February 17, 1981.

Roger Lewis,

Assistant Division Administrator, Raleigh, North Carolina.

[FR Doc. 81-6138 Filed 2-25-81; 8:45 am]

BILLING CODE 4910-59-M

Environmental Impact Statement; Port Huron, Michigan

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of intent.

SUMMARY: The FHWA, in cooperation with the Michigan Department of Transportation (MDOT), is issuing this notice to advise the public that an Environmental Impact Statement will be prepared on a proposal to improve M-25 in downtown Port Huron.

FOR FURTHER INFORMATION CONTACT: Mr. John Kliethermes, District Engineer, Federal Highway Administration, P.O. Box 10147, Lansing, Michigan 48901, Telephone (517) 377-1879 (FTS 374-1879) or Mr. Jack Morgan, Manager, Public Involvement Section, Michigan Department of Transportation, P.O. Box 30050, Lansing, Michigan 48909, Telephone 1-800-292-9576 (toll-free), or (517) 373-2166.

SUPPLEMENTARY INFORMATION: M-25 connects Port Huron with all of the coastal cities and villages around the "thumb" of Michigan to its terminus in Bay City. The need for improvements to M-25 rests on three bases: capacity, safety and local redevelopment plans.

Alternatives under study include: (1) doing nothing, (2) low capital investment, (3) major reconstruction of the existing facility, (4) either of two one-way pairs, (5) alternate modes of travel.

Potential impacts include dislocation of homes and businesses, primary and secondary land use changes because of improved access, potential 4(f) and 6(f) involvement and potential flood plain and coastal zone impacts.

Early coordination with a number of Federal, State, and local agencies as well as input received from a public information meeting have identified the more significant issues to be addressed in the EIS. Accordingly, a preliminary scoping document has been prepared by FHWA and MDOT identifying those issues and is available on request to all interested agencies, organization, and individuals.

A formal scoping meeting for all interested agencies will be held at 1:00 P.M. on April 1, 1981, at Room 211 of the Federal Building, 315 W. Allegan, Lansing, Michigan.

Comments and suggestions on the scoping document, the proposed project, and the identified issues are invited from all interested parties and should be directed to the FHWA at the address provided above. Separate copies of the scoping document will be furnished to the following federal agencies who have been involved in the early coordination activities of who may be designated as cooperating agency; U.S. Department of the Interior, Fish and Wildlife Service and Heritage Conservation and Recreation Service; Department of Housing and Urban Development; Environmental Protection Agency; Department of the Army, Corps of Engineers; and the United States Department of Transportation, Coast Guard.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Research, Planning and Construction. The provisions of OMB Circular Number A-95 regarding State and local clearinghouse review of Federal and federally assisted programs and projects apply to this program)

Issued on February 20, 1981.

David A. Merchant,

Division Administrator, Lansing, Michigan.

[FR Doc. 81-6375 Filed 2-24-81; 8:45 am]

BILLING CODE 4910-22-M

Environmental Impact Statement; Flathead County, Montana

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of intent.

SUMMARY: The FHWA is issuing this notice to advise that an environmental impact statement will be prepared for a proposed highway project in Flathead County, Montana.

FOR FURTHER INFORMATION CONTACT: Mr. William S. Dunbar, Program Development Engineer, Federal Highway Administration, Federal Office Building, 301 S. Park, Drawer 10056, Helena, Montana 59626, Telephone (406) 449-5310; or Mr. Steve Kologi, Chief, Preconstruction Section, Montana Department of Highways, 2701 Prospect Street, Helena, Montana 59620, Telephone (406) 449-2495.

SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the Montana Department of Highways will prepare an environmental impact statement (EIS) on a proposal to improve 10.8 miles of U.S. Highway 2 between Hungry Horse to West Glacier. A previous EIS/4f Statement was developed for this project and approved 22 June 1973 but subsequent litigation found that document inadequate. Accordingly, to comply with the court ruling, we will commence studies to fully consider the environmental impact of this project.

The present highway is a substandard old two lane highway. Approximately one half the right-of-way acquired prior to the court order to halt construction, has been cleared of trees. Many utilities have been moved and homes and businesses have been relocated. Only a few homes remain to be relocated if the previously planned alignment is utilized.

The Department of Highways plans to retain a Consultant Engineering firm to expedite the studies. As soon as a consultant firm has been selected a scoping meeting will be held at or near the project location. This meeting will be advertised locally but anyone wishing to be invited is requested to notify the Department of Highways at the following address: Mr. Steve Kologi, Chief, Preconstruction Section, Montana Department of Highways, 2701 Prospect Street, Helena, Montana 59620.

Preliminary views on impacts and scope are as follows: Both two lane and four lane alternatives will be considered. Alternatives to taking park land will be studied.

To ensure that the full range of issues related to this proposed action and the EIS/4f should be directed to the FHWA at the address provided above.

Issued on February 19, 1981.

Volmer K. Jensen,

Division Administrator, Helena, Montana.

[FR Doc. 81-6406 Filed 2-25-81; 8:45 am]

BILLING CODE 4910-22-M

Environmental Impact Statement: Marion County, Oregon

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 widening of an existing freeway, modifying existing interchanges and the addition of a new interchange. The project is located in the City of Salem, Marion County, Oregon.

FOR FURTHER INFORMATION CONTACT: Paul V. Riedl, Environmental Coordinator, Frederal Highway Administration, Equitable Center, Suite 100, 530 Center Street NE., Salem, Oregon 97301. Telephone: (503) 378-3845.

SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the Oregon Department of Transportation, will prepare an environmental impact statement (EIS) on a proposal to widen an 8.4 mile section of Interstate 5 through Salem, Oregon. The project includes the section of freeway from Hayesville Interchange to Battle Creek Road. The proposed action would widen the freeway from four lanes to six lanes, modify interchanges and overpasses, and add a new interchange at Battle Creek Road, which now passes under the freeway.

Alternatives under consideration include (1) taking no action, (2) providing a six lane facility with required modifications to existing interchanges and overpasses, (3) providing a six lane facility with necessary modifications to interchanges and structures and the construction of a new interchange, and (4) other feasible alternatives that may develop during the project study.

Information describing the proposed action will be sent to the appropriate federal, state, and local agencies and to private organizations and citizens who have previously expressed interest in this proposal. Scoping will involve a process that includes coordination with other involved agencies, citizen advisory committee involvement, public meetings, agency and public review of the draft environmental impact statement, and a formal public hearing. A formal scoping meeting is not planned at this time.

Comments or question concerning the 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, "Reconstruction of Hayesville Interchange—Battle Creek Road of Pacific Highway."

The provisions of OMB Circular No. A-05 regarding State and local clearinghouse review of Federal and federally assisted programs and projects apply to this program issued January 5, 1981.

E. J. Valach,

Acting Division Administrator, Oregon Division, Salem, Oregon.

[FR Doc. 81-6445 Filed 2-25-81; 8:45 am]

BILLING CODE 4910-22-M

National Highway Traffic Safety Administration

Innovators' Seminar No. 6; Public Meeting

The National Highway Traffic Safety Administration announces Innovators' Seminar #6, on the Design, Safety, and Fuel Economy of Enclosed Passenger Vehicles of 1500 Pounds and Less, to be held on March 17, 1981, 10 am to 1 pm, in Room 4234, DOT Headquarters Building, 400 Seventh Street, Southwest, Washington, D.C. This meeting will be a technical review of the promise and problems in the development and use of these vehicles. NHTSA staff will give an introduction on the regulatory, safety, and fuel economy issues and research results on sub-subcompact vehicles, including three wheeled vehicles.

Mr. James R. Bede, aerodynamicist and engineer from Cleveland, will describe his BD-100 ducted fan four passenger vehicle, of 1104 pounds curb weight, built using foam filled box beam construction, and reported to have an aerodynamic drag coefficient of 0.12 and a level track mileage of 117 miles per gallon at 48 mph.

Dr. Robert Fondiller, inventor, management consultant, and psychologist from New York, and a Director of the National Institute of Rehabilitation Engineering, will describe his WOW! three wheeled 600 pound electric car and planned gasoline version with expected mileage of 150 miles per gallon. Dr. Fondiller will comment on needed tax changes to encourage innovation.

Films of tests of David Bright's three wheeled enclosed motorcycle, with "pendulum stabilization" so that the cab and two front wheels lean on curves,

transferring load to the inboard wheel, will be shown.

Comments are planned by the Department of Energy, the Office of Technology Assessment, the Federal Highway Administration, and the Environmental Protection Agency.

For further information, call Dr. Carl C. Clark, Inventor Contact, NHTSA, 202-426-4875.

Issued: February 18, 1981.

R. Rhoads Stephenson,

Associate Administrator, Research and Development.

[FR Doc. 81-6181 Filed 2-25-81; 8:45 am]

BILLING CODE 4910-59-M

Interagency Coordinating Committee on Automotive Inspection, Maintenance and Repair; Correction

AGENCY: National Highway Traffic Safety Administration, DOT.

ACTION: Correction.

SUMMARY: A few lines were inadvertently omitted from the notice published in the **Federal Register** on January 22, 1981, entitled: "Interagency Coordinating Committee on Automotive Inspection, Maintenance and Repair" (46 FR 7122-23). The second paragraph under the heading "Supplementary Information" should read as follows:

The Committee is sponsored by the NHTSA and has had active participation by other Federal agencies including: The Department of Transportation's Office of Consumer Liaison, the Federal Trade Commission, the Environmental Protection Agency, the Department of Energy, the U.S. Office of Consumer Affairs, the General Services Administration, and the Department of Labor. We anticipate future participation by these and other interested Federal agencies. The Committee is co-chaired by NHTSA staff members in order to reflect representation from both the consumer and technical perspectives, each critical to the success of this effort.

Charles F. Livingston,

Associated Administrator, Traffic Safety Programs.

[FR Doc. 81-6178 Filed 2-25-81; 8:45 am]

BILLING CODE 4910-59-M

Research and Special Programs Administration

Grants and Denials of Applications for Exemptions

AGENCY: Materials Transportation Bureau, DOT.

ACTION: Notice of grants and denials of applications for exemptions.

SUMMARY: In accordance with the procedures governing the application for, and the processing of, exemptions from the Department of Transportation's Hazardous Materials Regulations (49 CFR Part 107, Subpart B), notice is hereby given of the exemptions granted in December 1980. The modes of transportation involved are identified by a number in the "Nature of Exemption Thereof" portion of the table below as follows: 1—Motor vehicle, 2—Rail freight, 3—Cargo vessel, 4—Cargo-only aircraft, 5—Passenger-carrying aircraft. Application numbers prefixed by the letters EE represent applications for Emergency Exemptions.

Application No.	Exemption No.	Applicant	Regulation(s) affected	Nature of exemption thereof
		Renewal and Party to Exemptions		
1479-X	DOT-E 1479	U.S. Department of Defense/MTMC, Washington, DC.	49 CFR 173.315(a)(1)	To authorize shipment of liquefied flourine and mixture of liquefied fluorine and oxygen classed as a nonflammable gas in specially designed non-DOT specification cargo tanks. (Mode 1.)
1479-X	DOT-E 1479	Allied Chemical Corp., Morristown, NJ	49 CFR 173.315(a)(1)	To authorize shipment of liquefied flourine and mixture of liquefied fluorine and oxygen classed as a nonflammable gas in specially designed non-DOT specification cargo tanks. (Mode 1.)
3187-X	DOT-E 3187	PPG Industries, Inc., Pittsburgh, PA	49 CFR 173.119(m), 173.21(b), 173.218, 173.221(a)(3).	To authorize shipment of flammable liquids or organic peroxides in various packagings. (Mode 1.)
4390-X	DOT-E 4390	MCB Manufacturing Chemists, Inc., Cincinnati, OH.	49 CFR 173.119(a), 173.119(b), 173.125, 173.245, 173.263, 173.266, 173.268(e), 173.269, 173.272, 173.289, 173.346, 173.349.	To authorize the use of non-DOT specification glass inner packaging overpacked in a form fitting polystyrene case for the transportation of certain flammable, corrosive, poison, and oxidizing material. (Modes 1, 2, 3.)
4390-X	DOT-E 4390	Eastman Kodak Co., Rochester, NY	49 CFR 173.119(a), 173.119(b), 173.125, 173.245, 173.263, 173.266, 173.268(e), 173.269, 173.272, 173.289, 173.346, 173.349.	To authorize the use of non-DOT specification glass inner packaging overpacked in a form fitting polystyrene case for the transportation of certain flammable, corrosive, poison, and oxidizing material. (Modes 1, 2, 3.)
4607-X	DOT-E 4607	Armstrong Laboratories Division, West Roxbury, MA.	49 CFR 173.306(a)(3)	To authorize shipment of plastic coated bottles containing aerosol formulations. (Modes 1, 2, 3, 4.)
4717-X	DOT-E 4717	Union Carbide Corp., New York, NY	49 CFR 172.101, 173.314(c)	To authorize shipment of ethylene or ethane in non-DOT specification insulated tank car tanks. (Mode 2.)
4717-X	DOT-E 4717	Northern Petrochemical Co., Des Plaines, IL	49 CFR 172.101, 173.314(c)	To authorize shipment of ethylene or ethane in non-DOT specification insulated tank car tanks. (Mode 2.)
4717-X	DOT-E 4717	El Paso Products Co., Odessa, TX	49 CFR 172.101, 173.314(c)	To authorize shipment of ethylene or ethane in non-DOT specification insulated tank car tanks. (Mode 2.)
4760-X	DOT-E 4760	Air Products & Chemicals, Inc., Allentown, PA	49 CFR 172.101, 173.315(a)	To authorize use of a non-DOT specification cargo tank for shipment of a nonflammable gas. (Mode 1.)
4844-X	DOT-E 4844	BAJ Vickers, Ltd., London, England	49 CFR 173.301(i), 173.302, 173.304	To authorize the use of non-DOT specification foreign made steel cylinders for shipment of certain nonflammable gases. (Mode 1.)
4990-X	DOT-E 4990	Schenley Distillers, Inc., Cincinnati, OH	49 CFR 173.125	To authorize use of AAR specification 206W tank car for transportation of certain flammable liquids. (Mode 2.)
5038-X	DOT-E 5038	Synthatron Corp., Parsippany, NJ	49 CFR 173.135(a)(6), 173.136(a)(5), 173.247(a)(1).	To authorize the shipment of dimethyldichlorosilane, trichlorosilane, and silicon tetrachloride in non-DOT specification stainless steel cylinders. (Modes 1, 2.)
5117-X	DOT-E 5117	U.S. Environmental Protection Agency, Research Triangle Park, NC.	49 CFR 173.346, 173.356, 173.365, 175.3, 175.30.	To authorize inside composite glass vials/fiber tubes packaging not presently prescribed for certain Class B poisons overpacked in fiberboard boxes. (Modes 1, 2, 4, 5.)
5188-X	DOT-E 5188	U.S. Department of Energy, Washington, DC	49 CFR 173.395(c)(2), 173.398(c), 175.3.	To Authorize shipments of radioactive materials and nonliquefied compressed gases in packaging not presently prescribed in the Hazardous Materials Regulations. (Modes 1, 2, 4.)
5206-P	DOT-E 5206	Boren Explosives Co., Sumiton, AL	49 CFR 173.182(c)	To become a party to Exemption 5206. (Mode 1.)
5263-X	DOT-E 5263	Dow Corning Corp., Midland, MI	49 CFR 173.245(a)	To Authorize the transport of a corrosive liquid in a non-DOT stainless steel pressure vessel. (Mode 1.)

Renewal and Party to Exemptions—Continued

5704-X	DOT-E 5704	U.S. Department of Defense/MTMC, Washington, DC.	49 CFR 173.62,173.93(e)	To Authorize the transportation of certain Class A and Class B explosives in prescribed non-DOT specification steel drums. (Modes 1, 2, 3.)
5704-X	DOT-E 5704	International Minerals & Chemical Corp., Allentown, PA.	49 CFR 173.62, 173.93(e)	To Authorize the transportation of certain Class A and Class B explosives in prescribed non-DOT specification steel drums. (Modes 1, 2, 3.)
5704-X	DOT-E 5704	Heroules, Inc., Wilmington, DE	49 CFR 173.62, 173.93(e)	To Authorize the transportation of certain Class A and Class B explosives in prescribed non-DOT specification steel Drums. (Modes 1, 2, 3.)
5767-X	DOT-E 5767	DuBois Chemical Co., Cincinnati, OH.	49 CFR 173.245, 173.256, 173.263, 173.264, 173.272.	To Authorize the use of a non-DOT specification steel portable tank for certain corrosive materials. (Modes 1, 2.)
5820-X	DOT-E 5820	ICI Americas, Inc., Wilmington, DE	49 CFR 173.315(a)	To Authorize shipment of nonflammable gases in non-DOT specification portable tanks. (Modes 1, 2, 3.)
5825-X	DOT-E 5825	Phillips Petroleum Co., Bartlesville, OK	49 CFR 172.101, 173.315(a)	To Authorize the use of non-DOT specification cargo tank for shipment of a flammable, liquefied, compressed gas. (Mode 1.)
5959-X	DOT-E 5959	El Paso Products Co., Odessa, TX	49 CFR 172.101,173.315(a)	To Authorize shipment of liquefied ethylene in non-DOT specification cargo tanks. (Mode 1.)
6016-X	DOT-E 6016	Huber Supply Co., Mason City, IA	49 CFR 173.315(a)	To Authorize shipment of liquid oxygen, nitrogen, and argon in non-DOT specification portable tanks. (Mode 1.)
6016-X	DOT-E 6016	O. E. Meyer & Sons, Inc., Sandusky, OH	49 CFR 173.315 (a)	To Authorize shipment of liquid oxygen, nitrogen, and argon in non-DOT specification portable tanks. (Mode 1.)
6016-X	DOT-E 6016	Airco Welding Products, Murray Hill, NJ	49 CFR 173.315 (a)	To Authorize shipment of liquid oxygen, nitrogen, and argon in non-DOT specification portable tanks. (Mode 1.)
6016-X	DOT-E 6016	Acty-Arc, Inc., Paducah, KY	49 CFR 173.315 (a)	To Authorize shipment of liquid oxygen, nitrogen, and argon in non-DOT specification portable tanks. (Mode 1.)
6016-X	DOT-E 6016	Guttman Supply Co., Belle Vernon, Pa	49 CFR 173.315 (a)	To Authorize shipment of liquid oxygen, nitrogen, and argon in non-DOT specification portable tanks. (Mode 1.)
6016-X	DOT-E 6016	Harvey Co., Greensburg, PA	49 CFR 173.315 (a)	To Authorize shipment of liquid oxygen, nitrogen, and argon in non-DOT specification portable tanks. (Mode 1.)
6016-X	DOT-E 6016	S. J. Smith Co., Inc., Davenport, IA	49 CFR 173.315 (a)	To Authorize shipment of liquid oxygen, nitrogen, and argon in non-DOT specification portable tanks. (Mode 1.)
6016-X	DOT-E 6016	Langdon Oxygen Co., Texarkana, TX	49 CFR 173.315(a)	To authorize shipment of liquid oxygen, nitrogen, and argon in non-DOT specification portable tanks. (Mode 1.)
6253-P	DOT-E 6253	IBEX Industrienwerke Braunschweig, Braunschweig, Germany.	49 CFR 173.119, 173.125, 173.245, 173.247, 173.266, 173.294, 173.346, 173.365.	To become a party to Exemption 6253. (Modes 1, 2, 3.)
6267-P	DOT-E 6267	Hill Bros. Chemical Co., Orange, CA	49 CFR 173.217(a)	To become a party to Exemption 6267. (Modes 1,2,3.)
6369-X	DOT-E 6369	E. I. du Pont de Nemours & Co., Inc., Wilmington, DE.	49 CFR 172.101, 173.346(a)(10), 173.347(a)(2), 173.352(a)(4), 173.374(a).	To authorize the use of DOT specification 105A400W, 112A400W, 114A400W, 120A400W, and proposed 120A400W tank car tanks for certain class B poisonous liquids. (Mode 2.)
6434-X	DOT-E 6434	Mobil Chemical Co., Richmond, VA	49 CFR 173.377(i)(1)	To authorize the use of non-DOT specification paper bags for a poisonous B solid material. (Modes 1, 2.)
6484-X	DOT-E 6484	International Minerals & Chemical Corp., Mundelein, IL.	49 CFR 172.101	To authorize the transport of mixtures of nitromethane and various solvents in MC-307 or MC-312 tank motor vehicles. (Mode 1.)
6607-X	DOT-E 6607	Bio-Lab, Inc., Conyers, GA	49 CFR 173.217(a)	To authorize a preformed expanded polystyrene inner pack, overpacked in a fiberboard box not provided for in the regulations for a certain oxidizing material. (Modes 1, 2, 3.)
6610-X	DOT-E 6610	Oxirane Chemical Co., Pasadena, TX	49 CFR 173.221	To authorize shipment of an organic peroxide liquid or solution in DOT Specification 111A100W6 tank cars and MC-307 cargo tanks. (Modes 1, 2.)
6611-X	DOT-E 6611	Cities Service Co., Tulsa, OK	49 CFR 172.101, 173.315(a)	To authorize use of a non-DOT specification portable tank for a nonflammable gas. (Modes 1, 3.)
6611-X	DOT-E 6611	Phillips Petroleum Co., Bartlesville, OK	49 CFR 172.101, 173.315(a)	To authorize use of a non-DOT specification portable tank for a nonflammable gas. (Modes 1, 3.)
6743-X	DOT-E 6743	Atlas Powder Co., Dallas, TX	49 CFR 173.114a(h)(3), 173.182	To authorize shipment of nivo carbo nitrate, slurry, in a DOT Specification 56 portable tank. (Mode 1.)
6772-X	DOT-E 6772	Monsanto Co., St. Louis, MO	49 CFR 173.119(a)(22),173.245, 173.264(a), 173.243, 173.349, 173.369.	To authorize the transport of limited quantities of waste flammable liquids, poisonous liquids, and corrosive liquids in inside containers overpacked and cushioned in a 55-gallon DOT Specification 17H steel drum. (Mode 1.)
6949-X	DOT-E 6949	FMC Corp., Philadelphia, PA	49 CFR 17193.190(b)(4)	To authorize use of marine portable tanks for certain flammable solids. (Modes 1, 2, 3.)
6949-X	DOT-E 6949	Monsanto Co., St. Louis, MO	49 CFR 173.190(b)(4)	To authorize use of marine portable tanks for certain flammable solids. (Modes 1, 2, 3.)
7063-X	DOT-E 7063	Hooker Chemical Co., Houston, TX	49 CFR 173.191(a)	To authorize use of a removable-head DOT Specification 35 container and a non-DOT specification polyethylene pail for shipment of a corrosive solid. (Modes 1, 2, 3.)
7066-P	DOT-E 7066	Tankcargo Container Leasing, S.A., Geneva, Switzerland.	49 CFR 173.119(m), 173.346	To become a party to Exemption 7066. (Modes 1, 3.)
7066-X	DOT-E 7066	Compagnie des Containers Reservoirs, Paris, France.	49 CFR 173.119(m), 173.346	To authorize the use of non-DOT specification portable tanks for shipment of certain flammable liquids and class B poisonous liquids. (Modes 1, 3.)
7206-X	DOT-E 7206	Ruan Transport Corp., Des Moines, IA	49 CFR 173.245(a)	To authorize shipment of certain corrosive liquids in non-DOT specification stainless steel cargo tanks. (Mode 1.)

Renewal and Party to Exemptions—Continued

7220-X	DOT-E 7220	Greif Bros. Corp., Springfield, NJ	49 CFR 173.119(a)(b), 173.125, 173.245(a)(26), 173.249(a)(1), 173.250(a)(1), 173.257(a)(1), 173.263(a)(28), 173.265(d)(6), 173.266(b)(8), 173.272(i)(9), 173.277(a)(6), 173.287(c)(1), 173.289(a)(1), 173.292(a)(1), 173.346, 173.348, 178.19.	To authorize manufacture, marking and sale of polyethylene containers to be used in the transportation of certain corrosive liquids, flammable liquids, oxidizers, and class B poisonous liquids. (Modes 1, 2, 3.)
7423-P	DOT-E 7423	Rossborough Manufacturing Co., Avon Lake, OH	49 CFR 173.154, 173.220(b)(2), 176.76(g)(5).	To become a party to Exemption 7423. (Modes 1, 2, 3.)
7423-X	DOT-E 7423	Dow Chemical Co., Freeport, TX	49 CFR 173.154, 173.220(b)(2), 176.76(g)(5).	To authorize the use of DOT Specification 56 portable tanks for the transportation of certain flammable solids. (Modes 1, 2, 3.)
7423-X	DOT-E 7423	Reade Manufacturing Co., Inc., Lakehurst, NJ	49 CFR 173.154, 173.220(b)(2), 176.76(g)(5).	To authorize the use of DOT Specification 56 portable tanks for the transportation of certain flammable solids. (Modes 1, 2, 3.)
7444-X	DOT-E 7444	James Russell Engineering Works, Inc., Boston, MA.	49 CFR 172.101, 173.315(a)	To authorize the shipment of liquefied flammable gases in non-DOT specification cargo tanks. (Mode 1.)
7516-P	DOT-E 7516	ABC Containerline, Antwerp, Belgium	49 CFR 173.119, 173.125, 173.245, 173.346, 46 CFR 90.05-35.	To become a party to Exemption 7516. (Mode 3.)
7543-X	DOT-E 7543	Monsanto Co., St. Louis, MO	49 CFR 173.154	To authorize shipment of a flammable solid in a DOT Specification 56 portable tank. (Mode 1.)
7600-X	DOT-E 7600	Lubbock Manufacturing Co., Lubbock, TX	49 CFR 172.101, 173.315(a)(1)	To authorize the manufacture, marking and sale of non-DOT specifiction cargo tanks to be used in the transportation of certain flammable gases. (Mode 1.)
7654-X	DOT-E 7654	Eastman Kodak Co., Rochester, NY	49 CFR 173.119(f)	To authorize the use of a glass bottle not exceeding 500 milliliter capacity inside a metal container overpacked in a DOT Specification 12B fiberboard box for transportation of a flammable liquid. (Modes 1, 2.)
7765-X	DOT-E 7765	Carleton Controls Corp., East Aurora, NY	49 CFR 173.302(a)(4), 175.3	To authorize the use of non-DOT specification cylinders for transportation of a nonflammable gas. (Modes 1, 2, 4.)
7778-X	DOT-E 7778	Schenley Distillers, Inc., New York, NY	49 CFR 172.400(a) Appendix B, Part 107, Subpart B.	To authorize barrels of distilled spirits to be transported without being labeled or having the exemption number marked on the barrel or shipping paper. (Modes 1, 2.)
7846-X	DOT-E 7846	Union Carbide Corp., Tarrytown, NY	49 CFR 173.314(c)	To authorize frame mounting and manifolding of DOT Specification seamless steel tank car tanks transporting certain nonflammable gases. (Modes 1, 3.)
7873-X	DOT-E 7773	Bromine Compounds, Ltd., Beer Sheva, Israel	49 CFR 173.353a	To authorize the use of non-DOT specification intermodal portable tanks for the transportation of a Class B poison liquid. (Modes 1, 3.)
7876-X	DOT-E 7876	Ashland Oil, Inc., Columbus, OH	49 CFR 173.299(a), 175.3	To authorize the shipping description etching acid, liquid, n.o.s. to be used for products which do not comply with the definition in CFR 173.299(a). (Modes 1, 2, 3, 4.)
7876-X	DOT-E 7876	Allied Chemical Corp., Morristown, NJ	49 CFR 173.299(a), 175.3	To authorize the shipping description etching acid, liquid, n.o.s. to be used for products which do not comply with the definition in CFR 173.299(a). (Modes 1, 2, 3, 4.)
7949-X	DOT-E 7949	Riegel Textile Corp., Ware Shoals, SC	49 CFR 173.249(a)(7)	To authorize the transportation of an alkaline corrosive liquid in collapsible rubber containers, designated as "SEALDTANKS". (Mode 1.)
7998-X	DOT-E 7998	FMC Corp., Philadelphia, PA	49 CFR 173.154	To authorize the transport of sodium persulfate in non-DOT specification composite polyethylene paper bags. (Modes 1, 2.)
8003-X	DOT-E 8003	Pennwalt Corp., Buffalo, NY	49 CFR 173.154(a)(14)	To authorize the use of one gallon, open-headed polyethylene containers inside a DOT Specification 12B box for shipment of organic peroxide solids and pastes. (Modes 1, 3.)
8067-X	DOT-E 8067	Container Corp. of America, Wilmington, DE	49 CFR 173.272(g)	To authorize the use of a 15-gallon capacity DOT Specification 34 container for the shipment of 95 pct to 98 pct sulfuric acid. (Modes 1, 2, 3.)
8079-X	DOT-E 8079	Container Corp. of America, Wilmington, DE	49 CFR 178.35a-1	To manufacture, mark and sell a DOT Specification 2SL inside polyethylene container of higher density, higher melt index resin for shipment of those materials authorized in a DOT Specification 2SL. (Modes 1, 2, 3.)
8084-X	DOT-E 8084	Ireco Chemicals, Salt Lake City, UT	49 CFR 173.65(a)(5)	To authorize the transportation of Class A explosives containing more than 5 pct moisture in plastic tubes overpacked in prescribed outside packagings. (Mode 1.)
8091-X	DOT-E 8091	Western Electric Co., Inc., Greensboro, NC	49 CFR Parts 100-177	To authorize the transport of certain mercury relays containing metallic mercury, classed as ORM-B, exempted from 49 CFR 100-177. (Modes 4, 5.)
8119-X	DOT-E 8119	BJ-Hughes, Inc., Houston, TX	49 CFR 173.119(d), 173.245(a)(31), 173.263(a)(10), 178.343-5(b)(2)(i).	To authorize the carriage of certain corrosive and flammable liquids in non-DOT specification cargo tanks. (Mode 1.)
8129-X	DOT-E 8129	RAD Service, Inc., Laurel, MD	49 CFR 173, Subpart F	To authorize the shipment of certain corrosive liquids packed in bottles surrounded by absorbent material overpacked in DOT Specification 37A, 17H, or 6J drums. (Mode 1.)
8347-X	DOT-E 8347	Fabricated Metals, Inc., San Leandro, CA	49 CFR 173.119(b)	To authorize the use of a DOT Specification 57 steel or stainless steel portable tank not previously authorized for the transportation of certain flammable and combustible liquids. (Mode 3.)
8394-X	DOT-E 8394	Tempest, Inc., St. Louis, MO	49 CFR Parts 100-177	To authorize shipment of small quantities of sodium-potassium alloy contained in thermostats overpacked in fiberboard boxes, as nonregulated materiel. (Modes 1, 2, 3, 4, 5.)
8394-P	DOT-E 8394	Whirlpool Corp., La Porte, IN	49 CFR Parts 100-177	To become a party to Exemption 8394. (Modes 1, 2, 3, 4, 5.)
8441-P	DOT-E 8441	Power Conversion, Inc., Mount Vernon, NY	49 CFR 172.101	To become a party to Exemption 8441. (Mode 1.)
8441-P	DOT-E 8441	Sanders Associates, Inc., Nashua, NH	49 CFR 172.101	To become a party to Exemption 8441. (Mode 1.)
8441-P	DOT-E 8441	Battery Disposal Technology, Inc., Clarence, NY	49 CFR 172.101	To become a party to Exemption 8441. (Mode 1.)
8445-P	DOT-E 8445	Ciba-Geigy Corp., Ardsley, NY	49 CFR Part 173, Subpart D, Subpart E, Subpart F.	To become a party to Exemption 8445. (Mode 1.)

New Exemptions

8384-N	DOT-E 8384	Oakite Products, Inc., Berkeley Heights, CA	49 CFR 173.256, 178.253	To authorize the use of a DOT Specification 57 portable tank with a polyethylene liner for shipment of a corrosive material. (Mode 1.)
8407-N	DOT-E 8407	Hooker Chemical Co., Houston, TX	49 CFR Part 172, 173.245, Subpart C	To transport within plant over public highway via fork-lift trucks waste residues, classed as corrosive liquids, n.o.s., without shipping papers, contained in non-DOT specification portable tanks. (Mode 1.)
8455-N	DOT-E 8455	Dow Chemical Co., Freeport, TX	49 CFR 173.154, 173.178	To authorize shipment of salt coated magnesium granules in non-DOT specification water-tight, sift-proof, intermodal steel portable tanks as prescribed for calcium carbide. (Modes 1, 3.)
8460-N	DOT-E 8460	Contrans, Hamburg, West Germany	49 CFR 173.136, 173.245, 173.247, 173.249, 173.163, 173.264, 173.277, 173.294, 173.510, 173.605.	To authorize shipment of certain corrosive liquids and various other hazardous materials in non-DOT specification IMCO type I portable tanks. (Modes 1, 2, 3.)
8472-N	DOT-E 8472	Ohmart Corp., Cincinnati, OH	49 CFR 173.302, 175.3	To authorize shipment of argon shipped as a compressed gas in devices described as ionization chambers. (Modes 1, 2, 3, 4, 5.)
8481-N	DOT-E 8481	Embassy of Switzerland, Washington, DC	49 CFR 172.101, 173.56, 175.3	To authorize shipment of explosive projectiles, Class A, in specially designed metal packagings, transported by cargo-only aircraft. (Mode 4.)
8497-N	DOT-E 8497	Roper Plastics, Inc., New York, NY	49 CFR 178.19, Part 173, Subpart F	To manufacture, mark and sell polyethylene drums complying with DOT Specification 34 except for polyethylene melt index and markings for shipment of flammable or corrosive liquids and an oxidizer. (Modes 1, 2, 3.)
8499-N	DOT-E 8499	Hedwin Corp., Baltimore, MD	49 CFR 173.119, 173.125, 173.272, 173.288, 173.246.	To manufacture, mark and sell DOT Specification 34 30-gallon polyethylene drums for shipment of certain flammable, corrosive, and poison B liquids. (Modes 1, 2, 3.)
8500-N	DOT-E 8500	Talley Industries of Arizona, Ind., Mesa, AZ	49 CFR 173.153, 173.154, 175.3	To qualify a passive restraint system containing a propellant explosive Class B as a flammable solid classification. (Modes 1, 2, 3, 4.)
8516-N	DOT-E 8516	Atlas Powder International, Ltd., Miami, FL	49 CFR 176.83(b)	To authorize shipment of ammonium nitrate-fertilizer, classed as an oxidizer and ammonium nitrate-fuel oil, classed as a blasting agent to be stowed in the same hold or compartment aboard ship. (Mode 3.)
8521-N	DOT-E 8521	Austin Powder Co., Cleveland, OH	49 CFR 172.101, 172.300, 172.304, 172.400, 172.411(c)(d), 172.114(a).	To authorize a limited number of nitro carbon nitrate packages bearing the oxidizer label to be shipped after Dec. 31, 1980. (Mode 1.)
8524-N	DOT-E 8524	Kaiser Aluminum & Chemical Corp., Oakland, CA	49 CFR 173.265(b)(3)	To authorize shipment of hydrofluosilicic acid, classed as a corrosive material in DOT Specification 111A100W5 tank cars, lined with vinyl ester resin. (Mode 2.)

Emergency Exemptions

EE 8531-N	DOT-E 8531	Monsanto Co., St. Louis, MO	49 CFR 172.101, 172.406, 172.504, 173.114(j).	To authorize shipment of nitro carbo nitrate in prescribed DOT Specification bags labeled oxidizer, after Dec. 31, 1980, in order to utilize the existing inventory. (Mode 1.)
EE 8540-N	DOT-E 8540	U.S. Navy (Naval Sea Systems Command), Washington, DC.	49 CFR 176.83(b), Table II	To authorize the shipment of oxygen candles packaged in specially designed metal containers. (Mode 3.)
EE 8541-N	DOT-E 8541	International Minerals & Chemical Corp., Allentown, PA.	49 CFR 172.101, 172.406, 172.504, 173.114(j).	To authorize shipment of nitro carbo nitrate in prescribed DOT Specification bags labeded oxidizer, after Dec. 31, 1980, in order to utilize the existing inventory. (Mode 1.)

Denials

7503-X—Request by Lowaco, S.A., Geneva, Switzerland, for renewal denied Dec. 30, 1980, due to incomplete shipping reports.

8234-X—Request by GM Magyar, S.A. (SMG), Gray, France, for portable tank modifications denied Dec. 15, 1980, due to incomplete technical data.

8438-N—Request by Westinghouse Electric Corp., Orrville, Ohio, to authorize shipment of metallic mercury in 7.5 pound plastic bottles each packed in strong outside packages denied Dec. 11, 1980.

8456-N—Request by Orval Tank Containers, Paris, France, to authorize shipment of various nonflammable and flammable compressed gases in a non-DOT specification IMCO type V portable tank denied Dec. 8,1980.

8459-N—Request by Degussa, Central Transport Department, Frankfurt, West Germany, to authorize shipment of methylmercaptopropionaldehyde (MMP), classed as a poison B, in non-DOT specification IMCO type I portable tanks denied Dec. 8,1980.

8501-N—Request by Dynatrans, Gothenburg, Sweden, to authorize shipment of certain liquefied compressed gases in non-DOT specification IMCO type V portable tanks denied Dec. 19, 1980.

Issued in Washington, D.C. on February 17, 1981.

J. R. Grothe,

Chief, Exemptions Branch, Office of Hazardous Materials Regulation, Materials Transportation Bureau.

[FR Doc. 81-6286 Filed 2-25-81; 8:45 am]

BILLING CODE 4910-60-M

DEPARTMENT OF THE TREASURY

Office of the Secretary

Treasury Announces Public Meeting To Discuss USA-Austria Tax Treaty Issues, on March 23, 1981

The Treasury Department announced that it will hold a public meeting on March 23, 1981, to solicit the views of interested persons regarding issues being considered during negotiations of a new income tax treaty between the United States and Austria.

The public meeting will be held at the Treasury Department, at 3:30 p.m., in room 4125. Persons interested in attending are requested to give notice in writing by March 18, 1981, of their intention to attend. Notices should be addressed to Joel Rabinovitz, Deputy International Tax Counsel, Department of the Treasury, Washington, D.C. 20220.

The announcement of the March public meeting follows the recent conclusion of the first full round of negotiations between representatives of the United States and Austria to develop a new income tax treaty for the avoidance of double taxation and the prevention of tax evasion. The new treaty would replace the income tax treaty presently in effect between the United States and Austria which was signed in 1956.

The Treasury seeks the views of interested persons in regard to the full range of income tax treaty issues, as well as other matters that may have relevance to an income tax treaty between the United States and Austria. The March 23 public meeting will provide an opportunity for an exchange of views, and will permit discussion of the United States position in regard to the issues presented.

Dated: February 20, 1981.

Emil M. Sunley,

Acting Assistant Secretary (Tax Policy).

[FR Doc. 81-6419 Filed 2-25-81; 8:45 am]

BILLING CODE 4810-25-M

Treasury Announces Public Meeting to Discuss U.S.-Belgium Tax Treaty Issues on March 23, 1981

The Treasury Department announced that it will hold a public meeting on March 23, 1981 to solicit the views of interested persons on issues being considered in the negotiation of a new income tax treaty to replace the treaty currently in force between the United States and Belgium.

The public meeting will be held at the Treasury Department, at 1:30 p.m., in room 4125. Persons interested in attending are requested to give notice of their intention to attend in writing by March 18, 1981. Notices should be addressed to Joel Rabinovitz, Deputy International Tax Counsel, Department of the Treasury, Washington, D.C. 20220.

The meeting follows negotiations held in Washington in June, 1980 and in Brussels in September, 1980. Treasury is hopeful that remaining issues can be resolved at the next meetings, scheduled in Washington during the week of April 6, 1981. The purpose of the public meeting is to provide information on the major issues under discussion and to invite public comment on any relevant matter before reaching final decisions.

Dated: February 20, 1981.

Emil M. Sunley,

Acting Assistant Secretary (Tax Policy).

[FR Doc. 81-6420 Filed 2-25-81; 8:45 am]

BILLING CODE 4810-25-M

Sunshine Act Meetings

Federal Register
Vol. 46, No. 38
Thursday, February 26, 1981

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94-409) 5 U.S.C. 552b(e)(3).

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1

COMMODITY FUTURES TRADING COMMISSION.

TIME AND DATE: 1 a.m., Friday, March 6, 1981.

PLACE: 2033 K Street NW., Washington, D.C. Eighth floor conference room.

STATUS: Closed.

MATTERS TO BE CONSIDERED: Surveillance Briefing.

CONTACT PERSON FOR MORE INFORMATION: Jane Stuckey, 254-5314.

[S-308-81 Filed 2-24-81; 11:57 am]

BILLING CODE 6351-01-M

2

FEDERAL DEPOSIT INSURANCE CORPORATION.

Notice of changes in subject matter of agency meeting.

Pursuant to the provisions of subsection (e)(2) of the "Government in the Sunshine Act" (5 U.S.C. 552b(e)(2)), notice is hereby given that at its closed meeting held at 2:30 p.m. on Monday, February 23, 1981, the Corporation's Board of Directors determined, on motion of Chairman Irvine H. Sprague, seconded by Director William M. Isaac (Appointive), concurred in by Mr. H. Joe Selby, acting in the place and stead of Director John G. Heimann (Comptroller of the Currency), that Corporation business required the addition to the agenda for consideration at the meeting, on less than seven days' notice to the public, of the following matters:

Application of Tri Counties Bank, Chico, California, an insured State nonmember bank, for consent to merge, under its charter and title, with Shasta County Bank, Redding, California (subsequent to the merger of Shasta County Bank, under its charter and title, with Tri-Counties Subsidiary Company, a noninsured California corporation in organization and a wholly-owned subsidiary of Tri Counties Bank); for consent to establish the six offices of Shasta County Bank as branches of Tri Counties Bank; for consent to issue convertible subordinated capital notes, in an aggregate principal amount not to exceed $3,600,000 at a rate not to exceed 9.50 percent per annum, as an addition to the capital structure of Tri Counties Bank; and for advance consent to retire these capital notes at maturity (seven years and one day from the date of issuance) or to convert these capital notes into common stock of Tri Counties Bank after one year from the date of their issuance.

Recommendation regarding First Pennsylvania Corporation, Philadelphia, Pennsylvania.

Recommendations regarding the liquidation of a bank's assets acquired by the Corporation in its capacity as receiver, liquidator, or liquidating agent of those assets:

Memorandum and Resolution re: Bank of Lake Helen, Lake Helen, Florida

The Board further determined, by the same majority vote, that no earlier notice of the changes in the subject matter of the meeting was practicable; that the public interest did not require consideration of the matters in a meeting open to public observation; and that the matters could be considered in a closed meeting by authority of subsections (c)(4), (c)(6), (c)(8), (c)(9)(A)(ii), (c)(9)(B), and (c)(10) of the "Government in the Sunshine Act" (5 U.S.C. 552b(c)(4), (c)(6), (c)(8), (c)(9)(A)(ii), (c)(9)(B), and (c)(10)).

Dated: February 23, 1981.

Federal Deposit Insurance Corporation.

Hoyle L. Robinson,

Executive Secretary.

[S-309-81 Filed 2-24-81; 12:16 pm]

BILLING CODE 6714-01-M

3

FEDERAL ELECTION COMMISSION.

DATE AND TIME: Tuesday, March 3, 1981 at 10 a.m.

PLACE: 1325 K Street NW., Washington, D.C.

STATUS: This meeting will be closed to be the public.

MATTERS TO BE CONSIDERED: Personnel. Compliance. Litigation. Auddits.

* * * * *

DATE AND TIME: Thursday, March 5, 1981 at 10 a.m.

PLACE: 1325 K Street NW., Washington, D.C. (fifth floor).

STATUS: This meeting will be open to the public.

MATTERS TO BE CONSIDERED:

Setting of dates for future meetings
Correction and approval of minutes
Certification
Advisory opinions:
Draft AO 1981-6: Judith Bowman, Associate Counsel, Sunkist Growers, Inc.
Draft AO 1981-7: David A. Sweeney, Director, Democratic Republican Independent Voter Education
Advisory opinion requests—barring of withdrawals final rule and transmittal of regulation to Congress (continued from February 19 meeting)
Appropriations and Budget
Pending Legislation
Classification Actions
Routine administrative matters

* * * * *

PERSON TO CONTACT FOR INFORMATION: Mr. Fred Eiland, Public Information Officer; 202-523-4065.

[S-316-81 Filed 2-24-81; 3:14 pm]

BILLING CODE 6715-01-M

4

FEDERAL MARITIME COMMISSION.

TIME AND DATE: 9 a.m., March 4, 1981.

PLACE: Hearing Room One, 1100 L Street NW., Washington, D.C.

STATUS: Parts of the meeting will be open to the pubic. The rest of the meeting will be closed to the public.

MATTERS TO BE CONSIDERED: Portions open to the public:

1. Agreement No. 9355-6: Modification of the Atlantic and Gulf American-Flag Berth Operators Agreement to Provide Tariff Rule Authority.

2. Agreement No. 9973-7: Modification of the Johnson Scan-Star Combined Service to Enlarge Emergency Overland Authority to Include Closure of West Coast Ports.

3. Agreement No. T-3856: among the Mid-Gulf Seaports Marine Terminal Conference; the Terminal Operators Conference of Hampton Roads; and the South Atlantic Marine Terminal Conference; Discussion Agreement.

4. Petition of Sea-land Service, Inc. for Rulemaking to Promulgate Filing Requirements for Publication of Per-Container Rates in the U.S. Foreign Commerce.

5. Regulatory Evaluation of the FMC Tariff System.

Portion closed to the public:

1. Royal Hawaiian Cruises, Inc.—Application for Certificates of Financial Responsibility (Performance) to operate passenger vessel.

CONTACT PERSON FOR MORE INFORMATION: Joseph C. Polking, Assistant Secretary (202) 523-5725.

[S-316-81 Filed 2-24-81; 3:38 pm]

BILLING CODE 6730-01-M

5

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION.

Amendment of previously published meeting

February 23, 1981.

TIME AND DATE: 10 a.m., Wednesday, February 25, 1981.

PLACE: Room 600, 1730 K Street NW., Washington, D.C.

STATUS: Open.

MATTERS TO BE CONSIDERED:

1. United Castle Coal Company, VA 79-141-D, previously scheduled for February 25, 1981 will be heard on February 26, 1981 at 10:00 a.m. This is the only change.

It was determined by a unanimous vote of Commissioners that Commission business required that this item be changed and that no earlier announcement of the change was possible.

CONTACT PERSON FOR MORE INFORMATION: Jean Ellen, 202-653-5632.

[S-317-81 Filed 2-24-81; 3:38 pm]

BILLING CODE 6820-12-M

6

LEGAL SERVICES CORPORATION.

Meeting of the Board of Directors

TIME AND DATE: 9:30 a.m.-5 p.m., Friday and Saturday, March 6-7, 1981.

PLACE: Legal Services Corporation, eighth floor conference rooms 2 and 3, 733 15th Street NW., Washington, D.C.

STATUS: Open Meeting (portion of the meeting will be closed so the Board can discuss a litigation matter under 45 CFR Section 1622.5(h)).

MATTERS TO BE CONSIDERED:

1. Adoption of Agenda.
2. Approval of Minutes of December 5, 1980 Meeting.
3. Report from Committee on Operations:
   - Reauthorization of Legal Services Corporation.
   - Adoption of Amendment of 45 CFR Section 1612.4 (Legislative and Administrative Representation).
   - Proposed Comprehensive Civil Rights Regulation.
   - Equal Opportunity Plan for the Legal Services Corporation.
4. Report from Committee on Provision of Legal Services:
   - *A Plan for the Future.*
   - Reginald Heber Smith Community Lawyer Fellowship Program.
   - Report on *Pro Bono* Grants.
5. Report from Committee on Appropriations and Audit:
   - Selection of Auditors for fiscal year 1981.
   - Proposed Budget Modifications to fiscal year 1981 Consolidated Operating Budget.
6. Future Meeting Dates.
7. Other Business.

CONTACT PERSON FOR MORE INFORMATION: Dellanor Khasakhala, Office of the President, (202) 272-4040.

Issued: February 24, 1981.

Dan J. Bradley,

President.

[S-310-81 Filed 2-24-81; 12:44 pm]

BILLING CODE 6820-35-M

7

LEGAL SERVICES CORPORATION.

TIME AND DATE: 3 p.m.-5 p.m., Thursday, March 5, 1981.

PLACE: Legal Services Corporation, Eighth floor conference room 2, 733 15th Street NW., Washington, D.C.

STATUS: Open meeting.

MATTERS TO BE CONSIDERED:

1. Adoption of Agenda.
2. Approval of Minutes of December 4, 1980 Meeting.
3. Selection of Auditors for fiscal year 1981.
4. Proposed Budget Modifications to fiscal year 1981 Consolidated Operating Budget.
5. Other Business.

CONTACT PERSON FOR MORE INFORMATION: Dellanor Khasakhala, Office of the President, (202) 272-4040.

Dated: February 24, 1981.

Dan J. Bradley,

President.

[S-311-81 Filed 2-24-81; 12:44 pm]

BILLING CODE 6820-35-M

8

METRIC BOARD.

Executive Committee Meeting

TIME AND DATE: 4:30-6 p.m., March 4, 1981.

PLACE: The Regent Hotal/Convention Center Complex, Santo Domingo Room, 201 Marquette, N.W., Albuqerque, New Mexico 87103.

STATUS: Open to the public.

MATTERS TO BE CONSIDERED:

- Format for May Board Meeting
- Out of Town Board Meetings

CONTACT PERSON FOR FURTHER INFORMATION: Malcolm E. O'Hagan, Executive Director (703) 235-1933.

Louis F. Polk,

Chairman, United States Metric Board.

[S-312-81 Filed 2-24-81; 2:00 pm]

BILLING CODE 6820-94-M

9

METRIC BOARD.

Planning and Coordination Committee Meeting

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: 46 FR 13443, February 20, 1981.

PREVIOUSLY ANNOUNCED TIME AND DATE OF MEETING: 3 p.m., Wednesday, March 4, 1981.

PLACE: Acoma Room, Convention Center Complex/Regent Hotel, 201 Marquette, NW., Albuqerque, New Mexico.

STATUS: Open to the public.

CONTACT PERSON FOR FURTHER INFORMATION: Charles Danner (703) 235-2583.

CHANGES IN THE MEETING: Change meeting time to 2 p.m., Wednesday, March 4, 1981.

Louis F. Polk,

Chairman, United States Metric Board.

[S-313-81 Filed 2-24-81; 2:06 pm]

BILLING CODE 6820-94-M

10

NUCLEAR REGULATORY COMMISSION.

DATE: February 20, 1981.

PLACE: Commissioners conference room, 1717 H Street NW., Washington, D.C.

STATUS: Open.

MATTERS TO BE CONSIDERED: Friday, February 20:

3 p.m.:—Affirmation/Discussion Session (approximately 10 minutes, public meeting).

Affirmation and/or Discussion and Vote:

a. Review of an Appeal Board Decision.

CONTACT PERSON FOR MORE INFORMATION: Walter Magee (202) 634-1410.

AUTOMATIC TELEPHONE ANSWERING SERVICE FOR SCHEDULE UPATE: (202) 634-1498. Those planning to attend a meeting should reverify the status on the day of the meeting.

Walter Magee,

Office of the Secretary.

[S-319-81 Filed 2-24-81; 3:38 pm]

BILLING CODE 7590-01-M

11

UNITED STATES RAILWAY ASSOCIATION.

TIME AND DATE: 10: a.m., March 5, 1981.

PLACE: 955 L'Enfant Plaza North SW., Board room 2-500, fifth floor, Washington, D.C.

STATUS: The session will be closed to the public.

MATTERS TO BE CONSIDERED BY THE BOARD OF DIRECTORS: Portions closed to the public (10 a.m.):

1. Consideration of internal personnel matters.
2. Litigation report.
3. Review of Conrail financial and proprietary information for Conrail planning.

CONTACT PERSON FOR MORE INFORMATION: Alex Bilanow, (202) 426-4250.

[S-315-81 Filed 2-24-81; 2:42 pm]

BILLING CODE 8240-01-M

12

UNITED STATES RAILWAY ASSOCIATION.

TIME AND DATE: 2 p.m., March 4, 1981.

PLACE: Board Room 2-500, fifth floor, 955 L'Enfant Plaza North SW., Washington, D.C.

STATUS: The session will be closed to the public.

MATTERS TO BE CONSIDERED BY THE BOARD OF DIRECTORS: Portions closed to the public (2 p.m.):

1. Review of Conrail financial and proprietary information for Conrail planning.

CONTACT PERSON FOR MORE INFORMATION: Alex Bilanow (202) 426-4250.

[S-314-81 Filed 2-24-81; 2:42 pm]

BILLING CODE 8240-01-M

federal register

Thursday
February 26, 1981

Part II

Department of Commerce

International Trade Administration

Imported Steel Mill Products Trigger Price Mechanism; Second-Quarter 1981 Trigger Prices

DEPARTMENT OF COMMERCE

International Trade Administration

Imported Steel Mill Products Trigger Price Mechanism; Second-Quarter 1981 Trigger Prices

AGENCY: Department of Commerce.

ACTION: Announcement of Second-Quarter 1981 Trigger Price Levels.

SUMMARY: On average, second-quarter 1981 trigger price bases and extras for most basic steel mill products covered by the steel trigger price mechanism (TPM) will be 4.4 percent higher than the first-quarter 1981 levels. The product cost coefficients that determine the relationship of the base trigger prices of individual products to the average production costs for the major steel products are revised for the second-quarter trigger prices to reflect the current production cost relationships of these products to the average. The Department uses trigger prices to monitor the prices of steel mill product imports for possible initiation of antidumping investigations.

SUPPLEMENTARY INFORMATION: On October 8, 1980 (45 FR 66833), the Department of Commerce published its intention to reinstate the TPM. The Department began its monitoring of imported basic steel mill products entering the United States on October 21, 1980. Steel trigger prices are based on the production costs of the world's most efficient steel producers, currently the Japanese.

Second-quarter 1981 trigger price bases for those steel mill products manufactured principally by integrated steel producers will be, on average, 4.4 percent higher than their first-quarter 1981 levels. The trigger price extras of these products will also increase by 4.4 percent. The cost coefficients, which reflect the relationship of the production costs of specific base products and the average production cost of the six major Japanese steel producers, have been updated for second-quarter 1981 trigger prices. The Department multiplies these cost coefficients by the average integrated producers' production costs to determine the individual product base trigger prices. (See Table 3 for a list of second-quarter 1981 base trigger prices.)

Second-quarter trigger price bases and extras of those steel mill products manufactured principally be electric furnace producers will be 4.7 percent higher than their first-quarter levels. The direction and magnitude of the changes in the trigger price bases for stainless steel wire products, corrected this quarter in accordance with refined information, varied depending on the product. Stainless steel wire extras will increase 1.4 percent (See Table 3.)

For its calculation of trigger price levels, the dollar/yen exchange rate the Department uses to convert Japanese steel producer's yen denominated production costs to dollars is the average of the 36 months preceding the publication of the quarter's trigger price levels. On this basis, the exchange rate used in the Department's second-quarter 1981 production cost estimate is 218 yen to the dollar (the yen/dollar exchange rate average for February 1978 through January 1981). The Department used a 221 yen/dollar exchange rate average (the average for November 1977 through October 1980) for the first-quarter 1981 trigger price calculation.

Production Costs

Integrated Producers

The 4.4 percent increase in the average trigger price of basic steel mill products produced primarily by the six major Japanese integrated steel producers reflects various changes in these producers' steel production costs. The second-quarter's production costs represent a comprehensive update of the components of steel production costs, based primarily on information from the Japanese Ministry of International Trade and Industry (MITI). The Department is continuing its efforts to assure that these estimates reflect current Japanese production costs. Certain cost components previously calculated from historical data have been projected in order to more nearly reflect production costs which will be incurred in the second quarter.

A slight reduction in the five-year average capacity utilization and a decrease in the yen/dollar ratio were responsible for at least part of the increase in most of the production cost elements; while, a substantial improvement in the raw steel to finished product yield, from 83.7 percent to the current rate of 86.0 percent, served to decrease production costs. The basic raw materials component increase of 3.8 percent also reflects increases in iron ore and coking coal prices. These price increases are estimates of the increases in the price of materials that will result from the negotiation, currently in progress, of supply contracts for iron ore and coking coal and will be effective during the period beginning April 1, 1981.

The overall increase for the other raw materials component is 7.5 percent, and the labor cost component increased 11.1 percent. Changes in labor costs include an anticipated increase due to the renegotiation of labor contracts which will affect second-quarter expenses. Interest expense increased 6.2 percent, while "other expenses" and depreciation decreased 7.9 percent and 7.4 percent, respectively. (See Table 1.)

Table 1.—*Japanese Production Cost Estimate: Integrated Steel Producers, 1st and 2d Quarter, 1981*

[U.S. dollars per metric ton of finished product]

	1st quarter	2d quarter
Basic Raw Material	$161.94	$168.08
Other Raw Material	77.93	83.77
Labor	93.69	104.13
Other Expenses	33.07	30.47
Depreciation	36.71	33.99
Interest	26.98	28.66
Profit [1]	29.33	30.92
Yield Credit	(13.02)	(13.80)
Total Cost (M.T.)	446.63	466.22
Total Cost N.T.)	405.18	422.95

[1] Profit = 0.08 (all raw materials plus labor plus "other expenses").

Electric Furnace Producers

The 4.7 percent increase in electric furnace trigger prices and production costs between the second and first quarters of 1981 resulted mainly from increases in the costs of raw material inputs. Increases due to the appreciation of the yen were mostly offset by improvements in the productivity of input factors. (See Table 2 below for a comparison of second-quarter 1981 and first-quarter 1981 production cost by component for each of the three electric furnace producers.)

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Table 2

Japanese Steel Production Cost Estimates:
Electric Furnace Products Second Quarter 1981 and First Quarter 1981

	Group A[1]		Group B[2]		Group C[3]	
	First Quarter	Second Quarter	First Quarter	Second Quarter	First Quarter	Second Quarter
Basic Raw Materials	$190.28	$191.81	$197.59	$203.94	$192.12	$196.34
Other Raw Materials	37.00	41.75	39.62	44.49	36.55	40.41
Labor	30.51	30.83	33.67	33.74	27.85	27.90
Other Expenses	11.23	12.63	15.78	17.38	14.01	15.64
Depreciation	6.30	7.56	8.73	9.03	6.58	8.19
Interest	6.67	10.91	9.98	10.88	8.61	10.71
Profit[4]	21.52	22.16	22.93	23.96	21.64	22.42
Scrap Credit	(3.14)	(3.20)	(2.98)	(2.93)	(2.85)	(2.76)
Total $/M.T.	$300.37	$314.45	$325.32	$340.49	$304.51	$318.85
Total $/N.T.	$272.49	$285.27	$295.13	$308.89	$276.25	$289.26

1/Group A products are equal angles, unequal angles, channels, and I-beams.

2/Group B products are hot rolled strip from bar mills; merchant quality flat bars, hot rolled round bars, squares, and round cornered squares; and bar size channels.

3/Group C products are concrete reinforcing bars, plain and deformed.

4/ Profit = .08 (Raw materials + labor + other expenses).

BILLING CODE 3510-25-C

Stainless Steel Wire, Wire Nails, and Galvanized Sheet

For its calculation of fourth-quarter 1980 and first-quarter 1981 stainless steel wire production costs, the Department did not have grade specific information on production costs. As a result of recent meetings in Japan of Department officials with MITI officials, the Department has obtained these grade specific data. The second-quarter stainless wire base trigger prices reflect adjustments based on this more detailed information. Some of the adjustments result in net first- to second-quarter decreases in trigger prices despite the effect of the slight decrease in the yen/dollar exchange ratio. (See Table 4 for a guide to lists of specific trigger prices.)

The base trigger price for wire nails for second-quarter 1981 will be $477, $46 dollars lower than their first-quarter levels. Wire nail trigger prices for previous quarters were estimated from the trend in the costs of the integrated producers. This method significantly overstated the increase in the cost of producing wire nails. Prices for the second quarter are based on production costs supplied by the five major Japanese wire nail producers. (See Table 4.)

Galvanized sheet trigger prices have also been revised in accordance with more detailed information obtained from MITI. (See Table 4.)

Other Charges

TPM trigger prices are an estimate of the production costs of Japanese steel manufacturers plus the cost of transporting and landing the steel in the United States; hence, to the production costs described above and reflected in trigger price bases and extras must be added charges for freight, interest, handling and insurance. The only element of these charges that has changed from its first-quarter 1980 level is the addition of a freight charge for pipe and tube products greater than 40 feet in length. (See Table 4.)

Theoretical Minimum Weight (TMW)

Hot rolled sheet (category 25), cold rolled sheet (category 26) and galvanized sheet (category 27) are frequently sold on the basis of theoretical minimum weight (TMW). Under TMW, the seller calculates the price based on the standard (theoretical) weight for the product rather than on the actual weight.

The original TPM included a TMW extra for each of the three product categories noted above. In 1979 the TMW extras were deleted from the TPM Price Manual and replaced by a revised system of adjusting transaction prices for comparison with trigger prices, which are based on actual weight. The TMW unit price on the invoice was adjusted to an actual weight unit price by multiplying by the theoretical weight and dividing by the actual weight. This price would then form the basis for comparison with the trigger price. The Department has continued to apply this method of adjustment in those transactions where TMW is used.

Several import groups have submitted a proposal for a modification of the current methd for trigger pricing TMW shipments. this proposal urges the reestablishment of the TMW extras, supplemented by a comparison of TMW/actual weight variances and accepted industry standards. The Department has decided to adopt this proposal effective beginning with products exported on or after April 1, 1980. Under this system, imports of steel sold on the basis of TMW would be compared with trigger prices that include the TMW extras.

TMW extras for the second quarter 1981 are as follows:

TPM manual page	Description of product	Extra (MT)
25-1	Hot Rolled Sheet	$16
26-5	Cold Rolled Sheet	19
27-1	Electro-Galvanized Sheet	16
27-4	Galvanized Sheet	25

Under the new system, where the TMW transaction price is at or above the applicable trigger price, an additional check will be made to ensure that the TMW/actual weight variance for the size involved does not exceed the applicable percentage set forth in the following chart:

Chart for TMW Standard Allowance

Thickness (inches)	Percentage over TMW allowable
0.050 and thicker	3.60
0.045 up to 0.050	4.00
0.040 up to 0.045	4.50
0.035 up to 0.040	5.25
0.030 up to 0.035	6.00
0.025 up to 0.030	7.25
0.020 up to 0.025	9.00
0.014 up to 0.020	12.00

For example, 0.050 sheet sold on TMW having a TMW/actual weight variance of over 3.60 percent may be the subject of an inquiry regarding the variance, even though the adjusted transaction price may be at or above the applicable trigger price.

Pipe and Tubing Trigger Prices

For most of the pipe and tubing products within AISI categories 14 and 15 there is no base price listed in the first-quarter TPM price manual, rather the subsequent page(s) in the manual is referenced. The referenced page(s) contains a table showing base price including extras. To calculate the appropriate trigger price for each base including extra combination the following product constants must be multiplied by each base including extra combination for that product.

Page*	Product	Multiplier
14-1	ERW Carbon Steel Pressure Tubing for use in Boilers, Heat Exchangers, Condensers, Etc.	1.044.
14-6	Continuous Butt Welded Standard Pipe.	1.044.
14-8	ERW Pipe, Excluding Oil Well Casing, without Coupling.	1.044.
14-13	Submerged arc Welded Pipe.	1.042.
14-16	ERW Structural Tubing to ASTM A-500.	1.044.
14-22	ERW Standard Pipe	1.044.
14-24	Piling Pipe ASTM A-252	1.042.
14-28	ERW Mechanical Tubing ASTM A-513.	1.043.
15-1	Seamless Carbon Steel Oil Well Casing, Not Threaded, up to 7" in Outside Diameter.	1.138.
15-4	Seamless Carbon Steel Oil Well Casing, Not Threaded 7 inches and over in Outside Diameter.	1.144.
15-7	Seamless Carbon Steel Oil Well Casing, Threaded and Coupled, 7 inches and over in Outside Diameter.	1.155.
15-10	Seamless Carbon Steel Oil Well Casing, Threaded and Coupled, up to 7 inches in Outside Diameter.	1.154.
15-13	Electric Resistance Welded Carbon Steel Oil Well Casing, Not Threaded.	1.044.
15-18	Seamless Carbon Steel Pressure Tubing Suitable for use in Boilers, Superheaters, Heat Exchangers, Condensers, Refining Furnaces, Feed Water Heaters, Cold Finish.	1.06178
15-42	Seamless Carbon Steel Oil Well Tubing EUE with Threading and Coupling.	1.098
15-44	Seamless Carbon Steel Line Pipe.	1.1149.
15-48	Hot Rolled High Carbon Cr Steel Tube Suitable for use in Manufacture of Ball or Roller Bearings AISI 52100.	Base in table 3.
15-49	Cold Rolled High Carbon CR Steel Tube Suitable for use in Manufacture of Ball or Roller Bearings AISI 52100.	Base in table 3.
15-50	Seamless Stainless Steel Round Ornamental Tube AISI TP 304, 1¼ x 0.049".	Base in table 3.

Page*	Product	Multiplier
15-52	Seamless Stainless Steel Square Ornamental Tube AISI TP 304, 1½ x 1½ x 0.065".	Base in table 3.

*Page references are to the first-quarter 1981 Trigger Price Manual published by the DOC. The first figure of each page reference corresponds to the AISI product category of that product.

For example; on page 14–1 in the first-quarter 1981 trigger price manual (hereafter referred to as the manual) it states to refer to page 14–3 for the base price. Page 14–3 contains a table with many base price including size extra combinations in dollars per metric ton. To calculate the second-quarter trigger price for ERW Carbon Steel Pressure Tubing with a ¾ O.D. and .049 W.T. multiply 1011 from the manual by the constant 1.044. The second-quarter trigger price is $1055/M.T.

Please note.—Where extras are expressed as a percentage of base the percentage will not change; i.e. for an extra which is 25% of base price for specific O.D./W.T., it will remain 25%. When there is a page of extras only (i.e., page 15–47) and these are quoted in dollars per M.T., the extra should be increased by 4.4 percent.

Dated: February 23, 1981.

John D. Greenwald,

Deputy Assistant Secretary for Import Administration.

BILLING CODE 3510-25-M

Table 3

PRODUCT BASE PRICES FOR SHIPMENT EXPORTED DURING SECOND QUARTER 1981 (All Figures in $/Metric Ton)

Page */	Product	Second Quarter 1981 Base Prices
2-1	Wire Rods Commercial Quality AISI 1008	380
2-2	Wire Rods Welding Quality AISI 1008	393
2-3	Wire Rods High Carbon AISI 1065	429
2-5	Wire Rods Cold Heading Quality AISI 1038	448
2-7	Wire Rods Cold Finished Bar Quality	455
2-9	Spheroidized Annealed Mo Alloy Steel Wire Rod AISI 4037	662
2-12	Spheroidized Annealed Si-Mn-Cr High Carbon Steel Wire Rod AISI 9254	634
2-14	Spheroidized Annealed High Carbon Cr Steel Wire Rod AISI 52100	730
3-1	Wide Flange Beams and Bearing Piling ASTM A-36 12" x 12"	386
3-5	Standard Carbon Steel Channels ASTM A-36**	320
3-7	Unequal Leg Carbon Steel Angles ASTM A-36**	337
3-9	Equal Leg Carbon Steel Angles ASTM A-36**	303
3-11	Standard Carbon Steel "I" Beams ASTM A-36**	370
4-1	Sheet Piling ASTM A-328 Arch Web PDA-27	405
5-1	Steel Plates ASTM A-36 1/2" x 80" x 240"	373
6-1	Heavy Carbon Steel Rails AREA 115, 132 or 136 (40')	421
6-3	Light Rails 60 lbs./yd.	414
6-5	Tie Plates	422
8-1	Plain and Deformed Carbon Steel Concrete Reinforcing Bars ASTM A-615****	304
9-1	Hot Rolled Carbon Steel Bar Size Channel ASTM A-36***	431

*/ Page references are to the First Quarter TPM Price Manual published by the Department of Commerce. The first figure of each page reference corresponds to the AISI product category of that product.

**/Electric Furnace, Group A.

***/Electric Furnace, Group B.

****/Electric Furnace, Group C.

Table 3

Page */	Product	Second Quarter 1981 Base Prices
10-1	Hot Rolled Carbon Bars Special Quality AISI 1045	476
10-3	Merchant Quality Hot Rolled Carbon Steel Squares and Round Cornered Squares ASTM-36 or AISI 1020***	360
10-5	Merchant Quality Hot Rolled Carbon Steel Round Bar ASTM A-36 or AISI 1020***	360
10-7	Merchant Quality Carbon Steel Flat Bars ASTM A-36 or AISI 1020***	327
11-1	Hot Rolled Ni-Cr-Mo Allyoy Steel Round Bar AISI 8620	556
11-6	Spheroidize Annealed High Carbon Cr Steel Round Bar AISI 52100	621
12-1	Cold Finished Carbon Steel Round Bar AISI 1008 through 1029	557
12-2	Cold Finished Round Steel Bar AISI 1212 through 1215	629
12-3	Cold Finished Round Steel Bar AISI 12L14 and 12L15	660
12-5	Cold Finished, Ni-Cr-Mo Alloy Steel Round Bar AISI 8620	556
12-7	Cold Finished Spheroidized Annealed, High Carbon Cr Steel Round Bar, AISI 52100, 50100, 51100	621
14-1	ERW Carbon Steel Pressure Tubing for use in Boilers, Heat Exchangers, Condensers, Etc.	621
14-6	Continuous Butt Welded Standard Pipe	472
14-8	ERW Pipe, Excluding Oil Well Casing, Without Coupling	495
14-13	Submerged Arc Welded Pipe	536
14-16	ERW Structural Tubing to ASTM A-500 Grades, A, B & C	462
14-22	ERW Standard Pipe	479
14-24	Piling Pipe ASTM A-252	417

*/ Page references are to the Trigger Price Manual published by the Department of Commerce. The first figure of each page reference corresponds to the AISI product category of that product.

***/ Electric Furnace, Group B.

Table 3

Page */	Product	Second Quarter 1981 Base Prices
14-28	ERW Merchanical Tubing ASTM A-513	557
15-1	Seamless Carbon Steel Oil Well Casing, Not Threaded, up to 7" in Outside Diameter	567
15-4	Seamless Carbon Steel Oil Well Casing, Not Threaded 7 inches and over in Outside Diameter	566
15-7	Seamless Carbon Steel Oil Well Casing, Threaded and Coupled, 7 inches and over in Outside Diameter	648
15-10	Seamless Carbon Steel Oil Well Casing, Threaded and Coupled, up to 7 inches in Outside Diameter	656
15-13	Electric Resistance Welded Carbon Steel Oil Well Casing, Not Threaded	518
15-16	Seamless Carbon Steel Pressure Tubing Suitable for use in Boilers, Superheaters, Heat Exchangers, Condensers, Refining Furnaces, Feed Water Heaters, Cold Finish	1014
15-42	Seamless Carbon Steel Oil Well Tubing EUE with Threading and Coupling	814
15-44	Seamless Carbon Steel Line Pipe	570
15-48	Hot Rolled High Carbon Cr Steel Tube Suitable for use in Manufacture of Ball or Roller Bearings AISI 52100	757
15-49	Cold Rolled High Carbon Cr Steel Tube Suitable for use in Manufacture of Ball or Roller Bearings AISI 52100	1126
15-50	Seamless Stainless Steel Round Ornamental Tube AISI TP 304, 1 1/4 x 0.049"	2553
15-52	Seamless Stainless Steel Square Ornamental Tube AISI TP 304, 1 1/2 x 1 1/2 x 0.065"	2783
16-1	Cold Heading Round Wire AISI 1018 Killed 0.192" Hard Drawn	568
16-1	Cold Heading Drawn from Annealed Rods	644

*/ Page references are to the Trigger Price Manual published by the Department of Commerce. The first figure of each page reference corresponds to the AISI product category of that product.

Table 3

Page */	Product	Second Quarter 1981 Base Prices
16-1	Cold Heading Drawn from Spheroidized Annealed Rods	660
16-1	Cold Heading Anneal in Process	664
16-1	Cold Heading Spheroidize Anneal in Process	676
16-1	Cold Heading Anneal in Process and Drawn from Annealed Rods	717
16-1	Cold Heading Spheroidize Anneal in Process and Drawn from Annealed Rods	730
16-1	Cold Heading Anneal at Finish Size	644
16-1	Cold Heading Spheroidize Anneal at Finish Size	660
16-1	Cold Heading Anneal at Finished Size and Drawn from Annealed Rods	697
16-1	Cold Heading Spheroidize Anneal at Finished Size and Drawn from Annealed Rods	712
16-4	Bright Basic Round Wire AISI 1008 #8 Gauge Rimmed	467
16-5	Galvanized Iron Round Wire AISI Type I Coating #8 Gauge	588
16-8	Round Baling Wire 14.50	653
16-9	Cold Finished Spheroidized Annealed, Si-Mn-Cr High Carbon Steel Wire AISI 9254	634
16-11	Cold Finished Spheroidized Annealed Mo Alloy Steel Wire AISI 4037	662
16-13	High Carbon Cr Steel Wire in Coil AISI 52100, 50100, 51100, Suitable for use in manufacture of ball or roller bearings	990
16-15	Upholstery Spring Wire Automatic Coiling and Knotting Type	584
16-16	Mechanical Spring Wire ASTM A-227 and A-648	616
16-17	Oil Tempered Steel Spring Wire ASTM A-229	620
16-18	Carbon Steel Valve Spring Quality ASTM A-230	1030
16-19	Automobile Tire Bead Wire	722
16-20	Galvanized Core Wire for A.C.S.R. ASTM B 498 Class "A"	771
16-21	Stainless Steel Wire	See attached pages 16-22 through 16-36

*/ Page references are to the Trigger Price Manual published by the Department of Commerce. The first figure of each page reference corresponds to the AISI product category of that product.

Table 3

Page */	Product	Second Quarter 1981 Base Prices
19-1	Field Fence	704
20-1	Wire Nails Bright Common 20d #6 13/32 x 4"	477
21-1	Barbed Wire 2 Ply, 12.50	741
22-1	Black Plate ASTM A625-76 0.0083" x 34" x Coil	482
23-1	Electrolytic Tin Plate SR-25/25 75L x 34" x C	656
25-1	Hot Rolled Steel Sheets ASTM A-569 0.121" x 48" x Coil	331
25-2	Hot Rolled Steel Band ASTM 569 0.121" x 48" x Coil	316
26-1	Electrical Steel Sheets Grain Oriented M-4 0.012" x 33" x C	1320
26-3	Electrical Steel Sheets Non Oriented M-45 0.018" x 36" x C	718
26-5	Cold Rolled Sheets ASTM A-366 1.0 m/2m x 48" x C	416
27-1	Electro Galvanized Sheets EGC 10g/M 1.0 m/m x 48" x C	480
27-4	Galvanized Sheet ASTM A525G90	484
29-1	Hot Rolled Carbon Steel Strip Produced on Bar Mills Cut Lengths**	365
29-3	Hot Rolled Carbon Steel Strip Produced on Sheet Mills, Coils Only	323
32-1	Tin Free Steel Sheets SR 75L x 34" x C	560

*/ Page references are to the Trigger Price Manual published by the Department of Commerce. The first figure of each page reference corresponds to the AISI product category of that product.

***/Electric Furnace, Group B.

Table 4 -- PAGES FROM THE TRIGGER PRICE MANUAL
SECOND QUARTER 1981

AISI Category and TPM Manual Page Reference	Produce Description	Revision
14-2	Pipe & Tube products	Second Quarter freight rates
16-22 through 16-36	Stainless steel wire	Second Quarter base prices & extras
27-5	Galvanized sheets	Revised thickness/width/coating extras
20-2 through 20-20	Wire Nails	Revised base prices & extras

14-2
Rev. Feb 1981

FREIGHT CHARGES ON PIPE AND TUBE PRODUCTS
($/M.T.)- Applies to all products in categories 14 and 15)

FREIGHT	PACIFIC	GULF	ATLANTIC	GREAT LAKES
Pipe (up to 40' in length)* with an outside diameter up to:				
4"	40	50	54	69
5"	41	51	56	69
6"	42	51	56	71
8"	43	52	57	73
10"	43	53	58	75
12"	44	55	60	77
14"	45	56	62	79
16"	46	57	64	80
18"	47	59	66	82
20"	49	60	68	84
22"	51	63	70	87
24"	52	64	71	89
26"	53	65	72	91
28"	54	67	74	94
30"	56	69	76	96
32"	58	72	80	98
34"	61	74	82	100
36"	63	77	86	104
38"	66	81	90	106
40"	69	85	94	110
42"	72	88	98	114
44"	75	91	101	118
46"	78	95	106	123
48"	81	99	110	127

* For pipe with these outside diameters and lengths of 40' or more, the total freight component is the appropriate amount from the chart above plus the appropriate amount from the chart below:

40' up to 50'2"	4	6	6	6
50'2" up to 60'	8	10	10	10

16-22
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GROUP I - ANNEALED WIRE

Annealed: The condition of soft wire in which there is no further cold drawing after the last annealing treatment. Wire of this temper is made by annealing in open fired furnaces or molten salt followed by pickling, which produces a clean gray matte finish. It is also made with a bright finish by annealing wet, oil or grease drawn wire in a protective atmosphere, and is sometimes described as bright annealed wire.

Grades	2nd Quarter, 1981 $/M.T. Wire Base Price
301	2300
302	2250
303	2349
304	2300
305	2472
310	4075
314	4765
316	3286
316-L	3458
317	3779
317-L	3952
304-L	2472
17-4PH*	2620
308	2448
308-L	2620
309	2990
309-L	3163
321	2620
312	Not Available
302 HQ (18-19LW)**	2423
347	2941
384	2891
15-5PH***	Not Available

16-23
Rev. Feb. 1981

GROUP I - ANNEALED WIRE (Continued)

Grades	2nd Quarter, 1981 $/M.T. Wire Base Price
409	1619
410	1323
416	1294
420	1373
430	1373
430-F	1570
434	1668
434-A	1471
446	1915

* May also be designated as type 630 or as UNS 17400
** May also be designated as type 302 CU and as 306
*** May also be designated as typed XM-12 and UNS 15500

16-24
Rev. Feb. 1981

GROUP I - ANNEALED WIRE (Continued)

Size*	Dollar Per M.T. Size Extras		
	300 Series & 17-7PH	400 Series	17-4PH 15-5PH
.574" - .703"	207	529	207
.501" - .573"	207	529	207
.500"	223	529	223
.375" - .499"	242	529	242
.3125" - .374"	259	529	259
.250" - .312"	347	529	347
.234" - .249"	393	529	393
.216" - .233"	447	569	447
.200" - .215"	616	616	616
.185" - .199"	636	647	636
.170" - .184"	651	675	651
.155" - .169"	663	705	663
.142" - .154"	681	834	681
.128" - .141"	710	963	710
.113" - .127"	792	1063	704
.099" - .112"	914	1155	737
.086" - .098"	1004	1222	769
.076" - .085"	1062	1287	805
.067" - .075"	1119	1348	971
.058" - .066"	1222	1391	1132
.051" - .057"	1271	1432	1184
.044" - .050"	1320	1475	1234
.038" - .043"	1433	1518	1346
.033" - .037"	1553	1689	1466
.030" - .032"	1611	1803	1611
.027" - .029"	1767	Not Available	1943
.024" - .026"	1912	"	1912
.021" - .023"	2057	"	2062
.019" - .020"	2202	"	2202
.018"	2346	"	2346
.017"	2379	"	2379
.016"	2420	"	2420
.015"	2534	"	2534

*All intermediate sizes to take next higher price.

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Rev. Feb. 1981

GROUP I - ANNEALED WIRE (Continued)

Size*	Dollar Per M.T. Size Extras 300 Series & 17-7PH	400 Series	17-4PH 15-5PH
.014"	2665	Not Available	2665
.013"	2780	"	2780
.012"	2901	"	2901
.011"	3016	"	3016
.010"	3291	"	3291
.009"	3416	"	3416
.008"	3571	"	3571
.0075"	3733	"	3733
.007"	3903	"	3903
.0065"	4305	"	4305
.006"	4764	"	4764
.00575"	5222	"	5222
.0055"	5681	"	5681
.00525"	6599	"	6599
.005"	6770	"	6770
.00475"	6884	"	6884
.0045"	7114	"	7114
.00425"	7745	"	7745
.004"	8318	"	8318
.00375"	17489	"	17489
.0035"	20872	"	20872
.00325"	23852	"	23852
.003"	26832	"	26832
.0027"	27808	"	27808
.0025"	28955	"	28955
.002"	37552	"	37552

*All intermediate sizes to take next higher price.

Deduction to allow for absence of annealing and pickling (cold drawn "bar" in wire gauges):

Size Range	Deduction ($/M.T.)
.703" through .375"	76
.374" through .216"	80
.215" through .187"	103

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GROUP II - HARD/SPRING WIRE

Hard/Spring Wire: The condition of wire drawn several drafts as required to produce the high tensile strengths required for such products as spring wire.

Grades	2nd Quarter, 1981 $/M.T. Wire Base Price
301	2300
302	2250
303	2349
304	2300
305	2472
310	4075
314	4765
316	3286
316-L	3458
317	3779
317-L	3952
321	2620
17-4PH*	2620
17-7PH****	3311
330	Not Available
308	2448
308-L	2620
309	2990
309-L	3163
312	Not Available
302 HQ (18-19LW)**	2423
347	2941
384	2891

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GROUP II - HARD/SPRING WIRE (Continued)

Grades	$/M.T. Wire Base Price
15-5PH***	Not Available
409	1619
410	1323
416	1294
420	1373
430	1373
430-F	1570
434	1668
434-A	1471
446	1915

* May also be designated as type 630 or as UNS 17400
** May also be designated as type 302 CU and as 306
*** May also be designated as typed XM-12 and UNS 15500
**** May also be designated as typed 631 and UNS 17700

16-28
Rev. Feb. 1981

GROUP II - HARD/SPRING WIRE (Continued)

Size*	Dollar Per M.T. Size Extras 300 Series & 17-7PH	400 Series
Over .375"	684	Not Available
.3125" - .374"	684	"
.250" - .312"	684	"
.234" - .249"	684	"
.216" - .233"	684	"
.200" - .215"	684	"
.185" - .199"	684	"
.170" - .184"	684	"
.155" - .169"	684	"
.142" - .154"	661	"
.128" - .141"	661	"
.113" - .127"	661	"
.099" - .112"	696	"
.086" - .098"	769	"
.076" - .085"	825	"
.067" - .075"	893	"
.058" - .066"	989	"
.051" - .057"	1188	"
.044" - .050"	1362	"
.038" - .043"	1433	"
.033" - .037"	1571	"
.030" - .032"	1643	"
.027" - .029"	1979	"
.024" - .026"	2160	"
.021" - .023"	2375	"
.019" - .020"	2657	"
.018"	3214	"
.017"	3496	"
.016"	3583	"
.015"	3668	"
.014"	3840	"
.013"	3982	"
.012"	4267	"

*All intermediate sizes to take next higher price.

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GROUP II - HARD/SPRING WIRE (Continued)

Size*	Dollar Per MT Size Extras	
	300 Series & 17-7PH	400 Series
.011"	5460	Not Available
.010"	5603	"
.009"	5830	"
.008"	6024	"
.007"	Under Review	"
.0065"	"	"
.006"	"	"
.00575"	"	"
.0055"	"	"
.00525"	"	"
.005"	"	"
.00475"	"	"
.0045"	"	"
.00425"	"	"
.004"	"	"
.00375"	"	"
.0035"	"	"
.00325"	"	"
.003"	"	"
.0027"	Not Available	"
.0025"	"	"
.002"	"	"

*All intermediate sizes to take next higher price.

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GROUP III - SOFT/INTERMEDIATE WIRE

Soft/Intermediate: The condition of wire drawn one or more drafts after annealing as required to produce minimum strength or hardness. The properties of such wire can be varied between those of soft temper and those approaching spring temper wire. Wire in this temper is usually produced in a variety of dry drawn tempers. Cold heading wire, by example, belongs in this group.

Grades	Dollar per M.T. Wire Base Price
301	2300
302	2250
302 (302HQ, 18-9LW)	2423
303	2349
304	2300
305	2472
310	4075
314	4765
316	3286
316-L	3458
317	3779
317-L	3952
321	2620
17-4PH*	2620
330	Not Available
308	2448
308-L	2620
309	2990
309-L	3163
312	Not Available
347	2941
384	2891
15-5PH**	Not Available
409	1619
410	1323

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GROUP III - SOFT/INTERMEDIATE WIRE (Continued)

Grades	$/M.T. Wire Base Price
416	1294
420	1373
430	1373
430-F	1570
434	1668
434-A	1471
446	1915

* May also be designated as type 630 or as UNS 17400
** May also be designated as type XM-12 and UNS 15500

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GROUP III - SOFT/INTERMEDIATE WIRE (Continued)

Size*	Dollar Per MT Size Extras		
	300 Series & 17-7PH	400 Series	17-4PH 15-5PH
Over .375"	458	321	458
.3125" - .374"	458	321	458
.250" - .312"	458	334	458
.234" - .249"	458	357	458
.216" - .233"	458	379	458
.200" - .215"	458	411	458
.185" - .199"	568	439	568
.170" - .184"	596	462	596
.155" - .169"	627	502	627
.142" - .154"	648	567	648
.128" - .141"	699	676	699
.113" - .127"	838	753	838
.099" - .112"	920	857	920
.086" - .098"	974	884	974
.076" - .085"	1086	936	1086
.067" - .075"	1195	1022	1195
.058" - .066"	1304	1239	1304
.051" - .057"	1351	1464	1351
.044" - .050"	1403	1505	1403
.038" - .043"	1524	1561	1524
.033" - .037"	1618	1746	1618
.030" - .032"	1727	1859	1727
.027" - .029"	1885	Not Available	1885
.024" - .026"	2036	"	2036
.021" - .023"	2191	"	2191
.019" - .020"	2338	"	2338

*All intermediate sizes to take next higher price.

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COATING EXTRAS ($/M.T.) - 2nd Quarter, 1981

Material provided uncoated or coated with lime (or equivalent to lime) and/or soap will carry no extra. Other coatings require an appropriate extra where additional costs are involved.

Metallic coatings include copper, nickel, and lead. Non-metallic coatings include plastics, molybdenum disulfide, etc.

	Type of Coating			
		Metallic		
Size Range	Oxide	Copper	Nickel	Non-metallic
Over .155"	None	116	35	24
.154" - .099"	"	174	35	24
.098" - .063"	"	231	48	32
.062" - .041"	"	Not Available	75	50
.040" - .030"	"	"	102	65
.029" - .025"	"	"	102	65
.024" - .020"	"	"	138	93
.019" - .015"	"	"	175	124
.014" - .010"	"	"	216	150

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FINISH EXTRAS

Size Range*	Centerless Ground 300 Series 17-7PH, 400 Series, 17-4PH, & 15-5PH	Centerless Ground and polished 300 Series 17-7PH, 400 Series, 17-4PH & 15-5PH
.703" - .595"	498	628
.594" - .501"	498	628
.500"	550	696
.499" - .375"	563	719
.374" - .3125"	563	719
.3124" - .250"	563	719
.249" - .234"	866	1050
.233" - .216"	866	1050
.215" - .200"	956	1167
.199" - .185"	1118	1352
.184" - .170"	1318	1566
.169" - .155"	1578	1845
.154" - .142"	1838	2107
.141" - .128"	2164	2430
.127" - .113"	2710	3000
.112" - .093"	5518	6073

*All intermediate sizes to take next higher price.

17-4PH to be included in 400 series.

Straightening and cut to length extras are already included in the above finish extras.

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TOLERANCE EXTRAS

Standard: AISI or JIS Specification

Diameter Tolerance

	$/M.T.
Standard	$ 0
Not less than 1/2 standard	$107
Closer than 1/2 to 1/4 standard	25% of size extra
Closer than 1/4 standard	50% of size extra

Straightening and Cut to Length Extras

Size Range	$/M.T.
.703" - .595"	104
.594" - .501"	104
.500"	104
.499" - .375"	131
.374" - .3125"	131
.3124" - .170"	236
.169" - .099"	589
.098" - .051"	1705
.050" - .032"	1967

Length	$/M.T.
Under 12"	92
12" to under 18"	60
18" to under 24"	60
24" to under 30"	39
30" to under 36"	39
36" to under 48"	39
48" to under 60"	39
60" to under 72"	39
72" to under 120"	32
120" to under 168"	32
168" to under 192"	32
192" to under 216"	32
216" to under 240"	32
240" to under 264"	25
264" to under 288"	25
288" to 316"	25

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TOLERANCE EXTRAS (Continued)

Packaging Extras

Type	$/M.T.
Bundle	28
Wooden Boxes	96
Fibre Drums	88
Coil Carriers	28
Spools	
Sizes under .020"	171
Both Spools and Wooden Boxes	
Sizes .020" and greater	96
Sizes under .020"	267

GALVANIZED STEEL SHEET

1. BASE PRICE

QUALITY : COMMERCIAL
SIZE : GSG23 (UNDER .032" THROUGH .029") x OVER 42" THROUGH 48" x COIL
COATING : G90
WEIGHING: ACTUAL

2. EXTRAS FOR OTHER THAN BASE PRICE PRODUCTS ($/M.T.)

(1) THICKNESS/WIDTH/COATING

THICKNESS (INCHES)	WIDTH (INCHES)					COATING	
	24≤W<30	30≤W<36	36≤W≤42	42<W≤48	48<W≤60	0.6 oz/ft	G60
.130 & thicker	-95	-95	-95	-95	-	-	-2
.129 - .116	-76	-76	-76	-76	-74	-	-2
.115 - .101	-73	-73	-73	-73	-70	-	-2
.100 - .086	-71	-71	-72	-72	-67	-	-2
.085 - .075	-51	-51	-53	-53	-51	-	-3
.074 - .067	-47	-47	-51	-51	-47	-	-3
.066 - .061	-45	-45	-48	-48	-45	-	-6
.060 - .055	-31	-31	-34	-34	-31	-	-6
.054 - .049	-28	-28	-30	-30	-28	-22	-7
.048 - .043	-24	-24	-26	-26	-24	-24	-7
.042 - .038	-15	-15	-17	-17	-15	-28	-8
.037 - .035	-8	-8	-10	-10	-8	-28	-8
.034 - .032	-4	-4	-6	-6	-3	-29	-9
.031 - .029	-2	-2	-3	0	3	-29	-9
.028 - .026	6	6	5	5	6	-32	-13
.025 - .023	9	9	10	13	22	-32	-13
.022 - .021	27	27	27	31	43	-34	-17
.020 - .019	41	41	41	51	-	-34	-17
.018 - .017	57	57	57	66	-	-35	-20
.016	72	72	78	85	-	-35	-20
.015	78	78	88	96	-	-38	-22
.014	86	86	101	107	-	-38	-22
.013	99	114	114	126	-	-38	-22

20-2
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Table I.

General Extras

			EXTRA $M./T.
I.	MACHINE USE QUALITY		41
II.	PACKING STANDARD	50 lb. Carton (loose)	Base
		100 lb. Carton	-0-
		1 lb. x 50	230
		5 lb. x 10	138
III.	PALLETIZING		18
IV.	QUANTITY EXTRA		
	Less than 2,400 lb. per	Size Order Marking Destination Shipment	14

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Regular and Semi-Regular Nail Extras ($/M.T.)

TYPE/SIZE	TOTAL EXTRA	SIZE EXTRA	E/G EXTRA
(1) Bright Common Nails			
2 d ASWG # 15 x 11/64" x 1"	$110	($110)	
3 d # 14 x 13/64" x 1-1/4"	90	(90)	
4 d # 12-1/2 x 1/4" x 1-1/2	73	(73)	
5 d # 12-1/2 x 1/4" x 1-3/4	60	(60)	
6 d # 11-1/2 x 17/64" x 2"	41	(41)	
7 d # 11-1/2 x 17/64" x 2-1/4"	37	(37)	
8 d # 10-1/4 x 9/32" x 2-1/2"	30	(30)	
9 d # 10-1/4 x 9/32" x 2-3/4"	30	(30)	
10 d # 9 x 5/16" x 3"	25	(25)	
12 d # 9 x 5/16" x 3-1/4"	25	(25)	
16 d # 8 x 11/32" x 3-1/2	21	(21)	
20 d # 6 x 13/32" x 4"	Base	(Base)	
30 d # 5 x 7/16" x 4-1/2	37	(37)	
40 d # 4 x 15/32" x 5"	37	(37)	
50 d # 3 x 1/2" x 5-1/2	37	(37)	
60 d # 2 x 17/32" x 6"	46	(46)	
(2) Bright Smooth Box Nails			
2 d ASWG # 15-1/2 x 3/16" x 1"	$135	($135)	
3 d # 14-1/2 x 7/32 x 1-1/4"	108	(108)	
4 d # 14 x 7/32" x 1-1/2"	87	(87)	
5 d # 14 x 7/32" x 1-3/4"	69	(69)	
6 d # 12-1/2 x 17/64" x 2"	55	(55)	
7 d # 12-1/2 x 17/64" x 2-1/4"	53	(53)	
8 d # 11-1/2 x 19/64" x 2-1/2"	46	(46)	
9 d # 11-1/2 x 19/64" x 2-3/4"	46	(46)	
10 d # 10-1/2 x 5/16" x 3"	37	(37)	
12 d # 10-1/2 x 5/16" x 3-1/4"	37	(37)	
16 d # 10 x 11/32" 3-1/2"	34	(34)	
20 d # 9 x 3/8" x 4"	30	(30)	
30 d # 9 x 3/8" x 4-1/2"	55	(55)	
40 d # 8 x 13/32" x 5"	55	(55)	

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TYPE/SIZE	TOTAL EXTRA	SIZE EXTRA	E/G EXTRA
(3) Bright Finishing Nails Cupped Head			
2 d ASWG # 16-1/2 x 13-1/2 x 1"	$165	($165)	
3 d # 15-1/2 x 12-1/2 x 1-1/4"	133	(133)	
4 d # 15 x 12 x 1-1/2"	106	(106)	
5 d # 15 x 12 x 1-3/4"	96	(96)	
6 d # 13 x 10 x 2"	64	(64)	
8 d # 12-1/2 x 9-1/2 x 2-1/2"	60	(60)	
9 d # 12-1/2 x 9-1/2 x 2-3/4"	60	(60)	
10 d # 11-1/2 x 8-1/2 x 3"	55	(55)	
12 d # 11-1/2 x 8-1/2 x 3-1/4"	55	(55)	
16 d # 11 x 8 x 3-1/2"	53	(53)	
(4) Bright Casing Nails			
2 d ASWG # 15-1/2 x 12-1/2 x 1"	$152	($152)	
3 d # 14-1/2 x 11-1/2 x 1-1/4"	122	(122)	
4 d # 14 x 11 x 1-1/2"	92	(92)	
5 d # 14 x 11 x 1-3/4"	83	(83)	
6 d # 12-1/2 x 9-1/2 x 2"	62	(62)	
7 d # 12-1/2 x 9-1/2 x 2-1/4"	60	(60)	
8 d # 11-1/2 x 8-1/2 x 2-1/2"	55	(55)	
9 d # 11-1/2 x 8-1/2 x 2-3/4"	55	(55)	
10 d # 10-1/2 x 7-1/2 x 3"	53	(53)	
12 d # 10-1/2 x 7-1/2 x 3-1/4"	53	(53)	
16 d # 10 x 7 x 3-1/3"	46	(46)	
(5) E/G (Electric Galvinized) Common Nails			
2 d ASWG # 15 x 11/64" x 1"	$234	($110)	($124)
3 d # 14 x 13/64" x 1-1/4"	214	(90)	(124)
4 d # 12-1/2 x 1/4" x 1-1/2"	197	(73)	(124)
5 d # 12-1/2 x 1/4" x 1-3/4"	184	(60)	(124)
6 d # 11-1/2 x 17/64" x 2"	147	(41)	(106)
7 d # 11-1/2 x 17/64" x 2-1/4"	143	(37)	(106)
8 d # 10-1/4 x 9/32" x 2-1/2"	136	(30)	(106)
9 d # 10-1/4 x 9/32" x 2-3/4"	136	(30)	(106)
10 d # 9 x 5/16" x 3"	131	(25)	(106)
12 d # 9 x 5/16" x 3-1/4"	131	(25)	(106)
16 d # 8 x 11/32" x 3-1/2"	127	(21)	(106)
20 d # 6 x 13/32" x 4"	106	(--)	(106)
30 d # 5 x 7/16" x 4-1/2"	143	(37)	(106)
40 d # 4 x 15/32" x 5"	143	(37)	(106)
50 d # 3 x 1/2" x 5-1/2"	143	(37)	(106)
60 d # 2 x 17/32" x 6"	152	(46)	(106)

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TYPE/SIZE	TOTAL EXTRA	SIZE EXTRA	E/G EXTRA
(6) E/G Smooth Box Nails			
2 d ASWG # 14-1/2 x 3/16" x 1"	$259	($135)	($124)
3 d # 14-1/2 x 7/32" x 1-1/4"	232	(108)	(124)
4 d # 14 x 7/32" x 1-1/2"	211	(87)	(124)
5 d # 14 x 7/32" x 1-3/4"	193	(69)	(124)
6 d # 12-1/2 x 17/64" x 2"	161	(55)	(106)
7 d # 12-1/2 x 17/64" x 2-1/4"	159	(53)	(106)
8 d # 11-1/2 x 19/64" x 2-1/2"	152	(46)	(106)
9 d # 11-1/2 x 19/64" x 2-3/4"	152	(46)	(106)
10 d # 10-1/2 x 5/16" x 3"	143	(37)	(106)
12 d # 10-1/2 x 5/16" x 3-1/4"	143	(37)	(106)
16 d # 10 x 11/32" x 3-1/2"	140	(34)	(106)
20 d # 9 x 3/8" x 4"	136	(30)	(106)
30 d # 9 x 3/8" x 4-1/2"	161	(55)	(106)
40 d # 8 x 13/32" x 5"	161	(55)	(106)
(7) E/G Finishing Nails Cupped Head			
3 d ASWG # 15-1/2 x 12-1/2 x 1-1/4"	$257	($133)	($124)
4 d # 15 x 12 x 1-1/2"	230	(106)	(124)
5 d # 15 x 12 x 1-3/4"	220	(96)	(124)
6 d # 13 x 10 x 2"	170	(64)	(106)
8 d # 12-1/2 x 8-1/2 x 2-1/2"	166	(60)	(106)
9 d # 12-1/2 x 9-1/2 x 2-3/4"	166	(60)	(106)
10 d # 11-1/2 x 8-1/2 x 3"	161	(55)	(106)
12 d # 11-1/2 x 8-1/2 x 3-1/4"	161	(55)	(106)
16 d # 11 x 8 x 3-1/2"	159	(53)	(106)
20 d # 10 x 7 x 4"	152	(46)	(106)
(8) E/G Casing Nails			
2 d ASWG # 14-1/2 x 12-1/2 x 1"	$276	(152)	(124)
3 d # 14-1/2 x 11-1/2 x 1-1/4"	246	(122)	(124)
4 d # 14 x 11 x 1-1/2"	216	(92)	(124)
5 d # 14 x 11 x 1-3/4"	207	(83)	(124)
6 d # 12-1/2 x 9-1/2 x 2"	168	(62)	(106)
7 d # 12-1/2 x 9-1/2 x 2-1/4"	166	(60)	(106)
8 d # 11-1/2 x 8-1/2 x 2-1/2"	161	(55)	(106)
9 d # 11-1/2 x 8-1/2 x 2-3/4"	161	(55)	(106)
10 d # 10-1/2 x 7-1/2 x 3"	159	(53)	(106)
12 d # 10-1/2 x 7-1/2 x 3-1/4"	159	(53)	(106)
16 d # 10 x 7 x 3-1/3"	152	(46)	(106)

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TYPE/SIZE	TOTAL EXTRA	SIZE EXTRA	H/D EXTRA
(9) H/D (Hot Dip Galvanized) Common Nails			
2 d ASWG # 15 x 11/64" x 1"	$408	($110)	($298)
3 d # 14 x 13/64" x 1-1/4"	388	(90)	(298)
4 d # 12-1/2 x 1/4" x 1-1/2"	371	(73)	(298)
5 d # 12-1/2 x 1/4" x 1-3/4"	358	(60)	(298)
6 d # 11-1/2 x 17/64" x 2"	321	(41)	(280)
7 d # 11-1/2 x 17/64" x 2-1/4"	317	(37)	(280)
8 d # 10-1/4 x 9/32" x 2-1/2"	309	(29)	(280)
9 d # 10-1/4 x 9/32" x 2-3/4"	309	(29)	(280)
10 d # 9 x 5/16" x 3"	305	(25)	(280)
12 d # 9 x 5/16" x 3-1/4"	305	(25)	(280)
16 d # 8 x 11/32" x 3-1/2"	301	(21)	(280)
20 d # 6 x 13/32" x 4"	280	(Base)	(280)
30 d # 5 x 7/16" x 4-1/2"	317	(37)	(280)
40 d # 4 x 15/32" x 5"	317	(37)	(280)
50 d # 3 x 1/2" x 5-1/2"	317	(37)	(280)
60 d # 2 x 17/32" x 6"	326	(46)	(280)
(10) H/D Smooth Box Nails			
2 d ASWG # 15-1/2 x 3/16" x 1"	$433	($135)	($298)
3 d # 14-1/2 x 7/32" x 1-1/4"	406	(108)	(298)
4 d # 14 x 7/32" x 1-1/2"	385	(87)	(298)
5 d # 14 x 7/32" x 1-3/4"	367	(69)	(298)
6 d # 12-1/2 x 17/64" x 2"	335	(55)	(280)
7 d # 12-1/2 x 17/64" x 2-1/4"	333	(53)	(280)
8 d # 11-1/2 x 19/64" x 2-1/2"	326	(46)	(280)
9 d # 11-1/2 x 19/64" x 2-3/4"	326	(46)	(280)
10 d # 10-1/2 x 5/16" x 3"	317	(37)	(280)
12 d # 10-1/2 x 5/16" x 3-1/4"	317	(37)	(280)
16 d # 10 x 11/32" x 3-1/2"	314	(34)	(280)
20 d # 9 x 3/8" x 4"	310	(30)	(280)
30 d # 9 x 3/8" x 4-1/2"	335	(55)	(280)
40 d # 8 x 13/32" x 5"	335	(55)	(280)
(11) H/D Finishing Nails Cupped Head			
3 d ASWG # 15-1/2 x 12-1/2 x 1-1/4"	$431	($133)	($298)
4 d # 15 x 12 x 1-1/2"	404	(106)	(298)
5 d # 15 x 12 x 1-3/4"	394	(96)	(298)
6 d # 13 x 10 x 2"	344	(64)	(280)
8 d # 12-1/2 x 9-1/2 x 2-1/2"	340	(60)	(280)
9 d # 12-1/2 x 9-1/2 x 2-3/4"	340	(60)	(280)
10 d # 11-1/2 x 8-1/2 x 3"	335	(55)	(280)
12 d # 11-1/2 x 8-1/2 x 3-1/4"	335	(55)	(280)
16 d # 11 x 8 x 3-1/2"	333	(53)	(280)
20 d # 10 x 7 x 4"	326	(46)	(280)

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TYPE/SIZE	TOTAL EXTRA	SIZE EXTRA	H/D EXTRA
(12) H/D Casing Nails			
2 d ASWG # 15-1/2 x 12-1/2 x 1"	$450	($152)	($298)
3 d # 14-1/2 x 11-1/2 x 1-1/4"	420	(122)	(298)
4 d # 14 x 11 x 1-1/2"	390	(92)	(298)
5 d # 14 x 11 x 1-3/4"	381	(83)	(298)
6 d # 12-1/2 x 9-1/2 x 2"	342	(62)	(280)
7 d # 12-1/2 x 9-1/2 x 2-1/4"	340	(60)	(280)
8 d # 11-1/2 x 8-1/2 x 2-1/2"	335	(55)	(280)
9 d # 11-1/2 x 8-1/2 x 2-3/4"	335	(55)	(280)
10 d # 10-1/2 x 7-1/2 x 3"	333	(53)	(280)
12 d # 10-1/2 x 7-1/2 x 3-1/4'	333	(53)	(280)
16 d # 10 x 7 x 3-1/3"	326	(46)	(280)
(13) Cement Coated Box Nails			
4 d ASWG # 15 x 13/64" x 1-3/8"	$142	($142)	
4-1/2 d # 15 x 7/32" x 1-1/2"	142	(142)	
5 d # 15 x 7/32" x 1-5/8"	117	(117)	
6 d # 13-1/2 x 1/4" x 1-7/8"	101	(101)	
7 d # 13-1/2 x 1/4" x 2-1/8"	99	(99)	
8 d # 12-1/2 x 17/64" x 2-3/8"	87	(87)	
9 d # 12-1/2 x 17/64" x 2-5/8"	87	(87)	
10 d # 11-1/2 x 19/64" x 2-7/8"	80	(80)	
(14) Cement Coated Corkers Nails			
3 d ASWG # 15 x 3/16" x 1-1/4"	$147	($147)	
4 d # 13-1/2 x 7/32" x 1-1/2"	113	(113)	
5 d # 13-1/2 x 7/32" x 1-5/8"	101	(101)	
6 d # 12-1/2 x 1/4" x 1-7/8"	87	(87)	
7 d # 12-1/2 x 1/4" x 2-1/8"	83	(83)	
8 d # 11 x 9/32" x 2-3/8"	76	(76)	
9 d # 11 x 9/32" x 2-5/8"	76	(76)	
10 d # 10 x 5/16" x 2-7/8"	71	(71)	
12 d # 10 x 5/16" 3-1/8"	69	(69)	
16 d # 9 x 11/32" x 3-3/8"	67	(67)	
20 d # 7 x 3/8" x 3-7/8"	60	(60)	
30 d # 6 x 13/32" x 4-3/8"	76	(76)	
40 d # 5 x 7/16" x 4-7/8"	76	(76)	
50 d # 4 x 15/32" x 5-3/8"	76	(76)	
60 d # 3 x 1/2" x 5-7/8"	87	(87)	

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TYPE/SIZE	TOTAL EXTRA	SIZE EXTRA	E/G EXTRA
(15) Cement Coated Coolers Nails			
3 d ASWG # 15-1/2 x 3/16" x 1-1/8"	$147	($147)	
4 d # 14 x 7/32" x 1-3/8"	113	(113)	
5 d # 13-1/2 x 15/64" x 1-5/8"	101	(101)	
6 d # 13 x 1/4" x 1-7/8"	87	(87)	
7 d # 12-1/2 x 17/64" x 2-1/8"	83	(83)	
8 d # 11-1/2 x 9/32" x 2-3/8"	76	(76)	
9 d # 11-1/2 x 9/32" x 2-5/8"	76	(76)	
10 d # 11 x 19/64" x 2-7/8"	71	(71)	
(16) Cement Coated or Vinyl Coated Sinkers Nails			
3 d ASWG # 15-1/2 x 11/64" x 1-1/8"	$147	($147)	
4 d # 14 x 13/64" x 1-3/8"	113	(113)	
5 d # 13-1/2 x 7/32" x 1-5/8"	101	(101)	
6 d # 13 x 15/64" x 1-7/8"	87	(87)	
7 d # 12-1/2 x 1/4" 2-1/8"	83	(83)	
8 d # 11-1/2 x 17/64" x 2-3/8"	76	(76)	
10 d # 11 x 9/32" x 2-7/8"	71	(71)	
12 d # 10 x 5/16" x 3-1/8"	69	(69)	
16 d # 9 x 11/32" x 3-1/4"	67	(67)	
20 d # 7 x 3/8" x 3-3/4"	60	(60)	
30 d # 6 x 13/32" x 4-1/4"	76	(76)	
40 d # 5 x 7/16" x 4-3/4"	76	(76)	
60 d # 3 x 1/2" x 5-3/4"	87	(87)	
(17) Cement Coated Apple Box Nails			
5 d ASWG # 14 x 15/64" x 1-5/8"	$117	($117)	
5-1/2 d # 14 x 15/64" x 1-3/8"	117	(117)	
(18) Cement Coated Fruit Box Nails			
4 d ASWG # 15 x 7/32" x 1-3/8"	$142	($142)	
(19) Cement Coated Orange Box Nails			
4 d ASWG # 15 x 7/32" x 1-1/4"	$142	($142)	
(20) Cement Coated Egg Case Nails			
3 d ASWG # 15 x 7/32" x 1-1/8"	$158	($158)	

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TYPE/SIZE			TOTAL EXTRA	SIZE & E/G EXTRA
(21) Bright Barbed Roofing Nails				
ASWG	# 11 x 7/16"	x 1"	$142	($142)
		x 1-1/4"	129	(129)
		x 1-1/2"	113	(113)
		x 1-3/4"	106	(106)
		x 2"	83	(83)
	# 12 x 3/8"	x 1"	171	(171)
		x 1-1/4"	154	(154)
		x 1-1/2"	143	(143)
		x 1-3/4"	132	(132)
		x 2"	113	(113)
(22) E/G (Electro Galvanized) Barbed Roofing Nails				
ASWG	# 11 x 7/16"	x 1"	$ 188	($188)
		x 1-1/4"	172	(172)
		x 1-1/2"	158	(158)
		x 1-3/4"	152	(152)
		x 2"	129	(129)
	# 12 x 3/8"	x 1"	216	(216)
		x 1-1/4"	202	(202)
		x 1-1/2"	188	(188)
		x 1-3/4"	181	(181)
		x 2"	158	(158)

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TYPE/SIZE	TOTAL EXTRA	SIZE EXTRA	HEAD EXTRA
(23) Bright Duplex Head Nails			
6 d ASWG # 11-1/2 x 17/64" x 1-3/4"	$115	($115)	
8 d # 10-1/4 x 9/32" x 2-1/4"	101	(101)	
10d # 9 x 5/16" x 2-3/4"	101	(101)	
16 d # 8 x 11/32" x 3"	87	(87)	
(24) Bright Smooth Joist Hanger Nails			
ASWG # 11 x 9/32" x 1-1/4"	$119	($119)	
# 10-1/4 x 9/32" x 1-1/2"	115	(115)	
# 9 x 5/16" x 1-1/2"	115	(115)	
(25) Tempered Hardened Steel Concrete Nails			
ASWG # 9 x 3/16" x 1"	$307	($133)	($174)
x 1-1/2"	303	(129)	(174)
x 2"	284	(110)	(174)
(26) Bright Smooth Shank Drywall Nails			
ASWG # 12-1/2 x 19/64" x 1-1/8"	$129	($129)	
x 1-3/8"	126	(126)	
x 1-1/2"	119	(119)	
(27) Bright Barbed Shank Plywood Nails			
ASWG # 9 x 5/16" x 2"	$110	($ 96)	($14)
x 2-1/8"	110	(96)	($14)
x 2-1/2"	106	(92)	(14)
# 10-1/4 x 9/32" x 1-1/4"	117	(103)	(14)
(28) Bright Barbed Shank Joist Hanger Nails			
ASWG # 11 x 9/32" x 1-1/4"	$120	($106)	($14)
# 10-1/4 x 9/32" x 1-1/2"	113	(99)	(14)
# 9 x 5/16" x 1-1/2"	113	(99)	(14)
(29) Bright Barbed Shank Truss Nails			
ASWG # 11 x 9/32" x 1-1/2"	$120	($106)	($14)

Smooth Shank Specialty Nails Extras ($/M.T.)

TYPE/SIZE	TOTAL EXTRA ($/M.T.)			
(30) C.C. (Cement Coated) Plaster Board Nails		SIZE EXTRA	C.C. EXTRA	HEAD EXTRA
ASWG # 13 x 19/64" x 1"	$161	($131)	($30)	
x 1-3/8"	161	(131)	(30)	
x 1-1/2"	156	(126)	(30)	
# 13 x 11/32" x 1-1/2"	195	(126)	(30)	($39)
x 1-3/4"	195	(126)	(30)	(39)
# 13 x 3/8" x 1-1/2"	195	(126)	(30)	(39)
x 1-3/4"	195	(126)	(30)	(39)
(31) C.C. Smooth Shank Drywall Nails		SIZE EXTRA	C.C. EXTRA	HEAD EXTRA
ASWG # 12-1/2 x 19/64" x 1-3/8"	$156	($126)	($30)	
x 1-1/2"	149	(119)	(30)	
# 12-1/2 x 1/4" x 1-3/8"	156	(126)	(30)	
x 1-1/2"	149	(119)	(30)	
# 12-1/2 x 11/32" x 1-1/2"	188	(119)	(30)	($39)
(32) C.C. Barbed Shank Truss Nails		SIZE EXTRA	C.C. EXTRA	BARBED EXTRA
ASWG # 11 x 9/32" x 1-1/2"	$157	($113)	($30)	($14)
(33) C.C. (or Vinyl Coated) Barbed Drywall Nails		SIZE EXTRA	C.C. EXTRA	BARBED EXTRA
ASWG # 14 x 1/4" x 1-1/4"	$175	($131)	($30)	($14)
# 13 x 19/64" x 1-1/8"	170	(126)	(30)	(14)
# 12-1/2 x 19/64" x 1-1/2"	163	(119)	(30)	(14)
(34) Phosphate Coated Drywall Nails (Flat Head)		SIZE EXTRA	PHOSPHATE EXTRA	
ASWG # 14 x 1/4" x 1-1/4"	$200	($131)	($ 69)	
# 13 x 19/64" x 1-5/8"	195	(126)	(69)	

TOTAL EXTRA ($/M.T.)

(35) Phospate Coated Drywall Nails (Full Cup Head)		SIZE EXTRA	PHOSPHATE EXTRA	FULL CUP EXTRA
ASWG # 14 x 1/4" x 1-1/4"	$228	($131)	($ 69)	($28)
# 13 x 9/32" x 1-3/8"	223	(126)	(69)	(28)
# 13-1/2 x 19/64" x 1-5/8"	219	(122)	(69)	(28)

(36) H/D Galv. Smooth Siding Nails		SIZE EXTRA	H/D EXTRA
7 d ASWG # 11-1/2 x 7/32 x 2-1/4"	$381	($101)	($280)
8 d x 2-1/2"	372	(92)	(280)

(37) Sterilized Blued Plaster Board Nails		SIZE EXTRA	BLUED EXTRA	HEAD SIZE EXTRA
ASWG # 13 x 19/64" x 1"	$218	($131)	($ 87)	
x 1-1/8"	218	(131)	(87)	
x 1-1/2"	213	(126)	(87)	
# 13 x 3/8" x 1"	257	(131)	(87)	($39)

(38) Sterilized Blued Lath Nails		SIZE EXTRA	BLUED EXTRA
3 d ASWG # 15 x 11/64" x 1-1/8"	$248	($161)	($ 87)

(39) Sterilized Blued Shingle Nails		SIZE EXTRA	BLUED EXTRA
ASWG # 15 x 7/32" x 1-1/4"	$248	($161)	($ 87)

TYPE/SIZE	TOTAL EXTRA ($/M.T.)			
(40) E/G Smooth Siding Nails		SIZE EXTRA	BLUED EXTRA	
5 d ASWG # 14 x 1-3/4"	$253	($129)	($124)	
6 d # 12-1/2 x 2"	216	(110)	(106)	
7 d # 12-1/2 x 2-1/4"	216	(110)	(106)	
8 d # 11-1/2 x 2-1/2"	207	(101)	(106)	
(41) E/G Shingle Nails		SIZE EXTRA	E/G EXTRA	
3 d ASWG # 14 x 1/4" x 1-1/4"	$253	($129)	($124)	
4 d # 13 x 1/4" x 1-1/2"	243	(119)	(124)	
(42) E/G Plaster Board Nails		SIZE EXTRA	E/G EXTRA	
ASWG # 13 x 19/64" x 1"	$255	($131)	($124)	
x 1-1/4"	255	(131)	(124)	
x 1-1/2"	243	(119)	(124)	
(43) E/G Smooth Joist Hanger Nails		SIZE EXTRA	E/G EXTRA	
ASWG # 9 x 5/16" x 1-1/4"	$239	($115)	($124)	
x 1-1/2"	218	(113)	(106)	
# 10-1/4 x 9/32" x 1-1/4"	241	(117)	(124)	
(44) E/G Barbed Shank Joist Hanger Nails		SIZE EXTRA	E/G EXTRA	BARBED EXTRA
ASWG # 8 x 11/32" x 2"	$212	($ 92)	($106)	($14)
# 9 x 5/16" x 1-1/2"	230	(110)	(106)	(14)
# 10-1/4 x 9/32" x 1-1/2"	235	(115)	(106)	(14)
# 11 x 19/64" x 1-1/4"	239	(119)	(106)	(14)

TYPE/SIZE	TOTAL EXTRA ($/M.T.)				
(45) E/G Barbed shank Plywood Nails		SIZE EXTRA	E/G EXTRA	BARBED EXTRA	
ASWG # 10-1/4 x 7/16" x 1-7/8"	$235	($115)	($106)	($14)	
(46) E/G Barbed Shank Truss Nails		SIZE EXTRA	E/G EXTRA	BARBED EXTRA	
ASWG # 11 x 9/32" x 1-1/2"	$239	($119)	($106)	($14)	
(47) E/G Barbed Shank Siding Nails		SIZE EXTRA	E/G EXTRA	BARBED EXTRA	
ASWG # 14 x 3/16" x 1-3/4"	$267	($129)	($124)	($14)	
# 13-1/2 x 1/32" x 1-1/2"	257	(119)	(124)	(14)	
(48) E/G Tempered Hardened Steel Concrete Stub Nails		SIZE EXTRA	E/G EXTRA	T.H. EXTRA	
ASWG # 9 x 5/16" x 1"	$431	($133)	($124)	($174)	
x 1-1/2	427	(129)	(124)	(174)	
x 2"	390	(110)	(106)	(174)	
(49) E/G Barbed Shank Painted Siding Nails		SIZE EXTRA	E/G EXTRA	PAINT EXTRA	BARBED EXTRA
ASWG # 12-1/2 x 3/16" x 2"	$427	($110)	($106)	($197)	($14)
x 2-1/2	427	(110)	(106)	(197)	(14)
# 13 x 3/16" x 1-1/4"	465	(130)	(124)	(197)	(14)
x 1-1/2"	464	(129)	(124)	(197)	(14)
x 2"	432	(115)	(106)	(197)	(14)

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SPECIAL ORDER SIZE EXTRAS FOR SMOOTH SHANK SPECIALTY NAILS
($/M.T.)

Shank-gauge/ Length	4-6-1/2	7-8-1/2	9-10-1/2	11-11-1/2	12-12-1/2	13-13-1/2	14-14-1/2	15-16-1/2	17-18
1/2"	-	-	154	-	-	-	-	-	-
5/8	-	-	135	-	-	-	174	188	211
3/4	-	-	124	-	142	147	165	181	202
7/8	-	-	119	-	133	138	156	174	193
1-1-3/8	-	-	115	119	124	129	147	165	-
1-1/2-1-7/8	-	-	110	113	117	122	138	156	-
2-2-3/8	-	110	106	106	110	115	133	-	-
2-1/2-3	-	106	101	96	101	106	-	-	-
3-1/8-4	101	101	92	-	-	-	-	-	-
4-1/8-5	96	96	83	-	-	-	-	-	-
5-1/8-up	92	92	-	-	-	-	-	-	-

Note: Size extras determined from this table apply only to items 20-49.

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TYPE/SIZE		TOTAL EXTRA	SIZE EXTRA	E/G EXTRA
(50) Bright Annular Threaded Drywall Nails				
ASWG	# 12-1/2 x 19/64" x 1-3/8"	$225	($225)	
	x 1-1/2"	216	(216)	
	x 1-5/8"	216	(216)	
	# 12-1/2 x 1/4" x 1"	225	(225)	
	x 1-1/4"	225	(225)	
(51) Bright Ring Shank Underlay Nails				
ASWG	# 13 x 3/16" x 1"	$298	($298)	
	x 1-1/4"	294	(294)	
	x 1-3/4"	266	(266)	
	# 12-1/2 x 3/16" x 1-1/4"	225	(225)	
	x 1-3/8"	225	(225)	
	# 12-1/2 x 7/32" x 1"	225	(225)	
	x 1-1/4	225	(225)	
	x 1-1/2"	225	(225)	
	# 12-1/2 x 1/4" x 1-1/4"	225	(225)	
	x 1-3/8"	225	(225)	
	x 2"	211	(211)	
	# 14 x 3/16" x 1"	432	(432)	
(52) E/G Annular Threaded Drywall Nails				
ASWG	# 12-1/2 x 19/64" x 1-1/4"	$349	($225)	($124)
	x 1-3/8"	349	(225)	(124)
	x 1-1/2"	340	(216)	(124)
	x 1-5/8"	340	(216)	(124)
	# 13 x 19/64" x 1"	422	(298)	(124)
	x 1-5/8"	390	(266)	(124)
(53) E/G Annular Threaded Shake Nails				
ASWG	# 13 x 3/16" x 1-1/2"	$390	($266)	($124)
	x 1-3/4"	390	(266)	(124)
	x 2"	367	(243)	(124)

Ring, Screwed and Fluted Shank Nail Extras ($/M.T.)

TYPE/SIZE	TOTAL EXTRA ($/M.T.)		
(54) Blued Annular Threaded Drywall Nail		Size Extra	Blued Extra
ASWG # 12-1/2 x 19/64" x 1-1/4"	312	(225)	(87)
x 1-3/8"	312	(225)	(87)
x 1-1/2"	303	(216)	(87)
x 1-5/8"	303	(216)	(87)
(55) Blued Annular Threaded Underlay Nails		Size Extra	Blued Extra
ASWG # 14-1/2 x 3/16" x 1"	$528	($441)	($ 87)
# 14 x 3/16" x 1"	519	(432)	(87)
# 14 x 3/16" x 1-1/4"	509	(422)	(87)
# 13 x 3/16" x 1"	385	(298)	(87)
# 13 x 3/16" x 1-3/4"	353	(266)	(87)
# 12-1/2 x 7/32" x 1-1/4"	312	(225)	(87)
# 12-1/2 x 7/32" x 1-1/2"	312	(225)	(87)
(56) C.C. Annular Threaded Drywall Nails		Size Extra	C.C. Extra
ASWG #12-1/2 x 19/64" x 1-1/4"	$255	($225)	($30)
#12-1/2 x 19/64" x 1-3/8"	255	(225)	(30)
#12-1/2 x 19/64" x 1-1/2"	246	(216)	(30)
#12-1/2 x 19/64" x 1-5/8"	246	(216)	(30)
#13 x 19/64" x 1"	328	(298)	(30)
#13 x 19/64" x 1-1/4"	328	(298)	(30)
(57) Hot Dip-galv. Annular Threaded Shake Nails		Size Extra..	H/D Galv. Extra
ASWG # 14 x 5/32" x 1-3/8"	$693	($413)	($280)
# 14 x 5/32" x 1-3/4"	675	(395)	(280)
# 13 x 5/32" x 2"	519	(239)	(280)
# 12-1/2 x 13/64" x 2-1/2"	487	(207)	(280)

TYPE/SIZE	TOTAL EXTRA ($/M.T.)		
(58) Tempered Hardened Steel Ring Shank Pole Barn Nails		Size Extra	T.H. Extra
ASWG # 7 x 3/8" x 4"	$390	($216)	($174)
x 5"	427	(253)	(174)
(59) Bright Drive Screw Nails (Regular Steel C-1023)		Size Extra	
ASWG # 12 x 1/4" x 1-1/2"	$211	($211)	
x 2"	207	(207)	
# 11-1/2 x 9/32" x 2-1/4"	202	(202)	
# 11 x 9/32" x 2-1/4"	202	(202)	
# 11 x 9/32" x 2-1/2"	193	(193)	
# 10 x 5/16" x 3"	193	(193)	
(60) Bright Drive Screw Nails (Stiff Stock C-1030)		Size Extra	Grade Extra
ASWG # 11-1/2 x 9/32" x 2"	$234	($202)	($32)
x 2-1/4"	234	(202)	(32)
#11 x 9/32" x 2-1/2"	225	(193)	(32)
(61) Bright Drive Screw Nails (Stiff Stock C-1040)		Size Extra	Grade Extra
ASWG # 11-1/2 x 9/32" x 2"	$239	($202)	($37)
x 2-1/4"	239	(202)	(37)
# 11 x 9/32" x 2-1/2"	230	(193)	(37)
(62) C.C. Drive Screw Nails (Regular Steel C-1023)		Size Extra	C.C. Extra
ASWG # 12 x 1/4" x 1-1/2"	$241	($211)	($30)
# 11-1/2 x 9/32" x 2"	232	(202)	(30)
x 2-1/4"	232	(202)	(30)
# 11 x 9/32" x 2-1/2"	223	(193)	(30)
# 10 x 5/16" x 3"	223	(193)	(30)
# 9 x 5/16" x 3-1/2"	223	(193)	(30)

TYPE/SIZE	TOTAL EXTRA ($/M.T.)			
(63) Tempered Hardened Steel Drive Screw Nails		Size Extra	T.H. Extra	
ASWG # 11-1/2 x 9/32" x 2-1/4	$376	($202)	($174)	
# 11 x 9/32" x 2-1/2"	367	(193)	(174)	
(64) Tempered Hard Steel Drive Screw Flooring Nails		Size Extra	T.H. Extra	
6 d # 11-1/2 x 13/64" x 2"	$376	($202)	($174)	
7 d # 11-1/2 x 13/64" x 2-1/4"	376	(202)	(174)	
8 d # 11-1/2 x 13/64" x 2-1/2"	367	(193)	(174)	
(65) Bright Annular Threaded Truss Nails		Size Extra		
ASWG # 11 x 9/32" x 1-1/2"	$207	($207)		
(66) Tempered Hardened Steel E/G Screw Siding Nails		Size Extra	T.H. Extra	E/G Extra
7 d ASWG # 11-1/2 x 7/32" x 2-1/4"	$482	($202)	($174)	($106)
8 d ASWG # 11-1/2 x 7/32" x 2-1/2"	484	(204)	(174)	(106)
(67) Tempered Hardened Steel Fluted Masonry Nails		Size Extra	T.H. Extra	
ASWG # 9 x 5/16" x 1"	$409	($235)	($174)	
x 1-1/4"	409	(235)	(174)	
x 1-1/2"	399	(225)	(174)	
x 2"	391	(217)	(174)	
x 2-1/2"	369	(195)	(174)	
(68) Tempered Hardened Steel H/D Galv. Screw Siding Nails		Size Extra	T.H. Extra	H/D Extra
7 d ASWG # 11-1/2 x 7/32" x 2-1/4"	$482	($202)	($174)	($106)
8 d ASWG # 11-1/2 x 7/32" x 2-1/2"	475	(195)	(174)	(106)

20-20
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SPECIAL ORDER SIZE EXTRAS FOR RING, SCREWED AND FLUTED SHANK SPECIALTY NAILS
($/M.T.)

Shank-gauge/ Length	4-6-1/2	7-8-1/2	9-10-1/2	11-11-1/2	12-12-1/2	13-13-1/2	14-14-1/2	15-16-1/2
3/4	-	-	285	-	-	-	496	-
7/8	-	-	266	-	-	340	468	505
1-1-3/8	-	-	243	216	225	294	427	459
1-1/2-1-7/8	-	-	234	207	220	266	409	436
2-2-3/8	-	-	225	202	211	239	367	-
2-1/2-3	-	202	202	195	202	220	-	-
3-1/8-4	257	202	202	-	-	-	-	-
4-1/2-up	276	243	-	-	-	-	-	-

Note: Size extras determined from this table apply only to items 50-70.

[FR Doc. 81-6496 Filed 2-25-81; 8:45 am]
BILLING CODE 3510-25-C

federal register

Thursday
February 26, 1981

Part III

Department of the Treasury

Office of Foreign Assets Control

Iranian Assets Control Regulations

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

31 CFR Part 535

Iranian Assets Control Regulations; Restrictions on Property of the Former Shah of Iran

AGENCY: Office of Foreign Assets Control.

ACTION: Final rule.

SUMMARY: The Office of Foreign Assets Control is amending the Iranian Assets Control Regulations. The purpose of the amendment is to prohibit transfers of all property and assets located in the United States within the control of the estate of the former Shah of Iran or any close relative of the former Shah served as a defendant in litigation in courts within the United States brought by Iran seeking the return of property alleged to belong to Iran. The need for the amendment is to implement the provisions of Executive Order No. 12284, signed by the President on January 19, 1981, requiring the blocking of such property and assets to protect the rights of litigants in courts within the United States, and directing the Secretary of the Treasury to require reports on such property and assets. The effect of the amendment is that all transfers of such property and assets will be prohibited when Iran proves to the Office of Foreign Assets Control (OFAC) that there has been service in such cases on such persons and OFAC publishes a notice to this effect in the **Federal Register.**

EFFECTIVE DATE: January 19, 1981.

FOR FURTHER INFORMATION CONTACT: Raymond W. Konan, Chief Counsel, Office of Foreign Assets Control, Department of the Treasury, Washington, D.C. 20220, Tel. (202-376-0236).

SUPPLEMENTARY INFORMATION: Since the regulations involve a foreign affairs function, the provisions of the Administrative Procedure Act, 5 U.S.C. 553, requiring notice of proposed rulemaking, opportunity for public participation and delay in effective date are inapplicable.

Pursuant to Executive Order 12284 of January 19, 1981 the Office of Foreign Assets Control will conduct a census of property and assets within the control of the estate of the former Shah or close relatives of the former Shah served in litigation by Iran. Litigation has been filed naming numerous individuals. To avoid duplication, the census will be temporarily deferred to allow a period of time in which the Government of Iran may provide proof of service of defendants to the Office of Foreign Assets Control.

31 CFR Part 535 is amended as follows:

1. Section 535.217 is added to read as follows:

§ 535.217 Blocking of property of the former Shah of Iran and of certain other Iranian nationals.

(a) For the purpose of protecting the rights of litigants in courts within the United States, all property and assets located in the United States in the control of the estate of Mohammad Reza Pahlavi, the former Shah of Iran, or any close relative of the former Shah served as a defendant in litigation in such courts brought by Iran seeking the return of property alleged to belong to Iran, is blocked as to each such estate or person, until all such litigation against such estate or person is finally terminated. This provision shall apply only to such persons as to which Iran has furnished proof of service to the Office of Foreign Assets Control and which the Office has identified in paragraph (b) of this section.

(b) [Reserved]

(c) The effective date of this section is January 19, 1981.

Section 535.580 is added to read as follows:

§ 535.580 Necessary living expenses of relatives of the former Shah of Iran.

The transfer, payment or withdrawal of property described in § 353.217 is authorized to the extent necessary to pay living expenses of any individual listed in that section. Living expenses for this purpose shall include food, housing, transportation, security and other personal expenses.

(Sec. 201-207, 91 Stat. 1626, 50 U.S.C. 1701-1706; E.O. No. 12170, 44 FR 65729; E.O. No. 12211, 45 FR 26685; E.O. No. 12284, 46 FR 7929)

Dated: February 24, 1981.

Dennis M. O'Connell,

Director.

Approved:

John P. Simpson,

Acting Assistant Secretary (Enforcement and Operation).

Filed: February 25, 1981.

Publication date: February 26, 1981.

[FR Doc. 81-3811 Filed 2-25-81; 9:10 am]

BILLING CODE 4810-25-M

31 CFR Part 535

Iranian Assets Control Regulations

AGENCY: Office of Foreign Assets Control.

ACTION: Final rule.

SUMMARY: The Office of Foreign Assets Control is amending the Iranian Assets Control Regulations. The purposes of the amendments are to add new directive provisions and related definitions and interpretations; and to revoke certain trade and financial sanctions against Iran, in order to implement the agreements reached between the United States and Iran on January 19, 1981, and related agreements (the "agreements"), which commit the United States and Iran to take certain steps to free the American hostages and to resolve certain claims between the United States and its nationals and Iran and its nationals.

EFFECTIVE DATE: January 19, 1981.

FOR FURTHER INFORMATION CONTACT: Raymond W. Konan, Chief Counsel, Office of Foreign Assets Control, Department of the Treasury, Washington, D.C. 20220, 202/376-0236.

SUPPLEMENTARY INFORMATION: The need for the amendments is (a) to implement Executive Order 12276, signed by the President on January 19, 1981, providing for the establishment of an Escrow Agreement and to implement Executive Orders 12277, 12278, 12279, 12280 and 12281 of the same date licensing, authorizing, directing and compelling: (1) the transfer by the Federal Reserve Bank of New York of all assets held by it for the Government of Iran and its entities ("Iran") to accounts held for the Federal Reserve Bank of New York at the Bank of England, (2) the transfer by overseas branches and offices of United States banks of all deposits and securities held by them for Iran to the account of the Federal Reserve Bank of New York at the Bank of England, (3) the transfer by domestic banks of all funds, securities and deposits held by them for Iran to the Federal Reserve Bank of New York, (4) the transfer by persons which are not banking institutions of funds or securities of Iran to the Federal Reserve Bank of New York and (5) the transfer by all persons subject to the jurisdiction of the United States of certain properties, not including funds and securities, owned by Iran, as directed by the Government of Iran acting through its authorized agent; (b) to implement Executive Order 12282 of January 19, 1981, revoking various sanctions and prohibitions against transactions involving Iran; and Executive Order 12283 of January 19, 1981, barring the prosecution of certain claims against Iran arising from specified occurrences and terminating any previously instituted judicial proceedings based upon such claims;

and (c) to revoke miscellaneous provisions rendered unnecessary by the above described amendments. Certain of the amendments are also needed for purposes of prohibiting and nullifying the acquisition, by litigation or otherwise, of any rights or interests in the assets subject to the transfer directives which would interfere with the transfer of those assets and with implementation of the agreements between the United States and Iran.

The effect of the amendments is that prohibitions in the Regulations on the transfer of the assets covered by the directives, as well as rights and interests in the assets other than those of the Government of Iran or its entities will be removed so that the agreements can be effectuated. The amendments also have the effect of revoking miscellaneous sanctions against Iran; and of providing for the non-prosecution of certain claims against Iran.

Since the Regulations involve a foreign affairs function, the provisions of the Administrative Procedure Act, 5 U.S.C. 553, requiring notice of proposed rulemaking, opportunity for public participation, and delay in effective date are inapplicable.

The President has signed a series of executive orders implementing the agreements between the U.S. and Iran.

Executive Order 12276 of January 19, 1981, authorizes the Secretary of the Treasury to enter into and to license, authorize, direct and compel any appropriate official and/or the Federal Reserve Bank of New York, as fiscal agent of the United States, to enter into escrow or related agreements under which certain money and other assets shall be transferred in implementation of the agreements between the United States and Iran. This Executive Order also authorizes the Secretary of the Treasury to license, authorize, direct and compel the Federal Reserve Bank of New York to receive certain money and other assets of the Government of Iran.

Executive Order 12277 of January 19, 1981, licenses, authorizes, directs and compels transfers into accounts at the Bank of England, and then into the escrow account, of assets of the Government of Iran held by the Federal Reserve Bank of New York.

Executive Order 12278 of January 19, 1981, licenses, authorizes, directs and compels the transfer of funds, securities and deposits of Iran, including interest at commercially reasonable rates, held by overseas branches and offices of United States banks to the account of the Federal Reserve Bank of New York at the Bank of England, to be held or transferred as directed by the Secretary of the Treasury. The assets transferred pursuant to this Executive Order are to be further transferred as provided for in the agreements.

Executive Order 12279 of January 19, 1981, licenses, authorizes, directs and compels the transfer of funds, securities and deposits of Iran, including interest at commercially reasonable rates, held by domestic branches or offices of banks which branches or offices are located within the United States to the Federal Reserve Bank of New York to be held or transferred as directed by the Secretary of the Treasury.

Executive Order 12280 of January 19, 1981, licenses, authorizes, directs and compels the transfer of funds and securities of Iran held by persons which are not banking institutions to the Federal Reserve Bank of New York to be held or transferred by the Secretary of the Treasury. This Executive Order applies to both overseas and domestically held assets.

Executive Order 12281 of January 19, 1981, licenses, authorizes, directs and compels the transfer by all persons subject to the jurisdiction of the United States of properties, not including funds and securities, owned by Iran, as directed by the Government of Iran acting through its authorized agent.

Executive Order 12282 of January 19, 1981 revokes various sanctions, and prohibitions against transactions involving Iran.

Executive Order 12283 of January 19, 1981, bars the prosecution of certain claims against Iran arising from specified occurrences and terminating any previously instituted judicial proceedings based upon such claims.

These amendments to the Iranian Assets Control Regulations implement the above-described executive orders and are summarized below.

1. *Direction to establish an escrow agreement.*

New § 535.210(a) licenses, authorizes, directs and compels the Federal Reserve Bank of New York as fiscal agent of the United States to enter into escrow or related agreements under which certain money and other assets will be transferred to the escrow account. In connection with the implementation of the escrow agreement, § 535.210(b) licenses, authorizes, directs and compels the Federal Reserve Bank of New York, as fiscal agent of the United States, to receive money and other assets in which Iran has an interest, and to hold or to transfer those assets in such a manner as the Secretary of the Treasury deems necessary to fulfill the rights and obligations of the United States under the agreements between the United States and Iran.

2. *Direction involving transfers of assets held by the Federal Reserve Bank of New York.*

New § 535.211 licenses, authorizes, directs and compels the Federal Reserve Bank of New York to transfer to its account at the Bank of England, and subsequently to transfer to the escrow account, all gold bullion and other assets held by it for Iran when and in the manner directed by the Secretary of the Treasury.

3. *Direction to transfer assets held by overseas branches and offices of United States banks.*

New § 535.212 licenses, authorizes, directs and compels any overseas branch or office of a United States bank which, on or after 8:10 a.m., e.s.t., on November 14, 1979, has been or is in possession of funds or securities owned by Iran, or has carried or is carrying on its books deposits standing to the credit of Iran, to transfer such assets, including interest at commercially reasonable rates, to the account of the Federal Reserve Bank of New York at the Bank of England, to be held or transferred as directed by the Secretary of the Treasury. The funds, securities and deposits described in this section shall be further transferred as provided for in the agreements between the United States and Iran.

Section 535.212(b) provides that any bank subject to the jurisdiction of the United States that executed set-offs against deposits or securities held by them for Iran are authorized and directed to cancel such set-offs and to include in the directed transfer all assets subject to the set-offs, including interest at commercially reasonable rates.

4. *Direction to transfer assets held by domestic banks.*

New § 535.213 licenses, authorizes, directs and compels the transfer by domestic banks of all funds, securities and deposits held by them for Iran, including interest from November 14, 1979, at commercially reasonable rates, to the Federal Reserve Bank of New York, to be held or transferred as directed by the Secretary of the Treasury.

5. *Direction to transfer other financial assets.*

New § 535.214 licenses, authorizes, directs and compels persons subject to the jurisdiction of the United States which are not banking institutions to transfer all funds or securities of Iran in their possession or control to the Federal Reserve Bank of New York, to be held or transferred as directed by the Secretary of the Treasury. However, such transfers are not required until certain disputes as to Iran's entitlement are resolved.

6. *Direction to transfer other properties.*

New § 535.215 licenses, authorizes, directs and compels all persons subject to the jurisdiction of the United States to transfer properties, not including funds and securities, which are owned by Iran and are in the possession or control of such persons as directed by the Government of Iran, acting through its authorized agent. (New § 535.333 defines the term "properties" as used in § 535.215.)

7. *Certain claims against Iran barred.*

New § 535.216 bars persons subject to the jurisdiction of the United States from prosecuting, in any court within the United States or elsewhere, any claim against the Government of Iran arising out of certain specified events. These events relate to the seizure and detention of the hostages, injury to United States property or property of United States nationals within the United States Embassy compound in Tehran and injury to United States nationals or their property as a result of popular movements in the course of the Islamic Revolution in Iran which were not an act of the Government of Iran.

Section 535.216 also bars the prosecution of such claims in any court within the United States by persons who are not United States nationals.

Section 535.216 bars further action in any previously instituted judicial proceedings which are based upon any of the above-described claims and provides that all such proceedings shall be terminated. In addition, § 535.216 prohibits the enforcement of any judicial order issued in the course of such proceedings.

8. *Prohibitions with respect to assets subject to transfer directives; Nullification of attachments and similar remedies; Prohibitions on judicial action.*

New § 535.218(a) revokes and withdraws all licenses and authorizations for acquiring or exercising any right, power or privilege by court order, attachment or otherwise, with respect to any of the properties covered by the directives in §§ 535.211 to 535.215. New § 535.218(b) provides that all rights, powers and privileges relating to the assets described in §§ 535.211 to 535.215 which derive from any attachment, injunction, other like proceedings or process, or other action in any litigation after November 14, 1979, at 8:10 a.m., e.s.t., including those derived from § 535.504 of the Regulations, whether acquired by court order or otherwise, are nullified. The nullification does not apply to rights, powers or privileges of Iran. New § 535.218(c) prohibits the acquisition or exercise of any right, power or privilege with respect to any property (and any income earned thereon) referred to in the directives in §§ 535.211 to 535.215. New § 535.218(d) provides that the prohibition on the acquisition of rights contained in § 535.218(c) does not apply to the Government of Iran, its agencies, instrumentalities or controlled entities. New § 535.218(e) provides that § 535.218 does not revoke or withdraw certain specific licenses, issued prior to January 19, 1981, until April 15, 1981.

9. *Compliance with this part a legal acquittance and discharge of the obligation of any person.*

New § 535.219, pursuant to Section 203(a)(3) of the International Emergency Economic Powers Act, states that compliance in good faith with the directive provisions in §§ 535.210 to 535.215 or any other orders, regulations, instructions or directions which license, authorize, direct or compel the transfer of assets referred to in those sections shall, to the extent thereof, be a full acquittance and discharge for all purposes of the obligations of the person making the same. No person shall be held liable in any United States court for such good faith compliance.

10. *Timing of transactions.*

New § 535.220 provides that transfers of overseas bank assets required by § 535.212 shall be executed no later than 6:00 a.m., e.s.t., January 20, 1981.

11. *Compliance with other directive provisions.*

New § 535.221(a) provides that compliance with the directive provisions of §§ 535.213 and 535.214 pertaining to domestic bank assets and other financial assets requires that persons affected by these directives implement them as soon as reasonably practicable. New § 535.221(b) states the U.S. policy, until further notice, not to seek sanctions against any party who does not make any transfer required by §§ 535.213 to 535.215 while challenges to the authority of the United States to order the transfers are pending in U.S. courts.

12. *Suspension of claims eligible for Claims Tribunal.*

New § 535.222 provides (a) that all claims which may be presented to the Iran-United States Claims Tribunal provided for in the agreements between the United States and Iran and all claims for equitable or other relief in connection with such claims, are suspended, (b) that the section does not prohibit assertions of defense, set-off or counterclaim in any pending or future judicial proceeding commenced by Iran, (c) that the section does not preclude actions to toll periods of limitations for commencement of action, (d) that dismissal for want of prosecution is not required, (e) that the suspension shall terminate if the Claims Tribunal determines it lacks jurisdiction; (f) that a determination on the merits by the Tribunal shall operate as a final resolution and discharge of the claim, provided that full payment of the award is paid, and (g) that the section does not apply to certain claims concerning standby letters of credit, performance or payment bonds or other similar instruments.

13. *Definition of "properties."*

New § 535.333 defines "properties" as used in § 535.215 to include only uncontested and non-contingent liabilities and property interests of Iran. Specifically excluded are (1) funds, (2) securities, (3) bank deposits, and (4) obligations under standby letters of credit or similar instruments. Properties are not Iranian properties owned by Iran unless necessary obligations, charges and fees are discharged.

14. *Definition of an act of the Government of Iran.*

New § 535.334 defines an act of the Government of Iran as including any acts ordered, authorized, allowed or ratified by Iran or its entities.

15. *Definition of "claim arising out of events in Iran."*

New § 535.335 states that a claim is one arising out of events in Iran of the type specified in § 535.216 only if such event is the specific act that is the basis of the claim.

16. *Definition of "funds."*

New § 535.337 defines "funds" as used in this part to mean currency and coin, trust, escrow and special funds held by non-banking institutions.

17. *Status of Central Bank of Iran.*

New § 535.433 provides that, for purposes of this part, the Central Bank of Iran (Bank Markazi Iran) is an agency, instrumentality and controlled entity of the Government of Iran.

18. *Effect on other authorities.*

New § 535.437 states that nothing in this part relieves any persons from the necessity of securing licenses or other authorizations as required by the Secretary of State, the Secretary of Commerce or other relevant agency prior to executing the transactions authorized or directed by this part.

19. *Stanby letters of credit.*

New § 535.438 states that nothing contained in §§ 535.212, 535.213 and 535.214 or in any other provision, revocation or amendment affects the prohibition in § 535.568 on the payment under certain standby letters of credit, performance or payment bonds and similar obligations. Section 535.568(a) prohibits the payment under a standby letter of credit into a blocked account

provided that the account party avails itself of the specific licensing procedure to establish a blocked account on its books. The prohibition and the procedure remain in effect. The section also provides that the term "funds and securities" as used in this part excludes the substitute blocked accounts established under § 535.568 relating to standby letters of credit, performance or payment bonds and similar obligations.

20. *Commercially reasonable interest rates.*

New § 535.440 provides that the meaning of the term "commercially reasonable rates" depends on the particular circumstances of the deposit.

21. *Exclusion of pre-judgment attachments and similar proceedings from general license for judicial proceedings.*

The general license in § 535.504 for judicial proceedings is amended to exclude pre-judgment attachments and other proceedings of similar or analogous effect with respect to property subject to §§ 535.211 through 535.215 and reference is made to the claims suspension provisions of § 535.222.

22. *Authorization for new transactions.*

New § 535.579 authorizes new transactions involving property of Iran. Transactions involving standby letters of credit, performance or payment bonds and similar obligations remain subject to the provisions of § 535.568. The section also highlights that attachment, injunction and similar orders are prohibited with respect to property not blocked on January 19, 1981, which is or becomes subject to U.S. jurisdiction for the express purpose of settling claims against Iran.

23. *Reports on transfers of other assets.*

Section 535.618 provides than any person failing to transfer property as directed by Iran is required to submit a brief report to the Office of Foreign Assets Control explaining why the property was not transferred.

24. *Revocation of general license for overseas set-offs.*

Section 535.902 is amended to revoke the general license in paragraph (a) authorizing overseas set-offs and by adding paragraph (c) to provide that for purposes of this section, set-offs include combinations of accounts or any similar actions.

25. *Revocation of sanctions, prohibitions and obsolete provisions.*

These amendments revoke various sanctions and prohibitions against transactions involving Iran, including certain prohibitions against imports from Iran, financial transactions with Iran, exports to Iran, and travel-related transactions. They also revoke miscellaneous definitions, interpretations and statements of licensing policy that are obsolete as the result of the above amendments.

Additional sections of the existing regulations may be revoked and additional provisions may be added, as appropriate.

31 CFR Part 535 is amended as follows:

1. Section 535.210 is added as follows:

§ 535.210 Direction for establishing an escrow agreement.

(a) The Federal Reserve Bank of New York, as fiscal agent of the United States, is licensed, authorized, directed and compelled to enter into escrow and related agreements under which certain money and other assets shall be credited by the Bank of England to escrow accounts.

(b) The Federal Reserve Bank of New York is licensed, authorized, directed and compelled, as fiscal agent of the United States, to receive certain money and other assets in which Iran or its agencies, instrumentalities or controlled entities have an interest and to hold or transfer such money and other assets, and any earnings or interest payable thereon, in such manner and at such times as the Secretary of the Treasury deems necessary to fulfill the rights and obligations of the United States under the Declaration of the government of the Democratic and Popular Republic of Algeria dated January 19, 1981, and the Undertakings of the Government of the United States of America and the Government of Islamic Republic of Iran with respect to the Declaration of the Government of the Democratic and Popular Republic of Algeria, and the escrow and related agreements described in paragraph (a) of this section. Such money and other assets may be invested, or not, at the discretion of the Federal Reserve Bank of New York, as fiscal agent of the United States.

2. Section 535.211 is added as follows:

§ 535.211 Direction involving transfers by the Federal Reserve Bank concerning certain Iranian property.

The Federal Reserve Bank of New York is licensed, authorized, directed and compelled to transfer to its account at the Bank of England, and subsequently to transfer to accounts in the name of the Central Bank of Algeria as Escrow Agent at the Bank of England that are established pursuant to an escrow and related agreements approved by the Secretary of the Treasury, all gold bullion, together with all other assets in its custody (or the cash equivalent thereof), of Iran or its agencies, instrumentalities or controlled entities. Such transfers, and whatever further related transactions are deemed appropriate by the Secretary of the Treasury, shall be executed when and in the manner directed by the Secretary of the Treasury.

3. Section 535.212 is added as follows:

§ 535.212 Direction to transfer property in which Iran or an Iranian entity has an interest by branches and offices of United States banks located outside the United States.

(a) Any branch or office of a United States bank or subsidiary thereof, which branch, office or subsidiary is located outside the territory of the United States, and which, on or after 8:10 a.m., e.s.t., on November 14, 1979, (1) has been or is in possession of funds or securities legally or beneficially owned by the Government of Iran or its agencies, instrumentalities, or controlled entities, or (2) has carried or is carrying on its books deposits standing to the credit of or beneficially owned by such government, its agencies, instrumentalities or controlled entities, is licensed, authorized, directed and compelled to transfer such funds, securities and deposits, held on January 19, 1981, including interest from November 14, 1979, at commercially reasonable rates, to the account of the Federal Reserve Bank of New York, as fiscal agent of the U.S., at the Bank of England, to be held or transferred as directed by the Secretary of the Treasury. The funds, securities and deposits described in this section shall be further transferred as provided for in the Declarations of the Government of the Democratic and Popular Republic of Algeria and the Undertakings of the Government of the United States of America and the Government of the Islamic Republic of Iran with respect to the Declaration.

(b) Any banking institution subject to the jurisdiction of the United States that has executed a set-off on or after 8:10 a.m., e.s.t., November 14, 1979, against Iranian funds, securities or deposits referred to in paragraph (a) of this section is hereby licensed, authorized, directed and compelled to cancel such set-off and to transfer all funds, securities and deposits which have been subject to such set-off, including interest from November 14, 1979, at commercially reasonable rates, pursuant to the provisions of paragraph (a) of this section.

4. Section 535.213 is added as follows:

§ 535.213 Direction involving property held by offices of banks in the U.S. in which Iran or an Iranian entity has an interest.

(a) Any branch or office of a bank, which branch or office is located within the United States and is, on the effective date of this section, either (1) in possession of funds or securities legally or beneficially owned by the Government of Iran or its agencies, instrumentalities or controlled entities, or (2) carrying on its books deposits standing to the credit of or beneficially owned by such government or its agencies, instrumentalities or controlled entities, is licensed, authorized, directed and compelled to transfer such funds, securities and deposits, held on January 19, 1981, including interest from November 14, 1979, at commercially reasonable rates, to the Federal Reserve Bank of New York, as fiscal agent of the U.S., to be held or transferred as directed by the Secretary of the Treasury.

(b) Transfers of funds, securities or deposits under paragraph (a) of this section shall be in accordance with the provisions of § 535.221 of this part.

5. Section 535.214 is added as follows:

§ 535.214 Direction involving other financial assets in which Iran or an Iranian entity has an interest held by any person subject to the jurisdiction of the United States.

(a) Any person subject to the jurisdiction of the United States which is not a banking institution and is on January 19, 1981, in possession or control of funds or securities of Iran or its agencies, instrumentalities or controlled entities is licensed, authorized, directed and compelled to transfer such funds or securities to the Federal Reserve Bank of New York, as fiscal agent of the U.S., to be held or transferred as directed by the Secretary of the Treasury. However, such funds and securities need not be transferred until any disputes (not relating to any attachment, injunction or similar order) as to the entitlement of Iran and its entities to them are resolved.

(b) Transfers of funds, securities or deposits under paragraph (a) of this section shall be in accordance with the provisions of § 535.221 of this part.

(c) Any funds, securities or deposits subject to a valid attachment, injunction or other like proceeding or process not affected by § 353.218 need not be transferred as otherwise required by this section.

6. Section 535.215 is added as follows:

§ 535.215 Direction involving other properties in which Iran or an Iranian entity has an interest held by any person subject to the jurisdiction of the United States.

All persons subject to the jurisdiction of the United States in possession or control of properties, as defined in § 535.333 of this part, not including funds and securities owned by Iran or its agencies, instrumentalities or controlled entities are licensed, authorized, directed and compelled to transfer such properties held on January 19, 1981 as directed after that date by the Government of Iran, acting through its authorized agent. Except where specifically stated, this license, authorization and direction does not relieve persons subject to the jurisdiction of the United States from existing legal requirements other than those based upon the International Emergency Economic Powers Act.

7. Section 535.216 is added as follows:

§ 535.216 Prohibition against prosecution of certain claims.

(a) Persons subject to the jurisdiction of the United States are prohibited from prosecuting in any court within the United States or elsewhere, whether or not litigation was commenced before or after January 19, 1981, any claim against the Government of Iran arising out of events occurring before January 19, 1981 relating to:

(1) The seizure of the hostages on November 4, 1979;

(2) The subsequent detention of such hostages;

(3) Injury to United States property or property of United States nationals within the United States Embassy compound in Tehran after November 3, 1979; or

(4) Injury to United States nationals or their property as a result of popular movements in the course of the Islamic Revolution in Iran which were not an act of the Government of Iran.

(b) Any persons who are not United States nationals are prohibited from prosecuting any claim described in paragraph (a) of this section in any court within the United States.

(c) No further action, measure or process shall be taken after the effective date of this section in any judicial proceeding instituted before the effective date of this section which is based upon any claim described in paragraph (a) of this section, and all such proceedings shall be terminated.

(d) No judicial order issued in the course of the proceedings described in paragraph (c) of this section shall be enforced in any way.

8. Section 535.218 is added as follows:

§ 535.218 Prohibitions and nullifications with respect to property described in §§ 535.211, 535.212, 535.213, 535.214 and 535.215.

(a) All licenses and authorizations for acquiring or exercising any right, power or privilege, by court order, attachment, or otherwise, including the license contained in § 535.504, with respect to the property described in §§ 535.211, 535.212, 535.213, 535.214 and 535.215 are revoked and withdrawn.

(b) All rights, powers and privileges relating to the property described in §§ 535.211, 535.212, 535.213, 535.214 and 535.215 and which derive from any attachment, injunction, other like proceedings or process, or other action in any litigation after November 14, 1979, at 8:10 a.m., e.s.t., including those derived from § 535.504, other than rights, powers and privileges of the Government of Iran and its agencies, instrumentalities and controlled entities, whether acquired by court order or otherwise, are nullified, and all persons claiming any such right, power or privilege are hereafter barred from exercising the same.

(c) All persons subject to the jurisdiction of the United States are prohibited from acquiring or exercising any right, power or privilege, whether by court order or otherwise, with respect to property (and any income earned thereon) referred to in §§ 535.211, 535.212, 535.213, 535.214 and 535.215.

(d) The prohibitions contained in paragraph (c) of this section shall not apply to Iran, its agencies, instrumentalities or controlled entities.

(e) This section does not revoke or withdraw specific licenses authorizing the operation of blocked accounts which were issued prior to January 19, 1961 and which do not relate to litigation. Such licenses are revoked as of April 15, 1981, unless extended by further general or specific license.

9. Section 535.219 is added as follows:

§ 535.219 Discharge of obligation by compliance with this part.

Compliance with §§ 535.210, 535.211, 535.212, 535.213, 535.214 and 535.215, or any other orders, regulations, instructions or directions issued pursuant to this part licensing, authorizing, directing or compelling the transfer of the assets described in those sections, shall, to the extent thereof, be a full acquittance and discharge for all purposes of the obligation of the person making the same. No person shall be held liable in any court for or with respect to anything done or omitted in good faith in connection with the administration of, or pursuant to and in

reliance on, such orders, regulations, instructions or directions.

10. Section 535.220 is added as follows:

§ 535.220 Timing of transfers required by § 535.212.

Transfers required by § 535.212 to the account of the Federal Reserve Bank of New York, as fiscal agent of the U.S., at the Bank of England shall be executed no later than 6 a.m., e.s.t., January 20, 1981, when the banking institution had knowledge of the terms of Executive Order 12278 of January 19, 1981.

11. Section 535.221 is added as follows:

§ 535.221 Compliance with directive provisions.

(a) Compliance with the directive provisions of §§ 535.213 and 535.214 requires that persons affected by these sections shall implement the directives as soon as reasonably practicable.

(b) Until the Secretary of the Treasury determines that the authority of the United States to order these transfers has been the subject of a definitive legal ruling, the United States Government will not seek to impose civil or criminal sanctions on any party who does not make the transfers required by §§ 535.213, 535.214 and 535.215 and Executive Orders 12279–81 of January 19, 1981.

(c) Transfers of deposits or funds required by §§ 535.213 and 535.214 of this part shall be effected by means of wire transfer to the Federal Reserve Bank of New York for credit to the following account: Federal Reserve Bank of New York as fiscal agent of the United States, Special Deposit Account.

(d) Securities to be transferred as required by §§ 535.213 and 535.214 of this part must be delivered to the Federal Reserve Bank of New York in fully transferable form, accompanied by all necessary transfer documentation, *e.g.*, stock or bond powers, powers of attorney, and also accompanied by instructions to deposit such securities to the following account: Federal Reserve Bank of New York, as fiscal agent of the United States, Special Custody Account.

(1) Securities which are in book-entry form shall be transferred by wire transfer to the Federal Reserve Bank of New York for credit to the account named in paragraph (d) of this section.

(2) Definitive securities which are in bearer or registered form shall be hand delivered or forwarded by registered mail, insured, to the Federal Reserve Bank of New York, Safekeeping Department.

(e) If a security in which Iran or an Iranian entity has an interest is evidenced by a depositary receipt or other evidence of a security, the legal owner of such security shall arrange to have it placed in registered form in the name of Iran or the Iranian entity having an interest in such security, as appropriate, and transferred pursuant to paragraph (d)(2) of this section.

(f) Securities in which Iran or an Iranian entity has an interest that are held in the name of a nominee must be re-registered in the name of Iran or the Iranian entity having an interest in such security, as appropriate, and transferred pursuant to paragraph (d)(2) of this section.

(g) Any person delivering a security or securities to the Federal Reserve Bank of New York under paragraph (d) shall provide the Bank at least two business days prior written notice of such delivery, specifically identifying the sending person, the face or par amount and type of security, and whether the security is in bearer, registered or book entry form.

12. Section 535.222 is added as follows:

§ 535.222 Suspension of claims eligible for Claims Tribunal.

(a) All claims which may be presented to the Iran-United States Claims Tribunal under the terms of Article II of the Declaration of the Government of the Democratic and Popular Republic of Algeria Concerning the Settlement of Claims by the Government of the United States of America and the Government of the Islamic Republic of Iran, dated January 19, 1981, and all claims for equitable or other judicial relief in connection with such claims, are hereby suspended, except as they may be presented to the Tribunal. During the period of this suspension, all such claims shall have no legal effect in any action now pending in any court in the United States, including the courts of any state and any locality thereof, the District of Columbia and Puerto Rico, or in any action commenced in any such court after the effective date of this section.

(b) Nothing in paragraph (a) of this section shall prohibit the assertion of a defense, set-off or counterclaim in any pending or subsequent judicial proceeding commenced by the Government of Iran, any political subdivision of Iran, or any agency, instrumentality or entity controlled by the Government of Iran or any political subdivision thereof.

(c) Nothing in this section precludes the commencement of an action after the effective date of this section for the purpose of tolling the period of limitations for commencement of such action.

(d) Nothing in this section shall require dismissal of any action for want of prosecution.

(e) Suspension under this section of a claim or a portion thereof submitted to the Iran-United States Claims Tribunal for adjudication shall terminate upon a determination by the Tribunal that it does not have jurisdiction over such claim or portion thereof.

(f) A determination by the Iran-United States Claims Tribunal on the merits that a claimant is not entitled to recover on a claim or part thereof shall operate as a final resolution and discharge of such claim or part thereof for all purposes. A determination by the Tribunal that a claimant shall have recovery on a claim or part thereof in a specified amount shall operate as a final resolution and discharge of such claim or part thereof for all purposes upon payment to the claimant of the full amount of the award including any interest awarded by the Tribunal.

(g) Nothing in this section shall apply to any claim concerning the validity or payment of a standby letter of credit, performance or payment bond or other similar instrument.

(h) The effective date of this section is February 24, 1981.

13. Section 535.333 is added as follows:

§ 535.333 Properties.

(a) The term "properties" as used in § 535.215 includes all uncontested and non-contingent liabilities and property interests of the Government of Iran, its agencies, instrumentalities or controlled entities, including debts. It does not include bank deposits or funds and securities. It also does not include obligations under standby letters of credit or similar instruments in the nature of performance bonds, including accounts established pursuant to § 535.568.

(b) Properties are not Iranian properties or owned by Iran unless all necessary obligations, charges and fees relating to such properties are paid and liens against such properties (not including attachments, injunctions and similar orders) are discharged.

(c) Liabilities and property interests may be considered contested if the holder thereof reasonably believes that a court would not require the holder, under applicable law to transfer the asset by virtue of the existence of a defense, counterclaim, set-off or similar reason. For purposes of this paragraph, the term "holder" shall include any person who possesses the property, or who, although not in physical

possession of the property, has, by contract or otherwise, control over a third party who does in fact have physical possession of the property. A person is not a "holder" by virtue of being the beneficiary of an attachment, injunction or similar order.

(d) Liabilities and property interests shall not be deemed to be contested solely because they are subject to an attachment, injunction or other similar order.

14. Section 535.334 is added as follows:

§ 535.334 Act of the Government of Iran.

For purposes of § 535.216, an act of the Government of Iran, includes any acts ordered, authorized, allowed, approved, or ratified by the Government of Iran, its agencies, instrumentalities or controlled entities.

15. Section 535.335 is added as follows:

§ 535.335 Claim arising out of events in Iran.

For purposes of § 535.216, a claim is one "arising out of events" of the type specified only if such event is the specific act that is the basis of the claim.

16. Section 535.337 is added as follows:

§ 535.337 Funds.

For purposes of this part, the term "funds" shall mean monies in trust, escrow and similar special funds held by non-banking institutions, currency and coins. It does not include accounts created under § 535.568.

17. Section 535.433 is added as follows:

§ 535.433 Central Bank of Iran.

The Central Bank of Iran (Bank Markazi Iran) is an agency, instrumentality and controlled entity of the Government of Iran for all purposes under this part.

18. Section 535.437 is added as follows:

§ 535.437 Effect on other authorities.

Nothing in this part in any way relieves any persons subject to the jurisdiction of the United States from securing licenses or other authorizations as required from the Secretary of State, the Secretary of Commerce or other relevant agency prior to executing the transactions authorized or directed by this part. This includes licenses for transactions involving military equipment.

19. Section 535.438 is added as follows:

§ 535.438 Standby letters of credit, performance or payment bonds and similar obligations.

Nothing contained in §§ 535.212, 535.213 and 535.214 or in any other provision or revocation or amendment of any provision in this part affects the prohibition in § 535.201 and the licensing procedure in § 535.568 relating to certain standby letters of credit, performance bonds and similar obligations. The term "funds and securities" as used in this part does not include substitute blocked accounts established under section 535.568 relating to standby letters of credit, performance or payment bonds and similar obligations.

20. Section 535.440 is added to read as follows:

§ 535.440 Commercially reasonable interest rates.

For purposes of §§ 535.212 and 535.213, what is meant by "commercially reasonable rates" depends on the particular circumstances of the deposit. Where, for example, a deposit has in fact operated as a demand account under Treasury license, it would be appropriate to treat the deposit for purposes of §§ 535.212 and 535.213 as a non-interest-bearing account.

21. Section 535.504 is revised to read as follows:

§ 535.504 Certain judicial proceedings with respect to property of Iran or Iranian entities.

(a) Subject to the limitations of paragraphs (b) and (c) of this section and § 535.222, judicial proceedings are authorized with respect to property in which on or after 8:10 a.m., e.s.t., November 14, 1979, there has existed an interest of Iran or an Iranian entity.

(b) This section does not authorize or license:

(1) Any pre-judgment attachment or any other proceeding of similar or analogous effect pertaining to any property (and any income earned thereon) subject to the provisions of § 535.211, 535.212, 535.213, 535.214 or 535.215 on January 19, 1981, including, but not limited to, a temporary restraining order or preliminary injunction, which operates as a restraint on property, for purposes of holding it within the jurisdiction of a court, or otherwise;

(2) Any payment or delivery out of a blocked account based upon a judicial proceeding, pertaining to any property subject to the provisions of § 535.211, 535.212, 535.213, 535.214 or 535.215 on January 19, 1981;

(c) A judicial proceeding is not authorized by this section if it is based on transactions which violated the prohibitions of this part.

22. Section 535.579 is added as follows:

§ 535.579 Authorization of new transactions concerning certain Iranian property.

(a) Transactions involving property in which Iran or an Iranian entity has an interest are authorized where:

(1) The property comes within the jurisdiction of the United States or into the control or possession of any person subject to the jurisdiction of the United States after January 19, 1981, or

(2) The interest in the property of Iran or an Iranian entity (e.g. exports consigned to Iran or an Iranian entity) arises after January 19, 1981.

(b) Transactions involving standby letters of credit, performance or payment bonds and similar obligations, entered into prior to January 20, 1981, described in § 535.568 remain subject to the prohibitions and procedures contained in §§ 535.201 and 535.568.

(c) Property not blocked under § 535.201 as of January 19, 1981, in which the Government of Iran or an Iranian entity has an interest, which after that date is or becomes subject to the jurisdiction of the United States or comes within the control or possession of a person subject to the jurisdiction of the United States for the express purpose of settling claims against Iran or Iranian entities, is excluded from any authorization in this part for any attachment, injunction or other order of similar or analogous effect and any such attachment, injunction or order is prohibited by §§ 535.201 and 535.203.

23. Section 535.618 is added to read as follows:

§ 535.618 Report of contested property.

(a) *Requirement for reports.* Reports are required to be filed within 15 days of receipt of a direction from Iran to transfer any interests in property claimed or believed to be an interest of Iran which was blocked by the Iranian Assets Control Regulations if the party receiving the direction to transfer has not transferred such claimed interest in property.

(b) *Who must report.* Reports must be filed by every person subject to the jurisdiction of the United States who does not transfer any interest or claimed interest in property described in paragraph (a) of this section within 15 days of a direction from Iran to transfer it.

(c) *Contents of report.* Each report shall contain the following information.

(1) Name and address of entity making the report.

(2) Name of person and entity directing the transfer.

(3) Date of the direction and date of its receipt.

(4) Description of the interest or claimed interest in property directed to be transferred.

(5) Statement or estimate of value of the interest or claimed interest in property.

(6) Explanation why property was not transferred as directed.

(7) Statement of any planned actions with respect to the interest or claimed interest in the property described.

(d) *Filing.* Reports shall be prepared in triplicate. Two copies shall be sent in a set to Unit 617, Office of Foreign Assets Control, Department of the Treasury, Washington, D.C. 20220. The third copy must be retained with the reporter's records.

(e) *Confidentiality of reports.* Reports under this section are regarded as privileged and confidential.

24. Section 535.902 is revised to read as follows:

§ 535.902 Set-offs by U.S. owned or controlled firms abroad.

(a) Branches and subsidiaries in foreign countries of persons subject to the jurisdiction of the United States are licensed to set-off their claims against Iran or Iranian entities by debit to blocked accounts held by them for Iran or Iranian entities.

(b) The general license in paragraph (a) of this section is revoked as of January 19, 1981.

(c) For purposes of this section, set-offs include combinations of accounts and any similar actions.

25. Part 535 is amended by the revocation and removal of sections 535.204, 535.206, 535.207, 535.209, 535.331, 535.332, 535.418, 535.419, 535.422, 535.423, 535.424, 535.425, 535.426, 535.427, 535.428, 535.429, 535.430, 535.431, 535.432, 535.550, 535.562, 535.563, 535.572, 535.574, 535.575, 535.577, 535.578, and 535.603.

§ 535.204 [Removed]

§ 535.206–207 [Removed]

§ 535.209 [Removed]

§ 535.331 [Removed]

§ 535.332 [Removed]

§ 535.418 [Removed]

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§ 535.422–432 [Removed]

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§ 535.577 [Removed]

§ 535.578 [Removed]

§ 535.603 [Removed]

Dated: February 24, 1981.

Dennis M. O'Connell,

Director.

Approved:

John P. Simpson,

Acting Assistant Secretary, Enforcement and Operations.

(Sec. 201–207, 91 Stat. 1626, 50 U.S.C. 1701–1706; E.O. No. 12170, 44 FR 65729; E.O. No. 12205, 45 FR 24099; E.O. No. 12211, 45 FR 26605; E.O. No. 12276, 46 FR 7913; E.O. No. 12279, 46 FR 7919; E.O. No. 12280, 46 FR 7921; E.O. No. 12281, 46 FR 7923; E.O. No. 12282, 46 FR 7925; E.O. No. 12283, 46 FR 7927, and E.O. No. 12294, 46 FR ——.)

[FR Doc. 81-3812 Filed 2-25-81; 9:16 am]

BILLING CODE 4810-25-M

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